

03/18/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035
NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713
SOURCE: SNAKE RIVER SOUTH FORK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.800 CFS
PRIORITY DATE: 06/01/1958
POINT OF DIVERSION:
T01N R44E S7 NWNWSW Within BONNEVILLE County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07 Lot 3 NWSW	33.0	T01N R44E S07 Lot 4 SWSW	6.8
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39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

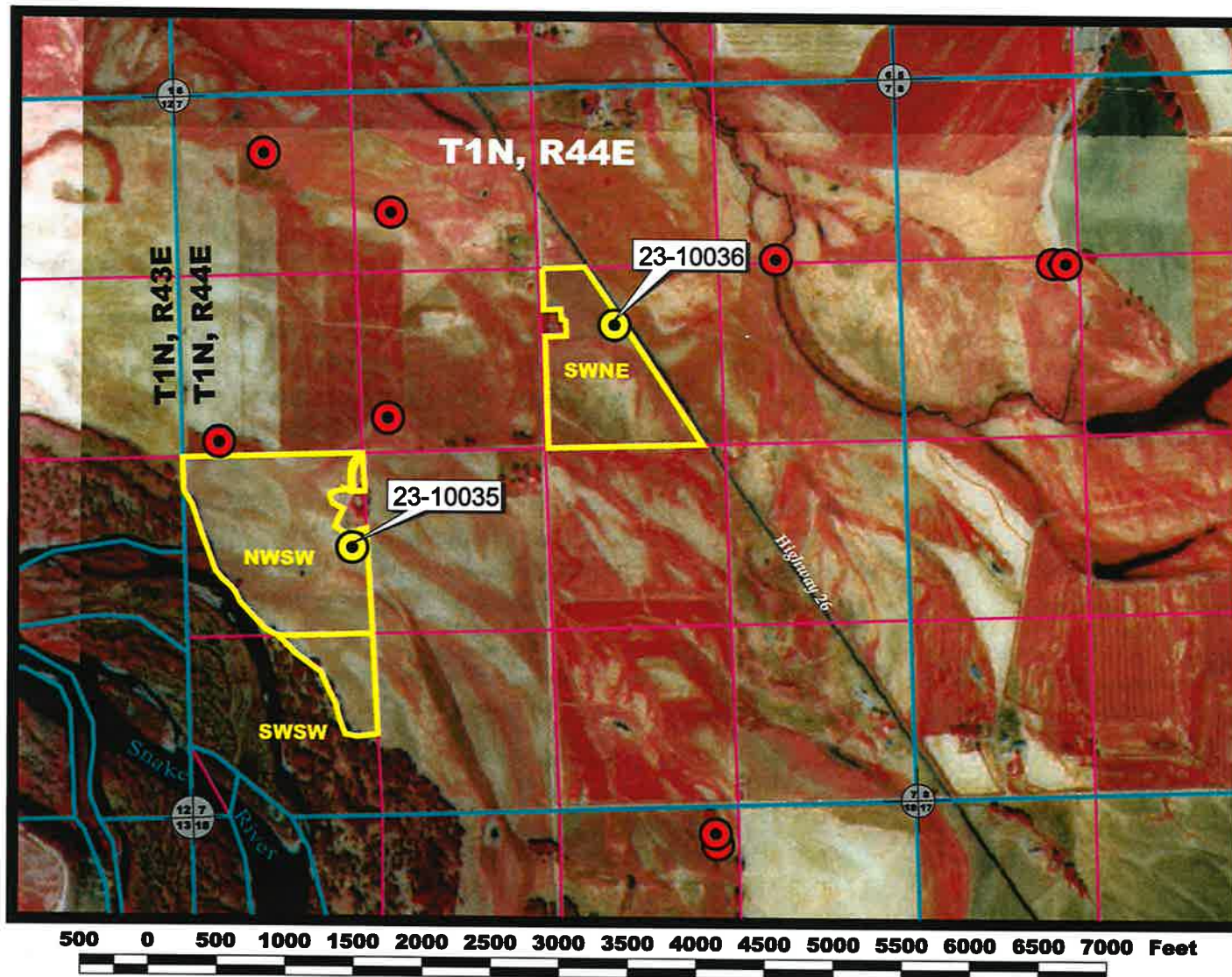


JUL 19 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-10035,
23-10036

Place of Use: (parts of)
T1N, R44E Sec. 7
W2SW (23-10035)
SWNE (23-10036)

