

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.

RECEIVED
MAY 11 1992

CIVIL CASE NUMBER: 39576

Ident. Number: A36-15364

Date Received:

Receipt No: 0024080

Received By: *[Signature]*

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KAREN B SERR 208-438-5232
Address: RT 1 BOX 1065
PAUL ID 83347

AND/OR
Name: MAX A SERR 208-438-5232
Address: RT 1 BOX 1065
PAUL ID 83347

2. Date of Priority: JAN 1, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	21E	21	NE	SW			LINCOLN

5. Description of diverting works:
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/10	0.420		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	21E	21	NE	SW		IRR	38.0

A36-15364

Page 1

Date: 04/16/92

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FEB 09 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	21E	21	NW	SW		IRR	35.0
			SW	SW		IRR	11.0
			SE	SW		IRR	36.0
			NE	SE		IRR	35.0
			NW	SE		IRR	38.0
			SW	SE		IRR	20.0
			SE	SE		IRR	1.0

Section Acres 214.0

Total Acres 214.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
36-07299

14. Remarks:

RIGHT NO. 36-07965 AND RIGHT NO. 36-07299 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-07299 PURSUANT TO IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 21 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-07299 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.22 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 856 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 642 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 214 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-07299 AND RIGHT NO. 36-07965 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.16 CFS.

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:

M. J. Sen 5-7-92

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): Max Sen Date: 5-7-92
Date: _____

State of Idaho)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of MAY 19 92 _____
Notary Public

Seal

Residing at MY COMMISSION EXPIRES 6-21-04
NOTARY PUBLIC
My Commission Expires RESIDING AT BURLEY, IDAHO

MICROFILMED
FEB 09 1993

RECEIVED
MAY 11 1992

Date received _____

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

MAX SERR (438-5232)
Name of Claimant Phone Number
Rt 1 Box 1065 Pull ID 83347
Mailing Address City State Zip
Lincoln ?
County(s) where place of use is located Date claim originally due
36-07299 # 36-07965 # 36-07711
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I felt water right to 20.6 acres
developed in 19 was secured
by permits # 36-07299 and
36-07965. I had filed a permit # 36-07711
but understood it was not necessary as the other two
permits provide for sufficient water to irrigate
the 20.6 acres
Claimant requests an extension to 6-92, 19 92
Signature Max Serr Date of request 4-27-92, 19 92

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [] denied for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent _____

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 16, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County -- Notice of Claim #A36-15364

RECEIVED
MAY 11 1992

Department of Water Resources

Dear Mr. Serr:

IDWR agent Steve Clelland indicated to me that you want to file a second presumption expansion claim based on license #36-07299 for the 21 acres that you irrigate in the S $\frac{1}{2}$ SE $\frac{1}{4}$, S21, T7S, R21E. I have prepared and enclosed the necessary notice of claim form for you.

Please note that I have arbitrarily entered a priority date at Item #2 of the claim form because I do not know the priority you want to claim. Please cross out this entry, insert the correct priority date, and initial the change you make. In addition, IDWR requires that you submit some evidence to support the priority you are claiming for this expansion. I have enclosed a brochure which describes some of the kinds of evidence that may be available to you.

Please note also that the place of use described on the claim form is a permissible place of use, which means that the acres covered by Notice of Claim #A36-07299 plus the additional 21 acres are listed as the place of use. You will notice in the Remarks at Item #14, however, that this expansion right would be limited 21 acres within the entire listed place of use.

The place of use described shows the acres I found to be irrigated during my review of Notice of Claim #A36-07299. I have enclosed a copy of the ASCS aerial photograph I am using to review your place of use. If you have added additional acres recently, please bear in mind that the SRBA will describe water rights as they existed in 1987.

Please review this Notice of Claim carefully. If you wish to make any changes, do so by crossing out the incorrect information and inserting the correct information. Please initial any changes you make. When you are satisfied that the claim is true and accurate, please sign the claim before a notary public and return it to me with the applicable claim fee by May 1, 1992. The fee for this claim is \$71.00 plus a late fee of \$50.00 for a total of \$121.00.

