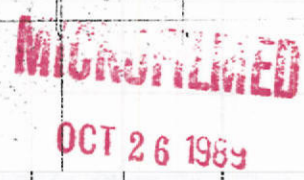


point of diversion, pl



MIGHT

s application for permit to appropriate the public waters of


(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08764

Priority: May 8, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.5 AF

This is to certify, that DENNIS LEAVITT
KENE LEAVITT

220 N 740 W

BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 8, 1989; and has submitted Proof of Beneficial Use on August 14, 1990. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.01 CFS	0.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 1, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 1

NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for a potato cellar humidifier.

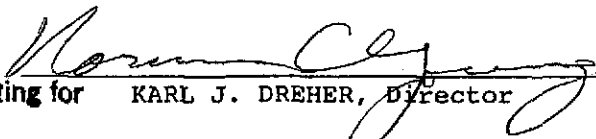
JUL 19 1995

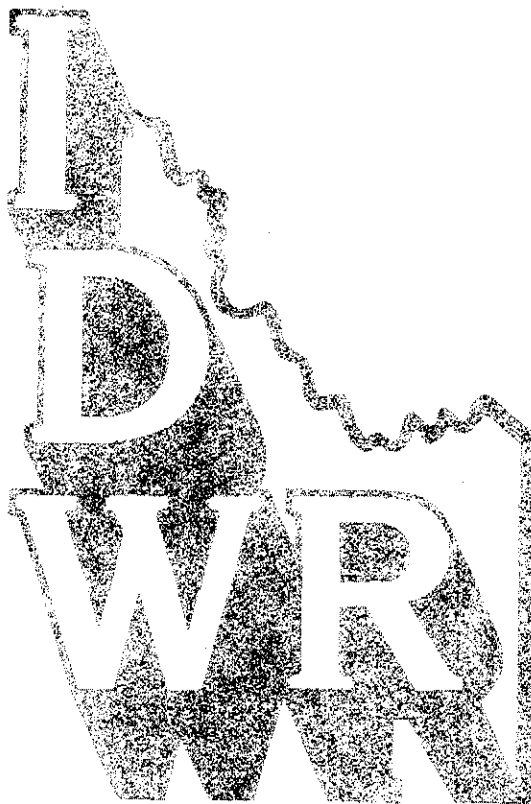
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08764

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12TH
day of JULY, 1995.


Acting for KARL J. DREHER, Director



MICROFILMED

JUL 19 1995

RECEIVED
AUG 14 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # N/A
Receipt by _____
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08764
Name(s) of Permit Holder: Dennis & Kenea Leavitt
Post Office Address: 220 N 740 W Blackfoot Idaho 83221
Telephone No. 684-4892

Source of Water: Groundwater

Extent of Use: Drilled in - ~ 1986
Drilled by - Cushman
Domestic 1 (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark commercial - potato
cellar humidifier

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No
Fee enclosed \$ N.A.
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ☒ No
Installed? Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

See above
(Name)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-10-90 Dennis L. Leavitt - Kenea Leavitt
Date Signature of Permit Holder (and title, if appropriate)

RECEIVED
MAR 18 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08764

Proposed Priority: May 8, 1989

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **DENNIS LEAVITT**
KENEA LEAVITT
220 N. 740 W.
BLACKFOOT, ID 83221

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
COMMERCIAL	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSW Sec. 1, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 1 NWSW

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for a potato cellar humidifier.
8. Domestic use is for 1 home.

MICROFILMED
OCT 26 1989
MICROFILMED

JUL 10 1995

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 35-08764

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

19th day of October, 1989.

for *R. Keith Higginson*
R. Keith Higginson, Director

~~RECEIVED~~
OCT 26 1989
JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dennis Leavitt or Kenea Leavitt Phone 684-4842
Post office address 220 N. 740 W. Blackfoot ID 83221
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____
Sec. 1 Township 2S Range 34E B.M. Bingham County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 0.02 for Commercial purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)
- Amount 0.04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. well, pump & distribution
system to home & humidifier
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. ~~Proposed~~ Existing well diameter is 6 inches; proposed depth of well is 100 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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OCT 26 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one
- e. Other; describe fully. cf humidifier for potato cellar.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
025.	34E	1									P/C								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

