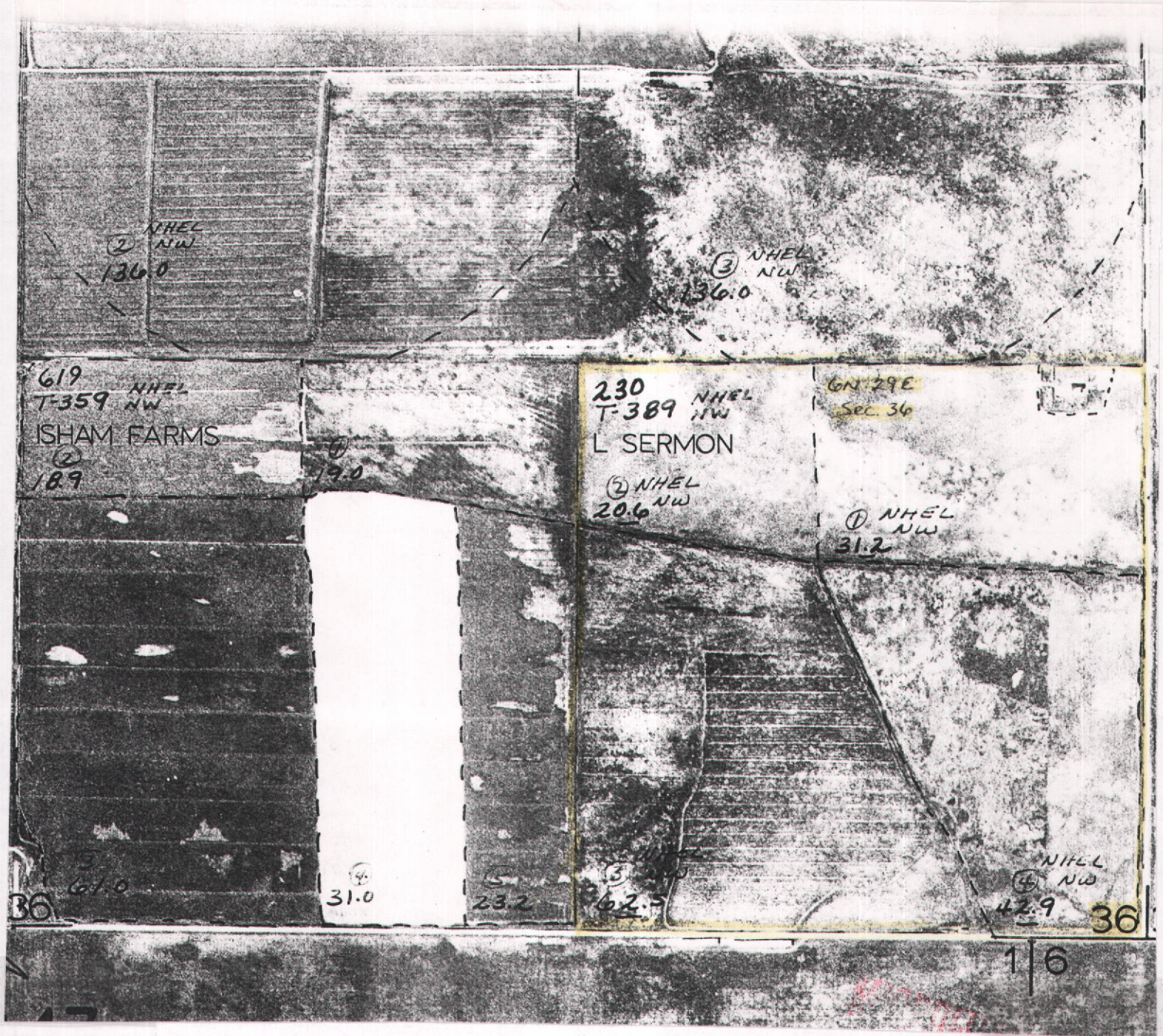


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.

JUL 19 1995

Superceded

See Right No.
33-0042

Blaine County Inv.
Co. vs. Mays

see 33-00043

STATE OF IDAHO.
DEPARTMENT OF RECLAMATION.
CERTIFICATE OF WATER RIGHT.
Transferred Right No. 279.

This is to certify that Charles Kyle, of Howe, County of Butte, State of Idaho, has a right to the use of the waters of Little Lost River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of John W. Kyle, et al, plaintiffs, vs. E. R. Hawley, et al, defendants, F. J. Cowan, District Judge, pro tem, wherein 0.8 second feet of the waters of Little Lost River, in Water District No. 9, were made appurtenant to the Southwest quarter (SW $\frac{1}{4}$), Section 33, T. 6 N., R. 29 E., E. M., bearing date of priority of May 25, 1891; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation, in Book 4 of Decrees at page 25; that, upon the application of Charles Kyle for transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.6 second feet of the waters of Little Lost River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this instrument become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.6 sec. ft., dated May 25, 1891:

	NW $\frac{1}{4}$	NE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Twp. Rge. Sec.	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Total
5 N. 29 E. 4		30 (Lot 3)			30

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the place of use herein described, as provided by the law of the State of Idaho.

No right to the use of waters on the lands herein named exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 4th day of August

(SEAL)

W. G. Swendsen,
Commissioner of Recl.

MICROFILMED

Recorded in Water Dist. #9-8-5-20.MEB.
Platted on Map-Water Dist. #9-8-4-20.STB.
Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ -32-6N-29E.

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

John W. Kyle, Porter W. Porter, and
Hester Davis, co-partners, as Davis and Porter, Frank
Coffin, Michael Fallert, John R. Rogers, John E. Wyatt,
Miller Jensen,

Plaintiffs,

W. H. Jones, A. J. Knollin and Edward Swift, partners
under the firm name of A. J. Knollin & Company, as

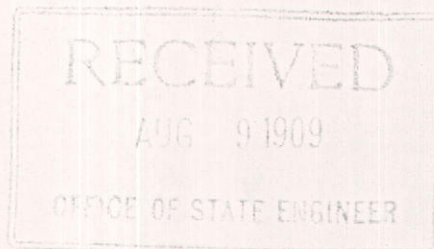
Intervenor Plaintiffs,

VS.

E. R. Hawley, D. B. Hawley, Alfred Green, W. H.
Bartel, Jr., Henery Aldous, O. P. Williams, William Peck,
John McKinley, Frank J. Stevens, John Flohr, C. W. Stevens,
Gus Coulson, Perry Basinger, C. M. Mulkey, John Thomas,
William Thomas, Merton Hawley, Marion Hawley, wife of D. B.
Hawley, John Sheeche, Peter Lowe, O. L. Harmon, W. H. Bartel, Sr. and
James W. Perkins.

Defendants.

In this cause the parties hereto having heretofore by stipulation
agreed to submit the case to the Honorable F. J. Cowen, Judge Pro tem, and
the cause having come on regularly for trial before the said Judge, sitting
without a jury, in March 1906, G. F. Hansbrough Esq. and John W. Jones Esq.
appearing on behalf of the Plaintiffs, John W. Kyle, C. B. Thornton (Frank
Coffin) F. J. Stevens, Michael Fallert, Lorenzo Fallert, John R. Rogers, A.
H. Williams, Miller Jensen, O. P. Williams, A. J. Knollin & Co W. H. Aldous,
G. D. Little, and E. E. Little, Messrs Standrod and Terrel and C. A.
Murrman, appearing on behalf of E. R. Hawley, D. B. Hawley, Marion Hawley,
Merton Hasley, W. H. Jones, William Clark (John Sheeche) Messrs Gray and
Boyd appearing on behalf of Perry Basinger J. Ed. Smith appeared on behalf
of O. L. Harmon, William Peck, W. H. Peck, W. H. Aldous, and Adolph Wilde
and Holden Bros. appeared on behalf of Gus Coulson, W. H. Bartel Sr. W. H.



UNRECORDED

thereto to date from October 1st 1900.

10.

It is further adjudged and decreed that the defendant James W. Perkins is entitled to the uninterrupted use of 30 inches of water measured under a four inch pressure or its equivalent in cubic feet per second of time of the waters of South Creek for the irrigation of his lands, to date from the 1st day of June, 1905.

11.

It is further adjudged and decreed that the defendant W. H. Bartel Sr. is entitled to the uninterrupted use of 20 inches of water measured under a four inch pressure or its equivalent in cubic feet per second of time of the waters of South Creek a tributary of Little Lost River, for the irrigation of his said lands, to date from the 1st day of May 1889.

12.

It is further adjudged and decreed that the following named parties are entitled to the uninterrupted use of the surplus or high water of Little Lost River, when there is a surplus over and above the amounts necessary to supply the rights of the decree of date March 13th. 1891, and also sufficient water to supply the 750 inches or 15 cubic feet per second of time that said Little Lost River has been increased by reason of the construction of the Saw Mill Ditch so-called, in the amounts and from the dates as follows to wit:

John W. Kyle	70 inches	June 1, 1891
Little Bros. a co-partnership composed of G. D. Little and		
E. E. Little	30 inches	June 1, 1891
C. B. Thornton	90 inches	June 1, 1891
Frank J. Stevens	80 inches	June 1, 1891
Michael Fallert	65 inches	June 1, 1891
Lorenzo Fallert	30 inches	June 1, 1891
John R. Rodgers	115 inches	June 1, 1891
Miller Jensen	55 inches	May 15, 1900
W. H. Aldous	90 inches	May 1, 1896
O. P. Williams	70 inches	June 1, 1891

WR0749NP
No. T33-00042

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY L SERMON HC 65 BOX 1007 HOWE ID 83244 (208) 767-3125	03/25/1885	IRRIGATION	04-15 10-15	2.400 CFS	542.50 AFA
TOTAL DIVERSION:					2.400 CFS	542.50 AFA
TOTALS					* 3.20	* 542.5

Water Source: LITTLE LOST RIVER

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:

T06N R29E S32

SWNW

BUTTE County

Point of Diversion Name(s):

T06N R29E S32

SW NW

Name
HARTMAN

Rate

Number
NO. 5

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06N	29E	36	:					:					:					:	35	40	40	40	:	155.0
TOTAL ACRES																							155.0	

Pou County: BUTTE

Other Rights: 33-0043.

Other Water Rights with Same Point(s) of Diversion and Source:
T33-00043

Other Water Rights Listing Overlapping Place(s) of use:
33-07068 T33-00043

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
- R43 - 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.
- R30 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval

Conditions of Approval:

- of the transfer should not be rescinded.
- T09 - 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.

Remarks: 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.

Dates: App. Received: Priority Date: 03/25/1885
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 33 Field Exam Fee:

Comments: Date: 02/06/1995 User-ID: RBODELL Subject: TRANSFER NO. 4551
Trans. #4551 was filed to change the place of use and point of diversion under Rights 33-00042 and 33-00043.

Audit: 02/06/95 RBODELL 06/19/95 SCURTIS 07/03/95 PSKAGGS

WR0749NP
No. T33-00043

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY L SERMON HC 65 BOX 1007 HOWE ID 83244 (208) 767-3125	05/25/1891	IRRIGATION	04-15 10-15	0.800 CFS	290.10 AFA
TOTAL DIVERSION:					0.800 CFS	290.10 AFA

Water Source: SAWMILL CREEK

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R29E S32 SWNW

BUTTE County

Point of Diversion Name(s):

	Name	Rate	Number
T06N R29E S32	SW NW HARTMAN		NO. 5

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06N	29E	36	:					:					:					:	35	40	40	40	:	155.0
TOTAL ACRES																							155.0	

Pou County: BUTTE

Other Rights: 33-0042.

Other Water Rights Listing Overlapping Place(s) of use:

33-07068 T33-00042

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
- R43 - 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.
- R30 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - 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.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing

WR0749NP
No. T33-00043

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 2

Conditions of Approval:

- Snake River Basin Adjudication.

Remarks * 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.

Dates: App. Received: Priority Date: 05/25/1891
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 33 Field Exam Fee:

Comments: Date: 02/06/1995 User-ID: RBODELL Subject: TRANSFER NO. 4551
Trans. #4551 was filed to change the place of use and point of diversion under Rights 33-00042 and 33-00043.

