

RECEIVED
01/05/2006
FEB 28 2006
DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-4169N

DOUGLAS J DEVAN
2210 SARAGOSSA AVENUE
DELAND FL 32724

TINA M DEVAN
2210 SARAGOSSA AVENUE
DELAND FL 32724

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/23/06

SIGNATURE:

Please print your name:

Douglas J. Devan Tina M Devan

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

08/18/2005

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

RIGHT NUMBER: 77-4169N

NAME AND ADDRESS: DOUGLAS J DEVAN
2210 SARAGOSSA AVENUE
DELAND FL 32724

TINA M DEVAN
2210 SARAGOSSA AVENUE
DELAND FL 32724

SOURCE: PONY CREEK TRIBUTARY: SOUTH FORK SALMON RIVER

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1879

POINT OF DIVERSION:

T21N R07E S2 NWSW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within VALLEY County

T21N R07E S02 Lot 5 SWNE

DOMESTIC Within VALLEY County

T21N R07E S02 Lot 5 SWNE

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.

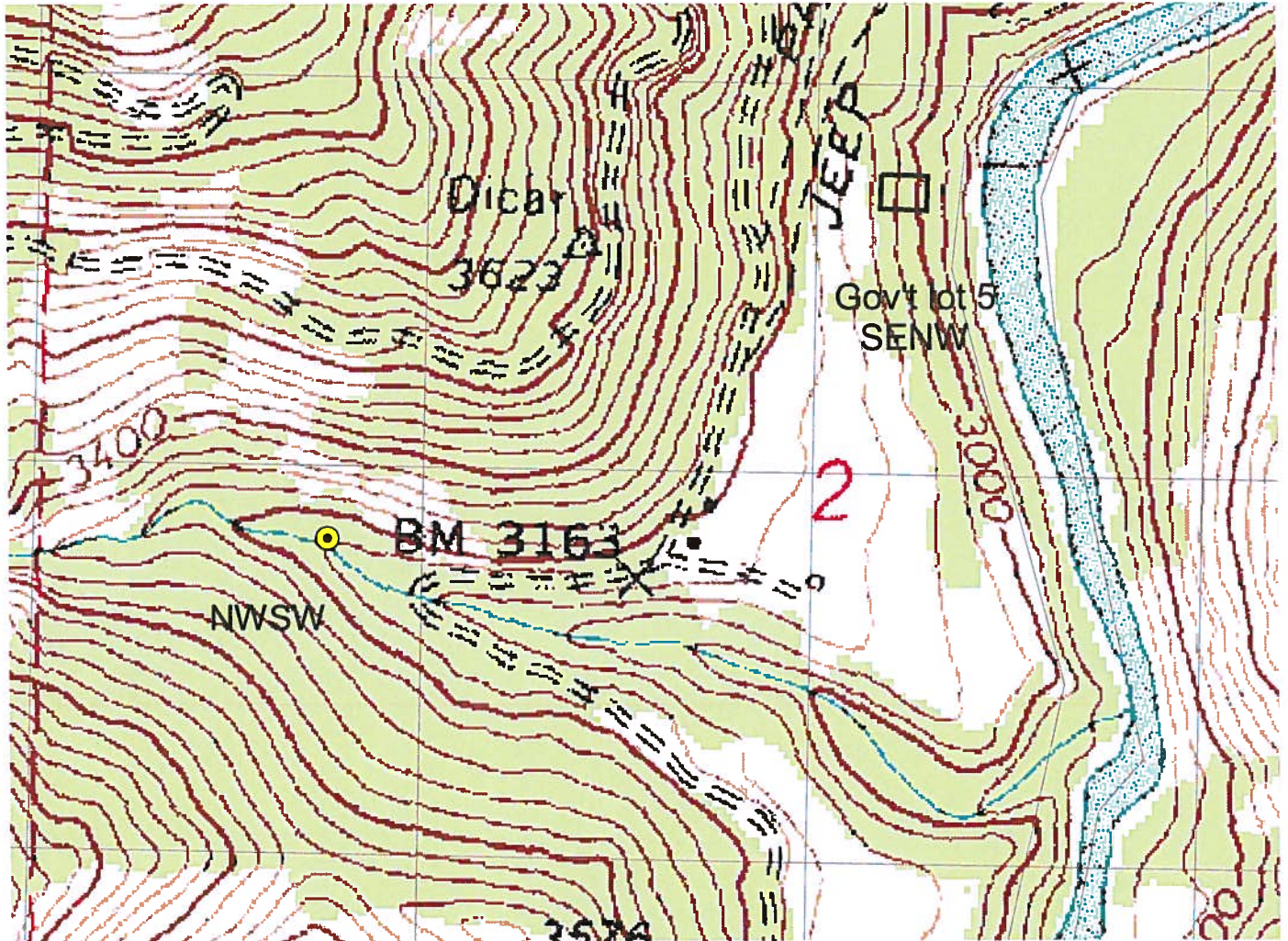
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP 21N 07E 021390.

