

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: **A72-00234**
Date Received: 11/16/1989
Receipt No: M005238
Received By: _____

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: GARY LEUZINGER 208-357-5405
Address: 518 E 1000 N
FIRTH ID 83236
OR
Name: TIMOTHY LEUZINGER 208-579-2215
Address: BOX 157
CHALLIS ID 83226
OR
Name: KAREN DOWTON 208-876-4225
Address: BOX 7
ELLIS ID 83235
2. Date of Priority: MAY 1, 1926
3. Source: WEST PASS CREEK Trib. to: SALMON RIVER, EAST FORK
SALMON RIVER, EAST FORK SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	17E	29	SE	SW	SW		CUSTER
		31	NW	SE	NE		CUSTER
		32	SE	NW	NW		CUSTER
			NE	SW	NW		CUSTER
5. Description of diverting works:
DITCHES, GRAVITY FLOW
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	17E	29	NE	SW		IRR	10.0
			NW	SW		IRR	15.0
			SW	SW		IRR	40.0
			SE	SW		IRR	9.0
						Section Acres	74.0
		31	NE	NE		IRR	5.0
			SE	NE		IRR	6.0
						Section Acres	11.0
		32	NW	NW		IRR	40.0
			SW	NW		IRR	20.0
						Section Acres	60.0
						Total Acres	145.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00235, A72-04130

14. Remarks:

P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

12-11-98: AMENDED CLAIM TO ADD 2 POINTS OF DIVERSIO ON WEST PASS
CREEK PER CONVERSAION WITH CLAIMANTS 12-9-98 IN CHALLIS. ALSO
UPDATED OWNERSHIP PER NOTICE REC'D 12-9-98. - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.

Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.

vs

Decree Defendant

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 A72-00234Date Received 12-9-98Receipt Number -

AMENDED
**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

A72-00234

Please type or print clearly

1. Name of Claimant (s) GARY LEUZINGER et al Phone (208) 357-5405Mailing Address 518 E 1000 N Fifth, Idaho Zip 832362. Date of Priority (Only one (1) per claim) AS CLAIMED - See Exhibit 13. Source of water supply (a) AS CLAIMED - See Exhibit 1
which is tributary to (b) AS CLAIMED - See Exhibit 14. a. Location of existing point of diversion is: Township 08N Range 17E Section 31
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of CusterAdditional points of diversion if any: SEC 32 NE SW NW
SEC 29 SW SW SEC 32 NW NW

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.AS CLAIMED - See Exhibit 1

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is AS CLAIMED acre feet per annum.
SEE EXHIBIT 1

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) AS CLAIMED
SEE EXHIBIT 1

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

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

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.

AS CLAIMED See Exhibit 1

or None ()

14. Remarks:

Last Name Leusinger

Ident No. 972-00234

amended

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

AS CLAIMED SEE Exhibit 1

Last Name Leuzinger

Ident No. A72-00234
AmembEO

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number AS CLAIMED - See Exhibit 1
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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

Signature of Claimant (s) x [Signature] Date 12-9-98

Date _____

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

of _____, that I have signed the foregoing
Organization _____

document in the space below as _____ of _____
Title _____ Organization _____

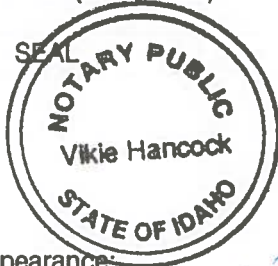
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 9th day of December 19 98



Notary Public Vikie Hancock

Residing at Twin Falls, Idaho

My Commission Expires 5/7/2003

Please Print Name

VIKIE HANCOCK

17. Notice of Appearance:

Notice is hereby given that I, Wade Howard will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name BRINGER Ident. Number A72-00234
Amended

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 17 1998
Department of Water Resources
Southern 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 No(s).: 72-00234, 72-00235, 72-04130

Adjudication Claim No(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 attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

<u>Virginia Leuzinger</u>	<u>Gary Leuzinger</u>	<u>Tim Leuzinger</u>
<u>Box 157, Challis Id.</u>	<u>Box 157, Challis, Id.</u>	<u>Box 157, Challis, Id.</u>

4. New Owner/Claimant(s)

<u>Karen Downton</u>	<u>Gary Leuzinger</u>	<u>Tim Leuzinger</u>
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Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

<u>Box 7</u>	<u>518 E. 1000 N.</u>	<u>Box 157</u>
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City, State and ZIP Code

<u>Ellis, Idaho 83235</u>	<u>Firth, Id. 83236</u>	<u>Challis, Id. 83226</u>
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New Telephone Number

<u>(208) 876-4225</u>	<u>(208) 357-5405</u>	<u>(208) 879-2215</u>
-----------------------	-----------------------	-----------------------

5. Date you acquired the property _____

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 you irrigate 82 Number and type of stock 150

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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 or Claimant(s)

Karen A. Downton, Gary Leuzinger, Tim Leuzinger

(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
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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 No(s).: 72-00234, 72-00235, 72-04130
Adjudication Claim No(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 attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant

<u>Virginia Leuzinger</u>	<u>Gary Leuzinger</u>	<u>Tim Leuzinger</u>
<u>Box 157, Challis Id.</u>	<u>Box 157, Challis Id.</u>	<u>Box 157, Challis Id.</u>

4. New Owner/Claimant(s)

<u>Karen Deaton</u>	<u>Gary Leuzinger</u>	<u>Tim Leuzinger</u>
---------------------	-----------------------	----------------------

New Mailing Address

<u>Box 7</u>	<u>518 E. 1000 N.</u>	<u>Box 157</u>
--------------	-----------------------	----------------

City, State and ZIP Code

<u>Ellis, Idaho 83235</u>	<u>Firth, Id. 83236</u>	<u>Challis Id. 83226</u>
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New Telephone Number

<u>(208) 876-4225</u>	<u>(208) 357-5405</u>	<u>(208) 879-2215</u>
-----------------------	-----------------------	-----------------------

5. Date you acquired the property _____

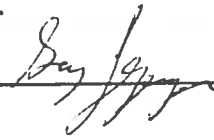
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Diversion rate in CFS _____ Number of homes _____ Other uses _____

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 or Claimant(s)



(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..

QUITCLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property,
"Grantor," and Sidney Downton and Karen Downton, husband and wife, whose address is Box
7, Ellis, ID 83235, "Grantees,"

WITNESSETH:

For good and adequate consideration receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantees an undivided .066 interest to each of them in and to property located in Custer County, Idaho, described as follows: to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

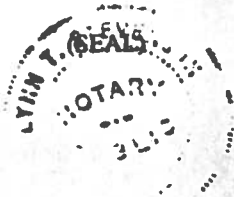
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 3rd day of March, 1997, before me, Deputy Notary,
the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia
Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



James T. Stevenson
Notary Public for State of Idaho
Residing at: Challis
My Commission Expires: 4-24-97

QUITCLAIM DEED -1-

212979

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0212979

CLERK COUNTY REG. CL.
Peterson, Thos.
 11404 11
 3-7 1927
Ernest Murphy
 16

212978

QUITCLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor," and Timothy Leuzinger, as his sole and separate property as to both income and principal, whose address is Box 157, Challis, Idaho, ID 83226, "Grantee,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantee an undivided .066 interest in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 3rd day of March, 1997, before me, Lynda T. Stenerson, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lynda T. Stenerson
Notary Public for State of Idaho
Residing at: Challis
My Commission Expires: _____

QUITCLAIM DEED -1-

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0212978

Custer County Reg. of
Peterson Thors

11:40 A.M.

3-7-1927

E. H. M. Pack, Sec'y

Walter Murphy

-6-2-1927

212980

QUITCLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property,
"Grantor," and Gary Leuzinger and Linda Leuzinger, husband and wife, whose address is 581
East 100 North, Firth, Idaho, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
the Grantor does hereby QUITCLAIM unto the Grantees an undivided .066 interest to each of
them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the
day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 3rd day of March, 1997, before me, Lynn T. Stevenson,
the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia
Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
day and year in this certificate first above written.

LYNN T. STEVENSON
(SEAL)

Lynn T. Stevenson
Notary Public for State of Idaho
Residing at: Challis
My Commission Expires: 4-24-97

212980

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B, of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North 13°38' West, 850 feet to Corner No. 7 of said H.E.S.; thence North 31°00' East along the Northwestern boundary of said H.E.S. 307 feet; thence South 13°38' East, 850 feet, more or less, to the Northwestern line of the road; thence South 26°44' West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0212980

Custer County Recd. of
Peterson Bros

11-40-21

3-7-1927

L. C. Murphy

6

USDA-FmHA
Form FmHA 19
(Rev. 6-9-4)

THIS MO

DOUG

residing in

HC62

herein called "B"

Department of A
herein called the

WHEREA
agreement(s) or
is payable to the
upon any default

Date of Instrument

March 4, 1997

THIS

(The interest
may be increased

And the not
thereof pursuant
statutes administrative

And it is the
Government, or if
secure payment of
or attach to the
Government again

And this in
which may be
amount due under

NOW,
in the event the
payment of the
the payment of a
Borrower agree
of any default by
made by the
Borrower come
and assign

of

30

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor" and Timothy Leuzinger, as his sole and separate property as to both income and principal, whose address is Box 157, Challis, Idaho 83226, "Grantee,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantee an undivided .067 interest in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

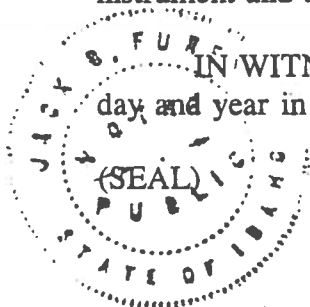
STATE OF IDAHO)

) ss.

County of Bonneville)

On this 8th day of FEBRUARY, 1995, before me, JACK B. FURLEY, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jack B. Furley
Notary Public for State of Idaho
Residing at: Challis, Idaho
My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

208489
Custer County Reg. of
Peterson, Moss, Olsen,
Meacham & Co.
Time 11:55 A.M.
3-30-195
Ethel M. Peck, Reg.
Barbara C. Breedlove
6⁰⁰

0208488

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor" and Gary Leuzinger and Linda Leuzinger husband and wife, whose address is 518 East 100 North, Firth, Idaho, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

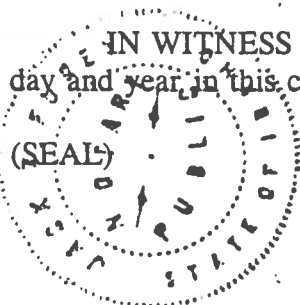
STATE OF IDAHO

)
) ss.
)

County of Bonneville

On this 8th day of FEBRUARY, 1995, before me, JACK B. FURRY, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jack B. Furry
Notary Public for State of Idaho
Residing at: Challis, Idaho
My Commission Expires: 3/9/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

#208488
Custer County Reg. of
Peterson, Moss, Olsen,
Meacham + Carr
11:55 A.M.
3-30-95
Barbara C Meacham
600

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995
 between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
 property, "Grantor" and Sidney Downton and Karen Downton husband and wife, whose address
 is Box 7, Ellis, ID 83235, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
 the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
 them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
 and year first above set forth.

Virginia Nellie Leuzinger
 Virginia Nellie Leuzinger

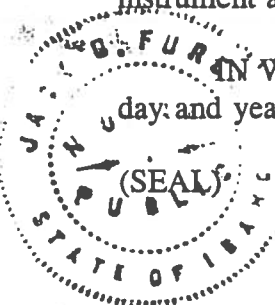
STATE OF IDAHO)

) ss.

County of Bonneville)

On this 8th day of FEBRUARY, 1995, before me, JACK B. FURRY, the
 undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
 Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
 instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
 day and year in this certificate first above written.



Jack B. Furry
 Notary Public for State of Idaho
 Residing at: Ballin, Idaho
 My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

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208490
Custer County Reg. of
Petersen, Miss. Olsen
Meacham & Carr
11:55 A.M.
3-30-95
Barbara C. Bucklow
602
Boise

QUITCLAIM DEED

THIS INDENTURE is made this 26 day of Dec., 1994,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
property, "Grantor" and Gary Leuzinger and Linda Leuzinger husband and wife, whose
address is 518 E. 1000 No. Fifth, "Grantees,"
Idaho

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)

County of Bonneville) ss.)

On this 26 day of December, 1994, before me, JACK B. FUREY, the
undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
day and year in this certificate first above written.

(SEAL)

JACK B. FUREY
Notary Public for State of Idaho
Residing at: CHAMBERLAIN, THOMAS
My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

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0208547

 Custer County Reg. of
Peterson, Moss Olsen
Meacham & Carr
 10:45 A.M.
 4-12-1995
 C. M. Peck, Clerk
Wanney Murphy
 6⁰⁰ Deputy

QUITCLAIM DEED

THIS INDENTURE is made this 26 day of Dec., 1994,
 between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
 property, "Grantor" and Sidney Dowton and Karen Dowton husband and wife, whose address
 is Box 7, Ellis, Id., "Grantees,"
 83235

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
 the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
 them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
 and year first above set forth.

Virginia Nellie Leuzinger
 Virginia Nellie Leuzinger

STATE OF IDAHO

County of Custer
~~Bonneville~~

)
) ss.
)

On this 26th day of December, 1994, before me, JACK B. FREY, the
 undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
 Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
 instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
 day and year in this certificate first above written.

(SEAL)

JACK B. FREY
 Notary Public for State of Idaho
 Residing at: Challis, Idaho
 My Commission Expires: 3/5/97

208548

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

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0208548

 Custer County Rec. of
Petersen, Mass. Olsen
Meacham & Carr
 10:46 A.M.
 4-12-95
 State M. Park, Custer
Wendy Murphy
 6- _____
 Deputy

QUITCLAIM DEED

THIS INDENTURE is made this 27 day of Dec., 1994,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
property, "Grantor" and Timothy Leuzinger, as his sole and separate property as to both income
and principal, whose address is Box 157 Challis, Id., "Grantee,"
83226

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
the Grantor does hereby QUITCLAIM unto the Grantee an undivided .067 interest in
and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

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

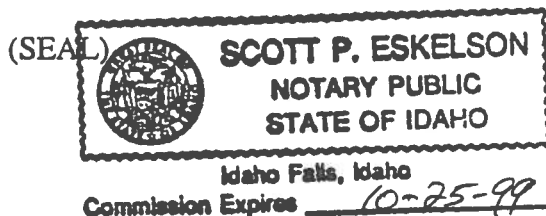
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 27th day of Dec., 1994, before me, Scott P. Eskelson the
undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
day and year in this certificate first above written.



Scott P. Eskelson
Notary Public for State of Idaho
Residing at: Idaho Falls
My Commission Expires: 10-25-99

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

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0208549

Custer County Rec. of
Petersen, Thos. Olsen
Meacham & Carr
 10:48 A.M.
 4-12-1395
 Wanda J. Murphy
 6-2

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: A72-00234
Date Received: 11/16/1989
Receipt No: MO05238
Received By: KAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA LEUZINGER
Address: BOX 157
CHALLIS, ID 83226
OR
Name: GARY LEUZINGER
Address: BOX 157
CHALLIS, ID 83226
OR
Name: TIMOTHY LEUZINGER
Address: BOX 157
CHALLIS, ID 83226

208-879-2215

2. Date of Priority: MAY 01, 1926

3. Source: WEST PASS CREEK
SALMON RIVER, EAST FORK
Trib. to: SALMON RIVER, EAST FORK
SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	
08N	17E	32	SE	NW	NW	p/d 4 WP	
		31	NW	SE	NE	p/d 1 EF	County
		32	NE	SW	NW	p/d 3 WP	CUSTER
		29	SE	SW	SW	p/d 2 WP	CUSTER

← Add 2 p/d

5. Description of diverting works:
DITCHES, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

A.F.A.