Audit: 02/06/95 RBODELL 06/19/95 SCURTIS 07/03/95 PSKAGGS 07/03/95 PSKAGGS

6/9/94

33-07195

COMMUNICATION DOCUMENTATION

Claim No. A33-00042

A33-00043

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent S.W. Keen Date 7-20-94

Contact Person(s) Les Sermon (208) 767-3312

Nature of Contact I called Mr. Sermon to ask about his current use of the rights listed above. Their claimed P.O.U. is now irrigated solely by groundwater right 33-07195.

Substance of Communication Mr. Sermon responded that he is not using A33-00042 and A33-00043 on the claimed P.O.U. The ditches are gone; the well is now the sole source on this quarter-section. Mr. Sermon said that when water to fill 33-00042 and 33-00043 is available, he runs it to his land about 3 miles away. He also said he knows that it is not lawful to do so. I suggested that Mr. Sermon file an Application for Transfer. He said he does not want to do so until the groundwater right (33-07195) is licensed. I said I would see if I could speed up that process.

MICROFILMED

JUL 19 1995

33-07195

MEMO TO FILE

PERMIT NO. 33-7019

On May 30, 1978, an attempt was made to complete a water right field examination for Permit No. 33-7019. The system was found to be in disrepair and beneficial use of water could not be demonstrated.

At this time, it was determined that this diesel-powered groundwater pump had not been in operation for several years, and that the diversion of groundwater from this source for irrigation served only as a supplement to the permitholder's decreed water rights in the Little Lost River. It was also determined that the permitholder has secured employment at the Idaho National Engineering Laboratory and continues to farm, but only in a marginal way.

Finally, the high cost of operating this system as opposed to diverting water from the Little Lost River is yet another incentive to leave the system in disrepair. I recommend that no license be issued on Permit No. 33-7019 and that the permitholder either abandon the well or secure a new priority if he actually intends to use water from this source in the future.

The groundwater system consists of a Twin Disc diesel motor, Model No. SP-214-PO 4033984 and a U.S. Motors (Holloshaft) right angle pump drive, Serial No. 1021214 and a Johnston Vertical turbine pump bearing no identification numbers. The system was designed to open discharge into a network of ditches for the flood irrigation of 160 acres.

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:dh

Cancelled 6-12-79

MICROFILMED

JUL 19 1995

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name LESLIE SERMON

Address STAR ROUTE-HOWE, IDAHO

Owner's Permit No. 33-7019 (Cancelled)

7. WATER LEVEL

Static water level 60 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____

20 NONE

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test

☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 18 inches Total depth 305 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>250</u> inches	<u>18</u> inches	<u>1</u> feet	<u>304</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch

Size of perforation 1 inches by 2 inches

Number	From	To
<u>112</u> perforations	<u>76</u> feet	<u>90</u> feet
<u>30</u> perforations	<u>215</u> feet	<u>220</u> feet
<u>640</u> perforations	<u>220</u> feet	<u>300</u> feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____ feet

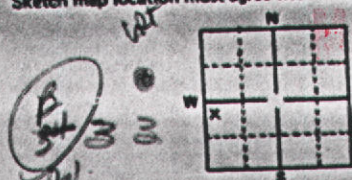
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 18 feet

Material used in seal ☒ Cement grout ☐ Pudding clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County BUTTE

NW X SV X Sec. 33 T. 6 N.R. 29 E.R.

10.

Work started 8/11/73 finished 10/5/73

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

DOUG CUSHMAN DRILLING COMPANY 72

Driller's or Firm's Name _____ Number _____

945 S BROADWAY-BLACKFOOT, IDAHO 83221

Address _____ Date 10/18/73

Signed By _____

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

Probable well for 33-07195

WR0749NP
No. 33-07195

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/19/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY SERMON HC 65 BOX 1007 HOWE ID 83244	01/04/1990	IRRIGATION	04-01 11-01	3.200 CFS	
TOTAL DIVERSION:					3.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06N R29E S33

NWNWSW

BUTTE County

Place of use Legal Description for: IRRIGATION

NENE				NW				SW				SE				SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	
06N	29E	33	:				:	40	40	40	40	:				160.0
TOTAL ACRES																160.0

Pou County: BUTTE

Other Rights: 33-00042, 33-00043

Conditions of Approval:

- 01C - A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
- 053 - The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Dates: App. Received: 01/04/1990 Priority Date: 01/04/1990
Proof Due Date: 08/03/1992 Proof Made Date: 09/12/1991
Exam Made Date: 07/22/1994 Exam Sent to S.O.: 03/09/1995
Licensed Date:

Misc: Water District Number: Field Exam Fee:

AJ0749NP
No. A33-00042A

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

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC % JERRY PANCHERI PRES HOWE ID 83244 (208) 767-3419	03/25/1885	IRRIGATION	04-01 11-01	0.48 CFS	
TOTAL DIVERSION:					0.48 CFS	

Water Source: LITTLE LOST RIVER

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:	T05N R29E S04 T06N R29E S30 S32 T09N R27E S05 S33	SESE SWNW NWNW NWNE NWNE	BUTTE County BUTTE County BUTTE County BUTTE County BUTTE County
------------------------	---	--------------------------------------	--

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
05N 29E 3	:		39	40							40	40						159.0
05N 29E 4	:	40	40	40	40		38		30					40	40	35	40	383.0
05N 29E 5	:	28																28.0
05N 29E 10	:													40	40	40	40	160.0
05N 29E 11	:									40	40	40	40	40	40	40	40	320.0
05N 29E 12	:									40	40	40	40					160.0
05N 29E 13	:	40	40	40	39	40	40	40	40	40	40	40	40	39	40	40	40	638.0
05N 29E 14	:	40	40	37	40	40			40				30				31	298.0
06N 29E 29	:									40		38	40	40	40	40	40	278.0
06N 29E 30	:												27			40	40	107.0
06N 29E 31	:	33	40			18												91.0
06N 29E 32	:			39		35	37	10	38	14				40	35	39	26	313.0
06N 29E 34	:											38	39			40		117.0
08N 27E 3	:		24	15		35	14	02	40	35			32		25	40		262.0
09N 27E 9	:					39	39	39	39	39	39	39	39					312.0
09N 27E 16	:					39	39	39	39	39	39	39	39					312.0
09N 27E 21	:					33	33	33	33	33	33	33	33					264.0
09N 27E 28	:					33	33	33	33	33	33	33	33					264.0
09N 27E 33	:		18	25		40			40					09			07	139.0
09N 27E 34	:									06	08	40	35			05		94.0
TOTAL ACRES																		4699.0

POU County: BUTTE

Non-Irrigation Uses: S/ STOCKWATER

Other Rights: SEE REMARKS

Remarks: OTHER RIGHTS:33-02014,2056,2065,2066,2093,2108,2113,2117,2126,
7015,7027,10109,0002-13,0024-36,0039-47,0065,0068,0083-85,0087,

AJ0749NP
No. A33-00043A

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

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC % JERRY PANCHERI PRES HOWE ID 83244 (208) 767-3419	05/25/1891	IRRIGATION	04-01 11-01	0.16 CFS	
TOTAL DIVERSION:					0.16 CFS	
Water Source: SAW MILL CREEK		Tributary to: LITTLE LOST RIVER			Stage: DECREED	
Point(s) of Diversion:		T05N R29E S04 T06N R29E S30 S32 T09N R27E S05 S33	SESE SWNW NWNW NWNE NWNE	BUTTE County BUTTE County BUTTE County BUTTE County BUTTE County		
Place of use Legal Description for: IRRIGATION						
NE NW SW SE						
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : SUM						
05N 29E 3 : 39 40 : : 40 40 : : : : : : : : : : : : : 159.0						
05N 29E 4 : 40 40 40 40 : : 38 30 : : 40 40 35 40 : : : : : 383.0						
05N 29E 5 : 28 : : : : : : : : : : : : : : : 28.0						
05N 29E 10 : : : : : : : : : : : : : : : : : 160.0						
05N 29E 11 : : : : : : : : : : : : : : : : : 320.0						
05N 29E 12 : : : : : : : : : : : : : : : : : 160.0						
05N 29E 13 : 40 40 40 39 : 40 40 40 40 : 40 40 40 40 : 39 40 40 40 : 638.0						
05N 29E 14 : 40 40 37 40 : 40 : : : : : : : : : : 31 : 298.0						
06N 29E 29 : : : : : : : : : : : : : : : : : 278.0						
06N 29E 30 : : : : : : : : : : : : : : : : : 107.0						
06N 29E 31 : 33 40 : : 18 : : : : : : : : : : : 91.0						
06N 29E 32 : : : : 39 : : 35 37 10 38 : 14 : : : : 40 35 39 26 : 313.0						
06N 29E 34 : : : : : : : : : : : : : : : : : 117.0						
08N 27E 3 : 24 15 : : 35 14 02 40 : 35 : : : : 25 40 : : 262.0						
09N 27E 9 : : : : : : : : : : : : : : : : : 312.0						
09N 27E 16 : : : : : : : : : : : : : : : : : 312.0						
09N 27E 21 : : 33 33 33 33 : 33 33 33 33 : : : : : 264.0						
09N 27E 28 : : : : 33 33 33 33 : 33 33 33 33 : : : : : 264.0						
09N 27E 33 : 18 25 : : 40 : : : : : : : : : : 09 : 07 : 139.0						
09N 27E 34 : : : : : : : : : : : : : : : : : 94.0						
TOTAL ACRES 4699.0						

POU County: BUTTE

Non-Irrigation Uses: S/ STOCKWATER

Other Rights: SEE REMARKS

Remarks: OTHER RIGHTS:33-02014,2056,2065,2066,2093,2108,2113,2117,2126,
7015,7027,10109,0002-13,0024-36,0039-47,0065,0068,0083-85,0087,

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T05N R29E S 4		Decreed P/O no Overlap (possible minor/different owner)																
A3300024	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300025	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300026	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300027	LITTLE LOS :				:				:					1	1	1	1 :	
A3300027	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300028	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300029	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300030	SAWMILL CR :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300032A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300033A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300034C	SPRING CRE :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300035A	BADGER CRE :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300036C	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300039	LITTLE LOS :	1	02-1	1	1 :				1 :									
A3300039A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300040	LITTLE LOS :	1	02-1	1	1 :				1 :									
A3300040A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300042	LITTLE LOS :				:	03-1			:									
A3300042A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300043	SAWMILL CR :				:	03-1			:									
A3300043A	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300044	LITTLE LOS :				:	04-1			:									
A3300044	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300045	LITTLE LOS :				:	04-1			:									
A3300045	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300046	LITTLE LOS :				:	04-1			:									
A3300046	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300047	SAWMILL CR :				:	04-1			:									
A3300047	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300065	BELL MOUNT :	1	1	1	1 :				1 :									
A3300065	BELL MOUNT :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300084	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300085	DRY CREEK :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300088A	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300090	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300092	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3300109A	SAW MILL C :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3300115	LITTLE LOS :				:				:					1			1 :	
A3300115	LITTLE LOS :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3302014	UNNAMED SP :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
3302056	GROUNDWATE :				:		3		:									3
A3302056	GROUNDWATE :	40	40	40	40 :		38		30 :					40	40	35	40 :	383
A3302065	GROUNDWATE :	40	40	40	40 :		38		30 :					40	40	35	40 :	383

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '2' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

[illegible]

T05N R29E S 33

Deered P/U No Overlap

NO MATCHES FOR THIS POU IN AJ-POU

```

3300042 LITTLE LOS : : I I I I :
3300043 SAWMILL CR : : I I I I :
NO MAPPING INFO AVAILABLE