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FEB 09 1993

Max Serr
April 16, 1992
Page 2 - Lincoln County

I have enclosed a Request for Extension of Time for you to complete and return if you feel you had a compelling reason for not meeting the filing deadline. If the extension is granted, your late fee will be refunded.

If you have any questions, please contact me at 327-7934 in Boise.

Sincerely,



Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf
Notice of Claim #A36-15364
Copy of ASCS Aerial Photograph
Evidence of Priority Brochure
Request for Extension of Time

MICROFILMED
FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County

Dear Mr. Serr:

I am reviewing your SRBA notices of claim which are based on licenses #36-07299 and #36-07965. During my review, I found that ASCS indicates that you irrigated 20.4 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$, S21, T7S, R21E at the time of the commencement of the SRBA in 1987. In addition, the Lincoln County Assessor's office indicates that you reported to them that you have developed this entire tract.

I cannot, however, locate any water right information for this tract except for permit #36-07711, which has lapsed. If you are irrigating the tract mentioned, you may wish either to pursue reinstatement of your lapsed permit or to file a new application for permit. Please contact me by April 7, 1992, regarding this matter. My phone number is 327-7934 in Boise.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf

MICROFILMED
FEB 09 1993

CLAIMANT'S NAME: Max Serr.A36 - 0,165DATE: 2-21-92COUNTY: LincolnEMPLOYEE: S.W. Keen

I noticed on ASCS photography that there are irrigated acres in T07S, R21E, S21, SWSE. This tract has not been claimed in the SRBA, and there are no WR records for this tract either. I called ASCS for Lincoln County (886-2471) and spoke with Beth, who told me that their records indicate Max Serr is working the tract in question.

3/23/92 I called Mr. Serr at 438-5232 and left a message for him to return my call.

3/23/92 I called the Lincoln County assessor's office (886-2161) and was told that Mr. Serr has a 1987 patent on the $S\frac{1}{2}$ SE $\frac{1}{4}$, S.21, T07S, R21E. He ~~stare~~ reported 80 acres irrigated in ~~1988~~ 1991.

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36

S

SUBMITTED TO AUDITOR

6-12-92

REFUND REQUEST

TO: S. Frazee to Log In
FOR: J. Carlson/D. Shaff/D. Allen
FROM: J. Frazee DATE: 06-03-92

RE: Payor Max Serr
Address Rt. 1, Box 1065
Paul ID 83347

RECEIVED

JUN 16 1992

Department of Veteran Resources
Southern Region Office

Claimant if NOT Payor —
Refund Amount \$ 50.00 Claim Location Region
Extension Filed? (Y)/N NA Copy Attached? Y/N NA
Late Fees Paid? (Y)/N NA On Receipt # —
S.O. Verified Ext. by af on 6-3-92
Refund Generated By () Agent(af) () Claimant
Refund Category overpaid
Date of Last Correspondence (copy attached) —

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>A36-15364</u>	<u>irr</u>	<u>\$ 121.00</u>	<u>71.00</u>	<u>C024080</u>
		\$		
		\$		
		\$		
		\$		
		\$		
		\$		

Detailed Reason(s) for Refund Attached (Y)/N
ext. granted.

Region Adj. Supervisor Approval — John Carlson Approval —
Don Shaff Approval af 6-10-92 Hold — To Fiscal 6-12-92
Not Refunded as of — Logged 06-03-92
Data Base Modified? Y/N (NA) By af Date 06-03-92

MICROFILMED
FEB 09 1993

Attached to :- Original receipt # C024080
- Copy of claim # A - 15364
- Request for extension from Max Serr
- Copies of correspondence

INTER-DEPARTMENT MEMO — 1

FROM S.W. Keen

DATE 5-28-1992

TO D. Smith

SUBJECT Request for Extension from Max Serr on A36-15364.