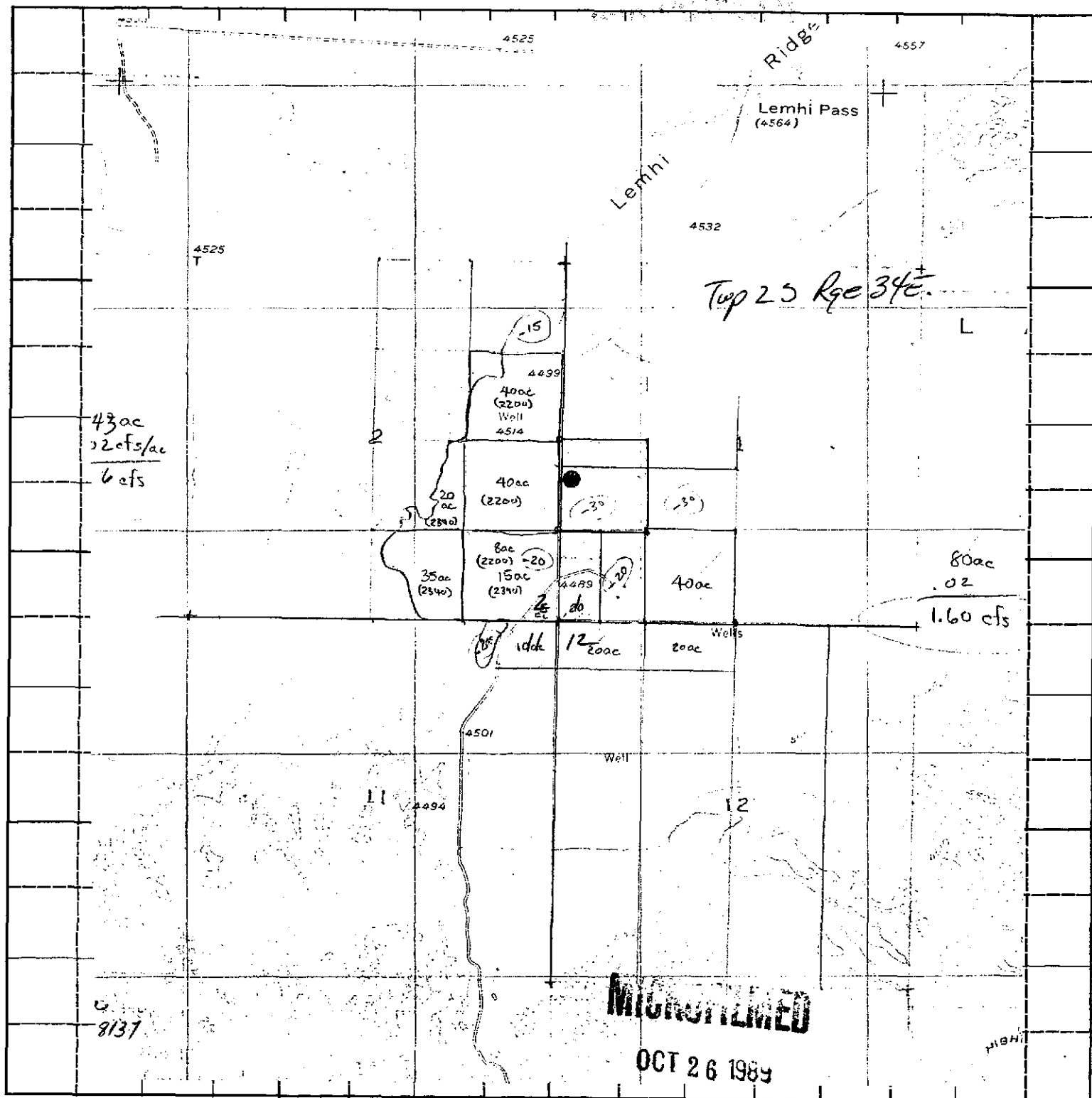
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

MICROFILMED

26 1989

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



Scale: 2 inches equal 1 mile.

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

[Signature]
(Applicant)

Received by EMC Date 8 May 89 Time _____ Preliminary check by _____
Fee \$ 30⁰⁰ Received by EMC # E007244 Date 8 May 89
Publication prepared by RB Date 7-13-89 Published in Morning News 7-20, 27, 89
Publication approved OW Date 8-24-89 8-31-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