```

T06N R29E S 33

Claims + GW Permit Overlap

3300002	DRY CREEK :	:	:	:	:	:	:
A3300002	DRY CREEK :	:	40	40	39	40 :	: 159
3300003	DRY CREEK :	:	:	:	:	:	:
A3300003	DRY CREEK :	:	40	40	39	40 :	: 159
3300004	LITTLE LOS :	:	:	:	:	:	:
A3300004	LITTLE LOS :	:	40	40	39	40 :	: 159
3300005	LITTLE LOS :	:	:	:	:	:	:
A3300005	LITTLE LOS :	:	40	40	39	40 :	: 159
3300006	SAWMILL CR :	:	:	:	:	:	:
3300007	SAWMILL CR :	:	:	:	:	:	:
3300008	SAWMILL CR :	:	:	:	:	:	:
3300009	SAWMILL CR :	:	:	:	:	:	:
3300010	SAWMILL CR :	:	:	:	:	:	:
3300011	SAWMILL CR :	:	:	:	:	:	:
3300012	SAWMILL CR :	:	:	:	:	:	:
3300013	SAWMILL CR :	:	:	:	:	:	:
3300014	DRY CREEK :	:	:	:	:	:	:
A3300014	DRY CREEK :	:	40	40	39	40 :	: 159

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
3300015	LITTLE LOS :																	
A3300015	LITTLE LOS :																	
3300016	SUMMIT CRE :																	
A3300016	SUMMIT CRE :																	
A3300042	LITTLE LOS :																	
A3300043	SAWMILL CR :																	
3300068	LITTLE LOS :																	
A3300068	LITTLE LOS :																	
A3300069B	LITTLE LOS :																	
A3300071B	LITTLE LOS :																	
A3300072B	LITTLE LOS :																	
3300075	LITTLE LOS :																	
A3300075	LITTLE LOS :																	
3300077	SAWMILL CR :																	
A3300077	SAWMILL CR :																	
3300098	DRY CREEK :																	
A3300098	DRY CREEK :																	
3302060	GROUNDWATE :																	
A3302060	GROUNDWATE :																	
3302063	GROUNDWATE :																	
A3302063	GROUNDWATE :																	
3302082	GROUNDWATE :																	
A3302082	GROUNDWATE :																	
T3302082	GROUNDWATE :																	
T3302082A	GROUNDWATE :																	
3307028	GROUNDWATE :																	
A3307028	GROUNDWATE :																	
R3307028	GROUNDWATE :																	
3307064	GROUNDWATE :																	
A3307064	GROUNDWATE :																	
R3307064	GROUNDWATE :																	
3307071	GROUNDWATE :																	
A3307071	GROUNDWATE :																	
R3307071	GROUNDWATE :																	
3307195	GROUNDWATE :																	
A3310084	SAWMILL CR :																	
A3310086	SAWMILL CR :																	
--86 MAP--	C23Q-W 85 :																	

T06N R29E S 36

New P/O No Overlaps

3300002 DRY CREEK :
3300003 DRY CREEK :
3300004 LITTLE LOS :

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
3300005	LITTLE LOS :																	:
3300006	SAWMILL CR :																	:
3300007	SAWMILL CR :																	:
3300008	SAWMILL CR :																	:
3300009	SAWMILL CR :																	:
3300010	SAWMILL CR :																	:
3300011	SAWMILL CR :																	:
3300012	SAWMILL CR :																	:
3300013	SAWMILL CR :																	:
3300014	DRY CREEK :																	:
3300015	LITTLE LOS :																	:
3300016	SUMMIT CRE :																	:
A3300038	LITTLE LOS :									39	39	40	40					: 158
T3300042	LITTLE LOS :															35	40	: 155
T3300043	LITTLE LOS :															35	40	: 155
3302070	GROUNDWATE :									40	39	39	39					: 157
A3302070	GROUNDWATE :									40	39	39	39					: 157
3302084	GROUNDWATE :	40	40	20		40	40	40	40									: 260
A3302084	GROUNDWATE :	39	39	26		39	38	39	40									: 260
3302136	GROUNDWATE :	35	37	31		38	35	40	40									: 256
A3302136	GROUNDWATE :	39	39	22		39	38	39	40									: 256
3302139	GROUNDWATE :									40	39	39	39					: 157
3307068	GROUNDWATE :															2		: 2
A3310052	LITTLE LOS :									39	39	40	40					: 158
--86 MAP--	C23Q-W 85 :	40	38	28	33	42	40	41	39	30	42	19	39	39	42	38	34	: 584

1. State lands from which the transfer is desired: SW $\frac{1}{4}$, Sec. 33, Twp. 6 North of Range 29 E.B.M.,
2. State amount, source and date of water right, covering the land: 4/5 cubic
ft. per second of time; ^{Little}~~Big~~ Lost River, May 25, 1891
3. State the present point of diversion by 40 acre tract: near center of NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 32, Twp. 6 N. R. 29 E.B.M.
4. Who owns the above described lands: myself, Charlie Kyle
5. How obtained: By purchase from John W. Kyle
6. State how the water right was secured: originally decreed by Court of
the 6th Judicial District of the State of Idaho, in and for the
County of Fremont to John W. Kyle, and sold to me with land.
7. How much of this land is in cultivation and under irrigation: all
8. State kind of crops: alfalfa, wheat, oats and garden truck
9. Is any portion of the above lands swampy, and if so, to what extent: none
10. When was water last used on the above described lands: has been used
continuously during irrigation seasons since appropriation of
same.
11. How much of the above described lands will be irrigated if the transfer is
granted: all
12. How much water per acre, will be necessary: one inch, but can farm all
of said land by rotating water on land which I want to transfer
said forty inches of water
13. Are there any water rights, other than the one above described, attached to
the said lands, and if so, state same: Yes, 120 inches from Little Lost
river, date of priority March 25, 1885
14. Describe the lands to which the transfer is desired: Lot Numbered three (3) in sec. 4, Twp. 5, N.R. 29 E.B.M.,
15. Who is the owner of same, and how acquired: myself, Charlie Kyle,
acquired by purchase from Dixon Kyle

RECORDED

16. If there is any water right attached to the above lands at present,
state source, amount, date, how acquired: No.

17. State point of diversion: near center NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 32, Twp. 6 North
Range 29 E.B.M.,

18. How much of this land in cultivation and irrigation: all of it, forty acres more or less.

19. How much net water per acre is required for these lands: one inch

20. If the transfer is granted, describe the new point of diversion:

The point of diversion will be the same as it allways has been,
towit: near center NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 32, Twp.6 N.R.29 E.B.M.,

21. How long have these lands been irrigated, and when was water last used
on them: Since about 1891, last used 1919

22. How much of the above described lands will be irrigated if the transfer
is granted: all of it, forty acres

23. Are any of these lands swampy? If so, how many acres? none

24. What are the reasons for desiring said transfer: for a greater beneficial
use of water

Charles K. Kyle
Applicant.

Subscribed and sworn to before me this 8th day of July, 1920 ~~1919~~

W. J. Lawrence
Notary Public.
Arco, Idaho.

My commission expires

RECORDED

AFFIDAVIT OF PUBLICATION

I, C. A. Bottolfsen, publisher of The Arco Advertiser, published weekly at Arco, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated June 18, 1920 and ending with the issue dated June 25, 1920

Subscribed and sworn to before me this 8th day

of July 1920

W. J. Lammie
Notary Public.

Arco, Idaho

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Charlie Kyle of Howe, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 0.6 cubic feet per second of the water of Little Lost River from the land upon which it is now used, i. e. SW $\frac{1}{4}$, Sec. 33, T. 6 N., R. 29 E., B. M., to the following described tract Lot 3, Sec. 4 T. 5 N., R. 29 E., B. M.,

And that, on the 8th day of July, A. D. 1920, at 10:30 A. M. at the Courthouse in Arco, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

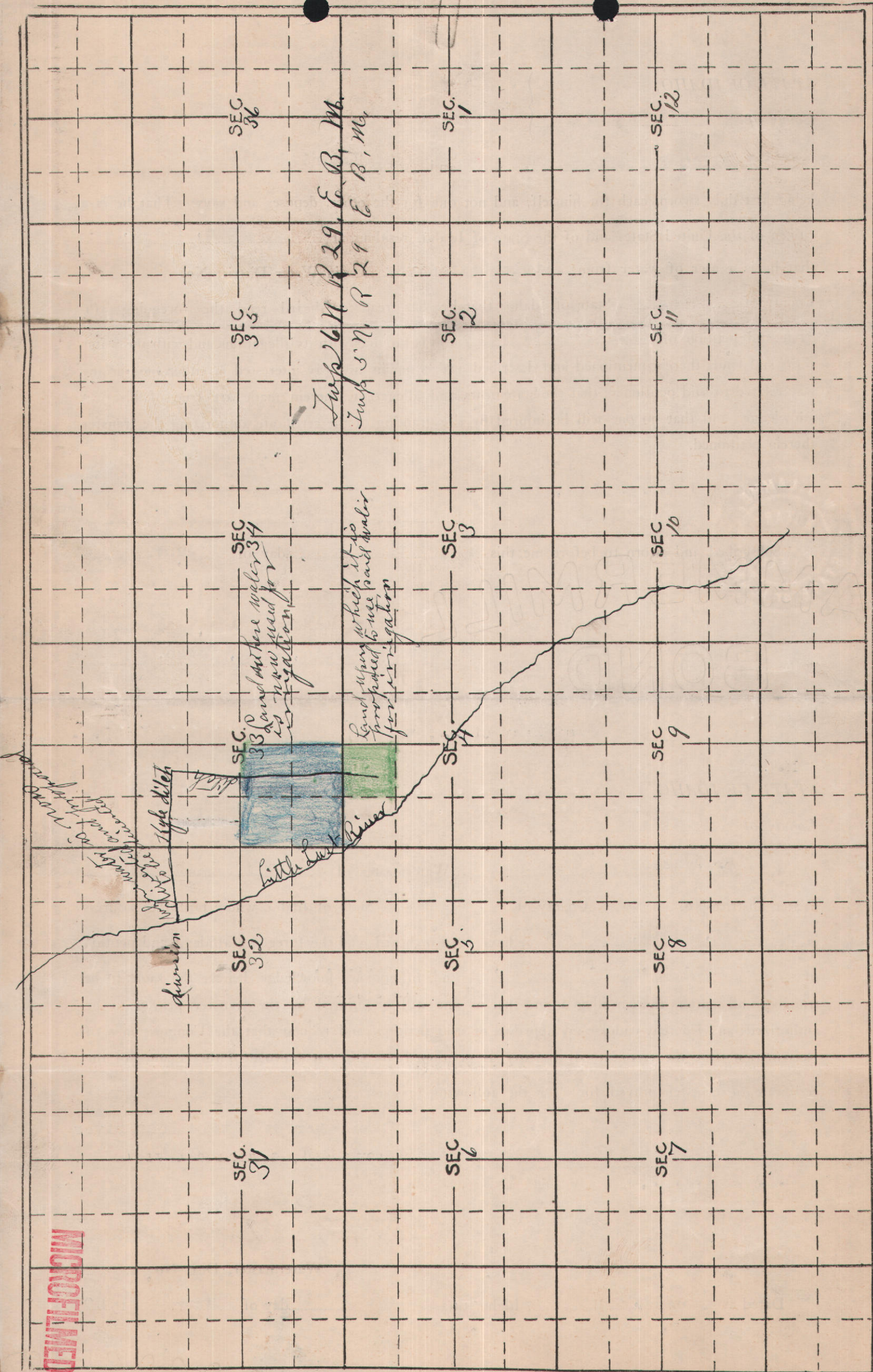
W. G. SWENDSEN,
Commissioner of

J18-25.
Reclamation.

RECORDED

Name of Applicant

Charlie Kyle



Scale: 2 Inches—1 Mile. Draw Plan in Ink

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
						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.

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 Saylor
Chief, Water Alloc. Bureau

RECEIVED
JUL 19 1995

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4551

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

MAY 06 1995

Department of Water Resources

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

A. PURPOSE OF TRANSFER

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.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>33-00042</u>	<u>3/25/1885</u>	<u>2.40 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>10/31</u>
<u>33-00043</u>	<u>5/25/1891</u>	<u>0.80 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water LITTLE LOST RIVER tributary to SINKS
SAWMILL CREEK tributary to LITTLE LOST RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	32	6N	29E	BUTTE	HARTMAN DIVERSION #5

5. 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	36													35	40	40	40	155

RECORDED
JUL 19 1995

JUL 19 1995

RECEIVED

Witness my hand this _____ day of _____, 19____

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

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

d. Remarks: RIGHTS 33-00042 AND 33-00043 HAVE BEEN USED ON THE NEW PLACE OF USE SINCE PROPERTY WAS ACQUIRED BY LESLIE A SERMON.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: THE ORIGINAL PLACE OF USE IS IRRIGATED BY 33-07195.

