

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Patterson T#2
Transfer No. 69502

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant Lonnie Leavell Phone (208) 934-8543
Post Office address P.O. Box 54, Gooding, Idaho 83330

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right
2. Describe the reason for the proposed changes To split right and move 1.0 acres of irrigation to land known at Patterson Field, west of current place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- 37-07395 pt 10/30/1974 0.03/3.5 CB Irrigation 5/1 to 10/1
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 0.03 cubic feet per second and/or 3.5 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NW	16	02S	16E	Camas	Patterson east well

5. Lands irrigated or place of use:

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	
02S	16E	16							0.5	0.5									1.0

PART 1

6. General Information:

a. Description of diversion system One well and pump to irrigation of trees.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

1.0 acres would no longer be irrigated.

d. Remarks:

New place of use is within land locally known as the Patterson property.

Due to its small size, 0.03 cfs (13.5 gpm) is needed to physically operate the system - this is slightly more cfs per acre than on original right.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07395 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date of priority 10/30/1974

5. Water is used for the following purpose:

** Based on current standard of 3.5 cfs/ft*

Amount 9.94/2430 for Irrigation purposes from 5/1 to 10/1
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 810.0 cubic feet per second and/or 2430.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	1	02S	17E	Camas	Well and pump
		SW	SE	11	02S	17E	Camas	Well and pump

8. Lands irrigated or place of use:

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	
02S	17E	1							7			31	39						77
02S	17E	2				2							15	32	33	6	39	40	167
02S	17E	11	40	36	30	32	33			16					19	13	20	37	276
02S	17E	12			22		17	40	40	37	36	40	29	8		21			290

Total acres 810

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. Amount 0.03/3.5 ^{3.5}~~2.0~~ ^{CB} for Irrigation purposes from 5/1 to 10/1
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	1	02S	17E	Camas	Well and pump
		SW	SE	11	02S	17E	Camas	Well and pump

3. Lands irrigated or place of use:

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	
02S	17E	2			~~1.0~~								1.0						1.0
					CB								CB						

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)Total acres 1.0

1. Amount 9.91/2831.5 ^{2831.5}~~2337.0~~ ^{CB} for Irrigation purposes from 5/1 to 10/1
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____
 Amount _____ for _____ purposes from _____ to _____