Mr. Serr filed two claims, A36-07299 and A36-07965, to cover his water uses already licensed. He also had permit 36-07711 for 21 acres of additional groundirrigated from the same well. His permit lapsed, but he recently filed A36-15364 to cover these 21 acres under a second presumption expansion claim. Mr. Serr paid \$121.00 on receipt # C024080, broken down as follows:

50 ⁰⁰	= claim fee
21 ⁰⁰	= acre fee
50 ⁰⁰	= late fee
121 ⁰⁰	= total

* If Mr. Serr's request for extension, ^{is approved} he should be refunded 50⁰⁰.

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FEB 09 1993

Shelley Walter Keen

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 16, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County -- Notice of Claim #A36-15364

Dear Mr. Serr:

IDWR agent Steve Clelland indicated to me that you want to file a second presumption expansion claim based on license #36-07299 for the 21 acres that you irrigate in the S~~W~~SE~~4~~, S21, T7S, R21E. I have prepared and enclosed the necessary notice of claim form for you.

Please note that I have arbitrarily entered a priority date at Item #2 of the claim form because I do not know the priority you want to claim. Please cross out this entry, insert the correct priority date, and initial the change you make. In addition, IDWR requires that you submit some evidence to support the priority you are claiming for this expansion. I have enclosed a brochure which describes some of the kinds of evidence that may be available to you.

Please note also that the place of use described on the claim form is a permissible place of use, which means that the acres covered by Notice of Claim #A36-07299 plus the additional 21 acres are listed as the place of use. You will notice in the Remarks at Item #14, however, that this expansion right would be limited 21 acres within the entire listed place of use.

The place of use described shows the acres I found to be irrigated during my review of Notice of Claim #A36-07299. I have enclosed a copy of the ASCS aerial photograph I am using to review your place of use. If you have added additional acres recently, please bear in mind that the SRBA will describe water rights as they existed in 1987.

Please review this Notice of Claim carefully. If you wish to make any changes, do so by crossing out the incorrect information and inserting the correct information. Please initial any changes you make. When you are satisfied that the claim is true and accurate, please sign the claim before a notary public and return it to me with the applicable claim fee by May 1, 1992. The fee for this claim is \$71.00 plus a late fee of \$50.00 for a total of \$121.00.

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FEB 09 1993

Max Serr
April 16, 1992
Page 2 - Lincoln County

I have enclosed a Request for Extension of Time for you to complete and return if you feel you had a compelling reason for not meeting the filing deadline. If the extension is granted, your late fee will be refunded.

If you have any questions, please contact me at 327-7934 in Boise.

Sincerely,



Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf
Notice of Claim #A36-15364
Copy of ASCS Aerial Photograph
Evidence of Priority Brochure
Request for Extension of Time

MICROFILMED
FEB 09 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County

Dear Mr. Serr:

I am reviewing your SRBA notices of claim which are based on licenses #36-07299 and #36-07965. During my review, I found that ASCS indicates that you irrigated 20.4 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$, S21, T7S, R21E at the time of the commencement of the SRBA in 1987. In addition, the Lincoln County Assessor's office indicates that you reported to them that you have developed this entire tract.

I cannot, however, locate any water right information for this tract except for permit #36-07711, which has lapsed. If you are irrigating the tract mentioned, you may wish either to pursue reinstatement of your lapsed permit or to file a new application for permit. Please contact me by April 7, 1992, regarding this matter. My phone number is 327-7934 in Boise.

Sincerely,

Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf

MICROFILMED
FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 12, 1992

Max Serr
Rt. 1, Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County - Receipt #C024080, \$50.00

Dear Mr. Serr:

Your Request for Extension of Time was granted, and the late fees you paid on the above-referenced claim will be refunded. The refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED
FEB 09 1993

Dear Shelley,

5-24-92

Enclosed you will find a
signed statement about the
land I put under cultivation,
(as you requested) to complete
the water right. // Ask you
firm you have.