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.

DITCH.

a. Description of diversion system: HARTMAN DIVERSION #5 ON THE LITTLE LOST RIVER CONTROLLED BY DISTRICT 33 WATERMASTER. WATER IS CONVEYED BY PRIVATE

6. General Information:

PART 1

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00042

STAGE: DECREEED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.40 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 03/25/1885

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>
05N	29E	4	Lot 3 (NENW)			
		33	NESW	NWSW	SWSW	
			SESW			

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

RECORDED
JUL 19 1995

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00043

STAGE: DECREEED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SAWMILL CREEK	LITTLE LOST RIVER

Priority: 05/25/1891

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>
05N	29E	4	Lot 3 (NENW)			
		33	NESW	NWSW	SWSW	
			SESW			

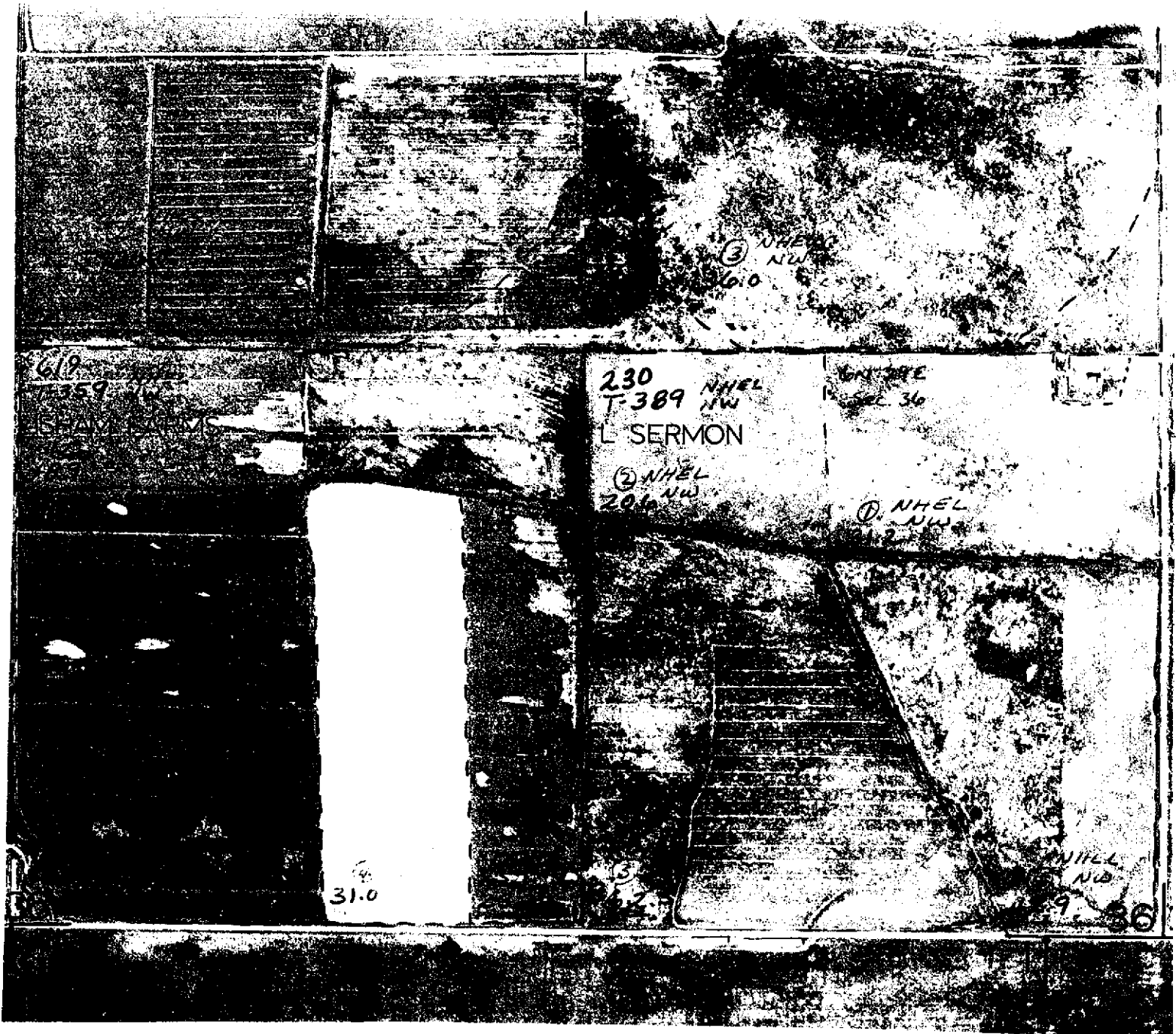
CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

RECORDED
JUL 19 1995

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.

JUL 19 1995

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use

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

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 23 day of January, 1995

(Signature of Applicant) Roy Brown

(Notary Public) [Signature]

My commission expires 4-6-99

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and attachments

Received by WJH Date 1/25/95 Fee \$100.00

Prelim. check by HUS E020635 Date 1-25-95

Received by Free Advertiser

Pub. dates February 16 and 23, 1995

Watermaster recommendation requested on 2-21-95

Recommended for ☒ approval ☐ denial

by RDC

Copy of transfer sent to lien holder

JUL 19 1995



United States
Department of
Agriculture

Farmers
Home
Administration

125 S. Water
P.O. Box 656
Arco, ID 83213

RECEIVED

DEC 23 1994

December 12, 1994

Department of Water Resources
Eastern District Office

Upon review of the Application for Transfer of Water Right made by ROY L. SERMON and NATALIE J. SERMON which purpose is to change point of diversion and point of use, we are in agreement with the proposed changes.

Therefore, Farms Home Administration, mortgage holder of the property pertaining to the lands pertinent to these water rights, agrees to the requested changes for right numbers 33-00042 and 33-00043 in the name of Roy L. Sermon and Natalie J. Sermon.


ALLAN H. "BUZZ" BANTA
County Supervisor

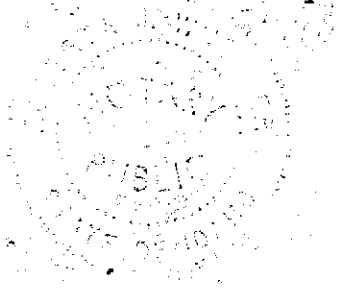
State of Idaho)
)
County of Butte)

ss:

ACKNOWLEDGMENT

On this 12th day of December, 1994, before, me, the subscriber, a notary public, in and for the above county and state, appeared Allan H. Banta, known to be to be County Supervisor, farmers Home Administration, United States Department of Agriculture, and the person who executed the foregoing instrument, and he acknowledge to me that he executed the same as the free act and deed of the United States of America, for the uses and purposes mentioned in it.

IN WITNESS WHEREOF, I have set my hand and seal at Arco, Idaho the day and year listed above.





Notary for the State of Idaho
Residing at Moore, Idaho
My commission expires 3/4/95

RECEIVED
JUL 19 1995



Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination should be sent to:
Secretary of Agriculture, Washington, D.C. 20250

WARRANTY DEED
(Idaho)

LESLIE A. SERMON and UNITY A. SERMON, his wife, of BUTTE County,
Idaho, hereinafter called the Grantor, for and in consideration of ONE HUNDRED SIX THOUSAND TWO HUNDRED NINETY
SIX AND 32/100 DOLLARS (\$ 106,296.32), GRANTS, CONVEYS, and WARRANTS to
ROY L. SERMON and NATALIE J. SERMON, his wife, of BUTTE County,
Idaho currently residing at HC65, Box 1007, Howe, ID 83244, hereinafter
called the Grantee, as a community property estate, the following-described
premises situated in BUTTE County, Idaho:

Township 6 North, Range 29 East, Boise Meridian, Butte County, Idaho:

Section 33: ~~SW 1/4~~, EXCEPTING therefrom the following described tract: Beginning at the
SE corner of SW 1/4 Section; thence North 330 feet; thence West 660 feet;
thence South 330 feet; thence East 660 feet.

Section 36: SE 1/4, EXCEPTING the North 1/2 of the NE 1/4 of the NE 1/4 of the SE 1/4 of Section 36,
T6N, R29, E6M, Containing 5 acres or less.

Together with all water and water rights, ditches and ditch rights used thereon or
appurtenant thereto, including but not limited to:

120 miner's inchers of Decreed Water, priority 3/25/85, and
40 miner's inches of Decreed Water, priority 5/25/91
Together with Well Permit No. 33-7109.

NO. 0. 25913
FILED

MAY 29 1992

A.M. 2:05 P.M.
BUTTE COUNTY RECORDER
Mona Turner

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the
Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that the
Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as
above described; and that Grantor will warranty and forever defend the title thereto against all lawful claims and
demands whatsoever.

Dated this _____ day of _____, 19__

STATE OF _____
COUNTY OF _____

} ss:

ACKNOWLEDGMENT

On this 22nd day of May, 1992, before me, CAROL J WESTON
and Unity A. Sermon, the undersigned officer, personally appeared Leslie A. Sermon
and Unity A. Sermon

known to me or satisfactorily proven to be the person(s) whose name(s) subscribed to the within instrument,
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(S E A L)

My commission expires: 1-4-96

Residing at Howe Idaho

JUL 19 1995

IMPORTANT NOTICE - PLEASE READ

BUTTE COUNTY ASSESSOR
P.O. BOX 157
ARCO, ID 83213

FORWARD & ADDRESS CORRECTION

CATEGORY DESCRIPTION

- 1 IRRGTD AG
- 5 DRY GRAZING
- 10 RURAL HOMESITE
- 19 PUBLIC RIGHT-OF

PARCEL NO.

RP 05N29E042440 A

TAX CODE

LOTS / ACRES

- 24.100 AC
- 9.770 AC
- 1.000 AC
- 3.900 AC

5-00

MARKET VALUE

- 6,146
- 293
- 3,000

38.770

9,439*

ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 24, 1994

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER

FR LOT 3 (NE4NW4) T# 11-47E
LESS T# 23640 & T# 23722

Mail To:

BARNES, CRAIG S & SUZIE H
& SERMON, ROY L & NATALIE J

HC 65 BOX 6
HOWE, ID 83244

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
ARCO, ID 83213
PERMIT NO. 005

1994

TAXPAYERS

VALUATION

JUL 19 1995

RECEIVED

FEB 22 1995

Department of Water Resources
Eastern District Office

Superceded

See Right No
33-0042

Blaine County Inv.
Co. vs. Mays
see 33-00043

STATE OF IDAHO.
DEPARTMENT OF RECLAMATION.
DIVISION OF WATER RIGHT.
Transferred Right No. 279.

This is to certify that Charles Kyle, of Howe, County of Butte, State of Idaho, has a right to the use of the waters of Little Lost River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of John W. Kyle, et al, plaintiffs, vs. E. R. Hawley, et al, defendants, F. J. Cowan, District Judge, pro tem, wherein 0.8 second feet of the waters of Little Lost River, in Water District No. 9, were made appurtenant to the Southwest quarter (SW $\frac{1}{4}$), Section 33, T. 5 N., R. 20 E., S. 1 E., bearing date of priority of May 25, 1891; that said decree has been entered at Boise, Idaho, in the records of the Department of Reclamation, in Book 4 of Decrees at page 25; that, upon the application of Charles Kyle for transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.6 second feet of the waters of Little Lost River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this instrument become appurtenant, for irrigation and domestic purposes, is shown in the following table, limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

0.6 sec. ft., dated May 25, 1891:				
NE $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Twp. 33c. Sec. NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -Tot:				
5 N. 29 E. 4		30 (Lot 3)		30

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the place of use herein described, as provided by the law of the State of Idaho.

No right to the use of waters on the lands herein named exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 4th day of August

(SEAL)

W. G. Swendsen,
Commissioner of Rec

RECORDED

Recorded in Water Dist. #9-8-5-20.MEE.
Platted on Map-Water Dist. #9-8-4-20.STB.
Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ -32-6N-29E.