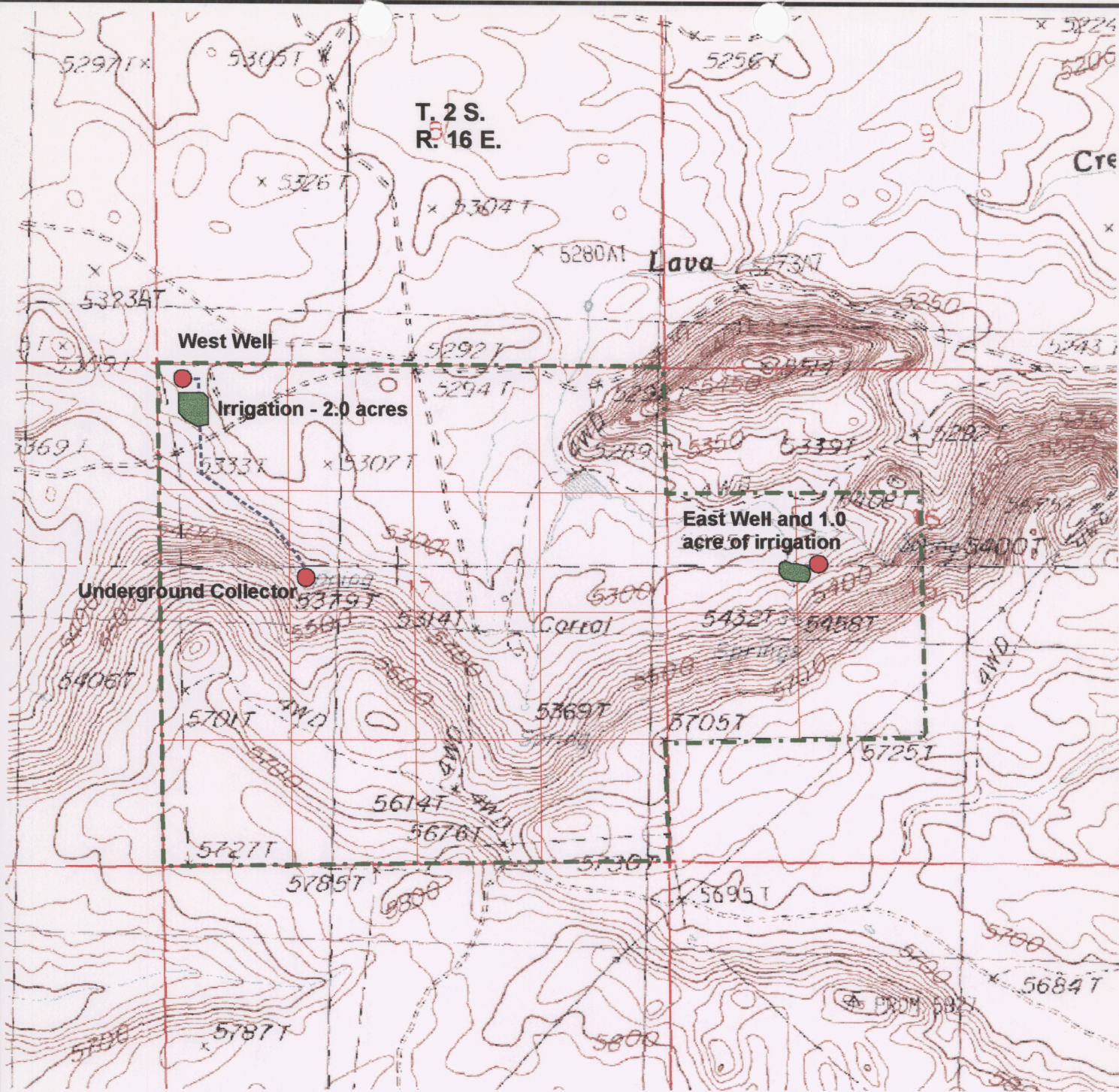
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	1	02S	17E	Camas	Well and pump
		SW	SE	11	02S	17E	Camas	Well and pump

3. Lands irrigated or place of use:

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	
02S	17E	1							7			31	39						77
02S	17E	2				2							15	32	33	6	39	40	~~167~~ 166 ^{CB}
02S	17E	11	40	36	30	32	33			16				19	13	20	37		276
02S	17E	12			~~21~~		17	40	40	37	36	40	29	8		21			~~289~~ 290 ^{CB}
					22														

Total acres 809



● Point of Diversion

■ Irrigated area - after transfer
(not to scale)

--- Property Boundary

Transfer #1 - West System
Transfer #2 - East System

Scale: 1" = 1500'

Application #1 and #2 for Transfer of 37-07395 **Lonnie Leavell - Patterson Field**

PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:
 None _____

3. Describe the effects on other water uses resulting from the proposed change:
 None _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 12th day of June, 2001



Lonnie Zeabell
(Signature of Applicant)

Tanya L. Eldredge
(Notary Public)

My commission expires 12-18-06

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date 6/26/2001 5024070

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Lonnie Leavell, hereby nominate and appoint
Charles G. Brockway as my attorney-in-fact with full authority to
act for and on my behalf to undertake any and all acts or matters pertaining to water right
transfers before the Idaho Department of Water Resources for the following water right
transactions:

Permit applications for Rock House, Astorquia, Patterson, and Magic Ranch.

Transfers of portions of licenses 37-07395 and 37-02211 to the above properties.

in Camas County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorizing to sign, seal and deliver, as my act in deed, those said
instruments of writing that may be necessary or proper to carry into execution and effect the
applications, and transfers above-mentioned. Further, I hereby declare that each and every
application, transfer, agreement, receipt, or payment which shall be by my said agent given,
made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had
been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all
times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning
the said premises by virtue of these presents. This Limited Power of Attorney will become void
upon approval, denial or withdrawal of the above referenced applications.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

Dated this 12 day of June 2001.

