

T4551 SERMON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 23 1995

TRANSFER OF WATER RIGHT

TRANSFER NO. 4551
WATER RIGHT NO(S). 33-00042/33-00043

Department of Water Resources
Eastern District Office

This is to certify that: ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-00042 : IRRIGATION	04/15 to 10/15	2.40 CFS	542.5 AF
Right No. 33-00043 : IRRIGATION	04/15 to 10/15	0.80 CFS	290.1 AF
TOTAL:		* 3.20 CFS	* 542.5 AF

DATE OF PRIORITY:

Right No. 33-00042 : 03/25/1885

Right No. 33-00043 : 05/25/1891

SOURCE

TRIBUTARY OF

Right No. 33-00042 :

LITTLE LOST RIVER

SINKS

Right No. 33-00043 :

SAWMILL CREEK

LITTLE LOST RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 32, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	29E	36	NESE 35	NWSE 40	SWSE 40	155
						155

Total number of acres irrigated: 155

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.

TRANSFER NO. 4551
WATER RIGHT NO(S). 33-00042/33-00043

CONDITIONS/REMARKS:

- *2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *8. Combined Right Nos. 33-00042 and 33-00043 shall not exceed a total combined diversion of 3.10 cfs at the field headgate, nor a total combined annual diversion volume of 542.5 af.

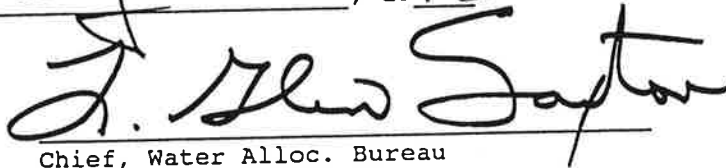
Dated this

6th day of

July

, 19

95



Chief, Water Alloc. Bureau

COPY

INTER-DEPARTMENT MEMO

TO: Ray SerronSUBJECT: Transfer AppFROM: H.W. Jones - IDWRDATE: 12-30-1994

Attached is a slightly revised version of your transfer application. There is a \$100 required fee that did not come in with the original application.

Please review & sign & notarize the enclosed transfer application & return it to me with the \$100 fee.

() For your information

☒ Response required

Harold W Jones
signature

Transfer No. _____

[illegible]

PART 1

6. General Information:

- a. Description of diversion system HARTMAN diversion is on the Little Lost River
controlled by District 33 watermaster. Water is conveyed by private
ditch.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The decreed place of use is now irrigated by 33-07195

- d. Remarks:
This decreed water has Always been used on the new place of
use, since property was Acquired by Leslie A. Sermon.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 33-00042/33-00043 Decreed to Charles and Ann Kyle
in case of Blaine County ~~Land~~ Investment vs. Robert G. Mays, et al
dated 3-6-1927 in _____ county of Butte
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water ① Little Lost River ② Sawmill Creek tributary to ① Sinks ② Little Lost River

4. Date or priority ① 3-25-1885 ② 5-25-1891

5. Water is used for the following purpose:

- ① amount 2.4 CFS for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
- ② amount .8 CFS for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	32	6N	29E	Butte	Hartman diversion #2

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	29E	33									40	40	40	40					

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No ~~Yes~~ describe Shortage due to drought

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. ① amount 2.4 CFS for irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 ② amount .8 CFS for irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	32	6N	29E	Butte	Hartman diversion #2

3. Lands irrigated or place of use:

Twp	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	29E	33									40	40	40	40					

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. ① amount NONE for _____ purposes from _____ to _____
 (cfs/ac-ft)
 ② amount NONE for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ASCS 1987 Aerial photographs

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>No Changes</u>			to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

NONE

3. Describe effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 2nd day of November, 19 94.

Roy L. Serman
(Signature of Applicant)

My commission expires 1-4-96

Carol J. Weston
Home, Idaho (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Water Right Number - 33-07195