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

John W. Kyle, Porter W. Porter, and
Hester Davis, co-partners, as Davis and Porter, Frank
Coffin, Michael Fallert, John R. Rogers, John E. Wyatt,
Miller Jensen,

Plaintiffs,

W. H. Jones, A. J. Knollin and Edward Swift, partners
under the firm name of A. J. Knollin & Company, as

Intervenor Plaintiffs,

VS.

E. R. Hawley, D. B. Hawley, Alfred Green, W. H.
Bartel, Jr., Henry Aldous, O. P. Williams, William Peck,
John McKinley, Frank J. Stevens, John Flohr, C. W. Stevens,
Gus Coulson, Perry Basinger, C. M. Mulkey, John Thomas,
William Thomas, Merton Hawley, Marion Hawley, wife of D. B.
Hawley, John Sheeche, Peter Lowo, O. L. Harmon, W. H. Bartel, Sr. and
James W. Perkins.

Defendants.

In this cause the parties hereto having heretofore by stipulation
agreed to submit the case to the Honorable F. J. Cowen, Judge Pro tem, and
the cause having come on regularly for trial before the said Judge, sitting
without a jury, in March 1906, G. F. Hansbrough Esq. and John W. Jones Esq.
appearing on behalf of the Plaintiffs, John W. Kyle, C. B. Thornton (Frank
Coffin) F. J. Stevens, Michael Fallert, Lorenzo Fallert, John R. Rogers, A.
H. Williams, Miller Jensen, O. P. Williams, A. J. Knollin & Co. H. Aldous,
G. D. Little, and E. E. Little, Messrs Standrod and Terrel and C. A.
Merriman, appearing on behalf of E. R. Hawley, D. B. Hawley, Marion Hawley,
Merton Hasley, W. H. Jones, William Clark (John Sheeche) Messrs Gray and
Boyd appearing on behalf of Perry Basinger J. Ed. Smith appeared on behalf
of O. L. Harmon, William Peck, W. H. Peck, W. H. Aldous, and Adolph Wilde
and Holden Bros. appeared on behalf of Gus Coulson, W. H. Bartel Sr. W. H.

thereto to date from October 1st 1901.

12.

It is further adjudged and decreed that the said John W. Kyle is entitled to the uninterrupted use of 70 inches of water measured under a four inch pressure or its equivalent in cubic feet per second of time of the waters of South branch a tributary of Little West River, for the irrigation of his said lands, to date from the 1st day of June, 1901.

13.

It is further adjudged and decreed that the said John W. Kyle is entitled to the uninterrupted use of 70 inches of water measured under a four inch pressure or its equivalent in cubic feet per second of time of the waters of South branch a tributary of Little West River, for the irrigation of his said lands, to date from the 1st day of June, 1901.

14.

It is further adjudged and decreed that the following named parties are entitled to the uninterrupted use of the surplus water of said Little West River, when there is a surplus available to the said parties necessary to supply the rights of the decree of date March 15th. 1901, and also sufficient water to supply the 70 inches or 14 cubic feet per second of time that said Little West River has been increased by reason of the construction of the Saw Mill ditch so-called, in the amounts and from the dates as follows to wit:

John W. Kyle	70 inches	June 1, 1901
Little Bros. a co-partnership composed of G. H. Little and		
G. H. Little	30 inches	June 1, 1901
G. B. Sherman	40 inches	June 1, 1901
Frank J. Stevens	40 inches	June 1, 1901
Michael Fallert	65 inches	June 1, 1901
Lorenzo Fallert	75 inches	June 1, 1901
John H. Rodgers	175 inches	June 1, 1901
Miller Jensen	75 inches	June 1, 1901
A. H. Aldous	10 inches	May 1, 1900
O. A. Williams	70 inches	June 1, 1901

RECORDED



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 NOS. 33-00042 & 33-00043

FROM: PAM SKAGGS/^{es}STATE OFFICE

SUBJECT: TRANSFER NO. 4551

DATE: July 3, 1995

=====

Transfer No. 4551 was filed to change the point of diversion and place of use under Right Nos. 33-00042 and 33-00043. The historic use has changed over the years since the decree was issued and the water has been used at the proposed place of use for several years. No actual change will occur through this transfer. Review of these rights included investigation of their use with overlapping rights and the use of water on the proposed place of use.

It seems clear that the applicant's predecessor in interest to these water rights used in the SW, S33, T06N, R29E, planned to develop a primary groundwater right and transfer the surface rights to other property from the start. The original Groundwater application was delayed due to the trust water review and backlog and the applicants personal situation changed. The well was drilled, but rarely used and the permit was canceled.

Later another application was filed to develop a legal groundwater right on the property, so the surface rights could be transferred. At that same time the property was sold to the current applicant, Roy Sermon, and the surface water was moved to the proposed transfer place of use in SE, S36 while only groundwater was used at the original place of use SW, S33. The watermaster confirms that the point of diversion and place of use was changed as stated about 4 years ago and approves of the transfer.

Since the groundwater right was intended to be developed separately from the surface rights, and that is in fact what occurred during the second attempt, these surface rights can be officially transferred without expanding their historical use. A small portion of these rights has been claimed by a separate owner and ownership will have to be resolved and the rights possibly apportioned by the SRBA investigation and recommendations. No protests were made regarding this transfer as proposed.

Recommended conditions include combined right limits for rate and volume, watermaster control, measuring device, irrigation overlap, right-of-way and standard transfer conditions.

(See attached Summary)

RECEIVED

JUL 19 1995

A brief history of facts regarding the development and irrigation of the SW, S33, T06N, R29E:

- 10-25-72 Permit No. 33-07019 approved for diversion of GW in the SW, S33, T06N, R29E. Application states that 33-00042 and 33-00043 are currently used on these acres, but will be transferred when the well can be used successfully.
- 10-05-73 Well drilled under Permit 33-07019.
- 06-12-79 Permit No. 33-07019 canceled (See memo).
- 01-04-90 SRBA Claims for these transferred right are received identifying the SW, S33, T06N, R29E.
New Application for Permit No. 33-07195 (same as original Permit No. 33-07019) to divert GW is received on the same acres. Application states that the surface rights will be transferred when the GW right is developed.
- 08-02-91 GW Permit No. 33-07195 approved.
- 05-22-92 Roy Sermon purchased property, SW, S33 and SE, S36, T06N, R29E.
- 07-20-94 Per conversation memorandum about the SRBA Claims to these decreed rights, they were not being used at the claimed P/U, only GW served those acres now. Advised to file a transfer reflecting the change.
- 07-22-94 Field Exam for Permit No. 33-07195 found GW diversion only.
- 01-25-95 Transfer Application No. 4551 received to change the right to reflect an accomplished transfer. Applicant states he has not used the water on the claimed place of use with the GW right since he purchased the property.

JUL 19 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4551

Date Reviewed 07-03-95 R28

Right(s) 33-00042 _____
33-00043 _____

☒ Print Split Summary ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Warranty Deed for SW, Sec 33 (GW & Claims) + SE, Sec 36 (New P/U)
FHA Agreement to transfer

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right Season/Vol. B/3.5

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) ☒ Rate (5) _____ Volume
(6) ☒ Source (7) _____ P/D (8) _____ P/U (9) _____ Proof/Owner (10) ☒ Map

(11) 33 Water District (12) NO Pertinent Conditions (13) NO Expansion
WM contacted by phone on 7-3-95 by H. Jones, Eastern Region. No actual change will occur thru this transfer, water moved 3 to 4 years ago to proposed P/U from the GW Permit P/U.

(3) No Season on Decree - Allow Standard Season 4-15 to 10-15
(5) No VOL on Decree - Standard = 33-00042 (542.5) (VIR) 33-00043 = (290.) (VDR)
(7) Identity P/D to new location
(8) Change P/U from last location - hasn't been at decreed P/U for
(9) Decreed P/U has no overlapping rts. & the water hasn't been used there for
years - Proof of ownership of the original land NA. - Watermaster WD 33
confirms delivery of rights to Sermon - use & ownership.
SRDA shows 20% of each rt. Claimed by Panchari Inc (648cts + .16cts)
WM letter sent to wrong WD (11B) - skip will check with WD 33 & respond.
No records in TOWN, R 29E, sec 33 of any Drilling Permits - Well Drillers Report
of Probable GW Rt. # 33-07195 (originally for 33-07099 - Cancelled) Drilled in '73
Transfer Remarks Combine rts - VOL = 542.5 FHG Div 3.16cts
Conditions R04, R43, R30, T04, T07, T08, T09

Database/Processing Notes T Files

Totals *VOL *Cts & combined limit remark. Non-Additive VOL.

WR Reports File _____

Transfer Memo Complete ☒

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY L SERMON HC 65 BOX 1007 HOWE ID 83244 (208) 767-3125	03/25/1885	IRRIGATION	04-15 10-15	2.400 CFS	542.50 AFA
TOTAL DIVERSION:					2.400 CFS	542.50 AFA
TOTALS					* 3.20	* 542.5

Water Source: LITTLE LOST RIVER

Tributary to: SINKS

Stage: DECREE

Point(s) of Diversion: I06N R29E S32

SUNW

BUTTE County

Point of Diversion Name(s):

T06N R29E S32				Name	Rate	Number
	SW	NW		HARTMAN		NO. 5

Place of use Legal Description for: IRRIGATION

[illegible]

Pou County: BUTTE

Other Rights: 33-0043.

Other Water Rights with Same Point(s) of Diversion and Source:
T33-00043

Other Water Rights Listing Overlapping Place(s) of use:
33-07068 T33-00043

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
- R43 - 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.
- R30 - 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.
- F04 - 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.
- F07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- F08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval

WR0749NP
No. T33-00042

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 2

Conditions of Approval:

- of the transfer should not be rescinded.
- 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.

Remarks: Combined Right Nos. 33-00042 and 33-00043 shall not exceed a total combined diversion of 5.10 cfs at the field headgate, nor a total combined annual diversion volume of 542.5 af.

Dates: App. Received: Priority Date: 03/25/1885
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 33 Field Exam Fee:

Comments: Date: 02/06/1995 User-ID: RBODELL Subject: TRANSFER NO. 4551
Trans. #4551 was filed to change the place of use and point of
diversion under Rights 33-00042 and 33-00043.

Audit: 02/06/95 RBODELL 06/19/95 SCURTIS 07/03/95 PSKAGGS

WR0749NP
No. 33-00043

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY L SERMON HC 65 BOX 1007 HOME ID 83244 (208) 767-3125	05/25/1891	IRRIGATION	04-15 10-15	0.800 CFS	290.10 AFA
TOTAL DIVERSION:					0.800 CFS	290.10 AFA

Water Source: SAWMILL CREEK

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R29E S32 SWNW

BUTTE County

Point of Diversion Name(s):

	Name	Rate	Number
T06N R29E S32	SW NW 1 HARTMAN		NO. 5

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
T06N	R29E	S32	:					:					:					:							:	
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WR0749NP
No. T33-00043

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/03/95
PAGE: 2

Conditions of Approval:

- Snake River Basin Adjudication.

Remarks * ~~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.~~

Dates: App. Received: Priority Date: 05/25/1891
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 33 Field Exam Fee:

Comments: Date: 02/06/1995 User-ID: RBODELL Subject: TRANSFER NO. 4551
Trans. #4551 was filed to change the place of use and point of
diversion under Rights 33-00042 and 33-00043.

Audit: 02/06/95 RBODELL 06/19/95 SCURTIS 07/03/95 PSKAGGS 07/03/95 PSKAGGS

33-07195

COMMUNICATION DOCUMENTATION

Claim No. ~~33-00042~~~~33-00043~~

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent S.W. Keen Date 7-20-94Contact Person(s) Les Sermon (208) 767-3312

Nature of Contact I called Mr. Sermon to ask about his current use of the rights listed above. Their claimed P.O.U. is now irrigated solely by groundwater right 33-07195.

Substance of Communication Mr. Sermon responded that he is not using A33-00042 and A33-00043 on the claimed P.O.U. The ditches are gone; the well is now the sole source on this quarter-section. Mr. Sermon said that when water to fill 33-00042 and 33-00043 is available, he runs it to his land about 3 miles away. He also said he knows that it is not lawful to do so. I suggested that Mr. Sermon file an Application for Transfer. He said he does not want to do so until the groundwater right (33-07195) is licensed. I said I would see if I could speed up that process.

