

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: A37-11202

Date Received: 8/31/1988

Receipt No: C002412

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORIE LEAVELL
Address: BOX 54 208-934-8598
GOODING, ID 83330
OR
Name: LONNIE LEAVELL
Address: BOX 54 208-934-8598
GOODING, ID 83330

2. Date of Priority: APR 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	6	SW	SW	SW		GOODING

5. Description of diverting works:
2 WELLS - 120' DEEP, PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.120		
STOCKWATER	01/01	12/31	0.230		
IRRIGATION	04/01	11/01	0.500		

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

A.F.A.

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOMES WITH LAWN AND GARDEN, S/1000 HEAD

A37-11202

Page 1

Date: 08/31/88

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	14E	6	SW		SW		DOMEST	
			SW		SW		STOCK	
			SW		SW		IRR	25.0
			SE		SW		STOCK	
							Section Acres	25.0
							Total Acres	25.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

(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.

For Individuals:

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

State of Idaho)
County of Ada) SS.

31st day
Anna Bellis
 Notary Public

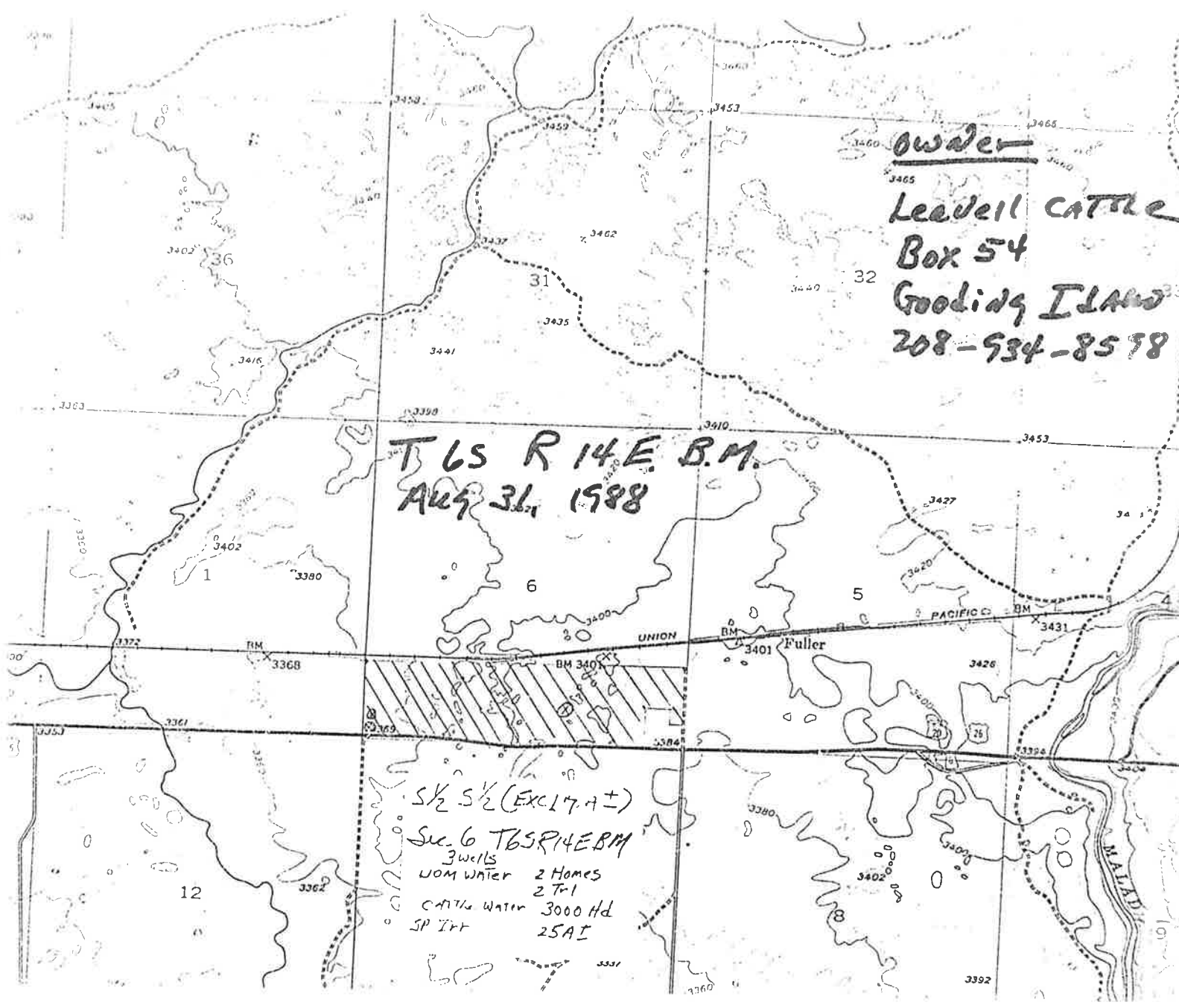
Residing at Caldwell, Del
My Commission Expires 3/21/94

Owder

Leavell CATTLE
Box 54
Gooding IDAHO
208-934-8578

T6S R14E B.M.
Aug 31, 1988

S $\frac{1}{2}$ S $\frac{1}{2}$ (EXC 17.7 $\pm$)
Sec. 6 T6S R14E B.M.
3 wells
WOM WATER 2 Homes
2 Tr-1
CATTLE WATER 3000 Hd
SP Trt 25 AI



05/17/2002

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

RIGHT NUMBER: 37-11202
NAME AND ADDRESS: LONNIE LEAVELL
PO BOX 54
GOODING ID 83340

ORIE LEAVELL
BOX 54
GOODING ID 83330

ROGER JOHNSON
1216A HWY 26
BLISS ID 83314

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.31 CFS

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

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION:

T06S R14E S6 SWSWSW Lot 7 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.230 CFS
DOMESTIC	01/01 12/31	0.080 CFS

PLACE OF USE:

STOCKWATER Within GOODING County

T06S R14E S06 Lot 7 SWSW

DOMESTIC Within GOODING County

T06S R14E S06 Lot 7 SWSW

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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

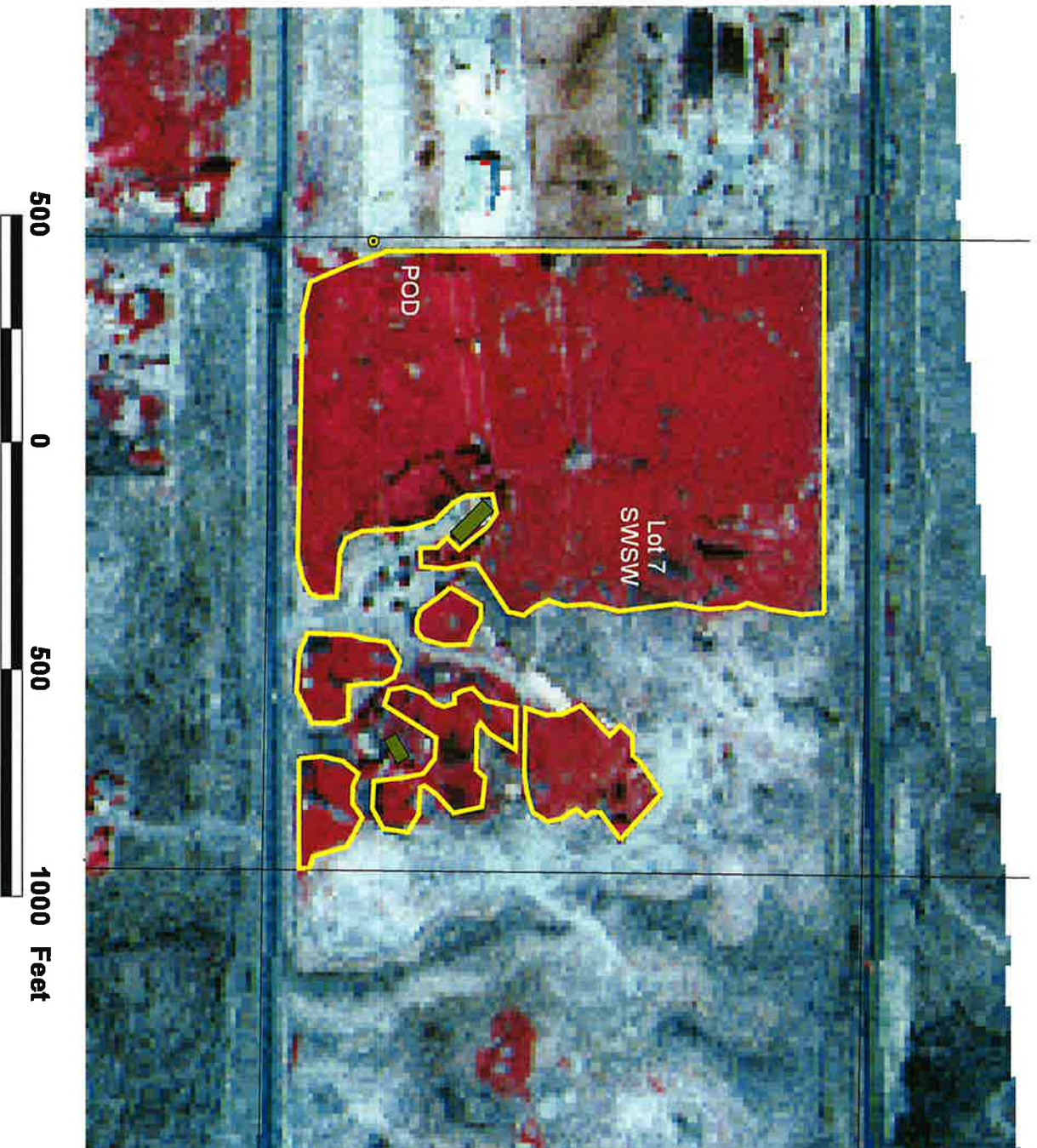


37-11202 West

5-16-1992

37-11202

T06S R14E
S06





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

37-11199
ALONZO LEAVELL
PO BOX 54
GOODING ID 83330

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures

37-11202
LONNIE LEAVELL
P.O. BOX 54
GOODING ID 83340

37-11202
ORIE LEAVELL
BOX 54
GOODING ID 83330



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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 16, 1999

Margaret Koyle
1774 South 1500 East
Gooding, ID 83330

A37-11202 P.S.

Dear Ms. Koyle:

On June 16, 1999, you contacted the Department and inquired about the water rights appurtenant to property located in Gooding County. As you recall, the property was located within the SWSW $\frac{1}{4}$ of Section 06 (T06S, R14E), along the north side of Highway 26, about eight miles west of Gooding.

Examination of the Department's database indicates that the only record associated with the property is Snake River Basin Adjudication claim A37-11202. I have included a copy of a proof report of this particular claim for your reference. This particular claim was filed on August 31, 1988, in the name of Lonnie or Orie Leavell, by Lonnie Leavell. The claim was filed based on beneficial use, meaning that the claimant has claimed that the water development was accomplished by legally applying the water to beneficial use, prior to the implementation of the mandatory groundwater permit statutes established March 25th, 1963.

As you recall, we examined the original A37-11202 claim file during your visit to our office. As of this date, there is no information in the file to substantiate the claimed priority date, amount of water actually diverted and beneficially used, and the extent of the actual beneficial use described by claim A37-11202. In addition, the map that the claimant originally filed with claim A37-11202 is quite ambiguous, and does not clearly describe exactly where the claimed beneficial use actually occurs. In particular, the exact location of the 25 acres of irrigation described in claim A37-11202, is not clear. The claim describes 25 acres of irrigation in the SWSW $\frac{1}{4}$ of Section 06 (T06S, R14E), but the map originally filed with the claim indicates almost the entire South $\frac{1}{2}$ of the South $\frac{1}{2}$ of Section 06 as the place of use.

Page 2

August 16, 1999

As we discussed, the actual owner(s) of the property associated with claim A37-11202 will bear the responsibility of substantiating the information claimed in claim A37-11202 when the claim is reviewed in the Snake River Basin Adjudication.

If you have any questions, or if we can be of any further assistance, feel free to contact this office at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Corey Skinner, P.E.
Water Resource Engineer

Enclosure

MEMORANDUM

TO: Corey Skinner
FROM: Mary Baldwin
DATE: August 6, 1999
SUBJECT: Letter verifying water rights

A telephone call from Margaret Koyle was transferred to me since you were not available; she said she & her husband, John, had visited with you a couple different times while doing research on the water rights on the Lea Vell place between Gooding and Bliss on Highway 26; S1, T06S, R13E.

Evidently, they are in a litigation with Strickland Realty concerning the earnest money they paid on their offer on the place. They feel that the Realty company mis-represented the irrigation rights to the 20 acres in question.

They want a letter from you stating no irrigation rights exist for the 20 acres. They also requested a copy of our sign-in sheets verifying the date they made the inquiry, which I have attached.

Please send the letter & attachment to:

JOHN & MARGARET KOYLE
1774 S 1500 E
GOODING ID 83330

A37-11202 P.S.

TRANSMITTAL COVER SHEET

TO: Lisa @
Land Title & Escrow

TOTAL PAGES SENT: 3
(including cover sheet)

DOCUMENT DESCRIPTION:

Proof Reports of SRBA records
A37-11202

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is:

Please remit to the above address.

SENDER:

Cory Shinn

COMMENTS:

It appears that at least a portion
of this claim is appurtenant to the property
you inquired about. I am not sure what
portion since the map submitted with the
original claim is ambiguous.

