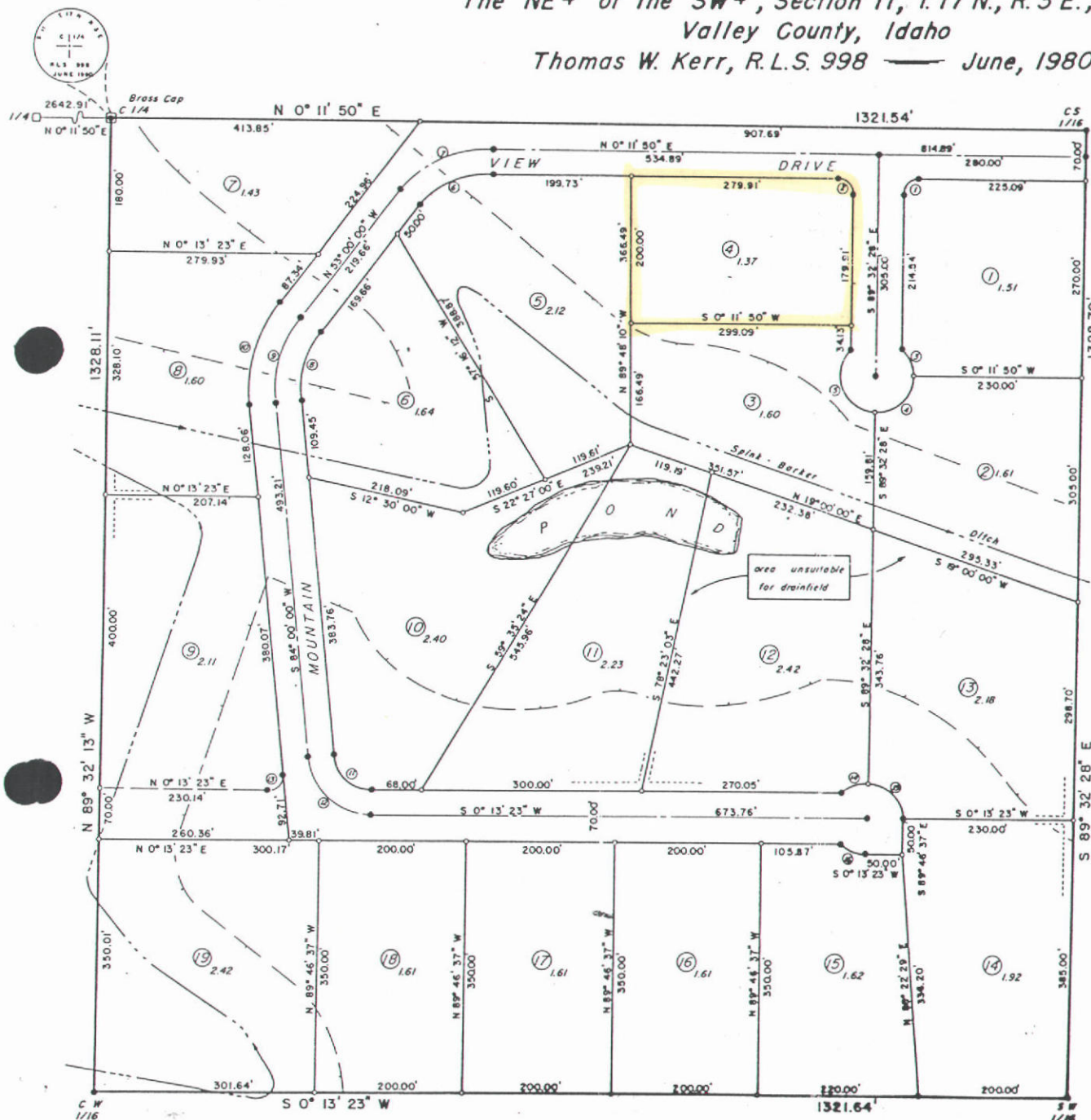


MOUNTAIN VIEW ESTATES SUBDIVISION

The NE⁴ of the SW⁴, Section 11, T.17N., R.3E., B. M.,
Valley County, Idaho
Thomas W. Kerr, R.L.S. 998 — June, 1980

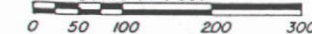


LEGEND

- Brass Cap
- 5/8" x 30' rebar
- 1/2" x 24' rebar
- Lot number
- Curve number
- Utility Easement, 12' on front and exterior lot lines, centered on interior lot lines.

