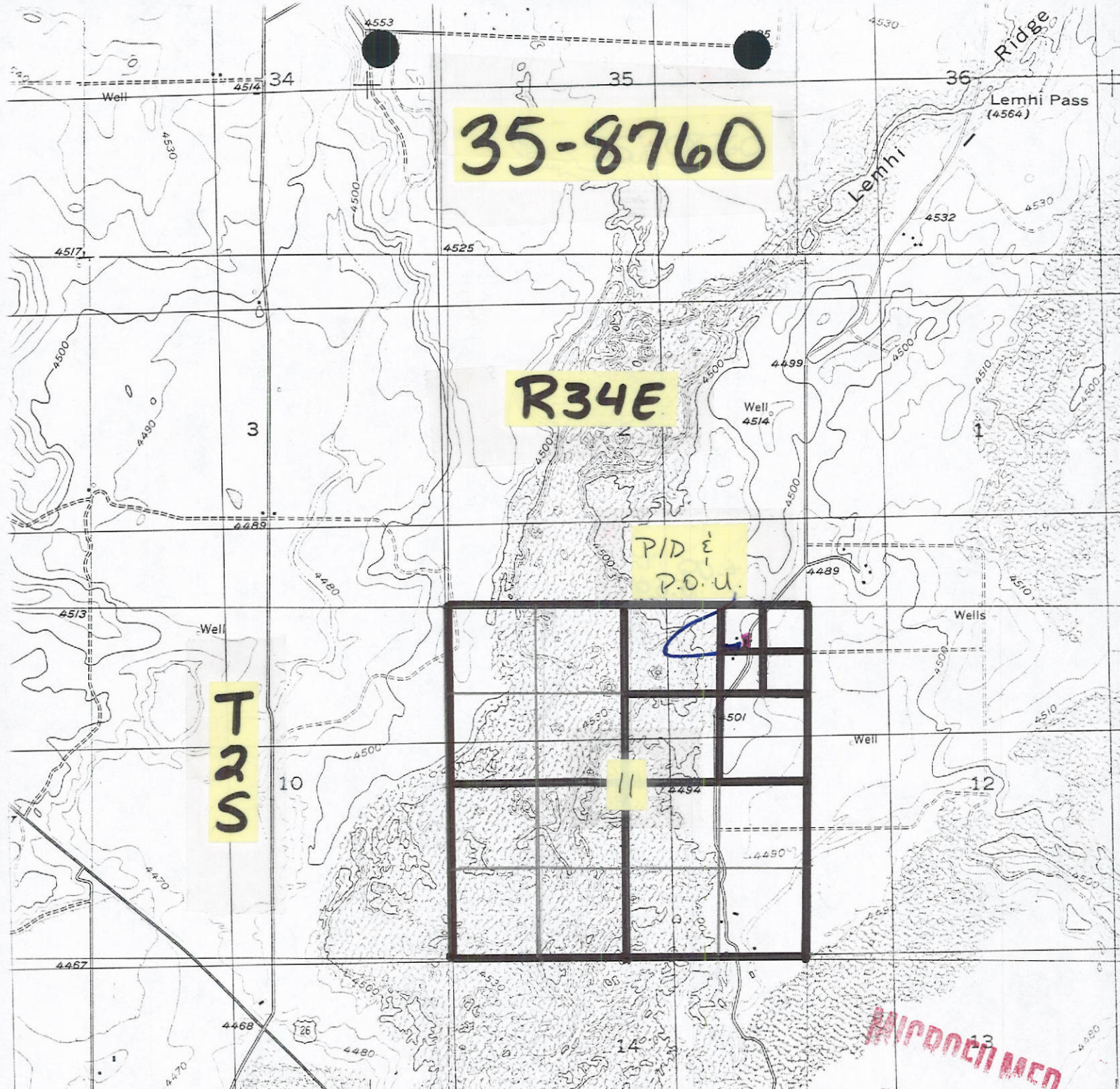


MANLINE!

SEP 15 1989

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.

(Applicant



al Survey

80 420 000 FEET 81 27'30" 82 83 (MORELAND) 3570 III NW 25'

BLACKFOOT 7.1 MI.

SCALE 1:24 000

1 1/2 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 0.5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

35-8760

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

UTM GRID AND 1979 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

GN MN
0°59' 17 MILS 17° 302 MILS

MAR 23 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08760

Priority: May 8, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.0 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 0.020 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	0.02 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 11, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 11

NENE

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 potato cellar humidifiers.