MAX Len
R+1 B+1065
Parkville.
83297

RECEIVED

MAY 27 1992

Department of Water Resources

MICROFILMED
FEB 09 1993

We the undersigned state
that MAX SERR did clear
the brush and put into cultivation
the 20 Acres South East of his
Deep well pump in 1985.

Bruce Shuck Bruce Thacker
RT#2 Box 2650 5/25/92
Paul ID. 83347

Dean Monson RT2 Box 2508
Paul ID 8347 5/26/92

RECEIVED
MAY 27 1992

Department of Water Resources

MICROFILMED
FEB 09 1993

RECEIVED
MAY 11 1992

Date Received _____

Department of Water Resources

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant MAX SERR Phone Number 438-5232
Mailing Address Rt 1 Box 1065 City PAUL State ID Zip 83347
Lincoln County(s) where place of use is located ?
Date claim originally due _____
Identify water right(s) for which extension is requested # 36-07299 # 36-07965 # 36-07711

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I felt water right to 20 acres
developed in 19 was secured
by Permits # 36-07299 and
36-07965. I had filed a permit # 36-07711
but understood it was not necessary as the other two
permits provide for sufficient water to irrigate
Claimant requests an extension to 6-92, 19 92
Signature Max Serr Date of request 4-27-92, 19 92 + the 20.6
acres

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [_____] granted] [_____] denied] for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
FEB 09 1993

CLAIMANT'S NAME: Max SerrDATE: 4-27-92COUNTY: LincolnEMPLOYEE: S.W. Keen

Mr. Serr called at 8:00 AM to discuss priority evidence for this second presumption expansion claim. He said that he asked Beth at the Lincoln County ASCS office to research some records for ~~him~~ him, and he will provide the information as soon as he gets it from ASCS.

We also discussed the Request for Extension and Permissible Place of Use topics briefly.

- 5-7-92 Max Serr called to tell me he is sending in his expansion claim. He will claim a 1929 priority, which is supported by our U.S.G.S. orthophotquad printed that year.

5-11-92 Expansion claim A36-15364 received in State Office.

MICROFILMED
FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 16, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RECEIVED
MAY 11 1992

RE: Snake River Basin Adjudication (SRBA)
Lincoln County -- Notice of Claim #A36-15364

Department of Water Resources

Dear Mr. Serr:

IDWR agent Steve Clelland indicated to me that you want to file a second presumption expansion claim based on license #36-07299 for the 21 acres that you irrigate in the S $\frac{1}{2}$ SE $\frac{1}{4}$, S21, T7S, R21E. I have prepared and enclosed the necessary notice of claim form for you.

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FEB 09 1993

Max Serr
April 16, 1992
Page 2 - Lincoln County

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Sincerely,



Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf
Notice of Claim #A36-15364
Copy of ASCS Aerial Photograph
Evidence of Priority Brochure
Request for Extension of Time

MICROFILMED
FEB 09 1993

From: DWR60::CLELLAND 14-APR-1992 08:31:27.25
To: DWR03::KEEN
CC: CLELLAND
Subj: MAX SERR DECISION

HELLO SHELLEY...

YOU NOW HAVE THE CHANCE TO COMPLETE THE MAX SERR FILE. I JUST SPOKE TO HIM ON THE PHONE AND WE DISCUSSED THESE FOUR OPTIONS.

- 1) I DESCRIBED THE UN-RECORDED TRANSFER. I DID MENTION YOU HAD FOUND LESS ACRES THAN ORIGINALLY LICENSED AND IF HE HAD CHANGED THE IRRIGATED ACREAGE TO THIS NEWER TRACT IT COULD BE CLAIMED AS SUCH. HE SAID WE MUST HAVE AN OLD FLIGHT OF THE ASCS PHOTO SINCE HE SAYS HE IS IRRIGATING THE 291 ACRES AS LICENSED. HE DOES NOT CHOOSE THIS DIRECTION.
- 2) NEXT WE REVIEWED THE PRESUMPTION EXPANSION AGAIN. I NOTED THAT HE WAS LICENSED AT AN INCH PER ACRE SO I DOUBT HE INCREASED THE DIVERSION RATE OF THE SYSTEM; WITH SPRINKLERS HE COULD EASILY ADD ANOTHER 20 ACRES TO THE PLACE OF USE. HE AGREED THIS WAS THE CASE.
- 3) HE COULD FILE PROOF ON THE LAPSED PERMIT AND SEEK REINSTATEMENT.
- 4) FINALLY, HE COULD FILE A NEW APPLICATION FOR PERMIT.