8. Total consumptive use is 362.1 Acre Feet Per Annum.

A72-00234

Page

11/16/89

Exhibit 1 pax 1 of 4

[Signature]
12/9/98

MICROFILMED
MAR 18 1993

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	17E	29	NE		SW		IRR	10.0
			NW		SW		IRR	15.0
			SW		SW		IRR	40.0
			SE		SW		IRR	9.0
							Section Acres	74.0
		31	NE		NE		IRR	5.0
			SE		NE		IRR	6.0
							Section Acres	11.0
		32	NW		NW		IRR	40.0
			SW		NW		IRR	20.0
							Section Acres	60.0
							Total Acres	145.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00235, A72-04130

14. Remarks:

P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

GOSSI, ET. AL.

Decree Plaintiff

vs

GIAMPEDRAGLIA, ET. AL.

Decree Defendant

MICROFILMED

MAR 18 1993

Exhibit 1 02 of 4

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 X 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): X Virginia Penzinger Date: X 11-16-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of November 19 89
Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114° 30' 44" 00'

701 000m E

702

703

27° 30" 104

105

357 4000m N

30

Mile 27

29

TRAIL

US 33

4873

Salinas River

PACK

31

Lower Guard

4872

(Hot)

6756

West

P488

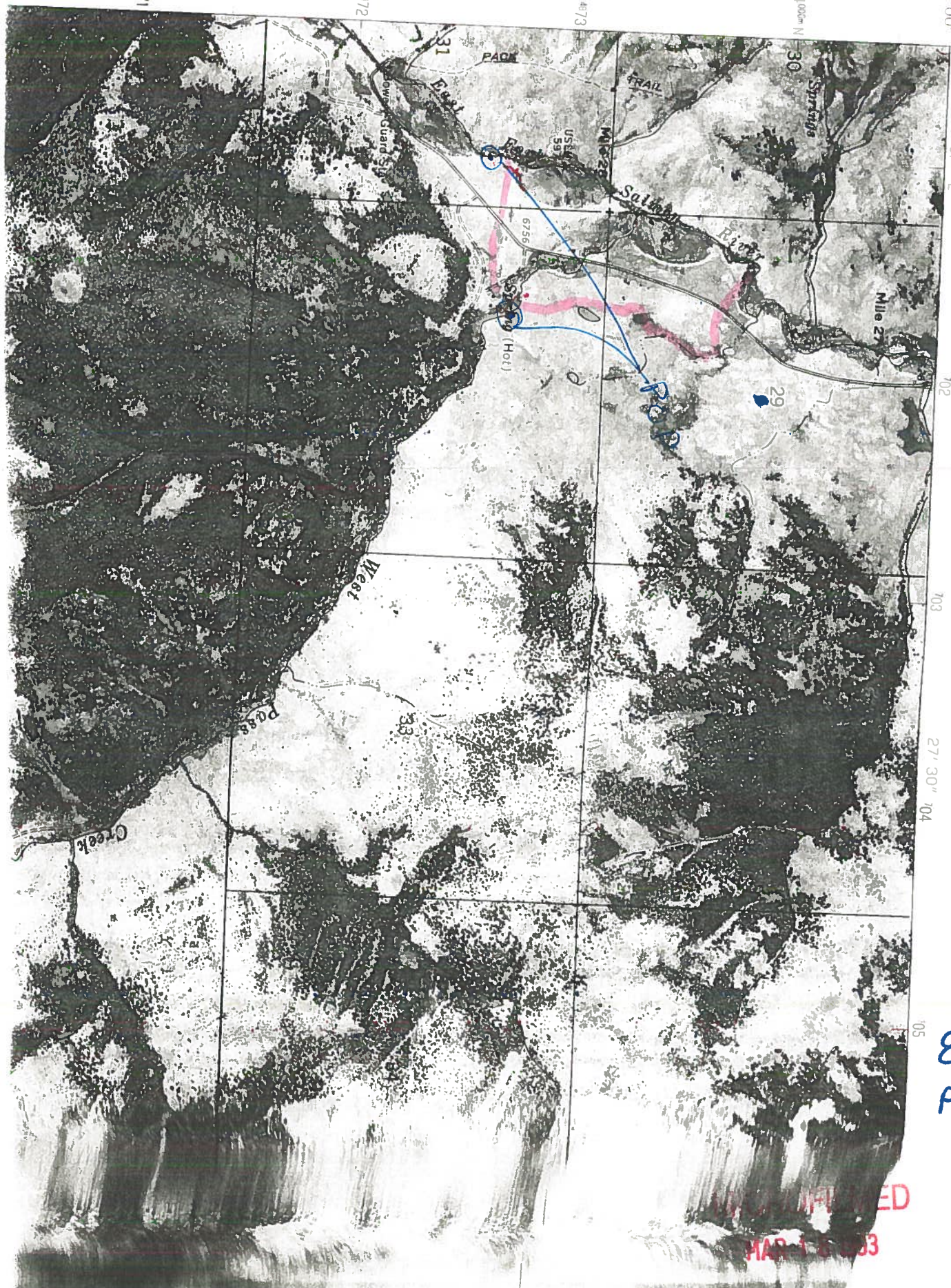
Creek

Exhibit 1
page 4 of 4

UNCLASSIFIED
MAR 15 2003

18N

4871

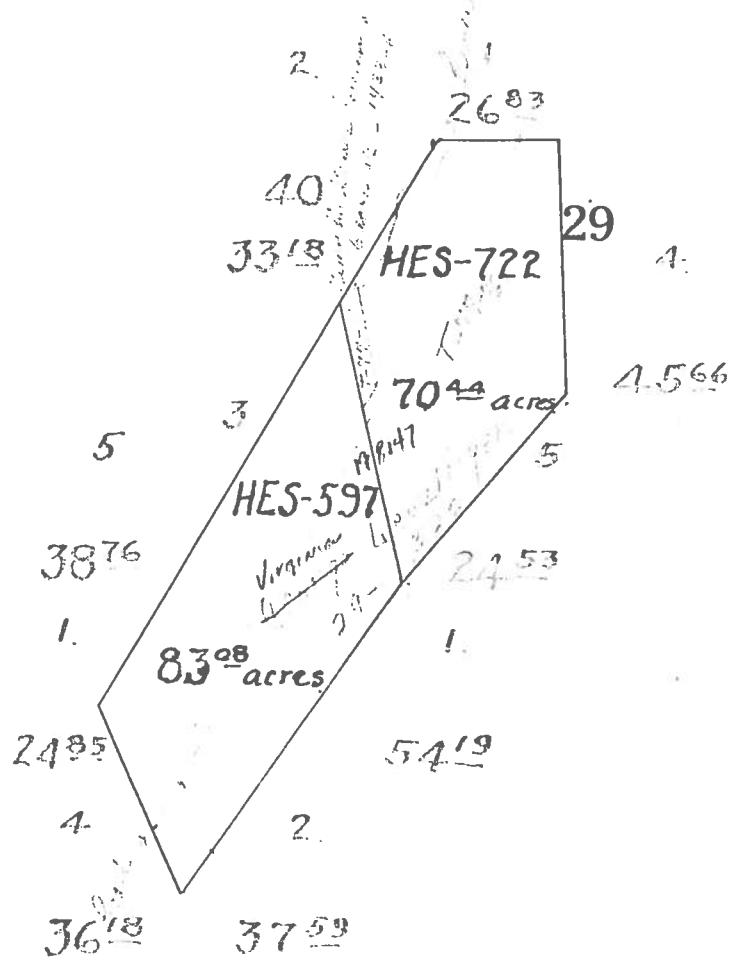


T8N R17E

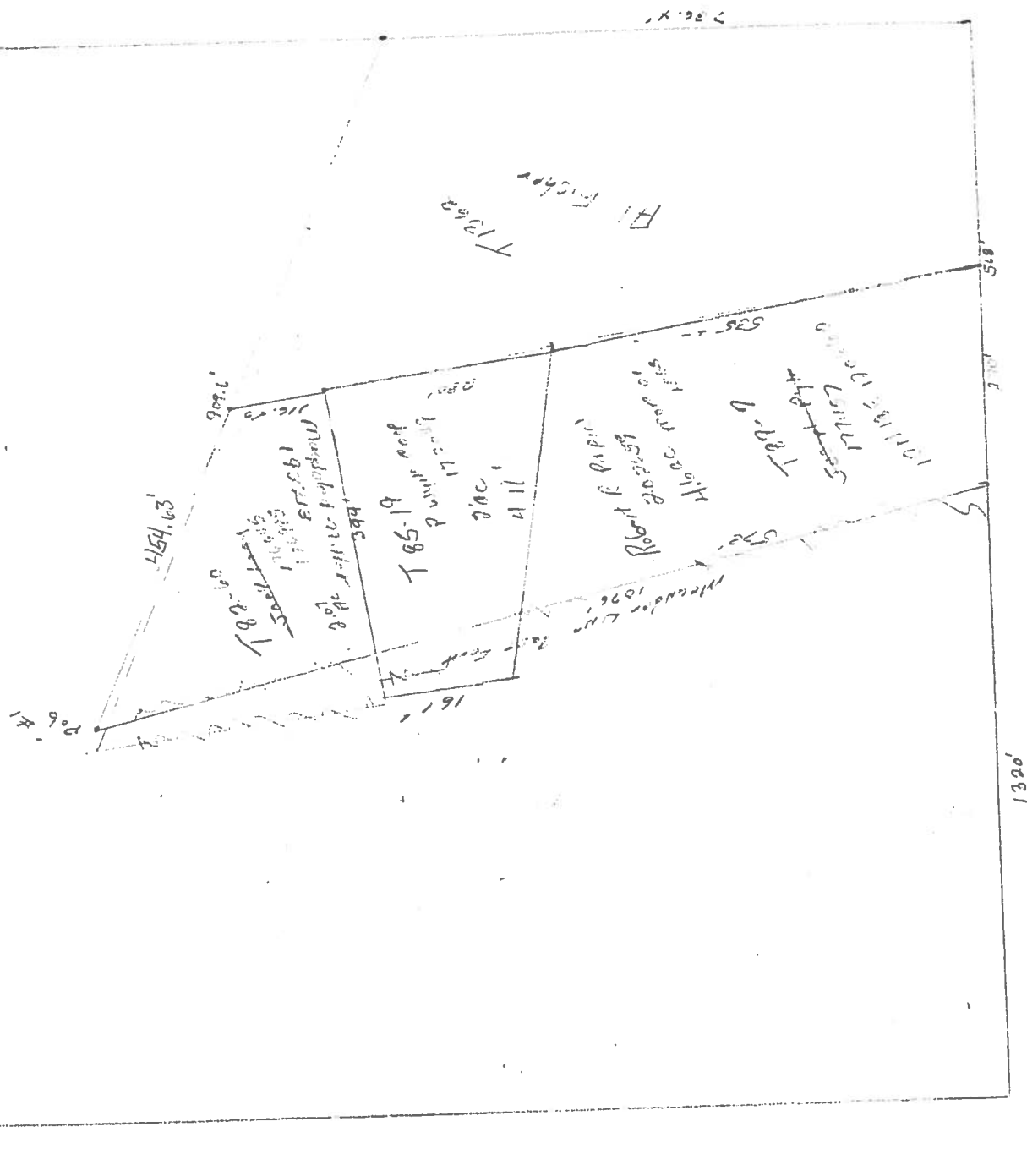
30

31

32



22.000



08167111900

11/17/06

LEGAL:

Feb 11.5

172.22

FHe 722

F4p 697

Sec 29 TBN R17E

[illegible]

LEGAL:

NAME:

ADDRESS:

7-1-82
1/4-1-82
1/4-1-82
1/4-1-82

CLASSIFICATION CAT LOC CLASS USE	QUANTITY	BASE COST	TOPOGRAPHY ADJUSTMENTS:								ADJ % TOTAL	\$ ADJ	NET VALUE PER ACRE	VALUE	
			DITCHES	CANAL	FENCES	P. LINE	DRAINAGE	ROADS	ROCK	BRUSH					SLOPE
1	1	100													
2	1	200													
3	1	300													
4	1	400													
5	1	500													
6	1	600													
7	1	700													
8	1	800													
9	1	900													
10	1	1000													
11	1	1100													
12	1	1200													
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31	1	3100													
32	1	3200													
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40	1	4000													
41	1	4100													
42	1	4200													
43	1	4300													
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93	1	9300													
94	1	9400													
95	1	9500													
96	1	9600													
97	1	9700													
98	1	9800													
99	1	9900													
100	1	10000													

REMARKS

TOTAL

RES OCCUPIED:
1 OWNER
2 TENANT
3 VACANT
0 NONE

OUTBUILDINGS:
1 OWNER
2 TENANT
3 VACANT
0 NONE

LAND OPERATED
1 OWNER
2 TENANT

UTILITIES
1 ELECTRICITY
2 GAS
3 COMBINATION

APPRAISER'S NAME

APPRAISAL DATE

TIME 13:20:56

V A L U A T I O N S U M M A R Y S H E E T

DATE 4/29/92

PARCEL RPH008N17E9130A PROPERTY ADDRESS

EFFECTIVE DATE 1/01/90 EXPIRE DATE 0/00/00 CAT YR QUANTITY UNIT VALUE

NAME LEUZINGER, VIRGINIA 2 92 59.000 AC 9,853

PO BOX 157 5 92 80.520 AC 3,221

CHALLIS, ID 83226 10 92 1.000 AC 8,000

19 92 7.000 AC

31 91 1,000

DESC TRACT 77-72

FHE #722

FHE #597

SEC 29 T8N R17E

TOTALS -----
147,520 -----
\$22,074 -----

TAX CODE AREA 7-00
PREVIOUS PARCEL # RPH008N17E9130A
COMMENTS

**** SUB-SYSTEMS PRESENT ****
RUR INV LAND

MAP #
PHOTO #
DEED #-NEW 198147 ZONE
SUBDIVISION 0000 OLD
PARCEL TYPE AG LOCATION CODE 314
EXEMPTIONS: ** NONE **
SPECIALS : 91

TIME 12:31:45

VALUATION SUMMARY SHEET

DATE 5/12/73

PARCEL RPH003N179160A PROPERTY ADDRESS

EFFECTIVE DATE 12/27/83 EXPIRE DATE 0/00/00 CAT VR QUANTITY UNIT VALUE

NAME LEJZIGER, TIMOTHY GEORGE 19 21 6.000 AC 20,000

PO BOX 157

CHALLIS, ID 83226

DESC TRACT 77-71 IN FHE #722

SEC 29 T3N R17E

TOTALS -----
6.000 120,000

TAX CODE AREA 7-00
PREVIOUS PARCEL #
COMMENTS

*** SUB-SYSTEMS PRESENT ***

REG/COM LAND

MAP #
PARCEL #
DEED #-REF
SUBDIVISION
PARCEL TYPE 01 LOCATION CODE 314

DATE 0/00/00
EXEMPTIONS: ** NONE **
SPECIALS :

CECIL D. ANDRUS
GovernorR. KEITH HIGGINSON
Director

11-19-1993

Dear Mr. Downton:

Please... I can't complete
my review w/o. # 12-28-93

I went down to the diversion below the cabin and walked the ditches so I could update the Leuzinger claims as we talked about.

