

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: A37-12040
Date Received: 10/25/1988
Receipt No: C003051
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEAVELL AND LEAVELL
Address: C/O LEAVELL CATTLE
BOX 54
GOODING, ID

83330

AND/OR

Name: A. B. LEAVELL
Address: P.O. BOX 54
GOODING, ID

83330

2. Date of Priority: MAY 01, 1970

3. Source: SPRINGS
HATTY GULCH

Trib. to: HATTY GULCH
ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	17E	16		NE	NE		BLAINE
				NE	NW		BLAINE
				SW	SW		BLAINE
				NE	SE		BLAINE

5. Description of diverting works:
2 AF PONDS AT EACH SITE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER STORAGE	01/01	12/31			10.00
STOCKWATER FROM STORAGE	01/01	12/31			10.00

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

10.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

A37-12040

Page 1

Date: 01/31/90

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9. Non-irrigation uses:
S/200 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	17E	16	NE	NE		STO FS	
			NE	NW		STO FS	
			SW	SW		STO FS	
			NE	SE		STO FS	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
2 PONDS IN NESE, SEC. 16

15. Basis of Claim: BENEFICIAL USE

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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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 A37-12040
Date Received 10-25-88
Receipt Number C003051
SP

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Leavell and Leavell Phone () _____
Mailing Address 1/2 Leavell Cattle, Box 54, Gooding, ID Zip 83330

2. Date of Priority (Only one (1) per claim) May 1, 1970

3. Source of water supply (a) Springs & Hatty Gulch
which is tributary to (b) Hatty Gulch Rock Creek

4. a. Location of existing point of diversion is: Township 1N Range 17E Section 16,
_____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Blaine

Additional points of diversion if any: NENW, SWSW, 2 points NESE, sec. 16

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. 2 AF ponds at each site

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater Stor. purposes from 1-1 to 12-31 amount _____ or 10 AF

For Stockwater from Stor. purposes from 1-1 to 12-31 amount _____ or 10 AF

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 10 AF (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater 200 Head Range

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
<u>1N</u>	<u>17E</u>	<u>16</u>	<u>S</u>				<u>S</u>						<u>S</u>		<u>25</u>				

Total number of acres irrigated _____

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

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

or None (☒)

14. Remarks:

Last Name Leavell

Ident No. 437-12040

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Copies: White State Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of 256 squares. Each square contains a small crosshair pattern consisting of a vertical line, a horizontal line, and a diagonal line intersecting at the center. The lines are thin and black, and the squares are arranged in a uniform grid.

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Leave //

A37-12040

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 _____
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) AB Zuercher Date 10-25-88

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 Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day of October 1988

SEAL

Notary Public [Signature]

Residing at Boise, ID

My Commission Expires June 10, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

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FEB 26 1993

Last Name Leavelle Ident. Number A37-12040

Copies White-State, Yellow-Claimant

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: SEP-19-1997
PAGE: A-109

RIGHT NUMBER: 37-12040

NAME & ADDRESS: LEAVELL AND LEAVELL
C/O LEAVELL CATTLE
BOX 54
GOODING ID 83330*Edward + Sunnie Smith
& Shannon + Michelle Wolf
Box 425
Fairfield ID 83327*A B LEAVELL
PO BOX 54
GOODING ID 83330SOURCE: SPRINGS
HATTY GULCHTRIBUTARY: HATTY GULCH
ROCK CREEK

QUANTITY: 10.0 AFY

PRIORITY DATE: 05/01/1970

POINT OF DIVERSION: *S*
T01N R17E S16NENE ✓
NENW ✓
SWSW ✓
NESE ✓

Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER STORAGE
STOCKWATER FROM STORAGEPERIOD OF USE
01-01 12-31
01-01 12-31QUANTITY
10.0 AFY
10.0 AFY

PLACE OF USE: STOCKWATER FROM STORAGE Within BLAINE County

S
T01N R17E S16

NENE

NENW

SWSW

NESE

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

*(2 PONDS IN NESE, SEC. 16 ✓)**comment*

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*01517016026B
015170160260.
015170160270
015170160300
015170160310**EXP**198**2/3/99*Verified by *Paul*Date: *12-23-98*Verification Source: *'91 + '98 City Parcel Map & maps*

MEMORANDUM

To: Mr. Lonnie Leavell
Leavell Cattle
From: D. Shaff *[Signature]*
Date: October 26, 1988
Re: Signature(s)

Lonnie, I should not have been swayed by what happened in Gooding as to the proper signature(s), in my opinion, for the claims you submitted yesterday, October 25, 1988. Some change or another signature will be required in one of the following manners:

If the co-tenants are filing as individuals and the names are joined by and, all tenants and claimants must sign the claim(s). If the individuals are joined by or or and/or, only one of the individuals must sign.

If the co-tenants are operating as a business under the claimant name, the authorized agent of the business must sign in the organization block. If Leavell and Leavell is a partnership, I believe the organization block would be appropriate.

As the claims are filed now, short of the well claim A37-07395, the signature on the claim is not proper for the name appearing at the top of the claim. Please make the appropriate change to the claims to correct the deficiency. Of the computer generated claims, new copies have been enclosed if they are needed for the organization block. Thanks for your troubles.

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FEB 26 1993