Right includes accomplished change in purpose of use pursuant to Section
42-1425, Idaho Code.

77-4169N



0 500 1000 Feet

Section 2
T21N R7E



● Point of Diversion

□ Place of Use

Map prepared on March 29, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 16, 2005

Byron & Leona Devan
2210 Saragossa Avenue
Deland, FL 32724

RE: 77-4169N

Dear Mr. & Mrs Devan:

We have processed your change of water right ownership form. Enclosed is a copy of our recommendation which we expect to submit by the end of the year.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 28, 2004

TINA M DEVAN
DOUGLAS J DEVAN
2210 SARAGOSSA AVE
DELAND FL 32724

386-7748-6914

RE: Water Right No. 77-4169N

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 1028 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

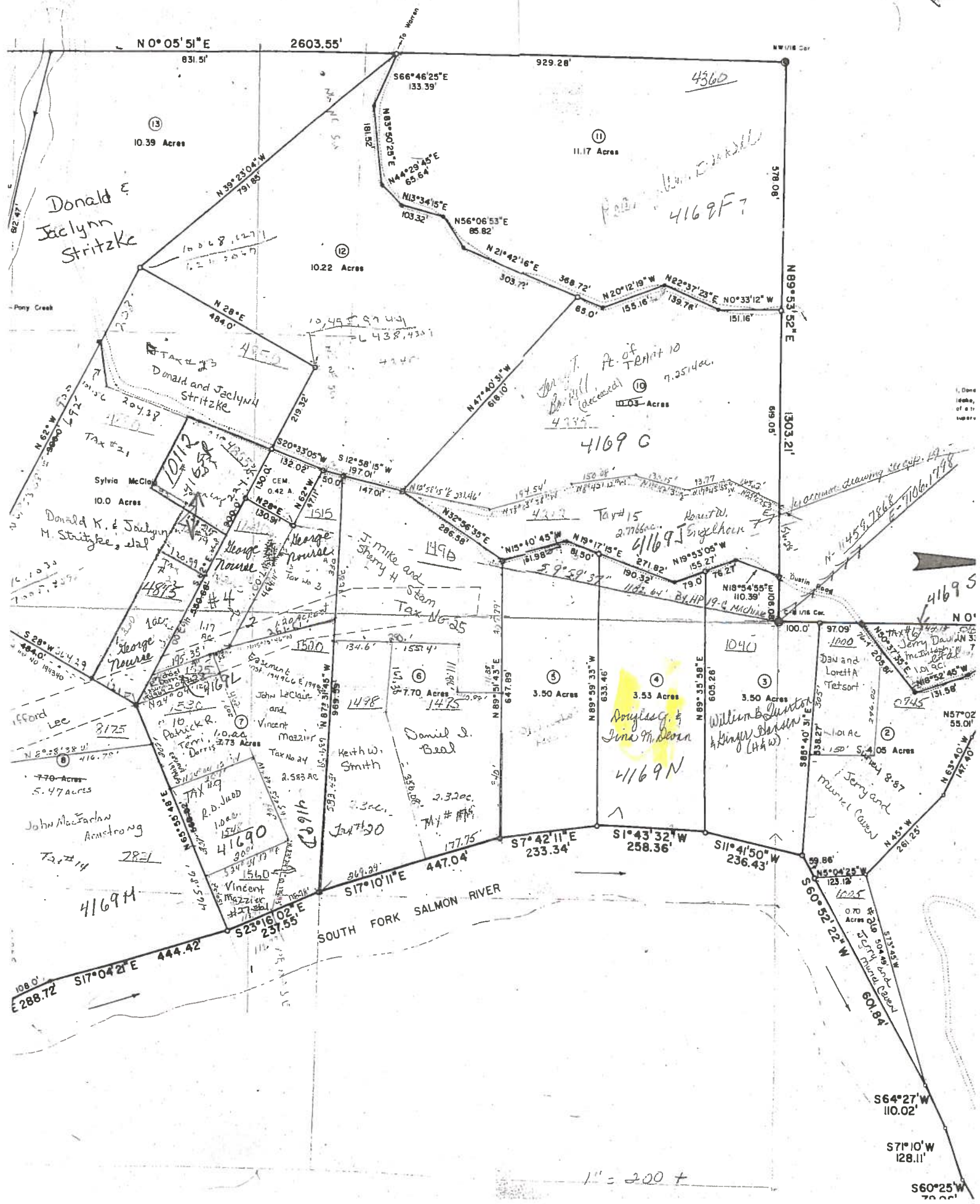
Enclosures

SCANNED
MAY 28 2004

TINA M. DEVAN DOUGLAS J. DEVAN PH. 386-774-6914 2210 SARAGOSSA AVENUE DELAND, FL 32724-9611		1028
Date <u>5-26-04</u>		63-9022/2632 BRANCH 53
Pay to the Order of <u>IDWR</u>	\$ <u>25.00</u>	
<u>twenty-five and 00/100</u>	Dollars	
 Peoples First Florida Community Bank Orange City, FL 32763	Community Checking	
For <u>77-4169N</u>	<u>Tina Devan</u>	MP
		1028

SECTION 2, T.21N., R.7E., B.M.,
VALLEY COUNTY, IDAHO

entire -
5398



3/16/05

PMO100 - PARCEL MASTER INQUIRY

12:20:27

PARCEL: RP 21N07E021390 A

F17=DD F19=SP

LEGAL DESCRIPTION

DEVAN, DOUGLAS J.
& DEVAN, TINA M.

S2 T21N R7E
TRACT 4 BARKELL RANCH SURVEY

2210 SARAGOSSA AVE

ProVal Area Number 1

CODE AREA 4-0000 OWNER CD

