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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

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
			SESE 40			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.

RECORDED

AUG 25 1995

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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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

J. Glen Saper
Chief, Water Alloc. Bureau

RECORDED

JUL 19 1995

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BUTTE COUNTY.

33-B ✓
NUMBERED 1

THE BLAINE COUNTY INVESTMENT
COMPANY, a corporation,

Plaintiff,

ROBERT G. MAYS, et al.,

Defendants.

D E C R E E

This matter having been referred to Honorable L. E. Glennon by an order of this court, made and entered on the 4th day of May, 1923, to take the testimony herein and to try all of the issues in said action, both of fact and law, and to report findings and judgment thereon, as required by law, and the said Referee having heard and considered said cause and having submitted a full and complete report thereon setting forth his findings of fact and conclusions of law, and the court having duly considered said report and the objections filed thereto, and having heard the arguments of counsel for the respective parties in support of their objections to said report, and given due consideration thereto, and the court having heretofore made an order approving and adopting the report of the Referee, and the court having heretofore made and filed findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That all of the lands hereinafter described are arid in character and require artificial irrigation in order to produce profitable crops thereon.

II.

That the duty of water upon the several tracts of land herein described corresponds to the quantity of water awarded thereto, respectively, and the quantity of water herein awarded

JUL 19 1925

said water into the natural channel of Williams Creek, a tributary of Little Lost River, and shall be chargeable with transmission losses occurring in carrying said water down Williams Creek and Little Lost River to claimants' point of diversion) to be used upon and appurtenant to:

The East half of the Northeast quarter of Section Four, Township Four North, Range Twenty-nine East of the Boise Meridian; the South half of the Southwest quarter, the Southwest quarter of the Southeast quarter of Section Thirty-four, the Northwest Quarter of the Northeast Quarter of Section Three; Lot Two and the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter of Section Four, in Township Five North, Range Twenty-nine East of the Boise Meridian.

XIV

CHARLES KYLE and ANN KYLE, husband and wife:

From Little Lost River: 120 inches, March 25, 1885; 33-0042
From Saw Mill Creek: 40 inches, May 25, 1891; 38-0043

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

to be used upon and appurtenant to:

The Southwest Quarter of Section Thirty-three, and Lot Three of Section Four, all in Township Five North, Range Twenty-nine East of the Boise Meridian. B

XV

JAMES D. LITTLE and ALICE LITTLE, husband and wife:

From Little Lost River: 70 inches, March 25, 1885; 33-0044
120 inches, April 1, 1886; 38-0045
65 inches, June 1, 1891; 33-0046
From Saw Mill Creek: 105 inches, May 25, 1891; 38-0047
360

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

to be used upon and appurtenant to:

The South half of the Southeast quarter, the Southeast quarter of the Southwest quarter of Section Thirty, the Northeast Quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter, the Northeast Quarter of the Northeast quarter, Section Thirty-one, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter and the Northeast Quarter of the Southwest Quarter, Section Thirty-two, all in Township Six North, Range Twenty-nine East of the Boise Meridian, and Lot Four of Section Four, Township Five North, Range Twenty-nine East of the Boise Meridian.

JUL 19 1995

6. In all other respects this decree shall be final.

Dated this 4th day of March, 1927.

Ralph W. Adair,
District Judge.

Filed March 5, 1927.
J. F. Tiedeman, Clerk,
By, Ora F. Martin, Deputy.
Recorded Book One of Orders & Decrees, page 425.

STATE OF IDAHO, }

County of Butte. }

ss.

I HEREBY CERTIFY that the within is a full, true and correct copy of the

DECREE in the case of THE BLAINE COUNTY INVESTMENT COMPANY,
a corporation, Plaintiff vs ROBERT G. MAYS, et al, Defendants,
filed March 5, 1927, and recorded in Book One of Orders &
Decrees, page 425, Butte County Records,

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at

Arco, Idaho, this 17th day of March 1927.

By

Ora F. Martin
Deputy.

J. F. Tiedeman
Clerk and Ex-Officio Recorder.

JUL 19 1935



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 6, 1995

ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

Transfer of Water Right Nos. 33-00042 AND 33-00043

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4551). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECORDED

JUL 19 1995

MEMORANDUM

TO: FILE 33-00043

FROM: PAM SKAGGS

RE: TRANSFER # 4551

DATE: 6/19/95

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within File # 33-00042.

RECEIVED
JUL 19 1995