MAR 23 1995

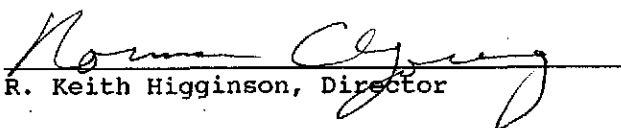
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08760

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 23RD
day of FEBRUARY, 1995.

Acting for


R. Keith Higginson, Director



RECEIVED

MAR 23 1995

RECEIVED
AUG 14 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 35-08760

Name(s) of Permit Holder: Dennis & Renea Leavitt

Post Office Address: 220 N 740 W Blackfoot, Idaho 83221

Telephone No. 684-4842

Source of Water: Ground water

Extent of Use: Drilled - between 60's-70's

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark Commercial - humidifier

in potato cellar

Total rate and/or volume for which proof is submitted 0.02 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 \$ NA
(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)

(Telephone Number)

MICROFILMED

(Address)

MAR 18 1991

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
Date

Dennis & Renea Leavitt
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08760

Proposed Priority: May 8, 1989

Maximum Diversion Rate:

0.02 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:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNENE

Sec. 11, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

02S 34E 11

NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. 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.
6. Commercial use is for humidifier in potato cellar.

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

1st day of

September, 1989

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SEP 15 1989

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

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 NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 11 Township 2 S. 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 _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 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 pipeline &
humidifier for potato cellar

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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SEP 15 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. _____
- 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	
25	34E	11	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

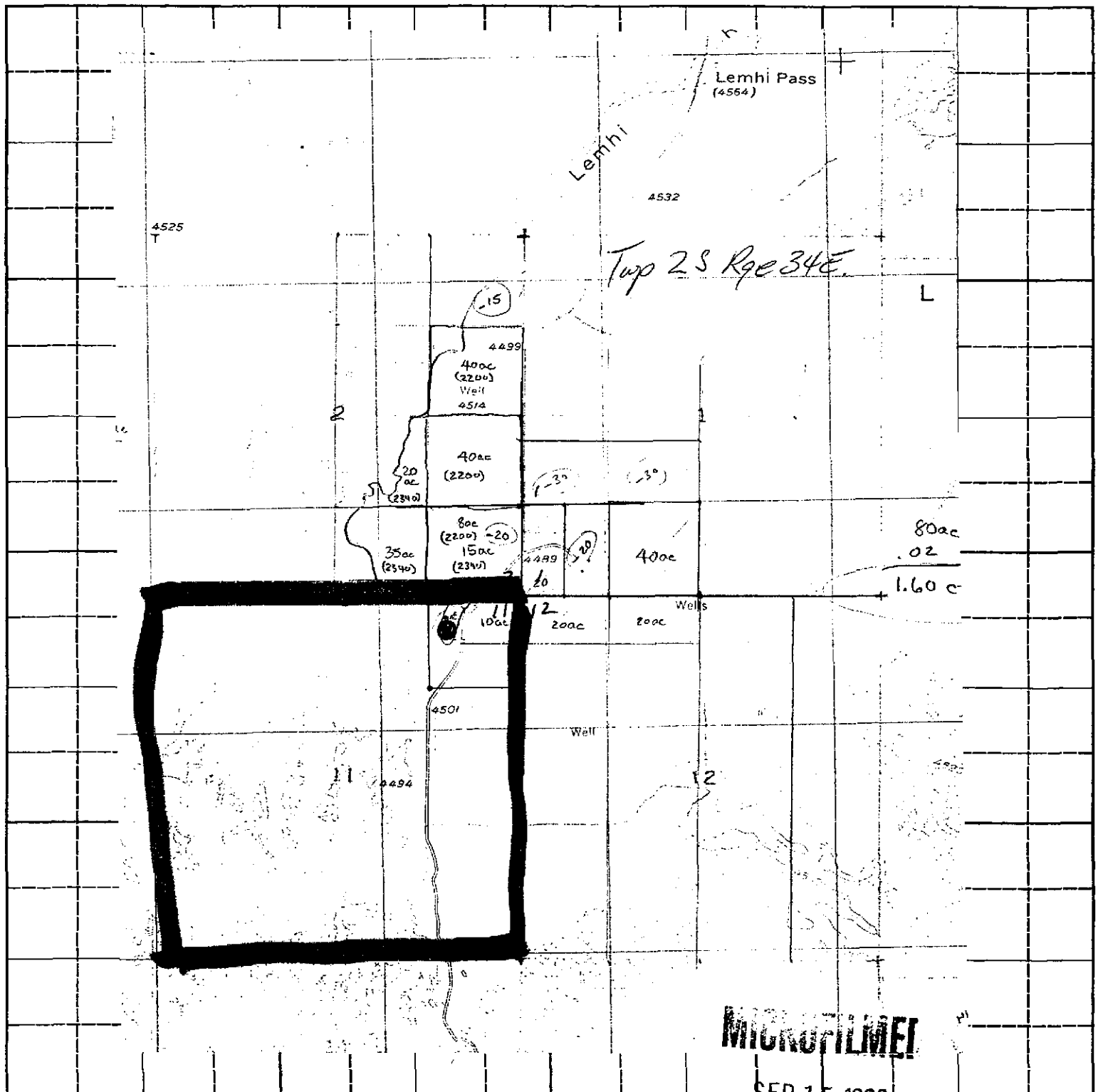
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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SEP 15 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.