MICROFILMED

JUL 19 1995

33-07195

MEMO TO FILE

PERMIT NO. 33-7019

On May 30, 1978, an attempt was made to complete a water right field examination for Permit No. 33-7019. The system was found to be in disrepair and beneficial use of water could not be demonstrated.

At this time, it was determined that this diesel-powered groundwater pump had not been in operation for several years, and that the diversion of groundwater from this source for irrigation served only as a supplement to the permit holder's decreed water rights in the Little Lost River. It was also determined that the permit holder has secured employment at the Idaho National Engineering Laboratory and continues to farm, but only in a marginal way.

Finally, the high cost of operating this system as opposed to diverting water from the Little Lost River is yet another incentive to leave the system in disrepair. I recommend that no license be issued on Permit No. 33-7019 and that the permit holder either abandon the well or secure a new priority if he actually intends to use water from this source in the future.

The groundwater system consists of a Twin Disc diesel motor, Model No. SP-214-PO 4033984 and a U.S. Motors (Holloshaft) right angle pump drive, Serial No. 1021214 and a Johnston Vertical turbine pump bearing no identification numbers. The system was designed to open discharge into a network of ditches for the flood irrigation of 160 acres.

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:dh

Cancelled 6-12-79

MICROFILMED

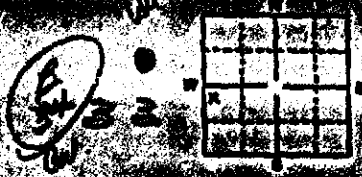
JUL 19 1995

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name: <u>STAR ROUTE HOME</u> Address: <u>STAR ROUTE HOME, IDAHO</u> Owner's Permit No: <u>33-7019</u>		2. WATER LEVEL Static water level: <u>60</u> feet below land surface Flowing: ☐ Yes ☒ No G.P.M. flow Temperature: <u>5</u> F. Quality: <u>good</u> Artesian closed-in pressure: <u>0.1</u> p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug																																																																							
3. NATURE OF WORK ☐ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)		4. WELL TEST DATA ☐ Pump ☐ Sailer ☐ Other																																																																							
5. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock		<table border="1"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td>20</td> <td>NONE</td> <td></td> </tr> </tbody> </table>		Discharge G.P.M.	Draw Down	Hours Pumped	20	NONE																																																																	
Discharge G.P.M.	Draw Down	Hours Pumped																																																																							
20	NONE																																																																								
6. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other		7. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>0</td> <td>3</td> <td>CLAY</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>3</td> <td>50</td> <td>CLAY AND GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>50</td> <td>55</td> <td>GRAVEL AND SOME SAND CLAY</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>55</td> <td>76</td> <td>CLAY AND GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>76</td> <td>80</td> <td>GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>80</td> <td>85</td> <td>PEA GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>85</td> <td>90</td> <td>PEA GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>90</td> <td>109</td> <td>SAND AND GRAVEL</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>109</td> <td>215</td> <td>BROWN CLAY</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>215</td> <td>305</td> <td>PEA GRAVEL AND CLAY</td> <td></td> <td>X</td> </tr> </tbody> </table>		Hole Diam.	Depth		Material	Water		From	To	Yes	No	18	0	3	CLAY		X		3	50	CLAY AND GRAVEL		X		50	55	GRAVEL AND SOME SAND CLAY		X		55	76	CLAY AND GRAVEL		X		76	80	GRAVEL		X		80	85	PEA GRAVEL		X		85	90	PEA GRAVEL		X		90	109	SAND AND GRAVEL		X		109	215	BROWN CLAY		X		215	305	PEA GRAVEL AND CLAY		X
Hole Diam.	Depth		Material		Water																																																																				
	From	To		Yes	No																																																																				
18	0	3	CLAY		X																																																																				
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	90	109	SAND AND GRAVEL		X																																																																				
	109	215	BROWN CLAY		X																																																																				
	215	305	PEA GRAVEL AND CLAY		X																																																																				
8. WELL CONSTRUCTION Diameter of hole: <u>18</u> inches Total depth: <u>305</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness: <u>1/2</u> inch Diameter: <u>18</u> inches From: <u>0</u> feet To: <u>305</u> feet Was a pecker or mill used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation: <u>1</u> inches by <u>2</u> inches Number of perforations: <u>112</u> From: <u>75</u> feet To: <u>90</u> feet <u>30</u> perforations: <u>215</u> feet To: <u>220</u> feet <u>640</u> perforations: <u>220</u> feet To: <u>300</u> feet Well screen installed? ☐ Yes ☒ No Manufacturer's name: _____ Model No: _____ Diameter: _____ Shot size: _____ Set from: _____ feet to: _____ feet Diameter: _____ Shot size: _____ Set from: _____ feet to: _____ feet Gravel packed: ☐ Yes ☒ No Size of gravel: _____ Packed from: _____ feet to: _____ feet Material used in well: ☐ Cement grout ☒ Pudding clay		9. LOCATION OF WELL Section map location must agree with written location.  County: <u>BUTTE</u>																																																																							
10. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>BOBB CUSHMAN DRILLING COMPANY</u> Owner's or Firm's Name: _____ Number: _____ <u>55 BROADWAY - BLACKFOOT, IDAHO 83221</u> Date: <u>10/18/73</u>		WORK PERIOD: <u>8/1/73</u> TO <u>10/5/73</u>																																																																							

USE ADDITIONAL SHEETS IF NECESSARY. FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

Probable well for 33-0113

No. 44-38861-95

DATE: 06/19/95

PAGE: 1

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. 33-07195

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/19/95
PAGE: 2

Comments: Date: 11/22/1991 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 02/28/90 BODELL 03/14/90 CURTIS 05/21/90 CURTIS 06/27/91 MILLER
07/30/91 SKAGGS 11/22/91 COMMENTS 11/22/91 GUSTAFSO 08/31/94 CZIMMERH
03/08/95 LKEISER

AJ0749NP
No. 13-00042A

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

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI INC % JERRY PANCHERI PRES HOWE ID 83244 (208) 767-3419	03/25/1885	IRRIGATION	04-01 11-01	0.48 CFS	
TOTAL DIVERSION:					0.48 CFS	

Water Source: LITTLE LOST RIVER

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion:	T05N R29E S04 T06N R29E S30 S32 T09N R27E S05 S33	SESE SWNW NWNW NWNE NWNE	BUTTE County BUTTE County BUTTE County BUTTE County BUTTE County
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Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	:	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENE Lt Ac	:	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	:	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	:	SUM
05N	29E	3	:		39	40		:					:		40	40		:					:	159.0
05N	29E	4	:	40	40	40	40	:		38		30	:					:	40	40	35	40	:	383.0
05N	29E	5	:	28				:					:					:					:	28.0
05N	29E	10	:					:					:	40	40	40	40	:	40	40	40	40	:	160.0
05N	29E	11	:					:					:	40	40	40	40	:	40	40	40	40	:	320.0
05N	29E	12	:					:					:	40	40	40	40	:					:	160.0
05N	29E	13	:	40	40	40	39	:	40	40	40	40	:	40	40	40	40	:	39	40	40	40	:	638.0
05N	29E	14	:	40	40	37	40	:	40			40	:				30	:				31	:	298.0
06N	29E	29	:					:					:	40		38	40	:	40	40	40	40	:	278.0
06N	29E	30	:					:					:				27	:			40	40	:	107.0
06N	29E	31	:	33	40			:	18				:					:					:	91.0
06N	29E	32	:			39		:	35	37	10	38	:	14				:	40	35	39	26	:	313.0
06N	29E	34	:					:					:			38	39	:			40		:	117.0
08N	27E	3	:		24	15		:	35	14	02	40	:	35			32	:		25	40		:	262.0
09N	27E	9	:					:	39	39	39	39	:	39	39	39	39	:					:	312.0
09N	27E	16	:					:	39	39	39	39	:	39	39	39	39	:					:	312.0
09N	27E	21	:					:	33	33	33	33	:	33	33	33	33	:					:	264.0
09N	27E	28	:					:	33	33	33	33	:	33	33	33	33	:					:	264.0
09N	27E	33	:		18	25		:	40			40	:					:	09			07	:	139.0
09N	27E	34	:					:					:	06	08	40	35	:			05		:	94.0
TOTAL ACRES																							4699.0	

POU County: BUTTE

Non-Irrigation Uses: S/ STOCKWATER

Other Rights: SEE REMARKS

Remarks: OTHER RIGHTS:33-02014,2056,2065,2066,2093,2108,2113,2117,2126,
7015,7027,10109,0002-13,0024-36,0039-47,0065,0068,0083-85,0087,

AJ0749NP
No. A33-00042A

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

DATE: 07/03/95
PAGE: 2

=====

Remarks: 0088,0090,0092,0108,0109,0110,0115
CONFORMED ATTORNEY MAILING ADDRESS DMS

Dates: Exam Made Date: Verified Date:

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

AJ0749NP
No. 33-00043A

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

DATE: 07/03/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PANCHERI, INC % JERRY PANCHERI PRES HOWE ID 83244 (208) 767-3419	05/25/1891	IRRIGATION	04-01 11-01	0.16 CFS	
TOTAL DIVERSION:					0.16 CFS	
Water Source: SAW MILL CREEK		Tributary to: LITTLE LOST RIVER			Stage: DECREED	
Point(s) of Diversion:	T05N R29E S04 T06N R29E S30 S32 T09N R27E S05 S33	SESE SWNW NWNW NWNE NWNE	BUTTE County BUTTE County BUTTE County BUTTE County BUTTE County			
Place of use Legal Description for: IRRIGATION						
NE						
NW						
SW						
SE						
T	R	S	: Lt	Ac	Lt	Ac
05N	29E	3	:	39	40	:
05N	29E	4	:	40	40	40
05N	29E	5	:	28		
05N	29E	10	:			
05N	29E	11	:			
05N	29E	12	:			
05N	29E	13	:	40	40	39
05N	29E	14	:	40	37	40
06N	29E	29	:			
06N	29E	30	:			
06N	29E	31	:	33	40	
06N	29E	32	:		39	
06N	29E	34	:			
08N	27E	3	:	24	15	
09N	27E	9	:			
09N	27E	16	:			
09N	27E	21	:			
09N	27E	28	:			
09N	27E	33	:	18	25	
09N	27E	34	:			
TOTAL ACRES						

POU County: BUTTE

Non-Irrigation Uses: S/ STOCKWATER

Other Rights: SEE REMARKS

Remarks: OTHER RIGHTS:33-02014,2056,2065,2066,2093,2108,2113,2117,2126,
7015,7027,10109,0002-13,0024-36,0039-47,0065,0068,0083-85,0087,

AJ0749NP
No. A33-00043A

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

DATE: 07/03/95
PAGE: 2

=====

Remarks: 0088,0090,0092,0108,0109,0110,0115
CONFORMED ATTORNEY MAILING ADDRESS DMS

Dates: Exam Made Date: Verified Date:

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

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
TOTAL R29E S 4 *		Decreed P/O No Overlaps (possible minor/different owner)																	
A3300024	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300025	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300026	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300027	LITTLE LOS :					:					:			1	1	1	1	:	
A3300027	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300028	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300029	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300030	SAWMILL CR :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300032A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300033A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300034C	SPRING CRE :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300035A	BADGER CRE :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300036C	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300039	LITTLE LOS :	1	02-1	1	1	:				1	:							:	
A3300039A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300040	LITTLE LOS :	1	02-1	1	1	:				1	:							:	
A3300040A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300042	LITTLE LOS :					:	03-1				:							:	
A3300042A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300043	SAWMILL CR :					:	03-1				:							:	
A3300043A	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300044	LITTLE LOS :					:	04-1				:							:	
A3300044	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300045	LITTLE LOS :					:	04-1				:							:	
A3300045	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300046	LITTLE LOS :					:	04-1				:							:	
A3300046	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300047	SAWMILL CR :					:	04-1				:							:	
A3300047	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300065	BELL MOUNT :	1	1	1	1	:				1	:							:	
A3300065	BELL MOUNT :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300084	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300085	DRY CREEK :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300088A	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300090	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300092	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300109A	SAW MILL C :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3300115	LITTLE LOS :					:					:			1			1	:	
A3300115	LITTLE LOS :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3302014	UNNAMED SP :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3302056	GROUNDWATE :					:	3				:							:	3
A3302056	GROUNDWATE :	40	40	40	40	:		38		30	:			40	40	35	40	:	383
A3302065	GROUNDWATE :	40	40	40	40	:		38		30	:			40	40	35	40	:	383