Lonnie Leavell
Signature

State of Idaho)

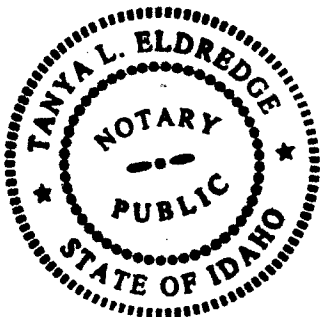
County of Twin Falls)

ss.

On this 12th Day of June, 2001, before me, a Notary Public
in and for said County and State, personally appeared Lonnie Leavell,
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

S
E
A
L



Tanya L. Eldredge
Notary Public
In and for said State and County

12-18-06
My Commission Expires

WATER RIGHT APPLICATIONS FOR LONNIE LEAVELL PATTERSON PROPERTY

Brockway Engineering, PLLC
June 6, 2001

1. Permit Applications

Application #1 is for 500 head of stock. The source is groundwater from one well in NWNW Sec. 17 (the Patterson west well) and a subsurface collector in SENW Sec. 17. See the attached map. Water is delivered from the points of diversion to a pipeline that feeds stock troughs. This permit is being acquired under the Part A exemption for stockwater, which allows 13,000 gpd, so no mitigation is required.

Application #2 is to cover an additional 500 head of stock, to be watered from a separate well and system in SENW Sec. 16 (the Patterson east well). Water is delivered from this well to stock troughs nearby. This permit is being acquired under the Part A exemption for stockwater, which allows 13,000 gpd, so no mitigation is required.

Both permit applications would be limited to a combined 13,000 gpd to meet the requirements of the Part A exemption. No other domestic exemptions, either Part A or Part B, have been previously invoked for any portion of this property.

2. Transfers for irrigation usage

3.0 acres of trees will be irrigated on the Patterson property from the groundwater sources described above:

2.0 acres in NWNW Sec. 17, T2S R16E from the Patterson west well
1.0 acre in SENW Sec. 16, T2S R16E from the Patterson east well

Since these are separate systems, two transfer applications are being filed to move acres from Magic Ranch (groundwater license 37-07395) to the two groundwater points of diversion on Patterson.

3. Other rights and SRBA claims and decrees for stockwater

There is an SRBA claim 37-12007 for stockwater and stockwater storage from springs on this property.

Monthly Shallow Pond Evaporation in Idaho for Region 4 Camas Prairie

Prepared by: Ina Sue Miller, Brockway Engineering

ASAE paper PNW 92-111-U of I - ag (1992)
 ET data from Allen and Brockway (1983)
 Evaporation data from NOAA Evaporation Atlas, Farnsworth et al. (1982),
 Pochop et al (1985)
 Pochop et al (1988)

	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total
Percent	1.0	2.0	4.0	7.0	12.0	15.0	19.0	16.0	11.0	6.0	4.0	3.0	100.0
FWS Evap in inches	0.4	0.7	1.4	2.5	4.2	5.3	6.7	5.6	3.9	2.1	1.4	1.1	35.0

Monthly pond evaporation for each property in ac-ft

Tot Pond Surface														
Area (ac)	Jan (ac-ft)	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total (ac-ft)	
Rock House	0.16	0.005	0.009	0.019	0.033	0.056	0.070	0.089	0.075	0.051	0.028	0.019	0.014	0.467
Patterson	0.00	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Astorquia	0.09	0.003	0.005	0.011	0.019	0.033	0.041	0.052	0.043	0.030	0.016	0.011	0.008	0.271
Magic	7.61	0.22	0.44	0.89	1.55	2.66	3.33	4.22	3.55	2.44	1.33	0.89	0.67	22.20

Number of range cattle a property may have under Idaho Statue 42-111 part A (13,000 gal/day), accounting for peak pond evaporation													
	4/1-10/1 evap (ac-ft)	July Peak Evap (af/day)		Number of range cattle allowed (at 12 gpd/hd)		July Peak Evap (gpd)		Number of range cattle allowed (at 12 gpd/hd)					
Rock House	0.37	0.0029											
Patterson	0.00	0.0000											
Astorquia	0.22	0.0017											
Magic	17.76	0.1360											
Total	18.35	0.1406											