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SERMON

ROY

1 - HC 65 BOX 1007

2 -

3 -

City- HOWE

State- ID Zip- 83244

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

SERMON

LESLIE A

1 -

2 -

3 -

City-

State- Zip-

Phone -

SERMON

ANNA

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +

01/04/1990

+ - - - Region - - - +

15 EASTERN

+ - - - Stage - - - +

P - PERMIT

+ - - - Status - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

06N 29E 33 NW NW SW (23) BUTTE

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

3.200

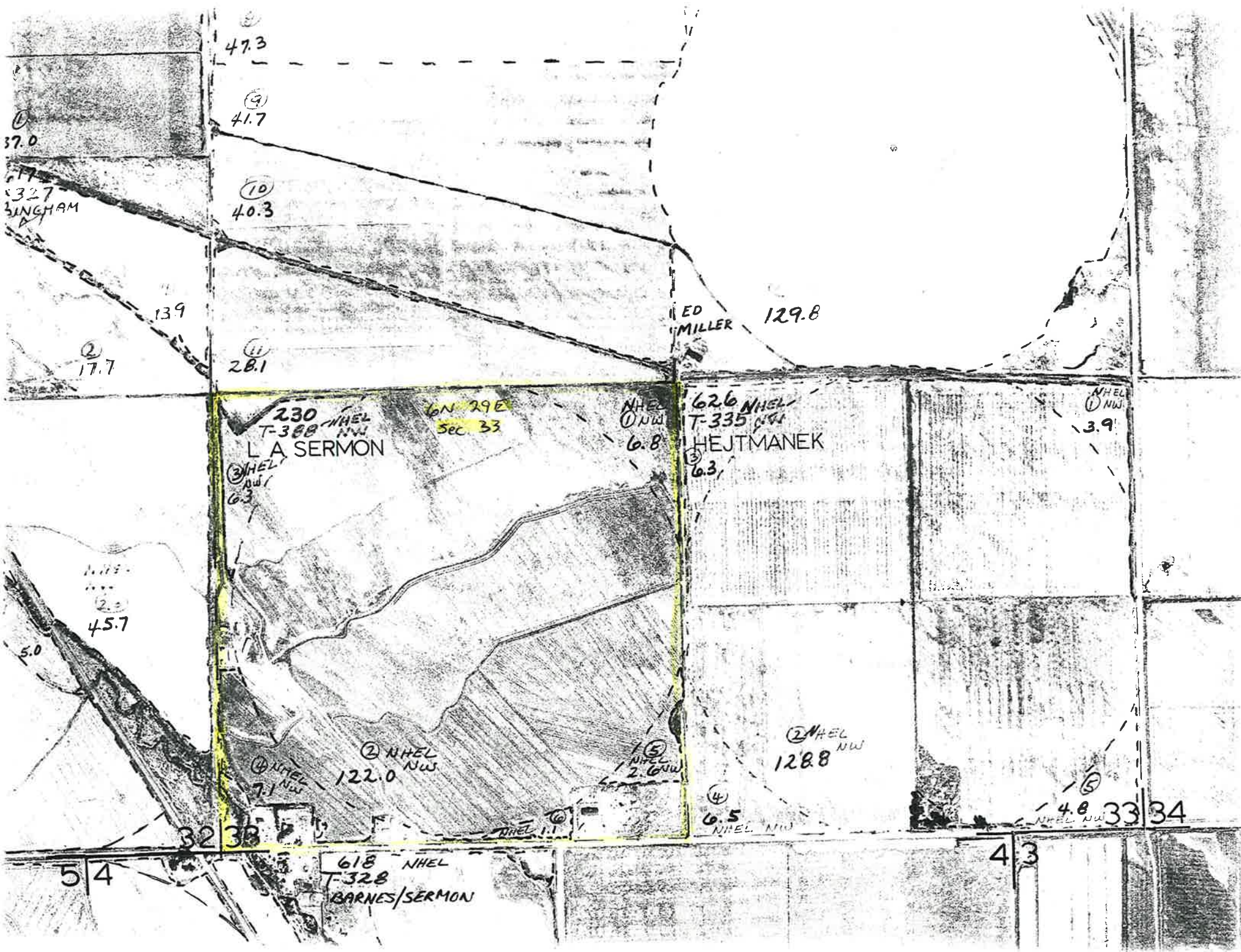
+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	29E	33	NE SW		40.0	01	IRRIGATION	(23) BUTTE
06N	29E	33	NW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	29E	33	SW SW		40.0	01	IRRIGATION	(23) BUTTE
06N	29E	33	SE SW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 160.0