Would you please take a minute or two and describe, briefly, how many sets it takes and how long for the "lower" and "upper" fields - that is, the East Fork and West Fork or watered parcels.

I enclose a stamped, self-addressed, envelope for your convenience. Thanks.

Sincerely,

Frank Hitchcock

encl: SASE
TOPO-markedJ02
property known
as HES no —

FILE: LEVZINBER

AGENT: 71

DATE: 09-01-93

RE:

field exam

NAME OF PARTY:

MRS. SIDNEY DOWTON

6 PM @ EF18A still - measuring 36 Co diversion

call next week

mut in town OK

go over map to establish irrig practice

reviewed W. Pass or flow / measurement
discussed EF Pod day
reason for irrig review -

calendar noted to call 09-07-1993.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
Director

08-18-1993

Dear Mrs. Teuzinger:

I haven't been able to get with Mr. Sawton due to circumstances beyond his control.

This note is to let you know that I will not be available till the end of August and will begin again to try and reach Sawtons again by phone.

Please contact me @ VILLAGE INN, 879-2239, most times during the week if you would like to talk with me.

Thank you.

Frank Hitchcock

TELEPHONE MEMORANDUM

Incoming Call

✓ Outgoing Call

755

Returning Call

TO:

SIDNEY DOWTON

876-4225

DATE:

08-02-1993

FROM:

7H

FILE:

FILE NO:

SUBJECT:

appt

REMARKS:

they saw me leaving thru the gate @ 2:30
have to move cattle per govt.
Call next week to try again.

08-11

10:40 AM - N/A. Letter sent 08-18 to Chiment

09-01-93

5:50 PM CN MRS DOWTON @ Bunker Cr. Ranch

ROUTING
INSTRUCTIONS:

09-14-93 N/A 7:50 PM

CALENDAR
DATES:

845 09-22-93 SUN - nite / by dark
09-27-93 9:00, @ Ellis -

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

855

Returning Call

TO:

SIDNEY DAWTON 876-4225 FELLIS

DATE:

07-26-1993

FROM:

H

FILE:

-00234, -00235, -04130

FILE NO:

SUBJECT:

Field exam.

REMARKS:

out there 2 or 3 x @ work - rept
work would be better

call THURS mite - or MON rept -

07-27-93

met DAWTONS - set appt for MON
1 PM here.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call 525

Returning Call

TO:

VIRGINIA LEWZINGER - Call #2

DATE:

07-19-1993

FROM:

H

FILE:

-00234, -00235, -04130

FILE NO:

SUBJECT:

field spam

REMARKS:

876-4225 (Kuis)

Sidney or Karen Downton

Early AM or night time

Says she forgot @ PD below the house
on W. Park Dr. ?

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call 10 34 AM

Returning Call

TO:

LENZINGER

879-2215

DATE:

07-13-1993

FROM:

H

FILE:

FILE NO:

-00234, -00235, -04130

SUBJECT:

field expm.

REMARKS:

busy

10 45 - son-in-law irigs - call next wk.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 16 2010
By _____ Clerk
_____ Deputy Clerk

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

Subcase No: 72-16770

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

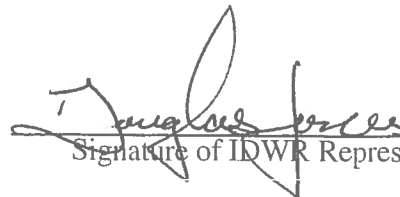
☐ Change in Ownership
☐ Point of Diversion
☒ Place of Use Conditions

☐ Split of Water Right
☐ Place of Use
☐ Nature of Use

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: 11/16/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-16, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Gary Leuzinger
Timothy Leuzinger
Karen Dowton

Represented by:
Jerry Rigby
PO Box 250
Rexburg ID 83440-0250



Signature of person or attorney mailing the form

11/03/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 72-16770

NAME AND ADDRESS: GARY LEUZINGER
23 OLIVER DRIVE
SALMON ID 83467

TIMOTHY LEUZINGER
BOX 157
CHALLIS ID 83226

KAREN A DOWTON
PO BOX 7
ELLIS ID 83235

SOURCE: WEST PASS CREEK

TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 05/01/1952

POINT OF
DIVERSION:

T08N R17E S32 NWSNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	3.200 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T08N R17E S29 SENW 3.00	T08N R17E S29	NESW 12.00
	T08N R17E S29 NWSW 8.60	T08N R17E S29	SWSW 23.00
	T08N R17E S32 NWNW 6.80		

53.4 ACRES TOTAL

Place of use does not include federal public lands.

Property also known as HES Nos. 597 and 722

The rights listed below are limited to the irrigation of a combined total of ~~75.2~~
~~67.7~~ acres in a single irrigation season. Combined Right Nos.: 72-234, 72-235,
72-16770.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

November 16, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JERRY RIGBY
PO BOX 250
REXBURG ID 83440-0250

RE: SRBA Claim(s) 72-16770 / Leuzinger & Dowton

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76827**

This is to certify that: TIMOTHY LEUZINGER Or KAREN A DOWTON Or GARY LEUZINGER
 BOX 157 PO BOX 7 23 OLIVER DRIVE
 CHALLIS ID 83226 ELLIS ID 83235 SALMON ID 83467
 (208)879-2215 (208)876-4225 (208)993-0491

have requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
72-234	WR/Decreed	05/01/1926	1.2 cfs	N/A	N/A	75.2	SALMON RIVER, WEST PASS CREEK
72-235	WR/Decreed	05/01/1936	1.66 cfs	N/A	N/A	75.2	WEST PASS CREEK

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

72-16770	AJC/Beneficial Use	05/01/1952	3.2 cfs	N/A	75.2	53.4	WEST PASS CREEK
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Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-234	NO	YES	YES	NO	NO	NO
72-235	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

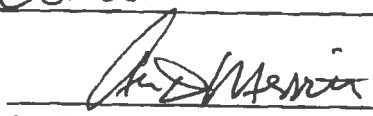
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-234	72-234	1.20 cfs	N/A	N/A	67.7		N/A	N/A	N/A	N/A
72-235	72-235	1.66 cfs	N/A	N/A	67.7		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.86 cfs	N/A	N/A	67.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of October, 20 10

SUPPORT DATA

FILE # 72-234


 Southern Region Manager

WATER RIGHT NO. 72-234
As Modified by Transfer No. 76827

In accordance with the approval of Transfer No. 76827, Water Right No. 72-234 is now described as follows.

Right Holder:	TIMOTHY LEUZINGER BOX 157 CHALLIS ID 83226 (208)879-2215	Or	KAREN A DOWTON PO BOX 7 ELLIS ID 83235 (208)876-4225	Or	GARY LEUZINGER 23 OLIVER DRIVE SALMON ID 83467 (208)993-0491
----------------------	---	----	---	----	---

Priority Date: May 01, 1926

Source: EAST FORK SALMON RIVER WEST PASS CREEK	Tributary:	SALMON RIVER EAST FORK SALMON RIVER
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<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	1.20 CFS
			1.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

WEST PASS CREEK	SWSWSW	Sec. 29 Twp 08N Rge 17E CUSTER County
EAST FORK SALMON RIVER	L4 (SWSENE)	Sec. 31 Twp 08N Rge 17E CUSTER County
WEST PASS CREEK	SENWNW	Sec. 32 Twp 08N Rge 17E CUSTER County
WEST PASS CREEK	NWSENW	Sec. 32 Twp 08N Rge 17E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 17E 29								3.0	12.0	8.6	23.0						46.6
08N 17E 31	14.0																14.0
08N 17E 32						7.1											7.1

Total Acres: 67.7

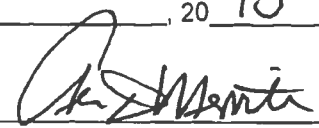
WATER RIGHT NO. 72-234
As Modified by Transfer No. 76827

CONDITIONS OF APPROVAL

1. Place of use is located within Homestead Entry Survey No. 597 & 722.
2. Rights 72-234 and 72-235 when combined shall not exceed a total diversion rate of 2.86 cfs cfs and the irrigation of 67.7 acres.
3. Rights 72-234, 72-235, 72-16770 when combined shall not exceed a total diversion rate of 6.06 cfs cfs and the irrigation of 67.7 acres.
4. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 20 10


Southern Region Manager

WATER RIGHT NO. 72-235
As Modified by Transfer No. 76827

In accordance with the approval of Transfer No. 76827, Water Right No. 72-235 is now described as follows.

Right Holder:	TIMOTHY LEUZINGER BOX 157 CHALLIS ID 83226 (208)879-2215	Or	KAREN A DOWTON PO BOX 7 ELLIS ID 83235 (208)876-4225	Or	GARY LEUZINGER 23 OLIVER DRIVE SALMON ID 83467 (208)993-0491
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Priority Date: May 01, 1936

Source: WEST PASS CREEK

Tributary: EAST FORK SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	1.66 CFS
			1.66 CFS

LOCATION OF POINT(S) OF DIVERSION:

WEST PASS CREEK	SWSWSW	Sec. 29 Twp 08N Rge 17E CUSTER County
WEST PASS CREEK	SENWNW	Sec. 32 Twp 08N Rge 17E CUSTER County
WEST PASS CREEK	NWSENW	Sec. 32 Twp 08N Rge 17E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	17E	29								3.0	12.0	8.6	23.0					46.6	
08N	17E	31	14.0															14.0	
08N	17E	32					7.1											7.1	

Total Acres: 67.7

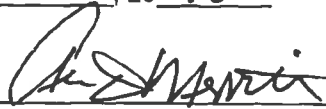
WATER RIGHT NO. 72-235
As Modified by Transfer No. 76827

CONDITIONS OF APPROVAL

1. Place of use is located within Homestead Entry Survey No. 597 & 722.
2. Rights 72-234 and 72-235 when combined shall not exceed a total diversion rate of 2.86 cfs cfs and the irrigation of 67.7 acres.
3. Rights 72-234, 72-235, 72-16770 when combined shall not exceed a total diversion rate of 6.06 cfs cfs and the irrigation of 67.7 acres.
4. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 20 10



Southern Region Manager

Southern Region Manager

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-234 V1

WATER RIGHT NUMBER: 72-234 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIRGINIA LEUZINGER PO BOX 157 CHALLIS, ID 83226 (208)879-2215
Current Owner	GARY LEUZINGER 118 E 1000 N FIRTH, ID 53236 (208)357-5405
Original Owner	ROSE NOWACKI , ZZ
Current Owner	TIMOTHY LEUZINGER BOX 157 CHALLIS, ID 83226 (208)579-2215
Current Owner	KAREN A DOWTON PO BOX 7 ELLIS, ID 83235 (208)876-4225

Priority Date: 05/01/1926

Basis: Decreed

Status: Active

SourceEAST FORK SALMON RIVER
WEST PASS CREEKTributarySALMON RIVER
EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

WEST PASS CREEK CUSTER County	NE1/4SW1/4NW1/4	Sec. 32, Twp 08N, Rge 17E, B.M.
WEST PASS CREEK CUSTER County	SE1/4NW1/4NW1/4	Sec. 32, Twp 08N, Rge 17E, B.M.
WEST PASS CREEK CUSTER County	SE1/4SW1/4SW1/4	Sec. 29, Twp 08N, Rge 17E, B.M.
EAST FORK SALMON RIVER CUSTER County	NW1/4SE1/4NE1/4	Sec. 31, Twp 08N, Rge 17E, B.M.

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-234 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	17E	29								3.3	13.0	9.5	22.0	6.0					53.8
08N	17E	31	14.0																14.0
08N	17E	32					7.4												7.4

Total Acres: 75.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO: 72-00235.
3. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722
4. USE OF THIS RIGHT WITH RIGHT NO. 72-00235 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE IRRIGATION SEASON.
5. C18 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.

Remarks:Comments:

1. VHANCOCK 11/9/1998 COPIED FROM REMARKS
Comment: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY; VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. VHANCOCK 12/11/1998 ADDITIONAL P/D
Comment: TWO ADDITIONAL POINTS OF DIVERSION WERE INCLUDED IN THIS AND CLAIM 72-00235 AFTER MEETING WITH GARY, LINDA AND VIRGINIA LEUZINGER AT CHALLIS 12-9-98. THE CLAIMANTS PROVIDED MAPS AND IDENTIFIED POINTS OF DIVERSION IN PICTURES FRANK HITCHCOCK HAD TAKEN DURING FIELD EXAM. AMENDED CLAIM WAS FILED. OWNERSHIP CHANGE PER NOTICE RECD 12-9-98
4. nmiller 11/15/2007 POD
Comment: Updated shape
5. djones 11/30/2007 Record Updated
Comment: PODs updated to reflect original recommendation and Partial Decree. Error may have occurred during data migration in 1999 or 2000. Govt Lot added to POD description in Sec 31.
6. djones 11/30/2007 Error in POD
Comment: Diversion in NESWNW (diversion point for 72-4130) is wrong the diversion should be in NWSNW.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-234 V1

Dates and Other Information:

Decreed Date: 11/17/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: Or
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.86		75.2

Combined Water Rights: 72-234 , 72-235

Water Supply Bank:

11/30/2007

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

RIGHT NUMBER: 72-234

NAME AND ADDRESS: GARY LEUZINGER
118 E 1000 N
FIRTH ID 53236

TIMOTHY LEUZINGER
BOX 157
CHALLIS ID 83226

KAREN A DOWTON
PO BOX 7
ELLIS ID 83235

SOURCE: WEST PASS CREEK
EAST FORK SALMON RIVER

TRIBUTARY: EAST FORK SALMON RIVER
TRIBUTARY: SALMON RIVER

QUANTITY: 1.200 CFS

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO: 72-00235.

PRIORITY DATE: 05/01/1926

POINT OF DIVERSION:

T08N R17E S29 SESWSW Within CUSTER County

T08N R17E S31 NWSENE Within CUSTER County

T08N R17E S32 SENWNW Within CUSTER County

T08N R17E S32 NESWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.200 CFS

PLACE OF USE:

<u>IRRIGATION in CUSTER County</u>					
T08N R17E S29	SESW	3.30	T08N R17E S29	NESW	13.00
T08N R17E S29	NWSW	9.50	T08N R17E S29	SWSW	22.00
T08N R17E S29	SESW	6.00	T08N R17E S31	NENE	14.00
T08N R17E S32	NWNW	7.40			

75.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-00235 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597
& 722

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 - Decreed

11/30/2007

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 72-00234

NAME AND ADDRESS: GARY LEUZINGER
518 E 1000 N
FIRTH, ID 83236

TIMOTHY LEUZINGER
BOX 157
CHALLIS, ID 83226

KAREN DOWTON
BOX 7
ELLIS, ID 83235

SOURCE: WEST PASS CREEK TRIBUTARY: SALMON RIVER, EAST FORK
SALMON RIVER, EAST FORK SALMON RIVER

QUANTITY: 1.20 CFS

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO:
72-00235.