NOTE: Only new ponds on the Magic Ranch property received transferred water from WR 37-7395. New ponds that are classified as 'wetland to open water conversion' were not used. Any other acreage for pond surface area not used in calculations are because they were either pre-existing ponds or runoff ponds with little or no water impoundment.
 * Remainder of the year the ponds are dry

Patterson

SCHEDULE A

Camas County Title, L.L.C.
905 Shoshone Street North
Twin Falls, Idaho 83301

LOT BOOK GUARANTEE

Order No.: C000031
Reference: LEAVELL PROPERTY

Guarantee No.: H 338764

Date of Guarantee: April 4, 2000 at 8:00 a.m.

Liability: \$275.00

A) Assured: LONNIE LEAVELL

B) Assurances, given without examination of the documents listed or referred to and only to the specifically named documents and no others:

1) Description of the land:

See Attached Exhibit "A"

PROPERTY ADDRESS KNOWN AS: NNA, FAIRFIELD, ID 83327

2) The last recorded instrument in the public records purporting to transfer title to the said land was:

1. A Quitclaim Deed from Charmianne Upshaw Leavell, a married person, to ALONZO B. LEAVELL, a married person, recorded April 7, 1994 as Instrument No. 68438 in Book 29 of Deeds. page 25, as to Parcel 2 & 3.. A Quitclaim Deed from Charmianne Leavell, spouse of grantee to ALONZO B. LEAVELL, a married man, recorded August 10, 1999 in Book 31 of Deeds, page 465, as to Parcel 2 & part of 1.. A Quitclaim Deed from Charmianne Leavell to ALONZO B. Leavell a married man recorded January 11, 2000 in Book 31 of Deeds, page 612 as to part of Parcel 1.. A Second Amended Personal Representative's Deed executed by Kathleen J. Cooper, as Personal Representative of the Estate of Orie S. Leavell, deceased, to ALONZO LEAVELL, recorded September 9, 1996 as Instrument No. 394181, as to Parcel 4.. A Warranty Deed from Alonzo B. Leavell, a married person, dealing in his sole and separate property, to DONNA ROSE, A single woman as to Parcel 5..

3) That there are no mortgages or deeds of trust describing the land that have not been released or reconveyed by an instrument recorded in the public records, other than those shown below under Exceptions.

4) That there are no contracts for sale, contracts for deed, including memorandums giving notice of such contracts, attachments, tax deeds recorded within the last 9 years, which purport to affect the land other than those shown below under Exceptions.

C) Exceptions:

1. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$71.78, Parcel No. RP01S15E276000, Bill No. 2415, No Homeowners Filed)
Market Value \$7,444 as to Parcel 1

(Continued)

LOT BOOK GUARANTEE (CONTINUED)

Order No.: C000031

Guarantee No.: H 338764

2. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$97.16, Parcel No. RP01S15E330100, Bill No. 2435, No Homeowners Filed)
Market Value \$10,079 as to Parcel 1
3. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$90.20, Parcel No. RP01S15E342400, Bill No. 2441, No Homeowners Filed)
Market Value \$9,354 as to Parcel 1
4. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$101.74, Parcel No. RP01S15E270100, Bill No. 2411, Homeowners Filed)
Market Value \$10,550 as to Parcel 1
5. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$24.78, Parcel No. RP02S15E240100, Bill No. 2807, No Homeowners Filed)
Market Value \$2,572 as to Parcel 2
6. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$112.98, Parcel No. RP02S15E132400, Bill No. 2796, No Homeowners Filed)
Market Value \$11,719 as to Parcel 2
7. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$23.76, Parcel No. RP02S15E140100, Bill No. 2797, No Homeowners Filed)
Market Value \$2,465 as to Parcel 2
8. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$73.50, Parcel No. RP02S16E181800, Bill No. 2820, No Homeowners Filed)
Market Value \$7,624 as to Parcel 2
9. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$23.88, Parcel No. RP02S16E192400, Bill No. 2821, No Homeowners Filed)
Market Value \$2,477 as to Parcel 2
10. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$51.48, Parcel No. RP02S16E164200, Bill No. 2818, No Homeowners Filed)
Market Value \$5,339 as to Parcel 3
11. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$212.02, Parcel No. RP02S16E170100, Bill No. 2819, No Homeowners Filed)
Market Value \$21,988 as to Parcel 3

