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Leavitt, Dennis

35-02224

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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: A35-02224
Date Received: 5/09/1989
Receipt No: 4023468
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLACE ERICKSON
Address: 792 W 200 N
BLACKFOOT, ID

83221

208-684-4049

OR
Name: DIANE ERICKSON
Address: 792 W 200 N
BLACKFOOT, ID

83221

208-684-4049

2. Date of Priority: MAY 24, 1952

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
018	35E	31	NE NW		BINGHAM

5. Description of diverting works:
60' WELL W/ 40 BOOSTER AND 40 HP LIFT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION			1.600	
DOMESTIC				

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or)

A.F.A.

Acre Feet Per Annum.

8. Total consumptive use is

9. Non-irrigation uses:
ONE DOMESTIC

A35-02224

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Date: 05/09/89

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Date: 05/09/89

Page 2

Page

A35-02224

15. Basis of Claim: LICENSE
Water Right Number: 22808

14. Remarks:
AC. INM.-80.

13. Other Water Rights Used:
NONE

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

11. Place of use in counties: BINGHAM

10. Place of Use:

Acres	Use	Lot	1/4 of 1/4	Section	Range	Township
18.0	INM	SE	SW	30	35E	01S
29.0	INM	NE	NE	31		
15.0	INM	NE	NE			
17.0	INM	NE	NE			
61.0	Section Acres					
79.0	Total Acres					

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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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): [Signature]

Date: 5-9-89

State of Idaho

County of Bingham } ss.

Subscribed and sworn (or affirmed) before me this 9 day
of May 19 89

Seal

Notary Public

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO

Residing at _____
My Commission Expires APRIL 11, 1995

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RECEIVED

NOV 20 1990

Department of Water Resources
Eastern District Office

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A35-02224

[] Name and Address of
Former Claimant(s): WALLACE OR DIANE ERICKSON
2911. 200 N.

[] New Claimant(s): BLACKFOOT, IDAHO 83221
DEWIS OR KENIA LEVITT

[] New Mailing Address: 220 N. 740 W.
BLACKFOOT, IDAHO 83221

New Telephone Number: (208) 684-4842

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: N/A
(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): _____

Date: _____

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CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s):

Walter Erickson

Date: *11-16-90*

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest
IDWR office below:

WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-3190

EASTERN REGIONAL OFFICE
150 SHOOT SUITE 515
IDAMO FALLS, IDAHO 83402
(208) 819-7161

STATE OFFICE
1301 N. ORCHARD ST.
STATEHOUSE HALL
BOISE, IDAHO 83720
(208) 327-7966

SOUTHERN REGIONAL OFFICE
222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-2978

NORTHERN REGIONAL OFFICE
1310 NORTHWEST BLVD. SUITE 210
COCOA D'ALMEIDA, IDAHO 83814
(208) 765-6639

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RECEIVED

JUN 6 1990

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
Bozeman District Office

- [] Water Right Number(s): A35-02224
- [] Name and Address of
Former Claimant: Wallace or Diane Erickson
792 W 200N
Blackfoot, Idaho 83221
- [] New Claimant(s): Dennis & Renea Leavitt
- [] New Mailing Address: 220 N 740W
Blackfoot, Idaho 83221

New Telephone Number: (208) 684-4842

- [] Does the change in ownership result in a splitting of the
water right claimed? yes ☒ no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

- [] Attach proof of ownership
Describe proof attached: Warranty Deed

- [] Signature of New Claimant(s): Dennis Leavitt
Renea Leavitt

Date: June-5, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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387685

WARRANTY DEED

For Value Received WALLACE ERICKSON and DIANE ERICKSON, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto DENNIS LEAVITT and KENEA LEAVITT, husband and wife, the Grantees, whose current address is 220 North 740 West, Blackfoot, Idaho 83221 the following described premises, to wit:

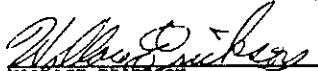
Township 1 South, Range 35 E., S.M., Bingham County, Idaho
Section 30: SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 31: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$;

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditch and ditch rights, more particularly described as Water License No. 22808.

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 14, 1990


WALLACE ERICKSON


DIANE ERICKSON

STATE OF IDAHO :
COUNTY OF BINGHAM : ss.

