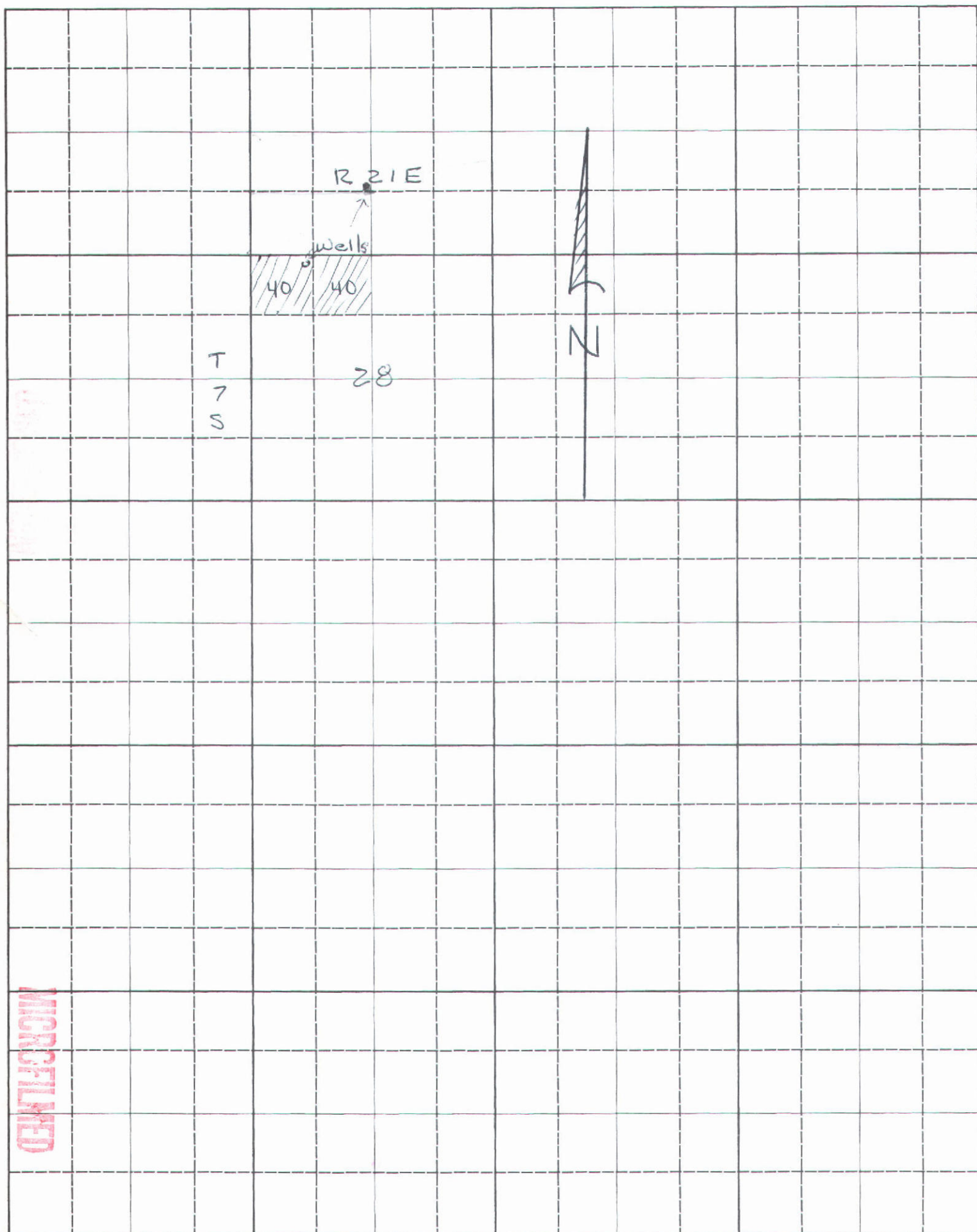


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x M. J. Mason
(Applicant)

AFFIDAVIT PUBLICATION

State of Idaho, }
County of Lincoln } SS.

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 12 day of March, 1981, and the date of the last publication was on the 19 day of March, 1981.