Fax

FROM

LAND TITLE and ESCROW, INC.

706 MAIN STREET - P. O. BOX 473

GOODING, IDAHO 83330

PHONE: (208) 934-8477

FAX: (208) 934-5890

RECEIVED

JUN 03 1999

Department of Water Resources
Southern Region

TO: Cory FAX #: 434 - 3037
FROM: Lisa DATE: 6/3/99
RE: another water search

TOTAL # OF PAGES, INCLUDING COVER SHEET 2pg.

Please do a search for the attached
legal. I don't know what ~~the~~ names
it would be under. Sorry.
Please for results if any. Thanks!

IF YOU HAVE ANY QUESTIONS OR PROBLEMS WITH THIS
TRANSMITTAL, PLEASE CONTACT: Lisa

SCHEDULE A**RECEIVED****JUN 3 1999**Department of Water Resources
Southern Region**Order Number: GG-01306****TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO****Section 6: That portion lying within the SW¼ of said Section, described as follows:****Commencing at the Southwest corner of said Section 6;****Thence North 00°02'00" West along the West boundary of the SW¼ of Section 6 for
a distance of 105.60 feet to a point on the Northerly right of way boundary
of State Highway 20 & 26 and being THE TRUE POINT OF BEGINNING;****Thence continuing North 00°02'00" West along the West boundary of the SW¼ of
Section 6 for a distance of 720.00 feet;****Thence South 89°56'05" East parallel with the Northerly right of way boundary of
State Highway 20 & 26 for a distance of 489.24 feet;****Thence South 12°32'14" West for a distance of 91.20 feet;****Thence South 78°43'10" East for a distance of 217.86 feet;****Thence South 87°02'16" East for a distance of 155.60 feet;****Thence North 29°07'39" East for a distance of 73.63 feet;****Thence North 63°16'26" East for a distance of 190.82 feet;****Thence South 84°52'59" East for a distance of 55.99 feet;****Thence South 58°15'34" East for a distance of 189.84 feet;****Thence South 04°25'46" West for a distance of 118.34 feet;****Thence North 73°26'20" East for a distance of 15.20 feet;****Thence North 83°37'51" East for a distance of 26.35 feet;****Thence South 15°42'43" West for a distance of 56.61 feet;****Thence South 12°30'05" East for a distance of 77.19 feet;****Thence South 01°17'05" West for a distance of 88.25 feet;****Thence South 02°08'49" West for a distance of 105.25 feet;****Thence South 36°44'30" East for a distance of 41.00 feet;****Thence South 14°23'24" East for a distance of 164.90 feet to a point on the Northerly
right of way boundary of State Highway 20 & 26;****Thence North 89°56'05" West along the Northerly right of way boundary of State
Highway 20 & 26 for a distance of 1354.13 feet to THE TRUE POINT OF
BEGINNING.**