On this 14th day of February, in the year 1990, before me a Notary Public of said State, personally appeared WALLACE ERICKSON and DIANE ERICKSON, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Blackfoot, Idaho
My Commission Expires: 8-31-90

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BLACKFOOT, IDAHO
MAR 14 1990

1990 MAR -1 AM 10:51

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY

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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: A35-02224
Date Received: 5/09/1989
Receipt No: M003468
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS LEAVITT 208-684-4842
Address: 220 N 740 W
BLACKFOOT, ID 83221
OR
Name: RENE LEAVITT 208-684-4842
Address: 220 N 740 W
BLACKFOOT, ID 83221

2. Date of Priority: MAY 24, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	35E	31	NE	NW			BINGHAM

5. Description of diverting works:
60' WELL W/ 40 BOOSTER AND 40 HP LIFT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.600		
DOMESTIC					

7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE DOMESTIC

A35-02224

Page 1

Date: 11/14/90

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	35E	30	SW SE		IRR	18.0
					Section Acres	18.0
		31	NW NE		IRR	29.0
			NE NW		IRR	15.0
			SE NW		IRR	17.0
					Section Acres	61.0
					Total Acres	79.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR.-80.
CHANGE IN OWNERSHIP, 11/14/90/JT

15. Basis of Claim: LICENSE

Water Right Number: 22808

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____

Date: _____

A35-02224

Page 2

Date: 11/14/90

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State of Idaho)
County of) SS.

Subscribed and sworn (or affirmed) before me this ____ day
of ____ 19 ____

Notary Public

Seal

Residing at _____
My Commission Expires _____

A35-02224

Page 3

Date: 11/14/90

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MEMO

TO: A35-02224

FROM: Eric Verner, Eastern

DATE: November 16, 1990

SUBJECT: Change in ownership to Dennis Leavitt

Mr. Leavitt visited me this date to discuss changing the name on claim A35-02224 from Wallace Erickson to himself. Mr. Leavitt initially sent in a "change in ownership" form that he had signed and submitted with some proof of ownership (warranty deed). However, the property deed that he sent did not indicate that he owned anything in the SE1/4 NW1/4 Sec. 31 T1S R35E.

Mr. Leavitt believes that this piece of land is actually owned by BLM. I remapped the POU on one of our OQ's and discovered that there also may be a portion of the POU that is in the SE1/4 SE1/4 Sec 30 and NE1/4 NE1/4 Sec 31 T1S R35E. Mr. Leavitt wasn't sure what the true property boundary was, so rather than amend the claim, he decided to leave the claim "as is" for now.

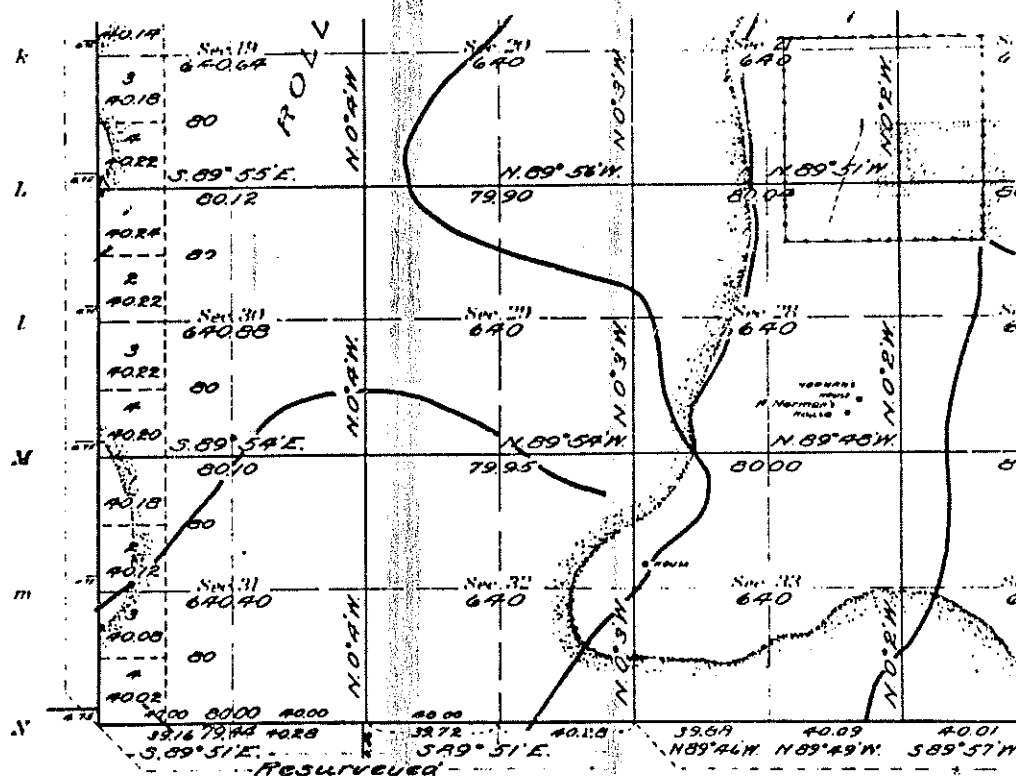
So as to insure IDWR would accept his change in ownership for the entire claim he submitted a "Change in Ownership" form signed by the previous owner, Wallace Erickson. This change in ownership was accepted by the Department.