Bearings based on State Plane Grid

Scale in Feet



Sanitary Restrictions

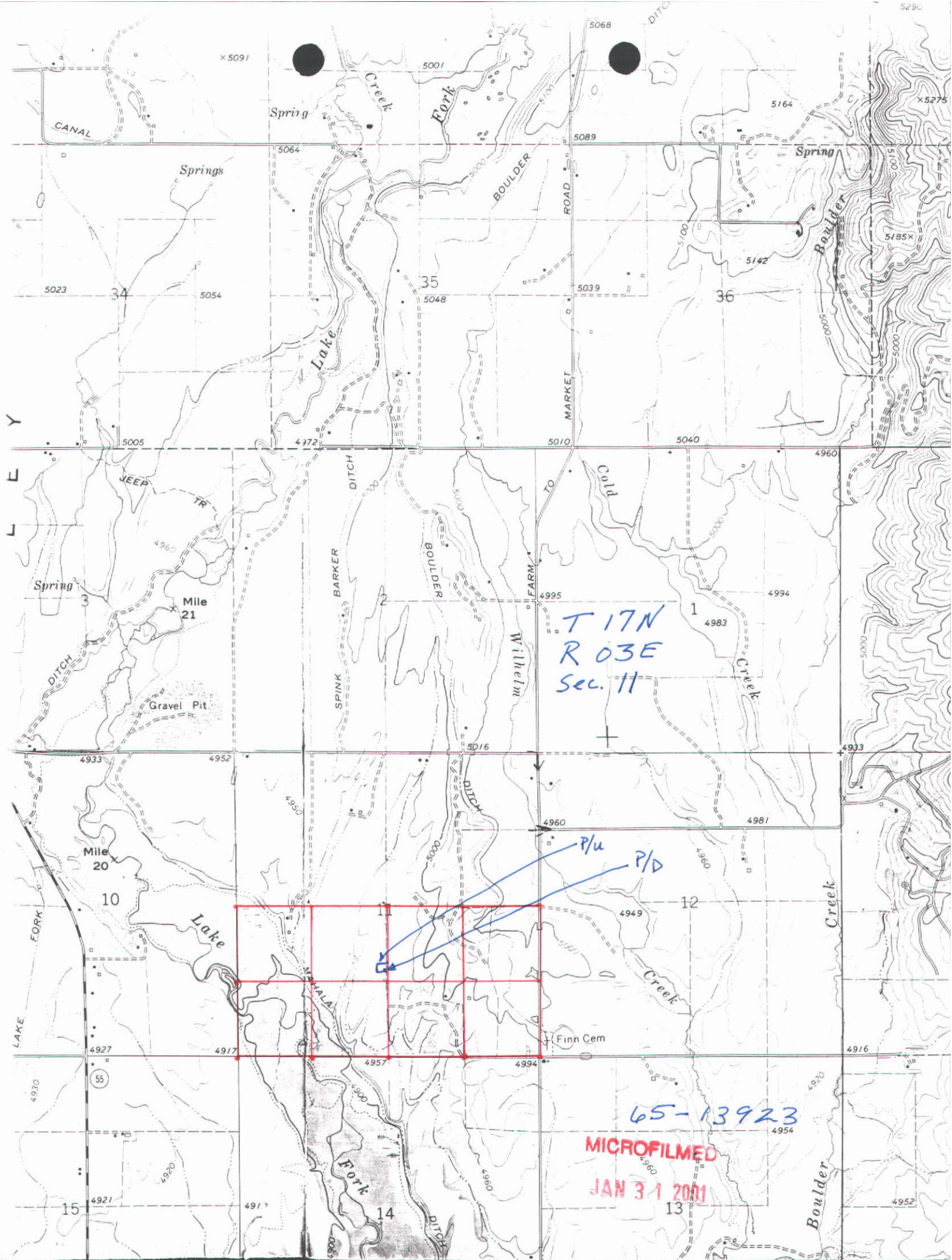
No building or shelter which will require a water supply or a sewage disposal facility for people using the premises where such building or shelter is located shall be erected until written approval is first obtained from the State Board of Health by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities, or individual parcel water and / or sewage facilities.

The right of access to the Spink-Barker Ditch for maintenance and repair shall not be impaired.

NO 600' T
DAN
12.14.99
MICROFILMED
APR 5 2000

Curve Table

No.	A	R	L	T	Ch	Ch Bearing
1	89° 44' 18"	20.00'	31.32'	19.91'	28.22'	N 44° 40' 19" W
2	90° 05' 42"	20.00'	31.51'	20.09'	28.35'	N 45° 19' 41" E
3	45° 18' 41"	50.00'	39.54'	20.87'	38.52'	S 67° 32' 30" W
4	90° 15' 42"	50.00'	78.77'	50.23'	70.87'	N 44° 40' 19" W
5	135° 34' 23"	50.00'	118.31'	122.44'	92.58'	N 68° 14' 44" E
6	53° 11' 50"	115.00'	106.77'	57.58'	102.98'	N 26° 24' 05" W
7	53° 11' 50"	150.00'	139.27'	75.11'	134.32'	N 26° 24' 05" W
8	43° 00' 00"	115.00'	86.31'	45.30'	84.30'	N 74° 30' 00" W
9	49° 00' 00"	150.00'	112.37'	59.09'	109.95'	N 74° 30' 00" W
10	43° 00' 00"	185.00'	138.84'	72.87'	135.61'	N 74° 30' 00" W
11	83° 46' 37"	80.00'	73.11'	44.84'	66.77'	S 42° 06' 41" W
12	83° 46' 37"	85.00'	124.29'	76.24'	113.51'	S 42° 06' 41" W
13	96° 13' 23"	20.00'	33.98'	22.30'	29.78'	N 47° 53' 18" W
14	49° 48' 38"	50.00'	39.98'	21.13'	38.97'	S 22° 26' 44" E
15	88° 46' 51"	80.00'	78.33'	49.79'	70.75'	S 45° 20' 28" W
16	40° 34' 23"	90.00'	39.77'	21.00'	38.23'	N 23° 00' 34" W