ACREAGE CALCULATIONS				
LAST DEP.	DEPARTURE	LATITUDE	DMD	AREA FT2
				CUM

ACREAGE CALCULATIONS

Acres =

EXHIBIT A
OF
2
PAGE
EXCERPT

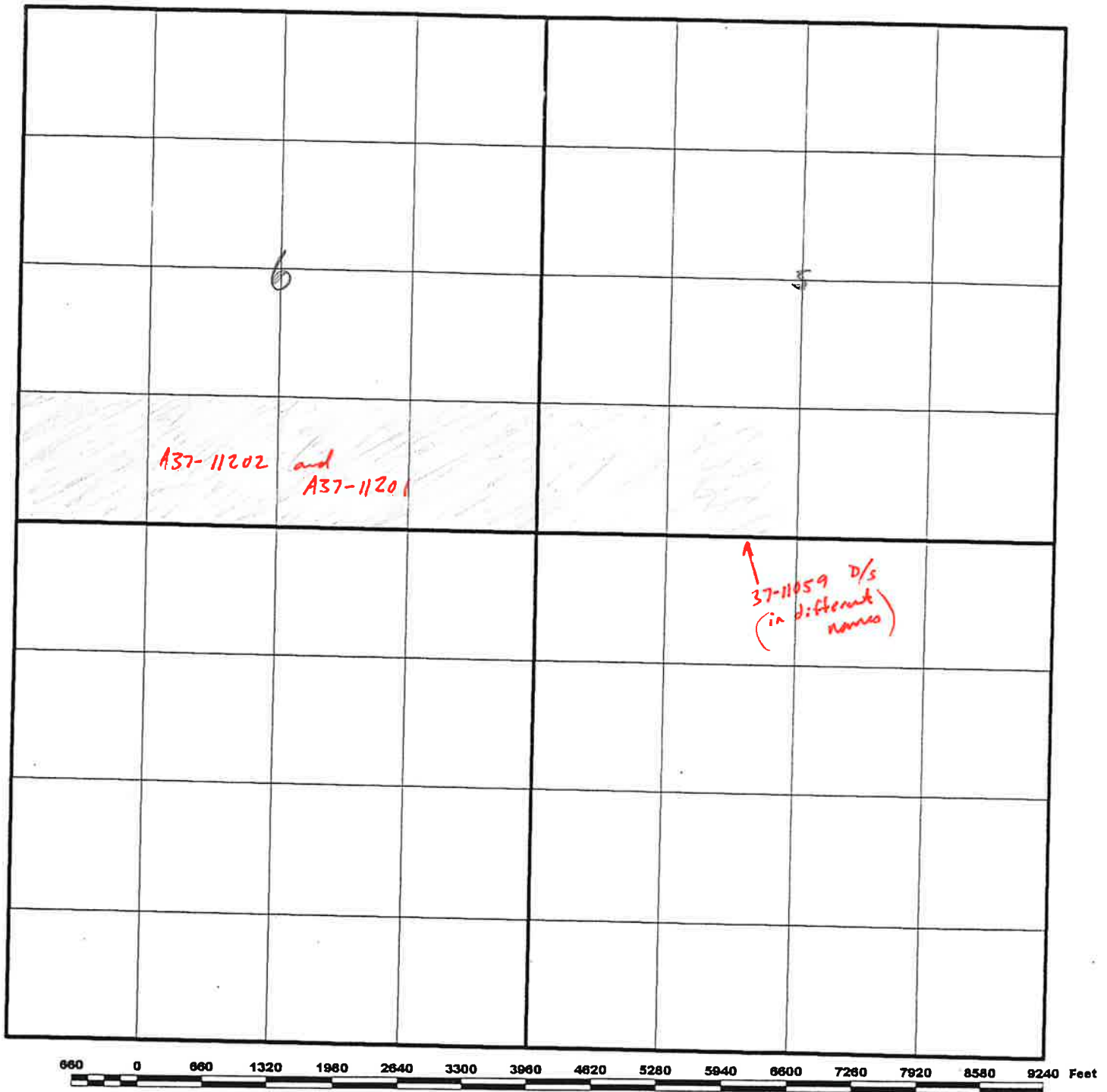


Acres = 19.98

06/04/99 08:25 AM

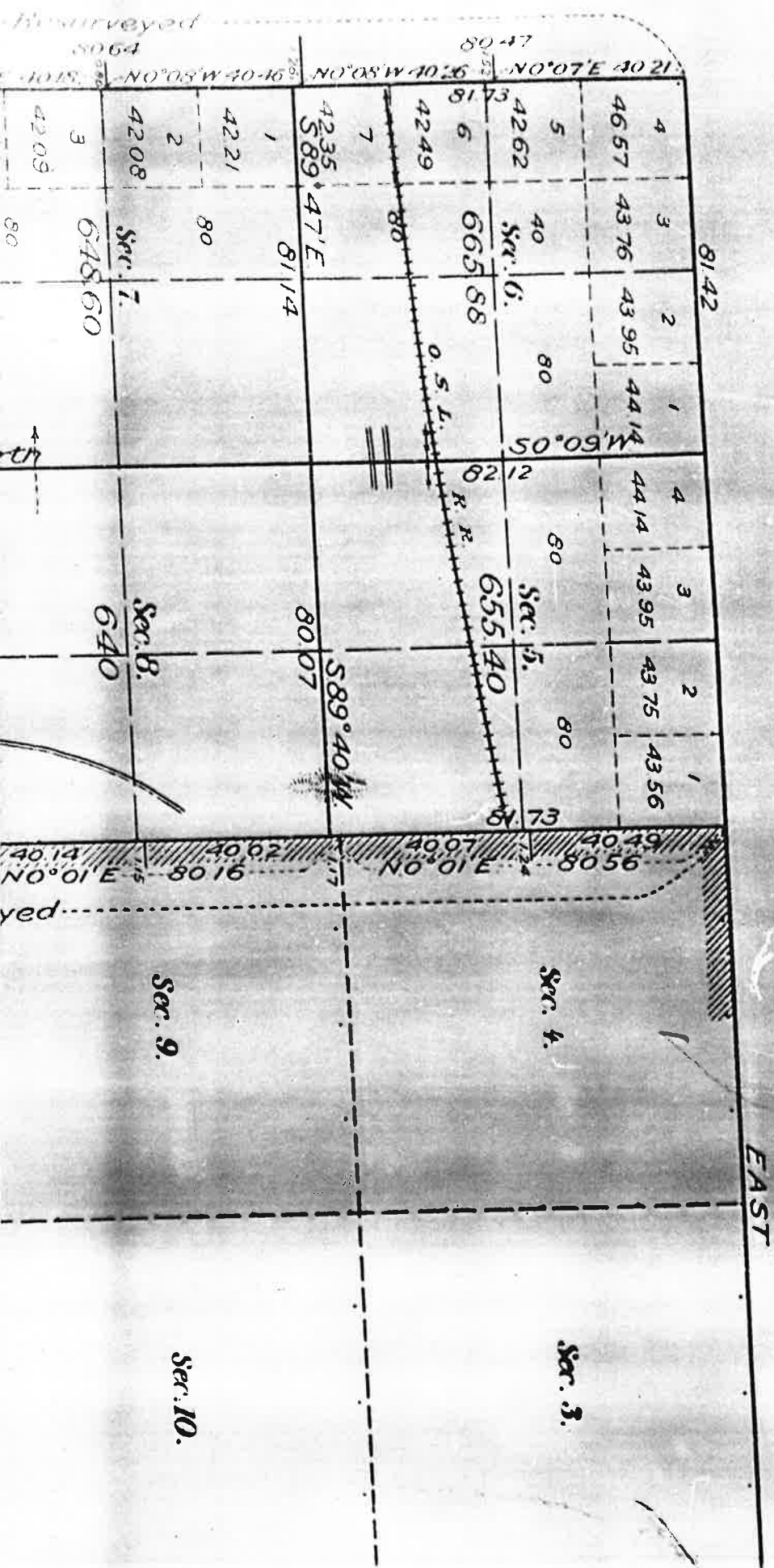
By: AS

IDAHO DEPARTMENT OF WATER RESOURCES



Township N^o 6 South, Range N^o 14 East of the

4



AJ5809NP
No. 37-11201

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORIE LEAVELL	04/01/1986	STOCKWATER	10-01 04-30	0.46 CFS	
C	LONNIE LEAVELL BOX 54 GOODING ID 83330 (208) 934-8598		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.50 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R14E S06

SWSE

GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06S	14E	6	:													:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06S	14E	6	:													:

POU County: GOODING

Non-Irrigation Uses: 2 HOMES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A37-11201

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER 2000 HEAD
PARCEL NO. RP 06S14E066000

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

AJ5809NP
No. 37-11201

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/12/99
PAGE: 2

=====

Audit: 08/20/98 SEGBERT 03/03/99 CPDSHAFF 04/05/99 ADT-DSHA

Form 42-248/4, -409(6) February 3, 1997

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.RECEIVED
APR 21 1999
Department of Water Resources
Gooding, Idaho

1. Water Right No(s): _____
Adjudication Claim No(s): 37-11201
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 Roger D. Johnson
1216 Hwy 26, Bliss, ID 83316
4. New Owner/Claimant(s) Paul Benko
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1602 East 1700 South, Gooding, ID 83330
City, State and ZIP Code _____
New Telephone Number () _____
5. Date you acquired the property April 7, 1999
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 _____ Number and type of stock 2000 Units of Stockwater
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) Paul Benko
(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..

Order No. G990033

WARRANTY DEED

RECEIVED

APR 21 1999

Department of Water Resources
Bureau of Water Rights

For Value Received

**Roger Johnson, also shown of record as Roger D. Johnson
A Single Man.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

**Paul Benko,
A Single Man.**

the grantee(s), whose current address is

1602 EAST 1700 SOUTH, GOODING, ID 83330

the following described premises, to-wit:

See Attached Exhibit "A"

180105

CLERK OF COUNTY OF GOODING

GOODING TITLE & ESCROW

50 min. parcel 3 o'clock P.m. 5/13 16th

April 19 99 12.00

Penney Archibald Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: April 12, 1999

Roger Johnson

ROGER JOHNSON

STATE OF IDAHO

: ss
COUNTY OF GOODING

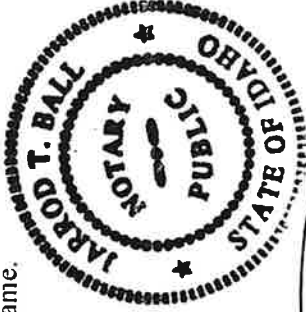
On This 12th day of APRIL, in the year 1999, before me, a Notary Public in and for said State, personally appeared **Roger Johnson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public of Idaho
Residing at **WENDELL**, Idaho

Commission Expires: 03/22/02

7/25/02



 **TITLE & ESCROW**
COMPANIES

EXHIBIT “A”
G990033
Page 1 of 3 pages

Township 6 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

Section 5: The South half of the Southwest Quarter, **EXCEPT THE FOLLOWING:**

- a. Highway right of way.
- b. Beginning at the South quarter corner of Section 5;
Thence along the North South quarter line on a bearing of North 0°05'37" East, 264.04 feet to the State Highway Northerly right of way line;
Thence South 89°56' West, 271.85 feet to **THE TRUE POINT OF BEGINNING**;
Thence South 89°56' West, 544.50 feet;
Thence North 4°51' West, 538.85 feet;
Thence North 89°53'56" East, 555.94 feet;
Thence South 3°38' East, 538.35 feet to **THE TRUE POINT OF BEGINNING**.
- c. Commencing at the South quarter corner of Section 5;
Thence North 0°05'37" East along the East boundary of the South half of the Southwest Quarter for a distance of 264.04 feet and the State Highway Northerly right of way line;
Thence South 89°56' West along the Northerly State Highway right of way line for a distance of 816.35 feet to **THE POINT OF BEGINNING**;
Thence continuing South 89°56' West along said Highway right of way for a distance of 552.63 feet;
Thence North 4°51' West for a distance of 538.52 feet;
Thence North 89°53'56" East for a distance of 552.60 feet;
Thence South 4°51' East for a distance of 538.85 feet to **THE TRUE POINT OF BEGINNING**.

continued

EXHIBIT “A”
G990033-Continued
Page 2 of 3 pages

Township 6 South, Range 14 East of the Boise Meridian, Gooding County, Idaho

Section 6: The Southeast Quarter of the Southwest Quarter; The South half of the Southeast Quarter, Lot 7, **EXCEPT THE FOLLOWING:**

- a. Highway right of way.
- b. A parcel of land located in the Southwest Quarter, described as follows:

Commencing at the Southwest corner of said Section 6;
Thence North 00°02'00" West along the West boundary of the Southwest Quarter of Section 6 for a distance of 105.60 feet to a point on the Northerly right-of-way boundary of State Highway 20 and 26 and being THE TRUE POINT OF BEGINNING.
Thence continuing North 00°02'00" West along the West boundary of the Southwest Quarter of Section 6 for a distance of 720.00 feet;
Thence South 89°56'05" East parallel with the Northerly right-of-way boundary of State Highway 20 and 26 for a distance of 489.24 feet;

Thence South 12°32'14" West for a distance of 91.20 feet;
Thence South 78°43'10" East for a distance of 217.86 feet;
Thence South 87°02'16" East for a distance of 155.60 feet;
Thence North 29°07'39" East for a distance of 73.63 feet;
Thence North 63°16'26" East for a distance of 190.82 feet;
Thence South 84°52'59" East for a distance of 55.99 feet;
Thence South 58°15'34" East for a distance of 189.84 feet;
Thence South 04°25'46" West for a distance of 118.34 feet;
Thence North 73°26'20" East for a distance of 15.20 feet;
Thence North 83°37'51" East for a distance of 26.35 feet;
Thence South 15°42'43" West for a distance of 56.61 feet;
Thence South 12°30'05" East for a distance of 77.19 feet;
Thence South 01°17'05" West for a distance of 88.25 feet;
Thence South 02°08'49" West for a distance of 105.25 feet;
Thence South 36°44'30" East for a distance of 41.00 feet;
Thence South 14°23'24" East for a distance of 164.90 feet to a point on the Northerly right-of-way boundary of State Highway 20 and 26;

Thence North 89°56'05" West, along the Northerly right-of-way boundary of State Highway 20 & 26 for a distance of 1354.13 feet to THE TRUE POINT OF BEGINNING.

continued

EXHIBIT "A"
G990033-Continued
Page 3 of 3 pages

c. A parcel of land located in the South half of the South half, described as follows:

Commencing at the Southwest corner of said Section 6, from which the West one quarter (W1/4) corner of said Section 6 bears North 00°02'00" West, 2637.96 feet;
Thence North 00°02'00" West along the West boundary of the Southwest Quarter of Section 6 for a distance of 105.60 feet to a point on the North right-of-way boundary of State Highway #20 & 26;

Thence South 89°56'05" East along the North Right-Of-Way boundary of State Highway #20 and 26 for a distance of 1354.13 feet to the True Point of Beginning;
Thence North 14°23'24" West for a distance of 164.90 feet;
Thence North 36°44'30" West for a distance of 41.00 feet;
Thence North 02°08'49" East for a distance of 105.25 feet;
Thence North 01°17'05" East for a distance of 88.25 feet;
Thence North 12°30'05" West for a distance of 77.19 feet;
Thence North 15°42'43" East for a distance of 56.61 feet;
Thence South 83°37'51" West for a distance of 26.35 feet;
Thence South 73°26'20" West for a distance of 15.20 feet;
Thence North 04°25'46" East for a distance of 118.34;
Thence South 89°56'05" East parallel with the North right-of-way boundary of State Highway #20 & 26 for a distance of 1425.00 feet;
Thence South 00°02'00" East for a distance of 626.47 feet to a point on the North Right-of-Way boundary of State Highway #20 and #26;
Thence North 89°56'05" West along the North Right-of-Way boundary of State Highway #20 and 26 for a distance of 1332.78 feet to The True Point of Beginning.

02/20/99

**WEST ESPA WATER MEASUREMENT DISTRICT
1999 ANNUAL ASSESSMENT NOTICE**

ID# 40048

TO: **ROGER D. OR JEANETTE O. JOHNSON**
C/O SUNDANCE J. C. CALF RANCH
1216 A HWY 26
BLISS, ID 83314

352-4345

3/9/99 Houses are imp
Strickland Res. Lg. sup
ward - 934-4231

1998 Assessment = 1875.50

Water Right

<u>Number</u>	<u>Name</u>	<u>Location</u>	<u>Diversion Rate (cfs)</u>
A37-11202	JOHNSON, ROGER D.	06S 14E 06 SWSWSW	0.85
A37-11201	JOHNSON, ROGER D.	06S 14E 06 SWSW	0.50
A37-11202	JOHNSON, ROGER D.	06S 14E 06 SWSWSW	0.85

Total Water Right Diversion Rate: 1.35 CFS
 Pro-rate Cost Factor = \$34.37 per cfs
 (1) Assessed pro-rate cost: \$ 46.40

Total Number of Diversions: 3
 (2) Total Number of Diversions x \$25: \$ 75.00

Total 1999 Assessment (1) + (2): \$ 121.40

LATE 1998 ANNUAL ASSESSMENT NOTICE

Pro-rate Cost Factor = \$31.52 per cfs
 (1) Assessed pro-rate cost: \$ 42.55

Total Number of Diversions: 3
 (2) Total Number of Diversions x \$25: \$ 75.00

(3) 8% Interest Since 30 May 1998 \$ 7.05

Total 1998 Assessment (1) + (2) + (3): \$ 124.60

Total 1998 and 1999 Assessment \$246.00

PLEASE REMIT PAYMENT ON OR BEFORE APRIL 1, 1999

Assessments not paid by April 1 shall bear interest from the due date until paid at the rate of eight percent (8%) per annum.

We have carefully tried to describe your points of diversion and flow rates authorized by water rights without duplication or error. If you feel there is a mistake, please contact the water measurement district office (located in the IDWR Regional Office, Twin Falls, ID) at 208-736-3003.

(keep this portion for your records)

(detach here and return with payment)

PLEASE REMIT PAYMENT ON OR BEFORE**APRIL 1, 1999 PAYABLE TO:**

WEST ESPA WATER MEASUREMENT DISTRICT
C/O IDWR SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS, ID 83301-3380

Number of diversions: 3
 Total diversion rate: 1.35 CFS

Total Assessment
 for 1998 & 1999: \$ 246.00

ID# 40048

ROGER D. OR JEANETTE O. JOHNSON
1216 A HWY 26
BLISS, ID 83314

Address Correction Requested



April 16, 1999

RECEIVED
APR 21 1999

Department of Water Resources
Southern Division

Idaho Department of Water
Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Roger Johnson-Paul Benko

Dear Sir or Madame:

Enclosed please find our check #10612 in the amount of \$246.00, which represents the 1998 and 1999 assessment due on Roger D. Johnson. I am also enclosing a copy of the assessment notice, the Notice of Change of Ownership and a copy of the recorded Warranty Deed for your reference.

If you have any questions, please do not hesitate to contact our office.

Thank you.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

WARRANTY DEED

of Value Received: KATHLEEN J. COOPER, Successor Trustee of the Oris S. Leavell Revocable Trust, dated September 3, 1992

Grantor, hereby grants, bargains, sells and conveys unto ROGER JOHNSON, a single man, and JEANETTE S. ADAMS, a single woman, address 161647 East 2200 South, Gooding, Idaho 83330

hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho:

SEE ATTACHED - EXHIBIT "A"
(containing two pages)

Post-It Fax Note	7671	Date	5-12-99
To	Joanne	From	John 3
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

158005

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the recorder's office on May 12, 1999 at 2:00 PM.

Book 24 Page 28

FILED MAY 14 1999

JOHN A. MYERS Recorder

Chute St

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 12, 1999

Kathleen J. Cooper

Kathleen J. Cooper, Successor Trustee of the Oris S. Leavell Revocable Trust, dated September 3, 1992

STATE OF IDAHO, COUNTY OF

On this 12th day of May, 1999, before me, a Notary Public in and for said State, personally appeared

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such

STATE OF IDAHO, County of Gooding

On this 28th day of July, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared

KATHLEEN J. COOPER, Successor Trustee of the Oris S. Leavell Revocable Trust, dated September 3, 1992, known or identified to me to be the person whose name is subscribed to the within instrument, as Successor Trustee, and acknowledged to me that she executed the same as such

known or identified to me to be the person whose name is subscribed to the within instrument, as Successor Trustee, and acknowledged to me that she executed the same as such

known or identified to me to be the person whose name is subscribed to the within instrument, as Successor Trustee, and acknowledged to me that she executed the same as such

known or identified to me to be the person whose name is subscribed to the within instrument, as Successor Trustee, and acknowledged to me that she executed the same as such



Kathleen J. Cooper

Kathleen J. Cooper, Successor Trustee of the Oris S. Leavell Revocable Trust, dated September 3, 1992

STATE OF IDAHO, County of Gooding

PARCEL NO. 1
TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 5, except the following:
Highway right of way
Beginning at the south quarter corner of
Section 5, thence along the north-south quarter line on a
bearing of North 0°03'37" East, 264.04 feet to
the State Highway Northernly right of way line;
thence South 89°56' West, 271.85 feet to THE TRUE
POINT OF BEGINNING;
thence South 89°56' West, 344.50 feet;
thence North 6°51' West, 538.85 feet;
thence North 89°53'56" East, 535.94 feet;
thence South 3°38' East, 538.35 feet to THE TRUE
POINT OF BEGINNING.

Commencing at the south quarter corner of
Section 5, thence North 0°03'37" East along the East boundary
of the S.W. 1/4 for a distance of 264.04 feet and
the State Highway Northernly right of way line;
thence South 89°56' West along the Northernly State
Highway right of way line for a distance of
271.85 feet to THE POINT OF BEGINNING;
thence continuing South 89°56' West along said
Highway right of way for a distance of 344.50
feet;
thence North 6°51' West for a distance of 538.85
feet;
thence North 89°53'56" East for a distance of
535.94 feet;
thence South 3°38' East for a distance of 538.35
feet to THE TRUE POINT OF BEGINNING.

Section 6, except Highway Right of Way

PARCEL NO. 2
TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 5, Lot 7
This property is being conveyed as dry land without water
rights, shares, appurtenances, etc.
together with 1 deep well, 12" drillers, 2/2000 head stock water
right, A-37-11201
together with 1 deep well, 12" drillers with line and casing, 2/1000 head
water right, A-37-11202.

SUBJECT TO THE FOLLOWING:
All reservations in patents or deeds in the chain of title.
Taxes for 1999 and subsequent years, if any, but not yet due and payable.
Assessments levied on to be levied by Gooding County, Idaho Water Department.

(continued on Page 2 of 11)

WARRANTY DEED

60514E
Sec 5
S 1/2 SW 1/4

Sec 6
SE SW
S 1/2 SE 1/4

T6S R14E
Sec 6
Lot 7 (SWSW)

A37-11201
A37-11202
specifically
conveyed.

Continued from Page 1 - Exhibit A

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Reservation for a right of way for Federal Aid Highway contained in Patent given by the Bureau of Land Management to James J. Schmitt dated May 3, 1955, recorded June 25, 1955 in Book 1 Page 378 as Instrument Number 127606, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by James J. Schmitt and Doris Schmitt, husband and wife, to the State of Idaho, dated May 1, 1956, recorded June 5, 1956 in Book 46 Page 429 as Instrument Number 130233, Gooding County records.

Power Line Easement given by Leo Rice and May Rice, husband and wife, to Idaho Power Company, a corporation, dated February 28, 1962, recorded August 17, 1962 as Instrument Number 5370, Gooding County records, affecting the SE1/4 of Section 6, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Orle Leavell, sole owner, to Idaho Power Company, a corporation, dated November 9, 1970, recorded January 28, 1971 as Instrument Number 34314, Gooding County records, affecting the SE1/4 of Section 6, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Orle Leavell and Frieda Leavell husband and wife, to Idaho Power Company, a corporation, dated August 6, 1971, recorded January 17, 1972 as Instrument Number 38677, Gooding County records, affecting the South 100 feet of the West 100 feet of the West 100 feet of the SE1/4 of Section 6, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Orle Leavell to Idaho Power Company, a corporation, dated March 29, 1972, recorded October 10, 1974 as Instrument Number 42248, Gooding County records, affecting the SE1/4 of Section 6, Township 6 South, Range 14, East Boise Meridian.