Point(s) of Diversion:
T1N, R44E Sec. 7
NWNWSW (23-10035)
NWSWNE (23-10036)

LEGEND

-  Point of Diversion
-  SESE Place of Use
-  Section
-  Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: March 2004

02/17/2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-10035

WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity
There is a typographical error on the second line of the form where it states quantity at .080. On line 5 the correct quantity is stated at 1,800 cfs. correct

2. Describe the changes you wish to make in the proposed recommendation:

The quantity amount of .080 cfs on second line should be corrected to the amount of .800 cfs as shown on line 5.

3. Give a brief explanation as to why you disagree with these portions:

Typographical error. .800 cfs is the correct amount

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 03/16/04

SIGNATURE:

Please print your name:

JEFF SERMON

IDWR Regional Office,

Correct point of diversion from Snake River
to drain. - This POP is for Palisades Storage Water.

Corrected Q to 0.80 cfs ~~0.08~~

SCANNED

JUL 19 2004

Contacts Data Entry Form

WORK phone 1800-453-8188 EXT. 788
 Home phone 1-801-756-2669
 Water Right No. 23-10035

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner WAYNE H. SERMON % JEFF SERMON

Name connector: and _____, or _____, and/or _____

Current Owner 6/23/03: TELEPHONE # 523-7438 ⇒ DISCONNECTED

Current Owner NO CURRENT LISTING.

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 17 JAN 2004 Time: 9:00 AM

Directions to Property (if different from above) and/or update owner information:

FILED AS BU CLAIM - REMARKS #14 STATES "SWAN FALLS
APP. 23-7096/7097 FOR SAME PLACE. THIS CLAIM FILED
TO...

Q: WHAT ARE 23-7096/7097 ABOUT? THEY ARE PERMITS
- BUT WHEN; FOR WHAT, SWAN FALLS? ⇒ RELATES TO THE
MONITORIUM (SWAN FALLS HOLD FILE).

NO SRBA CLAIMS
 PODD

6/23/03 UNABLE TO CONTACT CLAIMANT OR ASCERTAIN ANY
CURRENT OWNER. CURRENT OWNER ARE

WAYNE SERMON CHILDREN. WAYNE SERMON TRUST, &
JEFF SERMON. INFORMATION ABOVE.

FE INDICATED: POD, POL, SOURCE, CONVEYANCE... WHAT ARE
23-7096/7097

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: 23-10035

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1-JUN 15 1958 Claimed Basis: BENEFICIAL USE

Recommended Priority Date: _____ Recommended Basis: _____

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

SEE ATTACHED AFFIDAVIT E.R. BITHILL
PRIORITY DATE 1958

Reviewer: _____

Date: _____

RECEIVED

IN THE MATTER OF:

Application for
Permit 23-7096

AFFIDAVIT

JUL 3 1985
Department of Resources
Eastern District Office

State of Idaho
County of _____

23 ~~75~~ - 10035
23 ~~75~~ - 10036

E.R. Bithell

being first duly sworn,

deposes and says:

Mr Wayne Slesman began irrigating
his land which is adjacent to mine, in 1958
he irrigated with a sprinkler system using
a tractor driven pump, to pump the water
from a hole which was dug with a backhoe.

E. R. Bithell
(Signature)

Subscribed and sworn to before me this 2 day of July, 1985.

