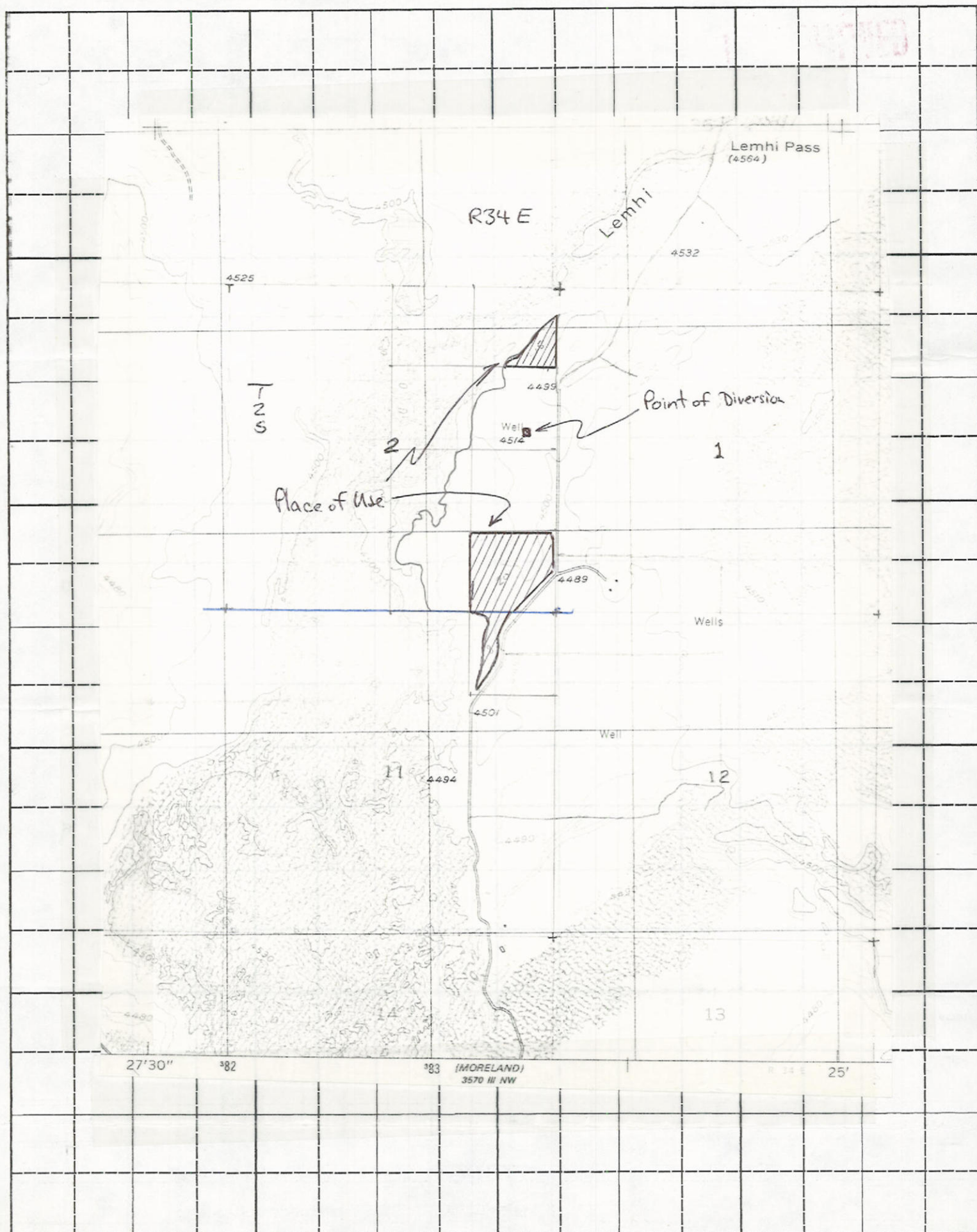


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

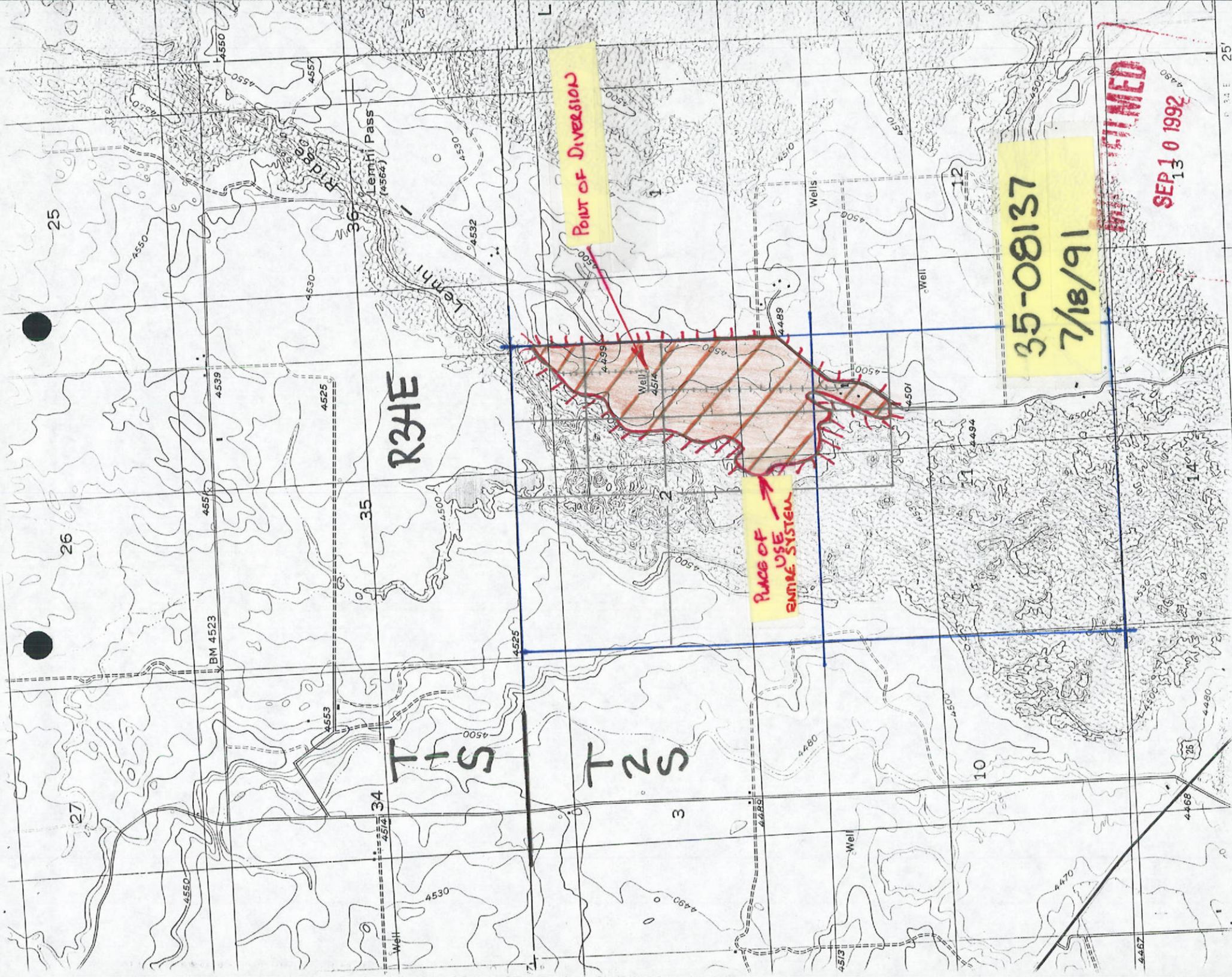


Scale: 2 inches equal 1 mile.

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.

MICROFILMED
SEP 15 1989

Dennis Leavitt
(Applicant)



POINT OF DIVERSION

PLACE OF
USE
ENTIRE SYSTEM

35-08137
7/18/91

RECEIVED

SEP 10 1992



- POINT OF DIVERSION -

35-08137

A35-02200

A35-02340

A35-10930

PHOTO TAKEN 7-18-91 BY

LYNETTE BUSHAW

RECEIVED

SEP 10 1992

Department of Labor Resources
Eastern District Office

SEP 15 1989

Q. What is the difference between a *Journal* and a *Journal of Mathematics*?

Q-13
T-428

A. 20.0

B. 149.0

C. 8.2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08137

Priority: May 3, 1983

Maximum Diversion Rate: 0.42 CFS
Maximum Diversion Volume: 88.0 AF

This is to certify, that DENNIS LEAVITT
KENE LEAVITT

RT 4 BOX 202
BLACKFOOT ID 83221

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 3, 1983; and has submitted Proof of Beneficial Use on August 14, 1990. An examination indicates that the works have a diversion capacity of 3.460 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>
IRRIGATION	04/01 to 10/31	0.42 CFS	88.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 2, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	34E	2	SESE 8			8
		11	NENE 10	NWNE 4		14

Total number of acres irrigated: 22

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 limited to the amount that can actually be beneficially use 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.

MICROFILMED

SEP 10 1992

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 35-08137

CONDITIONS/REMARKS:

6. The Director retains jurisdiction of the right 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. The total combined rate of diversion under this right, 35-02200 and 35-02340 shall not exceed 3.46 cfs.

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 21st day of AUGUST, 1992.

Acting for R. Keith Higginson, Director

MICROFILMED

SEP 10 1992

State of Idaho
Department of Water Resources

RECEIVED

AUG 13 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08137

Department of Water Resources

APPROVED

Date of Priority: May 3, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:

0.42 CFS
88.0 AF

Comes now

DENNIS LEAVITT
KENEA LEAVITT

RT 4 BOX 202
BLACKFOOT ID 83221

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-08137, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.42 CFS	88.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 2, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	34E	2	SESE 8			8
		11	NENE 10	NWNE 4		14
Total number of acres irrigated:						22

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Moreland, Idaho, this 10 day of August, 1992.

Kenea Leavitt
(Signature)

SEP 10 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08137

FOR DEPARTMENT USE ONLY

Preliminary check by es Fee = \$20.00 Receipted by Jf # C025207 Date 8-13-92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 35-08137 with the following;

