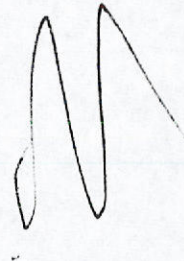


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Documents

In File



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-01451
Date Received: 2/01/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUTH VAHLBERG 208-365-2331
Address: P. O. BOX 186
EMMETT, ID 83617

AND/OR

Name: CECIL W. LEONARD 303-989-3099
Address: 1832 SO. LEE ST. APT. #C
LAKEWOOD, CO 80215

2. Date of Priority: OCT 20, 1877

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	7	NW	SW			GEM

5. Description of diverting works:

WELL, W/PUMP & PIPE TO HOUSE, LAWN, GARDEN, SERV. STA., BAR, AUTO-REP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
COMMERCIAL	01/01	12/31	0.080		2.40

7. Total Quantity Appropriated is:

0.080 C.F.S. (and/or) 3.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMEST. HOME, COMM. BAR, SERV. STATION, AUTO REPAIR GARAGE.

A65-01451

Page 1

Date: 02/01/90

MICROFILMED

SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	7	NW SW		DOMEST	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
EMMETT IRRIG DIST.WATER.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ruth Vadhay Date: 2/1/90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of FEBRUARY 19 90

James L. Smith
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994

GEM COUNTY
REAL

1989

COUNTY

.005206

80.69

FULL PAYMENT

SCHOOL DIST. 221

.003700

57.34

TAX

SCH. BCND 1 & 2

.004026

62.39

PEN

MOSQUITO ABATE.

.000761

11.79

SUB TOT

FIRE DIST. #1

.000509

7.89

INT

TOT

1ST INSTALLMENT

TAX

PEN

SUB TOT

INT

TOT

2ND INSTALLMENT

TAX

PEN

SUB TOT

INT

TOT

SUBTOTAL

.014202

220.10

TOTAL TAXES

220.10*

MARKET VALUE 23,694
TAX CODE AREA 2
TAX AREA NUMBER 2259.00
BILL NUMBER
FTER HOME EXEMPTION
15,497
ROP. LOC: 514 MILL RD
2695 02 07 3 01 00 002
TAX 27, SEC 7 6N 1W
BALL SUBD.

VAHLBERG, RUTH
P O BOX 186
EMMETT, IDAHO 83617

DELINQUENT CERT.

YOUR CANCELLED CHECK IS YOUR RECEIPT

FULL LEVY SHEET IS AVAILABLE AT THE TREASURER'S OFFICE

TOTAL ACRES: 1.12

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

VAHLBERG, RUTH

2259.00

VAHLBERG, RUTH

2259.00

PD BY:

1989

PD BY:

19

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
		2	110.05		110.05*
					PEN
					SUB TOT
					INT
					TOT

2nd

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

EDITH SAWYER, TREASURER
COURTHOUSE
EMMETT, IDAHO 83617

SPECIAL CODE	TAX	CODE	AREA	TAX	TOTAL TAX
		2	220.10		220.10*
					PEN
					SUB TOT
					INT
					TOT
SPECIAL CODE	TAX	CODE	AREA	TAX	1ST INSTALLMENT
		2	110.05		110.05*
					PEN
					SUB TOT
					INT
					TOT

FULL

1st

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1990

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 1989

TXTN

MICROFILMED

SEP 18 1992

M

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

No New address found

65-1451

NAME AND ADDRESS:

CECIL W LEONARD
1832 SO LEE ST APT #C
LAKEWOOD, CO 80215

RETURN TO
SENDER
NO SUCH NUMBER



RECEIVED
JUL - 9 2002
Department of Water Resources

8330372707

Barcode for tracking and delivery.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-01451

NAME AND ADDRESS: CECIL W LEONARD
1832 SO LEE ST APT #C
LAKEWOOD, CO 80215

RUTH VAHLBERG
P O BOX 186
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
3.60 APY

PRIORITY DATE: 10/20/1877

POINT OF DIVERSION: T06N R01W S07 LOT 2 (NWSW) Within Gem County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
			1.20 APY
	Commercial	01-01 TO 12-31	0.08 CFS
			2.40 APY

THE COMMERCIAL USE IS A SERVICE STATION, AUTO REPAIR GARAGE AND
A BAR.