Jay Z...
(Notary Public)

Residing at Salinas, W. 83437.
My Commission Expires 8-25-88

SEP 15 1989

MICKELAND

RECEIVED

JUN 25 1991

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$ 125
Date 6-25-91
Receipt No. EDW262
Received by KW

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 23-7097 Telephone No. 523-7438

Name(s) of Permit Holder(s): Wayne H. Sermon Trust

Post Office Address: 3100 N. ~~Boone~~ Ammon Rd, Idaho Falls 8340

Source of Water: Drain

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 65 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 1.3 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1969

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☒ No ☐

OR

Flow Measurement Port: Required? ☒ Yes ☐ No ☐ Installed? Yes ☒ No ☐

Fee Enclosed: \$ 125⁰⁰ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Name Same as above Telephone No. _____

Address _____

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

25 June 91
Date

Wayne H. Sermon
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

WAYNE H. SERMON TRUST
RT.1, BOX 457
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 23-07097

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 23-07096

Proposed Priority: May 26, 1983

Maximum Diversion Rate:

0.38 CFS

This is to certify, that WAYNE H. SERMON TRUST
RT.1 BOX 457
IDAHO FALLS, ID 83401
has applied for a permit to appropriate water from:

UNNAMED DRAIN

tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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IRRIGATION	04/01 to 11/01	0.38 CFS
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LOCATION OF POINT(S) OF DIVERSION:

SWNE Sec. 7, Township 01N, Range 44E
BONNEVILLE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 44E 7	SWNE 19			19

Total number of acres irrigated: 19

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1990.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

WAYNE H. SERMON TRUST
RT.1 BOX 457
IDAHO FALLS, ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P23-07096

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 23-7097

WATER RIGHT NUMBER: 23-7097

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE H SERMON TRUST 3100 N AMMON RD IDAHO FALLS, ID 83401

Priority Date: 05/26/1983

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.300 CFS	
<u>Total Diversion:</u>		1.300 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4SW1/4	Sec. 7, Twp 01N, Rge 44E, B.M.
BONNEVILLE County		

Place of UseIRRIGATION Within BONNEVILLE County

T01N R44E S07 NWSW 35.0 T01N R44E S07 SWSW 30.0

Total Acres: 65

Conditions of Approval:

1. 01G Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
2. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Remarks:Comments:Dates and Other Information:*By the River*

Water Right No(s). D22 10035



GPS DATA:

Tag # A0 00 9529 Location: ON PUMP

Diversion Data:

Source: Sub Water Trib to:

MOTOR

Make: ALLIS CHALMERS Model: 5 KCR 39 UN 299 Hp: 35
SN: 453151 206 cubic " PROPRANE

PUMP

Make: BERKELEY Model: B3JRBMCW Disch: 4"
SN: 8150119

NOTES:

THIS PUMP IS USED AT ALL DIFFERENT
POD THIS POD HAS A CONCRETE PIPE
GOING VERTICAL INTO THE GROUND FOR
THE PIT FOR WATER. PUMP HAS 4" SUCTION
LINE 4" MAIN LINE 5/32 NOZZLES ON PIPE

Field Exam Date: 17 JAN 2004 Agent: NICK OLSON

Water Right No(s). _____



GPS DATA:

Tag # AD009530 Location: ON STEEL FRAME.

Diversion Data:

Source: SNAKE RIVER Trib to: SNAKE RIVER

MOTOR SAME MOTOR & PUMP. AS ON PREVIOUS PAGE
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:
THIS POD IS USED TO PUMP STORAGE
WATER FROM RIVER. (PALISADE WATER USERS)

Field Exam Date: 17 Jan 2004 Agent: NICK OLSON

Water Right No(s). A 2310035



GPS DATA:

Tag # NO Tag Location: NOTHING PERMANENT TO ATTACH TO

Diversion Data:

Source: S. Fork Snake River Trib to: Snake River

MOTOR

Make: SAMIE Model: pump & motor Hp: AS ON PREVIOUS PAGE
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

THIS P.O.D. IS USED TO DIVERT STORAGE
WATER (PLOWING STORAGE WATER) TRACTOR PUMP
IS USED
THE 3 DIFFERENT SITES ARE FOR CONVEYANCE

Field Exam Date: 17 JAN 2004 Agent: NICK OLSON

Water Right No(s). A23-10035



GPS DATA:

Tag # A2009531 Location: ON TREE

Diversion Data:

Source: BRANCH OF SNAKE RIVER Trib to: SNAKE RIVER

MOTOR SAME PUMP & MOTOR USED AS ON PREVIOUS PAGE
Make: _____ Model: _____ Hp: _____
SN: _____

PUMP
Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:
THIS POND IS PUMPED FROM BY A TRACTOR
PUMP IT IS USED TO PUMP STORAGE
WATER. (400 SHARES PAID FOR WATER USES)

Field Exam Date: 12 JAN 2004 Agent: Nick Olson

Point of Diversion and Source Data Entry Form

Claim Number: 2310035

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 1N, R 4W, Sec. 7, SE, NW, SW. County: BONNEVILLE

Source: STORAGE WATER palisade water users. Tributary: SHAKE RIVER.

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? POD. Try # 1- A0009529 3 A0009531
2 A0009530

Document how the POD and Source were verified and/or Pump and Motor data:

FE Took photo + GPS DIFFERENT
POD.

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: A 2310035☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	44E	7	NWSW		Bonneville		35	Irrigation
"	"	"	SWSW		"		25	Irrigation

Total Acres 60

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

FE property is irrigated with Tractor pump & PTO pump on propane motor. which is moved from the different pod. To lessen the amount of mainline used. 6" main line 4" Hand lines. 1/2 nozzles

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry FormClaim Number: A 2310035☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1		1.2 CFS

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

I.D. W.R. STD. SOW 4/15 To 10/31

Reviewer: _____

Date: _____

Log for claim 23-10035

Spatial Dynamics BTD

6/13/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	7	NWSW	35	36	
01n44e	7	SWSW	25	21	
Totals:			60	57	

Richard Powell
RPH00000071222
23-10035 (23-07096 permit)

Wayne Sermon Trust
RPH00000075401
23-10036 (23-07097 permit)