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 limited to the amount that can actually be beneficially use 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 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
8. The total combined rate of diversion under this right, 35-02200 and 35-02340 shall not exceed 3.46 cfs.

RECEIVED

SEP 10 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 35-08137

Witness my hand this 21ST day of August, 1992.


Acting for R. Keith Higginson, Director

SEP 10 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT TO	)	
APPROPRIATE WATER NO. 35-08137	)	
IN THE NAME OF DENNIS &/OR	)	ORDER REMOVING MEASURING
KENEA LEAVITT	)	DEVICE REQUIREMENT
_____	)	

A field examination for Permit No. 35-08137 was conducted by the Department of Water Resources in 1991. The water flow was not measured, but the examiner simply used the turbine rating as the maximum flow rate.

A condition of the permit required installation of a measuring device. No measuring device is presently in place for the project. The field examiner indicates that installation of a measuring device would be physically impossible unless the system is redesigned and reconstructed.

IT IS HEREBY ORDERED that the condition requiring installation of a measuring device and lockable control works is rescinded and removed as a condition on the permit.

Dated this 6th day of AUGUST, 1992.



L. GLEN SAXTON,
Chief, Water Allocation Bureau

SEP 10 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08137

Proposed Priority: May 3, 1983

Maximum Diversion Rate:

0.86 CFS

This is to certify, that **DENNIS LEAVITT**
KENEA LEAVITT
RT. 4 BOX 202
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

IRRIGATION

04/01 to 11/01

0.86 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE Sec. 2, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02S 34E 2
11

NENE 15
NENE 8

SESE 20

35
8

Total number of acres irrigated:

43

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1990**.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

SEP 15 1989

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

NO. 35-08137

CONDITIONS/REMARKS:

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

31st day of August, 1989.

for J. Glen Saylor
R. Keith Higginson, Director

MICROFILM

SEP 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

#1

1. Name of applicant Dennis or Korea Leavitt Phone 684-4842

Post office address Rt 4 Box 202 Blackfoot, Idaho 83221

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2 Township 2S

Range 34E B.M. Bingham County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.86 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum) 3/15 to 11/15

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:

a. 0.86 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well pump, mainline with wheel lines

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 180 feet.

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

SEP 15 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	2	15															20	35
		11	8																8

Total number of acres to be irrigated 43

c. Describe any other water rights used for the same purposes as described above. _____

35-2200 35-2340

9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

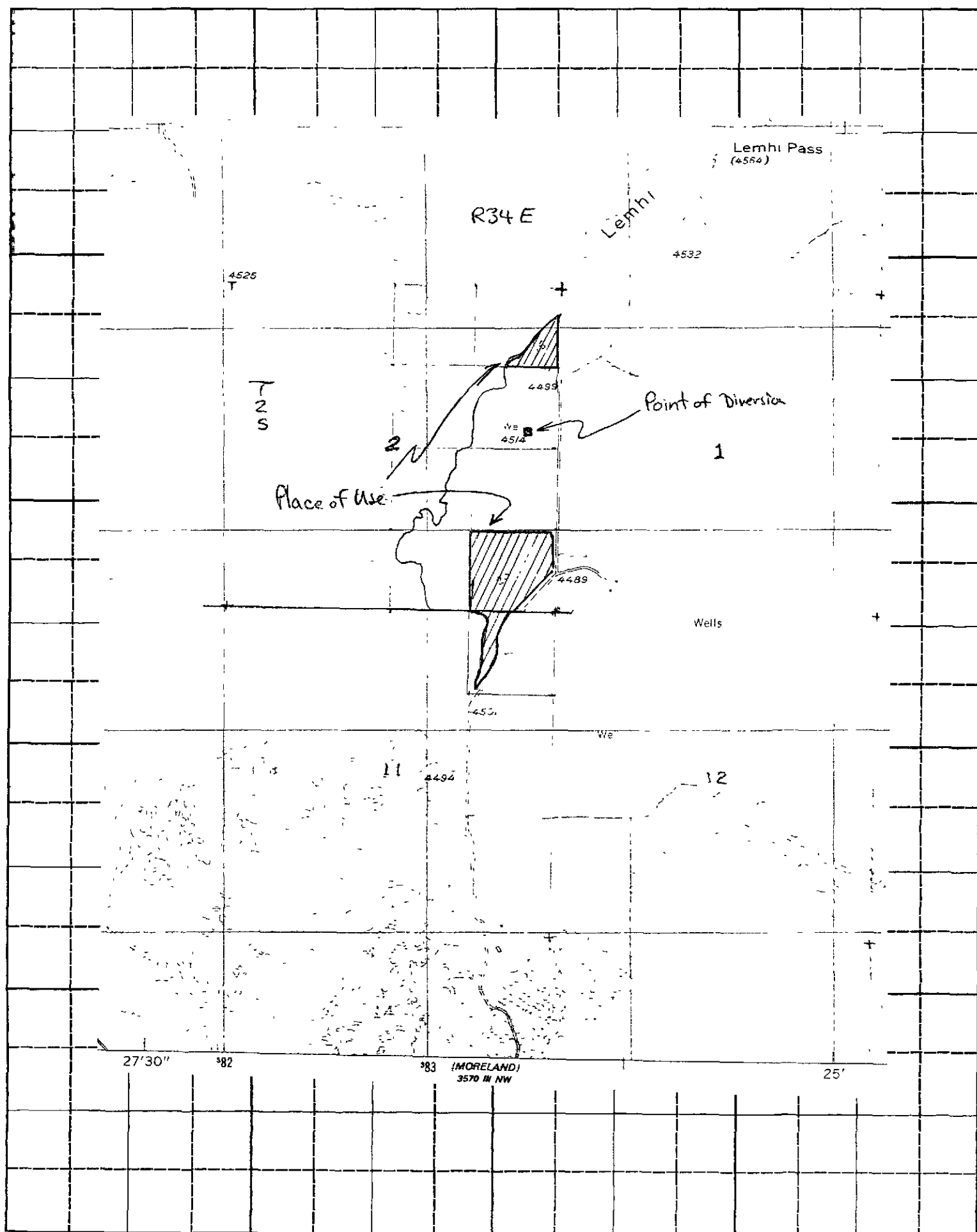
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

MICROFILMED

SEP 15 1989

11. 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 hereinafter set forth.

RECEIVED

SEP 15 1989

Dennis L. Smith
(Applicant)

Received by aw Date 5-3-83 Time 3:30p
Preliminary check by Kaw Fee \$ 45.00
Receipted by BP Date 5/9/83 # 28177
Publication prepared by IT Date 5-22-85
Published in Morning Star
Publication dates 5-30-85 & 6-6-85
Publication approved aw Date 6-17-85
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RD

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. Other:

FILED

SEP 15 1989

Date Filed: 06/27/1983
Diversion Pt.: NWNE, Sec. 16, T. 02S, R. 36E.
Use: IRRIGATION (0.02 CFS).
STOCKWATER (0.02 CFS).
DOMESTIC (0.06 CFS).
In: NWNE, Sec. 16, T. 02S, R. 36E,
for 1 ACRE.

27-7377
CHANDLER, ROSS B. &/or LAFAY
Rt. 1, Box 144
Firth, Idaho 83236
Source: GROUNDWATER
Date Filed: 06/27/1983
Diversion Pt.: NWSW, Sec. 02, T. 02S, R. 36E.
Use: IRRIGATION (0.02 CFS).
STOCKWATER (0.02 CFS).
DOMESTIC (0.06 CFS).
In: NWSW, Sec. 02, T. 02S, R. 36E,
for 1 ACRE.

35-8137
LEAVITT, DENNIS &/or KENEA
Rt. 4, Box 202
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 05/03/1983
Diversion Pt.: SENE, Sec. 02, T. 02S, R. 34E.
Use: IRRIGATION (0.06 CFS).
In: NENE, SESE, Sec. 02, T. 02S, R. 34E, NENE, Sec. 11, T. 02S, R. 34E,
for 43 ACRES.

35-8210
STUBBS, ROSS A. &/or AVIS B.
Rt. 4, Box 265-A
Blackfoot, Idaho 83221
Source: GROUNDWATER
Date Filed: 06/16/1983
Diversion Pt.: NENE, Sec. 22, T. 01S, R. 33E.
Use: IRRIGATION (0.09 CFS).
DOMESTIC (0.06 CFS).
In: NENE, Sec. 22, T. 01S, R. 33E,
for 3 ACRES.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before JUNE 17, 1985.

KEN DUNN, Director

(3619)
Pub.: 5-30; 6-6

68

Legal Notices:
Two working days
prior to
publication date.
Official legal
publication day
is Friday;
these must be in
office by Noon
Wednesday

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

27-7376
CHANDLER, ROSS B. &/or LAFAY
Rt. 1, Box 144
Firth, Idaho, 83236
Source: GROUNDWATER

RECEIVED

JUN 14 1985

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho) ss

I, Catherine C. Brown do

solemnly

swear that I am the Office Manager of
The Morning News which is a daily newspaper of general
circulation published each day except Sunday at
Blackfoot, Bingham County, Idaho, said newspaper hav-
ing been so published at Blackfoot, aforesaid for more
than one year past; that said newspaper heretofore com-
plied with all the provisions of Chapter 154 of the Ses-
sions 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: Thursday
of each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of
publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
30th day of May, 19 85

and the last publication having been made on the
6th day of June, 19 85

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.

Catherine C. Brown

Subscribed and sworn to before me this 13th

day of June, 19 85

Patricia A. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1988

SEP 15 1989

August 24, 1992

DENNIS LEAVITT
KENEAL LEAVITT
RT 4 BOX 202
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08137

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
AUG 24 1992

SEP 10 1992

August 5, 1992

DENNIS LEAVITT
KENELE LEAVITT
RT 4 BOX 202
BLACKFOOT ID 83221

RE: WATER RIGHT NO. 35-08137

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED
SEP 10 1992

LICENSE REVIEW CHECKLIST

Permit # 35-08137

Date 05-12-92
Q8

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended? _____
	☐	☒	Disagree with Actual Measurement? _____
	☒	☐	Disagree with Theoretical? <u>22 x .0192 = .42 cfs</u>
	☒	☐	Limited by Capacity? <u>3.46 cfs 50' + 2.31 x 55</u>
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
			<u>Same / Reduced from Permit</u> Season Recommended
	☒	☐	Disagree with Examiner's Calculations? _____
	☒	☐	Limited by Flow? <u>22 x 4.0 = 88 AFA (IRR)</u>
			<u>.42 x 213 x 1.9835 = 177.4 > 88</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source _____
	☐	☒	Notice of Intent to Void. _____
P/D	☐	☒	Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration? _____
P/U	☒	☐	Verify with Map <u>Drop NENE, 502</u>
	☒	☐	Amendment Needed? <u>Add NWNE, S11</u>
	☒	☐	Is Overlap Analysis a Consideration? _____
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☐	☒	Non-Irr. Uses _____
	☒	☐	Special Overlap Condition <u>T.C.D.R. w 35-02200 &</u>
	☐	☒	Other <u>35-02340 x 3.46 cfs</u>
CONDITIONS	☐	☐	Measuring Device
	☐	☒	W/Master Control
	☒	☐	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Acres, Rate, Season
Used 50' estimate from Well logs in same 1/4
M.D. not required per flow chart / Sonic Meter Used

License ☐ 10-Day ☐ 15-Day ☒ Special Correspondence _____

OK for

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENNIS LEAVITT	05/03/1983	IRRIGATION	04-01 10-31	0.42 CFS	88.0 AFA
C	KENEA LEAVITT					
	RT 4 BOX 202					
	BLACKFOOT ID 83221					
	(208) 684-4842					
				TOTAL DIVERSION:	0.42 CFS	88.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 3.46 CFS

Point(s) of Diversion: T02S R34E S02 SE NE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	34E	2	:																	
02S	34E	11	:	10		04														
																				TOTAL ACRES
																				22.0

Pou County: BINGHAM

Other Water Rights with Same Point(s) of Diversion and Source:
35-02200 35-02340 35-08137

Other Water Rights Listing Overlapping Place(s) of use:
35-02140 35-02141 35-02200 35-02316 35-02340 35-08137 35-08142

Conditions of Approval:

- 048 - 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.
- 049 - The Director retains jurisdiction of the right 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.
- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for the
 - lands above.

Remarks: The total combined rate of diversion under this right, 35-02200
and 35-02340 shall not exceed 3.46 cfs.

Dates: App. Received: 05/03/1983 Priority Date: 05/03/1983
Proof Due Date: 09/01/1990 Proof Made Date: 08/14/1990
Exam Made Date: 07/18/1991 Exam Sent to S.O.: 04/27/1992
Licensed Date:

MEMORANDUM

TO: FILE 35-08137

FROM: PAM SKAGGS *CS*

RE: REMOVAL OF CONDITION

DATE: 01-JUL-1992

=====

A measurement port was not required to complete the field exam, the system was measured with a sonic meter. Current standards do not require a measurement port per the flow chart and I recommend removal of the condition from the license. An Order to remove the condition will be prepared for consideration.

MICROFILMED

SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

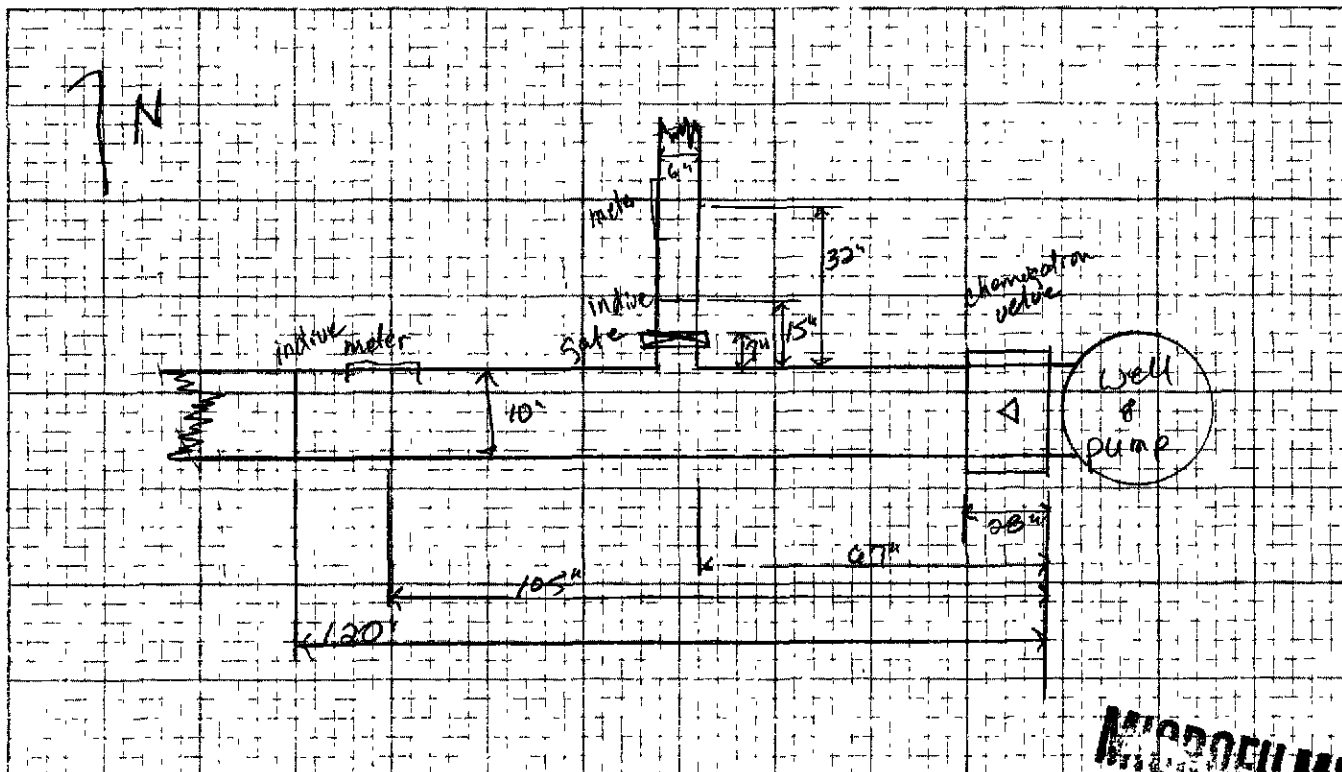
Permit No. 35-08137
1. Owner: Dennis Leavitt Phone No. 684-4842
Current Address: 220 N 240 W Blackfoot, ID 83221
2. Accompanied by: Dennis Leavitt EXAM. DATE: 7-18-91
Address: _____ Phone No. _____
Relationship to Permit Holder: Same
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: ABWG ☐ Copies Attached
2. Other water rights with same point of diversion: 35-02200, 35-02340 AND A35-10930.
☐ 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" = NONE

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

MICROFILMED
SEP 10 1992

System Description (continued)

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

Well pump to mainlines - one 10" to south - to
 wheelines - 7.5 wheelines - of varying length -
 ~ 243 birds @ 5/32 nozzles @ 40-50 psi (on south side of well)
 + 6" mainlines to wheelines on north -
 2 wheelines + 2 handlines
 32 35+30 20+15 = 100 birds total @ 5/32 nozzle
 32 at 40-50 psi
 32
 22
 22
 20 243

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
West Place	Holloschott	100	1243150	Jayne	10"

*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
					2	35	34E	Bingham	field exam

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	2	10		3	36									39	10	34	34	166
		11	10	4															14 // 180
2S	34E	2					40								40			8	88
2S	34E	2													20	35	15		70 // 158
2S	34E	2	10															48	8
		11	10	4															14 // 22

PERMISSIBLE PLACE OF USE: 180 ACRES - LICENSED ACRES RECOMMENDED: 22 ACRES

MICK MFD

SEP 10 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SONIC METER	EASTERN					

2. Measurements:

MEASURED TWO LEGS OF MAINLINE LEAVING PUMP W/ SONIC METER.
Q_{cap} = 3.46 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: SONIC METER: CAPACITY MEASURED @ 3.46 cfs.

2. Alternate Method for Checking Purposes:
RADIUS BORE - 343, 1 5/8" 102245 @ 45 PSI =
(4.6 gpm/100 ft) (343) / 4.8 gpm/ft = 3.52 cfs

WHEN COMBINED W/ 3S-02200 & 3S-02340
NOT TO EXCEED 3.46 cfs, CAPACITY.

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_{IR} = (Acres Irrigated) x (Irrigation Requirement) = (22)(4.0) = 88 afa
V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (0.42)(213)(1.9835) = 177.4
V = Smaller of V_{IR} and V_{DR} = 88 afa

2. Volume Calculations for Other Uses

NONE

MICROFILMED
SEP 10 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

- Owners have filed adj. claim A35-10930 and WR 35-8137 to cover same acreage - they are trying to prove priority date back to original license.
- Notes - Irrigated ground is hilly - this ground has high ridge descending gradually downhill from pump - it could accomodate irrigation ditch nicely.

A35-10930 will be recommended for IRRIGATION OF 22 ACRES w/ 180 ACRE PERMISSIBLE PLACE OF USE AND A DIVERSION RATE OF 0.30 cfs. It is a BENEFICIAL USE RIGHT WITH A PRIORITY DATE OF 6/15/1962. SEE R35-10930.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	0.42	88
Totals:			0.42	88

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 LYNDSE BUSHAW

Signature [Signature] for LYNDSE BUSHAW

Certification Date _____

Field Report Preparation Date 1-10-92

CONSULTANT SEAL

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

MICROFILMED

SEP 10 1992

INTER-DEPARTMENT MEMO

TO: File 35-08137

SUBJECT: Claim A35-10930

FROM: HWJ

DATE: 1-21-92

It appears that expansion claim A35-10930 is in place & covers the same 22 acres addressed in permit #35-08137. An "R" record has been made & recommends approval. IF that comes to full decision I believe permit 35-08137 should be dropped. I was told that permit 35-08137 was filed as a back-up in case claim A35-10930 was denied.

MICROFILMED

☒ For your information

SEP 10 1992

☐ Response required

W. J. Jones
signature

1-1891 135-10930 135-8137

OUTER DIAMETER
10.1663 IN 10" MIN
PIPE MATERIAL
CS-58 V66

WALL THICKNESS
- 11403 IN

OTHER LINES
NO LING.

KING OF FLUIDS

EFFEOR MOUNTING

TYPE OF SENSOR: 3111

ON
TO CHANGE

151-551
GILCH 55

~~ZERO MODE~~ ~~AUT ZERO~~

FFI PERIOD

DATE 11/11/54

04
1459 11147 1 34

11-01
JAN 11 1971
FBI

UNIT, PFT UNIT FPS

YES
FET UNIT INTER

PET UNIT ALL

LET THE CHAIR

START TIME

91-18-10

15
IS
NOT
A
NOTATION

~~13:42 + 1.2175 36PM 00R
+ 1.2175 0FPS 00R
13:42 0FPS 00R~~

1: 1:46+ 1.178E 3E M 00R
+ 4.934E QFPS 00R
+003.00% A12 00R

10:50+	1.131E	36PU	00R
+	4.737E	0FPS	00R
	+003.00%	A13	00R

1:54+ 1:155E 36PM 00P
+ 4.839E 00PS 00R
+003.00% A12 00R

07-18 19:5700 *R
+ 1762E 3GM

Q₁₅ 1159p = 2.574cfs

1518-50

① $1155g \cdot m = 2.574cfs$
Area $ft^2 = \frac{1}{2} \cdot 11 = 5.5$

5

2
Total Max Capacity =

$$0.889 + 2.574 = \underline{3.463 \text{ cfs}}$$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
POINT OF DIVERSION OVERLAP REVIEW