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

[illegible]

Decreed P/O No Overlap

NO MATCHES FOR THIS POU IN AJ-POU

3300042 LITTLE LOS : : I I I I
3300043 SAWMILL CR : : I I I I
NO MAPPING INFO AVAILABLE

NO MAPPING INFO AVAILABLE

4106N R29E S 33

Claims + GW Permit Overlap

3300002	DRY CREEK :	:	:	:	:	:	:
A3300002	DRY CREEK :	:	40	40	39	40 :	159
3300003	DRY CREEK :	:	:	:	:	:	:
A3300003	DRY CREEK :	:	40	40	39	40 :	159
3300004	LITTLE LOS :	:	:	:	:	:	:
A3300004	LITTLE LOS :	:	40	40	39	40 :	159
3300005	LITTLE LOS :	:	:	:	:	:	:
A3300005	LITTLE LOS :	:	40	40	39	40 :	159
3300006	SAWMILL CR :	:	:	:	:	:	:
3300007	SAWMILL CR :	:	:	:	:	:	:
3300008	SAWMILL CR :	:	:	:	:	:	:
3300009	SAWMILL CR :	:	:	:	:	:	:
3300010	SAWMILL CR :	:	:	:	:	:	:
3300011	SAWMILL CR :	:	:	:	:	:	:
3300012	SAWMILL CR :	:	:	:	:	:	:
3300013	SAWMILL CR :	:	:	:	:	:	:
3300014	DRY CREEK :	:	:	:	:	:	:
A3300014	DRY CREEK :	:	40	40	39	40 :	159

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
3300015	LITTLE LOS :																	
A3300015	LITTLE LOS :					40	40	39	40									159
3300016	SUMMIT CRE :																	
A3300016	SUMMIT CRE :					40	40	39	40									159
A3300042	LITTLE LOS :									40	40	40	40					159
A3300043	SAWMILL CR :									40	40	40	40					160*
3300068	LITTLE LOS :																	I : 159
A3300068	LITTLE LOS :					40	40	39	40									159
A3300069B	LITTLE LOS :					40	40	39	40									159
A3300071B	LITTLE LOS :					40	40	39	40									159
A3300072B	LITTLE LOS :					40	40	39	40									159
3300075	LITTLE LOS :																	I : 159
A3300075	LITTLE LOS :					40	40	39	40									159
3300077	SAWMILL CR :																	I : 159
A3300077	SAWMILL CR :					40	40	39	40									159
3300098	DRY CREEK :																	I : 159
A3300098	DRY CREEK :					40	40	39	40									159
3302060	GROUNDWATE :					40	40		4									84
A3302060	GROUNDWATE :					40	40		4									84
3302063	GROUNDWATE :					40	40		4									84
A3302063	GROUNDWATE :					40	40		4									84
3302082	GROUNDWATE :															40	40	38 : 118
A3302082	GROUNDWATE :															40	40	38 : 118
T3302082	GROUNDWATE :															40	40	38 : 118
T3302082A	GROUNDWATE :															32	33	33 : 98
3307028	GROUNDWATE :	33	33	33	33													132
A3307028	GROUNDWATE :	33	33	33	33													132
R3307028	GROUNDWATE :	33	33	33	33													132
3307064	GROUNDWATE :															38		38
A3307064	GROUNDWATE :															40		40
R3307064	GROUNDWATE :															38		38
3307071	GROUNDWATE :							39	36									75
A3307071	GROUNDWATE :							39	36									75
R3307071	GROUNDWATE :							39	36									75
3307195	GROUNDWATE :									40	40	40	40					160
A3310084	SAWMILL CR :					40	40	39	40									159
A3310086	SAWMILL CR :					40	40	39	40									159
--86 MAP--	C23Q-W 85 :	36	38	38	38	38	39	40	39	39	38	39	39	37	38	38	37	611

3300002 S 36'

New P/O No Overlaps

3300002 DRY CREEK :
3300003 DRY CREEK :
3300004 LITTLE LOS :

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
3300005	LITTLE LOS :																	:
3300006	SAWMILL CR :																	:
3300007	SAWMILL CR :																	:
3300008	SAWMILL CR :																	:
3300009	SAWMILL CR :																	:
3300010	SAWMILL CR :																	:
3300011	SAWMILL CR :																	:
3300012	SAWMILL CR :																	:
3300013	SAWMILL CR :																	:
3300014	DRY CREEK :																	:
3300015	LITTLE LOS :																	:
3300016	SUMMIT CRE :																	:
A3300038	LITTLE LOS :									39	39	40	40					: 158
T3300042	LITTLE LOS :													35	40	40	40	: 155
T3300043	LITTLE LOS :													35	40	40	40	: 155
3302070	GROUNDWATE :									40	39	39	39					: 157
A3302070	GROUNDWATE :									40	39	39	39					: 157
3302084	GROUNDWATE :	40	40	20		40	40	40	40									: 260
A3302084	GROUNDWATE :	39	39	26		39	38	39	40									: 260
3302136	GROUNDWATE :	35	37	31		38	35	40	40									: 256
A3302136	GROUNDWATE :	39	39	22		39	38	39	40									: 256
3302139	GROUNDWATE :									40	39	39	39					: 157
3307068	GROUNDWATE :													2				: 2
A3310052	LITTLE LOS :									39	39	40	40					: 158
--86 MAP--	C23Q-W 85 :	40	38	28	33	42	40	41	39	30	42	19	39	39	42	38	34	: 584

Proposed Transfer R/U

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/19/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

33-00042

KYLE , CHARLES
KYLE , ANN

2.40

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/19/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

33-00043

KYLE , CHARLES
KYLE , ANN

0.80

2-1-95
2-3-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: RDW

1. Right number 33-00042/-00043 Applicant Roy L. Serman
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. ok
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 33-00002 thru 33-00016
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD 33 - COPY TO WM FOR COMMENT.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 2-21-95 Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* watermaster Control

RECEIVED
MAY 15 1995

Department of Water Resources

4. By RDC Date 5/2/95

NOOP 3-6-95
ad 5.0. 2-16-95
App to Vault 2-21-95
②

INTER-DEPARTMENT MEMO

TO: Ron C.

SUBJECT: Tr. 4551

FROM: AWJ

DATE: 3-8-95

Applicant wishes to un-stack this rt & continue farming old R.O.U. with a well. Even though you & I have gone thru this scenario, I feel Boice will not approve this since the final total of irrigated acres will be a net gain.

RECEIVED

JUL 19 1995

☒ For your information

☐ Response required

AWJ
signature

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated FEB. 16, 1995
and ending with the issue dated

FEB. 23, 1995
Colleen Babcock

STATE OF IDAHO }
COUNTY OF BUTTE }

On this 23rd day of February
in the year of 1995, before me, a Notary Public,

personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Lewis
Notary Public for Idaho

Residing at Arco, Id

My commission expires: 12-30-97

NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT
NO. 4551

Notice is hereby given that Roy L. Ser-
mon, HC 65, Box 1007, Howe, ID 83244,
has applied to the Department of Water
Resources to change point of diversion and
place of use of the waters of the Little Lost
River tributary to Sinks, and Sawmill Creek
tributary to Little Lost River. The rights
sought to be changed are evidenced by
decrees and recorded as follows:

Decree No.: 33-00042
Source: Little Lost River
Amount: 2.4 cfs
Priority: 03/25/1885
Point(s) of Diversion: not listed
The water is used for irrigation within
the NENW, (LOT 3), SEC 4 SW $\frac{1}{4}$, SEC 33,
T05N, R29E, B.M.

Decree No.: 33-00043
Source: Sawmill Creek
Amount: .80 cfs
Priority: 05/25/1891
Point(s) of Diversion: not listed
The water is used for irrigation within
the NENW, (LOT 3) SEC 4, SW $\frac{1}{4}$, SEC 33,
T05N, R29E, B.M.

TO BE CHANGED AS FOLLOWS:
The water will be diverted from the
SWNW, SEC 32, T06N, R29E, (Hartman
Diversion #5) BUTTE COUNTY, and used
within the SE $\frac{1}{4}$, SEC 36 T06N, R29E,
B.M.

Any protests against approval of the
proposed change must be filed with the
Idaho Department of Water Resources,
900 N. Skyline Dr., Idaho Falls, ID 83402,
together with a protest fee of \$25 on or
before March 6, 1995. The protestant must
also send a copy of the protest to the
applicant.

R. KEITH HIGGINSON
Director

Published in The Arco Advertiser on
February 16 & 23, 1995.

MICROFILMED

JUL 19 1995

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4551

Notice is hereby given that Roy L. Sermon, HC 65, Box 1007, Howe, ID, 83244, has applied to the Department of Water Resources to change point of diversion and place of use of the waters of the Little Lost River tributary to Sinks, and Sawmill Creek tributary to Little Lost River. The rights sought to be changed are evidenced by decrees and recorded as follows:

Decree No.: 33-00042 Source: Little Lost River
Amount: 2.4 cfs Priority: 03/25/1885
Point(s) of Diversion: not listed

The water is used for irrigation within the NENW, (LOT 3), SEC 4, SW1/4, SEC 33, T05N, R29E, B.M.

Decree No.: 33-00043 Source: Sawmill Creek
Amount: .80 cfs Priority: 05/25/1891
Point(s) of Diversion: not listed

The water is used for irrigation within the NENW, (LOT 3), SEC 4, SW1/4, SEC 33, T05N, R29E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the SWNW, SEC 32, T06N, R29E, (Hartman Diversion #5) BUTTE COUNTY, and used within the SE1/4, SEC 36, T06N, R29E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before March 6, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the Arco Advertiser on February 16 & 23, 1995.

MICROFILMED

JUL 19 1995

February 21, 1995

ROY L SERMON
HC 65 BOX 1007
HOWE ID 83244

RE: Application for Transfer No. 4551

Dear Mr. Sermon:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Arco Advertiser on February 16 & 23, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones _{rb}
Harold W. Jones
Water Right Supervisor

HWJ/rb

RECEIVED

JUL 19 1995

February 21, 1995

CRAIG HILL
WATER DIST 11 B
220 N 3RD E
SODA SPRINGS ID 83276

RE: Application for Transfer No. 4551

Dear Mr. Hill:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

MICROFILMED
JUL 19 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 10, 1995

ARCO ADVERTISER
PO DRAWER C
ARCO ID 83213

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before March 6, 1995.

Yours truly,


Rita Bodell
Secretary

Enc.

RECEIVED

JUL 19 1995

Superceeded

See right No. 33-0042

STATE OF IDAHO

DEPARTMENT OF RECLAMATION.

In the Matter of the Application)
of Charles Kyle for Transfer of)
Water Right: Water Dist. No. 9.)
Case No. 54.)

ORDER GRANTING TRANSFER.

WHEREAS, On the 8th day of July, 1920, at Arco, Idaho, before J. E. Badley, Assistant Commissioner of Reclamation, the matter of the application for transfer of water right of Charles Kyle came on regularly for hearing, pursuant to the published notice; and,

WHEREAS, Written testimony was filed by the applicant in support of the said application and no one appearing for the said application, and, it appearing from the evidence filed by the applicant that a greater duty of water would result by making the transfer and that no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be allowed and a certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 4th day of August, 1920.


Commissioner of Reclamation.

RECORDED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION.

In the Matter of the Application)
of Charles Kyle for Transfer of)
Water Right: Water Dist. No. 9.) ORDER GRANTING TRANSFER.
Case No. 54.)

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WHEREAS, Written testimony was filed by the applicant in support of the said application and no one appearing to protest the application, and, it appearing from the evidence filed by the applicant that a greater duty of water would result by making the transfer and that no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be allowed and a certificate of transfer be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 4th day of August, 1920.