OCT 26 1989

M E M O R A N D U M

DATE: July 21, 1995

TO: File 35-08764

FROM: Shelley W. Keen

SWK

RE: Phone call from Mrs. Leavitt

=====

Today Mrs. Leavitt called to discuss the license issued to her. She was primarily concerned with why the domestic use authorized on the permit was not licensed. She said that a trailer is in place now and is using water from the well. I explained that the examiner did not find a domestic use in place in 1992. But, I told her that if she could supply evidence that the domestic use existed at the time proof of beneficial use was submitted in 1990, I would consider recommending that the license be amended. I also explained that a water user is not required to obtain a permit and license from the Department to establish a single domestic water use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 1995

DENNIS LEAVITT
KENEAL LEAVITT
220 N 740 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08764

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JUL 19 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 35-08764 DATE 7-11-95

NAME	Change OK ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NA</u> <u>Filed for .04 CFS</u>
SOURCE	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? ☐
POINT OF DIV	☒	Amendment needed? <u>No Gov Lot</u> Overlaps? ☐
PLACE OF USE	☒	Amendment needed? <u>No Gov Lot</u> Overlaps? ☐
DIV RATE	☒	Permit/fee limits: <u>.06 / .04</u> (oz for com) Meas Q = _____ Theo Q = <u>.03</u> Recommend: <u>.01</u> <u>36 gal/hr = .16 gal/min = .01 CFS</u> <u>8.8 x .7 x .5 hp</u> <u>30 + (2.31 x 40) = .03 CFS</u> Combined rates exceed capacity ☐
ANNUAL VOLUME	☒	Volume Limit: _____ Season: <u>1-1 to 12-31</u> Calculations: <u>36 gal/hr x 12 x 365 = 1.5 af</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable ☐
USES	☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
ADDITIONAL INFO		Supplemental Groundwater ☐ PPU Scenario ☐ Irr/Dom Combination ☐ Shared G/W System ☐
NEW REMARKS	☐	Multiple p/d(s) in 1/4 1/4? ☐ Other ☐
NEW CONDITIONS	☐	Watermaster control - District ☐ Measuring/Locking Devices ☐ Irrigation Overlap ☐ Other <u>Keep NON-TRUST CONDITIONS</u> Water Quality ☐ Heat/Cool/Fish verified ☐
COMMENTS:	<u>Delete domestic use; Reduce rate</u>	

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Commercial</u>	<u>.01</u>	<u>.5</u>	Adjustment Memo Needed	<u>NO</u>
			LICENSE	☒
			1ST AMEND LETTER	
			2ND AMEND LETTER	

OCT 23 1978 Stat

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

EXAMPLE FOR 35-08764

RECEIVED

JAN 23 1995

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

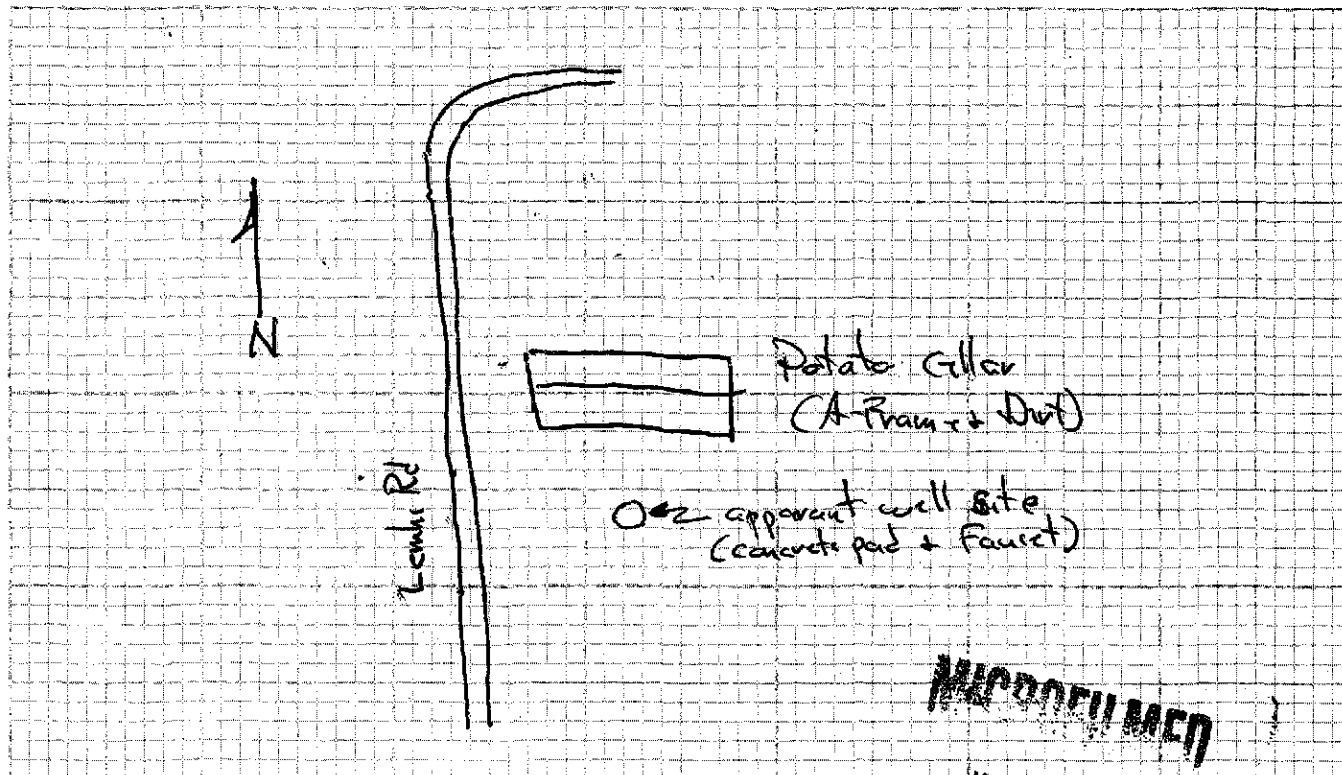
1. Owner: Dennis or Kenya Leavitt Permit No. 35-08764
 Current Address: 220 N. 740 W. Blackfoot, ID 83221 Phone No. 684-4842
 2. Accompanied by: Dennis Leavitt EXAM. DATE: 5-5-92
 Address: _____ Phone No. _____
 Relationship to Permit Holder: _____
 3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A. ☐ Copies Attached
 2. Other water rights with same point of diversion: N.A. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well depth approx 80-90'