If Mr. Leavitt doesn't take action to clarify the legal descriptions of the POU for this right, IDWR will need to do some follow up investigation before recommending the right in the Director's report.

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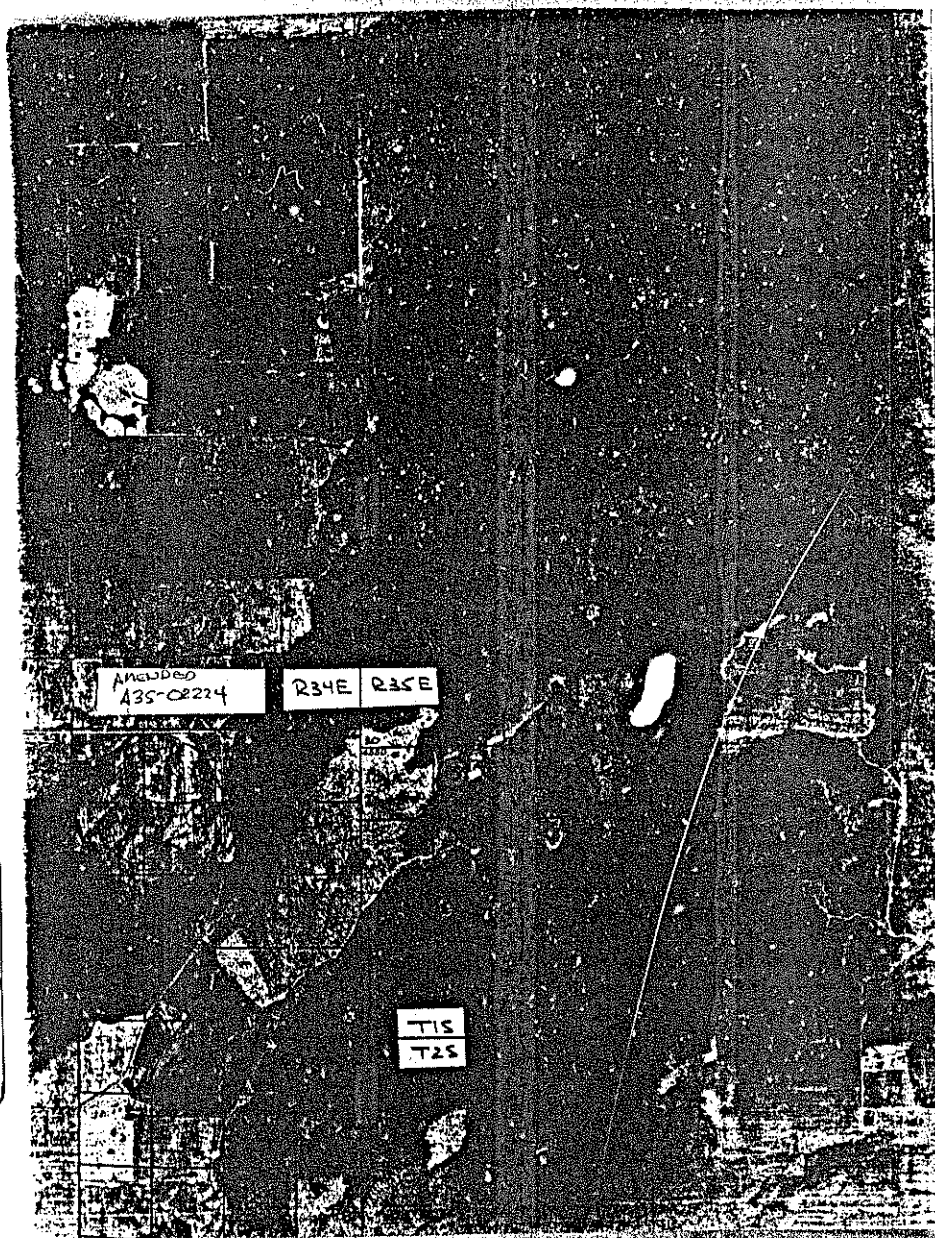
Survey Designation	By Whom Surveyed	Group		Amount of Survey			When Surveyed	
		No.	Date	Mls.	Chs.	Links	Month	Year
Base Line, Resurveyed	Robert Smith, Jr. & Paul G. Perkins	25	Aug. 29, 1911	6	0	21	Oct. 12, 1911	Oct.
S. Boundary, "	"	"	"	2	0	0	"	"

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POOR ORIGINAL



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November 20, 1990

DENNIS AND KENEA LEAVITT
220 N 740 W
BLACKFOOT ID 83221

RE: Change in Ownership for A35-02224

Dear Dennis and Kenea:

Your request for Change in Ownership submitted for Notice of Claim A35-02224 has been processed and the Notice modified to reflect you as the new owners.

Enclosed is a typed Notice with your names shown as the current owners. Review the form and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

EC
Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure: Printed Notice of Claim

File: P

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