PARC TYPE LOC CODE 4700

DELAND FL 32724

EFFDATE 1011995 EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2001	3530	AC	29920				
32	2001			1830				
34	2001			73960				

TOTALS 3530 105710

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

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WATER RESOURCES
WESTERN REGION

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
77-4169N					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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(s) Byron and Leona Leavitt
South Fork Star Route, McCall, ID 83638
4. New Owner/Claimant(s) Doug and Tina DeVan
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 2210 Saragossa Avenue
City, State and ZIP Code DeLand, FL 32724
New Telephone Number (386) 774-6914
5. Date you acquired the property October 10, 2001

SCANNED
MAY 28 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Cina DeVan*

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

For Office Use Only *DS* Date *5-28-04* Fee *0*
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
MAY 28 2004

WARRANTY DEED

For Value Received, BYRON O. LEAVITT and LEONA K. LEAVITT
HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
DOUGLAS J. DEVAN and TINA M. DEVAN
HUSBAND AND WIFE

whose address is: 2210 SARAGOSSA AVE., DELAND, FLORIDA 32724
the Grantees, the following described premises, to-wit:

LOT 4, BARKELL RANCH SURVEY DONE BY DON KOSKI AS FILED FOR RECORD
IN THE OFFICE OF THE RECORDER OF VALLEY COUNTY, IDAHO ON JULY 18,
1978 IN BOOK 1 OF SURVEYS AT PAGE 1, AS INSTRUMENT NO. 96725.