T1N, R43E
T1N, R44E

65
78

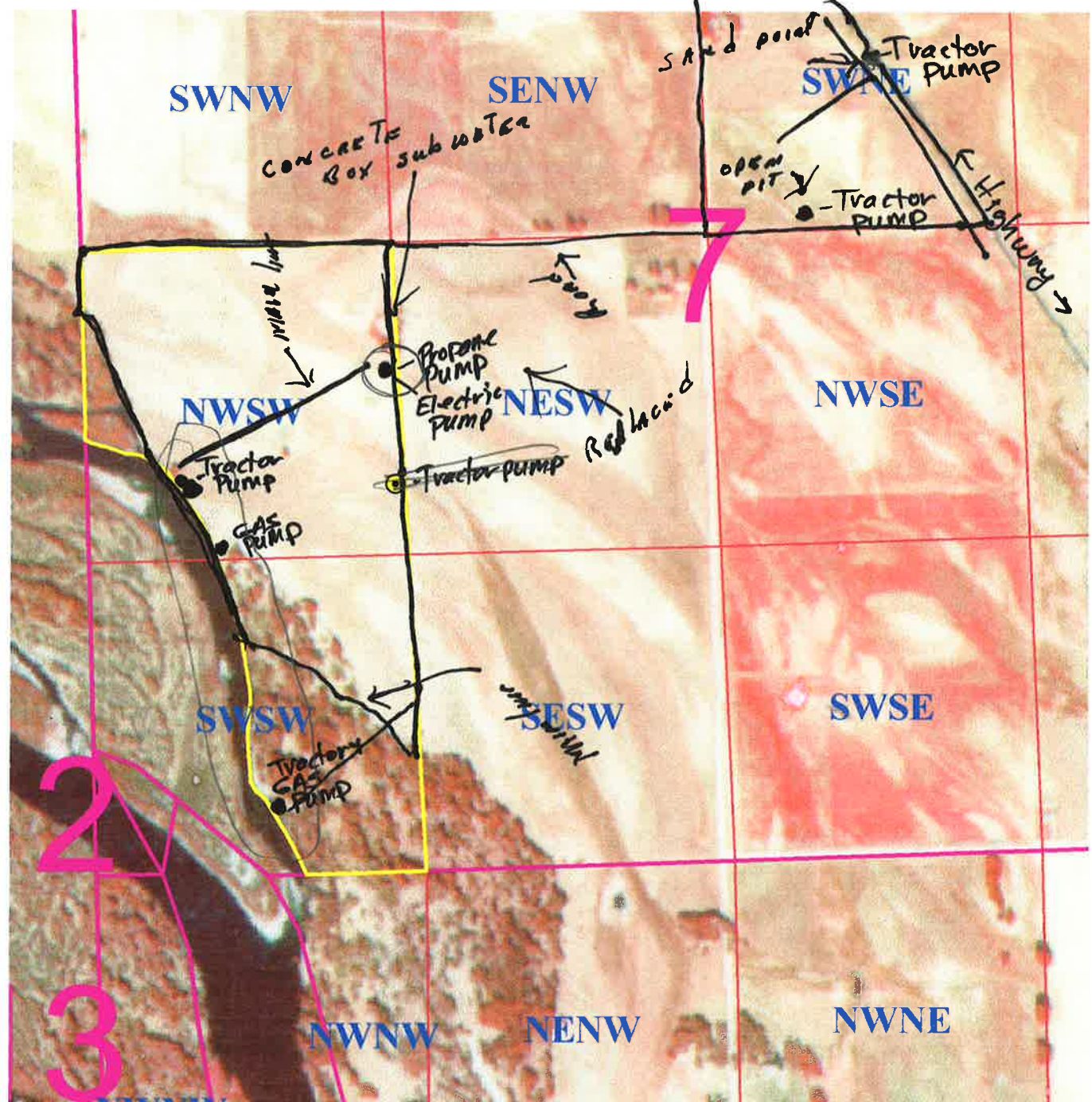
16
127

26

Water Right Claim Number 23-10035

Townships , 5N38E, 1N44E

06/13/2001
Powell



Irrigated Area

Section Line

Roads

Place of Diversion

Quarter Section Line

Streams and Canals



12000 1st Avenue S.W. 12000 1st Avenue S.W. 12000 1st Avenue S.W.
12000 1st Avenue S.W. 12000 1st Avenue S.W. 12000 1st Avenue S.W.
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02/17/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-10035
NAME AND ADDRESS: WAYNE H SERMON
120 E 300 N
AMERICAN FORK UT 84003-1713

SOURCE: SNAKE RIVER SOUTH FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

typographical error
should read .800 as on line 5 below.

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:
T01N R44E S7 SWNWSW Lot 3 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.800 CFS

correct amount

PLACE OF USE: IRRIGATION Within BONNEVILLE County
T01N R44E S07 Lot 3 NWSW 33.0 T01N R44E S07 Lot 4 SWSW 6.8

39.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Sermon, Wayne H. CLAIM NO. A 23-10035
DATE RECEIVED 9-21-88 CK # 1974 AMOUNT \$ 229

4 claims

YES

NO

1. Is the name and address complete with zip code? ☒ ✓
2. Is a priority date entered? ☒ ✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒ ✓

3. (a) Is a source entered? ☒ ✓
(b) Is a tributary to entered? (if required) N/A ☒ ✓

