

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Astorguia #1
Ident. No. 37-20551

To appropriate the public waters of the State of Idaho

1. Name of applicant Lonnie Leavell Phone (208) 934-8543
Post Office address P.O. Box 54, Gooding, ID 83330
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____
Sec. 19 Township 02S Range 16E B.M. Camas County; additional
points of diversion, if any: SESE Sec. 13, T2S, R15E
4. Water will be used for the following purposes:
Amount 0.04/6.6 for Stockwater purposes from 4/1 to 9/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity being appropriated is (a) 0.04 and/or (b) 6.6
cubic feet per second acre-feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and subsurface collector to
1.5-inch mainline to stock troughs.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is groundwater with a temperature of greater than 85 degrees being sought? No
 - e. If well is already drilled, when? 10/29/00; Drilling firm Camas Drilling;
Well was drilled for (well owner) Applicant
7. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 1000 head range cattle
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households _____;
 - e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC	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	15E	13				S				S					S			S	
02S	16E	18											S						

Total number of acres to be irrigated _____

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

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: This filing is made to record a right established under the Part A domestic exemption (I.D. 42-111). Annual volume = 12 gpd/hd x 1000 hd x 180 days.

13. MAP OF PROPOSED PROJECT ATTACHED _____ show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Donnie Leach
(Applicant)

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ # _____ Date _____

Publication prepared by MB Date 6/10/04 Published in Camas Courier

Publication approved MB Date 7/9/04

WATER RIGHT APPLICATIONS FOR LONNIE LEAVELL ASTORQUIA PROPERTY

Brockway Engineering, PLLC
June 5, 2001

1. Permit Applications

Application #1 is for 1000 head of stock. The source is groundwater: one well in SESE Sec. 13 and a subsurface collector in NWNW Sec. 19. See the attached map. Water is delivered from the collector to a 1.5-inch mainline which travels north and west to feed stock troughs. The well also provides water to this mainline. 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 storage totalling 4.98 ac-ft in several new ponds on the property under the Part B domestic exemption. See the color-coded map. The surface area of these ponds is 1.48 acres, 1.38 of which is wetland-to-open water conversion which does not result in an increase in consumptive use, according to IDWR policy. The remaining 0.1 acres is "new" open water evaporation.

The peak evaporation (July) for 0.1 acre of ponds is 542 gpd, as determined using the Molnau (1992) procedure for monthly free water surface evaporation in Idaho (see attached spreadsheet). This is less than the allowable 2,500 gpd under the Part B exemption for stockwater.

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

8.0 acres of trees will be irrigated on Astorquia from the 1.5-inch mainline described above:

? {
2.0 acres in SWSW Sec. 18, T2S R16E
5.0 acres in NESE Sec. 13, T2S R15E along the entrance road
1.0 acres in SENE Sec. 13, T2S R15E

One transfer application is being filed to move acres from Magic Ranch (groundwater license 37-07395) to the two points of diversion on Astorquia.

3. Other rights and SRBA claims and decrees for stockwater

There are no SRBA claims for stockwater on this property. There are, however, four active permits for a total of 13 ac-ft of stockwater usage and storage for stockwater, each right allowing 1000 head of range cattle and horses. These rights cover four ponds that have been in existence since the mid-1990s. See the color-coded map.

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		Jan (ac-ft)	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total (ac-ft)
Area (ac)														
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 Statute 42-111 part A (13,000 gal/day), accounting for peak pond evaporation