TO HAVE AND TO HOLD the 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 encumbrances except the 2001 taxes and
assessments and that they will warrant and defend the same from
all lawful claims whatsoever.

Dated:

Byron O. Leavitt
BYRON O. LEAVITT

Leona K. Leavitt
LEONA K. LEAVITT

State of Idaho)
County of Valley) ss

On the 1st day of Oct., 2001, before me, Billie L. Walker
Walker a notary public in and for said State,
personally appeared BYRON O. LEAVITT and LEONA K. LEAVITT
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

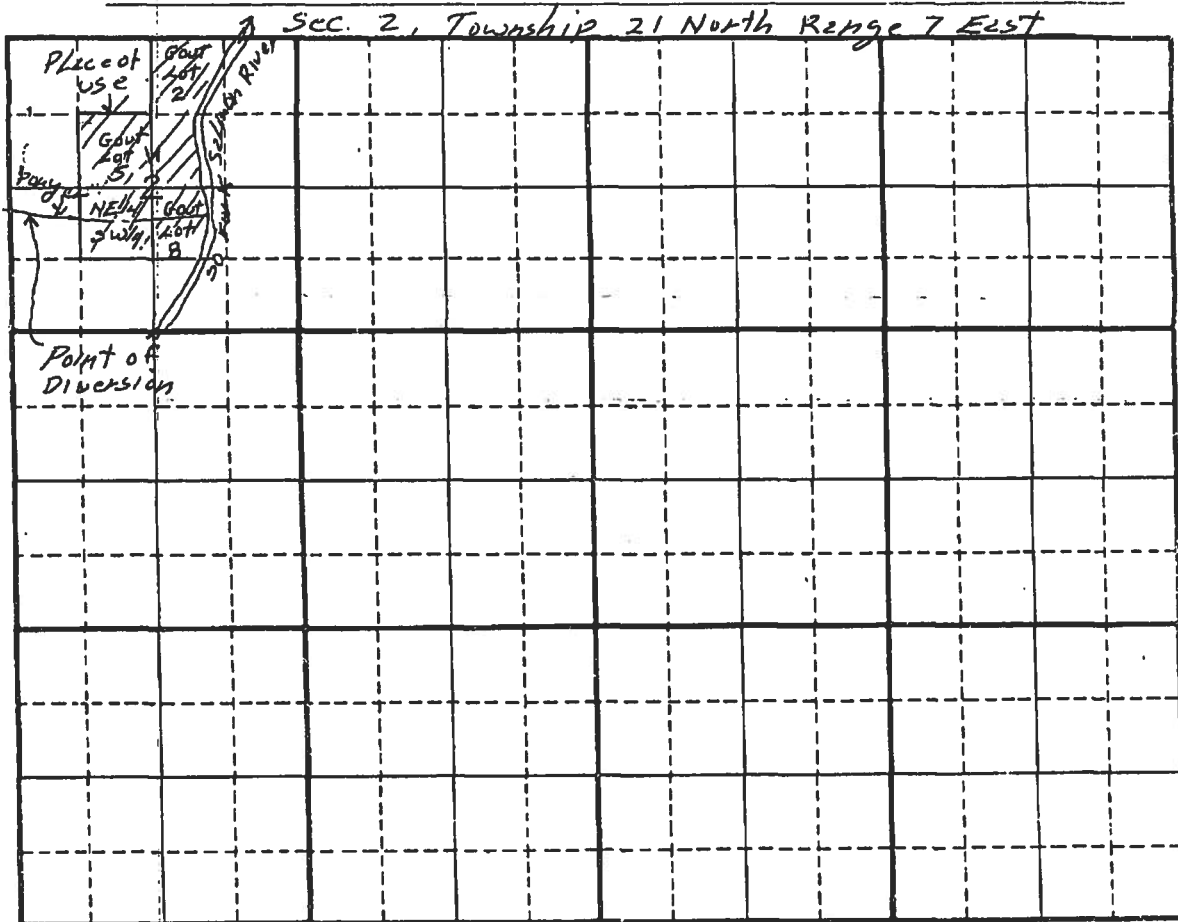
Billie L. Walker
Notary Public
Residing at: McCall
Commission Expires: 1-18-2007



