

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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, Idaho 83330
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 33 Township 1S Range 15E B.M. Camas County; additional
points of diversion, if any: SENE Sec. 33, T1S R15E
4. Water will be used for the following purposes:
 Amount 0.04 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 1.86 af for Stockwater ^{for} Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount 0.04 for Div to Stor. ^{for} Storage 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)
5. Total quantity being appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre-feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Ponds dug to shallow groundwater and well 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 6 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? 10/19/00; Drilling firm Camas Well Drillers; Well was drilled for (well owner) Applicant
7. Time required for completion of works and application of water to proposed beneficial use is 3 ^{cr} 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 for 4 to 6 week period
 - 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	
1S	15E	33	S			S													

S = stockwater and ponds 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

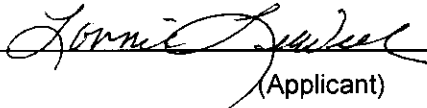
b. Who owns the land to be irrigated or place of use? Applicant

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: Right is for stockwater purposes. This application is being made under the Part A domestic exemption (42-111). Calculated peak pond evaporation plus usage for 1000 head does not exceed the 13,000 gpd limit. See attached documentation.

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.

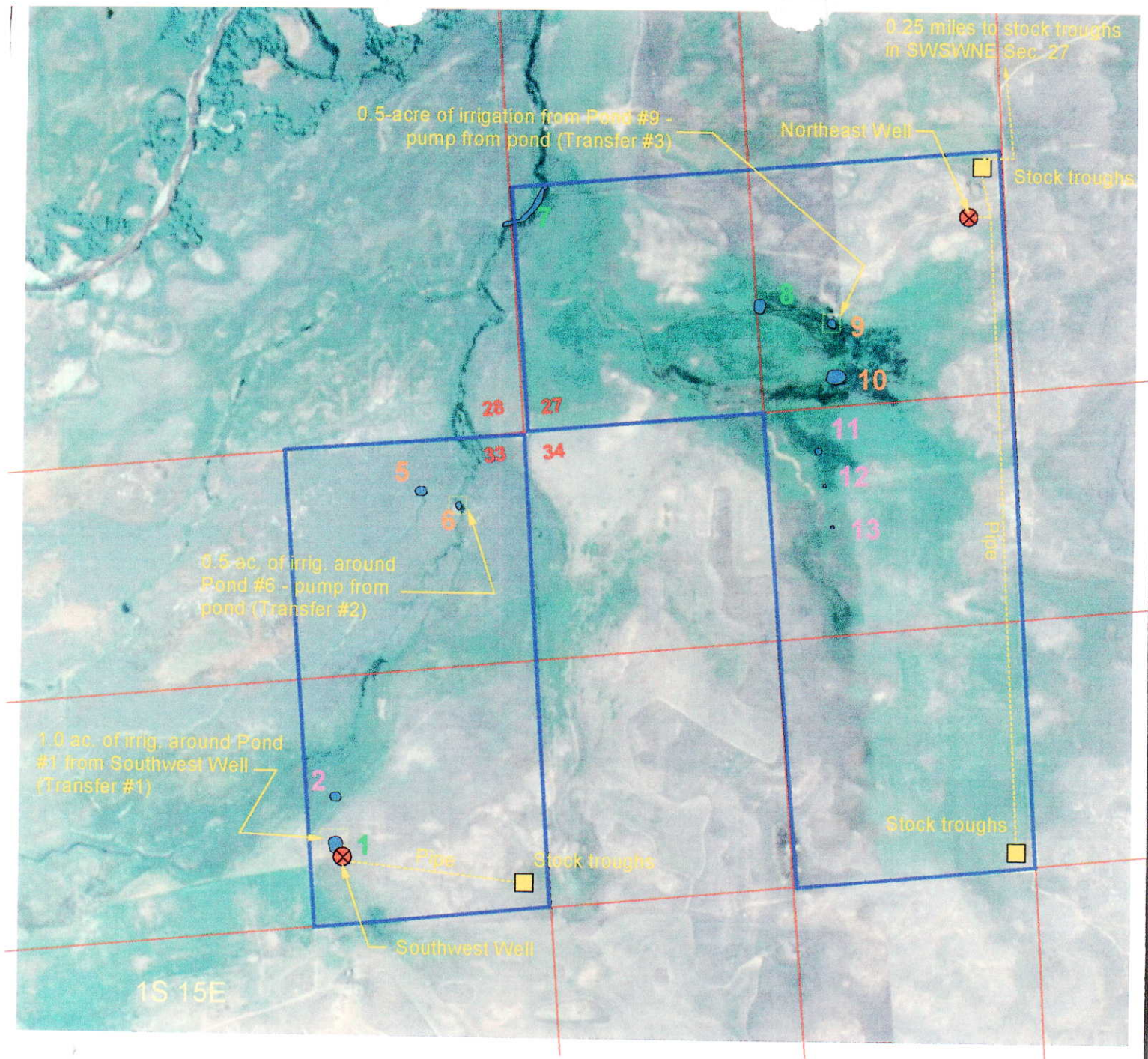

(Applicant)

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



EXPLANATION

Ponds are color-coded according to their hydrologic status:

- New open water Ponds
- Wetland to open conversion ponds
- Pre-existing ponds dug into groundwater

- Ponds
- Property boundary
- Wells

SCALE: 1" = 800' (approx.)