PRIORITY DATE: 05/01/1926

POINT OF DIVERSION: T08N R17E S29 SESWSW Within Custer County
S31 NWSNE
S32 SENWNW
NESWNW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 1.20 CFS

PLACE OF USE: Irrigation
T08N R17E S29 SENW 1 87.5 - 2 - 2001
NWSW 9
SESW 6
S31 NENE 14
S32 NWNW 7
75.2 Acres Total 88, 11-14-2000

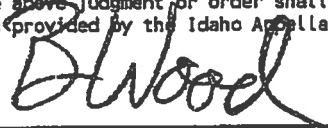
USE OF THIS RIGHT WITH RIGHT N
IRRIGATION OF A COMBINED TOTAL OF
IRRIGATION SEASON.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722
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.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA

PARTIAL DECREE 72-00234

Issued on 11-17-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS: TIMOTHY LEUZINGER
 BOX 157
 CHALLIS, ID 83226
 KAREN DOWTON
 BOX 7
 ELLIS, ID 83235
 GARY LEUZINGER
 518 E 1000 N
 FIRTH, ID 83236

SOURCE: WEST PASS CREEK TRIBUTARY: SALMON RIVER, EAST FORK
 SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 1.20 CFS

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO
 TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT
 72-00235.

PRIORITY DATE: 05/01/1926

POINT OF DIVERSION: T08N R17E S29 SESWW Within Custer County
 S31 NWSENE ✓
 S32 SENWNW
 NESWNW ✓

PURPOSE AND
 PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTIT

 Irrigation 04-01 TO 10-31 1.20 C

PLACE OF USE: Irrigation Within Custer

T08N R17E S29 SENW 3.3 NESW 13.0
 NWSW 9.5 SWSW 22.0
 SESW 6.0
 S31 NENE 14.0
 S32 NWNW 7.4

75.2 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 72-00235 IS LIMITED TO
 IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
 IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
 PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 59
 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIO
 NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI
 ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T
 ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

[Return to SRBA Home Page](http://164.165.134.61/F7200234XX.HTM)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-234

WATER RIGHT NUMBER: 72-234

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIRGINIA LEUZINGER PO BOX 157 CHALLIS, ID 83226 (208)879-2215
Current Owner	GARY LEUZINGER 118 E 1000 N FIRTH, ID 53236 (208)357-5405
Original Owner	ROSE NOWACKI ZZ
Current Owner	TIMOTHY LEUZINGER BOX 157 CHALLIS, ID 83226 (208)579-2215
Current Owner	KAREN A DOWTON PO BOX 7 ELLIS, ID 83235 (208)876-4225

upper most on West Pass Creek
1 on EF
3 on WPC

Priority Date: 05/01/1926

Basis: Decreed

Status: Active

SourceTributaryEAST FORK SALMON RIVER
WEST PASS CREEKSALMON RIVER
EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

WEST PASS CREEK CUSTER County	NE1/4SW1/4NW1/4 ?	Sec. 32, Twp 08N, Rge 17E, B.M.
EAST FORK SALMON RIVER CUSTER County	NW1/4SE1/4NE1/4	Sec. 31, Twp 08N, Rge 17E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	17E	29								3.3	13.0	9.5	22.0	6.0					53.8

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-234

08N 17E 31	14.0					14.0
08N 17E 32			7.4			7.4

Total Acres: 75.2

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO: 72-00235.
3. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722
4. USE OF THIS RIGHT WITH RIGHT NO. 72-00235 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE IRRIGATION SEASON.
5. C18 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.

Remarks:Comments:

1. VHANCOCK 11/9/1998 COPIED FROM REMARKS
Comment: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY; VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. VHANCOCK 12/11/1998 ADDITIONAL P/D
Comment: TWO ADDITIONAL POINTS OF DIVERSION WERE INCLUDED IN THIS AND CLAIM 72-00235 AFTER MEETING WITH GARY, LINDA AND VIRGINIA LEUZINGER AT CHALLIS 12-9-98. THE CLAIMANTS PROVIDED MAPS AND IDENTIFIED POINTS OF DIVERSION IN PICTURES FRANK HITCHCOCK HAD TAKEN DURING FIELD EXAM. AMENDED CLAIM WAS FILED. OWNERSHIP CHANGE PER NOTICE REC'D 12-9-98

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-234

Dates and Other Information:

Licensed Date:
Decreed Date: 11/17/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.86		75.2

Combined Water Rights: 72-234 , 72-235

Water Supply Bank:

COMMUNICATION DOCUMENTATION

December 16, 1998

Regarding:

Customer:

72-04130

Gary Leuzinger

From: Vikie Hancock

[illegible]

Gary Leuzinger called to tell me that the changes to claims 72-00234, 72-00235 and 72-04130 looked good except for an explanatory remark on 72-04130.

He requested that I be more descriptive about the complex of springs, and specify that they only divert from the hot part of the spring complex for domestic. The irrigation water comes from a mixture of hot and cold water. He also wanted to make sure there was a remark that the natural channel of the spring, even with no diversion, would not reach the East Fork Salmon River, but had sunk into the ground. I added to the explanatory remark and sent him a profile report so that he could review the change.

Water Right Number - R72-00234

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LEUZINGER

GARY

1 - 518 E 1000 N

State- ID Zip- 83236

LEUZINGER

TIMOTHY

City- FIRTH
Phone - 208-357-5405
1 - BOX 157

State- ID Zip- 83226

DOWTON

KAREN

City- CHALLIS
Phone - 208-579-2215
1 - BOX 7

State- ID Zip- 83235

*** O - ORIGINAL OWNER ***
NOMACKI

ROSE

1 -
2 -
3 -
City- X
Phone - 208-000-0000
1 - BOX 157

State- ID Zip- 0

LEUZINGER

VIRGINIA

City- CHALLIS
Phone - 208-879-2215

State- ID Zip- 83226

+ - - Priority Date - - + + - - Region - - + + - - Stage - - + + - - Status - - - +
05/01/1926 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
WEST PASS CREEK
SALMON RIVER, EAST FORK
SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
08N 17E 29 SE SW SW (37) CUSTER WEST PASS CR
31 NW SE NE (37) CUSTER EAST FORK EF-27
32 SE NW NW (37) CUSTER WEST PASS CR
NE SW NW (37) CUSTER WEST PASS CR

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.200

Prefix Translation: RESEARCH

	+	-	Total Consumptive Use	+	-	KW Usage	+
			0.0				

				Place of Use				
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	17E	29	SE NW		3.3	01	IRRIGATION	(37) CUSTER
08N	17E	29	NE SW		13.0	01	IRRIGATION	(37) CUSTER
08N	17E	29	NW SW		9.5	01	IRRIGATION	(37) CUSTER
08N	17E	29	SW SW		22.0	01	IRRIGATION	(37) CUSTER
08N	17E	29	SE SW		6.0	01	IRRIGATION	(37) CUSTER
08N	17E	31	NE NE		14.0	01	IRRIGATION	(37) CUSTER
08N	17E	32	NW NW		7.4	01	IRRIGATION	(37) CUSTER

Total Acres: 75.2

+ - - Diversion Means - DITCHES, GRAVITY FLOW

+ - - Non-Irrigation Use -

Other Rights for Same Use - 72-00235, 72-04130

	Remarks
+	

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO:
72-00235.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00235 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE IRRIGATION SEASON.

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722

----- Old Water Right Numbers -----

7200234

Conditions of Approval

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER

IN BASIN 1/2 SMALL BE ADMINISTERED DELIVERED
- RIGHTS IN THE SNAKE RIVER BASIN:
WATER RIGHT NO. SOURCE

WATER RIGHT NO.	SOURCE
NONE	NONE
ALL RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES	

- ALL WATER RIGHTS WITHIN BASIN 12 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

CONJUNCTIVELY

Prefix Translation: RESEARCH

+ - Decree Date - +
00/00/0000

+	-	Comments	+
Date: 11/09/1998	User Id: VHAHCOCK	Subject: COPIED FROM REMARKS	
P/U IS ALL OF H.E.S. 597 & 722	EXCEPT ROAD RIGHTS OF WAY;	VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.	
Date: 11/21/1998	User Id: AUJ10-DS	Subject: AUJ10 CONDITION UPDATE	
CONDITION CODE(S) C16	ADDED IF NOT ALREADY PART	OF RECORD THRU AUJ10.	
Date: 12/11/1998	User Id: VHAHCOCK	Subject: ADDITIONAL P/D	
TWO ADDITIONAL POINTS OF DIVERSION	WERE INCLUDED IN THIS AND	CLAIM 72-00235 AFTER MEETING WITH GARY, LINDA AND VIRGINIA	
LEUZINGER AT CHALLIS 12-9-98.	THE CLAIMANTS PROVIDED MAPS AND	IDENTIFIED POINTS OF DIVERSION IN PICTURES FRANK HITCHCOCK HAD	
TAKEN DURING FIELD EXAM.	AMENDED CLAIM WAS FILED.		

+-----+
Adjudication Rights Dates and Flags Area +-----+

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 11/16/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- M005238
		POU Ownership Flag	- Y
		Name Connector	- OR
		Civil Case Number	-
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

CLAIM NUMBER
72-00234
72-00235

DATE
10-12-98

AGENT
DA

TRANSFER NUMBER

CLAIMED ACRE TOTAL
145

GIS ACRE TOTAL
75.2

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	08N	17E	29								8	10	15	40	9.0					74.0
GIS											3.3	13	9.5	22	6.0					53.8
RECOM											33	13	9.5	22	6.0					53.8
CLAIM	8N	17E	31	5			6													11
GIS				14			8													14
RECOM				14			8													14
CLAIM	8N	17E	32					40	20											60
GIS								7.4	8											7.4
RECOM								7.4	8											7.4

B72-DBPOU.SHP
all within deeded track

SHAPE NOS.

347
14 ac

348
7 ac

349
54 ac

B72-DBPOD.SHP

NOS. DESCRIPTION

208 E FK = NW SE NE Sec 31 TORN RITE EF 27

209 West Pass Cr = NW SE NE Sec 32 TORN RITE

319 West Pass Cr SE NW NW Sec 32 TORN RITE

320 West Pass Cr SE SW SW Sec 29 TORN RITE

DBF TABLES UPDATED

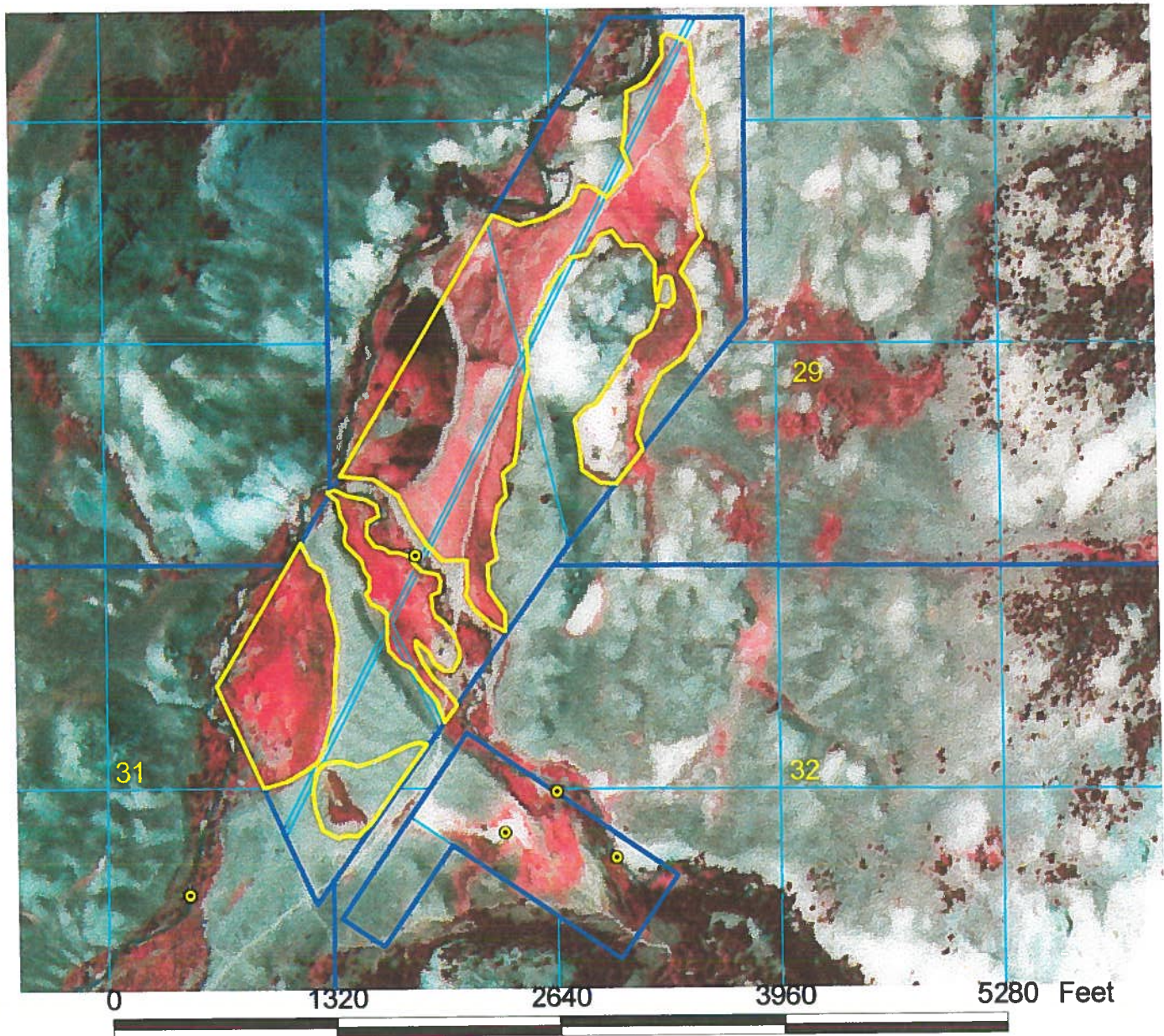
B72-DBPOU.DBF

B72-DBPOD.DBF

GIS 12/11/98

**RIGHTS 72-00234, 72-00235
and 72-04130**

**RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29,31,32
data entry on December 11, 1998**



- RECOMMENDED PLACE OF USE**
- RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary Leuzinger
Timothy Leuzinger
Karen Dowton
118 E 1000 N
Firth, Idaho 83236

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-00234, A72-00235, A72-04130

Dear Claimants:

I am taking the liberty of sending this copy of the amended and updated claims referenced above to Gary and Linda, as the changes were made under their direction. The points of diversion added to claims 72-00234 and 72-00235 should be exactly as we determined in Challis on Wednesday, but please check to make sure you agree with the data as it now appears.

Regarding claim number 72-04130, I calculated the acres that Gary drew on the GIS image, and determined that the area encompassed 4.5 acres. This is significantly less than the 10 acres that we roughly guessed it was, so I had to adjust the amount of water recommended for irrigation. I recommended 0.36 cfs for irrigation use based upon a soil and climate analysis, which indicates that under the most extreme conditions, you may need as much as .08 cfs per acre to adequately irrigate the particular 4.5 acres allowed under this right. Be aware that the Department did not have exact soils information for your acreage, so I based my calculations on data from similar properties downstream. In addition, I recommended the original 0.04 cfs for domestic use, which brings the total diversion from the spring to 0.40 cfs.