HE ASKED FOR MY SUGGESTION AND I SAID HE SHOULD PICK THE OPTION THAT BEST DESCRIBES HOW THE ACREAGE WAS DEVELOPED. HE ASKED FOR THE PAPER WORK TO CLAIM THE PRESUMPTION EXPANSION. WE HAVE DISCUSSED THE LONG TERM VIEW OF THIS LAW. I TOLD HIM IT IS STILL SUBJECT TO COURT APPROVAL AND IF IT FAILS THEN PERMITS WILL BE REQUIRED FOR THESE ACRES.

I TOLD HIM I WOULD HAVE YOU PREPARE THE COMPUTER VERSION OF THIS EXPANSION AND REQUEST THE SIGNATURE AND FEES FROM HIM. I DID NOT BRING UP THE ISSUE OF LATE FEES; DO THEY APPLY HERE?

CALL IF YOU HAVE QUESTIONS.

STEVE

MICROFILMED
FEB 09 1993

From: DWR60::CLELLAND 6-APR-1992 13:33:30.19
To: DWR03::KEEN
CC: CLELLAND
Subj: 36-07711 MAX SERR REINSTATEMENT

HELLO SHELLEY,

I SPOKE WITH MAX SERR TODAY ABOUT HIS WATER RIGHTS AND THE TOPIC CAME UP ON HOW TO BEST COVER THE 20 ACRES HE HAD DEVELOPED UNDER THE ABOVE PERMIT. THAT PERMIT HAS SINCE BEEN LAPSED. BASED ON YOUR REVIEW OF THE SUBJECT SHOULD HE:

1. REINSTATE THE PERMIT?
2. FILE A NEW PERMIT?
3. FILE A PRESUMPTION CLAIM FOR THE EXPANSION?
4. RE-REVIEW THE LICENSED AJ CLAIMS AND SHOW THE 20 ACRES AS AN UNRECORDED TRANSFER? (I SEE YOU HAVE DISALLOWED ENOUGH ACRES OFF THE LICENSES TO COVER THIS ACREAGE.)
5. OTHER? _____.

IF YOU COULD, PLEASE LET ME KNOW WHAT YOU WOULD PROPOSE HERE. MR. SERR WILL CALL ME BACK IN THE MORNING SOMETIME.

THANK YOU,
STEVE

MICROFILMED
FEB 09 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 24, 1992

Max Serr
Rt. 1 Box 1065
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County

Dear Mr. Serr:

I am reviewing your SRBA notices of claim which are based on licenses #36-07299 and #36-07965. During my review, I found that ASCS indicates that you irrigated 20.4 acres in the S $\frac{1}{2}$ SE $\frac{1}{4}$, S21, T7S, R21E at the time of the commencement of the SRBA in 1987. In addition, the Lincoln County Assessor's office indicates that you reported to them that you have developed this entire tract.

I cannot, however, locate any water right information for this tract except for permit #36-07711, which has lapsed. If you are irrigating the tract mentioned, you may wish either to pursue reinstatement of your lapsed permit or to file a new application for permit. Please contact me by April 7, 1992, regarding this matter. My phone number is 327-7934 in Boise.