This cellar is 0.6 miles North of 35-0876

*No Domestic use - trailer site empty

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1/2			

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	1	25	34E	Bingham	USGS Map

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	34E	1										C							

Do not use this space

PAID RETURN

JUL 19 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: *Throttled as per record, 36 gph or 0.001; allow 0.01 cfs*

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

RECORDED

JUL 19 1995

$$\frac{36 \text{ gal}}{\text{hr}} \times \frac{12 \text{ hr}}{\text{day}} \times \frac{365 \text{ days}}{\text{year}} = \frac{157680}{325,850 \text{ gal/af}} = 0.5 \text{ af}$$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Since no domestic use, I recommend .02 cfs for this permit.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	0.01	0.5
Totals:			0.01 cfs	0.5 afa

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name HAROLD JONES
Signature [Signature]
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOT RECORDED

JUL 19 1995

INTER-DEPARTMENT MEMO — 1

DATE September 2, 1980

FROM Terry Blau

TO Staff

SUBJECT Field exams on potato storage facilities

After talking with 2 suppliers and installers of ventilating and humidifying equipment for potato storage. The following are some rules of thumb which maybe helpful in doing exams.

Max. rate of flow - 1 gal/hr/1000 cwt of spuds (2.4 cubic feet/100 lbs)

Max length of storage 11 months

Volume 1/2 gal/hr/1000 CWT/year

Alt method

36 gal/hr per humidifier (max)