Melba Thorne
Subscribed and sworn to before me this 19 day of March, 1981.
(SEAL)
Notary Public
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
44 Lines straight at 27c 12.76
44 Subsequent lines at 16c 8.36
TOTAL COST 21.12

MICROFILMED

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

Serr 36-7965
PLAINTIFF ATTORNEY

DEFENDANT

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-7965

SERR, MAX
RT. 1 BOX 43C, PAUL, ID 83347
Source: GROUNDWATER
Date Filed: 12/29/1980
Amount: 1.60 CFS
Diversion Point: NWNW Sec 28 T 07S R 21E NESW Sec 21 T 07S R 21E, LINCOLN Co.
Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15
Place of Use: NENW NWNW Sec 28 T 07S R 21E
Diversion Means: WELLS & PUMPS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MARCH 30, 1981.

/s/ C. STEPHEN ALLRED
Director

Pub: 3-12, 19, 1981

RECEIVED
MAR 24 1981
No. 3363

A 10x10 grid with handwritten labels and a rectangle. The labels are as follows:

- Row 1, Column 5: R. 21E
- Row 2, Column 5: 21
- Row 2, Column 5: P.D. 2
- Row 4, Column 4: T. 25
- Row 4, Column 5: 28

A rectangle is drawn with its bottom-left corner at (4, 4) and its top-right corner at (5, 5). The rectangle is outlined in blue.

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 SW 1/4 Sec. 21 T. 75 R. 21E only

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 8-21-82

Date 12/14/82

Date 1-12-83

22

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7965 Priority December 29, 1980 Amount 1.6 cfs

THIS IS TO CERTIFY, that Max Serr
of Paul, Idaho, has complied with the terms and conditions of Permit
No. 36-7965 issued pursuant to Application for Permit dated December 29, 1980,
and has submitted proof to the Department of Water Resources on September 1, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.16 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.6</u> cfs and	<u>320.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.6 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
320.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Twp.
7S, Rge. 21E in the County of Lincoln

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	21E	28					40	40											80

Total number of acres irrigated 80

This right when combined with Right No. 36-7299 shall not exceed 5.16 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January _____, 19 83.

Director

RECEIVED
3/78STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

DEC 28 1980

Department of Water Resources
Southern Idaho Office

To appropriate the public waters of the State of Idaho

1. Name of applicant MAX SERR Phone X 438-5232Post office address Rte 1 Bx 43-C PAUL, IDAHO 833472. Source of water supply GROUNDWATER which is a tributary of ✓3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township T 7 SRange 21 E B.M. Lincoln County, additional points of diversion if any: NE SW Section 21 Twp 7 S. Rge 21 E Lincoln County

4. Water will be used for the following purposes:

Amount 1.6 for IRRIGATION purposes from MARCH 15 to NOV. 15 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.6 C.F.S. cubic feet per second and/or b. ✓ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, MOTOR
PUMP & SPRINKLERS.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	21E	28					40	40											80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. no