PLACE OF USE: Commercial Within Gem County
Same as Domestic

Domestic Within Gem County
T06N R01W S07 LOT 2 (NWSW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

01/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-1451

NAME AND ADDRESS: CECIL W LEONARD
1832 SO LEE ST APT #C
LAKEWOOD, CO 80215
RUTH VAHLBERG
P O BOX 186
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
3.6 AFY

PRIORITY DATE: 10/20/1877

POINT OF DIVERSION: T06N R01W S7 NWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
COMMERCIAL	1-01 12-31	0.08 CFS
		2.40 AFY
DOMESTIC 1 HOMES	1-01 12-31	0.04 CFS
		1.20 AFY

THE COMMERCIAL USE IS A SERVICE STATION, AUTO REPAIR
GARAGE AND A BAR.

PLACE OF USE:

COMMERCIAL Use same as DOMESTIC
DOMESTIC Within GEM County T06N NWSW
R01W S7

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-01451

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 45

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUTH VAHLBERG P O BOX 186 EMMETT ID 83617 (208) 365-2331	10/20/1877	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.080 CFS 0.040 CFS	2.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.080 CFS	3.60 AFA

C CECIL W LEONARD
1832 SO LEE ST APT #C
LAKEWOOD CO 80215
(303) 989-3099

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S07 NWSW

GEM County

Place of use Legal Description for: DOMESTIC

	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
06N 01W 7	:				:				:	D			:			

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

POU County: GEM

Non-Irrigation Uses: DOMET.1 HOME, COMM. BAR, SERV. STATION, AUTO REPAIR GARAGE.

Other Rights: EMMETT IRRIG DIST. WATER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

C18 - N11

WR5809NP
No. 65-01451

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/19/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VERA J. LEONARD P. O. BOX 455 EMMETT ID 83617	10/20/1877	COMMERCIAL DOMESTIC	01/01 12/31 01/01 12/31	0.080 CFS 0.040 CFS	2.40 AFA 1.20 AFA
TOTAL DIVERSION:					0.080 CFS	3.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREEED

Point(s) of Diversion: T06N R01W S07

NWSW

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	01W	7	:																	:

Place of use location for COMMERCIAL is the same location as described for: DOMESTIC

Pou County: GEM

Other Water Rights With Same Point(s) of Diversion with Stage (Includes All Sources):
65-01289 65-01324 65-01426 65-01441 65-01442 65-01689 65-01872

Dates:	App. Received:	Priority Date:	10/20/1877
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM**

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

MAP NO.

6
65-1451

Notice is hereby given that Vern J. Leonard

(Name of Claimant)

P. O. Box 455, Emmett, Idaho

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) Oct. 20, 1877

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) ground water

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

1.2 Use .04 Domestic Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

2.4 Use .08 Industrial Commercial Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

3.6 Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 0.02 0.08 Cubic Feet Per Second, or _____ Acre Feet Per Annum
and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SW 1/4
Sec. 7, Twp. 6 N, Rge. 1 W, S.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible well, pump

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	1W	7									X								

Total No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

domestic use for house with lawn and garden irrigation, gas station, small bar, and auto repair garage

(7) Effluent, sewage waste, or return water from this use is discharged into _____

(8) If you are claiming water as a member of an organization, list name of organization: _____

(9) Remarks: _____

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case: _____

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.: _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

November 2, 1970

(Date)

Individual

Vern J. Leonard
(Signature of Claimant)

(Signature of Spouse)

Organization

KEYPUNCHING
(Signature of Authorized Agent)

State of Idaho

County of Blaine

Organization
Boal

On this 2 day of November in the year 1970, before me, a notary public, personally appeared Vern J. Leonard known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same

Notary Public residing at Blaine, Idaho