Use would be less than 25% of max during winter months

Vol. use 36 gal/hr x 12hrs/day/ 365 days or #days of use

Terry Blau

SIGNATURE

35-8764

JUL 19 1980

35-08764

35-08764

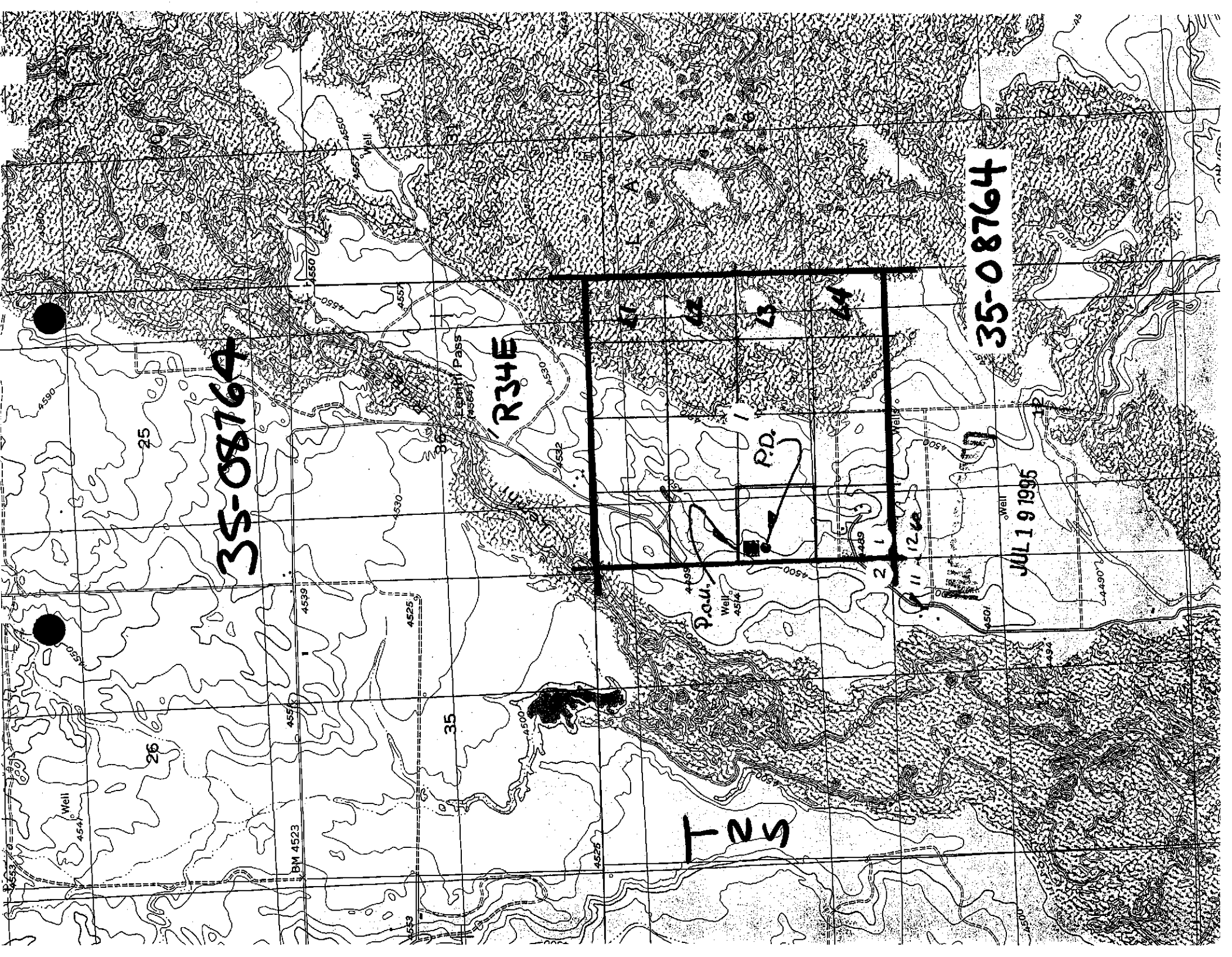
JUL 19 1995

R34E

TNS

P.D.

11 12 62



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

Drilling Permit No.: _____

Water Right No.: 35-08764

Owner: Dennis Litcitt Phone No.: 684-4842

Address: 220 N. 740 W. Blackfoot, ID

1. Well Location: _____ $\frac{1}{4}$, _____ $\frac{1}{4}$, _____ $\frac{1}{4}$, Lot _____, Twp _____, Rge _____,
Sec. _____, _____ County (provide sketch map on reverse)

2. Driller: Cushman

Is driller licensed? ☒ yes _____ no License No.: _____

Date of Completion: 1986 (approx)

3. Casing size: _____ Water tight cap? _____ yes _____ no

Casing $\geq$ 12 inches above ground? _____ yes _____ no

4. Evidence of well seal? _____ yes _____ no

_____ visual Auger to a depth of _____

5. Access Port: _____ yes _____ no Static Water Level: _____

Pressure Gauge: _____ yes _____ no Temperature: _____

Pressure: _____

6. Flowing Artesian? _____ yes _____ no

Flowing: _____ around annulus _____ through casing

7. Are there obvious construction problems that may be a source
for contamination or waste of water? _____ yes _____ no

Remarks: _____

HWT

(Agent)

5-5-92

(Inspection Date)

March 11, 1991

DENNIS LEAVITT
KENE LEAVITT
220 N 740 W
BLACKFOOT ID 83221

Dear Mr. and Mrs. Leavitt:

Re: Permit Nos. and 35-8760 35-8764

The department received the proof of beneficial use forms for the above referenced permits.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Eastern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: E. Region