Commissioner of Reclamation.

491223

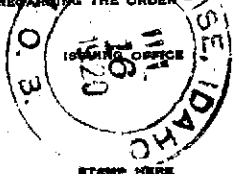
RECEIPT

DOLLARS	88
27	CENTS

AMOUNT FOR WHICH ISSUED

July 17, 1920.

TO BE DETACHED BY THE PUR-
CHASER, WHO SHOULD PRESENT
IT AT THE OFFICE OF ISSUE IF
HE WISHES TO MAKE INQUIRY
REGARDING THE ORDER



Re: Transfer Case No. 55. ✓

Mr. Chas. Kyle,
Howe, Idaho.

Dear Sir:

In the matter of the application for transfer of water right will state that the same will be granted by this Department and an order and certificate to that effect will follow in due course.

You submitted to us your check for \$40.00 to cover your expenses in connection with the hearing held at Arco, and will state that as several hearings were held during the same trip, the total expense for which were only \$44.00, your prorata share is \$11.00. The cost of the certificate is \$1.00 and that of the Money Order 12¢, making a total cost to you of \$12.12. This is in explanation of the enclosed Money Order No. 491223 for \$27.88.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation.

By

STB:MB

Assistant.

RECEIVED

August 13, 1920.

Re Transfer #279-Chas. Kyle.

Mr. W. J. Leame,
Attorney at law,
Arco, Idaho.

Dear Sir:--

Enclosing herewith certificate of transfer of water right
issued to Chas. Kyle, with receipt for fee paid.

Very truly yours,

W. G. SUMMERS,

Commissioner of Reclamation.

By _____

CT279-R5617

P. S. - Am also returning herewith two abstracts of title, Nos. 65 & 508.

W.G.S.

RECORDED



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Boise, Idaho.
July 13, 1920.

Re: Chas. Kyle Transfer.

Mr. W. G. Swendsen,
Commissioner of Reclamation.
Boise, Idaho.

Dear Sir:

On July 8th at 10:30 A. M. I conducted a hearing at the Court House at Arco, Idaho, on the application of Charles Kyle to transfer 0.6 cubic feet of the waters of Little Lost River.

There being no objections or protests, I would recommend that the transfer be allowed.

Very truly yours,

J. E. Badley
Carey Act Engineer

1. State lands from which the transfer is desired: SW $\frac{1}{4}$, Sec. 33, Twp. 6 North of Range 29 E.B.M.,
2. State amount, source and date of water right, covering the land: 4/5 cubic
ft. per second of time; ^{Little} Big Lost River, May 25, 1891
3. State the present point of diversion by 40 acre tract: near center of NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 32, Twp. 6 N. R. 29 E.B.M.
4. Who owns the above described lands: myself, Charlie Kyle
5. How obtained: By purchase from John W. Kyle
6. State how the water right was secured: originally decreed by Court of
the 6th Judicial District of the State of Idaho, in and for the
County of Fremont to John W. Kyle, and sold to me with land.
7. How much of this land is in cultivation and under irrigation: all
8. State kind of crops: alfalfa, wheat, oats and garden truck
9. Is any portion of the above lands swampy, and if so, to what extent: none
10. When was water last used on the above described lands: has been used
continuously during irrigation seasons since appropriation of
same.
11. How much of the above described lands will be irrigated if the transfer is granted: all
12. How much water per acre, will be necessary: one inch, but can farm all
of said land by rotating water on land which I want to transfer
said forty inches of water
13. Are there any water rights, other than the one above described, attached to the said lands, and if so, state same: Yes, 120 inches from Little Lost
river, date of priority March 25, 1885
14. Describe the lands to which the transfer is desired: Lot Numbered three (3) in sec. 4, Twp. 5, N.R. 29 E.B.M.,
15. Who is the owner of same, and how acquired: myself, Charlie Kyle,
acquired by purchase from Dixon Kyle

16. If there is any water right attached to the above lands at present,

state source, amount, date, how acquired: No.

17. State point of diversion: near center NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 32, Twp. 6 North Range 29 E.B.M.,

18. How much of this land in cultivation and irrigation:

all of it, forty acres more or less.

19. How much water per acre is required for these lands: one inch

20. If the transfer is granted, describe the new point of diversion:

The point of diversion will be the same as it allways has been.
towit: near center NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 32, Twp. 6 N.R. 29 E.B.M.,

21. How long have these lands been irrigated, and when was water last used

on them Since about 1891, last used 1919

22. How much of the above described lands will be irrigated if the transfer is granted: all of it, forty acres

23. Are any of these lands swampy: if so, how many acres. none

24. What are the reasons for desiring said transfer: for a greater beneficial use of water

Charles K. G.
Applicant.

Subscribed and sworn to before me this 8th day of July, 1920

W. J. Lammie
Notary Public.
Arco, Idaho.

My commission expires

AFFIDAVIT OF PUBLICATION

I, C. A. Bottolfsen, publisher of The Arco Advertiser, published weekly at Arco, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated June 18 1920 and ending with the issue dated June 25, 1920.

Subscribed and sworn to before me this 8th day

of July 1920
W. J. Lamm
Notary Public.
Arco, Idaho

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Charlie Kyle of Howe, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 0.6 cubic feet per second of the water of Little Lost River from the land upon which it is now used, i. e. SW $\frac{1}{4}$, Sec. 33, T. 6 N., R. 29 E., B. M., to the following described tract Lot 3, Sec. 4 T. 5 N., R. 29 E., B. M.,

And that, on the 8th day of July, A. D. 1920, at 10:30 A. M. at the Courthouse in Arco, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSEN,

J18-25.

Commissioner of

Reclamation.

Notice of Proposed Transfer of Water Right

Notice is hereby given that Charlie Kyle of Howe, Idaho,
 _____, has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 0.6 cubic feet per second
 _____ of the water of Little Lost River

 from the land upon which it is now used, i. e. SW¹/₄, Sec. 33, T. 6 N. R. 29 E. B. 1.

 to the following described tract Lot 3, Sec. 4, T. 5 N. R. 29 E. B. 1.

And that, on the 8th day of July, A. D.
 1920, at 10:30 A. M. at the Courthouse in Arco, Idaho,
 before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and
 all persons to appear and present for his consideration any reason or reasons why a certificate should
 not be issued authorizing such transfer.

E. C. SWENDSEN,

Commissioner of Reclamation

RECORDED

June 14, 1920.

Arco Advertiser,
Arco, Idaho.

Gentlemen:

We are enclosing herewith Notice of proposed transfer of water right, which we desire published in the Arco Advertiser for two consecutive weeks prior to July 8th, at the expense of Mr. Kyle, the applicant. Please send bill for this notice to Mr. Charlie Kyle, Howe, Idaho, together with affidavit of publication.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation.

By

Encl.
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June 14, 1920.

Mr. W. J. Lammie,
Attorney-at-Law,
Arco, Idaho.

Dear Sir:

This will advise you that the hearing in the matter of the application for transfer of water right made by Mr. Charlie Kyle, has been set for 10:30 A. M. July 8, 1920 at the Court House, Arco, Idaho. We are this day sending notice for publication to the Arco Advertiser, instructing them to send the bill of said publication to Mr. Kyle.

Very truly yours,

W. G. SWENSON,
Commissioner of Reclamation.

By

LB

MICROFILMED

W. J. LAMME
ATTORNEY AND COUNSELOR AT LAW
ARCO, IDAHO

June 9, 1920.

Department of Reclamation;

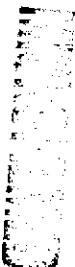
Boise, Idaho.

Gentlemen:

Enclosed application of Charlie Kyle for transfer of
water right, also abstracts, and check for forty dollars estimated
expenses.

Yours very truly,

W. J. Lamme
CP *1/0* *as*



Application for Transfer of Water Right

STATE OF IDAHO,

County of Butte

ss.

Charlie Kyle

, being first duly sworn, deposes and says:

That his name is Charlie Kyle; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Howe, Idaho,

May 25, 1891

That he is the owner and using a certain water right, bearing date of priority of 19____, for 4/5 cubic feet per second of the waters of Little Lost River

County of Butte, State of Idaho, decreed to John W. Kyle

by decree of Judge, F. J. Cowen, Judge Protem, 6th Judicial District of the State of

Idaho, in and for the County of Fremont, in the case of John W. Kyle et al

vs. E. R. Hawley et al, said decree bearing date of July 6, 1907

(or obtained by virtue of License No. _____ issued by the State Engineer of the State of Idaho

dated _____ bearing date of priority of May 25th, 1891, 19____,

for the purpose of irrigating the following described lands situate, lying and being in Water District No 9 in the County of Butte and State of Idaho, to wit:

Southwest quarter of section 33, township 6 North of Range 29 E.B.

M.

_____ and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. by purchase

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream at about the center of the NW 1/4 NW 1/4 Sec. 32, Twp. 6 North, Range 29 E.B.M.,

and conducted to the above described lands through Kyle ditch

as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of three-fifth cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Butte and State of Idaho, to wit:

Lot Numbered three (3) in section four (4), township five (5)

N.R. 29 E.B.M.,

That his reasons for desiring to make such transfer are as follows: that I have no water to irrigate said Lot No. 3 which is appurtenant to same, and want to place said land in crops. And will make for increased beneficial use of water.

MICROFILMED

That he intends to divert and convey said three-fifth second feet of water to the tract of land last above described in the following manner, to wit: through the present point of diversion of said water, and propose to use the same ditch through which said water is now conveyed through, for the purpose of irrigating said land.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No. 9, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this 7th day of June

A. D. 1920

By Notary Public, Arco, Idaho.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Little Lost river
Where is the diversion point located? near center of NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 32, Twp. 6 N. R. 29 E. B. M.,
Through what ditch is it now conducted? Chas. Kyle ditch
How much land is now irrigated by the water sought to be transferred? thirty acres, being a part of the SW $\frac{1}{4}$, sec. 33, Twp. 6 N. R. 29 E. B. M.,
Give the description: SW $\frac{1}{4}$, sec. 33, Twp. 6 N. R. 29 E. B. M.,

What is the total amount of water in inches, or second feet, dedicated to said land? 160 inches
What kind of crops are being raised? Alfalfa and small grain
How much water per acre is now required to irrigate said land? one inch
What will be the effect on the land now irrigated, if the use of water on it is discontinued? I expect to use part of water now decreed to said land for irrigating same and expect to produce crops thereon.
From what stream will the water be diverted if the transfer is made? Little Lost river

Give location of new point of diversion same point of diversion as now used.
Through what ditch will it be conducted after transfer? Kyle ditch, same as now conducted
How much water will be required per acre to irrigate the land to which this water is transferred? about one inch to the acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? yes

Is there now any other water right for the land to which you seek to make this transfer? No.

Signed Charles Kyle Applicant.

RECORDED

STATE OF IDAHO,

County of Butte,

ss.

William Fallert

and

Howard Hawley

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Howe, Idaho, that he is a user of water from Little Lost River, in Water District No. 9, County of Butte, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Charlie Kyle and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

William Fallert.
Howard Hawley

Subscribed and sworn to before me this 7th day of June

A. D. 1920

Notary Public, Arco, Idaho.

STATE OF IDAHO,

County of Butte

ss.

I, M. F. Hudson

, Watermaster of

Water District No. 9, County of Butte, State of Idaho, whose postoffice address is Howe, Idaho,

have read or heard read the foregoing affidavit and petition of Charlie Kyle, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

make for greater beneficial use of the water of Little Lost river

M. F. Hudson

Watermaster, Dist. No. 9

Dated at Arco, Idaho, this 8th day of June, 1920

Charlie Kyle

SEC 56

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34
SEC

SECRET

SEC. 31

SEC. 1

SEC-12

SEC 13

5

25

5/2

521/25

SEC 11

SEC 10

61
SEC

85

57-1

Imp 26 N	R 29	E B, M
Imp 3 N	R 29	E B, M

Land upon which it is proposed to use sand water for irrigation

	Type ditch
--	------------

Little

NOTED

Scale: 2 Inches—1 Mile. Draw Plan in Ink