Sincerely,

Shelley Walter Keen
Senior Water Resource Agent

SWK:state:tf

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CLAIMANT'S NAME: Max Serr.DATE: 2-21-92COUNTY: LincolnEMPLOYEE: S.W. Keen

I noticed on ASCS photography that there are irrigated acres in T07S, R21E, S21, SWSE. This tract has not been claimed in the SRBA, and there are no WR records for this tract either. I called ASCS for Lincoln County (886-2471) and spoke with Beth, who told me that their records indicate Max Serr is working the tract in question.

3/23/92 I called Mr. Serr at 438-5232 and left a message for him to return my call.

3/23/92 I called the Lincoln County assessor's office (886-2161) and was told that Mr. Serr has a 1987 patent on the $S\frac{1}{2}$ SE $\frac{1}{4}$, S.21, T07S, R21E. He ~~show~~ reported 80 acres irrigated in ~~1987~~ 1991.

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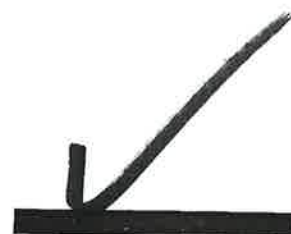
R PROOF



CVR



MAPS



PHOTOS



MISC



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Verified by S.W. Kean
on 5-28-1992

AJ0749NP
No. R36-15364

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/28/92
PAGE: 2

=====

DESKTOP REVIEW, RECOMMENDATIONS, AND DATA ENTRY BY S.W. KEEN.

Audit: 05/28/92 KEEN

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Claimant: Max SerrDate: 5-28-1992Agent: S.W. Keen

Overlapping Irrigation Rights

Claim Numbers	(1) A36-07965	(2) A36-07299	(3) A36-15364	(4)
Basis of Claim	License	License	Second Presumption	
Priority Date	12/29/1980	2/7/1973	4/1/1985	
Source	Groundwater	Groundwater	Groundwater	
Points of Diversion	T7S, R21E, S21, NESW	T7S, R21E, S21, NESW	T7S, R21E, S21, NESW	
Claimed Diversion Rate	1.60 cfs	4.22 cfs	0.42 cfs	
System Diversion Capacity	5.16 cfs	5.16 cfs	5.16 cfs	
Recommended Diversion Rate	1.18 cfs	4.22 cfs	0.66 cfs	
Claimed No. Acres	80	211	214	
Recommended No. Acres	59	211 of 214	3 of 214	
Diversion Volume	236	856	856	
Consumptive Use Volume	177	642	642	
Season of Use	4-1 to 10-31	4-1 to 10-31	4-1 to 10-31	
Overlapping Rights		(3)	(2)	
Condition Codes		C05		
Remarks	F05: 36-07299 36-15364 E01: 36-15364 + 36-07299, 5.16 cfs	F05: 36-07965 36-15364 K01: 36-15364 K06: 211 E01: 36-15364, 4.22 cfs; 856 AF; 642 AF; 214 AC	F05: 36-07965 36-07299 K01: 36-07299 K06: 3 E01: 36-07299; 4.22 cfs; 856 AF; 642 AF; 214 AC	
Notes	No Pou overlap with (2) + (3)	E01: 36-15364 + 36-07965, 5.16 cfs 1985 accomplished T-far of 18 acres	E01: 36-07299 + 36-07965, 5.16 cfs	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:14:07
05/12/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15364

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		S.W. Keen 5-28-1992	Yes	6	S.W. Keen 5-28-1992	S.W. Keen 5-28-1992	S.W. Keen 5-28-1992
POINT OF DIV	Y			No				
SOURCE	Y			No				
PLACE OF USE	Y			No				
DIV. AMOUNT CFS/VOLUME	Y			Yes				
CONSUMPTIVE USE	-			No				
PURPOSES	Y			No				
PERIOD OF USE	Y			Yes				
BASIS OF CLAIM	Y			No				
REMARKS	Y			Yes				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

P-Flag = E
Cond Codes = None
Remarks = See next page

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09:15:34
05/12/92

CLAIM NUMBER: A36-15364

VERSION
LUME

MICROFILMED
FEB 09 1993
SPECIAL USE

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:14:07
05/12/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15364