4. Is the legal description of the p.d. sufficient? ☒ ✓

5. Is there a description of the diverting works? ☒ ✓

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ ✓

Is the period of use included? ☒ ✓

Is a quantity claimed for each use? ☒ ✓

7. Is a total quantity claimed entered? ☒ ✓

8. If required is a consumptive use entered? N/A ☒ ✓

Is the consumptive use correct? N/A ☒ ✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. NA ☒ ✓

10. Is (are) the place(s) of use entered? ☒ ✓

11. Is (are) the county(ies) entered? ☒ ✓

12. Is the ownership of p.u. checked? ☒ ✓

13. Are other water rights listed or "none" checked? ☒ ✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ ✓

15. Is the basis of the claim checked? ☒ ✓

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ ✓

Has the claim been signed, sealed, and dated by a notary? ☒ ✓

Is the fee enclosed correct? ☒ ✓

If this claim is based on an existing water right, has the identification number been entered? N/A ☒ ✓

Should this claim be receipted and data entered? ☒ ✓

Claim checked by: MICROFILMED

NOV 06 1988

Comments: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-10035
Date Received: 9/21/1988
Receipt No: E002745
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE H SERMON 208-523-7438
Address: 3100 N AMMON ROAD
IDAHO FALLS, ID 83401

2. Date of Priority: JUN 01, 1958

3. Source: DRAIN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	44E	7	SE	NW	SW	3	BONNEVILLE

5. Description of diverting works:
9' HAND DUG PIT/SUBWATER/PUMPED INTO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	44E	7	NW	SW	3	IRR	35.0
			SW	SW	4	IRR	25.0
Section Acres							60.0

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Date: 02/02/89

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10. Place of Use: Continued

Total Acres 60.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

SWAN FALLS APP. 23-7096/7097 FOR SAME PLACE. THIS CLAIM FILED
TO RECORD HISTORICAL USE OF THIS SOURCE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number A23-10035
Date Received 9-21-88
Receipt Number E002745
581

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WAYNE H. SERMON Phone (208) 523-7438
Mailing Address 3100 N. AMMON ROAD, IDAHO FALLS, ID. Zip 83401

2. Date of Priority (Only one (1) per claim) JUNE 1, 1958

3. Source of water supply (a) DRAIN
which is tributary to (b) SINKS

4. a. Location of existing point of diversion is: Township 1N Range 44E Section 7,
SE 1/4 of NW 1/4 of SW 1/4, Govt. Lot, 3 B.M., County of BOONEVILLE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 9' HAND DUG PIT COLLECTS
SUB WATER WHICH IS PUMPED INTO SPRINKLER LINES

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 1.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>44E</u>	<u>7</u>										<u>35</u>	<u>25</u>						<u>60</u>
												<u>43</u>	<u>14</u>						

Total number of acres irrigated 60

11. In which county (ies) are lands listed above as place of use located? BONNEVILLE

12. Do you own the property listed above as place of use? Yes to No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: SWAN FALLS APP 23-7096/7097 FOR SAME PLACE. THIS
CLAIM FILED TO RECORD HISTORICAL USE OF THE THIS
SOURCE.

MICROFILMED

NOV 06 1992

Last Name SERMON Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Wayne H. Searmon Date 9-21-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day of September 19 88

SEAL

Notary Public E. J. [Signature]

Residing at Idaho Falls, ID.