Please contact me if this does not meet with your approval. Baring any further communication from you, I'll assume that you wish me to go ahead and recommend your rights to the court as they now appear. I want to thank you for taking the time to talk to me on the 9th. It was a pleasure to work with you, and to meet and talk with your mother, Virginia. If I can be of any further assistance, let me know - otherwise, have a great Holiday and enjoy your winter down south.

Sincerely,

Vikie Hancock
Water Resource Agent

November 20, 1998

**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: December 18, 1998

Water right number: 72-00234 *72-00235* *72-04130*

VIRGINIA LEUZINGER *TIM Leuzinger*
GARY LEUZINGER *Karen Dowton*
BOX 157
CHALLIS ID 83226

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
a. Change names as per "Notice of Change of Water Right Ownership" attached. b. add points of diversion as per attachment A c. add land irrigated by hot water - marked "5" on attachment A d. establish POD for domestic water on water right 72-04130 as attachment A e. correct 72-04130 to add 4CFM hot water for irrigation use (see 5) on attachment A (10 acres)
2. Describe the changes you wish to make in the proposed recommendation:
*(1) Title of property has changed (see attachment D)
(2) Latest version of 72-04130 does not show established use of hot water for irrigation (see attachment A, B, C)
(3) established POD are not shown for POD 5, 2 & 4 (see attachment A)
(4) on right 72-04129 change "Source" from Tributary of West Pass Creek to Tributary of East Fork of Salmon River (see attachment B & C)*
3. Give a brief explanation as to why you disagree with these portions:
Established use of hot water for irrigation not shown IDWR Agent assigned wrong spring to water rights.

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

DATE: 12-9-98 SIGNATURE: *Virginia Leuzinger*
Please print your name: VIRGINIA LEUZINGER
Gary Leuzinger

CONVERSATION MEMO

Date:

12/9/98

Regarding:

72-00234 - 00235
- 04130

Customer:

Gary Leuzinger

From: Vikie Hancock

AA

Mr & Mrs Leuzinger and Virginia Leuzinger brought maps to document 2 additional points of diversion from West Pass creek (00234 + 00235) and the conveyance works for irrigation from the Hot Spring (04130).

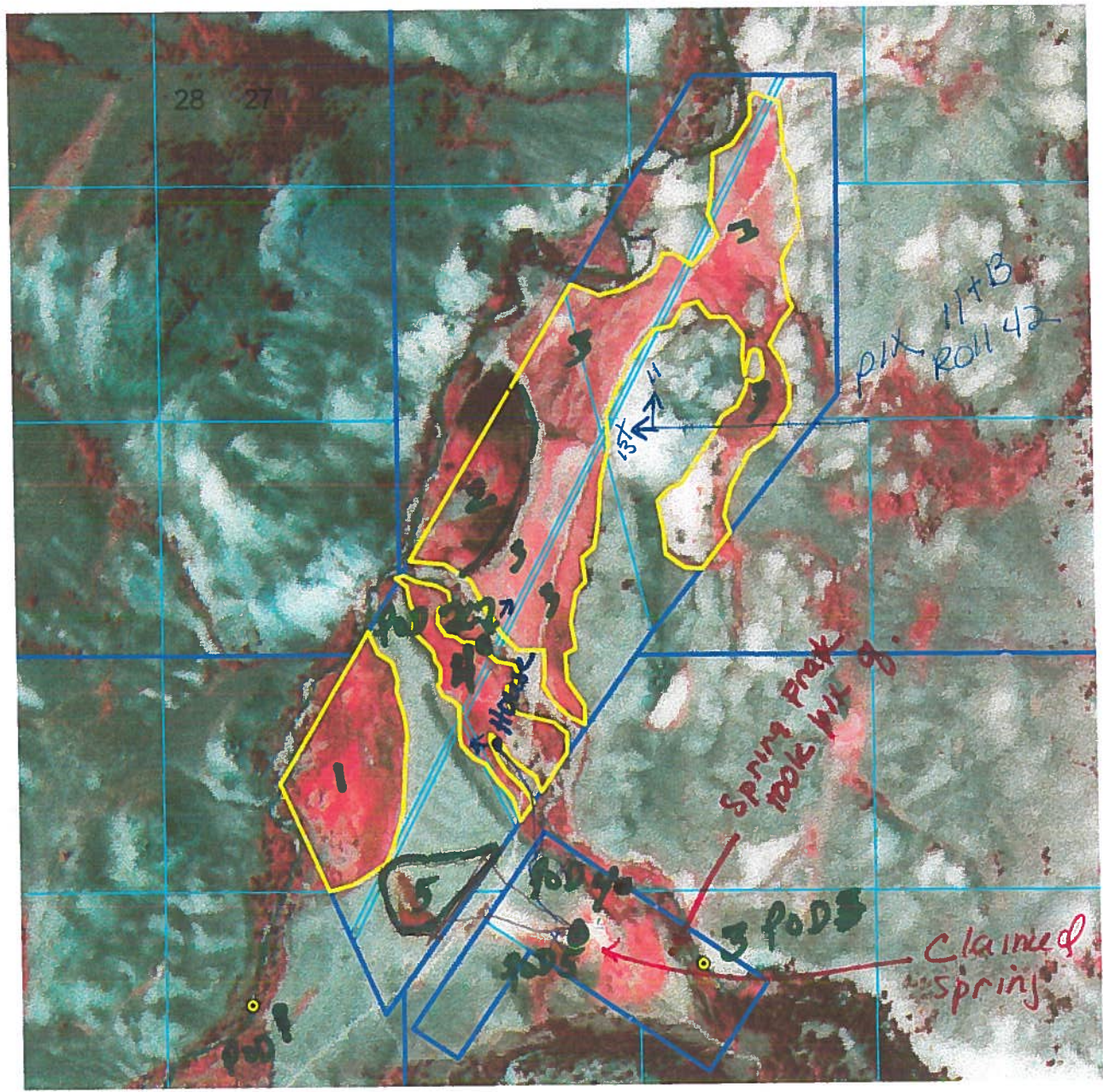
He located and labeled the points of diversion and places of use on the GIS polygon shape file sent to him. POB's were numbered and POU's were ~~complete~~ numbered with corresponding numbers ~~labeled~~.

They also brought deeds to document change of ownership from Virginia Leuzinger to the three siblings: Gary Tim & Karen.

An amended claim was prepared, signed & notarized, this date.

See NOE dated 12/9/98

RIGHT 72-00234 and 72-00235 and 72-041130
LEUZINGER
RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29, 31, 32
data entry on October 12, 1998



- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER/QUARTER LINES
- SUBDIVISION LOT BOUNDARIES



* POD 5 is also
POD for Domestic
Use on right # 72-041130

GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/09/98 09:55:52
Page 1

Water Right Number - R72-00234

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

LEUZINGER

VIRGINIA

1 - BOX 157

State- ID Zip- 83226

LEUZINGER

GARY

1 - BOX 157

State- ID Zip- 83226

LEUZINGER

TIMOTHY

1 - BOX 157

State- ID Zip- 83226

*** 0 - ORIGINAL OWNER ***
NOWACKI

ROSE

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

Priority Date - - - +
05/01/1926

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - -
WEST PASS CREEK
SALMON RIVER, EAST FORK

Tributary - - - - -
SALMON RIVER, EAST FORK
SALMON RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
08N 17E 31 NW SE NE (37) CUSTER EF-27
32 NE SW NW (37) CUSTER

Add 23 p/d.

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.200

+ - Total Div. Rate - + + - Total Div. Volume - +
1.200

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	17E	29	SE NW		3.3	01	IRRIGATION	(37) CUSTER	OK
08N	17E	29	NE SW		13.0	01	IRRIGATION	(37) CUSTER	
08N	17E	29	NW SW		9.5	01	IRRIGATION	(37) CUSTER	
08N	17E	29	SW SW		22.0	01	IRRIGATION	(37) CUSTER	
08N	17E	29	SE SW		6.0	01	IRRIGATION	(37) CUSTER	

Receipt Number	- M005238	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	-
Name Connector	- OR	Presumption Flag	-
		Notice of Error Flag	-

CLAIM NUMBER

72-00234

DATE

10-12-98

TRANSFER NUMBER

72-00235

AGENT

VH

CLAIMED ACRE TOTAL

145

GIS ACRE TOTAL

75.2

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	08N	17E	29								Q	10	15	40	9.0					74.0
GIS											3.3	13	9.5	22	6.0					53.8
RECOM											33	13	9.5	22	6.0					53.8
CLAIM	8N	17E	31	5'			6													11
GIS				14			Q													14
RECOM				14			Q													14
CLAIM	8N	17E	32							40	20									60
GIS										7.4	Q									7.4
RECOM										7.4	Q									7.4

B72-DBPOU.SHP

all within deeded tracks

SHAPE NOS.

347

14 ac

348

7 ac

75 ac

349

54 ac

B72-DBPOD.SHP

NOS. DESCRIPTION

208 E FK = NW SE NE Sec 31 T08N R17E EF 27

209 West Pass Cr = NW SE NE Sec 32 T08N R17E

DBF TABLES UPDATED

B72-DBPOU.DBF

✓

B72-DBPOD.DBF

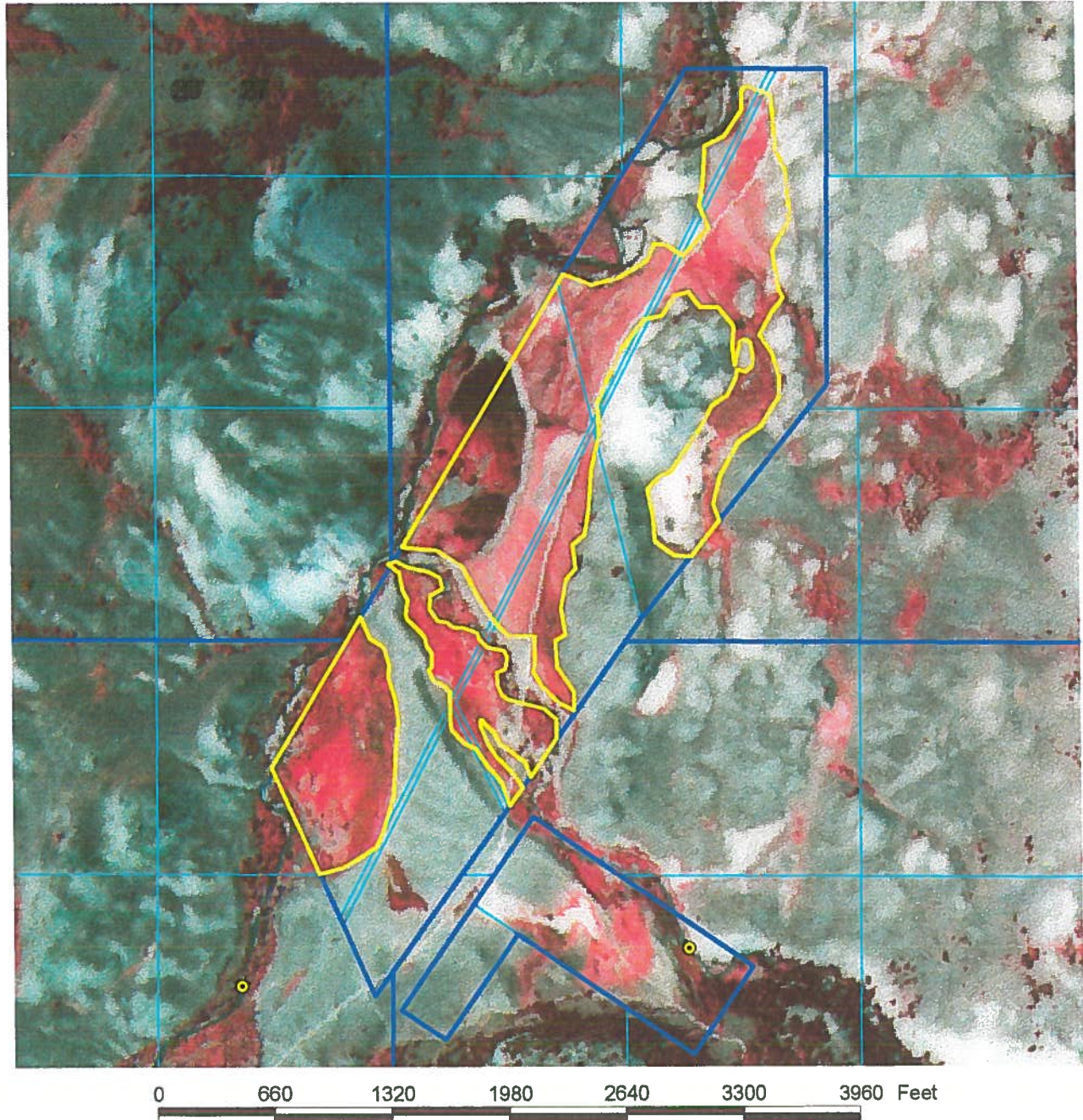
✓

619

10/12/98

**RIGHT 72-00234 and 72-00235
LEUZINGER**

**RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29, 31, 32
data entry on October 12, 1998**



- RECOMMENDED PLACE OF USE**
- **RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

CLAIM NUMBER: A72-00234

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VIRGINIA LEUZINGER	05/01/1926	IRRIGATION	04-01 11-01	1.20 CFS	362.50 AFA
C	GARY LEUZINGER					
C	TIMOTHY LEUZINGER					

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: WEST PASS CREEK
SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER, EAST FORK
SALMON RIVER

Point(s) of Diversion: TOBN R17E S31 S32
MUSENE
NESMNW

Stage: DECREED

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION											
NE			NW			SW			SE		
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
08N	17E	29	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	74.0
08N	17E	31	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	11.0
08N	17E	32	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	60.0
TOTAL ACRES											145.0

POU County: CUSTER

Other Rights: A72-00235, A72-04130

Remarks: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

Dates: Exam Made Date: 05/06/1985
Verified Date: 05/06/1985

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

JQZ Hes 597 & 722 E04 2.86 acs -00234
C03 E11 75 acres

diversion
rate possible
for small
dams
good types
downstream

see 109

00229

tenant to said land and she is entitled to 1.32 cubic feet per second of time of priority May 1, 1885 and also .5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with point of diversion in the SE¹NE¹4, Section 13, Township 10, North, Range 18, T. B. M.

00230

That FREDOLIN E. RUTHER is the owner of 11.56 acres in the NE¹NE¹4, all of SE¹NE¹4, NE¹SW¹4, Section 13, NW¹4, NE¹NE¹4, NE¹SW¹4, Section 24, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1880 and with points of diversion in the SE¹NE¹4 and NE¹NE¹4, Section 24, Township 10 North, Range 18, E. B. M.

00231

That MARION PEEL and LYNN PEEL are the owners of SE¹SE¹4, SE¹SW¹4, Section 15, W¹NE¹4, E¹NE¹4, NW¹SE¹4, NE¹SW¹4, Section 22, Township 9 North, Range 17, E. B. M., and appurtenant to said land they are entitled to .8 cubic feet per second of time of the waters of Little Boulder Creek with date of priority May 1, 1920 and 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1926 and with points of diversion in the SE¹SE¹4, NE¹NE¹4, Section 22, Township 9 North, Range 17, E. B. M.