MICROFILMED

MAR 18 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

DENNIS LEAVITT
KENE LEAVITT
220 N. 740 W.
BLACKFOOT, ID 83221

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P35-08764

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

MICROFILMED

OCT 26 1989

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICHAEL

OCT 26 1989

35-08728

COUMERILH, TERRY L.
Drawer H
Moreland, ID 83256
Source: GROUNDWATER
Diversion Pt: NENWNE
Sec 26 T 02S R 34E
Use: IRRIGATION, (.060 CFS)
Date Filed: 5/22/1989
In: T02S R34E S26 NWNE
3.0 ACRES TOTAL

35-08731

COLLINS, DON J.
705 W. 100 S.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENE
Sec 11 T 03S R 34E
Use: COMMERCIAL, (.300 CFS)
Date Filed: 5/23/1989
In: T03S R34E S11 NENE

35-08761

TETON WEST STEEL INC.
P.O. Box 122
Rexburg, ID 83440
Source: GROUNDWATER
Diversion Pt: SENE
Sec 32 T 02S R 35E
Use: COMMERCIAL, (.040 CFS)
Date Filed: 5/23/1989
In: T02S R35E S32 SENE

35-08762

COX, RANDY
COX, PAMELA
555 W. 100 N.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NENW
Sec 31 T 02S R 35E
Use: IRRIGATION, (.040 CFS);
COMMERCIAL, (.040 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/23/1989
In: T02S R35E S31 NENW
2.0 ACRES TOTAL

35-08764

LEAVITT, DENNIS
LEAVITT, KENEA
220 N. 740 W.
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: NWSW
Sec 1 T 02S R 34E
Use: COMMERCIAL, (.020 CFS);
DOMESTIC, (.040 CFS)
Date Filed: 5/08/1989
In: T02S R34E S01 NWSW

35-08765

BROADHEAD, LYNN
P.O. Box 1067
Blackfoot, ID 83221
Source: GROUNDWATER
Diversion Pt: SESWSE
Sec 31 T 02S R 35E
Use: COMMERCIAL, (.500 CFS)
Date Filed: 5/23/1989
In: T02S R35E S31 SWSE

MICROFILMED

OCT 26 1989

RECEIVED

AUG 22 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell)
do
solemnly

swear that I am the Publisher of
The Morning News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court of
competent jurisdiction within the State of
Idaho shall be published to-wit: of each week; that the
notice attached hereto and which is a part of this af-
fidavit and part of the proof of publication was
published in said issue or said

newspaper two consecutive weeks,

the first publication having been made on the

3rd day of August, 19 89;

and the last publication having been made on the
10th day of August, 19 89;

that said notice was published in the regular and entire
issue of every number of the paper as aforesaid during
the period and time of publication, and that notice was
published in the newspaper and not in a supplement.

On this 21st day of August, in
the year 1989 before me a Notary Public of said State,
personally appeared

Michael Bell
known or identified to me to be the person whose
name is subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he ex-
ecuted the same.

David R. Taylor
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing Fee..... \$5.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 26, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 21, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

INDEXED FILMED

OCT 26 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

OCT 26 1989

35-08764

LEAVITT, DENNIS
LEAVITT, KENEA
220 N. 740 W.
BLACKFOOT, ID 83221

Source: GROUNDWATER

Diversion Pt: NWSW Sec 1 T 02S R 34E

Use: COMMERCIAL (.020 CFS)
 DOMESTIC (.040 CFS)

Date Filed: 5/08/1989

In: T02S R34E S01 NWSW

MICROFILMED

OCT 26 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before AUGUST 21, 1989.

R. Keith Higginson, Director

Published 8/03/1989 & 8/10/1989

MICROFILMED

OCT. 26, 1989

18-July-1989

Dennis or Kenea Leavitt
220 N. 740 W.
Blackfoot, ID 83221

RE: Application for Permit No. 35-8764

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

OCT 26 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JULY 17, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 7, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

did not run

MICROFILMED

OCT 26 1989

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MICROFILMED

OCT 26 1989

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LEAVITT, DENNIS
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Diversion Pt: NWSW Sec 1 T 02S R 34E

Use: COMMERCIAL (.020 CFS)
 DOMESTIC (.040 CFS)

Date Filed: 5/08/1989

In: T02S R34E S01 NWSW

MICROFILMED

OCT 26 1989

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R. Keith Higginson, Director

Published 7/20/1989 & 7/27/1989

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OCT 26 1989