T 17N
R 03E
Sec. 11

65-13923
MICROFILMED
JAN 31 2001



P/D



P/u

MICROFILMED

JAN 31 2001

65-13923



P/u

65-13923

MICROFILMED

JAN 31 2001

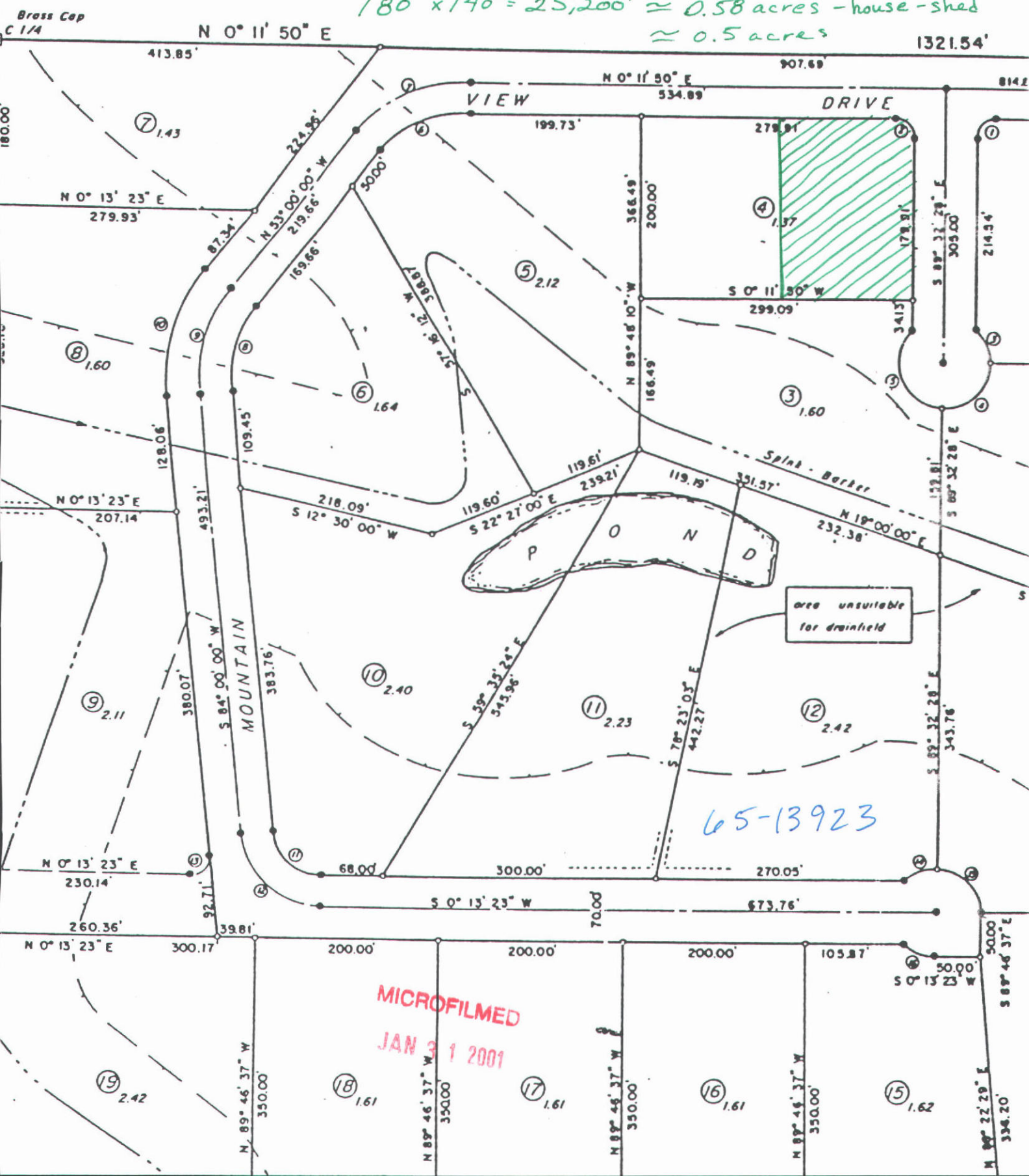
MOUNTAIN VIEW ESTATE

The NE⁴ of the SW⁴, Section 11, T.
Valley County, Idaho

Thomas W. Kerr, R.L.S. 998

$180' \times 140' = 25,200' \approx 0.58 \text{ acres} - \text{house-shed}$
 $\approx 0.5 \text{ acres}$

 - Irrigated with well



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13923

Priority: October 13, 1999

Maximum Diversion Rate. 0.04 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that KENNETH or MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 13, 1999, and has
submitted Proof of Beneficial Use on March 08, 2000. An examination indicates that the works have a
diversion capacity of 0.06 cfs of water from.

SOURCE

GROUND WATER

and a water right has been established as follows.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, Twp 17N, Rge 03E, B.M. VALLEY County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 03E 11									X								

CONDITIONS OF APPROVAL

- 1 Domestic use is for 1 home
2. Place of use is located within Lot 4, Mountain View Estates Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of JANUARY, 2001

Acting for

KARL J. DREHER, Director

MICROFILMED

JAN 9 1 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
MAR 03 2000

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 65-13923 Telephone No. 208-634-35122. Name of Permit Holder(s): Kenneth and MARILYN LEAVITT3. Mailing Address: P O Box 1167City McCall State ID Zip 836384. Source of Water: ground If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 91Well Driller: GESTRIN Well Drilling Drilling Permit Number: 65-91-W-044

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No ✓

8. Fee Enclosed \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ken Leavitt Telephone Number: 634-8111 (work)Address: P O Box 1167
McCall, Idaho 83638

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Marilyn Leavitt Date: 3/6/00
(include your title, if on behalf of company or organization)

APR 25 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13923

Priority: October 13, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that KENNETH LEAVITT
MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638

has applied for a permit to appropriate water from: GROUNDWATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.04 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 11, Township 17N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

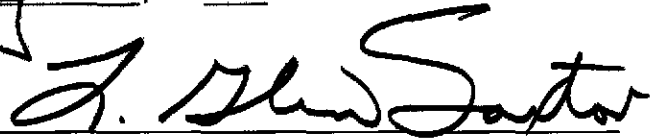
17N 03E 11 NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before March 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.
5. Place of use is located within Lot 4, Mountain View Estates Subdivision.

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

22nd day of February, 2000.


Karl J. Dreher, Director
for

MICROFILMED

APR 25 2000

RECEIVED

FEB 16 2000

FORM 202

2/96

Ident. No. 65-13923

RECEIVED

DEC 20 1999

WATER RESOURCES
WESTERN REGION

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 13 1999

WATER RESOURCES
WESTERN REGION

- Name of Applicant Kenneth or Marilyn Leavitt Phone 208-634-3512
Mailing address PO Box 1167 McCall, Id 83638
- Source of water supply ground water which is a tributary of N/A
- Location of point of diversion is Township 17N Range 3E Sec. 11 in the NE 1/4, NE 1/4, SW 1/4, Govt. Lot _____, B.M., Valley County; additional points of diversion if any: _____
- Water will be used for the following purposes:
 Amount .04 for domestic use purposes from 1/1 to 12/31 (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)
 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)
- Total quantity to be appropriated is (a) .04 and/or (b) 1.2
 cubic feet per second acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source 6" diameter well to pressure tank to lawn
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is 6" inches; proposed depth of well is existing well feet
 - Is ground water with a temperature of greater than 85°F being sought? NO
 - If well is already drilled, when? 1991?; Drilling firm Gastin
 Well was drilled for (well owner) owner; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. one MICROFILMED
 - Other; describe fully. _____

APR 25 2000

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	3E	11									D								

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: Mountain View Estates Subdivision Lot 4

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Kenneth Leavitt (or)
Marilyn Leavitt
 Signature of Applicant (and title, if applicable)

Received by KB Date 10/13/99 Time 10:47 Preliminary check by DAN
 Fee \$ 30.00 Received by KB # W025813 Date 10/13/99
 Publication prepared by ST Date 1-19-26-00 Published in STAR NEWS
 Publication approved ST Date 2-7-00

MOUNTAIN VIEW ESTATES SUBDIVISION

The NE 4 of the SW 4, Section 11, T.17N, R.3E., B. M.,
 Thomas W. Kerr, R.L.S. 998 — June, 1980

LEGEND

- Brass COP
- 5/8" x 30" rebar
- 1/2" x 24" rebar
- Lot number
- Curve number
- Utility Easement, 12' on front and exterior lot lines, centered on interior lot lines.
- Bearings based on State Plane Grid