35-8137
Permit Number

1. Analysis of Entire System:

- A. Total Number of Acres irrigated = 180 acres
B. Total Diversion Rate = 3.46 cfs

2. Current Application Rate per Acre (Qc):

Limit to 0.02 cfs/ac, Permitted Amount, or System Capacity, Whichever is Less.

$$Q_c = \text{Total Diversion rate [1.B] / Total irrigated acres [1.A]} \\ = \frac{3.46 \text{ cfs}}{180 \text{ acres}} = 0.0192 \text{ cfs/ac}$$

3. Old Application Rate per Acre (Qo) from Licensed Flow Rates:

License # 35-2200 @ 1.76 cfs / 88 ac
License # 35-2340 @ 1.40 cfs / 70 ac
License # _____ @ _____ cfs / _____ ac
Total Licensed Rate = 3.16 cfs / 158 ac

Old Diversion Rate(Qo) = Licensed Flow Rate/# acres

$$Q_o = \frac{3.16 \text{ cfs}}{158 \text{ acres}} = 0.02 \text{ cfs/ac}$$

4. Comparison of Diversion Rates if:

- A. Old Diversion Rate(Qo) > New Diversion Rate(Qc) : **EXCLUDE** Licensed Lands.

$$Q_o(\#3) = 0.02 \text{ cfs/ac} > Q_c(\#2) = 0.0192 \text{ cfs/ac} \quad \text{GO TO ITEM \#5A.}$$

- B. New Diversion Rate(Qc) > Old Diversion Rate(Qo) : **INCLUDE** Licensed Lands.

$$Q_c(\#2) = \text{_____} > Q_o(\#3) = \text{_____} \quad \text{CONTINUE TO ITEM \#4.B.1}$$

1. Additional Flow Rate for Licensed Lands.

$$Q_a = (Q_c - Q_o) \times (\# \text{ Lic. Ac.}) = [(\text{_____ cfs/ac}) - (\text{_____ cfs/ac})] \times (\text{_____ acres}) = \text{_____ cfs}$$

2. Flow Rate for New Acreage. Total acres(#1.A) - Licensed acres(#3) = New Acres
(180) - (158) = 22 acres

$$Q_n = (Q_c) \times (\# \text{ New Ac.}) = (\text{_____ cfs/ac}) \times (\text{_____ ac}) = \text{_____ cfs}$$

GO TO ITEM \#5B.

5. Calculate Total Flow Rate to be licensed:

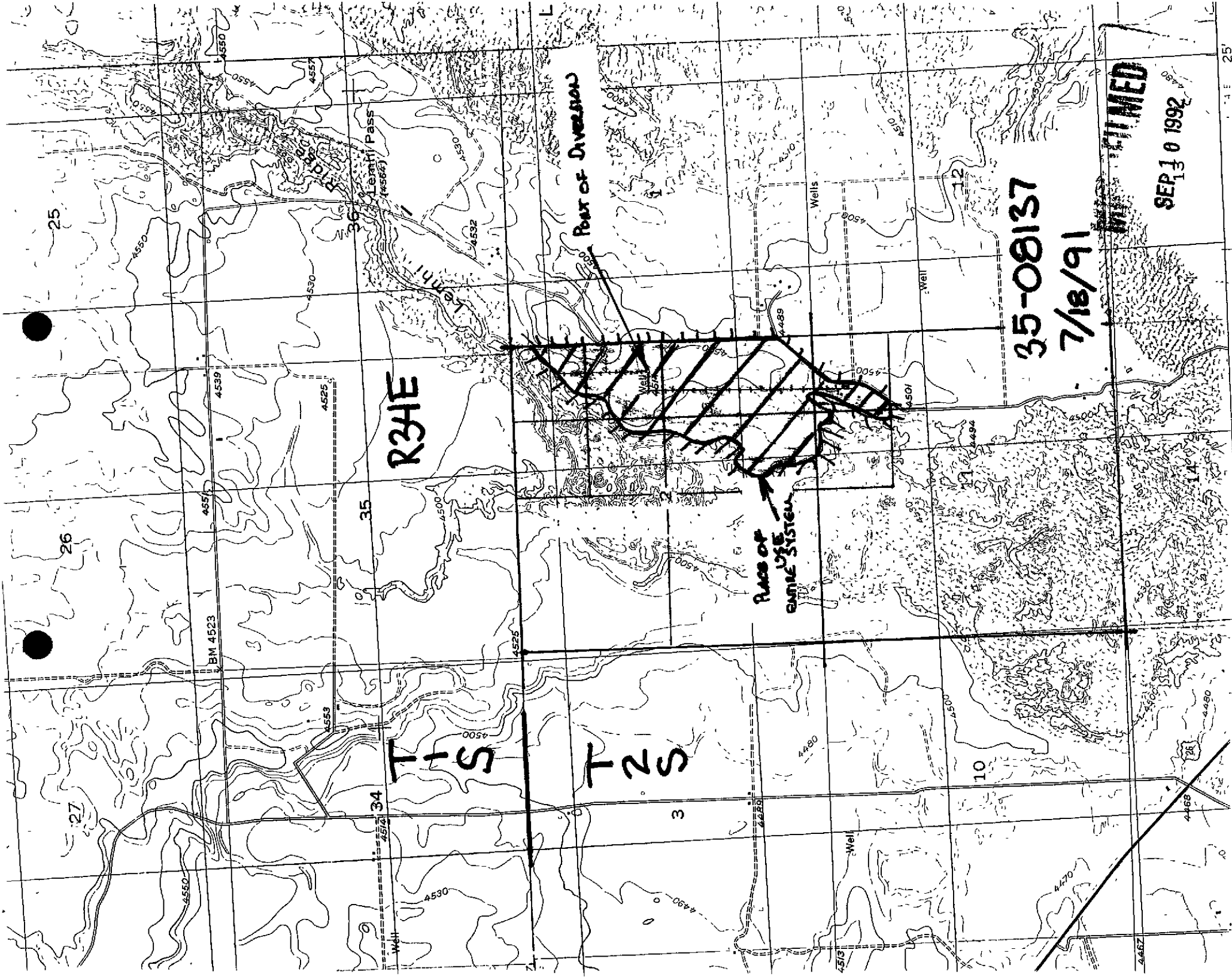
- A. Flow Rate excluding licensed land. Total Acres(#1.A) - Lic. Acres(#3) = New Acres
(180) - (158) = 22 ac

$$Q_t = Q_c(\#2) \times (\# \text{ New Acres}) = 0.0192 \text{ cfs/ac} \times 22 \text{ ac} = \text{_____ cfs} \\ Q_t = 0.42 \text{ cfs}$$