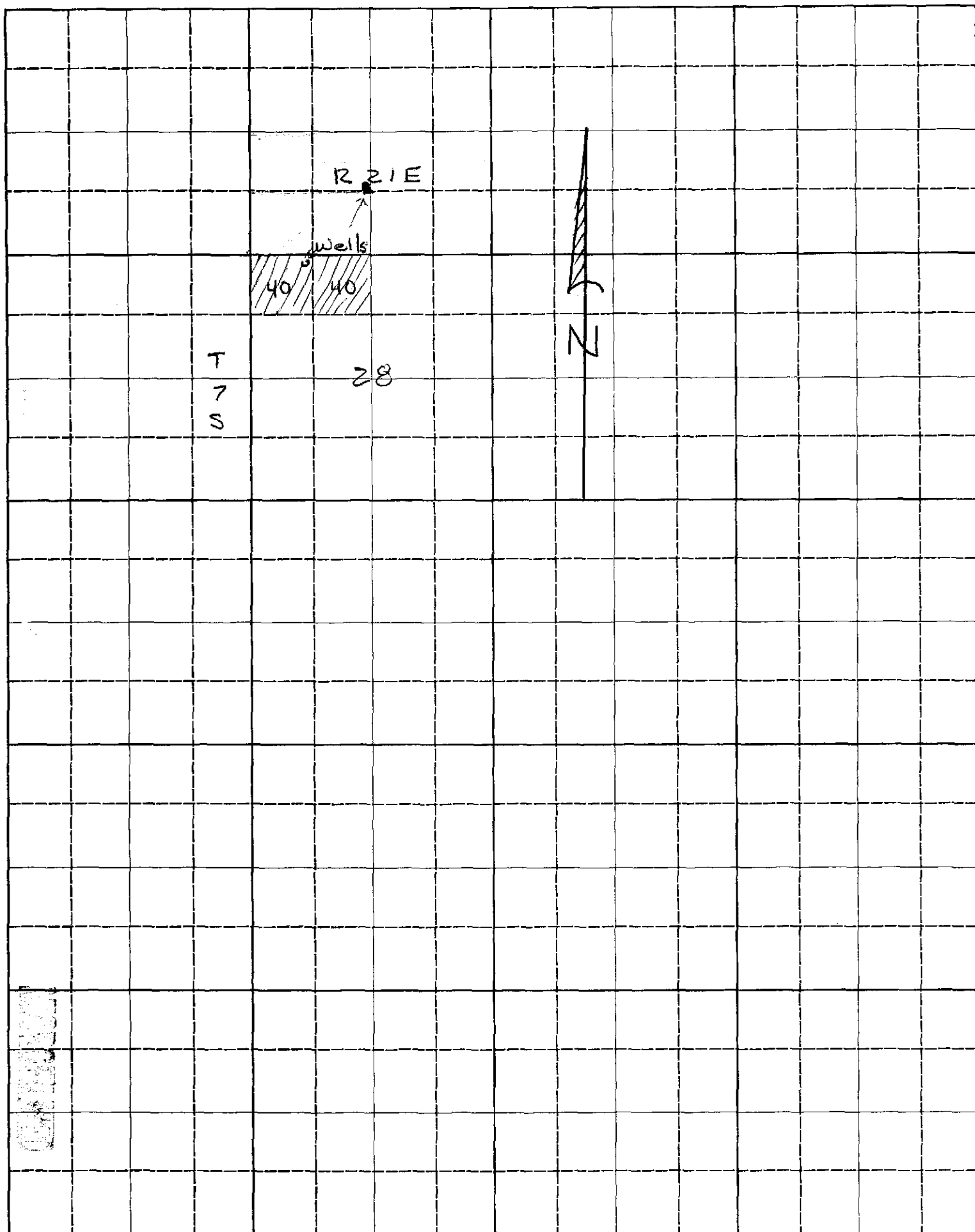
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x M. J. Soren
(Applicant)

Proposed Priority

12/29/80

Received by TGB Date 12-29-80 Time 2:00 pm

Preliminary check by TGB Fee \$ 65.00

Receipted by TGB Date 12-29-80 # 16737

Publication prepared by adm Date 2/25/81

Published in Lincoln Co. Journal

Publication dates 3/12 + 3/19/81

Publication approved may Date 3/11/81

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LD HA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7965, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 23rd day of April, 19 81.

L. Glen Saylor

MICROFILMED

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Lincoln } SS.

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 12 day of March, 1981, and the date of the last publication was on the 19 day of March, 1981.

Melba Thorne
Subscribed and sworn to before me this 19 day of March, 1981.
(SEAL)

Maynard May
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL
Shoshone, Idaho
COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
44 Lines straight at 7c 12.76
44 Subsequent lines at 15c 8.36
TOTAL COST 21.12

MICROFILMED

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

Serr 36-7965
PLAINTIFF ATTORNEY

DEFENDANT

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-7965

SERR, MAX
RT. 1 BOX 43C, PAUL, ID 83347

Source: GROUNDWATER
Date Filed: 12/29/1980

Amount: 1.60 CFS
Diversion Point: NWNW Sec 28 T 07S R 21E NESW Sec 21 T 07S R 21E, LINCOLN Co.
Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15
Place of Use: NENW NWNW Sec 28 T 07S R 21E
Diversion Means: WELLS & PUMPS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MARCH 30, 1981.

/s/ C. STEPHEN ALLRED
Director

Pub: 3-12, 19, 1981

INDEXED 13862

original in Shoshone County
Shoshone County, Idaho

February 10, 1983

RE: Permit No. 36-7965

Max Serr
Route #1, Box 1072
Paul, ID 83347

Dear Mr. Serr:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

Overlap review attached

R. 21E

			R. 21				
			<u>21</u>				
			P.D.				
		T. 25					
			<u>28</u>				

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4 Sec. 21 T. 9 S R. 21 E only

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None☐ Other

Examiner's Signature

Checked by:

Approved by

Date 8-21-82

Date 12/16/82

Date 1-12-83

Overlap Review for 36-7965

Permit 36-7299 (Field exam complete) gw P/O NESW Sec 21 T7S R21E (same well)

$$\frac{4.22 \text{ cfs}}{211 \text{ AC}} = .02 \text{ cfs/AC}$$

P/O T7S R21E Sec 21 NESW (40)
NWSW (40)
SWSW (12)
SESW (40)
NESE (39)
NWSE (40)

(different land)

Both rights are for the same P/O but different P/U. Recommend licensing at .02 cfs/AC & limiting both rights when combined to wells capacity (5.16 cfs).