Scale in Feet
 0 50 100 200 300

Sanitary Restrictions

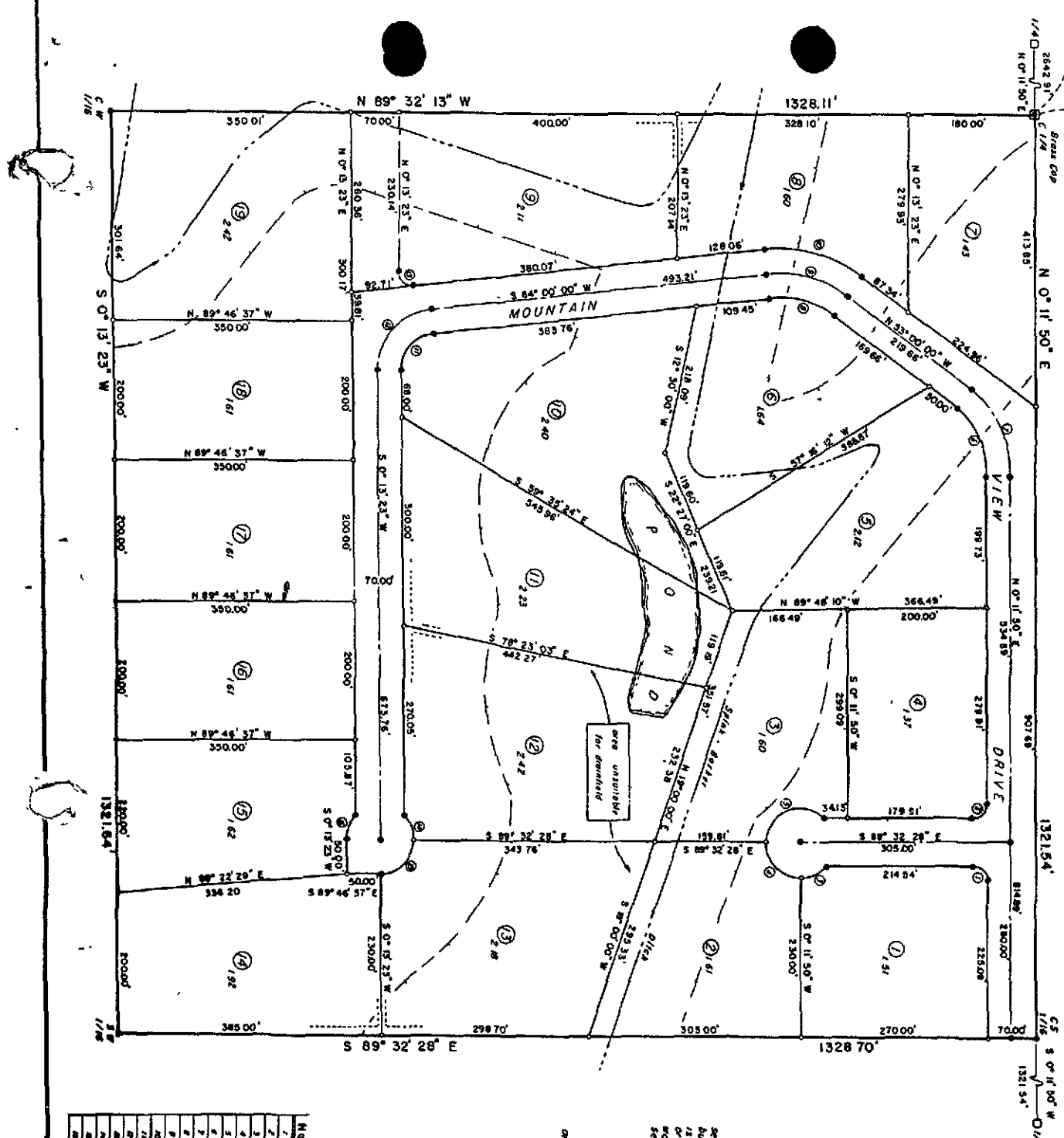
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The right of access to the Split-Barker Ditch for maintenance and repair shall not be impaired.

NO GOVT
 DATA
 12-14-99
 MICROFILMED
 APR 25 2000

Curve Table

No.	A	R	L	T	Ch	Ch Bearing
1	89° 44' 18"	200.00	34.32	18.81	28.22	N 44° 40' 18" W
2	50° 15' 42"	200.00	34.32	20.00	28.22	N 45° 15' 42" E
3	45° 18' 41"	500.00	39.54	20.87	38.52	N 67° 32' 30" W
4	50° 15' 42"	500.00	78.77	50.23	70.87	N 68° 40' 41" E
5	135° 34' 23"	100.00	118.31	122.44	92.58	N 68° 40' 41" E
6	53° 11' 50"	115.00	104.77	97.58	102.86	N 25° 24' 05" W
7	53° 11' 50"	150.00	138.27	125.11	124.32	N 25° 24' 05" W
8	43° 00' 00"	115.00	68.31	43.30	64.30	N 25° 30' 00" W
9	43° 00' 00"	150.00	118.31	122.44	102.86	N 25° 30' 00" W
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13	43° 00' 00"	115.00	68.31	43.30	64.30	N 25° 30' 00" W
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15	43° 00' 00"	150.00	138.27	125.11	124.32	N 25° 30' 00" W
16	53° 11' 50"	115.00	104.77	97.58	102.86	N 25° 30' 00" W
17	53° 11' 50"	150.00	138.27	125.11	124.32	N 25° 30' 00" W
18	43° 00' 00"	115.00	68.31	43.30	64.30	N 25° 30' 00" W
19	43° 00' 00"	150.00	118.31	122.44	102.86	N 25° 30' 00" W
20	43° 00' 00"	150.00	138.27	125.11	124.32	N 25° 30' 00" W



Ident. No. 65-13923

Comments: Date: 12/20/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

Place of use is for one home also known as Mountain View Estates subdivision lot 4 per applicant.

IDWR review shows overlapping water right from a spring for irrigation purposes. Well will also be used for irrigation since it is from a different source.

MICROFILMED

APR 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

January 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH LEAVITT
MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638

RE. License No. 65-13923 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK klt

Enclosure(s)

MICROFILMED

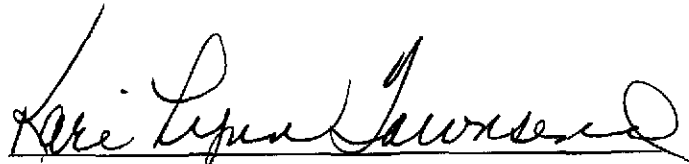
JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on January 30, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-13923

**KENNETH LEAVITT
MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 31 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JAN 31 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows.