LAST: SERR
ADDRESS: RT 1 BOX 1065
CITY: PAUL
PHONE NUMBER: 208-438-5232

FIRST: KAREN B
STATE: ID ZIP: 83347

OWNER CODE: C

LAST: SERR
ADDRESS: RT 1 BOX 1065
CITY: PAUL
PHONE NUMBER: 208-438-5232

FIRST: MAX A
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS:

RIGHT NO. 36-07965 AND RIGHT NO. 36-07299 ARE ALSO DIVERTED
THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-07299 PURSUANT TO
IDAHO CODE 42-1416(2).

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 21 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-07299 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.22 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 856 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 642 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 214 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-07299 AND RIGHT
NO. 36-07965 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
5.16 CFS.

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-15364 PRIORITY DATE: 01-01-1979 STAGE: J
B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER SWK

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(☒) N(☐)
IF YES EXPLAIN.

REMARKS: Claimant submitted a signed statement from Bruce Thacker and Dean Monson saying
the expansion occurred in 1985. I will recommend the first day of the irrigation season for
1985. No injury apparent.

=====

RECOMMENDED PRIORITY DATE:

4-1-1985

REVIEWED BY S.W. Kee

DATE 5-27-1992

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-15364	07S	21E	21		NE	SW		LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-07299	R36-07299
A36-07965	R36-07965

WR RECORDS IN SAME 40 ACRE TRACT

36-07299
36-07965

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	<u>SWK</u>
			Y	<u>SWK</u>

REMARKS:

*Recommend as claimed. Cannot determine 10-acre tract with the information available.
Claimed P/D matches license 36-07299.*

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>21E</u>	<u>21</u>		<u>NE</u>	<u>SW</u>		<u>Lincoln</u>

SOURCE: Groundwater

REVIEWED BY: S.W. Keen

TRIB:

DATE: 5-28-92

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A. ROOT WATER RIGHT NUMBERS: A36-15364
R36-15364

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
07S	21E	21	NE	SW		SERR , KAREN B	A36-15364 /38.0	- /	33.0		
			NE	SW		SERR , KAREN B.	A36-07299 /40.0	36-07299 /40.0		38	38
			NE	SW		SERR , KAREN B.	R36-07299 /38.0	- /			
			NE	SW		SERR , MAX A	R36-15364 /38.0	- /			
07S	21E	21	NW	SW		SERR , KAREN B	A36-15364 /35.0	- /	38.0		
			NW	SW		SERR , KAREN B.	A36-07299 /40.0	36-07299 /40.0		35	35
			NW	SW		SERR , KAREN B.	R36-07299 /35.0	- /			
			NW	SW		SERR , MAX A	R36-15364 /35.0	- /			
07S	21E	21	SW	SW		SERR , KAREN B	A36-15364 /11.0	- /	24.0		
			SW	SW		SERR , KAREN B.	A36-07299 /12.0	36-07299 /12.0		11	11
			SW	SW		SERR , KAREN B.	R36-07299 /11.0	- /			
			SW	SW		SERR , MAX A	R36-15364 /11.0	- /			
07S	21E	21	SE	SW		SERR , KAREN B	A36-15364 /36.0	- /	24.0		
			SE	SW		SERR , KAREN B.	A36-07299 /40.0	36-07299 /40.0		36	36
			SE	SW		SERR , KAREN B.	R36-07299 /36.0	- /			
			SE	SW		SERR , MAX A	R36-15364 /36.0	- /			
07S	21E	21	NE	SE		SERR , KAREN B	A36-15364 /35.0	- /	38.0		
			NE	SE		SERR , KAREN B.	A36-07299 /39.0	36-07299 /39.0		35	35
			NE	SE		SERR , KAREN B.	R36-07299 /35.0	- /			
			NE	SE		SERR , MAX A	R36-15364 /35.0	- /			
07S	21E	21	NW	SE		SERR , KAREN B	A36-15364 /38.0	- /	41.0		
			NW	SE		SERR , KAREN B.	A36-07299 /40.0	36-07299 /40.0		38	38
			NW	SE		SERR , KAREN B.	R36-07299 /38.0	- /			
			NW	SE		SERR , MAX A	R36-15364 /38.0	- /			
07S	21E	21	SW	SE		SERR , KAREN B	A36-15364 /20.0	- /	9.0		
			SW	SE		SERR , KAREN B.	R36-07299 /20.0	- /		20	20
			SW	SE		SERR , MAX A	R36-15364 /20.0	- /			
07S	21E	21	SE	SE		SERR , KAREN B	A36-15364 / 1.0	- /	8.0		
			SE	SE		SERR , MAX A	R36-15364 / 1.0	- /		1	1
			SE	SE		SERR , KAREN B.	R36-07299 / 1.0	- /			
TOTAL ACRES							A36-15364	214.00	215.00	214	214