My Commission Expires 22 Aug 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

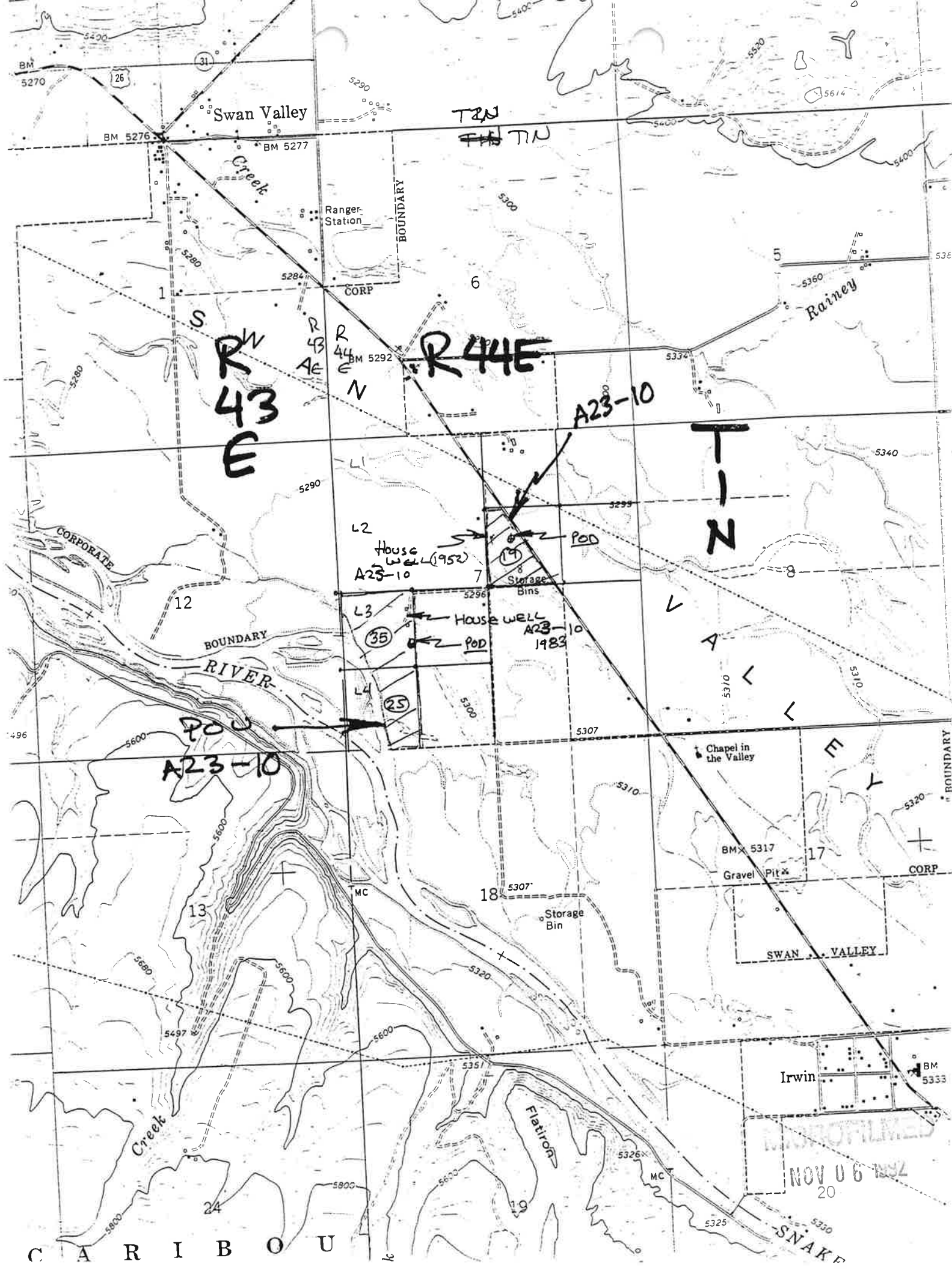
Address _____

Date _____

Last Name SEARMON Ident. Number _____

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Copies White-State, Yellow-Claimant



R 43 E

R 44 E

A23-10

T N

A23-10

House Well (1952)
A23-10

House Well
A23-10
1983

POD

POD

Chapel in the Valley

BM 5317

Gravel Pit

SWAN VALLEY

Irwin

BM 5333

UNRECORDED

NOV 06 1982

SNAKE

C A R I B O U