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

LICENSE REVIEW CHECKLIST

Permit No 65-13923 Date: 1-17-2001 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion OK

Does change clarify original intended source? If no, void permit

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps Right(s) none

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit N/A cfs

Measured 0.04 cfs

Theoretical cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation cfs af

Stockwater cfs af

Domestic 0.04 cfs 1.2 af

cfs af

cfs af

Total 0.04 cfs 1.2 af

~~Irrigation~~ - overlap (R58-R61, R62-R65, R66-R69)

~~supp Gw~~ (WB7/065/104)

~~overlap spec combined rts~~ (W35)

~~>1 acre~~ (W31)

Domestic (W01/wb5/070/071/075)

~~Power~~ (W42 or W43/025/027/R22 or R23)

~~Fish~~ (042)

~~Fire~~ (077)

~~Water Quality~~ (081/R07)

~~Payette~~ - (W22/047/27A)

~~Stockwater for US~~ (R37)

Volume Determination

cfs x 1 9835 x days = af (vs) acres x (FHR) = af

Remarks: W60 W01

Additional Conditions Wa

Watermaster Control

~~GW Measurement/Measuring Device~~

~~Other~~

~~Trust~~ (052/R55 - remove 051)

~~Non-trust~~ (048/049)

GW Dist?

Water Msmt Dist?

Crit GWMA?

GWMA?

Government Lots?

Advance Priority? yes If yes, explain why below

no

SRBA Claim? not reg'd

Adjust memo

Amend Letters P87, S06 Second Amendment Notice S06

Idaho Department of Water Resources

Place of Use 1/4 1/4 Comparison Report

T17N R03E S11			NE				NW				SW				SE				Total
Type	WR-Number	Source	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Right	65-13923	GROUND WATER								X									0
Right	65-4211	GROUND WATER	X																0
Right	65-5887	GROUND WATER					X												0
Right	65-8460	GROUND WATER													X				0
Rec	65-8460A	GROUND WATER													X				0
Rec	65-8460B	GROUND WATER													X				0
Right	65-8698	GROUND WATER	X																0
Right	65-10371	SPRING	X																0
Right	65-13281	GROUND WATER								X									0
Permit	65-13923	GROUND WATER								X									0
Right	65-17390	GROUND WATER													X				0
Right	65-17626	GROUND WATER								X									0
Right	65-17627	GROUND WATER								X									0
Right	65-17667	GROUND WATER													X				0
Rec	65-17703	GROUND WATER	X																0
Right	65-17705	GROUND WATER				X													0
Right	65-18005	GROUND WATER								X									0
Right	65-18042	GROUND WATER								X									0
Permit	65-13833	SPRING								3									3
Rec	65-2676A	UNNAMED STREAM					5												5
Rec	65-17628	SPRING						9											9
Right	65-2308	BOULDER CREEK												13					13
Right	65-2676	UNNAMED STREAM					15												15
Right	65-2308	BOULDER CREEK	21		25													18	64
Permit	65-13468	SPRING				30			28										58

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG -3 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13923

1. Owner: Kenneth and Marilyn Leavitt Phone No. (208) 634-3512

Current Address: PO Box 1167, McCall, ID 83638

2. Accompanied by: Kenneth Leavitt Exam Date: 06-16-2000

Address: PO Box 1167, McCall, ID 83638 Phone No. (208) 634-3512

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	SEC	TWP	RNG	County	Method of Determination/Remarks
			NE	SW	11	17N	03E	Valley	USGS Quad Angle Map

2. Place(s) of Use: _____ Indicate Method of Determination: Same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	03E	11									D								

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JAN 9 1 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

X Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

 Aerial Photo Attached (required for irrigation of 10+ acres).

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	WELL AND PUMP DATA ARE UNKNOWN				

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration Date
5 gallon bucket and stopwatch	N/A	N/A	N/A	N/A	N/A	N/A

2. Measurements: Three trial with the following times recorded. 12.5, 11.8, and 11.8 seconds.

Average time = 12.0 seconds

[5 gallons / 12 seconds] x [60 seconds / 1 min] = 25 GPM

25 GPM x [1 cfs / 448.83 GPM] = 0.06 cfs

E. NARRATIVE/REMARKS/COMMENTS

The place of use and point of diversion are located in the NESW of Section 11, Township 17N, Range 03E. The well supplies water to the house and also to the sprinkler system. The yard being irrigation is approximately ½ acre per visual inspection and per subdivision plat. The owner could not remember any specific information about the well or pump. A control valve and pressure tank are located in the crawl space of the house. The bucket-stopwatch method was used to determine a system capacity of 0.06 cfs. This measurement matches the data on the Well Driller's Report. This measurement was taken from the faucet adjacent to the well. The permit limits the diversion rate to 0.04 cfs.

Have the conditions of permit been met? X YES NO

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JAN 31 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measurement Method:

Bucket/stopwatch: The average time of three trials was 12.0 seconds, which gave a yield of 25 GPM.

$[5 \text{ gallons} / 12.0 \text{ s}] \times [60 \text{ s} / 1 \text{ min}] = 25 \text{ GPM}$

$25 \text{ GPM} \times [1 \text{ cfs} / 448.83 \text{ GPM}] = 0.06 \text{ cfs}$ (This is the system capacity.)

The permit limits the owner to 0.04 cfs.

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:

Use the recommend standard annual volume for domestic use.

1.2 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (AFA)
	From	To		
Domestic	01/01	12/31	0.04 cfs	1.2 AFA
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			0.04 cfs	1.2 AFA

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above X None

____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Richard D. Hansen – Field Examiner

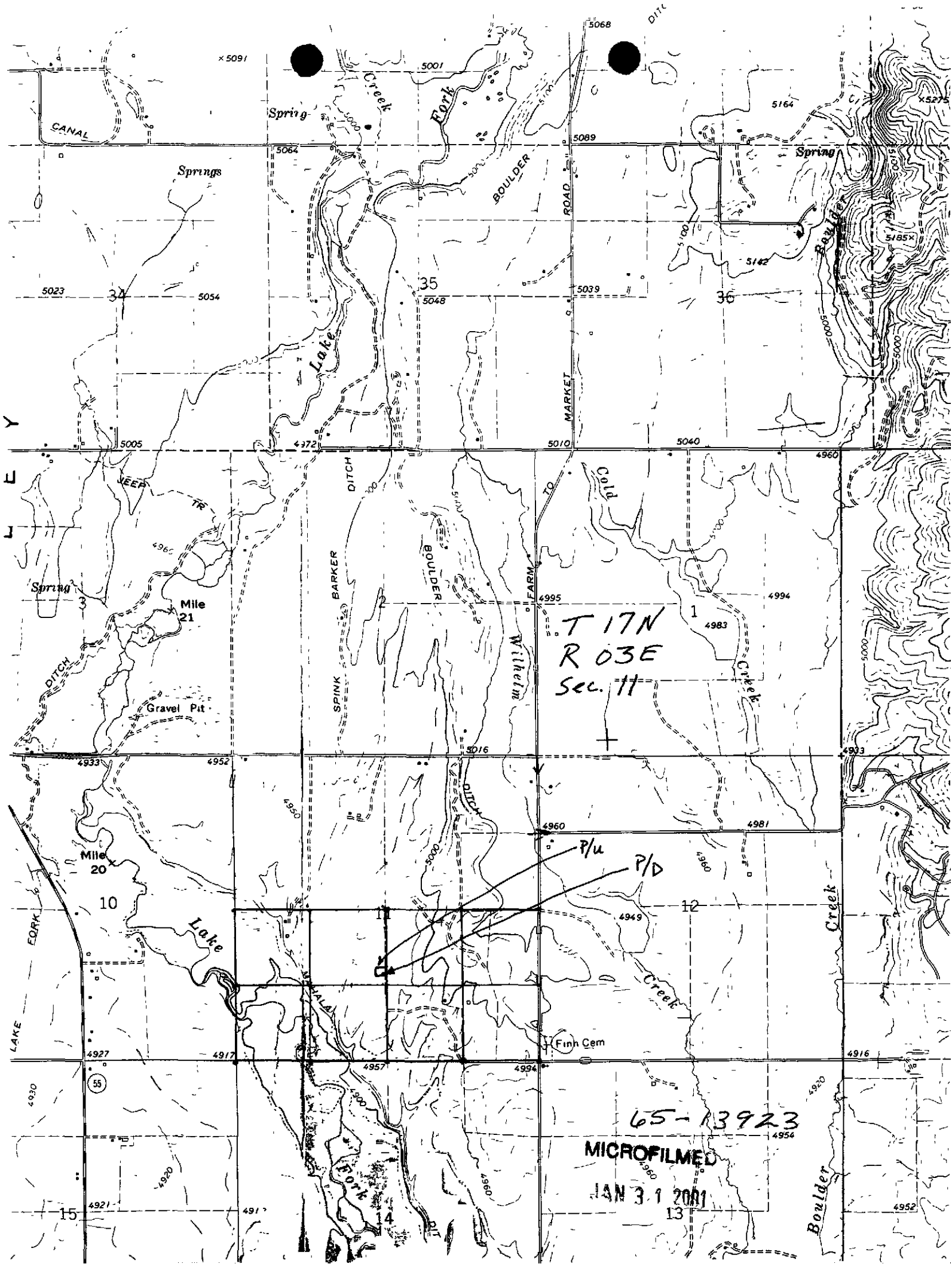
Field Examiner's Name Richard D. Hansen Date: 6/21/00

Reviewer _____ Date: _____

seal

MICROFILMED

JAN 31 2001



T 17N
R 03E
Sec. 11

65-13923
MICROFILMED
JAN 31 2001
13

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 65-91-W-044 OTHER APPLICABLE NO: 65-13923

2. OWNER: Kenneth & Marilyn Leavitt Phone: 208-634-3512
Address: PO BOX 1167 McCall ID 83638

3. WELL LOCATION: Twp 17 N, Rge. 03 E, Sec. 11, NE 1/4 SW 1/4
County Valley (Provide sketch map and photo on reverse.)

4. DRILLER: Gestrin Well Drilling Lic. No. 408
When Drilled? 1991

5. WELL CONSTRUCTION:

Casing Diameter 12 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 75 ft. Method Drilled Rotary & Air
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 40 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☒ Domestic	☐ Irrigation	☐ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: _____		

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JAN 31 2001

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No *unknown*

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

Richard D. Hansen - Field Examiner
Signature of Dept. Representative & Title

6-16-00
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

WELL DRILLER'S REPORT

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

[illegible]