00233

That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹SW¹4, SW¹SE¹4, Section 4, NE¹NE¹4, NW¹NE¹4, Section 19, Township 8 North, Range 17, E. B. M., and appurtenant to said land they are entitled to 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority August 1, 1925.

00234

That ROSE NOWACKI is the owner of Tracts "A", "B", and "C" in H. E. Survey No. 597 and Tracts "A" and "B" in H. E. Survey No. 722, embracing a portion of, approximately, Sections 29, 30, 31 and 32 in Township 8 North, Range 17, E. B. M., and appurtenant to said land she is entitled to 1.2 cubic feet per second of time of the waters of West Pass Creek and the East Fork of the Salmon River, with date of priority May 1, 1926 and she is also entitled to 1.66 cubic feet per second of time of the waters of West Pass Creek, with date of priority May 1, 1936.

00236

That GIANNI BERNARDI is the owner of SW¹NE¹4, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said land he is entitled to .3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1885.

8.

IT IS HEREBY ADJUDGED AND DECREED That each of the parties to this action shall pay his or her own costs of this action.

9.

That each and every of the parties to this suit, plaintiffs and defendants, their agents, servants, attorneys and employees, and each, every and all persons acting in aid of and for any of the parties to this suit, are hereby forever restrained and enjoined from

NAME OF STREAM OR DITCH	NEXT PASS CREEK
LOCATION -----	APPROX 100 YARDS FROM BRIDGE
PURPOSE OF MEASUREMENT --	ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS	
IF YOU ARE USING A PYGMY METER ENTER -----	1
IF YOU ARE USING A AA METER ENTER -----	2
ENTER -----	

WATER RIHT NUMBER IF APPLICABLE ----- LEUZINGER
-1985.00
AGENT CONDUCTING MEASUREMENT & DATE -----
ACCOMPANIED BY ----- FH
PREMEASUREMENT SPIN TEST (MIN/SEC) ---
POST MEASUREMENT SPIN TEST (MIN/SEC) -
REPORT DATE FEB 14, 1994

```

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

```

	ANGLE OF	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA						CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
					1ST MEASUREMENT REVS	TIME/SEC	2ND MEASUREMENT REVS	TIME/SEC	1ST POINT VELOCITY	2ND POINT VELOCITY			MEAN VELOCITY			
INITIAL POINT																
		4.20		0.15						0.40	0.060			0.75	0.05	
		5.00	0.30		60	40.0				0.80	0.240		1.50	1.50	0.36	
		5.80	0.35		48	40.0				1.20	0.420		1.20	1.20	0.50	
		7.40	0.35		76	40.0				0.80	0.000		1.90	0.60	0.00	
		0.00	0.00		0	0.0					0.000					-----
		0.00	0.00		0	0.0					0.000					0.91
		0.00	0.00		0	0.0					0.000					
		0.00	0.00		0	0.0					0.000					
END		0.00									0.000					

L.E.W. = 4.2

1st Reading

1st = 5.0

Depth is .3

60 sec in 40 S
53 sec in 40 S

2nd = 5.8

Depth is .35

49 sec 40 S

46 sec 40 S

3rd = 6.6

Depth is .35

76 sec 40 S

67 sec 40 S

R.E.W. = 7.4

West

~~Left~~

~~Water~~ Diversion off

West Pass (creek)

West Pass (creek)

Main Diversion

for ~~Dutton~~

from CR

@ diversion
w/rose

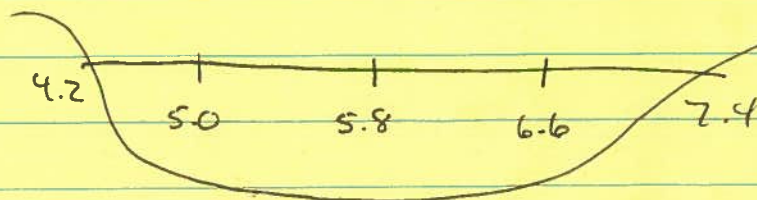
LEUZINGER

9-1-93

12:30 a.m.

Approximately 100 yds
from bridge

measured above
the junction of
the high 4
under the road
to main pasture



LEUZINGER-W. PASS-REDIVERSION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A72-00234
Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

CLEAR, HOT
3:30 PM
4:50

A. GENERAL INFORMATION

- Name of stream or ditch: SALMON RIVER, EAST FORK
- Location: SALMON REEF-27 ditch @
- Person conducting measurement: BOB FOSTER
- Date and time of measurement: 06-12-1995
- Accompanied by: FH
- Measuring device size and ID no.: SWOFFER 332
- Spin test before measurement OK? 332 after measurement OK? 388
- Purpose of measurement: SRBA - FIELD REVISION - diversion rate

B. MEASUREMENT DATA

COPY

Angle co-efficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
REN	2.0'	.3	.06			20					
	2.3"	.25	1.0	.06		"	.23			.25	.058
	2.6"	.25	1.1	.06		"	1.57			.275	.431
	2.9"	.25	1.1	.06		"	1.54			.275	.423
	3.0'	.25	1.1	.06		"	.86			.275	.236
	3.3"	.25	1.1	.06		"	.79			.275	.217
	3.6"	.25	1.1	.06		"	.80			.275	.220
	3.9"	.25	1.1	.06		"	.45			.275	.123
	4.0'	.25	1.15	.06		"	.53			.290	.153
	4.3"	.25	1.10	.06		"	.48			.275	.132
	4.6"	.25	1.05	.06		"	.61			.262	.160
	4.9	.25	.95	.06		"	.55			.240	.132
LEN	5										2.285
											CS

COPY ORIGINAL

1.2	EF/WP	1926
<u>1.66</u>	WP	1936
2.86		

W/P diversion	2.54 (smallest)
EF diversion	2.28

75.2 ac total
 - 14.0 ac waked by EF & 91 cfs
 of west pass (rediversion)

61.2 x .03 = 1.836

2.54	← TOTAL
<u>-.91</u>	← REDIVERSION

1.63 from west pass
 (none from EF reaches)

diversion rate based on
 2011 info downstream
 indicates requirement
 greater than claimed

Claimant GARY Leuzinger has
labeled pictures to correspond with
points of diversion and areas of
irrigation numbered on GIS
map marked Attachment A
12-11-98. And submitted with
Notice of error.



Area 3

See photo back for description



POD 3



AREA 3

See photo back for description

72-00235

resident GARY Leuzinger has
Px #4 LEUZINGER 06-28931 with
junction for W. Pass Cr. as of
div. ditch to serve Pw. -LS
looking W. 4h

2 ⁵⁰
PM

Row 2

#

Area 3

See photo back for description

ALL photos by F. Hitchcock

72-00235

Pix #

05-20-93

LEUZINGER

diversion structure and
by-pass looking NE from
above the hot spring seepages.

(see TRAIL 408 05-20-93
page 3)

4:10
pm

ED-50 Roll X

71

Pix #13

LEUZINGER

09-13-93

Looking W. over 2nd diversion
junction under the road from
upper ditch along elevation -
looking "down" - NO. - upper
ditch.

POD 3

3:08 PM

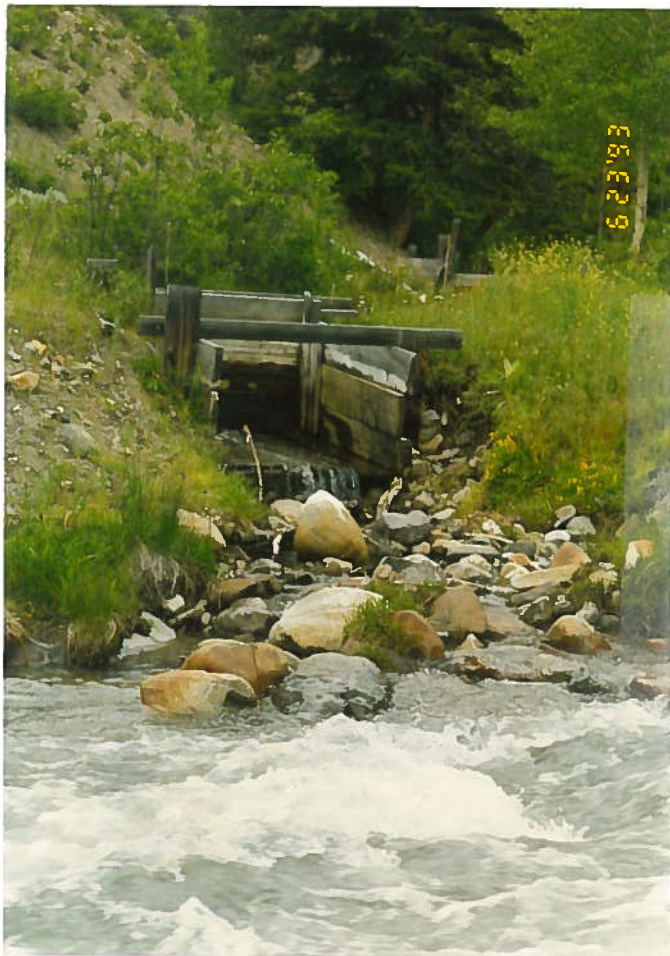
Roll 42

71

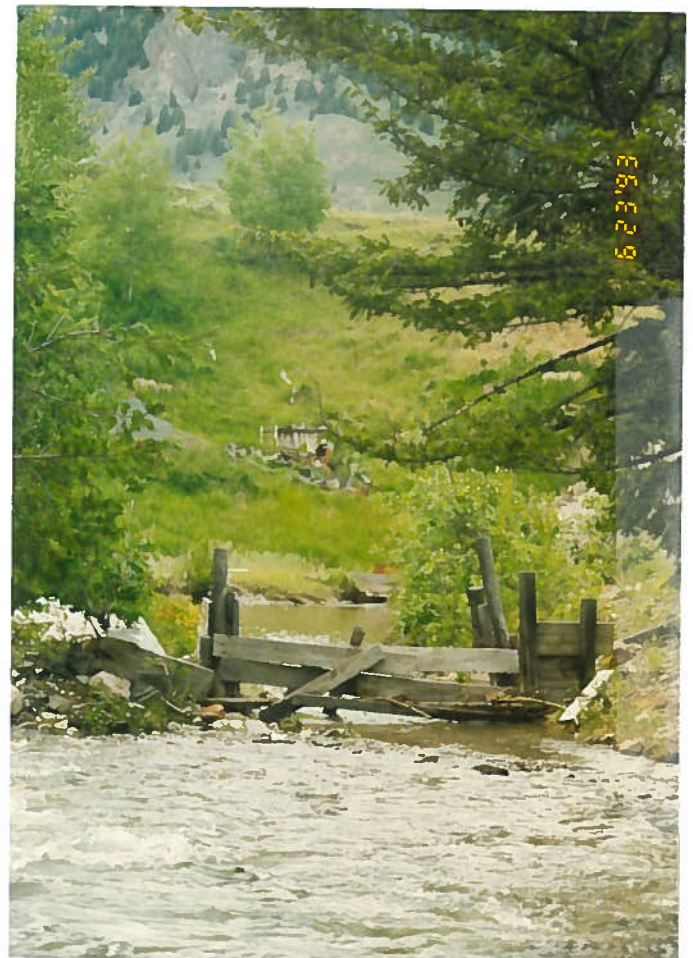
Area 3.



v/a



9023



72-00235

#

Roll

Working W over driveway
W. Road Co. - Lumber

LEVINSON 06-23-93

#

Roll

Working by pool structure
W. Road Co. Lumber

LEVINSON 06-23-93

2/18

#

Roll

055 76 00 00

06-23-93

LEVINSON

1/1 #7



area
3



area
3

Pix #1 LEVIZINGAR 09-13-93

diversion/transition box @
top of the grade from W. Pass
dr. looking W. from the road

3:00 PM Roll 41 #1

Pix #11 LEVIZINGAR 09-13-93

see pix #13

309 Roll 42 #1

area
3



p/d
4



p/d
4

72-0235

PIX #10

04-01-93 LEUZINGER

Looking towards E.F. from
above the junction of the
ditches E. of the road.

1 PM
7 PM

Roll 38

#

Looking W. to culvert across
ditch.

PIX #11

LEUZINGER

p/d
4

p/d
4

area 4



area 4



pod
2



SEE
Photo
Back
for
description

PIX#11 LENZINGER 09-30-93

see details PIX #12

PIX#10 LENZINGER 09-30-93

see details PIX #12

area 4

12'5 Roll 48 71
PIX#9 LENZINGER 09-30-93

diversion structure close
to E.F. down, NW, from
cabin

area 4

12'5 Roll 48 71

SEE
Phot
^



Looking W over
POD from Salmon
River, East Fork.
Note stake driven
apparently by IF&G
technician w/ blaze
on grass.



pod 1

Same site - NW -
taken 08-02-93.



Looking NW over POD...

077-AN234

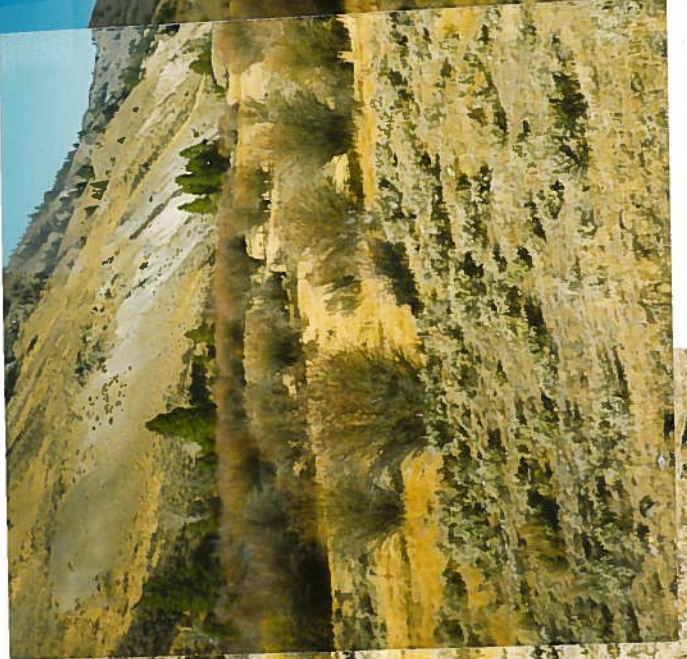
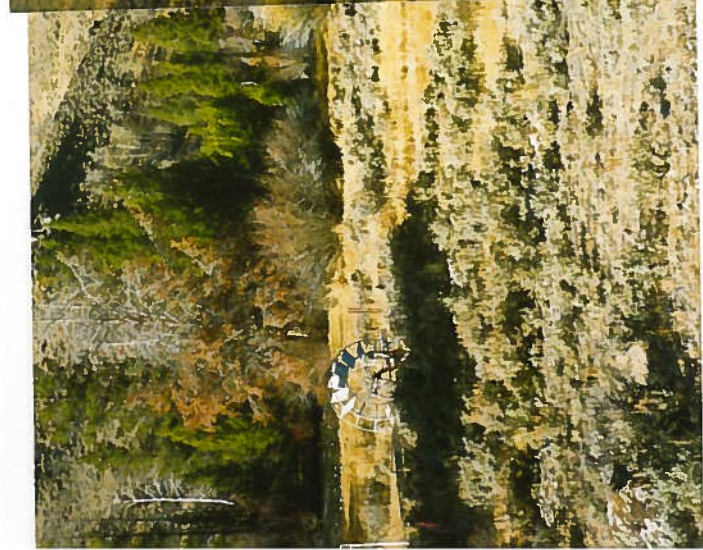
15.17.11.15.15





