

12/20/2006

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

RIGHT NUMBER: 75-4016D
NAME AND ADDRESS: HEIDI LEAVITT
PO BOX 177
NORTH FORK ID 83466

ROBB RISHOR
PO BOX 177
NORTH FORK ID 83466

SOURCE: SPRING CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.060 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/31/1928

POINT OF DIVERSION:
T24N R18E S12 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County
T24N R19E S07 SESW 0.50
DOMESTIC in LEMHI County
T24N R19E S07 SESW

0.5 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: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

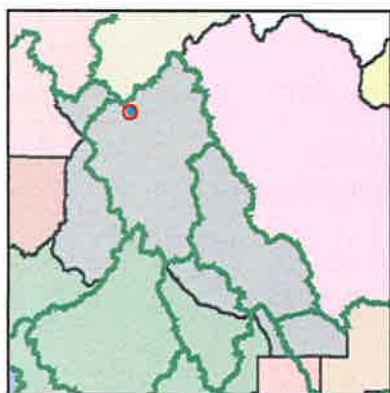
SRBA Recommendation:

75-4016D

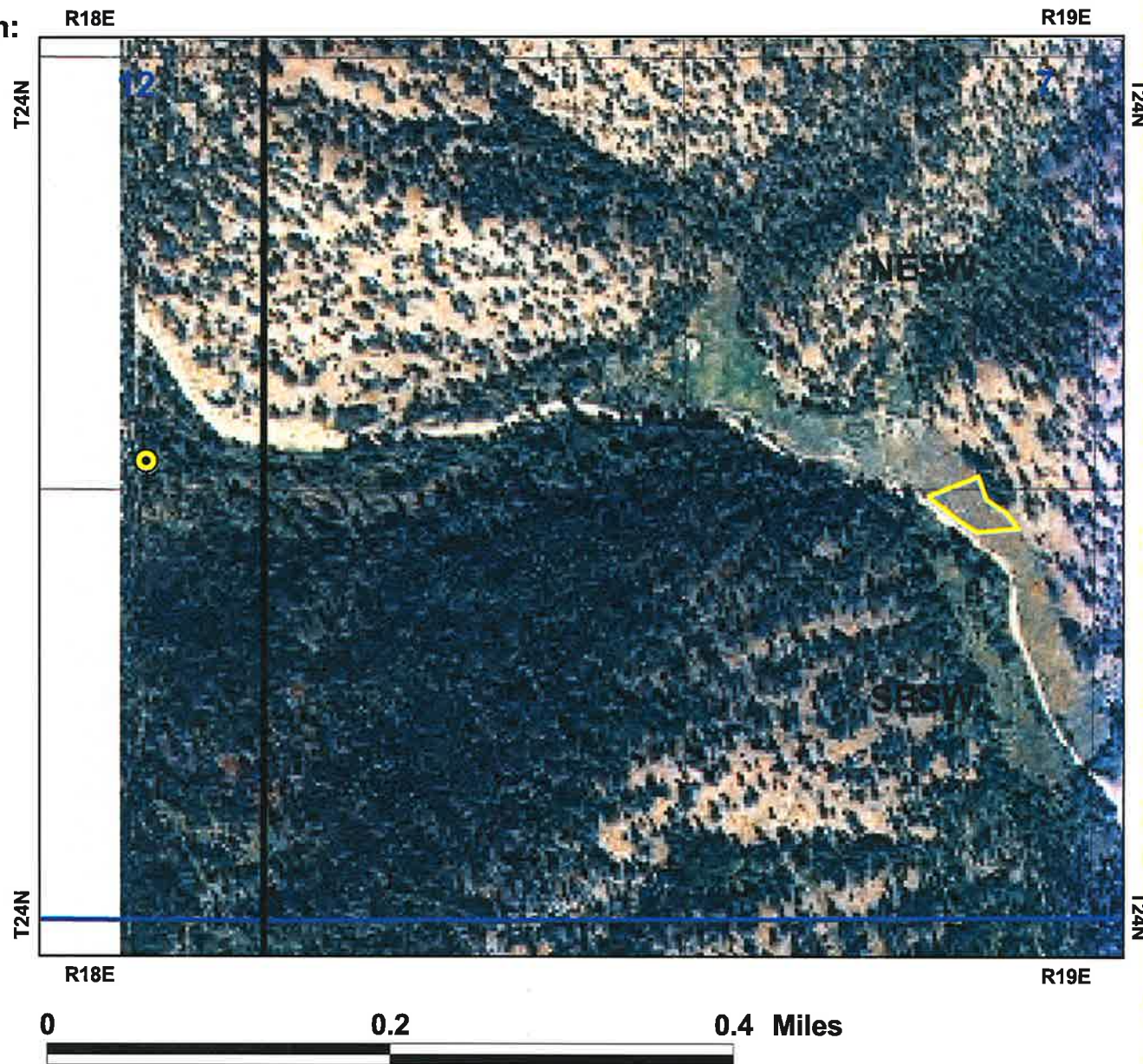
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Wednesday, July 26, 2006
1987/88 Aerial Photography

75-4016D





Idaho Department of Water Resources

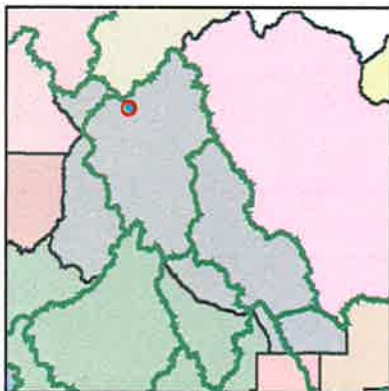
SRBA Recommendation:

75-4016D

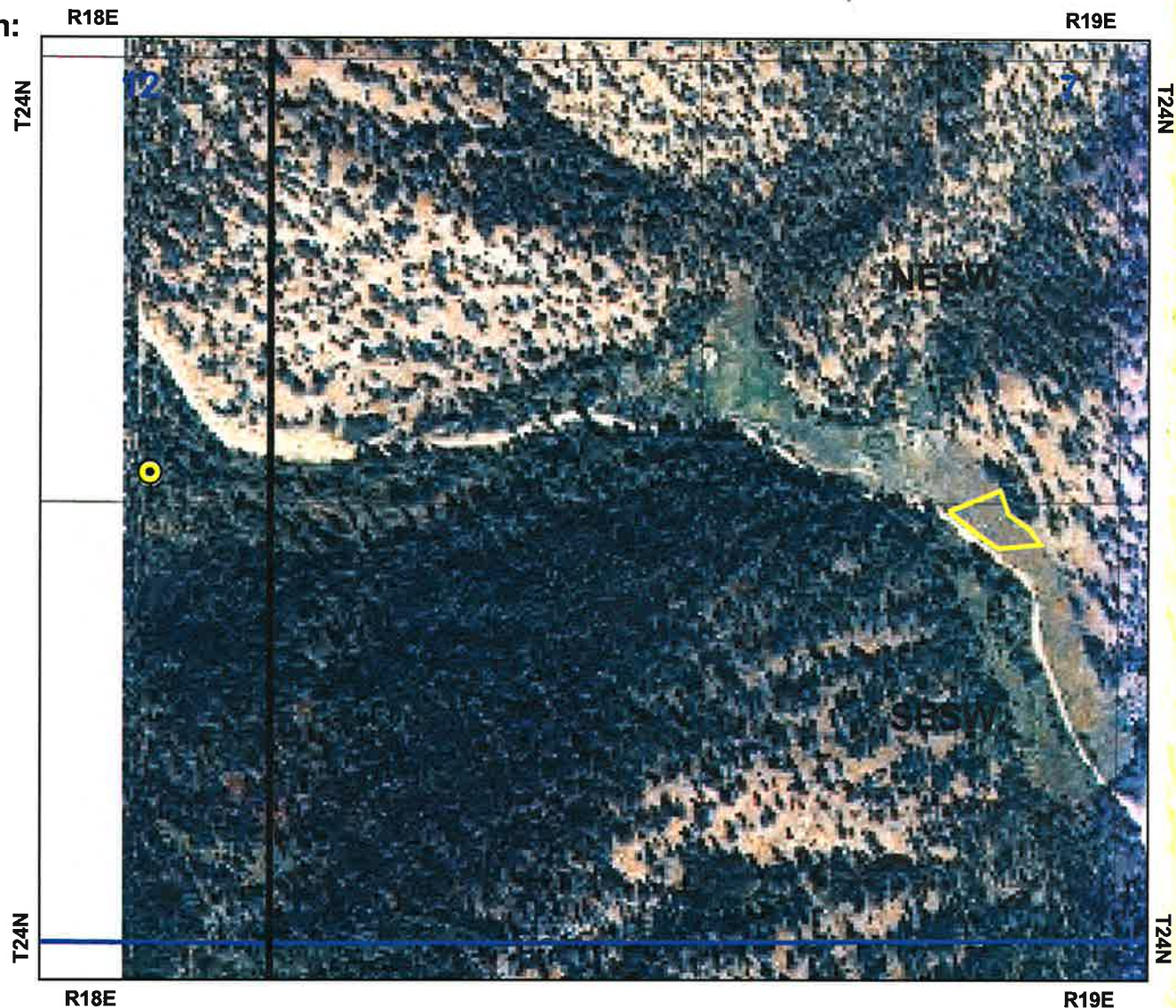
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
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-  PLS Sections
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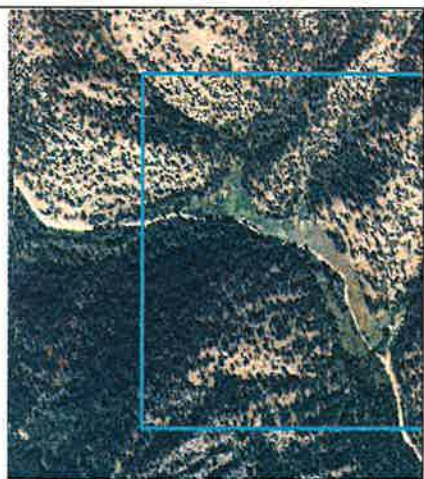
Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by D. Favreau
On Wednesday, July 26, 2006
1987/88 Aerial Photography

75-4016D





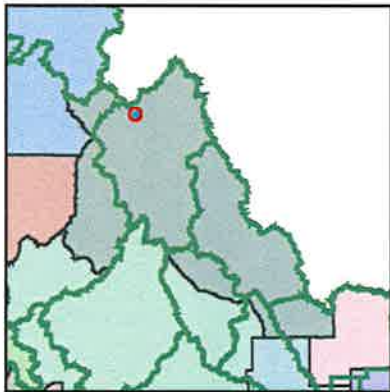
Idaho Department of Water Resources

Adjudication Claim:

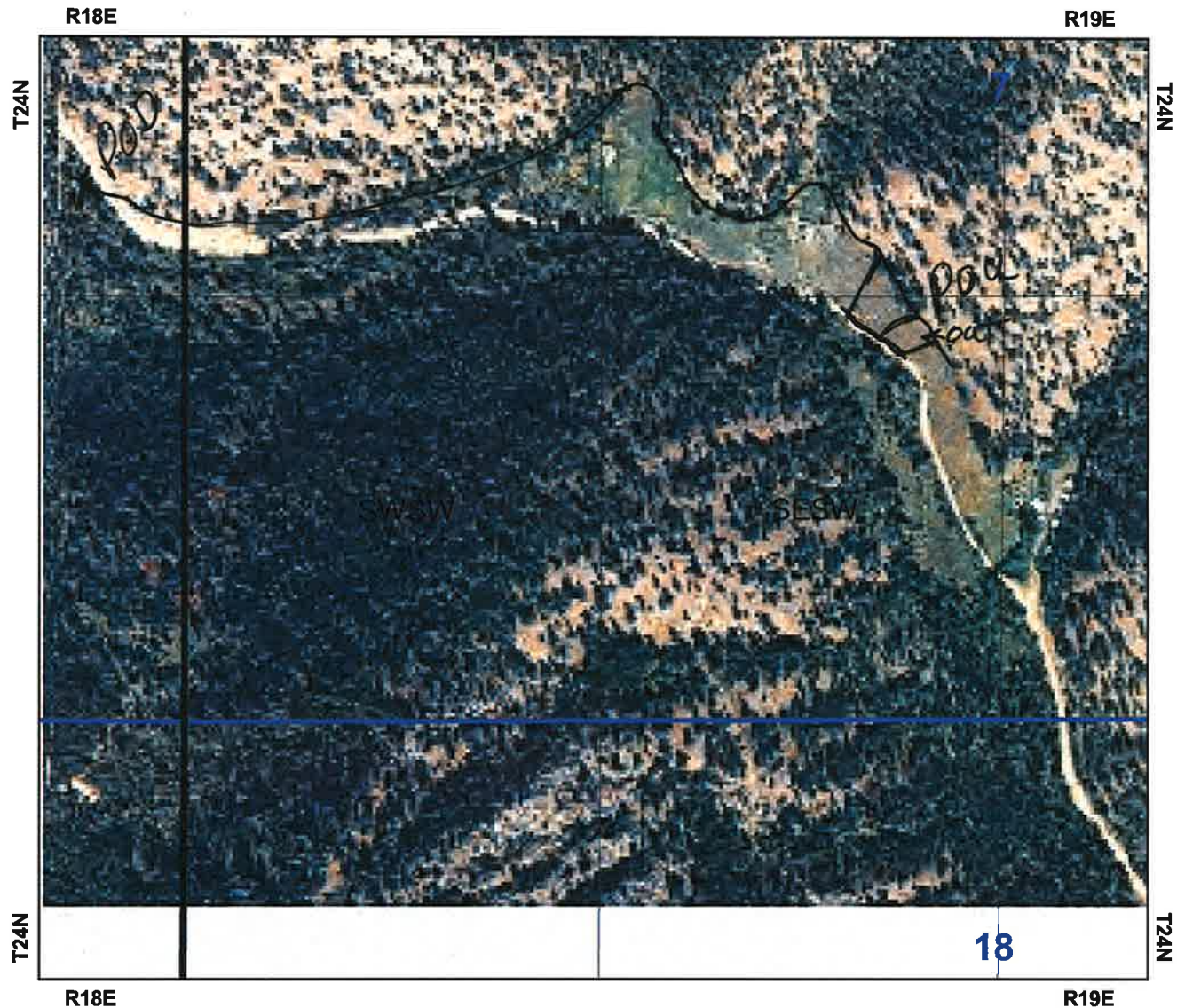
75-4016D

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Owner: **HEIDI LEAVITT**

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography

75-4016D



Idaho Department of Water Resources

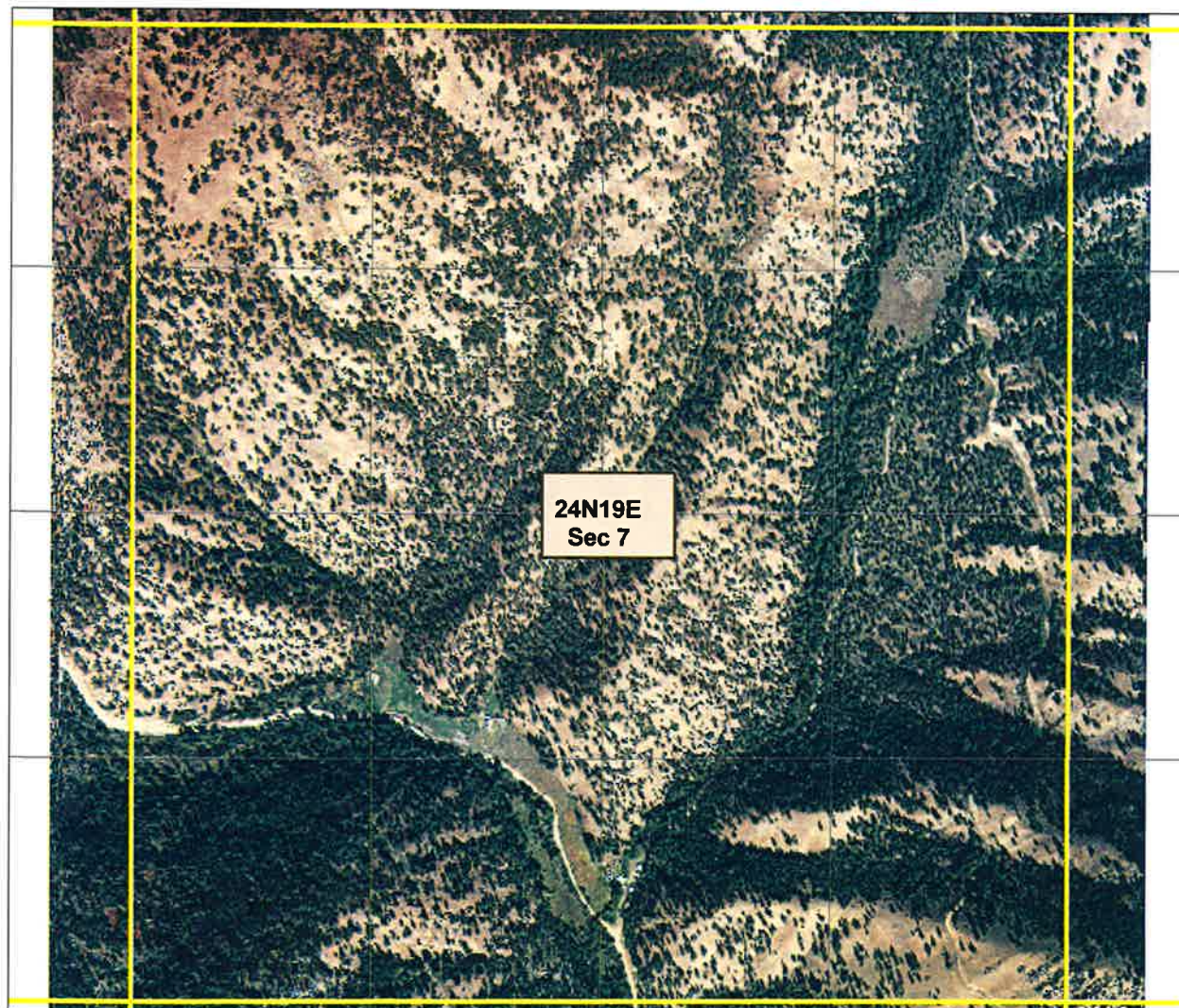


Adjudication Claim Number: **75-4016 D**



Legend

-  Section Lines
-  24N19E GCDB
-  24N18E GCDB



Prepared by M. Van Bussum
On Friday, April 29, 2005
1991 Aerial Photography

0 0.4 0.8 Miles

A horizontal scale bar with markings at 0, 0.4, and 0.8 miles.

-75-4016

[illegible]

Diagram:

4016-A
LB-C
ED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75-04016D

1. ☒ No Change NAME IS SAME

☐ NEW OWNER:

☐ No Change ADDRESS

☒ NEW ADDRESS: 239 Spring Creek Rd North Fork, Id 83466

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0017092 GPS 091

Township 24N Range 18E Section 12 1/4 NE 1/4 SE 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township <u>24N</u>	Range <u>19E</u>	Section <u>7</u>	<u>1/4 NE</u>	<u>1/4 SW</u>
Use: _____	Township _____	Range _____	Section <u>7</u>	<u>1/4 SE</u>	<u>1/4 SW</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

<u>Jack E. Ellis</u>	Print Name
<u>Jack E. Ellis</u>	Signature



State of Idaho

SCANNED

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 8, 1998

ROBB RISHOR
HEIDI LEAVITT
PO BOX 177
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04016B

Dear Mr. Rishor & Ms. Leavitt:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-04016C, 0.120 cfs on 4 acres, McDorman
A75-04016D, 0.060 cfs on 1 acre, Rishor & Leavitt

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

SB 12-30-96
OK SVH 5-5-98
RECEIVED
DEC 27 1996

Department of Water Resources
Eastern Region

DATE OF CLOSING: 7-15-96

LEGAL DESCRIPTION OF PROPERTY: Township 24 Range 19
Section 7, 1/4 of 1/4 of 1/4, Govt. Lot, BM.

Lot, Block, Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet. *see deed*

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A75-04016B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): D.W. McDORMAN AND LUCILLE S. McDORMAN
P.O. BOX 81
NORTH FORK, ID 83466
- ☐ New Owner/Claimant (Purchaser): ROBB RISHOR AND HEIDI LEAVITT
- ☐ New Mailing Address: Box 177
North Fork, ID, 83466
- ☐ New Telephone Number: (208) 394-2131

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

0.028 cfs per acre

- ☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED (COPY)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): *Heidi Leavitt* Date 12/10/95
Robb Rishor Date 12/13/95
- ☐ Signature of Former Owner/Claimant(s): *D.W. McDorman* Date 7-15-96
Lucille S. McDorman Date 7-15-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

SCHEDULE C

File Number: 6-7072-C

The land referred to in this commitment is described as follows:

A FRACTION OF H.E.S. 544, IN APPROXIMATE SECTION 7, T. 24 N., R. 19 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT CORNER NO. 3 OF H.E.S. NO. 544, RUN THENCE N. 69 DEGREES 02' 25" E., 308.15 FEET TO A POINT ON THE EASTERLY BOUNDARY OF H.E.S. NO. 544, THENCE S. 27 DEGREES 05' 00" E., 203.00 FEET ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 544; THENCE WEST 354.98 FEET TO A POINT ON THE WESTERLY BOUNDARY OF H.E.S. NO. 544; THENCE NO. 19 DEGREES 40' W., 74.88 FEET TO CORNER NO. 3, THE POINT OF BEGINNING.

Warranty Deed

For Value Received

D.W. McDORMAN AND LUCILLE S. McDORMAN, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

ROBB RISHOR AND HEIDI LLAVITI, BOTH SINGLE PERSONS

whose current address is

P.O. BOX 177
NORTH FORK, ID 83466

the grantee, the following described premises, in LEMHI County Idaho, to wit:

A FRACTION OF H.E.S. 544, IN APPROXIMATE SECTION 7, T. 24 N., R. 19 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT CORNER NO. 3 OF H.E.S. NO. 544, RUN THENCE N. 69 DEGREES 22' 22" E., 310.08 FEET TO A POINT ON THE EASTERLY BOUNDARY OF H.E.S. NO. 544, THENCE S. 27 DEGREES 05' 00" E., 203.00 FEET ALONG THE EASTERLY BOUNDARY OF H.E.S. NO. 544; THENCE WEST 357.30 FEET TO A POINT ON THE WESTERLY BOUNDARY OF H.E.S. NO. 544; THENCE N. 19 DEGREES 33' 26" W., 74.87 FEET TO CORNER NO. 3, THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee that the Y the owner in fee simple of said premises, that they are free from all incumbrances

and that the Y will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 15, 1996

D.W. McDorman
D.W. McDORMAN

Lucille S. McDorman
LUCILLE S. McDORMAN

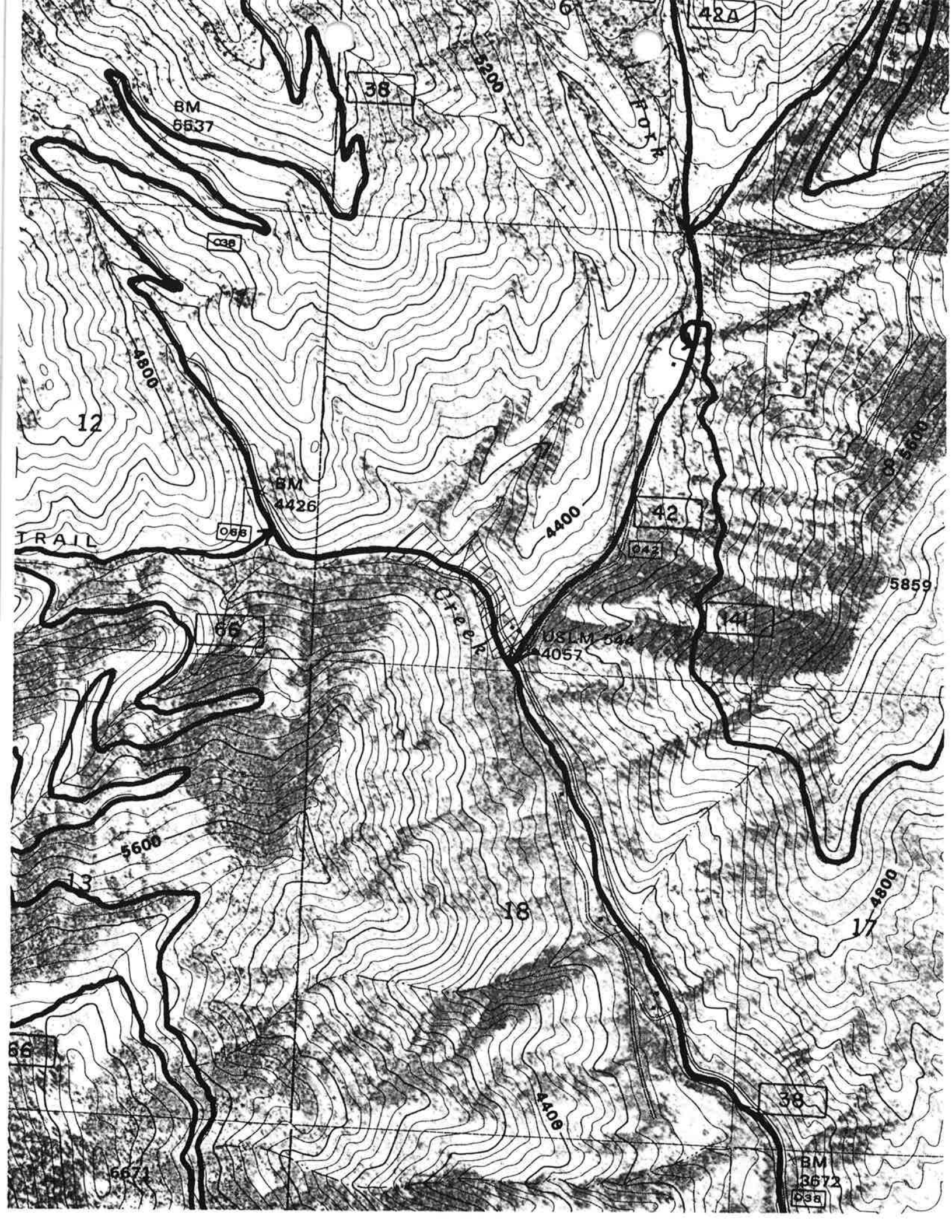
STATE OF IDAHO, COUNTY OF LEMHI
On this 15th day of JULY, 1996
before me, a notary public in and for said State, personally appeared

D.W. McDORMAN AND LUCILLE S. McDORMAN

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Lauree M. Sawitz
LAUREE M. SAWITZ
Notary Public
Residing at Salmon
Comm. Expires 6-19-2001

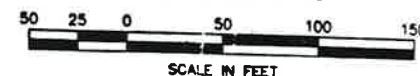
230876
County of Lemhi) SS No.
This instrument was filed for record at the request of Alliance Title
at 4:45 o'clock P.M. Aug 12 19 96
and duly filed and indexed in the records of Lemhi County
By Alberta Wiedemick Deputy
Ex-Officio Recorder
Fee 3
Return to C.T.



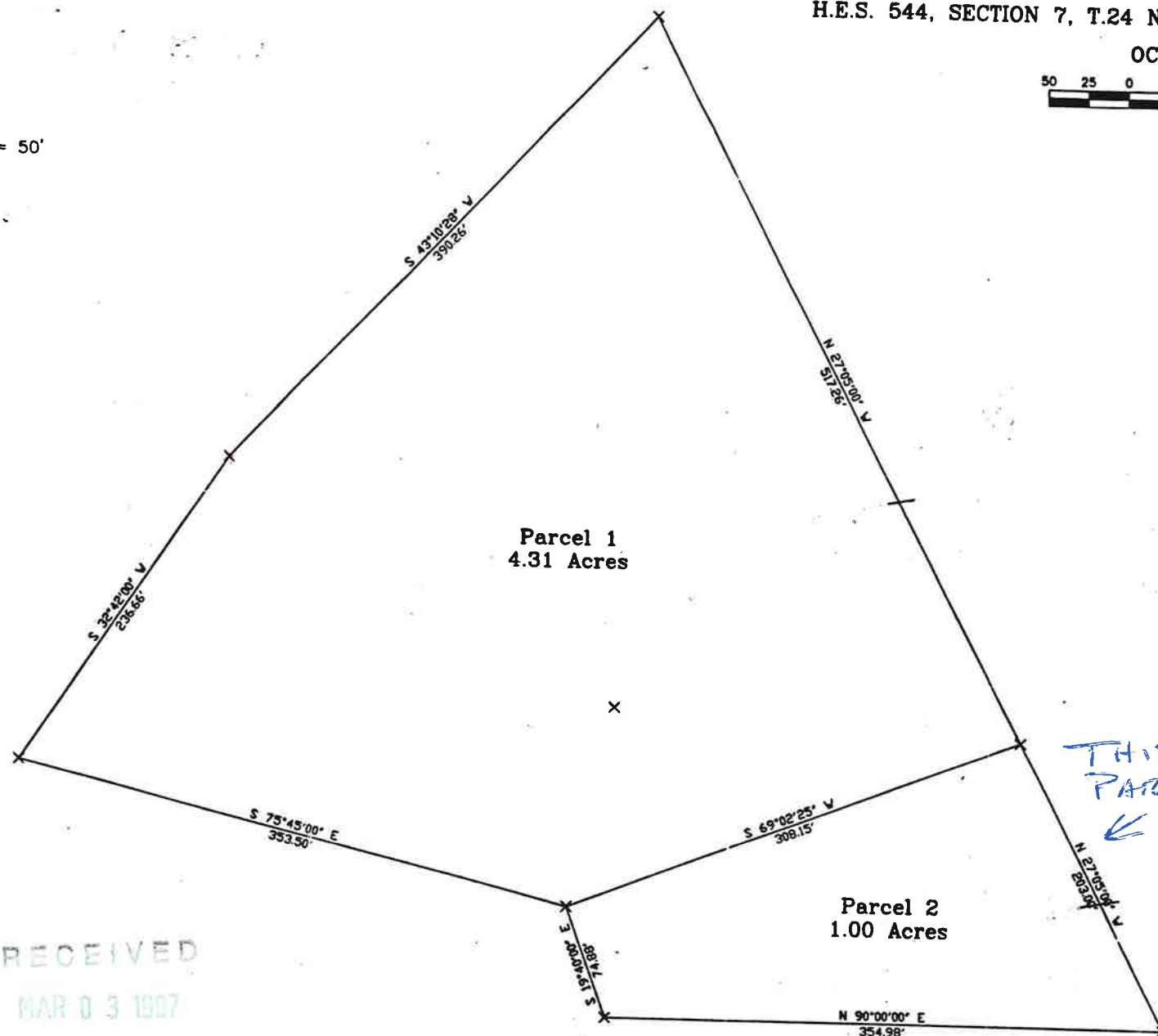
A PLAT SHOWING
LOT SPLIT

LOCATED WITHIN
H.E.S. 544, SECTION 7, T.24 N., R 19 E., B.M., LEMHI

OCTOBER 1995



SCALE: 1" = 50'



THIS IS OUR
PARCEL



Robb R. Moore
Heidi Lemmitt

RECEIVED
MAR 03 1997

Department of Water Resources
Eastern Region

05705

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: A75-04016D
Date Received: 6/13/1990
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	ROBB RISHOR	208-394-2131
Address:	PO BOX 177	
	NORTH FORK ID	83466
AND		
Name:	HEIDI LEAVITT	208-394-2131
Address:	PO BOX 177	
	NORTH FORK ID	83466

A7504016D



2. Date of Priority: SEP 5, 1928

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	19E	7		SW	SW		LEMHI

5. Description of diverting works:
ROCK DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	19E	7	SE	SW		IRR	1.0
			SE	SW		DOMEST	
					Section Acres		1.0
					Total Acres		1.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U H.E.S. 544, S7, T24N, R19E.
SEE NO. A7504016B
PAID UNDER RECIEPT E014825

15. Basis of Claim: BENEFICIAL USE