SCANNED

MAY 28 2004

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

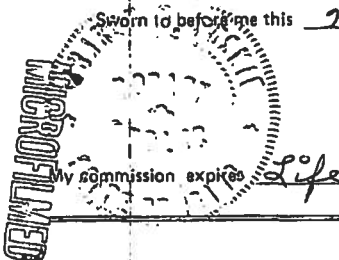
County of: Valley

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sylvia McClain
(Claimant)

Sworn to before me this 2 day of MARCH, 19 83.

Sharon M. Koskie
Notary Public
Residing at McCall, ID.



FOR DEPARTMENT USE ONLY

Received by <u>mr</u>	Date <u>3-3-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>je</u>	Date <u>3-9-83</u>		claimant by:	
\$30.00 fee received by <u>je</u>	Date <u>3/4/84</u>	27828		
Published in <u>The Star News</u>				
Dates <u>3/31 & 4/7/83</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Sylvia McClain (Name of Claimant)
South Fork Star Rt. McCall, Ida. 83638 (Mailing Address) Telephone No. radio from Cascade (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1879 by Pony smeed

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Pony Creek tributary to South Fork Salmon River

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

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>.82 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>May 1</u>	To <u>Oct. 3</u>
Quantity <u>.08 "</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>.013 "</u>	Use <u>Stock</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) 0.913 CFS TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SW 1/4, Sec. 2 Twp. 21N Rge. 7E B.M., County of Valley
Additional points of diversion: primary source is North side of Pony Creek,
secondary source is South side of Pony Creek, both ditches

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. Describe any changes in the system and give the date of the change. Ditches on both sides of Pony Creek, primary ditch is approx 4900 feet in length, secondary ditch is approx 2600 feet in length

- (6) A) 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.

Gout Lots

Gout Lot also part of SE 1/4 (Gout Lot 8)

T	R	SEC.	NEX				NW				SW				SE				TOTAL	
			NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE		
21N	7E	2		3	124								15					11		41

No. of acres 41

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

stock water in addition to irrigation

NOTE: Include here the type and number of stock watered: 20 cattle & horses

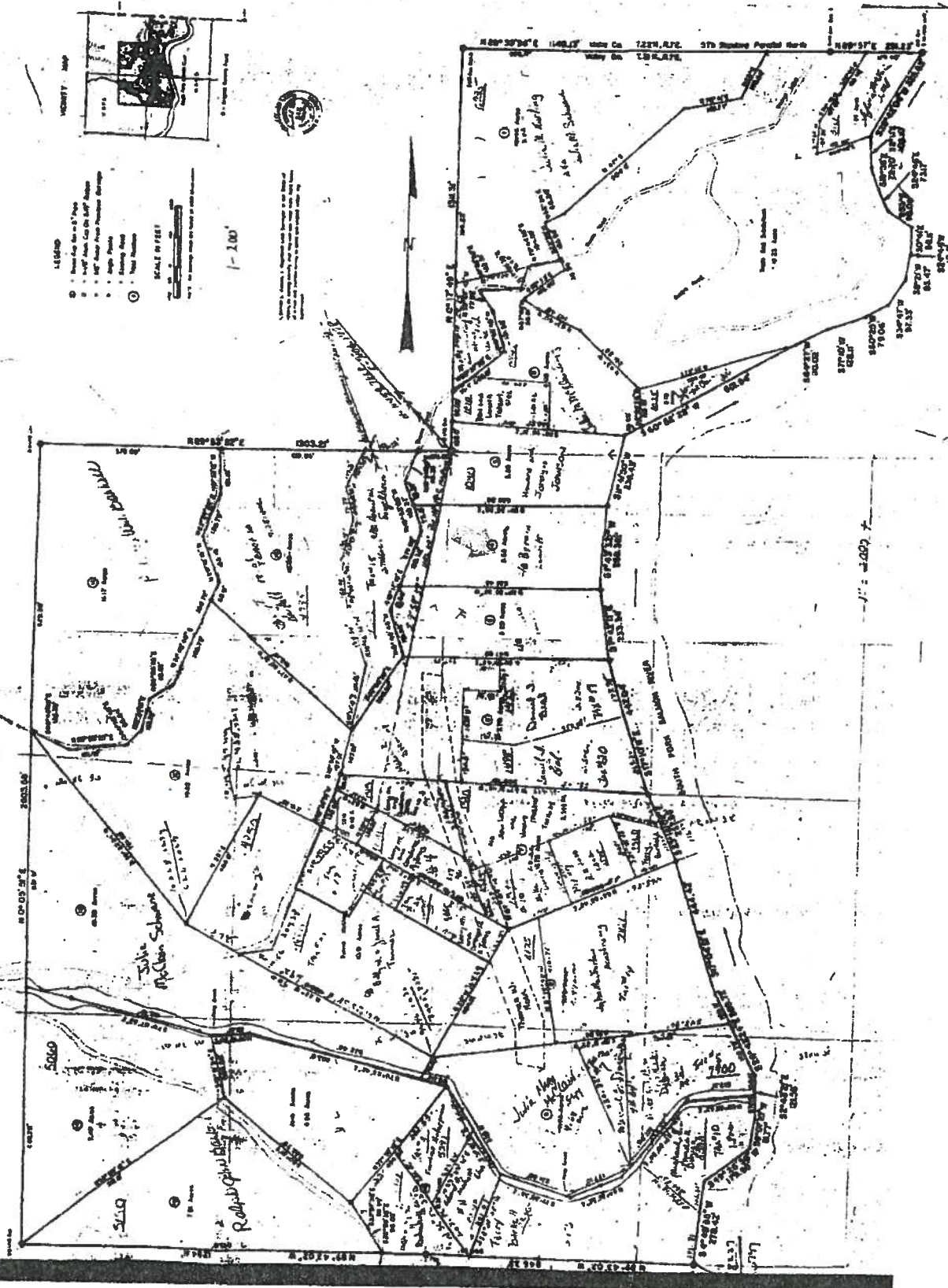
If you are claiming water as a member of an organization, list name of organization: _____

RECEIVED

11

SITUATE IN

THIS DRAWING IS TO BE USED FOR
REFERENCE PURPOSES ONLY.
THE COUNTY IS NOT RESPONSIBLE
FOR ANY MACHINES CONTAINED
HEREIN.



...the Company has been referred to or implied therein.

SCANNED
MAY 28 2004

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: A77-04169N
Date Received: 12/14/1992
Receipt No: C026276
Received By: _____

*Rec'd from
So 1-25-93*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BYRON LEAVITT
Address: SOUTH FORK STAR RT
MC CALL ID

83638

AND

Name: LEONA LEAVITT
Address: SOUTH FORK STAR RT
MC CALL ID

83638

2. Date of Priority: JAN 1, 1879

3. Source: PONY CREEK

Trib. to: SOUTH FORK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	07E	2	NW	SW			VALLEY

5. Description of diverting works:
1000' OPEN DITCH WITH 800' PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC USE, ONE HOME AND YARD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	07E	2	NE	SW		DOMEST	
			NE	SW		STOCK	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Identification No. ATT-04169NDate Received 12-14-92Receipt Number C026276

RECEIVED **NOTICE OF CLAIM**
DEC 14 1992 **TO A**
Department of Water Resources **WATER RIGHT**

RECEIVED
JAN 20 1993
Department of Water Resources

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) BYRON & LEONA LEAVITT Phone () _____
Mailing Address South Fork Star Rt#-McCALL, IDAHO Zip 83638
- Date of Priority (Only one per claim) 1-1-1879 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other (✓) (a) Pony Creek
Name or kind of source
which is tributary to (b) South Fork Salmon River
- Location of point of diversion is: Township 21N Range 073
Section 2, Tract 1/4 of N.W.SW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Valley
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Comes down open Ditch 1000 FT Then
into Pipe Line For 800 FT
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)
(Both dates are inclusive)
For Stock Water purposes from 1-1 to 12-31 amount .02
- Total quantity claimed .04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) one home & yard