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ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(☒)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
SWK

POU COUNTY: LINCOLN

PRESUMPTION FLAG: E

REMARKS:

Original POU for 36-07299 was 211 acres. 193 acres found in same tracts as the licensed 211, and 21 acres broken out in 1985 in $5\frac{1}{2}SE\frac{1}{4}$, S21. Therefore, of the new 21 I consider $(211-193)=18$ to be accomplished transfer acres and 3 to be expansion acres.

The place of use recommended is a permissible place of use - 3 of 214 acres.

RECOMMENDATIONS:

TOTAL ACRES:

3 of 214

REVIEWED BY:

S.W. Keen

DATE:

5-28-1992

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-15364 IRRIGATION	FROM 05-01 TO 10-10	.420 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.420 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG: E

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	SWK
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	SWK
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	SWK

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

Standard season for this area is 4-1 to 10-31.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.420 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N

*Consider 3 acres, not 21
acres, to be expansion.
Therefore, rate = .02 cfs x 3 acres =
.06 cfs.*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 36-07299

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-15364	GROUNDWATER	SERR , KAREN B	0.420	0.001		
A36-07299	GROUNDWATER	SERR , KAREN B.	4.220	0.020	844.00	4.00
R36-07299	GROUNDWATER	SERR , KAREN B.	4.220	0.019		
R36-15364	GROUNDWATER	SERR , MAX A	0.060			

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 3 x 0.02 CFS/ACRE = .06 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 3 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 9 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 3 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 12 AF/A

Cover in combined use remarks.

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>Irrigation</u>	<u>4-1</u> <u>10-31</u>	<u>0.06</u>		
TOTAL FOR THIS RIGHT		<u>0.06</u>		

REVIEWED BY: S.W. Keen

DATE: 5-28-1992

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-15364

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-15364	0.420	R36-15364	0.060	-	
TOTAL CFS		0.420		0.060		

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

No SPLITS

AUTHENTICATION:

SIGNATURE:

Shelley Walter Keen

DATE:

5-28-1992

NAME OF FIELD EXAMINER:

Shelley Walter Keen

TITLE:

Sr. W.R. Agent

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20 21 T032
435

C.S. ZOLLINGER

21 2

R36-07965



R36-07299



R36-15364

T75, R21E, S.21 + S.28

309.1

M. SERR

35

38

38

35

11

36

20

1

23

36

Not To scale

R14

S.W. Keen
3/23/92

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FEB 09 1993

10/91

PLANIMETER ACRESCLAIM NUMBER: A36-07965 and A36-07299
and A36-15364AGENT: S.W. KeenSOURCE MAP: ASCSDATE: 2-21-92

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
7S	21E	21									38	35	11	36	35	38	20	1

SECTION ACRES ~~193~~ 214

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
7S	21E	28					36	23										

SECTION ACRES 59

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

SECTION ACRES _____

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

SECTION ACRES _____

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

SECTION ACRES _____

PLANIMETER ACRES TOTAL:273 ~~252~~MICROFILMED
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