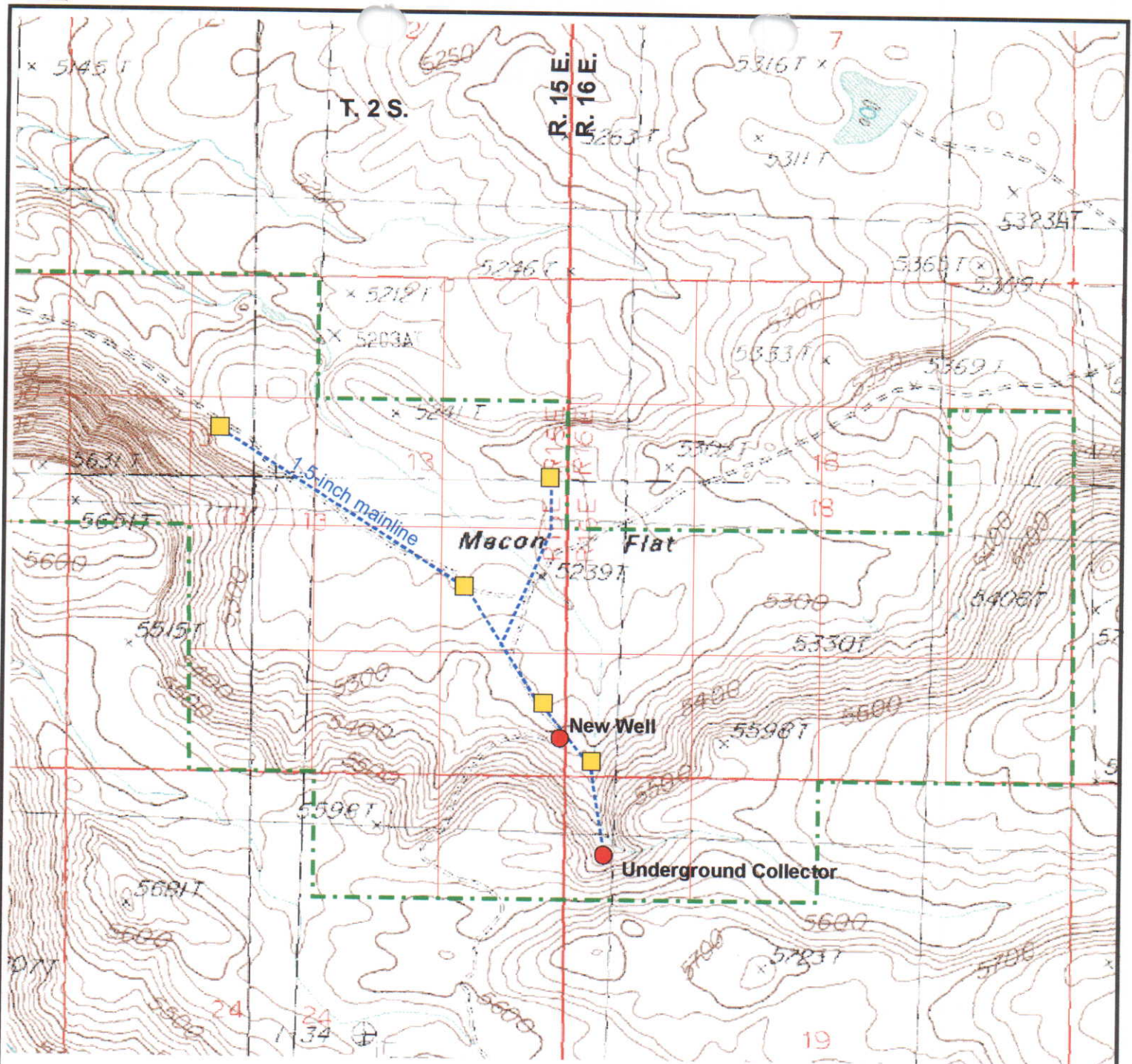
4/1-10/1 evap (ac-ft)		July Peak Evap (af/day)	July Peak Evap (gpd)	Number of range cattle allowed (at 12 gpd/hd)
Rock House	0.37	0.0029	932	1006
Patterson	0.00	0.0000	0	1083
Astorquia	0.22	0.0017	542	1038
Magic	17.76	0.1360	44327	
Total	18.35	0.1406		

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



Scale: 1" = 1500'

- Point of Diversion
- Stock Trough - Place of Use
- Property Boundary

Application for Permit #1 Lonnie Leavell - Astorquia Field

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 on 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)

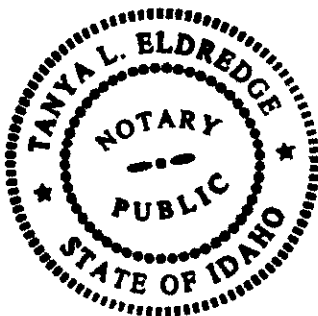
County of Twin Falls)

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
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A
L



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

12-18-06
My Commission Expires

As for

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