P 36-7299 4.22

This right 36-7965 +1.60

5.82 greater than capacity

RC 1/12/83

MICROFILMED

September 29, 1982

Max Serr
Route 1, Box 1072
Paul, ID 83347

Dear Mr. Serr:

Re: Permit No. 36-7965

This office acknowledges receipt of the postcard as the statement of beneficial use.

It is the Department's understanding that a field exam has been conducted by one of our regional representatives. Based on his recommendations, a water right license will be issued.

If you have further questions concerning your permit, please feel free to contact me.

Sincerely,

RITA L. FLECK
Sr. Secretary

cc: region

RECEIVED
SEP 30 1982
FBI

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit 36-7965.

Name(s) of Permit Holder: Max Serr

Post Office Address: Box 1072

Pacifi Idaho

Tel. No. 438-5232

Source of Water: Deep Well

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

80

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes

☐ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☒ Yes

☐ No

Installed?

☒ Yes

☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

P-30-82

Date

Max Serr

Signature of Permit Holder



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



RECEIVED

SEP 1 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SERR, MAX
RT. 1 BOX 43C
PAUL, ID 83347

MAY 05, 1981

RE: PERMIT NO. 36-7965

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: J. G. Stanton

APPLICATION NUMBER: 36-7965

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: Y Map No. AA-76
☒ Yes ☐ No Other rights on same place of use.
36-7512 - permit is being amended to take it off of these lands
☒ Yes ☐ No* In form for advertising.
Final date for protests: 3/11/81
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/24/81
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
12/29/80 Date of priority recommended.
Special conditions of approval or cover letter. OIC

By: Loren O. Palmer Date: 4/6/81

STATE OFFICE REVIEW:

SLW/LO3 OIC

- ☐ See attached sheet for more information.

By: [Signature] Date: 4/21/81

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

3E-7965L

SERR, MAX

RT. 1 BOX 43C, PAUL, ID 83347

Source: GROUNDWATER

* Date Filed: 12/29/1980

Amount: 1.60 CFS

Diversion Point: NWNW Sec 28 T 07S R 21E NESW Sec 21 T 07S R 21E,
LINCOLN Co.

Use: IRRIGATION (1.60 CFS) from 03/15 to 11/15

Place of Use: NENW NWNW Sec 28 T 07S R 21E

Diversion Means: WELLS & PUMPS.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before MARCH 30, 1981.

C. STEPHEN ALLRED

Director

Published 3/12 & 3/19/81.

MICROFILMED

SHONI LEGAL (257) le
GALLEY PROOF

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given
that the following applica-
tion(s) have been submitted
for permit to appropriate the
public waters of the State of
Idaho:

36-7965

SERR, MAX
RT. 1 BOX 43C, PAUL, ID
83347

Source: GROUNDWATER

Date Filed: 12/29/1980

Amount: 1.60 CFS

Diversion Point: NWNW Sec

28 T 07S R 21E NESW Sec 21

T 07S R 21E, LINCOLN Co.

Use: IRRIGATION (1.60

CFS) from 03/15 to 11/15

Place of Use: NENW NWNW

Sec 28 T 07S R 21E

Diversion Means: WELLS &
PUMPS.

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of any
permit must be filed with the
Director of the Idaho Depart-
ment of Water Resources,
1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301 and
received on or before
MARCH 30, 1981.

/s/ C. STEPHEN ALLRED
Director

Pub: 3-12, 19, 1981

*all
max
3/12/81*

11-11-81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 25, 1981

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, 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 30, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 6, 1981

Max Serr
Route 1 Box 43-C
Paul, Idaho 83347

Dear Mr. Serr:

Per our conversation of January 5, 1981, I am forwarding a partial assignment of permit No. 36-7512. If Mr. Van Tassell will sign the assignment, you should then sign the attached application for amendment. Both documents should be returned to this office along with \$20.00 to cover processing of the amendment. Please note that the assignment of permit needs to be notarized while the application for amendment does not.

I will hold the application for permit you just filed on this ground. If Mr. Van Tassell assigns the portion of his permit to you, then we will initiate procedures to refund your filing fee of \$65.00.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

James E. Stanton
Senior Water Resource Agent

JES:marya

Encl:

MICROFILMED