Photo Date: 1999
Brockway Engineering June 4, 2001

Permit and Transfer Applications Lonnie Leavell - Rock House Property

WATER RIGHT APPLICATIONS FOR LONNIE LEAVELL ROCK HOUSE PROPERTY

Brockway Engineering, PLLC
June 4, 2001

1. Permit Applications

Application #1 is a permit application for 1000 head of stock and associated pond storage of 1.86 acre-feet on the south portion of the Rock House property. The source is groundwater (ponds dug into shallow water) and also one well in the SENE33. See the attached aerial photo map.

The total pond surface area is 0.36 acres, 0.31 of which is wetland-to-open water conversion which does not result in an increase in consumptive use, according to IDWR policy. The remaining 0.05 acres is "new" open water evaporation.

The peak evaporation (July) for 0.05 acres of ponds is 291 gpd, as determined using the Molnau (1992) procedure for monthly free water surface evaporation in Idaho (see attached spreadsheet). Stockwater volume for 1000 head of cattle at 12 gpd is 12,000 gpd, for a total of 12,291 gpd. This is less than the allowable 13,000 gpd under the Part A exemption for stockwater, so no mitigation is required for this permit application.

Points of diversion:

2 ponds in NENE Sec. 33

2 ponds, 1 well in SENE Sec. 33

Application #2 is a permit application for 1000 head of stock and associated pond storage of 1.61 acre-feet on the south portion of the Rock House property. The source is groundwater (ponds dug into shallow water) and also one well in the SESW27. See the attached aerial photo map.

The total pond surface area is 0.36 acres, 0.25 of which is wetland-to-open water conversion which does not result in an increase in consumptive use, according to IDWR policy. The remaining 0.11 acres is "new" open water evaporation.

The peak evaporation (July) for 0.11 acres of ponds is 641 gpd, as determined using the Molnau (1992) procedure for monthly free water surface evaporation in Idaho (see attached spreadsheet). Stockwater volume for 1000 head of cattle at 12 gpd is 12,000 gpd, for a total of 12,641 gpd. This is less than the allowable 13,000 gpd under the Part A exemption for stockwater, so no mitigation is required for this permit application.

Points of diversion:

3 ponds, 1 well in SESW Sec. 27

3 very small ponds in NENW Sec. 34

ROCK HOUSE, cont'd

2. Transfers for irrigation usage

2.0 acres of trees will be irrigated on Rock House as follows:

- 1.0 acre in NENE33 (from pond)
- 0.5 acres in SENE33 (from well)
- 0.5 acres in SESW27 (from pond).

Three transfer applications are being filed to move acres from Magic Ranch (groundwater license 37-07395).

Transfer #1 – southwest well in SENE Sec. 33

Transfer #2 – pond in NENE Sec. 33

Transfer #3 – northeast well in SESW Sec. 27

3. SRBA claims and decrees for stockwater

37-10103 is a partial decree for stockwater for 0.02 cfs in SESW27. The decree lists no volume and no cow numbers. This right could cover additional stockwater usage in SESW27.

An irrigation claim A37-10103 for 40 acres in NENE33 and 3 acres in SENE33 asserts a right to water from Camas Creek with a priority date of 1898. Leave this claim as-is, and Lonnie will see about re-activating the headgate and delivering water for irrigation as much as possible.

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	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total (ac-ft)
Area (ac)	Jan (ac-ft)	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total	
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	0.90	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		July Peak Evap (ac-ft)	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

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)

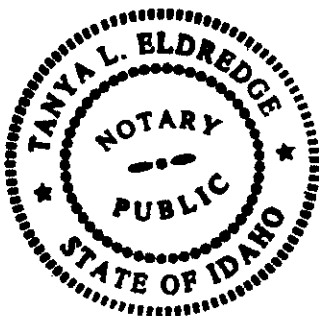
County of Twin Falls)

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

RH

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

Rock House

EXHIBIT A
C000031

PARCEL 1 – CAMAS COUNTY

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 27: The South One-Half of the Southwest Quarter.

TOGETHER WITH an easement for road right of way 10 feet wide over and across the Northeast Quarter of said Section 27. the centerline of said right of way being described as follows:

BEGINNING at a point 5 feet North of the East Quarter corner of said Section 27;
Thence West and parallel with the South boundary of the Northeast Quarter to a point 5 feet North of the Southwest corner of said Northeast Quarter to the point of termination.

AND TOGETHER WITH an easement for road right of way 8 ¼ feet wide over and across the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of said Section 27, described as follows:

COMMENCING at a point 8 ¼ feet West of the Northeast corner of the Northwest Quarter of the Southeast Quarter;

Thence South and parallel with the East boundary of the Northwest Quarter of the Southeast Quarter to a point 8 ¼ feet North of the South boundary of the Northwest Quarter of the Southeast Quarter;

Thence West and parallel with the South boundary of the Northwest Quarter of the Southeast Quarter to a point on the center Section line 8 ¼ feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter;

Thence in a Southwesterly direction across the Northeast Quarter of the Southwest Quarter to a point on the South boundary of the Northeast Quarter of the Southwest Quarter 8 ¼ feet West of the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 27 to the point of termination.

Section 27: The Northeast Quarter.

Section 33: The East One-Half of the Northeast Quarter.

Section 34: The East One-Half of the Northwest Quarter.