LEIZINGER

very NW over pasture covered by dirt from dump situated by EF-27



200234

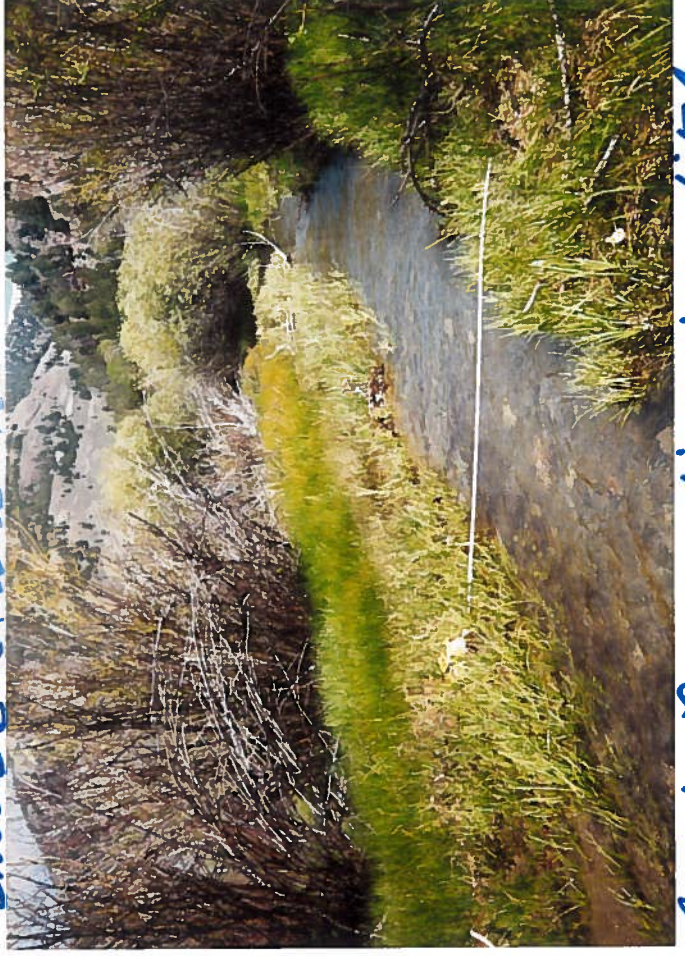
to 09-30-93 view above... showing EF-27 site and the POW more
center.



Close-up shot of plastic
chuck material noted
in shot of POD from
river. 3:55 PM



Looking W over diversion ditch - note plastic
check @ stake on ditch. 3:55 PM

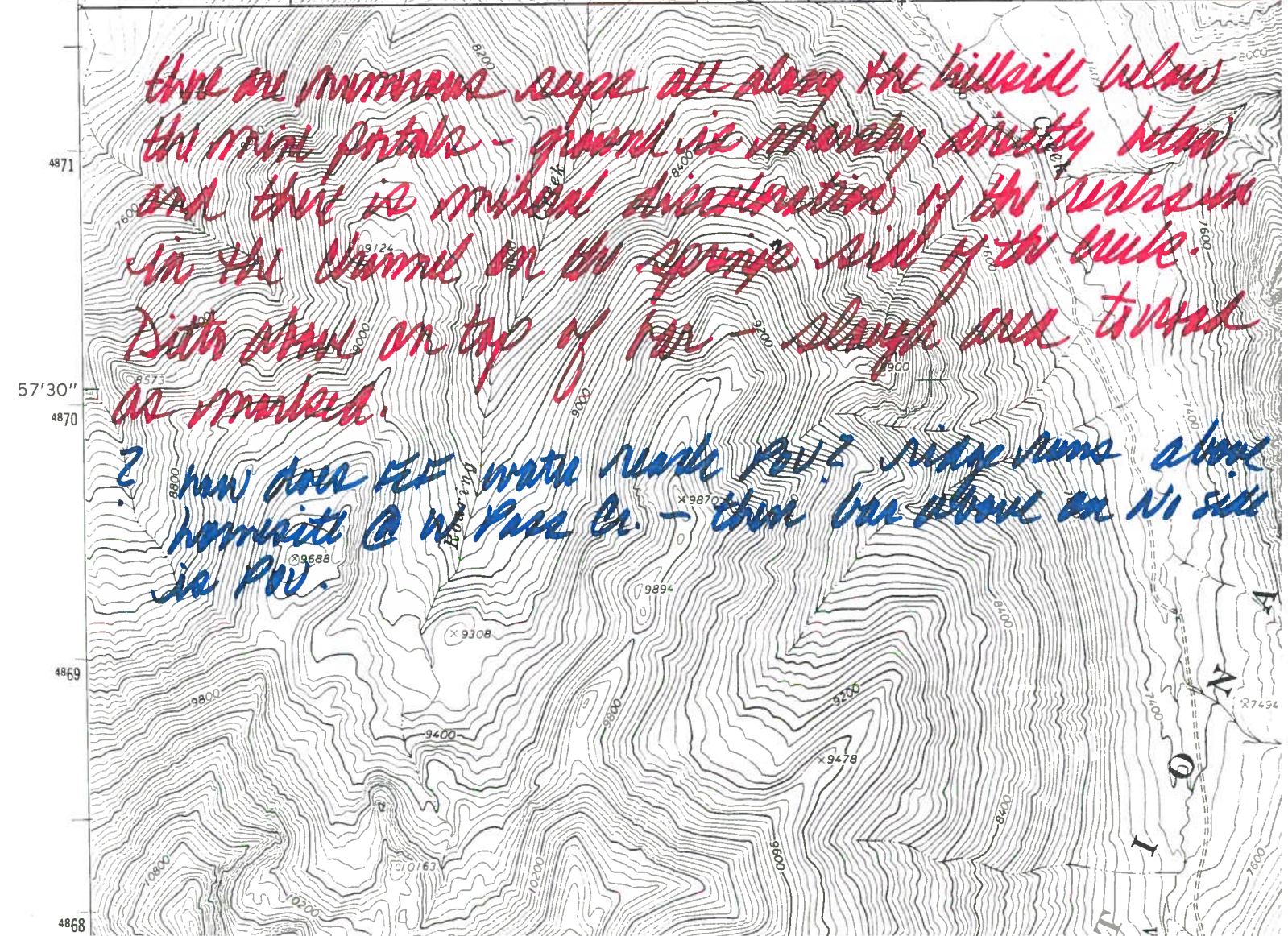
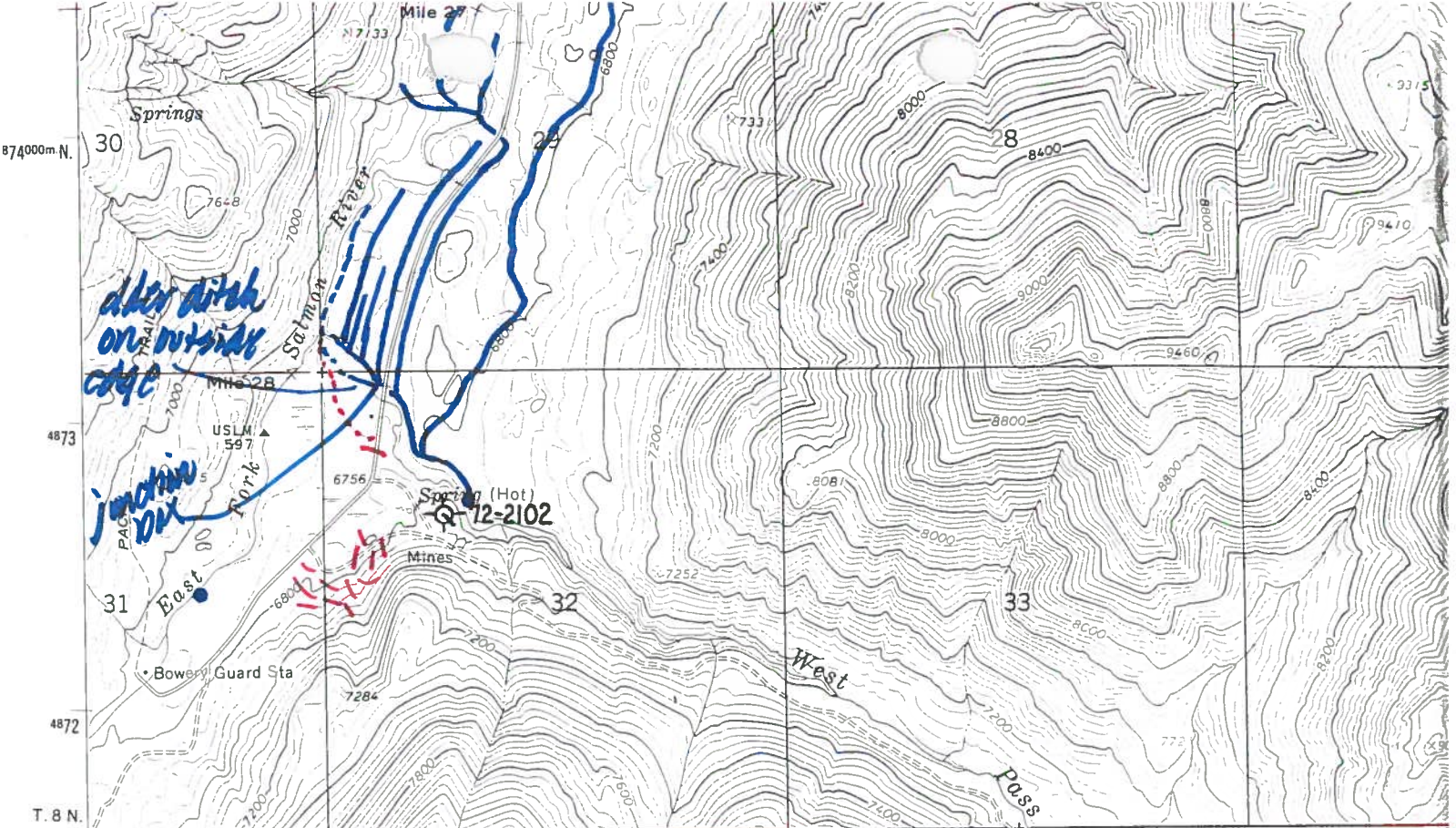


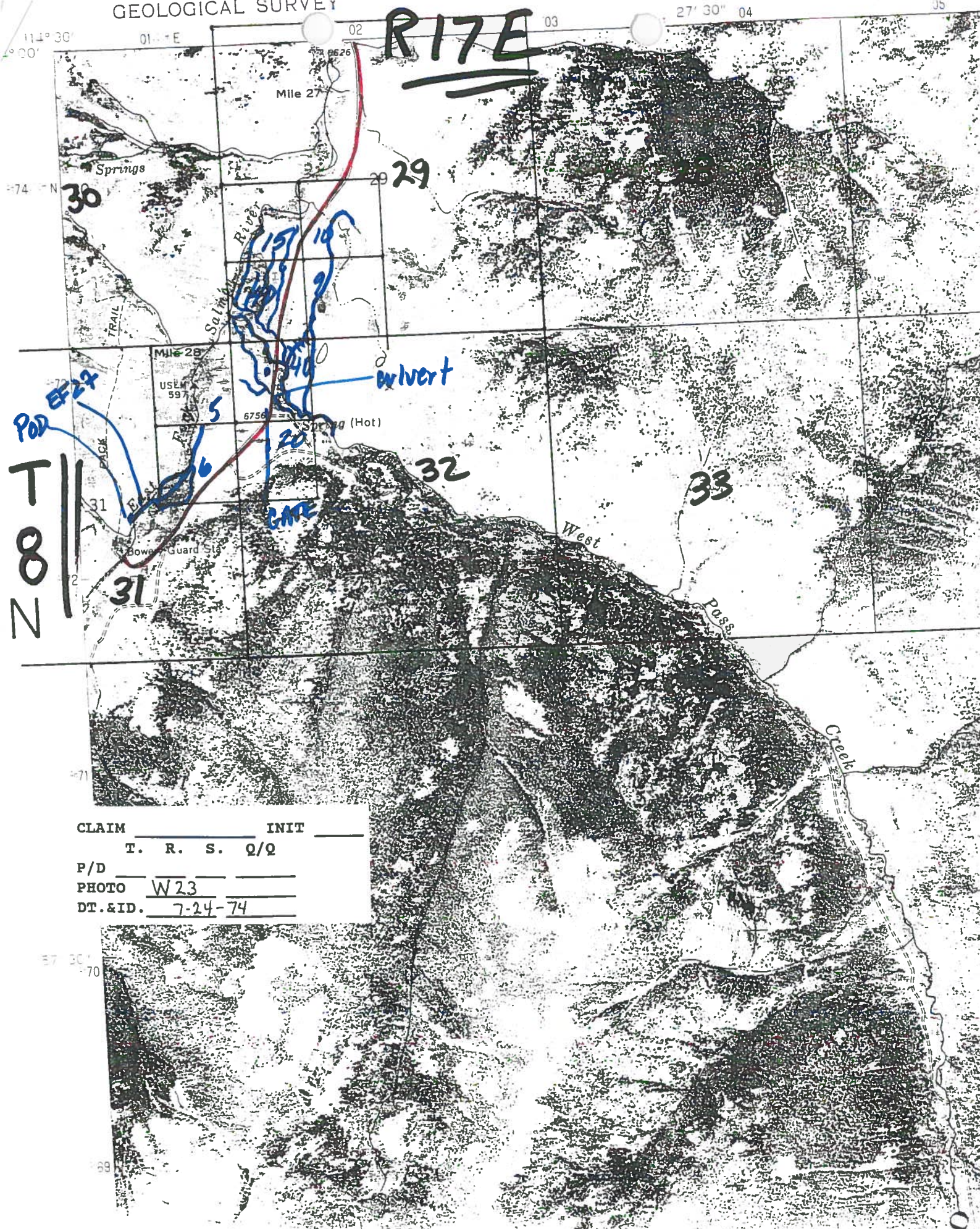
Looking E over diversion ditch - note
plastic is still. Debris to bank. 3:55 PM