+ - - Diversion Means - WELL, PUMP, SPRINKLER IRRIGATION

+ - - Non-Irrigation Use -



Transfer No. 4551

Name of applicant ROY L. SERMON Phone (208) 767-3125
Post Office address HC 65 BOX 1007 HOWE ID 83244

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes I PROPOSE TO MOVE MY SURFACE WATER TO A NEW PLACE OF USE AND LEAVE PERMIT 33-07195 ON THE ORIGINAL PLACE OF USE.
THIS PERMIT IS FOR GROUNDWATER AND WILL IRRIGATE THE ORIGINAL PLACE OF USE.

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-----------|-----------------------|------------------|---------------|
| 33-00042 | 3/25/1885 | 2.40 cfs | IRRIGATION | 4/1 to 10/31 |
| 33-00043 | 5/25/1891 | 0.80 cfs | IRRIGATION | 4/1 to 10/31 |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>3.20</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>LITTLE LOST RIVER</u> tributary to <u>LITTLE LOST RIVER</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible][illegible]

Water Right Number - 33-00042

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

KYLE

CHARLES

1 -
2 -
3 -

City-

State-

Zip-

Phone -

KYLE

ANN

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +
03/25/1885+ - - Region - - - +
15 EASTERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - Source - - - - +
LITTLE LOST RIVER+ - - Tributary - - - - - +
SINKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

2.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.400+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05N	29E	4	NE NW	3		01	IRRIGATION	23	BUTTE
05N	29E	33	NE SW			01	IRRIGATION	23	BUTTE
05N	29E	33	NW SW			01	IRRIGATION	23	BUTTE
05N	29E	33	SW SW			01	IRRIGATION	23	BUTTE
05N	29E	33	SE SW			01	IRRIGATION	23	BUTTE

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 33-0043.

+ - - - - Remarks - - - - - +
P/D & P/U INCOMPLETE.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Transfer No. 4551

Transfer 4557

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/23/94 13:10:19
Page 2

Water right number - 33-00042

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
BLAINE COUNTY INVESTMENT CO.

+ - - - - Decree Defendant - - - +
ROBERT G. MAYS, ET AL

+ - Decree Date - +
03/04/1927

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/15/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 33
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 03/04/1927	Name Connector -	POU Ownership Flag-
Presumption Flag -		

Water Right Number - 33-00043

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

KYLE

CHARLES

1 -

2 -

3 -

City-

State-

Zip-

Phone -

KYLE

ANN

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +
05/25/1891+ - - Region - - - +
15 EASTERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +
SAWMILL CREEK+ - - Tributary - - - - - +
LITTLE LOST RIVER+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.800+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

05N	29E	4	NE NW	3		01	IRRIGATION	23	BUTTE
05N	29E	33	NE SW			01	IRRIGATION	23	BUTTE
05N	29E	33	NW SW			01	IRRIGATION	23	BUTTE
05N	29E	33	SW SW			01	IRRIGATION	23	BUTTE
05N	29E	33	SE SW			01	IRRIGATION	23	BUTTE

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 33-0042.

+ - - Remarks - - - - - +
P/D & P/U INCOMPLETE.+ - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Transfer No. 4554

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Water right number - 33-00043

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
BLAINE COUNTY INVESTMENT CO.