MICROFILMED

AUG 08 1994

10. Place of use is: Township: 21 N Range 07 E

Section 2, NESW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Valley

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
☒ None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number A77-04169

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Byron Levitt Date 1-19-93

Leona Levitt Date 1-19-93

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 19th day of January 19 93

SEAL

Notary Public Marilyn Levitt

Residing at McCall Idaho

My Commission Expires 7-10-97

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

NOTARIZATION REQUIRED FOR EACH CLAIM

MICROFILMED

AUG 08 1994

RECEIVED

DEC 14 1992

Department of Water Resources

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Byron + Leona Leavitt ()
Name of Claimant Phone Number
South Fork Star BT McCall Idaho 83638
Mailing Address City State Zip
Valley
County(s) where place of use is located Date claim originally due

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

SYLVIA MCCAIN HAD BEEN TAKING
CARE OF THIS AND SHE PASSED AWAY
SO WE DECIDE WE HAD BETTER TAKE
CARE OF IT SO WE CAN KEEP
OUR WATER THANK YOU

Claimant requests an extension to _____, 19 _____

Byron Leavitt
Signature Date of request _____, 19 _____

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to February 1, 19 93

Signed this 23 day of December, 19 92

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

AUG 08 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Leavitt, Byron / LeonaCLAIM IDENT. NO. A77-04169NDATE RECEIVED 12-14-92 RECEIPT # C026276 FEE PAID \$ 75.- FEE REQ'D \$ 75.-

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☒	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the <u>place(s)</u> of use and <u>purpose(s)</u> indicated?	☒	☒	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☒	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	☐	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☐	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	☒	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☐	☒	*
20. Has the claim been signed, sealed, and dated by a notary?	☐	☒	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an <u>extension of time filed & approved?</u>	☒	☐	*
22. Is the fee enclosed correct? Exempt	☒	☐	*

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no date

YES NO

23. Is this claim being rejected and returned to claimant? ☒ ☒
24. Can this claim be data entered? ☒ ☒
25. Was claim modified? ☐ ☒
- If yes, do modifications require notification to claimant? ☐ ☐
- Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: sf Date 12-24-92

Claim data entered by: sf Date 1-21-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: ltr sent re "N" on ID #
701-21-93



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 29, 1992

Mr. & Mrs. Byron Leavitt
South Fork Star Rt.
McCall, ID 83638

RE: Snake River Basin Adjudication (SRBA)
Valley County - Water Right No. 77-04169

Dear Mr. & Mrs. Leavitt:

We are returning your Notice of Claim to a Water Right filed for your property in Valley County. We have noted some problems with your claim which require your attention.

Description of the diverting works, Item #5, needs to be completed.

Please circle what the water is used for at Item #10 and complete Item #13.

The notary public's verification of the signature of the claimant is a required element of the claim form. After you have obtained the notary public's verification of your signatures at the bottom of the last page, we will be able to process this claim. Be sure to date your signatures when you get this form notarized.

Please return the documents to this office to my attention. If you will make these corrections before January 29, 1993, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures:
Notice of Claim

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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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 21, 1993

Byron & Leona Leavitt
South Fork Star Rt.
McCall, ID 83638

RE: Snake River Basin Adjudication (SRBA)
Valey County - #A77-04169N
Identification Number Change

Dear Mr. & Mrs. Leavitt:

The Identification Number of your Notice of Claim to a Water Right has been changed from A77-04169 to A77-04169N. The suffix "N" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

I am returning the yellow copy of the claim you filed. Please keep this yellow copy for your records. Also enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:west

Enclosures:

Yellow Copy of Hand-written Claim
Computer-generated Copy of A77-04169N

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AUG 08 1994