



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 26, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK & RHONDA LEAVITT
484 N 700 W
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 35-2071A, 35-2455A, 35-11409A and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Leavitt:

On January 18, 2001, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Marvin & Allene Price

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 35-2071A, 35-2455A,
35-11409A

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **PRICE - LEAVITT**
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 26, '01

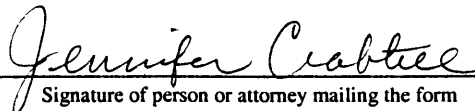
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/27, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
MARVIN & ALLENE PRICE
573 N 700 W
BLACKFOOT ID 83221
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
MARK & RHONDA LEAVITT
484 N 700 W
BLACKFOOT ID 83221
4. One copy to:
Each party in the subcase, or attorney of record
JEFFREY C FEREDAY
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

RECEIVED

JAN 18 2001

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 35-02455^{Fr}, 35-11409^{Fr}, 35-02071^{Fr}
Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Marrin & Allene Price

573 N 700 W Blackfoot, ID 83221

4. New Owner/Claimant(s) Mark D Learitt or Rhonda Learitt

Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR

New Mailing Address 484 N 700 W

City, State and ZIP Code Blackfoot ID 83221

New Telephone Number (208) 684-4086

5. Date you acquired the property 11-06-2000

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 232 Number and type of stock _____

Diversion rate in CFS _____ Number of homes 0 Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Mark Learitt Date 1-15-01
Rhonda Learitt Date 1-15-01

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Warranty Deed

For Value Received **MARVIN D PRICE and ALLENE M PRICE, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
MARK DENNIS LEAVITT and RHONDA L LEAVITT, husband and wife
whose address is: 484 NORTH 700 WEST, BLACKFOOT, ID, 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

LEGAL DESCRIPTION HERETO ATTACHED:

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

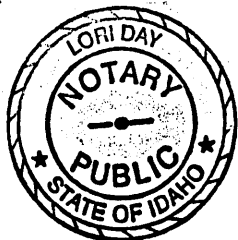
Dated: NOVEMBER 6, 2000

Marvin D Price
MARVIN D PRICE

Allene M. Price
ALLENE M PRICE

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

On this 6TH day of NOVEMBER, 2000, before me the undersigned, a Notary Public in and for the said county and state, personally appeared MARVIN D PRICE AND ALLENE M PRICE, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



Lori Day
Notary Public for Idaho
Residing at: BLACKFOOT, IDAHO
My Commission Expires: 10/21/2003

LEGAL DESCRIPTION

PRICE TO LEAVITT

10640-L / 42699

✓ PARCEL 1:

Part of the SW¼ of Section 36, Township 1 South, Range 34 E.B.M., Bingham County, Idaho, described as follows: Beginning at the SW corner of said Section 36; and running thence N. 00°03'35" E. 249.27 feet along the section line; thence S. 89°46'06" E. 1400.23 feet to a point on a curve on the westerly right-of-way line of an existing County road, also known as Lemhi Road, and being 25.00 feet perpendicular to the centerline of said road; thence 277.24 feet along said curve to the right, Curve Data: Delta=14°40'03", Radius 1083.00 feet, Chord bearing=S. 25°56'03" W. 276.49 feet to the south line of said Section 36; thence N. 89°46'28" W. 1279.57 feet along said south line to the point of beginning.

✗ PARCEL 2:

Part of the SW¼ and part of the SW¼SE¼ of Section 36, Township 1 South, Range 34 E.B.M., Bingham County, Idaho, described as follows: Beginning at the SW corner of said Section 36; and running thence N. 89°46'28" W. 1307.16 feet along the section line to a point on a curve on the westerly right-of-way line of an existing County road, also known as Lemhi Road, and being 25.00 feet perpendicular to the centerline of said road; thence 249.29 feet along said curve and westerly right-of-way line to the right. Curve Data: Delta = 13°49'37", Radius = 1033.00 feet, Chord bearing = N. 26°26'15" E. 248.68 feet; thence S. 51°38'13" E. 245.87 feet; thence N. 45°10'29" E. 364.11 feet; thence N. 56°06'45" W. 301.26 feet to the aforementioned westerly right-of-way line; thence along said westerly right-of-way line and parallel with said centerline the following two (2) courses: (1)N. 36°45'31" E. 913.39 feet to a point of curve; thence (2) 109.60 feet along said curve to the left, Curve Data: Delta = 4°15'06", Radius = 1477.00 feet, Chord bearing = N. 34°37'58" E. 109.58 feet to the south line of the property as described in Instrument No. 488051; thence S. 89°45'43" E. 387.47 feet along said south line to the west line of the SW¼SE¼ of said Section 36; thence S. 00°02'14" W. 695.20 feet along said west line to the NW corner of the property as described in Instrument No. 387333; thence along the boundary of said property the following six (6) courses: (1)N. 76°06'14" E. 380.00 feet; thence (2) S. 38°49'46" E. 400.00 feet; thence (3)S. 13°03'14" W. 150.00 feet; thence (4)N. 60°50'14" E. 807.61 feet to the east line of said SW¼SE¼; thence (5)S. 00°01'34" W. 624.23 feet along said east line to the south line of said Section 36; thence (6)N. 89°46'28" W. 1319.77 feet along said south line to the point of beginning.