Power Line Easement given by Orle Leavell and Frieda Leavell, husband and wife, to Idaho Power Company, a corporation, dated March 10, 1976, recorded November 15, 1976 as Instrument Number 61940, Gooding County records, affecting Lot 7 and SE1/4 and S1/2 of Section 6 and S1/2 of Section 5, Township 6 South, Range 14, East Boise Meridian.

Easement by and between Orle Leavell and Frieda Leavell, husband and wife, party of the first part, and Robin Ferry and Teresa Ferry, husband and wife, party of the second part, dated November 30, 1977, recorded December 1, 1977 as Instrument Number 67568, Gooding County records, pertaining to a permanent easement and right of way for road in the SE1/4 of Section 5, Township 6 South, Range 14, East Boise Meridian.

Effect of Quitclaim Deed given by State of Idaho, by and through the Idaho Transportation Board, for the Division of Highways, Party of the first part, and Orle Leavell and Frieda Leavell, his wife, Party of the second part, dated January 12, 1978, recorded January 25, 1978 as Instrument Number 68411, Gooding County records, pertaining to the right of access.

WARRANTY DEED

0-31100

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

MAR 18 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resource
Snake River Basin

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):

Adjudication Claim No(s):

A37-11201 & 11202

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

E. 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

Orle &/or Lonnie Leavelle

PO Box 54, Gooding, ID

4. New Owner/Claimant(s)

Roger D. & ^{9th} Jeanette O. Johnson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1216-A Hwy 26

City, State and ZIP Code

Bliss, ID 83314

New Telephone Number

() 352-4345

5. Date you acquired the property

7-28-1994

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

Number and type of stock

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)

Roger D. Johnson
Jeanette O. Johnson

(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..

We, the undersigned, hereby instruct LAND TITLE AND ESCROW, INC., hereinafter referred to as "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instructions and information: The parties have entered into an Agreement for the purchase and sale of subject property entitled Real Estate Purchase and Sale and dated March 28, 1994, hereinafter referred to as the Agreement. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Agreement as well as these instructions. HOWEVER, in the event the terms of the Agreement and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: Part Sec. 5 and 6, T6South Rance 14 EBM and Section 6: Lot 7
Gooding County, Idaho

BUYER: Roger Johnson and Jeanette O. Roberts

SELLER: Kathleen J. Cooper, Successor Trustee of the Orie S. Leavell Revocable Trust

TERMS:

Sale Price \$ 230,000.00

Payable as follows:
 Earnest Money Deposit

\$ 16,000.00 held by
Land Title and Escrow, Inc.

Down payment
 Assumption of

\$ _____
 \$ _____
 approximate balance
 owing after the

New Loan

\$ 149,500.00 from
Beneficial Mortgage

Purchase Money Deed of Trust

\$ _____ from

(All assumption balances set out above shall be adjusted if necessary to the actual balances upon written verification from lender. If this transaction involves a new loan, these instructions must conform with the instructions from said lender.)

PRORATION DATE: 7-28-94 CLOSING DATE: 7-28-94 The closing agent is instructed to prorate all items to be prorated as of the proration date with the seller being responsible for all such items up to but not including the date of proration and the buyer being responsible for such items from and including the date of proration.

The property taxes for 1994 shall be prorated on the basis of 1993 tax assessed or, if the amount assessed is not known, taxes shall be prorated based on the estimate of \$ _____. The parties hereto acknowledge that there may be a difference between the amount of taxes prorated and the actual tax assessment ultimately levied. The parties further acknowledge that under Idaho Code Sections 63-403, 63-2203, and Title 63, Chapter 39 "New and Additional Assessments", "Adjustments of Taxes by the Board of Commissioners", and "Tax on Newly Constructed and Occupied Residential and Commercial Structures", additional taxes may be levied. The parties hereto agree to hold the closing agent harmless for any proration difference or additional taxes and agree to promptly adjust any such difference between themselves. The closing agent shall not prorate any utility charges, unless specifically instructed to do so.

CONTR: The following items shall be paid by BUYER (B), SELLER (S), DIVIDED BETWEEN BUYER AND SELLER EVENLY UNLESS OTHERWISE STATED (D), or PAID OUTSIDE CLOSING (POC).

____ Attorney's Fees	<u>S</u> Title Insurance, Owners Policy	____ Assumption Fee
<u>D</u> Closing Fee	<u>B</u> Title Insurance, Loan Policy	____ Initial Escrow Fee
		____ Escrow Collection fee

n/a Real Estate Commission % (\$ _____) to _____
 n/a Real Estate Commission % (\$ _____) to _____

TITLE INSURANCE: Insurer Security Union Order No. G-21100
X (x)std () Ext coverage owners policy Amt. \$ 230,000.00
X ()std (X) Ext coverage loan policy Amt. \$ 149,500.00

HAZARD INSURANCE:

____ Assume existing X Obtain New ____ None Required

When the closing agent has received all properly executed documents and all funds necessary for the completion of this transaction and the title insurer is in a position to issue the type of policy(ies) set out above, subject only to the General Exceptions on Schedule B-Section I and Special Exceptions No.'s 2 thru 13 as set out in their commitment dated June 20, 1994, and any documents recorded in connection with this transaction, the closing agent is hereby authorized and instructed to record or file all necessary documents and disburse funds deposited in accordance with the amounts shown on the closing statement. Minor adjustments may be made for additional interest due to delay in disbursing or other minor items beyond the control of the closing agent, for which the respective party shall be given an accounting.

In the event this transaction does not close for any reason, the closing agent shall be entitled to reimbursement for any and all cost expended by it and shall be further entitled to an escrow cancellation fee and the parties hereto agree to be jointly and severally liable for same. Further, any earnest money deposited with the closing agent shall be refunded only upon written instructions from the parties hereto, EXCEPT that, in the event the earnest money has been deposited by the broker, the closing agent is hereby authorized to refund same to the broker's trust account for his disposition to the parties and in the event the closing agent has incurred expenses in connection herewith, the closing agent shall be entitled to retain so much of the earnest money as it is entitled to hereunder for the reimbursement of said expenses.

The closing agent shall have no responsibility for compliance with any truth-in-lending, usury or consumer protection laws of the United States or The State of Idaho, nor any governmental regulations including but not limited to zoning or subdivision ordinances.

The closing agent is directed to comply with the instructions contained in these instructions and the parties hereto agree to indemnify and hold harmless the closing agent from any and all actions or losses related hereto other than failure to comply herewith, including but not limited to any attorney's fees or costs incurred by the closing agent in defending itself in any such action.

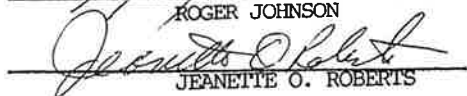
BY THEIR EXECUTION OF THESE INSTRUCTIONS, THE BUYER AND SELLER ACKNOWLEDGE THE FOLLOWING:

- 1) The closing agent is not acting as a representative of either party,
- 2) The documents prepared in connection with this transaction will affect the legal rights of the parties, and the parties rights or interests in these documents may differ,
- 3) Any documents typed by the closing agent have been done so at our direction or the direction of our counsel,
- 4) The closing agent is not licensed to practice law and no legal advice, advice as to the content of the documents, nor advice as to the merits of the transaction has been offered by the closing agent,
- 5) Copies of the subdivision plat and restrictive covenants where applicable,
- 6) THE CLOSING AGENT HAS ADVISED THE PARTIES HERETO TO SEEK THE ADVICE OF INDEPENDENT COUNSEL IF ANY PART OF THIS TRANSACTION IS NOT FULLY UNDERSTOOD,
- 7) There is currently pending in the District Court, Fifth Judicial District, State of Idaho in and for the County of Twin Falls in civil case No. 39576 (the general adjudication of rights to the use of water from the Snake River Basin water system.) The parties may have claims to water rights that are affected in this case. The parties need to make an independent investigation of the claims, because they are matters outside the closing and for which Land Title and Escrow, Inc. is unable to perform services in regards to the water claims.
- 8) Land Title and Escrow, Inc. shall not be responsible for any penalties, or loss of principal or interest or any delays in the withdrawal of the funds which may be imposed by the Depository as a result of the making or redeeming of the investment pursuant to our instructions, nor shall Land Title and Escrow, Inc. be liable for any loss or impairment of funds while those funds are on deposit in a financial institution if such loss or impairment results from the failure, insolvency or suspension of financial institution.

ADDITIONAL INSTRUCTIONS:

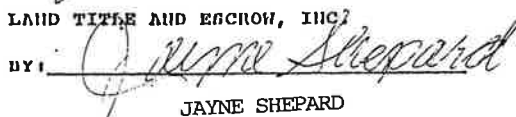
BUYER:


ROGER JOHNSON

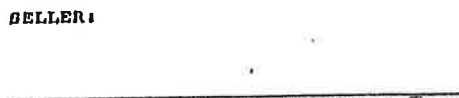

JEANETTE O. ROBERTS

LAND TITLE AND ESCROW, INC.

BY:


JAYNE SHEPARD

SELLER:


KATHLEEN J. COOPER, Successor Trustee of
the Orie S. Leavell Revocable Trust

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TARA BACKLUND

DATE September 9, 1997 4:15pm CUSTOMER JEANETTE JOHNSON

SUBJECT: A37-11201 & 11202
phone call (.) walk-in (X)

MRS. JOHNSON CAME IN THIS AFTERNOON TO DISCUSS WITH DAN NELSON THE ASSESSMENT FEES ON HERE PROPERTY. SHE WONDERED WHY HER O/C HAD NOT BEEN COMPLETED THAT SHE SENT IN.

I RESEARCHED NAD FOUND THAT ADDITIONAL INFORMATION IS NEEDED. I TOLD HER WE WOULD NEED A DOCUMENT WITH THE FORMER OWNER'S SIGNATURE. SHE SAID SHE WOULD SEND US THIS INFORMATION

DATE: 08/20/98
PAGE: 1

DIVERSION RATE
DIVERSION VOLUME

0.46 CFS
0.04 CFS

TOTAL DIVERSION:

Stage: BENEFICIAL USE

GOODING County

SE
E SWSE SESE
C Lt AC Lt AC
- - - - -
S S

SE SE SE
SWSE SESE
Lt AC Lt AC

D

HOMES

NONE

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

STOCKWATER 2000 HEAD
PARCEL NO. RP 06S14E066000

Verified Date:

Objection Filed Date:

Field Inspection Flag:

08/20/98 SEGBERT

RECEIVED
AUG 20 1998
Department of Water Resources
Southern Region

11201

AJ5856NP

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

DATE: SEP-5-1997
PAGE: A-69

RIGHT NUMBER: 37-11201

NAME & ADDRESS: ORIE LEAVELL
LONNIE LEAVELL
BOX 54
GOODING ID 83330

*Roger Johnson
1216 Hwy 26
Bliss, 83314*

SOURCE: GROUNDWATER

QUANTITY: 0.5 CFS

PRIORITY DATE: 04/01/1986

POINT OF DIVERSION: T06S R14E S06 ✓ SWSE ✓ Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	10-01 04-30	0.46 CFS
	DOMESTIC D/2 TRAILERS, S/2000 HEAD	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T06S R14E S06 ✓ SESW ✓ SWSE ✓ SESE ✓

DOMESTIC Within GOODING County
T06S R14E S06 ✓ SWSE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 06S14E 06 6000

Verified by *DR* Date: 7-14-98
Verification Source: Computer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 28, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

ROGER JOHNSON
1216 HWY 26
BLISS ID 83314

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A37-11201

Dear Claimant:

We have been advised you may be the present owner of the property with the water right referenced above.

Before we can modify our records to reflect your ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by August 13, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Sandy Egbert
Clerical Specialist

*No response
8-20-98*

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of No.A37-11201 water right filing

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: A37-11201

Date Received: 8/31/1988

Receipt No: 002412

Received By: JP JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORIE LEAVELL 208-934-8598
Address: BOX 54
GOODING, ID 83330

OR

Name: LONNIE LEAVELL 208-934-8598
Address: BOX 54
GOODING, ID 83330

2. Date of Priority: APR 01, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	6		SW	SE		GOODING

5. Description of diverting works:
WELL - 120' DEEP, AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	10/01	04/30	0.460		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 TRAILERS, S/2000 HEAD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	14E	6	SE		SW		STOCK	
			SW		SE		STOCK	
			SW		SE		DOMEST	
			SE		SE		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 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): Jonnie France Date: 8-31-88
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of August 19 88 Dena Bellin
Notary Public

Seal

Residing at Caldwell, Id
My Commission Expires 3/21/94

MICROFILMED
FEB 25 1993

owaler

Leadell CATTLE

Box 54

Gooding Idaho

208-934-8578

T 6 S R 14 E B.M.

AUG 31, 1988

5 1/2 S 1/2 (EXC 17.4 ±)

SUC 6 T6S R14E B.M.

DAM WATER 2 HOMES

CATTLE WATER 3000 HD

SP Irr 25 AT

MICROFILMED
FEB 25 1993

BOISE (CIVIC CENTER) 95 MI.
BLISS 3.8 MI.

T 5 S.

T 6 S.

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