- B. Flow Rate including licensed land.

$$Q_t = Q_a(\#4.B.1) + Q_n(\#4.B.2) = \text{_____ cfs} + \text{_____ cfs} = \text{_____ cfs} \\ Q_t = \text{_____ cfs}$$

RECEIVED
SEP 10 1992

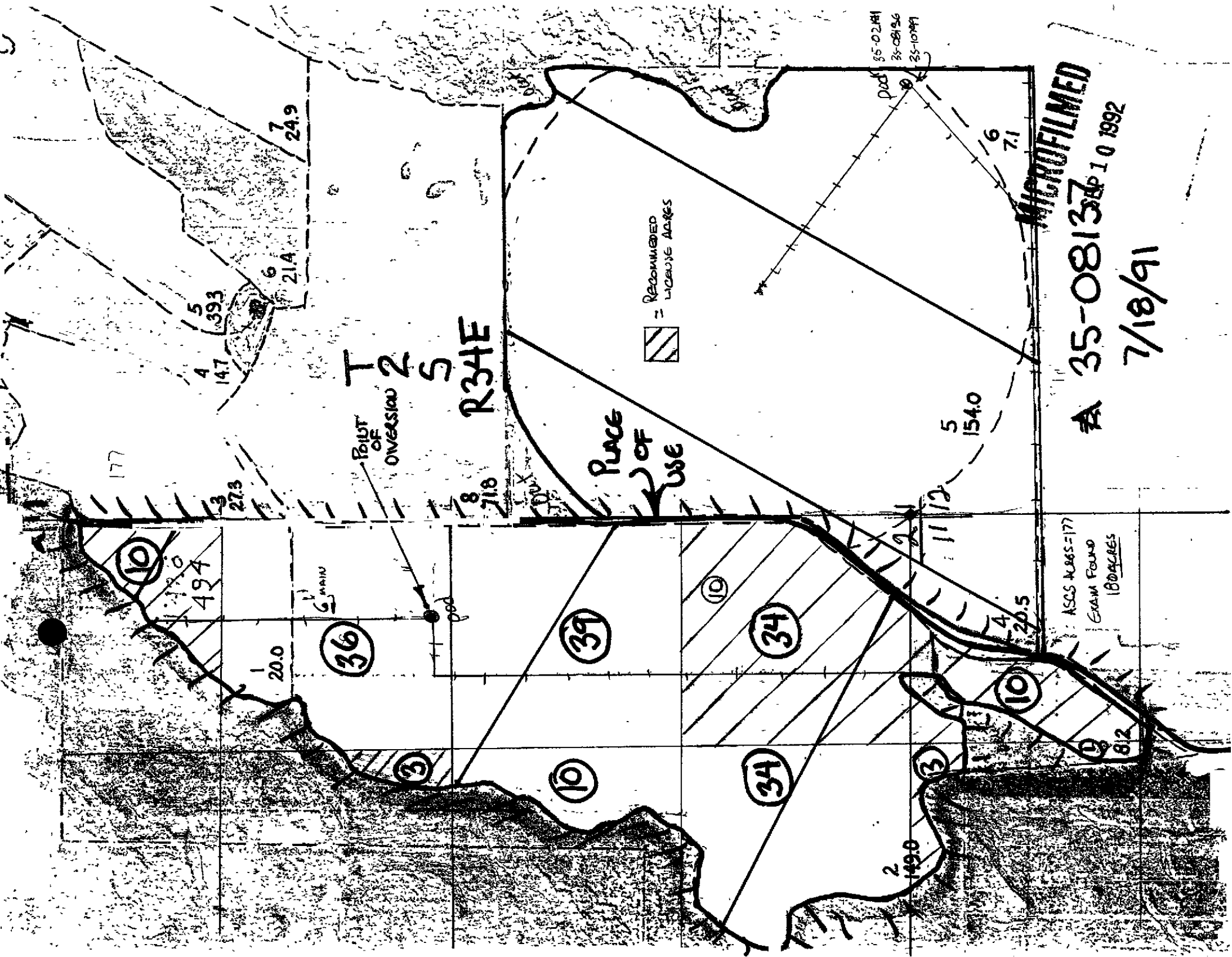


35-08137

7/18/91

UNCLASSIFIED

SEP 10 1992



MICROFILMED

A 35-08137 10 1992

7/18/91

ASCS AGRES=177
GRAM FOUND
180 ACRES

MICROFILMED

SEP 10 1992

Sonic Meter
Tapes

35-8137

10-106A
R35-10630
35-8137

OUTER DIAMETER
10.1063 IN 10" max
PIPE MATERIAL
CS-54 USS.

WALL THICKNESS
.11439 IN
INNER LINING
NO LINS.

KIND OF FLUID
WATER

SENSOR COUNTING
"

TYPE OF SENSOR
SMALL

LEAK CHANGE
NO

SPACING
7.621 IN "

ZERO MODE
AUT ZERO

PRT PERIOD
24 MIN

PRT UNIT GPM
NO

PRT UNIT GPM
YES

PRT UNIT MSG
NO

PRT UNIT FPS
YES

PRT UNIT INTEG
NO

PRT UNIT H1
NO

PRT UNIT H12
YES

START TIME
07-18 19:42

OPERATION TIME
01 HOF

19:42+ 1.217E 15PM GOR
+ 5.334E 00PS GOR
-007.00% H12 GOR

19:43+ 1.173E 15PM GOR
+ 4.334E 00PS GOR
-007.00% H12 GOR

19:53+ 1.121E 15PM GOR
+ 4.737E 00PS GOR
+007.00% H12 GOR

19:54+ 1.157E 15PM GOR
+ 4.828E 00PS GOR
+007.00% H12 GOR

07-18 19:5700 *P
+ 1.162E 15PM

Ques = 1155gpm = 2.574cfs



- POINT OF DIVERSION -

35-08137

A35-02200

A35-02340

A35-10930

PHOTO TAKEN 7-18-91 BY
LYNETTE BUSHAW

MICROFILMED

SEP 10 1992

December 17, 1990

DENNIS LEAVITT
KENEAL LEAVITT
RT. 4 BOX 202
BLACKFOOT, ID 83221

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08137

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 04 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8137

Date 12-14-90

GENERAL CONSIDERATIONS

Y Name same as permit?
N Address change? If yes, prepare data entry form.
Y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

✓ Surface water source
✓ Ground water source
N Drill permit req'd? well used in 1978 Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

Y Required?
100 Amount submitted?
Y Correct amount?