+ - - - - Decree Defendant - - - +
ROBERT G. MAYS, ET AL

+ - Decree Date - +
03/04/1927

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 07/15/85 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

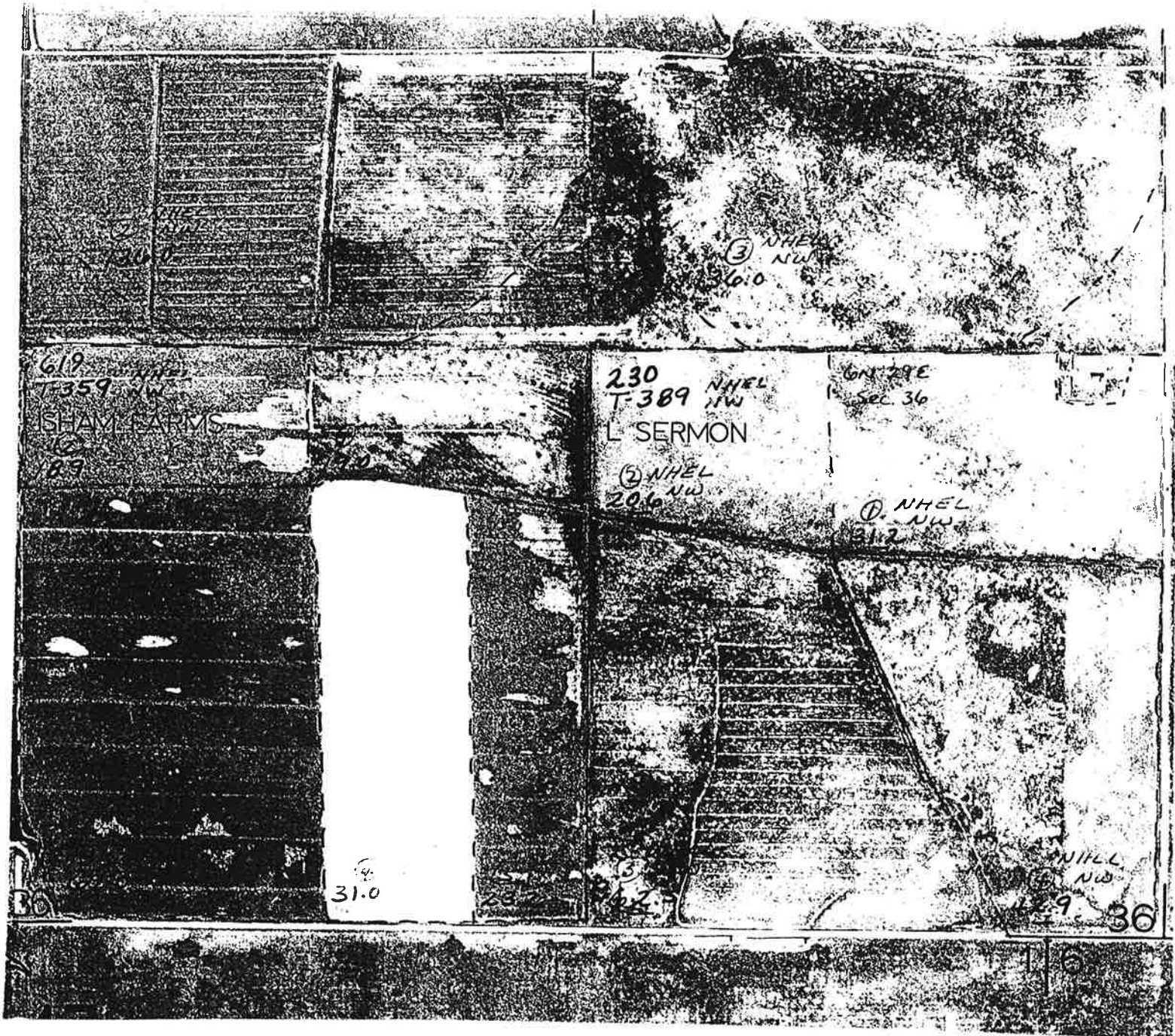
Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 07/15/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 33
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 03/04/1927	Name Connector -	POU Ownership Flag -
Presumption Flag -		

Transfer No. 4551

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 8 inches equal 1 mile. Draw plan in ink.