SEP 15 1989

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 HWS
Fee \$ 30⁰⁰ Receipted by EMC # E007244 Date 8 May 89
Publication prepared by RB Date 7-6-13, 89 Published in Morning News
Publication approved QW Date 7-24-89

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:

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SEP 15 1989



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

R. KEITH HIGGINSON
DIRECTOR

February 24, 1995

DENNIS LEAVITT
KENEAL LEAVITT
220 N 740 W
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08760

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,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAR 23 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 35-08760 DATE 2/15/95

NAME	Yes ☐ No ☒	Or Address Change? ☐
PRIORITY DATE	☐ ☒	Advance? ☐ Advanced to: ☐ Order to reinstate needed? ☐ Incorrect fee for rate recommended? <u>NA</u>
SOURCE	☐ ☒	Changes or just clarification of originally intended source? ☐ Notice of Intent to Void necessary? ☐
POINT OF DIV	☐ ☒	Amendment needed? ☐ Overlaps? ☐
PLACE OF USE	☐ ☒	Amendment needed? ☐ Overlaps? ☐
DIV RATE	☐ ☒	Permit/fee limits: <u>.02 CFS</u> Meas Q = <u>.5 x 8.8 x .7</u> Theo Q = <u>.02</u> Recommend: <u>.02</u> <u>65 + (2.31 x 40) = .02 CFS</u> Combined rates exceed capacity ☐
STATIC LEVER FROM 55'-65' in that Section		
ANNUAL VOLUME	☒	Volume Limit: ☐ Season: <u>1-1 to 12-31</u> Calculations: <u>2 humidifiers per cellar is average</u> <u>2 average - 72 gal per/hr - 12 hrs per day</u> Flow limit: ☐ cfs x ☐ x 1.9835 = ☐ Combined volumes exceed capacity/allowable ☐
<u>equals .97 af</u> <u>Round up to 1.0 af</u>		
USES	☐ ☒	Change in Nature of Use or additional uses? ☐ Amendment necessary? ☐
REMARKS	☐ ☒	Multiple p/d(s) in 1/4 1/4? ☐ Other ☐
CONDITIONS	☐ ☒	Measuring/Locking Devices ☐ Watermaster control - District ☐ Irrigation Overlap ☐ Water Quality ☐ Other <u>048 049</u> Heat/Cool/ Fish verified ☐ <u>NON-TRUST</u>
COMMENTS:	☐	

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Commercial</u>	<u>.02</u>	<u>1.0</u>	Adjustment Memo Needed	<u>YES</u>
☐	☐	☐	LICENSE	☒
☐	☐	☐	1ST AMENDMENT LETTER	☐
☐	☐	☐	FINAL AMENDMENT LETTER	☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 09 1995

Department of Water Resources

A. GENERAL INFORMATION

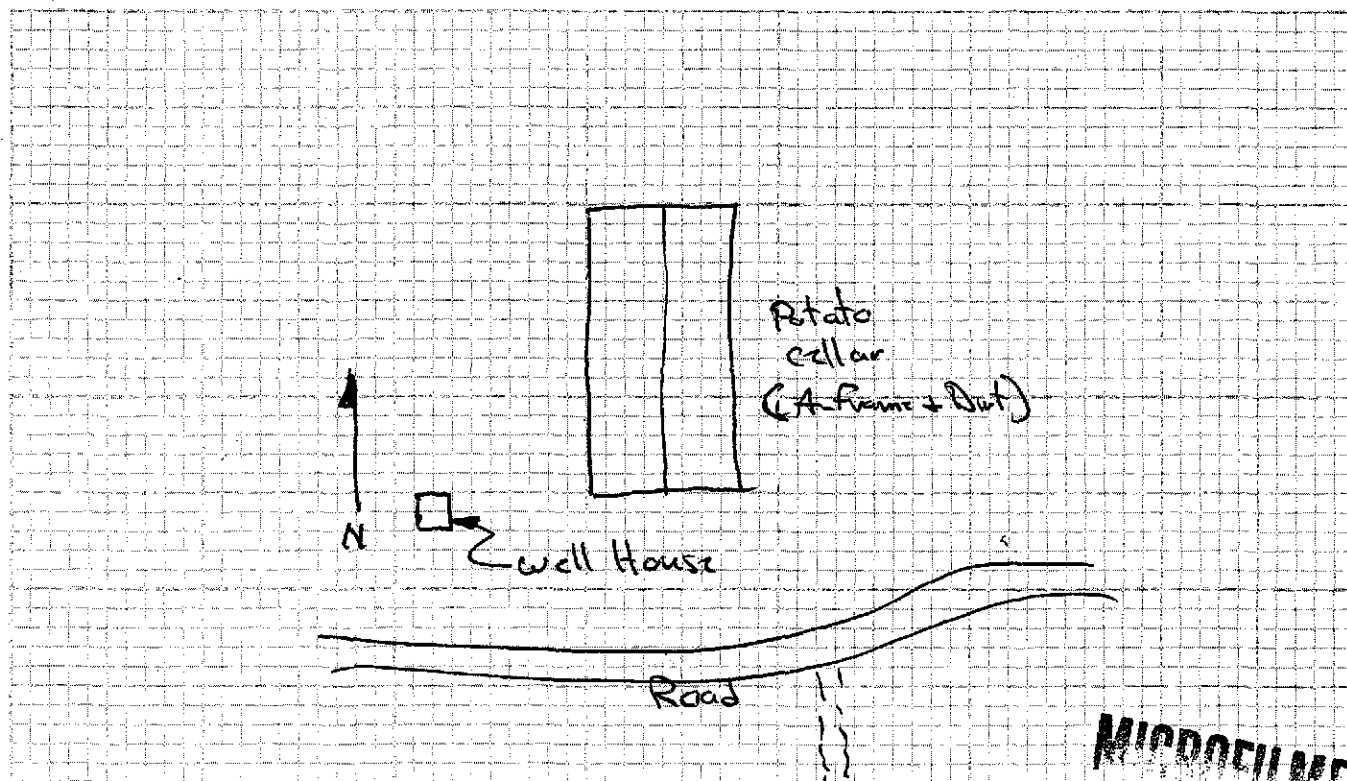
1. Owner: Dennis or Kenya Leavitt Permit No. 35-08760
Current Address: 220 N. 740 W. Blackfoot, ID Phone No. 684-4842
2. Accompanied by: Dennis Leavitt - applicant EXAM. DATE: 5-5-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NA ☐ Copies Attached
2. Other water rights with same point of diversion: NA ☐ 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



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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).

MAR 23 1995

System Description (continued)

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

well with submersed pump to Potato collar Chumidifier

☐ 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		STARITZ	1M84

*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	NE	NE	11	2S	34E	Bingham	

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	
2S	34E	11	C																

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Do not use this space

MAR 23 1995

DO NOT WRITE

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:

Well depth; 80-90' with 1/2 hp pump; 40 psi

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method (Theoretical) = $\frac{(5)(8.814)(.7)}{90 + (40 \times 2.308)} = \frac{3.0849}{182.32} = .017$ (.02 cfs) Capacity

2. Alternate Method for Checking Purposes:

allow 0.02 cfs as permit requests!

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 Ampsx .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:

$V = \text{allow } 0.6 \text{ cfs}$

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MAR 28 1995

* See attached adjustment explanation. BE

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I recommend .01 cfs according to memo from Terry Blau.

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	0.02	0.6 afa
Totals:			0.02 cfs	0.6 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.

* See attached adjustment memo. DC

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MAR 23 1995

MEMORANDUM

TO: File 35-08760 / Dennis Leavitt
FROM: Brenda Chapman
DATE: February 16, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

The volume recommendation has been increased to 1.0 afa based on guidelines from Terry Blau's 9/2/80 memo for calculating potato cellar humidifier requirements. (Copy of memo attached)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Commercial	1-01 to 12-31	.02	1.0

See item G.

RECORDED
MAR 23 1995

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

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MAR 23 1995

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

Drilling Permit No.: _____

Water Right No.: 3S-08760

Owner: Dennis Leavitt Phone No.: 684-4842

Address: 220 N. 740 W. Blackfoot, ID

1. Well Location: _____
 Sec. 11, Bingham County (provide sketch map on reverse)

2. Driller: _____

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

Date of Completion: 1965

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

Casing ≥ 12 inches above ground? _____ yes _____ no unknown

4. Evidence of well seal? _____ yes _____ no unknown

_____ 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: well in wooden well house. casing covered by haybales to insulate

H. W. Jones
 (Agent)

5-5-92

(Inspection Date)

MAR 23 1995

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

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MAR 18 1991

138151
July 31, 1990

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

PROOF DUE NOTICE

RE: PERMIT NO. 35-08760

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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MAR 18 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

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

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P35-08760

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

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SEP 15 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

MICROFILMED

SEP 15 1989

29-Jun-1989

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

RE: Application for Permit No. 35-8760

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

SEP 15 1989

35-08753

ELLIS, Delwyn V.
 ELLIS, Barbara
 904 W. 200 N.
 Blackfoot, Id. 83221
 Source: GROUNDWATER
 Diversion Pt: SWNW, Sec. 16, T. 02S, R.
 34E.
 Use: STOCKWATER (.440 CFS).
 Date Filed: 5/15/1989.
 In: T02S, R34E, S16, NENW, NWNW.
 SWNW.

35-08754

BENNETT, Clarence F.
 TATE, Frances N.
 393 S. 1500 W.
 Pingree, Idaho 83262
 Source: GROUNDWATER
 Diversion Pt: SWSW, Sec. 22, T. 03S, R.
 33E.
 Use: IRRIGATION (.070 CFS).
 DOMESTIC (.040 CFS).
 Date Filed: 5/10/1989.
 In: T03S, R33E, S22, SWSW.
 2.5 ACRES TOTAL.

35-08755

CLARK, Fredi-Marie
 CLARK, Meredith M.
 78 N. 950 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SENENW, Sec. 33, T. 02S, R.
 34E.
 Use: IRRIGATION (.090 CFS).
 STOCKWATER (.020 CFS).
 DOMESTIC (.040 CFS).
 Date Filed: 5/10/1989.
 In: T02S, R34E, S33, NENW.
 3.0 ACRES TOTAL.

35-08757

CLOVIS, Edward
 CLOVIS, Delorus
 215 N. 500 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: SWSWSW, Sec. 20, T. 02S,
 R. 35E.
 Use: IRRIGATION (.090 CFS).
 Date Filed: 6/23/1989.
 In: T02S, R35E, S20, SWSW.
 3.0 ACRES TOTAL.

35-08760

LEAVITT, Dennis
 LEAVITT, Kenea
 220 N. 740 W.
 Blackfoot, Idaho 83221
 Source: GROUNDWATER
 Diversion Pt: NWNENE, Sec. 11, T. 02S, R.
 34E.
 Use: COMMERCIAL (.020 CFS).
 Date Filed: 5/08/1989.
 In: T02S, R34E, S11, NENE.

The permit(s) will be subject to all prior
 water rights. Protests may be submitted bas-
 ed 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 JULY 24, 1989.

R. KEITH HIGGINSON
 Director

(454)
 Pub.: 7/6, 13

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SEP 15 1989

RECEIVED

JUL 20 1989

Department of Water Resources
 Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)
 State of Idaho) ss
 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
6th day of July, 1989;

and the last publication having been made on the
13th day of July, 1989;
 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 17th day of July, 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.

Raye Dayton
 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
30 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 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 JULY 24, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

SEP 15 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

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SEP 15 1989

35-08760

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

Source: GROUNDWATER

Diversion Pt: NWNENE Sec 11 T 02S R 34E

Use: COMMERCIAL (.020 CFS)

Date Filed: 5/08/1989

In: T02S R34E S11 NENE

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SEP 15 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 JULY 24, 1989.

R. Keith Higginson, Director

Published 7/06/1989 & 7/13/1989

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SEP 15 1989