MEASURING DEVICE

Y Measuring device or access port required?
Y Installed?
N Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	- <u> </u>
No. of days late	<u> </u>	= <u> </u>
Priority date	<u> </u>	+ <u> </u>
NEW PRIORITY DATE	<u> </u>	= <u> </u>

LB

Form 1
03/86
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 \$100.00
Date 8/14/90
Receipt # C018002
Receipt by J. Morrison
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. 35-08137

Name(s) of Permit Holder:

Dennis & Kenea Leavitt

Post Office Address:

220 N 740 W Blackfoot, Idaho 83221

Telephone No.

684-4842

Source of Water:

Groundwater

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 43 (acres)

Other/Remark _____

Total rate and/or volume for which proof is submitted

1.86

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 \$

100

(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)

MICROFILMED

(Phone Number)

(Address)

JAN 14 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

Signature of Permit Holder (and title, if appropriate)

Dennis & Kenea Leavitt

138029
June 30, 1990

DENNIS LEAVITT
KENEAL LEAVITT
RT. 4 BOX 202
BLACKFOOT, ID 83221

PROOF DUE NOTICE

RE: PERMIT NO. 35-08137

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 September 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

MICROFILMED

JAN 04 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
RT. 4 BOX 202
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. P35-08137

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

MICROFILMED

SEP 15 1989

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 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

Microfilm

SEP 15 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCWils APPLICATION NUMBER: 35 8137

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☐ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 35-2200, 35-2316, 35-2340
☒ Yes ☐ No* In form for advertising.
Final date for protests: 6-17-85
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6-14-85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05
5/3/83 ☒ Date of priority recommended.
Special conditions of approval or cover letter. <01G7

~~app. has not been released from S.T. suit~~
App. in NON-TRUST area-

By: RDC Date: 6/19/85

STATE OFFICE REVIEW: HWT
P03, P05, P23, P16

48 49 46
01G 03A

RECEIVED
JUN 21 1985

- ☐ See attached sheet for more information.

By: KW

Date: 8/17/89

Department of Water Resources
Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

08/85

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

AUG

Department of Water Resources
Foster, Idaho Office

35-8132

LEAVITT, DENNIS &/or KENER

RT. 4, BOX 202, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 05/03/1983

Diversion Pt: SENE Sec 02 T 02S R 34E

Use: IRRIGATION (0.86 CFS)

In: NENE SESE Sec 02 T 02S R 34E NENE Sec 11 T 02S R 34E FOR 43 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

- A. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was not being diverted and put to beneficial use as represented by the application.
- B. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 35-8137 was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

MICROFILMED

SEP 15 1989

Dennis Leavitt
(Signature)

URGENT

AUG 28 1985

**Department of Water Resources
Eastern District Office**

August 26, 1985

*I, Dennis Leavitt, do state the following; and further state
it to be factual and true:*

*On December 1, 1977, I purchased the farm owned by Vada and
Wilmer Wheeler, wherein lies the acreage under dispute. The
acreage described as: NENE, S2, T2S, R34E, contains 43 acres and
is under water right 35-8137. At the time I purchased this
land, the entire farm, including the 43 acres under question,
was under production.*

Dennis Leavitt
Dennis Leavitt Owner

J. Layne Van Orde
Notary Public

(Seal)

NOTIFIED

SEP 15 1989

AUG 23 1947

Department of Labor Relations
Eastern District Office

RECEIVED

SEP 15 1989



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 12, 1985

RE: Application for Permit No. 35-8137

Dennis Leavitt
Rt. 4, Box 202
Blackfoot, Idaho 83221

Dear Mr. Leavitt:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

SEP 15 1989

FORM A

STATE OF IDAHO

RECEIVED

MAY 16 1985

DEPARTMENT OF WATER RESOURCES

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 development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8137 or 358136
Name(s) of Permit Holder: Dennis & Kenea Leavitt

Post Office Address: 220 N 740 W Blackfoot Ida 83221
(Pt 4 Box 202) Telephone No. 684-4842

Source of Water: Ground well

Extent of Use: Domestic _____ (number of households)
Stockwater _____ (number and type of stock)
Irrigation 80 (acres)
Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: when the farm was purchased in 1977, it was in use.

Measuring Device: Required? _____ Yes _____ No
Installed? _____ Yes _____ X No

Flow Measurement Port: Required? _____ Yes _____ No
Required? _____ Yes _____ No

Person to contact to accompany the Department representative during field examination: Above
(Name)

(Address) (Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

March 15-88
Date

Dennis Leavitt
Signature of Permit
(and Title, if appropriate)

MICROFILMED

SEP 15 1989

FORM A

STATE OF IDAHO

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 development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-8136 or 358137
Name(s) of Permit Holder: Dennis F. Kenna Leavitt

220 N 740 W Blackfoot Idaho 83221

Post Office Address: old (Rt 4 Box 202)

Telephone No. 684-4842

Source of Water: Ground Well

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 43 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: When purchased in 1978 it was then in use.

Measuring Device: Required? _____ Yes _____ No
Installed? _____ Yes _____ ☒ No

Flow Measurement Port: Required? _____ Yes _____ No
Required? _____ Yes _____ No

Person to contact to accompany the Department representative during field examination: Same
(Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

March 15-88
Date

Dennis Leavitt
Signature of Permit
(and Title, if appropriate)

RECEIVED

SEP 13 1988

35-8132-

LEAVITT, DENNIS &/or KENER

RT. 4, BOX 202, BLACKFOOT, ID 83221

Source: GROUNDWATER

Date Filed: 05/03/1983

Diversion Pt: SENE Sec 02 T 02S R 34E

Use: IRRIGATION (0.86 CFS)

In: NENE SESE Sec 02 T 02S R 34E NENE Sec 11 T 02S R 34E FOR 43 ACRES

35-8137

LEAVITT, DENNIS &/or KENER

Rt 4, Box 202

Blackfoot, Idaho 83221

Source GROUNDWATER

Date Filed 05/03/1983

Diversion Pt SENE, Sec 02, T 02S, R 34E

Use IRRIGATION (0.86 CFS)

In NENE, SESE, Sec. 02, T 02S, R 34E,
NENE, Sec 11, T 02S, R 34E, for 43 ACRES.

MICROFILMED

SEP 15 1989