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

65-13923



P/D

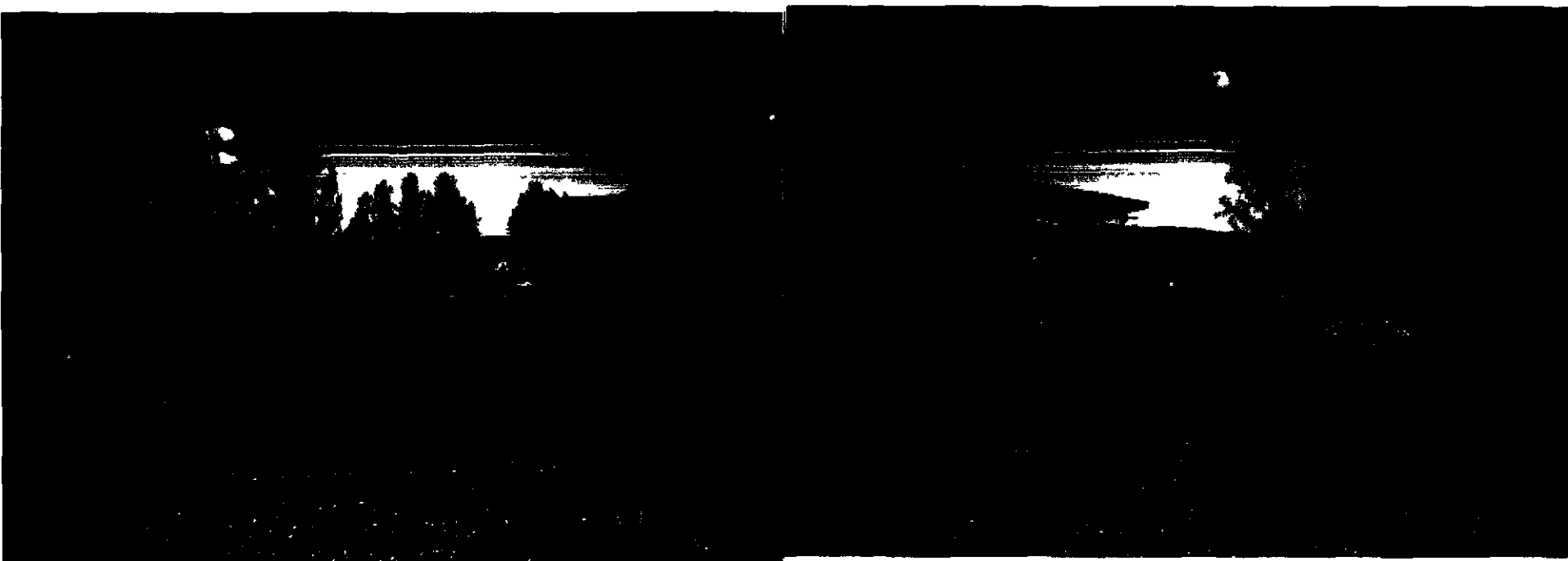


P/u

MICROFILMED

JAN 31 2001

65-13923



P/u

65-13923

MICROFILMED

JAN 31 2001

FIELD REPORT NOTES

MICROFILMED

JAN 31 2001

65-13923

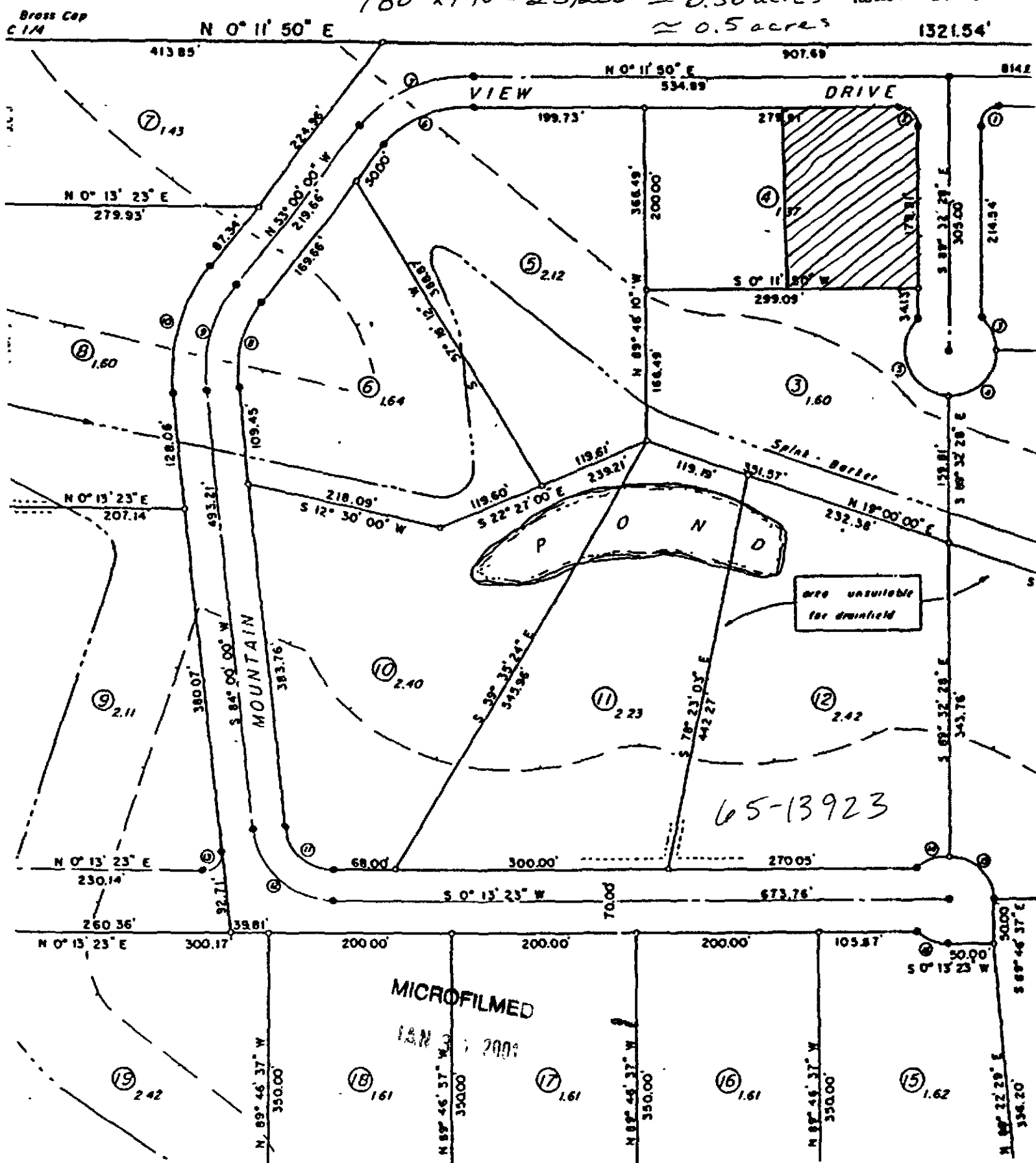
MOUNTAIN VIEW ESTAT.

The NE⁴ of the SW⁴, Section 11, T.
Valley County, Idaho

Thomas W. Kerr, R.L.S. 998

$180' \times 140' = 25,200' \approx 0.58 \text{ acres} - \text{house-shed}$
 $\approx 0.5 \text{ acres}$

 - Irrigated with well



Spl. Bucket & Stopwatch

65-13923

12.5 s

11.8 s

11.8 s

Average = 12.0 sec

$$\frac{5 \text{ gal}}{12 \text{ sec.}} \times \frac{60 \text{ sec.}}{1 \text{ min}} = 25 \text{ GPM}$$

$$25 \text{ GPM} \times \frac{1 \text{ cfs}}{448.83 \text{ GPM}} = 0.0557 \approx 0.06 \text{ cfs}$$

All the conditions of the Permit
have been met.

65-13923

MICROFILMED

JUN 3 1 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

April 17, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH & MARILYN LEAVITT
PO BOX 1167
MCCALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13923

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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Regional Western Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

APR 25 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13923 Reviewed by D. Ellis Date 4/14/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received? Correct Uses? Yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
Yes Drilling permit required?
 Copy in the file? Drilling Permit No. 65-91-W-044
N/A Amount paid for permit Yes Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

No Required?
70 Amount Submitted
Yes Correct?
No Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 3/8/2000
Date proof due 3/1/2001 -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address N/A Proof Made 3/8/2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 2000

KENNETH LEAVITT
MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13923

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

APR 25 2000

If you have any questions, please call me at 208-327-7946.

