

02/13/2003

Dave

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: April 21, 2003

Water right number: 29-7582

GERALD LEAVITT
6429 S ASLETT RD
MC CAMMON ID 83250
Telephone Number: (208)254-3108

MERLENE LEAVITT
6429 S ASLETT RD
MC CAMMON ID 83250
Telephone Number: (208)254-3108

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

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

DATE:

3/15/03

SIGNATURE:

Merlene Leavitt

Please print your name:

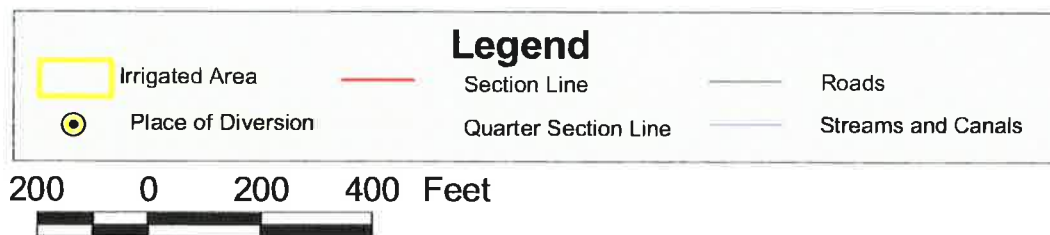
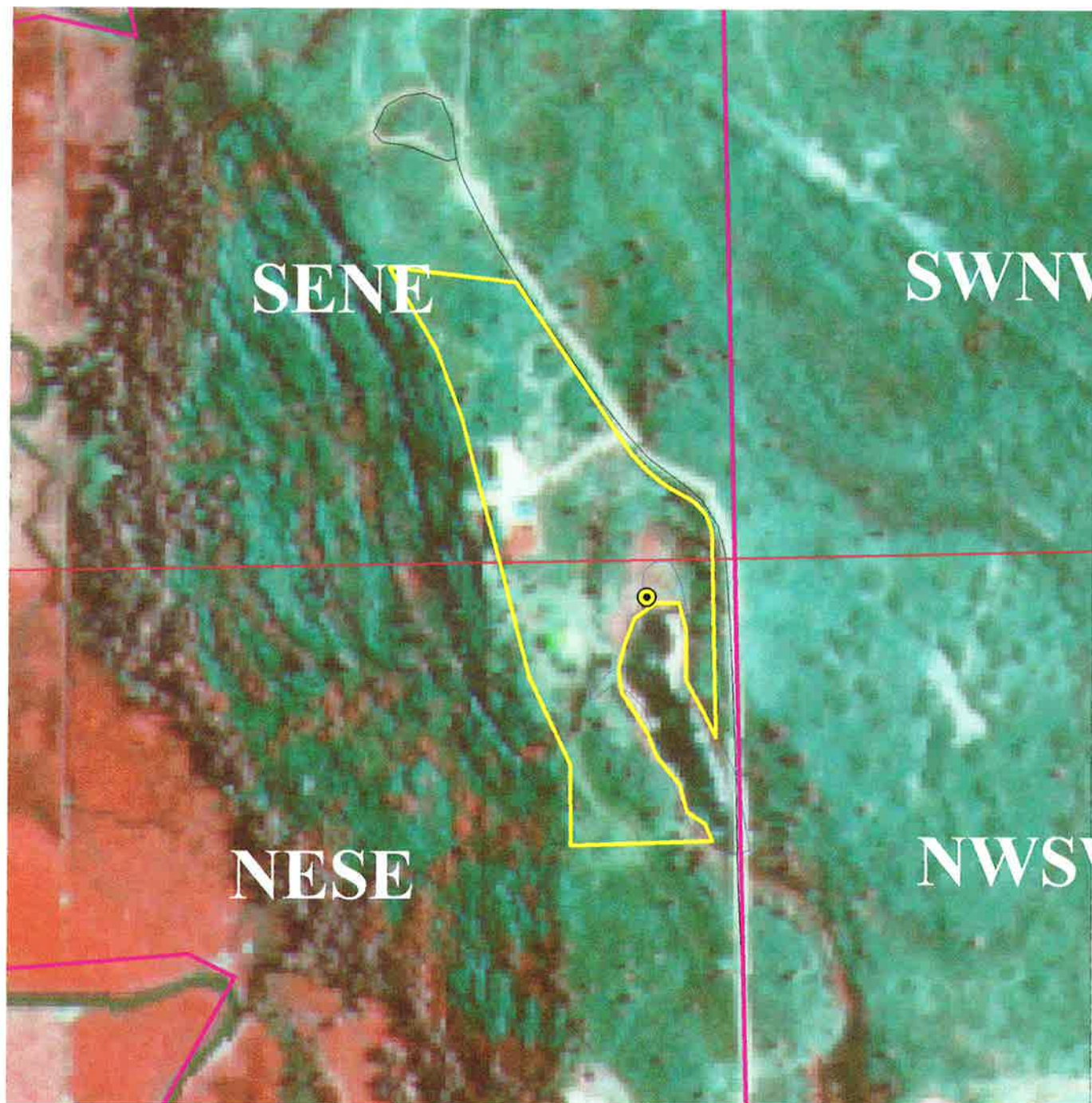
MERLENE LEAVITT

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

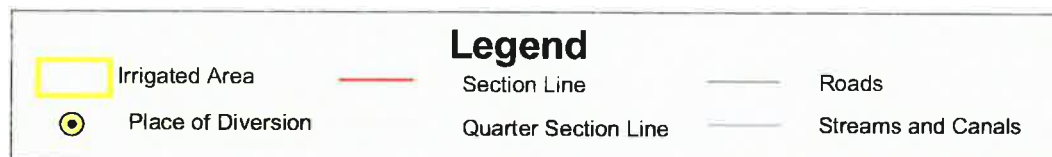
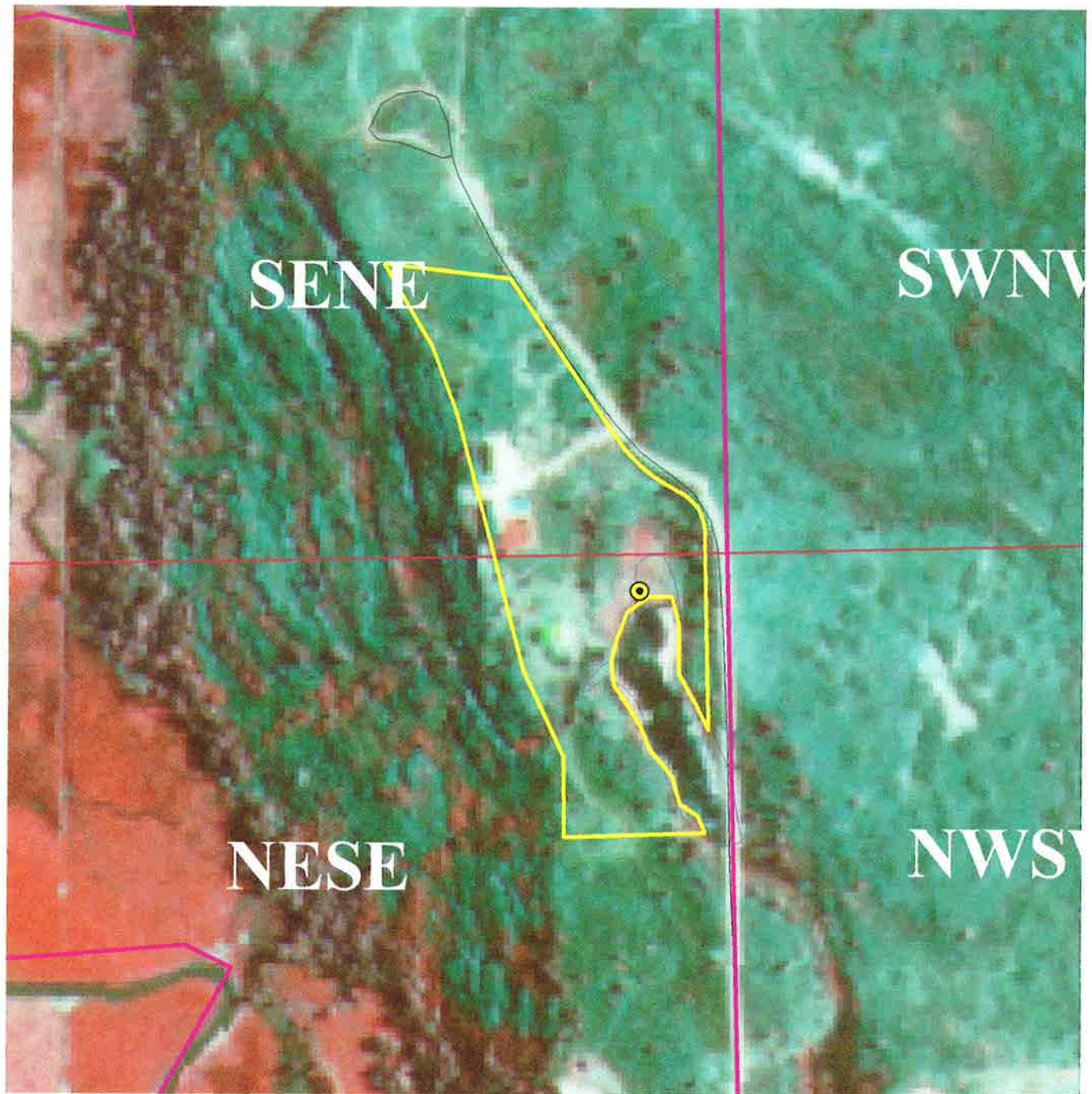
RECEIVED
1-25-03
PROFILED

SEARCHED
MAY 05 2006

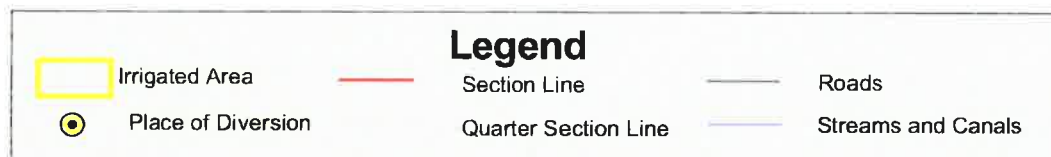
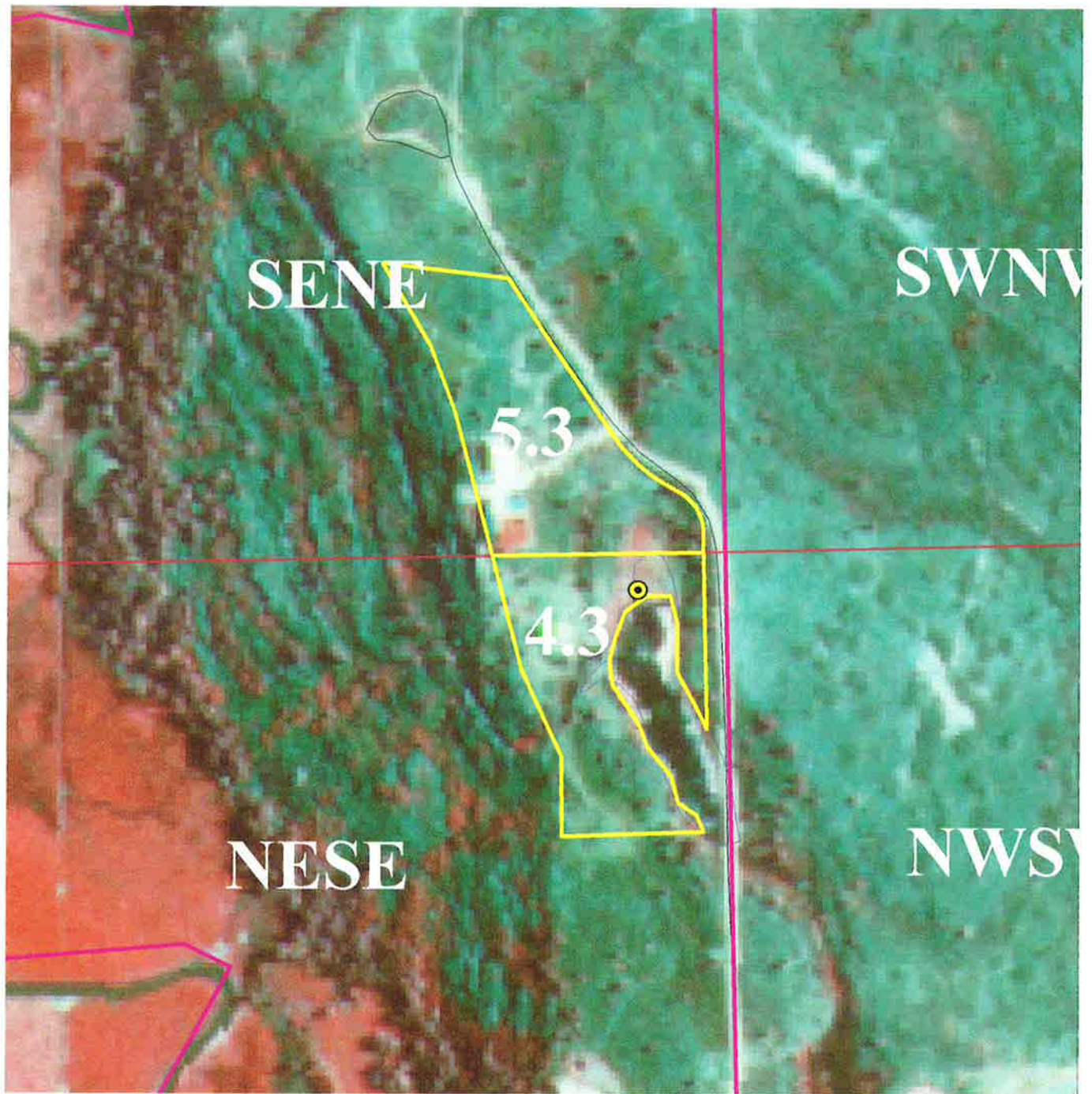
Township , 9S36E



Township , 9S36E



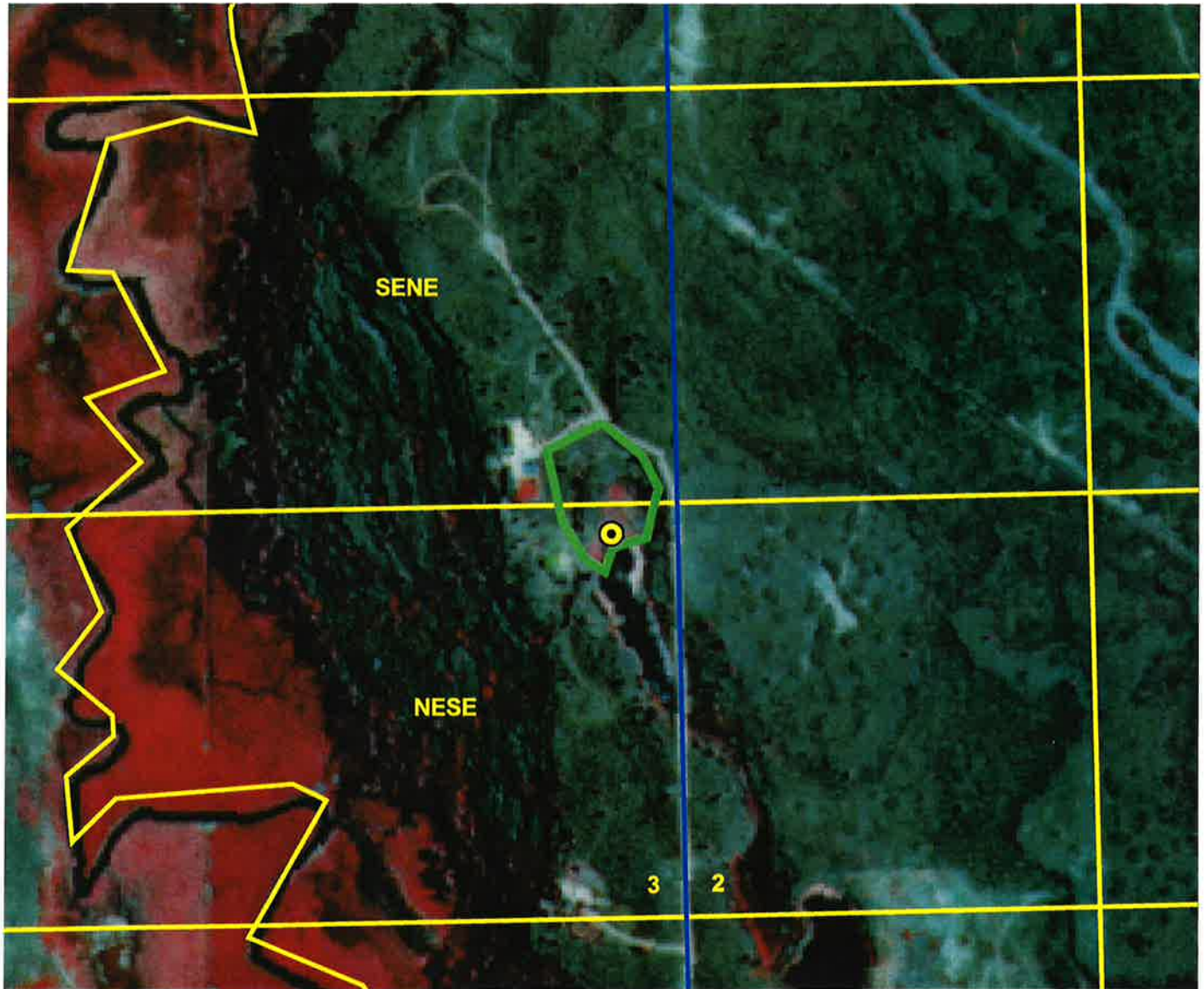
Township , 9S36E



IDAHO DEPARTMENT OF WATER RESOURCES

29-07582

T9S, R36E SEC 3



ACRES IRRIGATED- 2.5



POINT OF DIVERSION



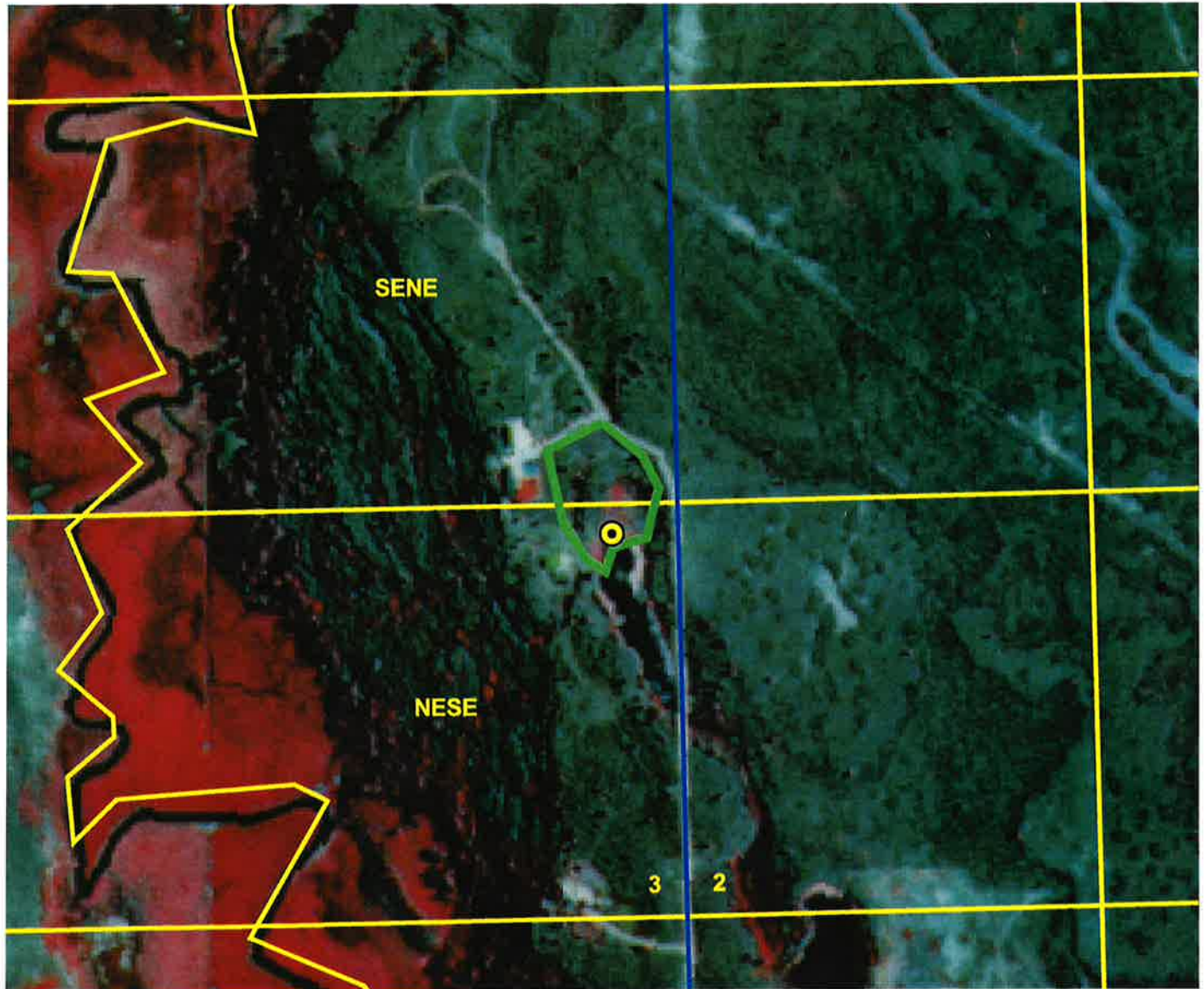
PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

IDAHO DEPARTMENT OF WATER RESOURCES

29-07582

T9S, R36E SEC 3



ACRES IRRIGATED- 2.5



POINT OF DIVERSION



PLACE OF USE

**GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
DAVE CARLSON**

Log for claim A29-07582

Spatial Dynamics BTD

7/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s36e	3	SENE	2	5.3	Indiscernible
09s36e	3	NESE	1	4.3	Indiscernible
Totals:			3	9.6	

AJ5809NP
No. A29-07582

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 193

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD LEAVITT	03/23/1981	IRRIGATION	03-15 11-15	0.050 CFS	8.80 AFA
C	MERLENE LEAVITT					
	6429 S ASLETT RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.050 CFS	8.80 AFA
	(208) 254-3108					

Water Source: SPRINGS

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion:

T09S R36E S03

NESE

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	36E	3	:					02	:									01	:		
																				TOTAL ACRES	3.0

POU County: BANNOCK

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10088 A29-10088

Remarks: GEN AC. IRR. = 2.5.

Dates: Exam Made Date:

Verified Date:

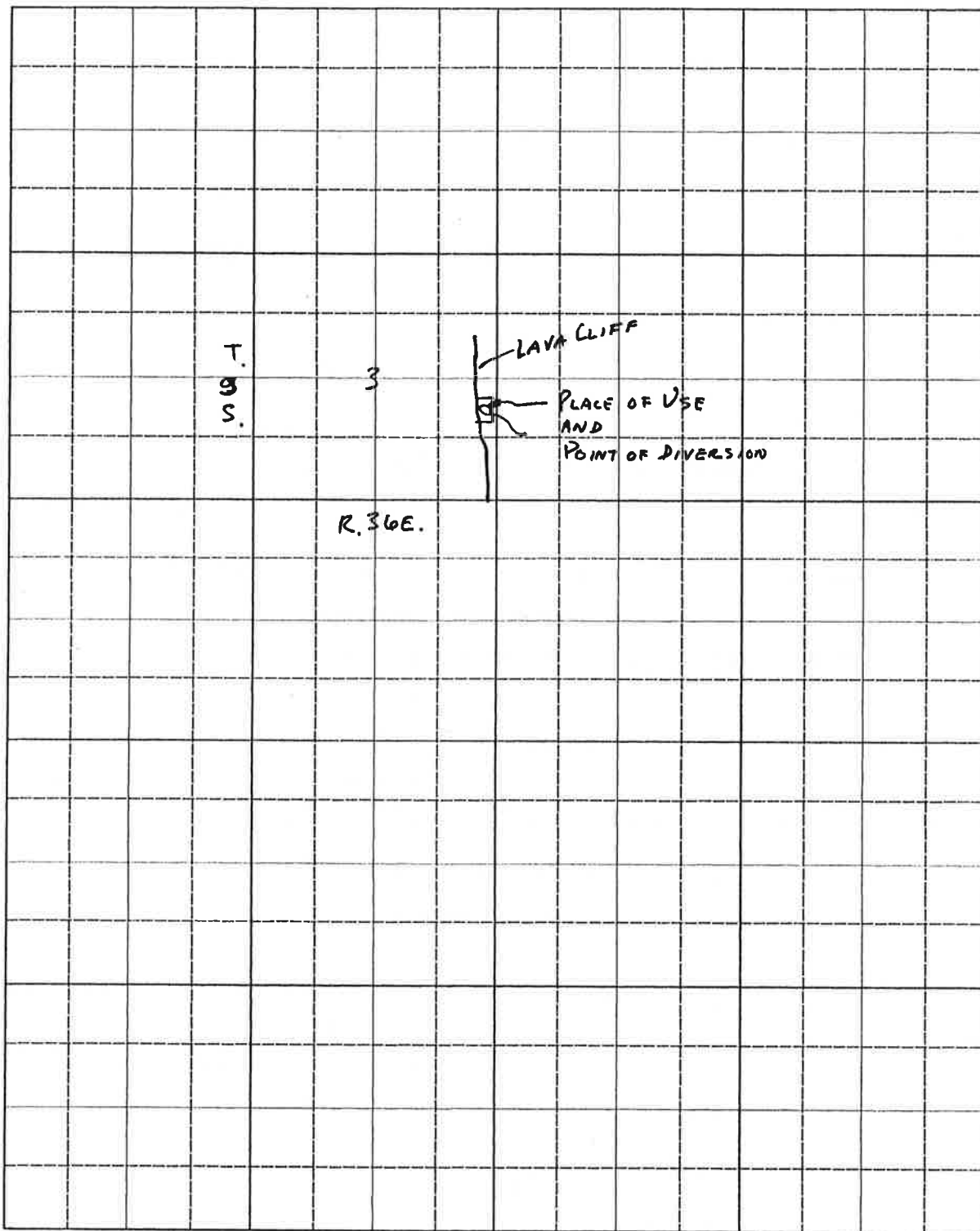
Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 08/24/89 DUNN 07/28/94 THOMPSON 03/29/95 POST-STD

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Sherald Leavitt
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant GERALD LEAVITT Phone 254-3108

Post office address Rt. #4, McCammon, Idaho

2. Source of water supply Springs which is a tributary of Sinks

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 9S

Range 36E B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .05 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .05 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump and sprinkler lines

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

Ident. No.

STATE OF IDAHO

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

RECEIVED

AUG 8 1988

APPROVED

Department of Water Resources

Comes now Gerald Leavitt Phone _____
 of (address) Rt. 1 McCammon, ID 83250, and represents to the
 Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
 State of Idaho No. 29-7582, and requests that the permit be changed as follows:

1a. Point of diversion: NE 1/4 SE 1/4, Section 3, Township 9S, Range 36E,
 B.M., County of Bannock. Other points of diversion: _____

1b. Source: springs tributary to sinks

2a. Period and nature of use:

Amount 0.05 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
 (cfs or ~~acre feet~~ per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.05 cfs or 8.8 acre feet
 per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	36E	3				1.5									1				2.5

Total number of acres to be irrigated = 2.5

4. Date of priority: March 23, 1981

RECEIVED

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 29-7582 Priority March 23, 1981 Amount 0.05 cfs

THIS IS TO CERTIFY, that Gerald Leavitt
of McCammon, Idaho, has complied with the terms and conditions of Permit
No. 29-7582 issued pursuant to Application for Permit dated March 23, 1981,
and has submitted proof to the Department of Water Resources on July 9, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.12 cfs of water from springs,
tributary to sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.05</u> cfs and	<u>8.8</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.8 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3,
Twp 9S, Rge 36E in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	36E	3				1.5									1				2.5

Total number of acres irrigated 2.5

REMARKS

- ☐ Appointment scheduled for:
(Date, time, location)

Date 7-19-83 Accompanied by Gerald Leavitt Total Q measured 0.12 cfs ✓
 Source Springs Tributary to Sinks Supp. annubar measurement sheet used? _____
 If source is surface water, estimate total flow of source _____
 Methods of measurement Pitot Gauge Meets permit requirements? _____

Measurement calculations: Double nozzle 3/16" x 1/8", 7 birds, 25 psi Av. = 7.4 gpm x 7 birds
Total 51.8 gpm or 0.12 cfs ✓
(see rain bird chart)
attached

$$2\frac{1}{2} \text{ acres} \times 0.02_{fs} = 0.05_{fs} \checkmark$$
$$V = 2\frac{1}{2} \text{ acres} \times 3.5 \frac{\text{ft}}{\text{in}} = 8.75 \text{ afa} \checkmark$$
[illegible]

System Description Electric motor/pump at pond (approx 1 1/2 surface acres) with
mainline to sprinkler (one line with 7 double nozzle birds)

Code with map on reverse side. Disregard code if only one.

Irrigation requirement = 3.5 ✓ AFA/Acre

USE
Irrigation ✓

Q (cfs)

0.05 ✓

V (afa)

8.8 ✓

FROM

TO

3/15 11/15
per rules
& regs.

Total

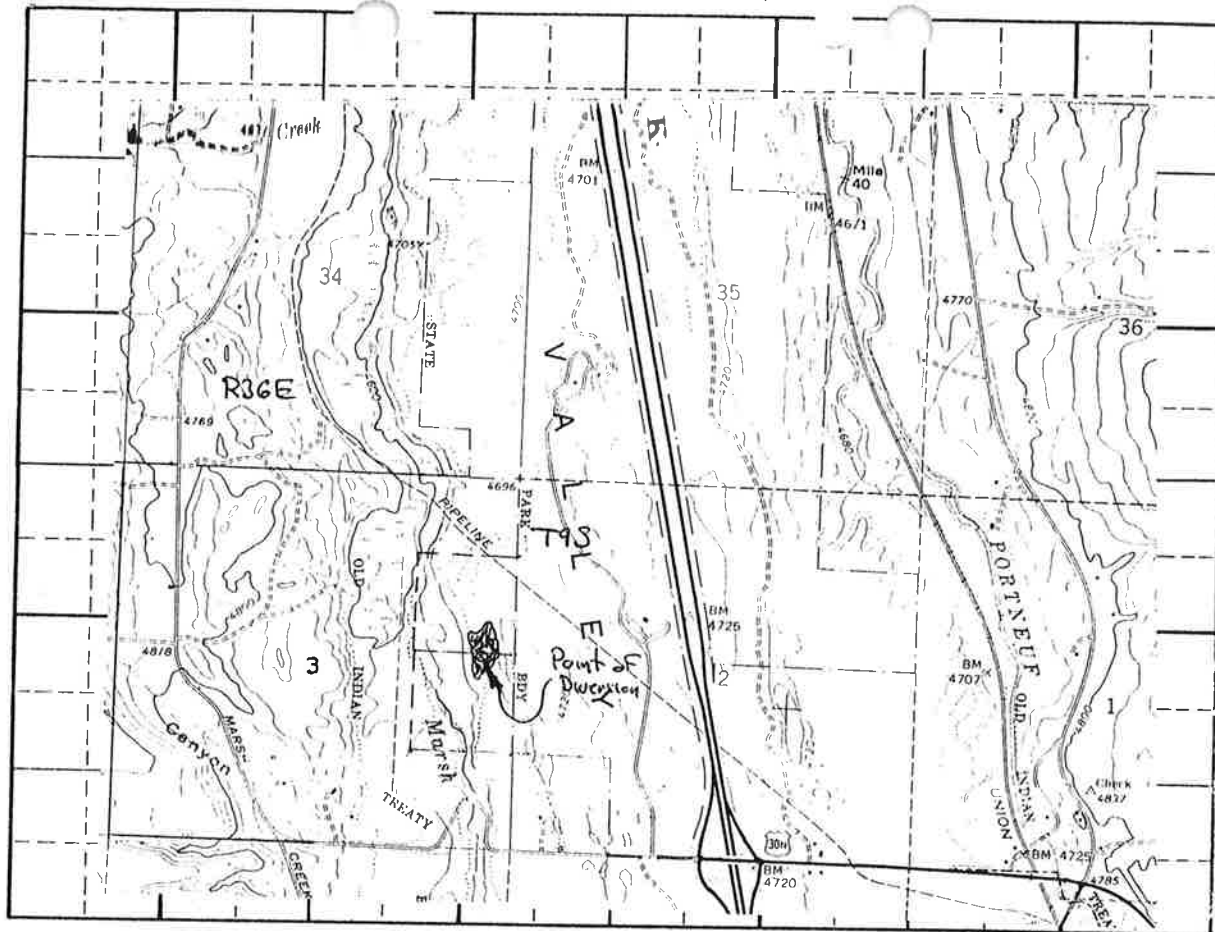
0.05 cfs

B.B AF

Remarks

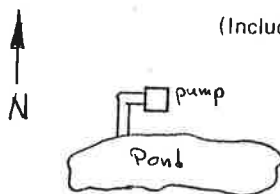
no overlap review done due to small size of system -

1947



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 SE 1/4 Sect. 3 T9S R36E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	36E	3				1.5									1				2.5 ✓

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by

Approved by

John Jones
Keith Carlson
Ray Walker

Date

Date

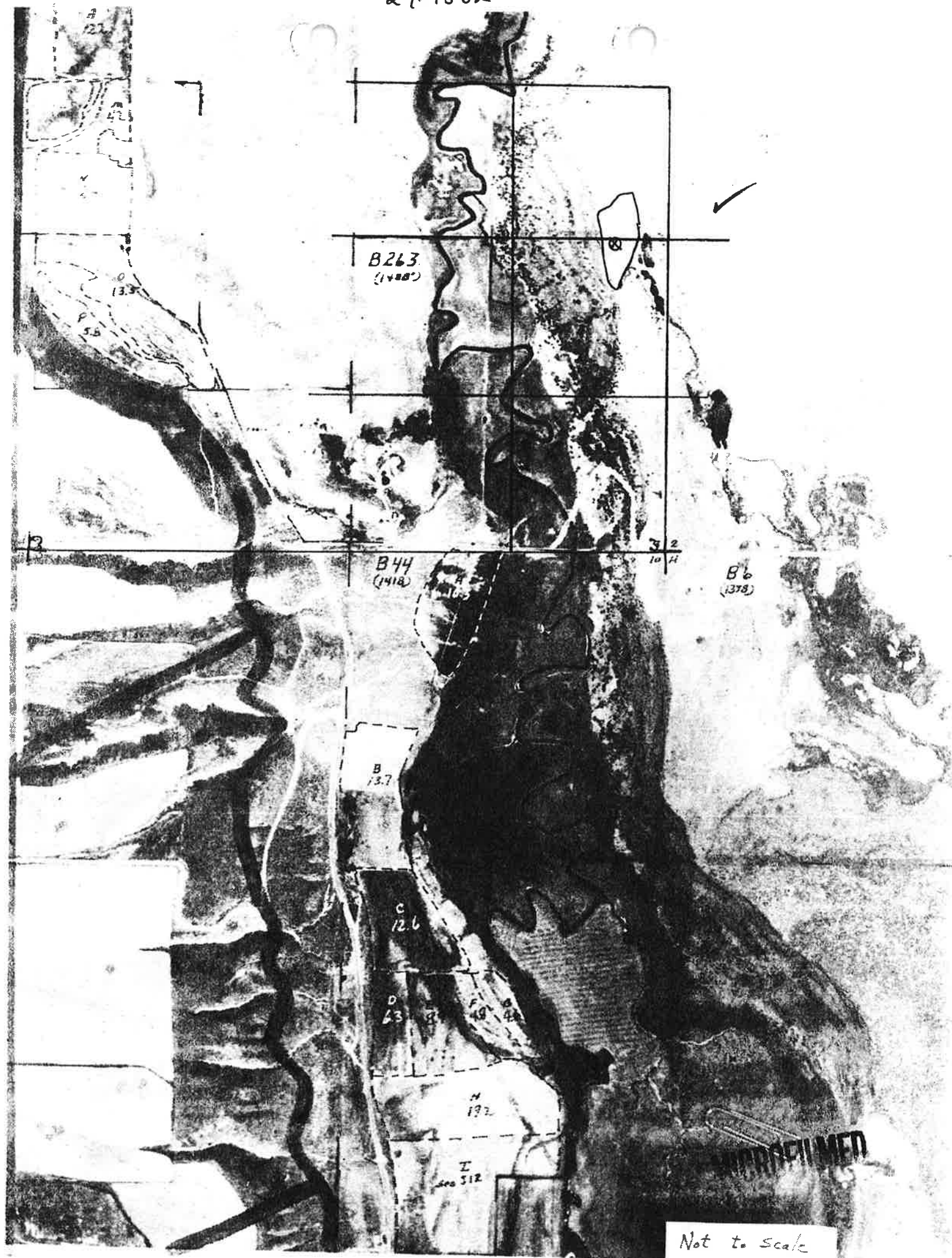
Date

4-30-84

19 Sept 1984

7-8-1986

UNRECORDED



B263
(1488)

B44
(1418)

B6
(1378)

B
13.7

C
12.6

D
43

E
8

F
49

G
44

H
192

I
500 512

Not to Scale

JUN 04 2001

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: A29-07582
Date Received: 8/24/1989
Receipt No: E009961
Received By: *Jms*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD LEAVITT 208-254-3101
Address: 6429 S. ASLETT ROAD
MC CAMMON, ID 83250
OR
Name: MERLENE LEAVITT 208-254-3108
Address: 6429 S. ASLETT ROAD
MC CAMMON, ID 83250



2. Date of Priority: MAR 23, 1981

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	3		NE	SE		BANNOCK

5. Description of diverting works:
PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		8.80

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 8.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	36E	3	SE	NE		IRR	2.0
			NE	SE		IRR	1.0
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 2.5.

15. Basis of Claim: LICENSE

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): *Frank Smith* Date: 8-24-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of Aug 19 89

William Wray
Notary Public

Seal

Residing at *Idaho Falls*
My Commission Expires 5/29/91

RIGHT NUMBER: 29-7582
NAME AND ADDRESS: GERALD LEAVITT
6429 S ASLETT RD
MC CAMMON ID 83250

MERLENE LEAVITT
6429 S ASLETT RD
MC CAMMON ID 83250

SOURCE: SPRINGS TRIBUTARY: SINKS
QUANTITY: 0.05 CFS
8.8 AFY
PRIORITY DATE: 03/23/1981
POINT OF DIVERSION:

T09S R36E S3 NESE Lot 3 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.050 CFS 8.80 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R36E S03 Lot 2 SENE 1.5 T09S R36E S03 Lot 3 NESE 1.0

2.5 ACRES TOTAL

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: License

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A29-07582	09S	36E	3		NE	SE			BANNOCK		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX				R PREFIX				WR RECORDS IN SAME 40 ACRE TRACT			
A29-10088				29-10088				29-04024			

SOURCE: SPRINGS

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
29-07582	09S	36E	3		NE	SE			BANNOCK		
OTHER WR RECORDS WITH SAME WR POD											
								AJ CLAIMS IN SAME 40 ACRE TRACT			
								A PREFIX R PREFIX			
29-04024								A29-10088 29-10088			

SOURCE: SPRINGS

TRIB: SINKS

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?

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)

A. ROOT WATER RIGHT NUMBERS: A29-07582

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	36E	3	SE	NE		LEAVITT, GERALD	A29-07582 / 2.0	29-07582 / 2.0			
09S	36E	3	NE	SE		LEAVITT, GERALD	A29-07582 / 1.0	29-07582 / 1.0			
			NE	SE		LEAVITT, GERALD	A29-10088 /	- /			
			NE	SE		LEAVITT, GERALD	29-10088 /	- /			
			NE	SE		GIBSON, ROSS W.		29-04024 / 20.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-07582 3.00 3.00

POU COUNTY: BANNOCK

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A29-10088	DOMESTIC	LEAVITT, GERALD	FROM 01-01 TO 12-31	0.040 CFS	
A29-10088	STOCKWATER	LEAVITT, GERALD	FROM 11-01 TO 04-15	0.030 CFS	
29-10088	DOMESTIC	LEAVITT, GERALD	FROM 01-01 TO 12-31	0.040 CFS	
29-10088	STOCKWATER	LEAVITT, GERALD	FROM 11-01 TO 04-15	0.030 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: