

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83718

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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OCT 10 2019

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Alonzo Leavell

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Alonzo Leavell and/or Charmianne Leavell Phone 208-539-0101
Mailing address PO Box 54 Gooding, Idaho 83330 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 North Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Alonzo Leavell
Signature of Applicant or Authorized Representative

Charmianne Leavell
Signature of Applicant or Authorized Representative

Alonzo Leavell
Print Name and Title if applicable

CHARMIANNE LEAVELL
Print Name and Title if applicable

10/17/19
Date

10/17/19
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
This transfer proposes to move the irrigation POU of 3.3 acres to a new location. The POD will also be changing.
There is an existing well at the new property. No ESPA model analysis is required because the new well is either in the same or adjacent ESPA Model cell. Create a 5.5 acre PPU with a 3.3 acre POU.

— AMENDED —

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Alonzo Leavell Phone 208-539-0101
Mailing address PO Box 54 Gooding, Idaho 83330 Email _____

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- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

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Name of Representative Greg Sullivan Phone 208-736-8543
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- ☒ Send original correspondence to the applicant and copies to the representative.
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OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Alonzo Leavell Alonzo Leavell owner 10/4/19
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

This transfer proposes to move the irrigation POU of 3.3 acres to a new location. The POD will also be changing.
There is an existing well at the new property. No ESPA model analysis is required because the new well is either in the same or adjacent ESPA Model cell. Create a 5.5 acre PPU with a 3.3 acre POU.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	37-23115	0.02/4.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	37-22166	0.014/3.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	37-23116	0.03/6.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.30 cfs and/or 62.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.064 cubic feet per second and/or 13.2 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	NW	31	05S	15E	Gooding	Ground Water	D0037026

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	31								5.5									5.5

*5.5 Acre PPU will be limited to 3.3 acres of irrigation annually

Total Acres (for irrigation use) 5.5*

- AMENDED -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	37-23115	0.02/4.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	37-22166	0.014/3.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☒	37-23116	0.03/6.0	Irrigation	4/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.30 cfs and/or 62.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.064 cubic feet per second and/or 13.0 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	NW	31	05S	15E	Gooding	Ground Water	D0037026

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	15E	31								5.5									5.5

*5.5 Acre PPU will be limited to 3.3 acres of irrigation annually

Total Acres (for irrigation use)

5.5*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing well. Mainlines and delivery system will be installed.

- b. Who owns the property at the point(s) of diversion? The applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land now irrigated will no longer be irrigated in the future by these portions of water rights.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Canal shares are currently and will continue to be used to irrigate within the 5.5 acre PPU. The 3.3 acres of ground water are to remain primary irrigation water rights not stacked with any other water rights. The 3.3 acres will be leased into the Idaho Water Supply Bank after this transfer is approved.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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Total Acres (for irrigation use) _____

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Department office or:

DEPT OF WATER & ELECTRICITY
SOUTHERN REGION

[illegible]

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-23115

Current Owner: ALONZO B LEAVELL

Priority Date: 9/20/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.07 CFS	14 AF
	Total Diversion	0.07 CFS	14 AF

Location of Point(s) of Diversion

GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				
GROUND WATER	L2(SW1/4NW1/4)	Sec. 31,	Twp 05S,	Rge 15E B.M.
GOODING County				

Place of Use

IRRIGATION Within GOODING County

T05S R15E S31 Lot 2 SWNW 3.90

Total Acres: 3.9

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. 115 Prior to the diversion and use of water under Transfer approval 73517, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. X27 This right is limited to the irrigation of 3.5 acres within the place of use described above in a single irrigation season.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 12/11/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-23116

Current Owner: CHARMIANNE LEAVELL

Priority Date: 9/20/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.08 CFS

Annual Volume

16 AF

Total Diversion

0.08 CFS

16 AF

Location of Point(s) of Diversion

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T05S R15E S31 Lot 2 SWNW 4.50

Total Acres: 4.5

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 115 Prior to the diversion and use of water under Transfer approval 73517, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. X27 This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
10. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Decreed Date: 12/11/2002

Total Acres (for irrigation use) _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-22166

Current Owner: ALONZO B LEAVELL

Priority Date: 9/20/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

04/01 to 11/01

0.15 CFS

32 AF

Total Diversion

0.15 CFS

32 AF

Location of Point(s) of Diversion

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

GROUND WATER

L2(SW1/4NW1/4)

Sec. 31, Twp 05S, Rge 15E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T05S R15E S31 Lot 2 SWNW 13.20

Total Acres: 13.2

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
4. X27 This right is limited to the irrigation of 8.0 acres within the place of use described above in a single irrigation season.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 115 Prior to the diversion and use of water under Transfer approval 73517, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 12/11/2002

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer contains _____ pages and _____ attachments.

Received by SG Date 10/10/19 Preliminary check by _____ Date _____

Fee paid \$650.00 Date 10/10/19 Received by SG Receipt # 5037581

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

RECEIVED

OCT 18 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED

For value received, Alonzo Leavell, as grantor hereby quitclaims unto Alonzo Leavell and Charmianne Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-23115 with a priority date 9/20/1974 described as 0.02 cfs, 4.0 acre feet annually and irrigation of 1.0 acres.

The proposed irrigation place of use of the 1.0 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 17 day of October, 2019.

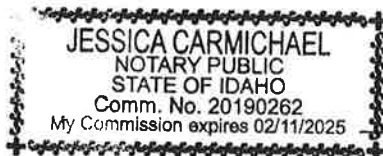
By: Alonzo Leavell
<GRANTOR>

<TITLE>

State of Idaho)
) S.S.
County of Gooding)

On this 17 day of October, in the year of 2019, before me, a Notary Public, personally appeared Alonzo Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

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[Signature]
Notary Public
In and for said State and County

02/11/25
My Commission Expires on

TRANSFER 83718

AMENDED

QUITCLAIM DEED

For value received, Alonzo Leavell, as grantor hereby quitclaims unto Alonzo Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-23115 with a priority date 9/20/1974 described as 0.02 cfs, 4.0 acre feet annually and irrigation of 1.0 acres.

The proposed irrigation place of use of the 1.0 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 4th day of October, 2019.

By: Alonzo Leavell
<GRANTOR>

<TITLE>

State of Idaho)
County of Gooding) S.S.

On this 4th day of October, in the year of 2019, before me, a Notary Public, personally appeared Alonzo Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
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Jessica Carmichael
Notary Public
In and for said State and County

02/11/2025
My Commission Expires on

TRANSFER 83718

RECEIVED

OCT 18 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED
Transfer

For value received, Charmianne Leavell, as grantor hereby quitclaims unto Alonzo Leavell and Charmianne Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-23116 with a priority date 9/20/1974 described as 0.03 cfs, 6.0 acre feet annually and irrigation of 1.5 acres.

The proposed irrigation place of use of the 1.5 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 17 day of October, 2019.

By:

Charmianne Leavell
<GRANTOR>

<TITLE>

State of Idaho)
) S.S.
County of Gooding)

On this 17 day of October, in the year of 2019, before me, a Notary Public, personally appeared Alonzo Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Jessica Carmichael

Notary Public
In and for said State and County

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02/11/25
My Commission Expires on

TRANSFER 83718

AMENDED.

QUITCLAIM DEED
Transfer

For value received, Charmianne Leavell, as grantor hereby quitclaims unto Alonzo Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-23116 with a priority date 9/20/1974 described as 0.03 cfs, 6.0 acre feet annually and irrigation of 1.5 acres.

The proposed irrigation place of use of the 1.5 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 4th day of October, 2019.

By:

Charmianne Leavell
<GRANTOR>

<TITLE>

State of Idaho)
) S.S.
County of Gooding)

On this 4th day of October, in the year of 2019, before me, a Notary Public, personally appeared Charmianne Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Jessica Carmichael

Notary Public
In and for said State and County

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02/11/2025
My Commission Expires on

TRANSFER 83718

RECEIVED

OCT 18 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

QUITCLAIM DEED
Transfer

For value received, Alonzo Leavell, as grantor hereby quitclaims unto Alonzo Leavell and Charmianne Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-22166 with a priority date 9/20/1974 described as 0.014 cfs, 3.2 acre feet annually and irrigation of 0.8 acres.

The proposed irrigation place of use of the 0.8 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 17 day of October, 20 19.

By: Alonzo Leavell
<GRANTOR>

<TITLE>

State of Idaho)
County of Gooding) S.S.

On this 17 day of October, in the year of 20 19, before me, a Notary Public, personally appeared Alonzo Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Jessica Carmichael

Notary Public

In and for said State and County

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02/11/25
My Commission Expires on

TRANSFER 83718

-AMENDED-

QUITCLAIM DEED
Transfer

For value received, Alonzo Leavell, as grantor hereby quitclaims unto Alonzo Leavell the grantee whose current address is PO Box 54 Gooding, Idaho 83330, all of the grantor's right, title, and interest in and to the following described water right situated in Gooding County, Idaho.

A portion of water right 37-22166 with a priority date 9/20/1974 described as 0.014 cfs, 3.0 acre feet annually and irrigation of 0.8 acres.

The proposed irrigation place of use of the 0.8 acres is currently owned by Alonzo Leavell located on Gooding County Parcel #RP05S15E314765.

Grantor has caused this quitclaim deed to be executed this 4th day of October, 20 19.

By:

Alonzo Leavell
<GRANTOR>

<TITLE>

State of Idaho)

) S.S.

County of Gooding)

On this 4th day of October, in the year of 20 19, before me, a Notary Public, personally appeared Alonzo Leavell, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
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Jessica Carmichael

Notary Public
In and for said State and County

02/11/2025
My Commission Expires on

TRANSFER 83718

QUITCLAIM DEED

For Value Received

Development West Corporation, an Idaho Corporation

Hereinafter called the Grantor, hereby remises, releases, and forever Quitclaims unto

Lonnie LeaVell and Charmianne LeaVell, husband and wife
Whose address is: P.O. Box 54, Gooding, ID 83330

Hereinafter called the grantee, the following described premises, in Gooding County, Idaho to-wit:

See Attached Legal Description attached hereto and made a part of this deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

Dated: October 8, 2014

Development West Corporation, an Idaho Corporation

BY *Alonzo B. LeaVell*
Alonzo B. LeaVell, President

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 15 day of October, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Alonzo B. LeaVell, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Lisa Ritter
Notary Public
State of Idaho

[Signature]
Notary Public
Residing at: Gooding, ID
My Commission expires: 10/8/16

Instrument # 249733
GOODING, GOODING, IDAHO
10-15-2014 11:02:17 No. of Pages: 4
Recorded for: LONNIE LEAVELL
DENISE M. GILL Fee: 19.00
Ex-Officio Recorder Deputy *MS*



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANDON
GROUP



GATEWAY
MAPPING
INC.

Legal Description for
Lonnie Leavell
East Lot

A parcel of land located Southerly of the South bank of the Big Wood river and Northerly and Easterly of the centerline of the Northside canal companies "x" canal, also known as Clover Creek, and being a part of the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter of Section 31, Township 5 South, Range 15 East, Boise Meridian, Gooding county, Idaho, and being more particularly described as follows:

Commencing at the center of said Section 31, which corner is marked by a 5/8" rebar, C.P.F. Instrument # 127668 and from which the West quarter corner of said Section 31 bears North 89°35'10" West, 2631.65 feet;

THENCE North 00°14'51" East for a distance of 70.00 feet to a point on the Northerly right-of-way of 1750 South Road and being the Point of Beginning;

THENCE South 87°13'25" West along the Northerly right-of-way of 1750 South Road per R/W deed recorded February 4, 1961 as Instrument Number 443, for a distance of 539.05 feet to a point on the east bank of Northside canal companies "x" canal also known as Clover Creek;

THENCE North 89°35'10" West for a distance of 23.82 feet to the centerline of the Northside canal companies "x" canal also known as Clover Creek;

THENCE Westerly along said centerline for the following courses and distances;

THENCE North 10°02'10" West for a distance of 101.43 feet;

THENCE North 43°14'10" West for a distance of 81.78 feet;

THENCE leaving said centerline North 52°28'47" East for a distance of 147.71 feet;

THENCE North 04°12'13" West for a distance of 198.09 feet

THENCE South 89°41'20" East for a distance of 537.98 feet;

THENCE South 00°15'30" West for a distance of 27.58 feet;

THENCE South 89°35'33" East for a distance of 19.33 feet;

THENCE South 02°58'08" East for a distance of 391.22 feet to a point on the North right-of-way of said 1750 South Road;

THENCE North 89°36'34" West along said right-of-way for a distance of 44.14 feet to the Point of Beginning.

The above described parcel contains 5.85 acres, more or less.





J·U·B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANDRON
GROUP



GATEWAY
MAPPING
INC.

AND ALSO:

Subject to and including the use of the following;

EASEMENT DESCRIPTION

A parcel of land for ingress, egress and utilities being generally sixty feet in width located in the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 31, Township 5 South, Range 15 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows;

Commencing at the Center Quarter corner of said Section 31, which corner is marked by a 5/8" rebar, C.P.F. Instrument # 127668 and from which the West Quarter corner bears North 89°35'10" West - 2631.65 feet;

THENCE North 00°14'51" East along the East boundary of said SE4 NW4 for a distance of 70.00 feet to a point on the Northerly Right-of-Way boundary of 1750 South Road as defined by Right-of-Way deed recorded February 4, 1961 as Instrument Number 443, Gooding County Records and being the POINT OF BEGINNING;

THENCE South 87°13'25" West along said Northerly Right-of-Way for a distance of 15.93 feet;

THENCE North 02°58'08" West for a distance of 360.72 feet to a point of curve to the left of which the radius point lies South 87°01'52" West, a radial distance of 20.00 feet;

THENCE northwesterly along the arc for a distance of 30.27 feet, through a central angle of 86°43'12", and a long chord bearing North 46°19'44" West for a distance of 27.46 feet;

THENCE North 89°41'20" West for a distance of 657.57 feet to a point of curve to the left of which the radius point lies South 00°18'40" West, a radial distance of 220.00 feet;

THENCE westerly along the arc for a distance of 41.88 feet, through a central angle of 10°54'26", and a long chord bearing South 84°51'27" West for a distance of 41.82 feet;

THENCE South 79°24'15" West for a distance of 45.28 feet to a point of curve to the right of which the radius point lies North 10°35'45" West, a radial distance of 280.00 feet;

THENCE westerly along the arc for a distance of 52.22 feet, through a central angle of 10°41'09", and a long chord bearing South 84°44'49" West for a distance of 52.14 feet;

THENCE North 89°54'37" West for a distance of 121.37 feet to a point of curve to the right of which the radius point lies North 00°05'23" East, a radial distance of 70.00 feet;

THENCE northeasterly along the arc for a distance of 322.07 feet, through a central angle of 263°37'14", and a long chord bearing North 41°54'00" East for a distance of 104.35 feet to a point of reverse curve to the left of which the radius point lies North 83°42'38" West, a radial distance of 20.00 feet;



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANDON
GROUP



GATEWAY
MAPPING
INC.

THENCE southeasterly along the arc for a distance of 29.19 feet, through a central angle of $83^{\circ}37'14''$, and a long chord bearing South $48^{\circ}06'00''$ East for a distance of 26.67 feet;

THENCE South $89^{\circ}54'37''$ East for a distance of 32.86 feet to a point of curve to the left of which the radius point lies North $00^{\circ}05'23''$ East, a radial distance of 210.00 feet;

THENCE easterly along the arc for a distance of 39.17 feet, through a central angle of $10^{\circ}41'09''$, and a long chord bearing North $84^{\circ}44'49''$ East for a distance of 39.11 feet;

THENCE North $79^{\circ}24'15''$ East for a distance of 45.26 feet to a point of curve to the right of which the radius point lies South $10^{\circ}35'45''$ East, a radial distance of 290.00 feet;

THENCE easterly along the arc for a distance of 55.21 feet, through a central angle of $10^{\circ}54'26''$, and a long chord bearing North $84^{\circ}51'28''$ East for a distance of 55.12 feet;

THENCE South $89^{\circ}41'20''$ East for a distance of 712.65 feet to a point on the East boundary of the SE4 NW4 of said Section 31;

THENCE South $89^{\circ}41'20''$ East for a distance of 2.86 feet;

THENCE South $00^{\circ}15'29''$ West for a distance of 47.58 feet;

THENCE South $89^{\circ}35'33''$ East for a distance of 19.33 feet;

THENCE South $02^{\circ}58'08''$ East for a distance of 391.22 feet to a point on the Northerly Right-of-Way of 1750 South Road;

THENCE North $89^{\circ}36'34''$ West along said Northerly Right-of-Way for a distance of 44.14 feet to the POINT OF BEGINNING.

The above described parcel contains 2.16 acres, more or less.



WOOD RIVER ESTATES
 IRRIGATION WATER RIGHTS SPLITS
 2017 NAIP AERIAL
TRANSFER 83718

Legend

- Wood_River_Estates_PODs
- Transfer_37-23115
- Transfer_37-23116
- Transfer_37-22166
- Wood_River_Estates





0 62.5 125 250 Feet

WOOD RIVER ESTATES
IRRIGATION WATER RIGHTS TRANSFER
2017 NAIP AERIAL
TRANSFER 83718

- Legend**
-  Lot_10_POD
 -  PPU
 -  Transfer_37-23115
 -  Transfer_37-23116
 -  Transfer_37-22166





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 15, 2019

WATER DISTRICT #130 *via hand delivery*
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RE: Transfer No. 83718
Water Right No(s): 37-22166, etc. (Alonzo & Charmianne Leavell)

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 14, 2019

ALONZO B LEAVELL
CHARMIANNE LEAVELL
PO BOX 54
GOODING, ID 83330-0054

RE: Transfer No. 83718
Water Right No(s). 37-23208, 37-23210, 37-23215

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 11/21/2019 and 11/28/2019**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **December 9, 2019**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,


Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, November 14, 2019 11:27 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News ad.doc; Times News cover letter.docx

Attached please find **(1)** legal notice being submitted for publication on November 21st & 28th, 2019. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 14, 2019

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 83718
Water Right No(s): 37-23208, 37-23210, 37-23215

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 9, 2019. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83718**

ALONZO B LEAVELL and CHARMIANNE LEAVELL, PO BOX 54, GOODING, ID 83330-0054; has filed Application No. 83718 for changes to the following water rights within GOODING County(s): Right No(s). 37-23208, 37-23210, 37-23215; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) of three ground water irrigation rights (0.064 cfs, 3.3 acres) from ground located approximately 0.8 to 1.0 mile west and 1.5 to 1.7 miles north of the intersection of Highways 26 and 46 in Gooding, to ground located approximately 0.5 to 0.6 mile west and 1.5 to 1.6 miles north of Gooding. The transfer also proposes to change the point of diversion (POD) of the three rights from nine wells located within, or adjacent to, the current POU to an existing well located approximately 1.5 miles north and 0.6 mile west of Gooding.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before December 9, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on November 21st & 28th, 2019

TRANSFER SYNOPSIS

Date: October 30, 2019
To: Transfer 83718, Alonzo and Charmianne Leavell file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the place of use (POU) of three ground water irrigation rights from ground located approximately 0.8 to 1.0 mile west and 1.5 to 1.7 miles north of the intersection of Highways 26 and 46 in Gooding, to ground located approximately 0.5 to 0.6 mile west and 1.5 to 1.6 miles north of Gooding.

The transfer also proposes to change the point of diversion (POD) of the three rights from nine wells located within, or adjacent to, the current POU to an existing well located approximately 1.5 miles north and 0.6 mile west of Gooding.

This transfer will be advertised and comments will be sought from the Watermaster of Water District 130.

ESPA modeling analysis is not required as the current wells are in the same or adjacent cells as the proposed POD.

The rights involved in the transfer are:

37-23208	Alonzo Leavell	0.02 cfs	4.0 AF	1.0 acre
37-23210	Charmianne Leavell	0.03 cfs	6.0 AF	1.5 acres
37-23215	Alonzo Leavell	0.014 cfs	3.2 AF	0.8 acre

Documentation has been provided with the transfer which will change the ownership of the rights to Charmianne and Alonzo Leavell upon approval of the transfer.

Bitzenburg, James

From: Bitzenburg, James
Sent: Tuesday, October 29, 2019 2:27 PM
To: Marston, Sascha
Subject: Refund of overpayment of fees

Sascha-

I am processing a Water Right Transfer (#83718) for Alonzo and Charmianne Leavell, which was submitted by Brockway Engineering. The actual fees for the transfer (and associated ownership changes) was \$600.00, while Brockway Engineering paid \$650.00 with check #15558, IDWR receipt #S037581. It appears that the overpayment was made to the transfer fee, as the amount credited was \$250.00, and the fee should have been \$200.00. Could you issue a \$50.00 refund to Brockway Engineering for the overpayment? The address for Brockway Engineering is:

**BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

Let me know if you need anything more and thank you for your help.

Jim

**Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov**

FEE MEMORANDUM

Date: October 29, 2019
To: Alonzo and Charmianne Leavell Transfer #83718 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on October 10, 2019 along with a Change of Ownership Notice for rights 37-23115, 37-23116, and 37-22166. The ownership change was completed first, so that the split-off portions could be placed directly into the transfer, and not split during the transfer process. The first split, on right 37-23115, was actually made during a change of ownership submitted by Shellee Shaw. First American Title, on behalf of Ms. Shaw, submitted \$125.00 (receipt S037455) to split off a portion of right 37-23115. At that point, the right was split into 3 parts and her fee paid for a split and her change of ownership, which only called for a fee of \$100.00, so she received a \$25.00 refund.

The fee for changing ownership on one of the splits of 37-23115, pre-transfer, is \$25.00, and the fee for changing the other split during the transfer is another \$25.00, so the total fees for right 37-23115 are \$50.00.

Right 37-23116 is also being split pre-transfer, so that fee is \$100.00, and it covers a change of ownership of one of the split rights. The other two split rights will have one ownership change pre-transfer and one during the transfer for a fee of \$25.00 and \$25.00. The total fees for right 37-23116 are \$150.00.

Right 37-22166 is being split into 6 pieces during the pre-transfer ownership change. A fee of \$100.00 will cover the split and one ownership change. Four additional ownership changes (three pre-transfer and one in the transfer) will be necessary, at \$25.00 each, for an additional \$100.00. One of the split portions will not undergo an ownership change. The total fees for right 37-22166 are \$200.00, so the total for ownership changes is \$50.00 + \$150.00 + \$200.00, or \$400.00. The fee for the transfer is based on the total flow rate changing, which is 0.064 cfs, for a fee of \$200.00. The total fee is \$600.00. Brockway Engineering paid, at the time of filing, \$650.00, with check #15558, IDWR receipt #S037581. A request is being made to the IDWR State office for a refund of the \$50.00 overpayment to Brockway Engineering.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 18 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

October 18, 2019

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Alonzo Leavell

Dear Mr. Skinner:

Lonnie Leavell proposes to transfer a total of 3.3 acres to a parcel of ground located in Gooding County, Idaho. The parcel is identified as RP05S15E314765 and covers 5.5 acres of ground. The transfer proposes to create a 5.5 acre permissible place of use with a 3.3 acre irrigation place of use. It is proposed to transfer 1.0 acres from 37-23115, 0.8 acres from 37-22166 and 1.5 acres from 37-23116.

Canal shares are currently used to irrigate the 5.5 acres and canal shares will be used to irrigate the property in the future. The 3.3 acres of primary ground water is not to be combined with the canal water or to become supplemental to the canal water. The 3.3 acres will be leased into the Idaho Water Supply Bank as soon as this transfer is approved.

There is an existing well on the parcel with a well ID of 407309 and metal tag #D0037026.

No ESPA modeling has been performed for this transfer. The water rights will be split based on signed quitclaim deeds from Lonnie Leavell and Charmianne Leavell. The water right portions on parcel RP05S15E314765 will be owned by Lonnie Leavell and Charmianne Leavell.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

OCT 10 2019

DEPT. OF WATER RESOURCES
SOUTHERN REGION

October 7, 2019

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Alonzo Leavell

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Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Lonnie Leavell

Enc: Aerial Maps, Quit Claim Deeds, Brockway Engineering Check # 15558 for \$650.00

CHARLES E.
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PH.D., P.E.

CHARLES G.
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