Sincerely,

Kari Lynn Johnson

for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

APR 25 2000

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of February, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13923

KENNETH LEAVITT
MARILYN LEAVITT
PO BOX 1167
MC CALL ID 83638


Kari Lynn Townsend
Secretary

MICROFILMED

APR 25 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APR 25 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 2/16/00

No. 65-13923 Name: Leavitt Corp. Officers N/A Ad ok ✓ Govt Lots ---

AREA OF CONCERN: No/Yes --- Moratorium --- GWMA --- TRUST/NON-TRUST ---

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
~~Supp irr (irr = only use)~~ - 065-104
~~Supp irr (≠ other uses)~~ - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

~~Boise Front LoGeo~~ - 058 (<85 GW)
~~Mitigation~~ - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 3 1 01 12 00 1

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response ---
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE ---
In-stream development - P32
WD - R04 (WD# ---)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC W03 (1)
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 Lot 4, Mtn View Estate
Use definitions - W02 example - S/50 range Subd
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON --- - --- (Per updated map)

OTHER CONDITIONS/REMARKS ---

COMMENTS ---

RECEIVED

FEB 16 2000

Department of Water Resources

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED

APR 25 2000

FEB 16 2000

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DEPARTMENT OF WATER RESOURCES
INITIAL REVIEW BY: DAN

DATE: 12-14-99 APPLICATION: 65-13923

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required) ~
- ☒ Correct fee paid

Gov't. Lots:

NO P/D

NO P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARK(S)

(Reviewer identify which remarks)

☒ T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion.
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☐ immediate = acceptable plan required and submitted.
- ☐ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Need signature

Date Requested 12-15-99 Date Response Received 12-20-99

PROCESSING

APP. NO.

65-13923

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Water Planning Bureau
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☐ ☐ Final date for protest 2-7-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: STANDARD CONDITIONS

☒ See below for additional informationRecommended Date or Priority 10-13-1999Recommended by: David A. Melan Date: 2-11-2000

ADDITIONAL INFORMATION:

Water Right 65-13833 OVERLAPS THE
POINT OF DIVERSION & PLACE OF USE. IT
IS WATER FROM A SPRING FOR IRRIGATION.

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

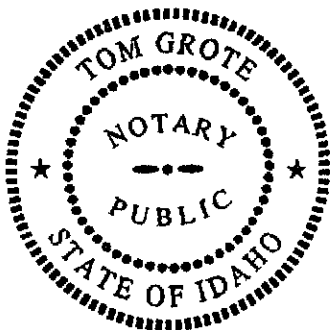
I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 20, 2000 and ended January 27, 2000.

Carol J. Wright

Subscribed and sworn before me this the 28th day of January, 2000.
STATE OF IDAHO

COUNTY OF VALLEY

On this 28th day of January, in the year of 2000, before me, a Notary Public, personally appeared Carol J. Wright, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13920 Burris, Rodger, Burris, Joanne, P.O. Box 1265, McCall, ID 83638.

Source: Big Payette Lake. Tributary: Payette River, North Fork Diversion (Pt. Lot 1 (NENW) Sec 35 T 19 N R 03 E in Valley County. Use: Domestic (0.020 CFS). Total Diversion: (0.020 CFS).

Date Filed: 12/7/1999. In: Valley County. T19N R03E S35 Lot 1 (NENW).

65-13922 Albertson, E. Pete, Albertson, Judith, 5905 Klunicy Canyon, Winnemucca, NV 89445.

Source: Groundwater. Diversion Pt: SESE Sec 9 T 16N R 03E in Valley County. Use: Domestic (0.040 CFS). Total Diversion: (0.040 CFS).

Date Filed: 11/4/1999. In: Valley County. T16N R03E S09 SESE

65-13923 Leavitt, Kenneth, Leavitt, Marilyn,

P O Box 1167, McCall, ID 83638.

Source: Groundwater. Diversion Pt: NESW Sec 11 T 17N R 03E in Valley County Use: Domestic (0.040 CFS). Total Diversion: (0.040 CFS).

Date Filed: 10/13/1999. In: Valley County. T17N R03E S11 NESW

65-13927 Maki, Will,

P.O. Box 686, Lake Fork, ID 83635.

Source: Mud Creek. Tributary: Cascade Reservoir. Diversion Pt: NENW Sec 9 T 17N R 03E in Valley County Use: Irrigation (1.360 CFS) Total Diversion (1.360 CFS).

Date Filed: 12/3/1999. In: Valley County. T17N R03E S09 NWNW SWNW NWSW. 102.0 Acres Total

Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way,

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Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before February 7, 2000. The protestant must also send a copy of the protest to the applicant, Karl J. Dreher, Director 2tc/1/27



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

12/15/99

KENETH OR MARILYN LEAVITT
PO BOX 1167
MC CALL, ID 83638

COPY

RE: APPLICATION FOR PERMIT FOR DOMESTIC USE

Dear Mr. and Ms. Leavitt,

Enclosed you will find the application for permit form that you filed with our office. We can not process this application without a valid signature on the form. Since you listed your names on the front of the application as Kenneth or Marilyn we will need both of your signatures. If you want you can change the or in the name to Kenneth and/or Marilyn. If you do this then only one of you will need to sign the application.

Please sign the application form and return to the above address C/O Daniel A Nelson.

In order to process all of the applications in our office as efficiently as possible, we are required by Idaho Code § 42-204 to ask that this information be sent to our office within 30 days or we are to void the application for permit. **Therefore, if we do not receive the above information by 1/17/1999 we will be forced to void your applications for permit.** If your permit is voided you will be able to re-file for these water rights with a later priority date.

Respectfully,

A handwritten signature in cursive script that reads "Daniel A. Nelson".

Daniel A. Nelson
Sr. Water Right Agent

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APR 25 2000

65-13923

LEAVITT, KENNETH
LEAVITT, MARILYN
PO BOX 1167
MC CALL, ID 83638

Source: GROUNDWATER

Diversion Pt: NESW Sec 11 T 17N R 03E in VALLEY County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 10/13/1999

In: VALLEY County	
T17N R03E S11	NESW

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APR 25 2000