(Continued)

LOT BOOK GUARANTEE (CONTINUED)

Order No.: C000031

Guarantee No.: H 338764

12. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$572.98, Parcel No. RP02S170015620, Bill No. 17475, No Homeowners Filed)
Market Value \$95,212 as to Parcel 4
13. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$192.76, Parcel No. RP02S17E029000, Bill No. 2828, No Homeowners Filed)
Market Value \$19,991 - as to Parcel 5
14. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$711.98, Parcel No. RP02S17E110101, Bill No. 2831, No Homeowners Filed)
Market Value \$66,084 - as to parcel 5
15. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$40.50, Parcel No. RP02S17E112400, Bill No. 2832, No Homeowners Filed)
Market Value \$3,760 - as to parcel 5
16. General Taxes for 1999 are one half paid and one-half due and payable on or before June 20, 2000. (Taxes for 1999 are \$24.12, Parcel No. RP02S17E113601, Bill No. 2834, No Homeowners Filed)
Market Value \$2,504 - as to parcel 5
17. Personal Property Taxes for 1999 in the amount of \$257.04 are one-half paid and one-half due, Bill No. 2922.
18. General Taxes for 2000 are an accruing lien, not yet due or payable.
19. Real Estate Mortgage dated August 4, 1999 to secure an indebtedness in the principal sum of \$435,165.00, and any other amounts and/or obligations secured thereby.

Recorded: August 9, 1999, Instrument No. 73359

Mortgagor: Alonzo B. Leavell aka A.B. Leavell, a married man dealing
with his sole and separate property

Mortgagee: Eastern Idaho Agricultural Credit Association

COVERS ADDITIONAL LAND --as to Parcel 1 & 2

20. Real Estate Mortgage dated November 8, 1999 to secure an indebtedness in the principal sum of \$250,000.00, and any other amounts and/or obligations secured thereby.

Recorded: November 15, 1999, Instrument No. 73533

Mortgagor: Donna Rose, an unmarried woman

Mortgagee: Noswal, L.L.C.

as to Parcel 5

(Continued)

LOT BOOK GUARANTEE (CONTINUED)

Order No.: C000031

Guarantee No.: H 338764

21. Real Estate Mortgage dated January 3, 2000 to secure an indebtedness in the principal sum of \$47,100.00, and any other amounts and/or obligations secured thereby.

Recorded: January 11, 2000, Instrument No. 73655

Mortgagor: Alonzo B. Leavell aka A.B. Leavell, a married man dealing
with his sole and separate property

Mortgagee: Idaho Agricultural Credit Association

COVERS ADDITIONAL LAND ---as to Parcel 1 & 2

NOTE: We have done a judgment and lien search for matters recorded in the County Records and filed with the Secretary of State pursuant to Chapter 19, Title 45, Idaho Code, against all parties involved in this transaction, and as of the Commitment date, we find: NONE

Astorguia

EXHIBIT A continued
C000031

PARCEL 2 – CAMAS COUNTY

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho

Section 18: Government Lots 3 and 4, The Southeast Quarter of the Northeast Quarter,
The East One-Half of the Southwest Quarter, and the Southeast Quarter.

Section 19: Government Lot 1, The Northeast Quarter of the Northwest Quarter:

Township 2 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 13: The South One-Half of the Northeast Quarter, The Northwest Quarter,
The East One-Half of the Southwest Quarter, and the Southeast Quarter.

Section 14: The North One-Half of the Northeast Quarter, and the Southeast Quarter
of the Northeast Quarter.

Section 24: The North One-Half of the Northeast Quarter.

PARCEL 3 – CAMAS COUNTY

Patterson

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho.

Section 16: The South one-half of the Northwest Quarter, and the North one-half
of the Southwest Quarter.

Section 17: All