ALL PHOTOS &
NARRATIVE BY
FRANK HITCHCOCK

LEUZINGER

027-007814





R17E

27 30 04

E.F. side
right ditch w/ pond

* high ditch

30

29

28

actual

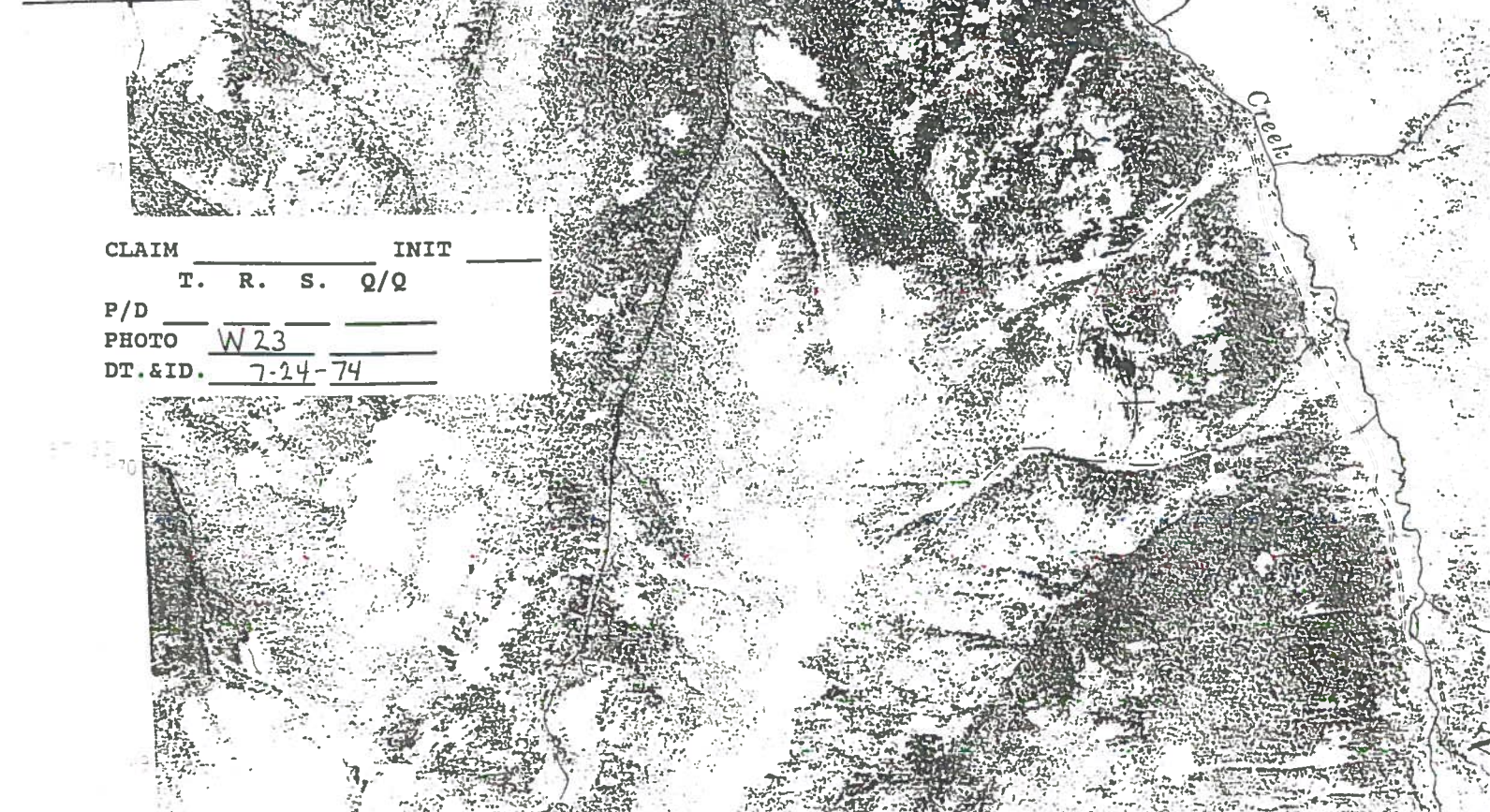
* POND

Pond

T
8
N

wrong

33



CLAIM _____ INIT _____
T. R. S. Q/Q

P/D _____
PHOTO W23
DT.&ID. 7-24-74

☆ E.F. water can run all season - ask to determine
L. more dimension volume (100. etc)

11-01-93

2:15 PM

NFAKE

The ditch passes through EF-27 and meanders about 50 yards before going under a fence line branching into 2 channels and meanders again down towards the river in about the middle of \$31 and Ward bridge the W side of the pasture before emptying into the river.

Numerous old contours and ditch lines in the W part of the field. A stream rises in the field in about the middle of the 40 and uses the channel to the river. Good flow in a channel 1' wide 6"-8" deep. Much evidence of cattle and muddy areas are stamped down w/ horse troughs.

TUES a.m. - just beyond

Ellis - 262 mlypet

1st on left to W-

avark

Sisk - he has a

mtg @ 10:30 in Ellis

Old fencing begins @ so. gate going up
to the plateau above cr. -
fencing runs diagonally along plateau edge
towards river -
review Hrs plat boundaries & lay over 1/4 sbs claimed
DOM ? - & home in bottom land below Pond
bath tub near road along cr. - Photo done
TEMP done
FLOW done
4 horses on No. acreage

Willows grow along small channel from cr.
along so side of present log cabin - goes
under road 100' No of so. gate - culvert -
strong flow -
2/102 of mill from so gate to above cr. junction in fields
3/102 " " sage brush begins in W. field -
5/102 " " E. ditch goes under road - junctions along rd
upper ditch continues around elevation -
6/102 ? ditch goes around elevation about 100 yds → pond
7/102 ? (gate) " on W side simply ends @ slight elevation.
2. NO (goes around onto next pasture - part of ditch)
- where does E. Fork water get on fields?
where exactly is claimed HOT SPRING for irrig?
" " " DOM?
priority date claimed v. evidential date -
* Fencing meets together @ the No. gate.

CONTACT PERSON: _____

PHONE NUMBER: () 879-2215

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y (☒) N ()

TIME: 10:34 A (M) P ()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

07-13-93 TT-Mon: 10:45 Mrs. - call re: MON/TUES-noted.

07-19-93 TT-MRS - Sam-Loss; SIGNED DOWN, TELLS, 876-4225

07-26-93 TT-MON - CW Mrs, call again

07-27-93 mt ME/MRS @ home on W. Dress Ct. - mt agt for 08-02 @ 1PM

08-02-93 mt @ 1:10 PM - N/A. Photograph FF FOD 1 day.

09-28-93 8AM - mt DOWN @ his place to receive mags for inv.

MEMORANDUM

DATE: June 19, 1995

RECEIVED

TO: Frank Hitchcock, Southern region

JUN 22 1995

Department of Water Resources
Southern Region

FROM: Bob Foster^{ef}, Salmon Office

RE: GPS Files

Frank, I have enclosed a disc with the GPS readings we took on the East Fork. There were three (3) files for each location. These files ended with the following: ssf, pfb, and raw. I wasn't sure if you needed all three to correct or not. I also sent the files for the diversion near the guard station and the diversion on the other side of the river. The file and tag numbers are as follows: site near guard station, file # R102520A, Tag #A0003036, site across river, file #R110818A, tag #A0003037. Let me know if you need anything else.

Thanks,

Bob

Bob

NOTE:

Screen site is IF+G tagged EF-27 marker.
See site map in file H7Z-00234
showing site ID as EF-30.
(see photos in IF+G file drawn - file is
marker EF-27 UNCLAIMED)

COPY

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:27:03
03/22/95
CLAIM NUMBER: A72-00234

LAST: NOMACKI
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: ROSE
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-879-2215

FIRST: VIRGINIA
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-000-0000

FIRST: GARY
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-000-0000

FIRST: TIMOTHY
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD EXAMINER
Y () N ()

CLAIM REMARKS: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A72-00234 PRIORITY DATE: 05-01-1926 STAGE: D

B. WR RECORD: # 72-00234 PRIORITY DATE: 05-01-1926 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

05-01-1926

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-00234	08N	17E	31	NW	SE	NE		CUSTER		
A72-00234	08N	17E	32	NE	SW	NW		CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A72-04130 72-11081
A72-16420

MR RECORDS IN SAME 40 ACRE TRACT

72-04130

SOURCE: WEST PASS CREEK
SALMON RIVER, EAST FORK

TRIB: SALMON RIVER, EAST FORK
SALMON RIVER

B. MR POINT OF DIVERSION AND SOURCE:

7200234 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: WEST PASS CREEK
SALMON RIVER, EAST FORK

TRIB: SALMON RIVER, EAST FORK
SALMON RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED? Y() N()

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

E
West
Pass

TRIB: SALMON RIVER, EAST FORK

1000

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS:
A72-00234
R72-00234

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N 17E	29	NE	SW			LEUZINGER, VIRGINIA	A72-00234 / 10.0	72-00234 /			
		NE	SW			LEUZINGER, TIMOTHY	A72-00235 / 10.0	72-00235 /			
		NE	SW			LEUZINGER, VIRGINIA	A72-04130 / 10.0	-			
		NE	SW			LEUZINGER, VIRGINIA	R72-00234 / 10.0	-			
		NE	SW			LEUZINGER, TIMOTHY	R72-00235 / 10.0	-			
08N 17E	29	NW	SW			LEUZINGER, VIRGINIA	A72-00234 / 15.0	72-00234 /			
		NW	SW			LEUZINGER, TIMOTHY	A72-00235 / 15.0	72-00235 /			
		NW	SW			LEUZINGER, VIRGINIA	A72-04130 / 15.0	-			
		NW	SW			LEUZINGER, VIRGINIA	R72-00234 / 15.0	-			
		NW	SW			LEUZINGER, TIMOTHY	R72-00235 / 15.0	-			
08N 17E	29	SW	SW			LEUZINGER, VIRGINIA	A72-00234 / 40.0	72-00234 /			
		SW	SW			LEUZINGER, TIMOTHY	A72-00235 / 40.0	72-00235 /			
		SW	SW			LEUZINGER, VIRGINIA	A72-04130 / 40.0	-			
		SW	SW			LEUZINGER, VIRGINIA	R72-00234 / 40.0	-			
		SW	SW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			
08N 17E	29	SE	SW			LEUZINGER, VIRGINIA	A72-00234 / 9.0	72-00234 /			
		SE	SW			LEUZINGER, TIMOTHY	A72-00235 / 9.0	72-00235 /			
		SE	SW			LEUZINGER, VIRGINIA	A72-04130 / 9.0	-			
		SE	SW			LEUZINGER, VIRGINIA	R72-00234 / 9.0	-			
		SE	SW			LEUZINGER, TIMOTHY	R72-00235 / 9.0	-			
08N 17E	31	NE	NE			LEUZINGER, VIRGINIA	A72-00234 / 5.0	72-00234 /			
		NE	NE			LEUZINGER, TIMOTHY	A72-00235 / 5.0	72-00235 /			
		NE	NE			LEUZINGER, VIRGINIA	A72-04130 / 5.0	72-04130 /			12.0
		NE	NE			LEUZINGER, VIRGINIA	R72-00234 / 5.0	-			
		NE	NE			LEUZINGER, TIMOTHY	R72-00235 / 5.0	-			
08N 17E	31	SE	NE			LEUZINGER, VIRGINIA	A72-00234 / 6.0	72-00234 /			
		SE	NE			LEUZINGER, TIMOTHY	A72-00235 / 6.0	72-00235 /			
		SE	NE			LEUZINGER, VIRGINIA	A72-04130 / 6.0	72-04130 /			10.0
		SE	NE			LEUZINGER, VIRGINIA	R72-00234 / 6.0	-			
		SE	NE			LEUZINGER, TIMOTHY	R72-00235 / 6.0	-			
08N 17E	32	NW	NW			LEUZINGER, VIRGINIA	A72-00234 / 40.0	72-00234 /			
		NW	NW			LEUZINGER, TIMOTHY	A72-00235 / 40.0	72-00235 /			
		NW	NW			LEUZINGER, VIRGINIA	A72-04130 / 40.0	72-04130 /			20.0
		NW	NW			HAUGRUD, JACK AND/OR GEOFFREY	R72-10871 /	-			
		NW	NW			LEUZINGER, VIRGINIA	R72-00234 / 40.0	-			
08N 17E	32	NW	NW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			
		NW	NW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			
		NW	NW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			
		NW	NW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			
		NW	NW			LEUZINGER, TIMOTHY	R72-00235 / 40.0	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	17E	32	SW	NW		LEUZINGER, VIRGINIA	A72-00234 / 20.0	72-00234 /			
			SW	NW		LEUZINGER, TIMOTHY	A72-00235 / 20.0	72-00235 /			
			SW	NW		LEUZINGER, VIRGINIA	A72-04-130 / 20.0	72-04-130 / 18.0			
			SW	NW		LEUZINGER, VIRGINIA	R72-00234 / 20.0	- /			
			SW	NW		LEUZINGER, TIMOTHY	R72-00235 / 20.0	- /			

ADDITIONAL POU FOUND

TOTAL ACRES A72-00234 145.00

POU COUNTY: CLUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00234	WEST PASS CREEK	LEUZINGER, VIRGINIA	1.200	0.008		
R72-00234	SALMON RIVER, EAST FORK	LEUZINGER, VIRGINIA	1.200	0.008		
R72-00235	WEST PASS CREEK	LEUZINGER, TIMOTHY	1.660	0.011		
A72-04-130	WEST PASS CREEK	LEUZINGER, TIMOTHY	1.660	0.011		
A72-04-130	SPRING	LEUZINGER, VIRGINIA	1.200	0.008		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-04130	DOMESTIC	LEUZINGER, VIRGINIA	FROM 01-01 TO 12-31	0.040 CFS	
R72-10871	STOCKWATER	HAUGRUD, JACK AND/OR GEOFFREY	FROM 06-01 TO 10-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-00235, A72-04130

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00234 IRRIGATION	FROM 04-01 TO 11-01	1.200 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00234 IRRIGATION	FROM TO	1.200 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE:

1.200 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

1.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 362.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

MR RECORD CONDITIONS/REMARKS:

ONLY AGRICULTURE.
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
AC. IRRIG. NOT SPECIFIED. FARM = 153.52 AC.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.200	DATABASE EXAMINER	DATABASE EXAMINER 362.5
TOTAL FOR THIS RIGHT		1.200		362.5

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
()
()
()
()
NEEDS REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00234
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R72-00234	1.200	R72-00234	1.200	72-00234	1.200
TOTAL CFS		1.200	1.200		1.200	

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:
SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION COPY INCLUDED IN FILE?

☐ ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
☐ MAPP	DATE OF PHOTO	IDWR ID NO.	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAWN		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☐ OTHER	DATE		
☐ OTHER	DATE		

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

PAGE / OF

RECEIVER SERIAL NO.

COPY

Water Right Number - 72-00234

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
NOMACKI

ROSE

1 -
2 -
3 -
City-
Phone -

State- Zip-

Priority Date - 05/01/1926

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - WEST PASS CREEK
SALMON RIVER, EAST FORK

Tributary - SALMON RIVER, EAST FORK
SALMON RIVER

Point of Diversion - Stream Index (Blank if no Index Code)

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION

1.200

Total Div. Rate - 1.200 + Total Div. Volume - + Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	17E	29	SE NW			01	IRRIGATION		(37) CUSTER
08N	17E	29	NE SW			01	IRRIGATION		(37) CUSTER
08N	17E	29	NW SW			01	IRRIGATION		(37) CUSTER
08N	17E	29	SW SW			01	IRRIGATION		(37) CUSTER
08N	17E	29	SE SW			01	IRRIGATION		(37) CUSTER
08N	17E	30	SE SE			01	IRRIGATION		(37) CUSTER
08N	17E	31	NE NE			01	IRRIGATION		(37) CUSTER
08N	17E	31	SE NE			01	IRRIGATION		(37) CUSTER
08N	17E	32	NW NW			01	IRRIGATION		(37) CUSTER
08N	17E	32	SW NW			01	IRRIGATION		(37) CUSTER

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -

P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
AC. IRRIG. NOT SPECIFIED. FARM = 153.52 AC.

WR BASE RIGHT

Water right number - 72-00234

Prefix Translation:

WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Date - +
GOSSI, ET. AL. GIAMPEDRAGLIA, ET. AL. 02/14/1938

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 02/14/1938	Presumption Flag	-		