SUBJECT TO: an existing County road right-of-way described as follows: Beginning at a point that is N. 00°02'14" E. 171.71 feet along the north-south centerline through the section from the SW corner of said Section 36, said SW corner also being S. 89°46'28" E. 2639.56 feet from the SW corner of said Section 36; and running thence N. 36°38'14" W. 119.41 feet to a point of curve; thence 68.55 feet along said curve to the left, Curve Data: Delta = 5°00'11", Radius = 785.00 feet, Chord bearing = N. 39°08'20" W. 68.52 feet to the south line of the property as described in Instrument No. 488051; thence S. 89°45'43" E. 65.61 feet along said south line to a point on a curve; thence 29.09 feet along said curve to the right, Curve Data: Delta = 1°59'47", Radius = 835.00 feet, Chord bearing = S. 36°38'15" E. 52.27 feet; thence S. 00°02'14" W. 83.71 feet along said east line to the point of beginning.

✓ PARCEL 3:

Township 2 South, Range 34 E.B.M., Bingham County, Idaho
Section 1: NW¼, W¼NE¼, North 10 rods of SW¼

1-17-01

RECEIVED

JAN 18 2001

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region,
900 N Skyline Dr.
Suite A Idaho Falls, Id 83402-1718

Dear: IDWR

I just bought Marvin & Allen Prices ground and I need to make sure the water rights are transferred over to my name. I filled out the (**Notice of change of water right ownership**) form but on line number 1, I don't know if I got the water right numbers written down correct.

I made copies of the water rights that are to be transferred over to my name please take a look at them to make sure it is correct.

If you have any questions please give me a call.

Thank You

Mark Leavitt
484 N 700 W
Blackfoot, Id 83221

Home 208-684-4056
Mobile 208-789-5085

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights:

35-02071 – 35-02071A & B

35-02455 – 35-02455A & B

35-11409 -- 35-11409A & B

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

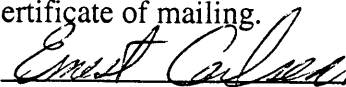
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SPLIT: PRICE -- KAUER & PRICE
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Sept. 1, 2000

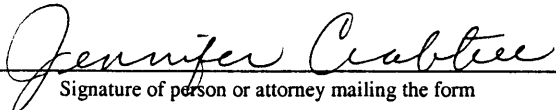


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Sept 1, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
MARVIN & ALLENE PRICE
573 N 700 W
BLACKFOOT ID 83221
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
STEVEN & PATRICIA KAUER
635 W 350 N
BLACKFOOT ID 83221
4. One copy to:
Each party in the subcase, or attorney of record
NORMAN SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

DELOG DC
4-4-00
RECEIVED

APR 04 2000

Department of Water Resources
Eastern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.1. Water Right No(s): A-35-02071 A 35 02455 (A35 020177)
Adjudication Claim No(s): A-3511409

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant MARTIN O. PRICE AND ALLENE M. PRICE
573 N 700W BLACKFOOT, IDAHO 83221
4. New Owner/Claimant(s) STEVEN L KAUER + PATRICIA A KAUER
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 635 W 350 N BLACKFOOT, IDAHO 83221
City, State and ZIP Code BLACKFOOT, IDAHO, 83221.
New Telephone Number (208) 684-5205
5. Date you acquired the property MARCH 24, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 13 Number and type of stock
Diversion rate in CFS 1.33 CFS Number of homes you acquired 0 Other uses7. Signature of New Owner(s) or Claimant(s) Steven L Kauer Patricia A. Kauer 3-29-2000

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN & ALLENE PRICE
573 N 700 W
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for
35-02071, 35-02455, 35-11409 and Notice of Completed
Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Price:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure