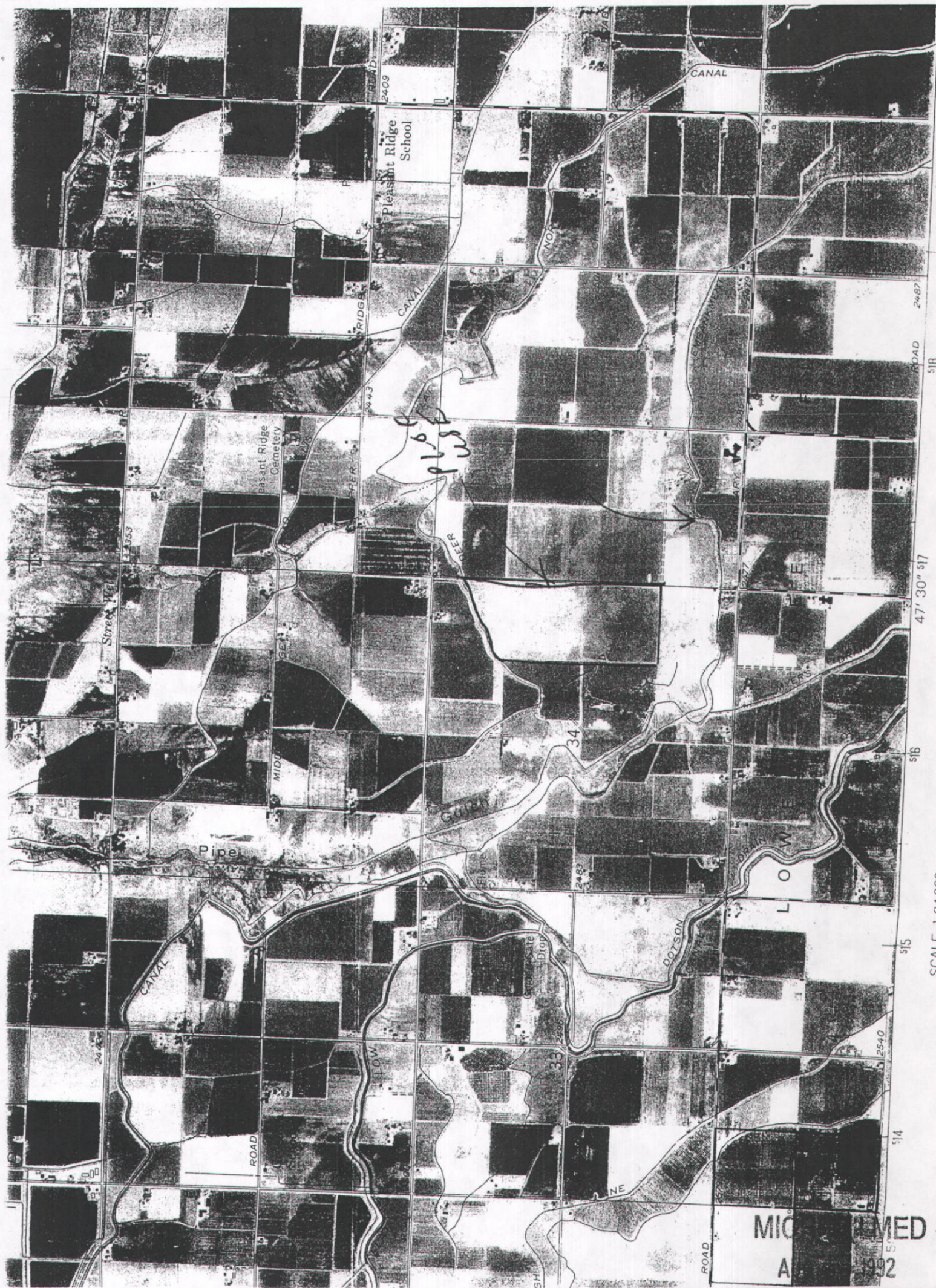






Idaho Department of Water Resources

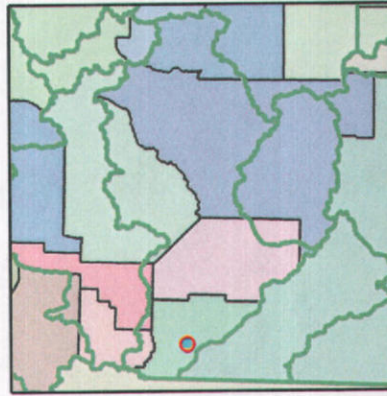
SRBA Recommendation:

63-4256A

Access = 78

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Thursday, July 13, 2006
1987/88 Aerial Photography

R04W



T04N

0.6 Miles

0.3

0

Idaho Department of Water Resources

Claim Number: 63-04256A

Legal: T04N, R04W, S34

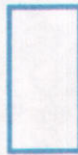
Reviewed By:



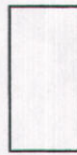
Point of Diversion



Place of Use



Section Lines

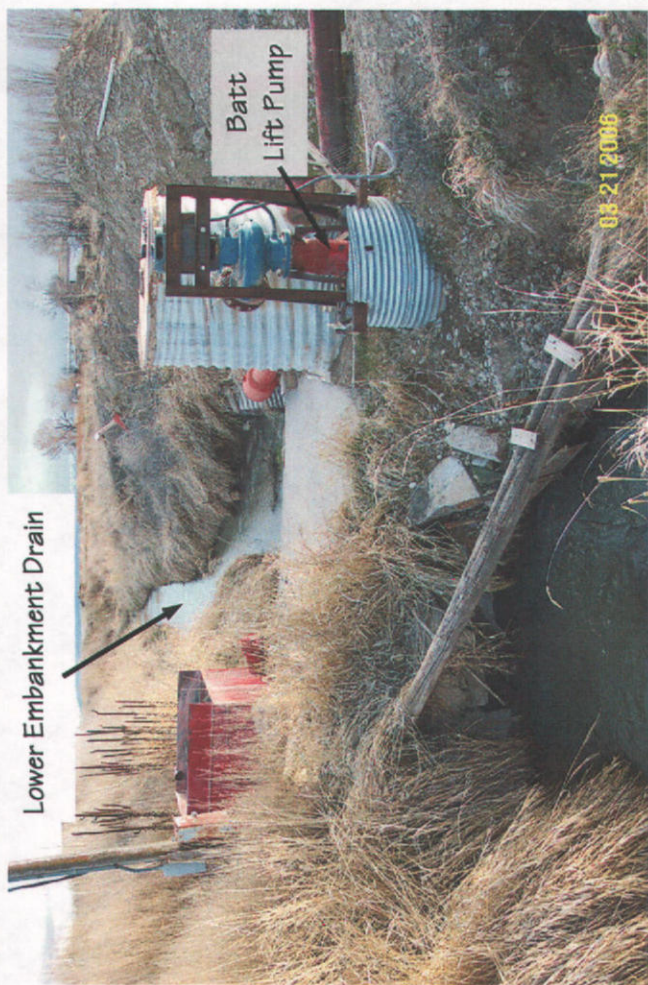
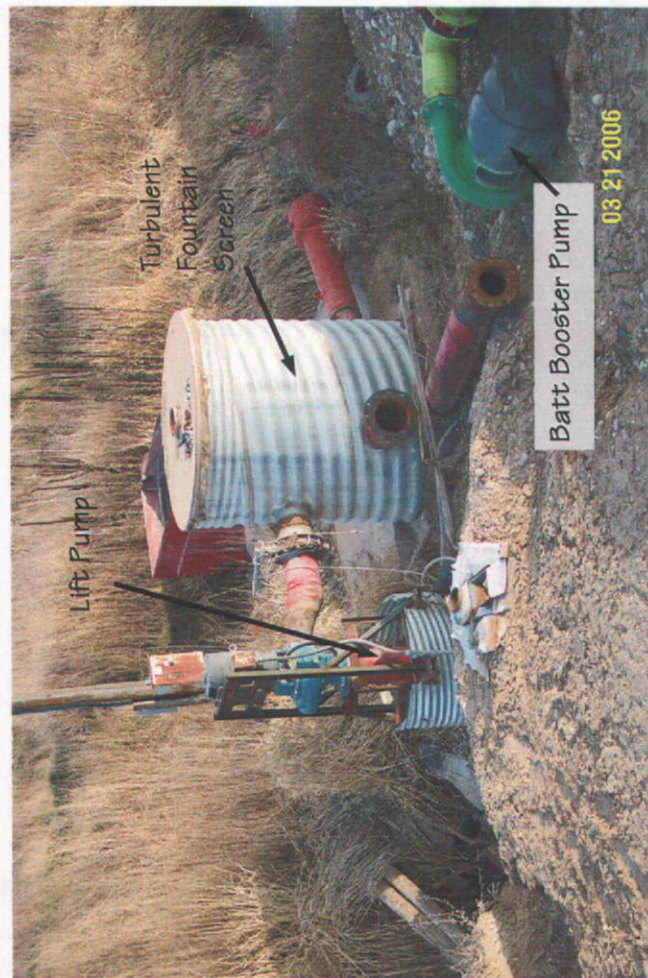


Quarter Quarter Lines

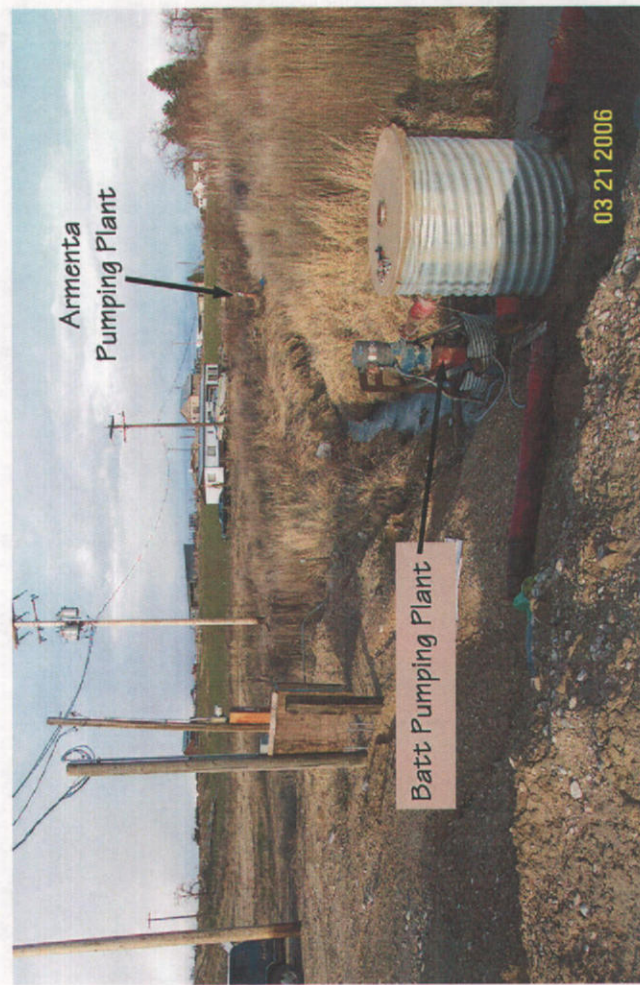


1987 Napp Photo





63-4256 A

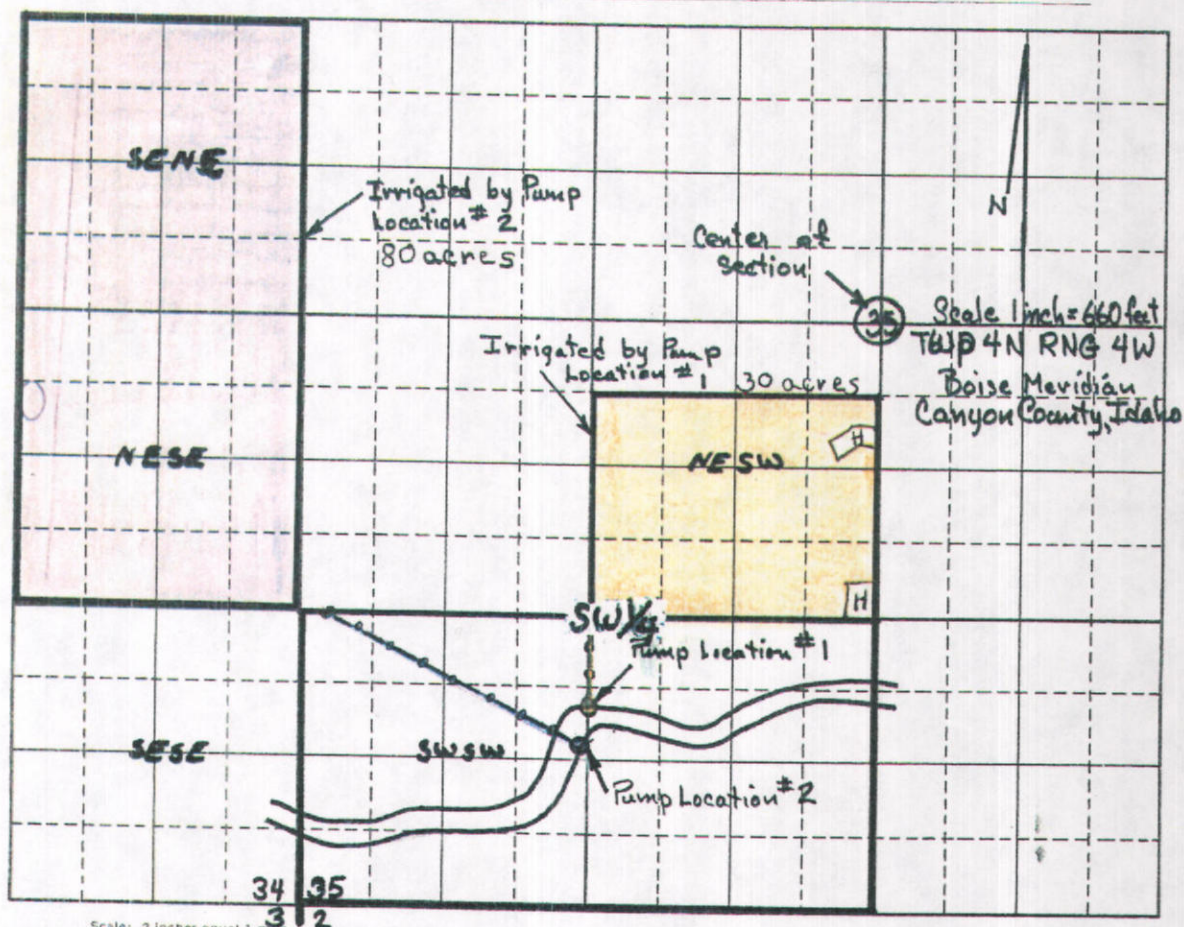




PRESSURE
PUMP @ THE
S.E. CORNER
OF FIELD
63-4256-A & C



(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 15 day of

Tobias Bender
(Claimant)

Notary Public

Residing at Boise, IdahoMy commission expires June 15, 1977

Rec'd # 13705

For Department Use Only

Received by <u>CEB</u>	Date <u>2-15-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CEB</u>	Date <u>15 Feb. 1974</u>		claimant by:	
\$10.00 fee received by <u>CEB</u>	Date <u>2-15-74</u>			
Approved for publication by <u>Steve Titane</u>				
Published in <u>228 + 3-7-74</u>				

Idaho Department of Water Resources

Claim Number: 63-04256A
 Legal: T04N, R04W, S34
 Reviewed By:

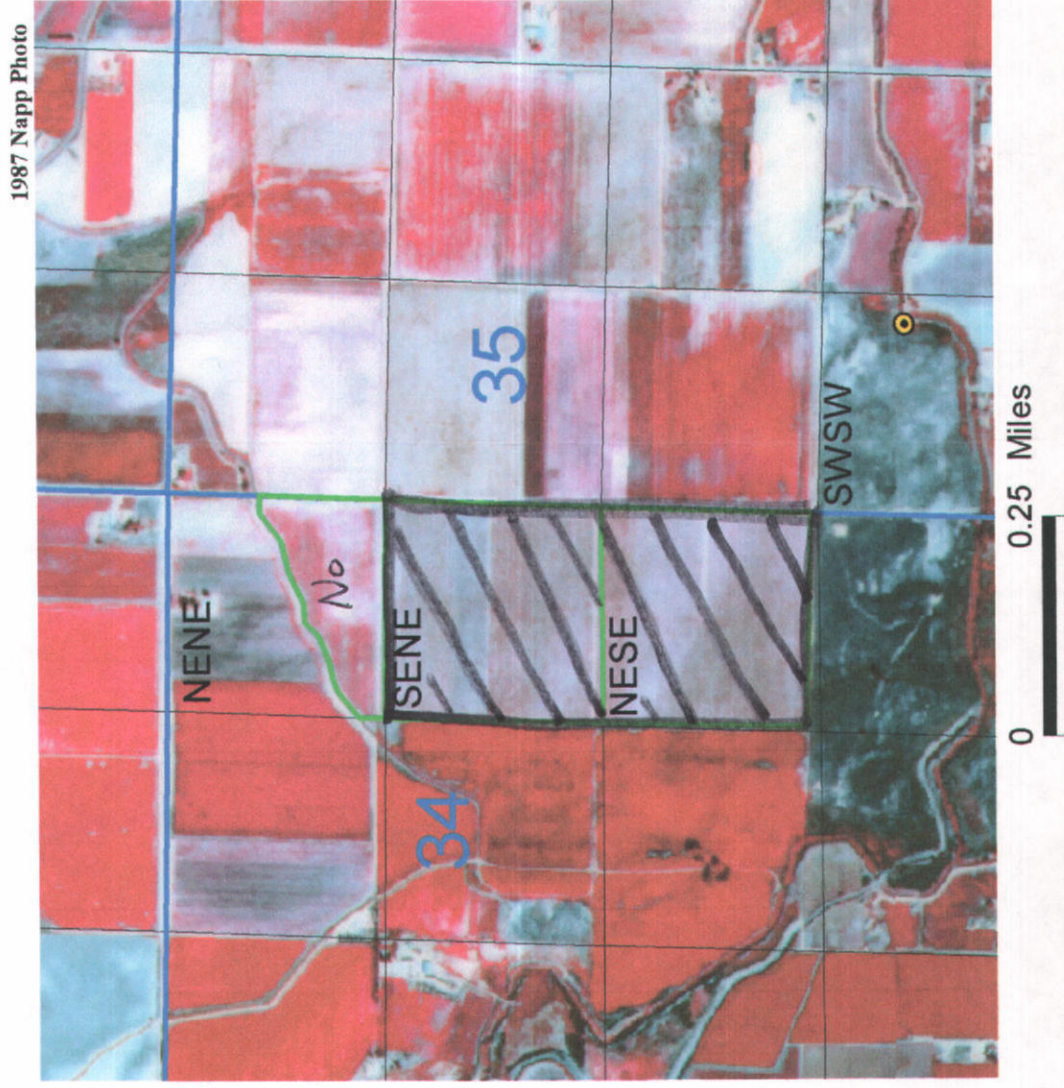
● Point of Diversion

 Place of Use

 Section Lines

 Quarter Quarter Lines

Correction



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-4256A
Date Received: 3/19/1990
Receipt No: W011460
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

WESTERN IDAHO DEVELOPMENT INC Phone: (208) 453-9132
19630 FRIENDS RD
GREENLEAF ID USA 83626

2. Date of Priority: 04/01/1949

3. Source: LOWER EMBANKMENT DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04W	35	SW SW	CANYON	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.84	

7. Total Quantity Appropriated is:
1.84 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	34	NE	NE	IRRIGATION	12
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
					Section Acres	92
					Total Acres	92

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

DESC. OF DIVERTING WORKS - SCREENED 10" PIPE CONN. TO A CENTRIFUGAL PUMP WITH A 15 HP ELEC. MOTOR. DEL. THRU ANOTHER 10" PIPE 12' LONG TO A CENTRIFUGAL PUMP POWERED BY A 25 HP MOTOR. THE WATER IS THEN RUN THROUGH 1 SAND SEPARATOR AND 3 MEDIA FILTERS TO A 10" PVC PIPE WHICH RUNS 1485' TO A CENTRIFUGAL PUMP POWERED BY A 40 HP MOTOR WHICH PRESSURIZES A DRIP IRRIG.

SYSTEM ON 92 ACRES.

NOTE: THIS CLAIM IS A SPLIT OF THE ORIG. CLAIM NO. 63-04256 WHICH COVERED A TOTAL OF 110 ACRES. 80 OF THESE ACRES ARE REFLECTED HERE WITH AN ADDITIONAL 12 ACRES WHICH HAD BEEN IRRIGATED FROM ANOTHER SURFACE WATER SOURCE AND ARE NOW IRRIGATED FROM THIS SAME DRAIN. THEREFORE, THE SAME PRIORITY CAN BE USED & THE 12 ACRES ARE BEING ADDED LEAVING 30 ACRES ON THE ORIG. CLAIM.

PROCESSED CHANGE IN OWNERSHIP 9/29/2006 - KW

15. Basis of Claim: Statutory Claim

16. Signature(s)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04256A
Date Received: 3/19/1990
Receipt No: W011460
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name:	FREDERICK C BATT	208-482-6448
Address:	BOX 646	
	WILDER ID	83676
OR		
Name:	ELLEN B BATT	208-482-6448
Address:	BOX 646	
	WILDER ID	83676
OR		
Name:	NORMAN A BATT	208-482-6448
Address:	BOX 646	
	WILDER ID	83676
OR		
Name:	ELLEN G BATT	208-482-6448
Address:	BOX 646	
	WILDER ID	83676

2. Date of Priority: APR 1, 1949

3. Source: LOWER EMBANKMENT DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	35	SW	SW			CANYON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.840		

7. Total Quantity Appropriated is:
1.840 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 322.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	34	NE	NE		IRR	12.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
Section Acres							92.0
Total Acres							92.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - SCREENED 10" PIPE CONN. TO A CENTRIFUGAL PUMP WITH A 15 HP ELEC. MOTOR. DEL. THRU ANOTHER 10" PIPE 12' LONG TO A CENTRIFUGAL PUMP POWERED BY A 25 HP MOTOR. THE WATER IS THEN RUN THROUGH 1 SAND SEPARATOR AND 3 MEDIA FILTERS TO A 10" PVC PIPE WHICH RUNS 1485' TO A CENTRIFUGAL PUMP POWERED BY A 40 HP MOTOR WHICH PRESSURIZES A DRIP IRRIG. SYSTEM ON 92 ACRES.

NOTE: THIS CLAIM IS A SPLIT OF THE ORIG. CLAIM NO. 63-04256 WHICH COVERED A TOTAL OF 110 ACRES. 80 OF THESE ACRES ARE REFLECTED HERE WITH AN ADDITIONAL 12 ACRES WHICH HAD BEEN IRRIGATED FROM ANOTHER SURFACE WATER SOURCE AND ARE NOW IRRIGATED FROM THIS SAME DRAIN. THEREFORE, THE SAME PRIORITY CAN BE USED & THE 12 ACRES ARE BEING ADDED LEAVING 30 ACRES ON THE ORIG. CLAIM.

15. Basis of Claim: STATUTORY CLAIM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04256A

Date Received: 2/07/1990

Receipt No:

Received By:

RECEIVED

MAR 19 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FREDERICK C. BATT 208-482-6448
Address: BOX 646
WILDER, ID 83676
OR
Name: ELLEN B. BATT 208-482-6448
Address: BOX 646
WILDER, ID 83676
OR
Name: NORMAN A. BATT 208-482-6448
Address: BOX 646
WILDER, ID 83676
OR
Name: ELLEN G. BATT 208-482-6448
Address: BOX 646
WILDER, ID 83676

2. Date of Priority: APR 01, 1949

3. Source: LOWER EMBANKMENT DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	35	SW	SW	SW		CANYON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.840		

7. Total Quantity Appropriated is:
1.840 C.F.S. (and/or)

A.F.A.

A63-04256A

Page

1

Date: 02/07/90

MICROFILMED

AUG 20 1992

8. Total consumptive use is 322.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	34	NE	NE		IRR	12.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	92.0
						Total Acres	92.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

DESC. OF DIVERTING WORKS - SCREENED 10" PIPE CONN. TO A CENTRIFUGAL PUMP WITH A 15 HP ELEC. MOTOR. DEL. THRU ANOTHER 10" PIPE 12' LONG TO A CENTRIFUGAL PUMP POWERED BY A 25 HP MOTOR. THE WATER IS THEN RUN THROUGH 1 SAND SEPARATOR AND 3 MEDIA FILTERS TO A 10" PVC PIPE WHICH RUNS 1485' TO A CENTRIFUGAL PUMP POWERED BY A 40 HP MOTOR WHICH PRESSURIZES A DRIP IRRIG. SYSTEM ON 92 ACRES.

NOTE: THIS CLAIM IS A SPLIT OF THE ORIG. CLAIM NO. 63-04256 WHICH COVERED A TOTAL OF 110 ACRES. 80 OF THESE ACRES ARE REFLECTED HERE WITH AN ADDITIONAL 12 ACRES WHICH HAD BEEN IRRIGATED FROM ANOTHER SURFACE WATER SOURCE AND ARE NOW IRRIGATED FROM THIS SAME DRAIN. THEREFORE, THE SAME PRIORITY CAN BE USED & THE 12 ACRES ARE BEING ADDED LEAVING 30 ACRES ON THE ORIG. CLAIM.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *James B. [unclear]* Date: 2-7-90
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of February 19 90
Seal *Jan Shulte*
Notary Public

Residing at *Moulidian ID*
My Commission Expires 9-14-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

SEP 12 2006
 WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-4256A	63-4256A				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Norman A Batt 1621 Idaho Caldwell ID 83605
Frederick C. Batt 1621 Idaho Caldwell, ID 83605
Ellen B. Batt Box 646 Wilder, ID 83676
4. New Owner/Claimant(s) Ellen G. Batt Box 646 Wilder, ID 83676
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Western Idaho Development, Inc
19630 Friends Rd.
- City, State and ZIP Code Greenleaf, ID 83626
- New Telephone Number (208) 453-9132
5. Date you acquired the property 8-11-05

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Wesleyan Porter
(include title if applicable) president, Western Idaho Development, Inc.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by KW AJ Date 9-19-06 WR _____ Date _____

JUN. 4.2005 1:19PM PIONEER TITLE

NO. 550 P.2

INSTRUMENT NO. 200549009

P. N. 5452
CC6662

WARRANTY DEED

FOR VALUE RECEIVED Fred G. Batt and Ellen E. Batt, husband and wife

the Grantees, do hereby grant, bargain, sell and convey unto Western Idaho Development, Inc., an Idaho corporation.

the Grantee, whose address is 19630 Friends Rd, Greenleaf, ID 83636

the following described premises, to-wit:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34 TOWNSHIP 4 NORTH RANGE 4 WEST OF THE NODS MERIDIAN, CANYON COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, he heirs and assigns forever. And the said Grantees do hereby warrant to and with the said Grantee, that they are the owners in the whole of said premises and free from all encumbrances except for general taxes and assessments for the year 2004 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: August 1, 2005

Fred G. Batt

Ellen E. Batt

STATE OF IDAHO

COUNTY OF CANYON

On this 10th day of August in the year 2005, before me, a Notary Public, personally appeared Fred G. Batt and Ellen E. Batt known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
My commission expires 12/31/07PIONEER TITLE COMPANY
OF CANYON COUNTY
"CANYON CHOICE"300 E. FRANKLIN, STE. 130
NANTA, IDAHO 83636TEL (208) 466-6606
FAX (208) 466-6706RECORDED - NUMBER
REQUEST
TYPE: JUDICIAL
FEE: 12.00CANYON COUNTY RECORDS
BY: [Signature]

JUN 11 PM 3 56

RECORDED

200549009

SCANNED

SEP 18 2006



SCALE 1:24 000

47° 30' 51"

518

2487

519000mF

514

515

516

517

518

519

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MED

2

MIC

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ROAD

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DOTSON

LO

SH

34

DEER

BRIDGE

Pleasant Ridge School

Pleasant Ridge Cemetery

ROAD

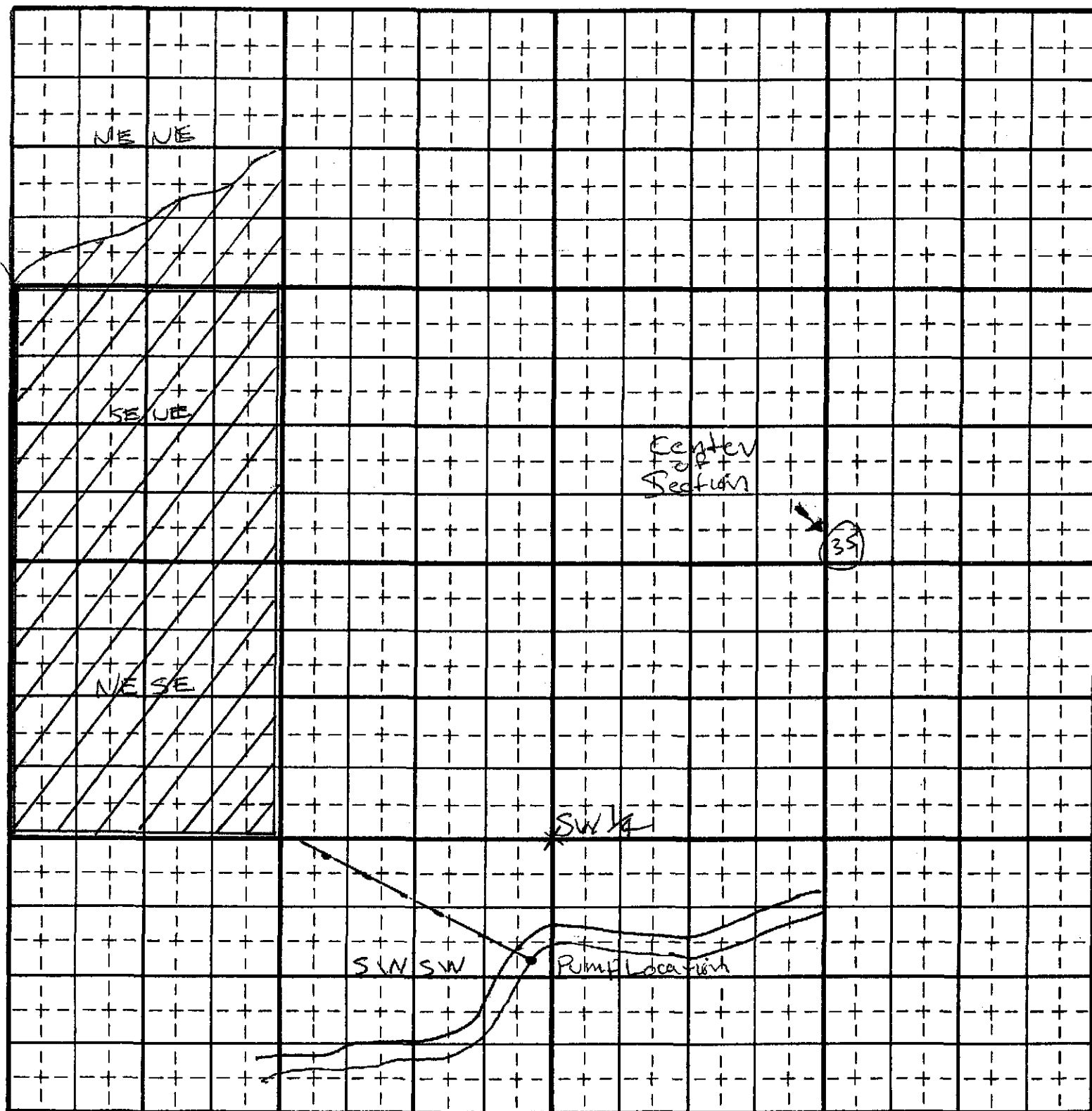
CANAL

CANAL

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

Scale: 2 inches equals 1 mile

1" = 660'



Last Name _____ Ident No. _____

Copies: White-State, Yellow-State, MicroFILMED

APR 7 1962

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) A. Subcase 63-4256A
(Insert water right number)

Case No. 39576)
STANDARD FORM 1
OBJECTION

RECEIVED

Please fill in the following information:

JUN 19 2007

DEPARTMENT OF
WATER RESOURCES

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Western Idaho Development Inc.
Address: 19630 Friends Rd.
Greenleaf, ID 83626

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity** ☐

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: Land Subject to Wilder Irrigation Water Right

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. The place of use is covered by an existing Wilder Irrigation District water right, which is the primary water right for the place of use. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

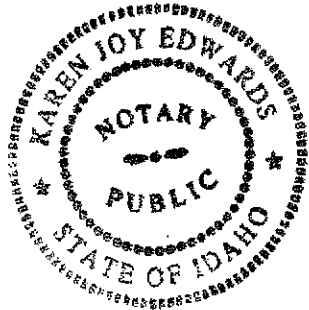
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200 , I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

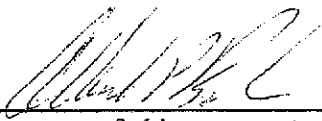
Name: Western Idaho Development Inc.
Address: 19630 Friends Rd.
Greenleaf, ID 83626

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4256A
NAME AND ADDRESS: WESTERN IDAHO DEVELOPMENT INC
19630 FRIENDS RD
GREENLEAF ID 83626

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

SOURCE: LOWER EMBANKMENT DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 1.560 CFS

PRIORITY DATE: 03/01/1970

POINT OF
DIVERSION: T04N R04W S35 NESWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.560 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S34	SENE	39.00	T04N R04W S34	NESE	39.00
---------------	------	-------	---------------	------	-------

78 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4256A

NAME AND ADDRESS: WESTERN IDAHO DEVELOPMENT INC
19630 FRIENDS RD
GREENLEAF ID 83626

SOURCE: LOWER EMBANKMENT DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 1.560 CFS

PRIORITY DATE: 03/01/1970

POINT OF DIVERSION:

T04N R04W S35 NESWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.560 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S34	SENE	39.00	T04N R04W S34	NESE	39.00
---------------	------	-------	---------------	------	-------

78 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

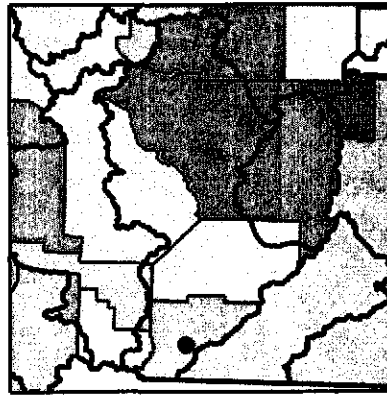
SRBA Recommendation:

63-4256A

Access = 78

Legend

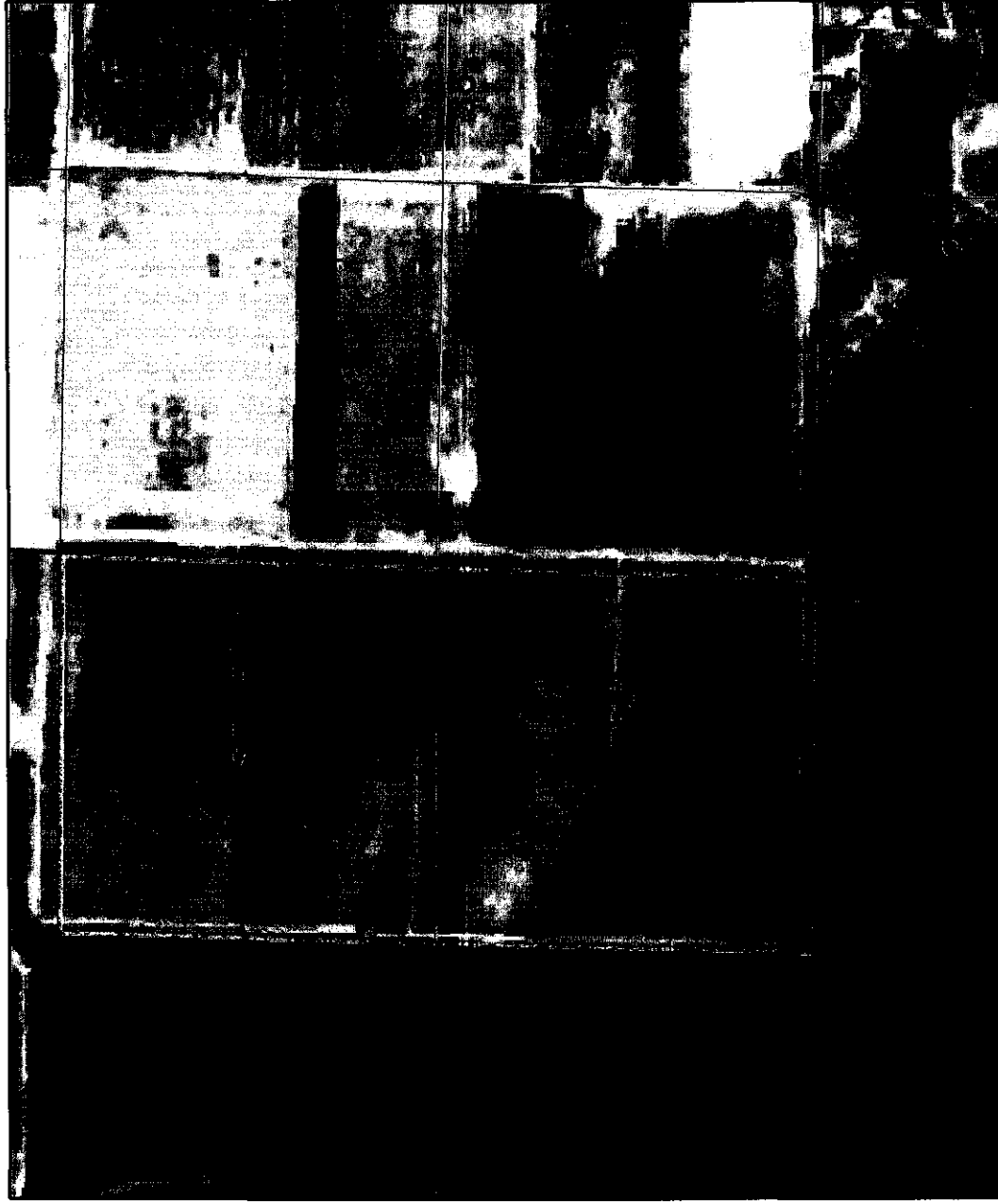
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Thursday, July 13, 2006
1987/88 Aerial Photography

R04W



0 0.3 0.6 Miles

To : Water Resources
From : Western Idaho Development, Inc.
Re : Water Right # 63-4256A
Warranty Deed

FAX 287-6700
ph 287-4953

Total pages 2

any problems: Please call 208-989-7090 cell
208-453-9132 home

Thank you
Carmie Porter

SCANNED

SEP 18 2006

MEMORANDUM

TO: File 63-4256A

FROM: KAY WALKER

RE: Ownership

Date: September 15, 2006

.....

Received a Notice of Change in Ownership of this claim on 9/14/2006 from our Western Regional Office. There was no deed attached to this request, called Liberty at Western to see if she had retained it for some reason but she had not. Called the phone number on ownership change form and left a voice mail requesting copy of deed. Voice mail also relayed that we could not process the change without a deed.

WA

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 13, 2006

Western Idaho Development
Attn: Wesley Porter
19630 Friends Rd
Greenleaf, ID 83626

RE: Water Right No. 63-4256A

Dear Claimant(s):

This office has received your Notice of Change of Water Right Ownership recently submitted. We also received check number 2538 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed to you upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190

Sincerely,

Liberty Gagnon

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

WESTERN IDAHO DEVELOPMENT, INC
WESLEY M. PORTER AND CONNIE L. PORTER
19630 Friends Rd
Greenleaf, ID 83626

2538

92-7008/3241

9-11-06

Date

Pay to the Order of *Idaho Department of Water Resources* \$25.00

Twenty five and no/100 Dollars



Washington Federal Savings
Nampa Office
223 11th Avenue South
Nampa, ID 83651

#63-4256A

For

Connie L. Porter

MP



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 21, 2006

RECEIVED

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SEP 12 2006

WESTERN IDAHO DEVELOPMENT
ATTN: WESLEY PORTER
19630 FRIENDS RD
GREENLEAF ID 83626

WATER RESOURCES
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA) Claim No. 63-4256A

Dear Mr. Porter:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact me at (208)287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

03/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4256A

RECEIVED

SEP 12 2006

WATER RIGHT NUMBER: 63-4256A

WATER RESOURCES
WESTERN REGION

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORMAN A BATT 1621 IDAHO CALDWELL, ID 83605
Current Owner	FREDERICK C BATT 1621 IDAHO CALDWELL, ID 83605
Current Owner	ELLEN B BATT BOX 646 WILDER, ID 83676 (208)482-6448
Current Owner	ELLEN G BATT BOX 646 WILDER, ID 83676 (208)482-6448
Original Owner	TOBIAS BENDER RT 6 CALDWELL, ID 83605

Priority Date: 04/01/1949

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
LOWER EMBANKMENT DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.840 CFS	
	<u>Total Diversion:</u>	1.840 CFS	

Location of Point(s) of Diversion

LOWER EMBANKMENT DRAIN
CANYON County

SW1/4SW1/4

Sec. 35, Twp 04N, Rge 04W, B.M.

Place of Use

IRRIGATION

Not under this Source per Mr. Batt

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	34	19.0			40.0									40.0				92.0
																			80

Total Acres: ~~92~~ 80Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4256A

1. DESC. OF DIVERTING WORKS - SCREENED 10" PIPE CONN. TO A CENTRIFUGAL PUMP WITH A 15 HP ELEC. MOTOR. DEL. THRU ANOTHER 10" PIPE 12' LONG TO A CENTRIFUGAL PUMP POWERED BY A 25 HP MOTOR. THE WATER IS THEN RUN THROUGH 1 SAND SEPARATOR AND 3 MEDIA FILTERS TO A 10" PVC PIPE WHICH RUNS 1485' TO A CENTRIFUGAL PUMP POWERED BY A 40 HP MOTOR WHICH PRESSURIZES A DRIP IRRIG. SYSTEM ON 92 ACRES.

NOTE: THIS CLAIM IS A SPLIT OF THE ORIG. CLAIM NO. 63-04256 WHICH COVERED A TOTAL OF 110 ACRES. 80 OF THESE ACRES ARE REFLECTED HERE WITH AN ADDITIONAL 12 ACRES WHICH HAD BEEN IRRIGATED FROM ANOTHER SURFACE WATER SOURCE AND ARE NOW IRRIGATED FROM THIS SAME DRAIN. THEREFORE, THE SAME PRIORITY CAN BE USED & THE 12 ACRES ARE BEING ADDED LEAVING 30 ACRES ON THE ORIG. CLAIM.

Remarks:Dates and Other Information:

Claim Received Date: 3/19/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

07/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4256A

NAME AND ADDRESS: FREDERICK C BATT
1621 IDAHO
CALDWELL ID 83605

ELLEN B BATT
1621 IDAHO
CALDWELL ID 83605

NORMAN A BATT
1621 IDAHO
CALDWELL ID 83605

ELLEN G BATT
1621 IDAHO
CALDWELL ID 83605

SOURCE: LOWER EMBANKMENT DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 1.560 CFS

PRIORITY DATE: 03/01/1970

POINT OF DIVERSION:

T04N R04W S35 NESWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.560 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S34	SENE	39.00	T04N R04W S34	NESE	39.00
---------------	------	-------	---------------	------	-------

78 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4256A

WATER RIGHT NUMBER: 63-4256A

Owner Type Name and Address
Current Owner NORMAN A BATT
1621 IDAHO
CALDWELL, ID 83605
Current Owner FREDERICK C BATT
1621 IDAHO
CALDWELL, ID 83605
Current Owner ELLEN B BATT
BOX 646
WILDER, ID 83676
(208)482-6448
Current Owner ELLEN G BATT
BOX 646
WILDER, ID 83676
(208)482-6448
Original Owner TOBIAS BENDER
RT 6
CALDWELL, ID 83605

Priority Date: 04/01/1949

Basis: Statutory Claim

Status: Active

Source

LOWER EMBANKMENT DRAIN

Snake River

Beneficial Use

IRRIGATION

From To

3/1 to 11/15

Diversion Rate

1.940 CFS

Annual Volume

N/A - surface water

Total Diversion:

1.940 CFS

Location of Point(s) of Diversion

LOWER EMBANKMENT DRAIN

CANYON County

NE SW1/4SW1/4

Sec. 35, Twp 04N, Rge 04W, B.M.

A0002407

Place of Use

IRRIGATION

Twp Rge Sec

04N 04W 34

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

40.0

Total Acres: 96

Conditions of Approval:

Review based on
Buck's exam &
GIS shape. KW
7/13/00

use standard
season for area.

out per
map returned
by claimant

NO
same
plot as
63-4256A
(as that as
can
bel)

change in 7NO
GIS shape = 78 ac
x .02
1.58 cfs needed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4256A

1. *delete* DESC. OF DIVERTING WORKS - SCREENED 10" PIPE CONN. TO A CENTRIFUGAL PUMP WITH A 15 HP ELEC. MOTOR. DEL. THRU ANOTHER 10" PIPE 12' LONG TO A CENTRIFUGAL PUMP POWERED BY A 25 HP MOTOR. THE WATER IS THEN RUN THROUGH 1 SAND SEPARATOR AND 3 MEDIA FILTERS TO A 10" PVC PIPE WHICH RUNS 1485' TO A CENTRIFUGAL PUMP POWERED BY A 40 HP MOTOR WHICH PRESSURIZES A DRIP IRRIG. SYSTEM ON 92 ACRES.
NOTE: THIS CLAIM IS A SPLIT OF THE ORIG. CLAIM NO. 63-04256 WHICH COVERED A TOTAL OF 110 ACRES. 80 OF THESE ACRES ARE REFLECTED HERE WITH AN ADDITIONAL 12 ACRES WHICH HAD BEEN IRRIGATED FROM ANOTHER SURFACE WATER SOURCE AND ARE NOW IRRIGATED FROM THIS SAME DRAIN. THEREFORE, THE SAME PRIORITY CAN BE USED & THE 12 ACRES ARE BEING ADDED LEAVING 90 ACRES ON THE ORIG. CLAIM.

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4256A

02/01/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1256A	Claim	04N	04W	34	NE	NE		IRRIGATION	12/92	NORMAN A BATT
20703	Water Right	04N	04W	34	NE	NE		DOMESTIC		ELLEN G BATT
1256A	Claim	04N	04W	34	SE	NE		IRRIGATION	40/92	NORMAN A BATT
4256	Water Right	04N	04W	34	SE	NE		IRRIGATION	40/110	TOBIAS BENDER
1256A	Claim	04N	04W	34	NE	SE		IRRIGATION	40/92	NORMAN A BATT
4256	Water Right	04N	04W	34	NE	SE		IRRIGATION	40/110	TOBIAS BENDER

0 0L

Receipt Details for ID W011460

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/20/1990 11:29:04 AM	3/20/1990	Western	\$571.00	Check
Payer		WILDER HOP CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4275			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$486.00	ADJUDICATION CLAIM FEE	410162	9337	0 0		6490
\$85.00	APPLICATION FOR PERMIT	620350	1238	0 0		6390

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20703		\$25.00	Claim
63	4428		\$147.00	Claim
63	4256	A	\$142.00	Claim
63	26901		\$122.00	Claim
63	26902		\$25.00	Claim
63	26922		\$25.00	Claim

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

RECEIVED

JUN 06 2006

WATER RESOURCES
WESTERN REGION**Prior to Field Exam**

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

RECEIVED

JUN 13 2006

DEPARTMENT OF
WATER RESOURCES**CLAIMANT INFORMATION – verify contact information is complete**Claim No(s) A 63-4256 AOwner: NORM BATT BUSINESS PHONE 453-8588
Phone No. 459-3826Current Address: BUSINESS ADDRESS 1621 IDAHO CALDWELL ID 83605

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER AS OF FEB 2006 - SOLD TO WESLEY PORTER 989-9791 (CELL) 19630 FRIENDS RD GREENLEAF ID 83626
- ☐ No change Address
- ☒ NEW ADDRESS 19630 FRIENDS RD GREENLEAF ID 83626
- ☒ How long owned property? SINCE FEB. 2006

Accompanied by: NORM BATT**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 4/1/1949

(If priority date, based on your exam, seems questionable, explain below.)

Source: LOWER EMBANKMENT DRAIN Tributary to SNAKE RIVER

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

SITE TAG ~~ON~~ SERVICE POLE
NEAR LOWER EMBANKMENT DRAIN (P.O.D)

SITE TAG # A 000 2407
GPS = 2275091
1385367

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		NE	SW	SW	35	4N	4W		GPS# 87 NAPP PHOTO

Description of diverting works

20 HP VERTICAL MOUNT CENTRIFUGAL PUMP LIFTS WATER FROM DRAIN INTO A TURBULENT FOUNTAIN SCREEN BOX. A 25 HP CENTRIFUGAL PUMPS FROM THE BOX AND PRESSURIZES THE SPRINKLER SYSTEM IN SECTION 34. A PRESSURE PUMP IS INSTALLED AT THE SOUTHEAST CORNER OF THE FARM.

Other water rights with the same point of diversion: NONE

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
- ☐ Different Uses

Use IRRIGATION From 3/15 To 11/15 Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
- ☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4W	34				40									40				80

LEAVE OUT THE 12 AC PARCEL TOTAL 80.0

Overlap with other water rights: NONE

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: IRRIGATION WATER IS PUMPED FROM THE LOWER EMBANKMENT DRAIN INTO A TURBULENT FOUNTAIN SCREEN (48" CMP STRUCTURE W/ 8' FOUNTAIN) THE WATER IS PUMPED FROM THE SCREEN BOX TO THE BOAL FIELD VIA PIPELINE AND IS PRESSURIZED USING 4-WHEELMOBILE LATERALS.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
LIFT PUMP #1	GE	20	AGJ106358	CORNEIL	10" SUCTION PIPE 6" → 10" DISCHARGE
LIFT PUMP #2	U.S. MOTOR	25	1002576	NO NAME PLATE	10" SUCTION → 8" DISCHARGE
PRESS. PUMP	MARATHON	40	TDR-BCZ SN: 775DB	BERKELEY	7 1/8" SN 783-6055 B4E PEL

FLOW MEASUREMENTS:

Attach appropriate documents CALCULATION SHEET ATTACHED

NARRATIVE/REMARKS/COMMENTS

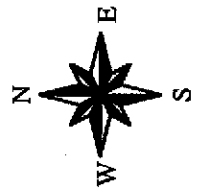
WITH THE INFORMATION GIVEN TO ME BY NORM BATT (LIFT PUMPS #1 & 2) I WAS UNABLE TO GET THIS SYSTEM TO WORK. I DETERMINED TO MAKE A SECOND TRIP TO THE FARM. I WAS ABLE TO LOCATE PRESSURE PUMP @ THE TOP OF THE HILL. THESE ALL CALCULATED OUT TO BE ABLE TO GET THE W.R. FLOW RATE PRESSURIZED FOR THE 4 SPRINKLER LATERALS TO ABOUT 52 PSI. THIS IS A GOOD IRRIGATION SYSTEM WITH PORTABLE ALUMINUM MAINLINE AND 4 LATERALS. FOR THE EIGHTY ACRES HE SHOULD NOT NEED THE ENTIRE RIGHT.

SEE NAPP PHOTO FOR LAYOUT

Idaho Department of Water Resources

Claim Number: 63-04256A
 Legal: T04N, R04W, S34
 Reviewed By:

- ☐
 Point of Diversion
- ☐
 Place of Use
- ☐
 Section Lines
- ☐
 Quarter Quarter Lines



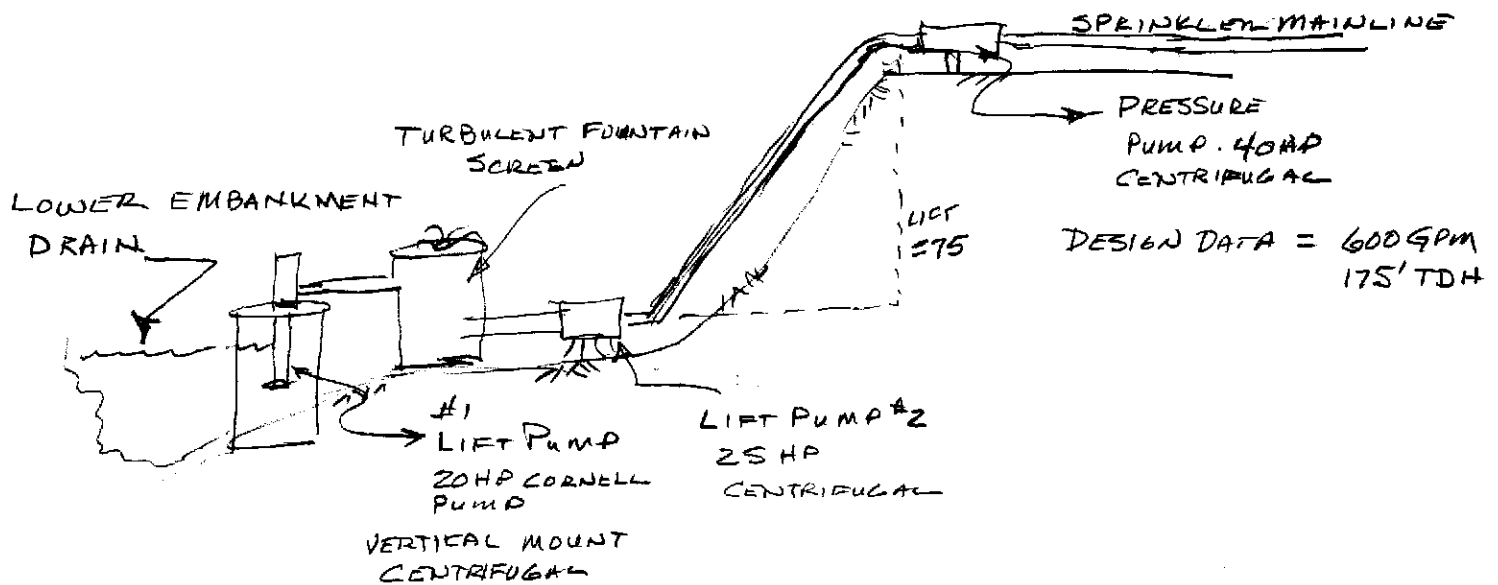
BHS 6/5/06

NORM BATT A-63-4256 A

PUMP CALCULATIONS

WATER RIGHT CFS = 1.84
= 826 GPM

Pump #1 LIFT PUMP - FROM



#1 LIFT
20 HP 70% EFF.

$$Q = \frac{(20)(.7)(3960)}{10' \text{ MAX TDH}} =$$

#2 LIFT PUMP

$$Q = \frac{(25)(.7)(3960)}{75} = 924 \text{ gpm}$$

#1 LIFT
REQ'D HP = $\frac{(826)(10)}{(3960)(.50)} = 4.2$
OK
PLENTY ADEQUATE

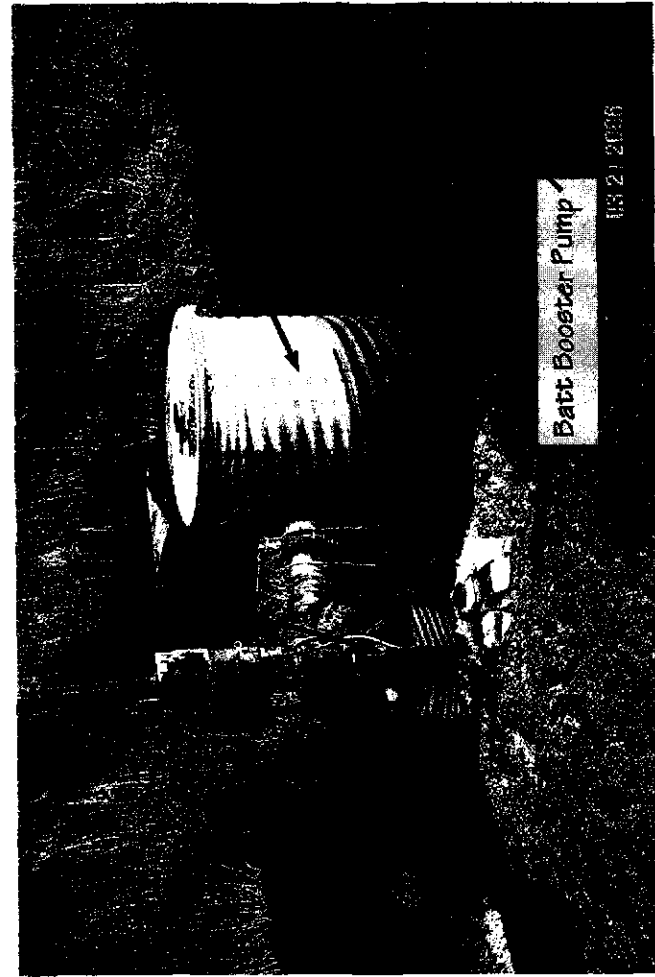
#2 LIFT PUMP
HP = $\frac{(826)(75)}{(3960)(.7)} = 22.4 \text{ HP}$
OK
62.5% = 25 HP

PRESSURE PUMP = 40 HP ^{HORIZ.} CENTRIFUGAL

$$Q = \frac{(40)(.7)(3960)}{120' \text{ TDH}} = 924 \text{ gpm}$$

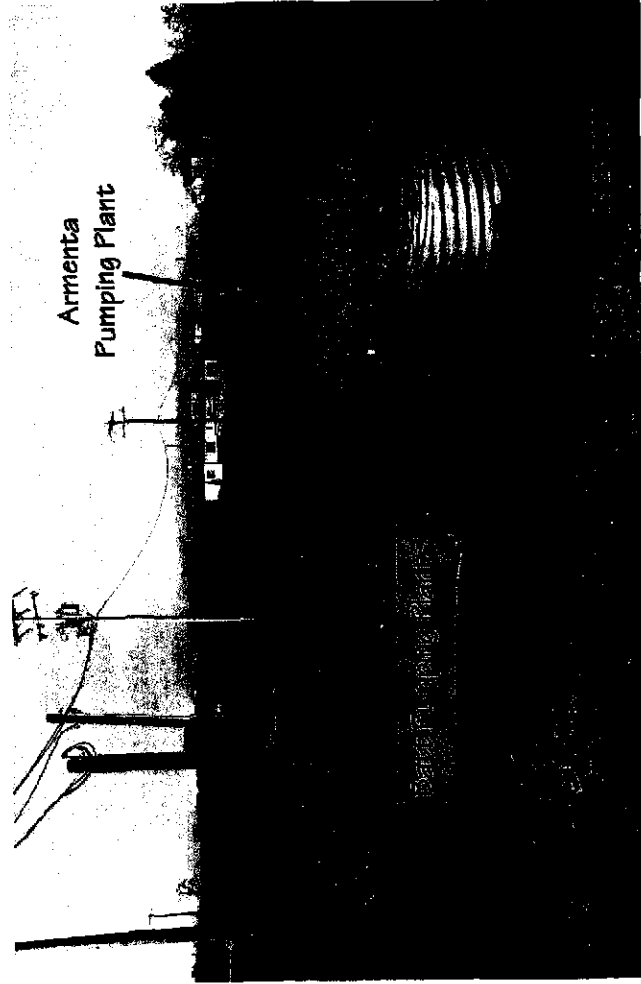
$$\text{HP} = \frac{(826)(120' \text{ TDH})(52 \text{ PSI})}{(3960)(.7)} = 35.75 \text{ HP}$$

62.5% = 40 HP



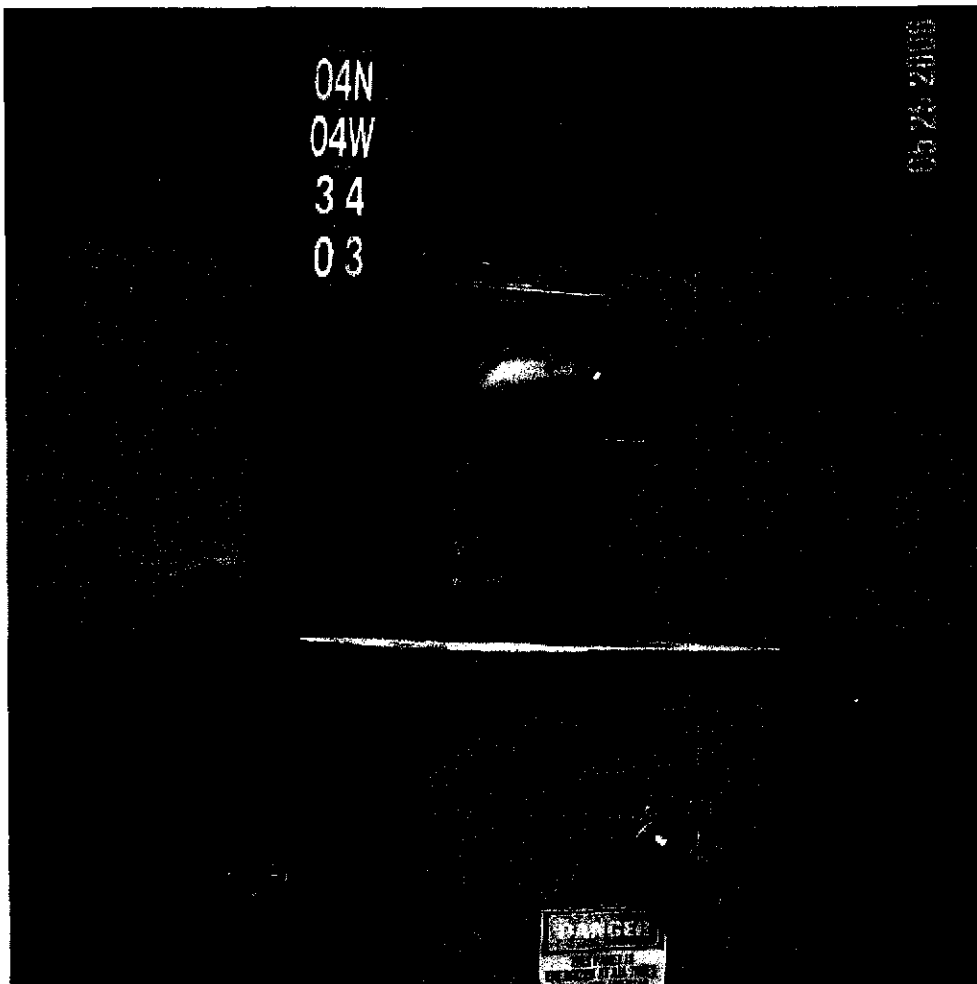
63-4256 A

Booster Pump for
Batt Irrigation System





PRESSURE
PUMP @ THE
S.E. CORNER
OF FIELD
63-4256-A & C



Burke

HW 419
FRIENDS RD
#100 MON

A63-4256A - Batt
A63-4256C - Armenta
Field Exam Request:

Contact:

FRED 454-3122
NORM 459-3826

02/27/2006

Claim #63-4256 has been split into 3 claims. Only two of the splits require a field exam. Please contact **all** of the owners and set up a time when you can do all these split claims at **one time**, if possible.

Contact one of the various **Batts** @ #~~482-6448~~^{FAX} and

Contact **Priscilla Armenta** @ #459-4090 to set up one field exam for the A and C portions.

I have attached a copy of the original claim.

Property Address:

0 Beet Lane
Caldwell

18369 Pride Lane
Caldwell

WESLEY PORTER
989-9791 (CELL)

Requests:

*Please verify **all the elements** of this right.

In addition, please verify:

- GPS the location of point of diversion on the **Lower Embankment Drain**.
- Is **Wilder Irrigation District** water used to supplement these two rights? **NONE**
- **1987 Aerial Photo:** Please draw the **appropriate acres** that are irrigated on the enclosed **1987 aerial photographs**. Draw the **diversion works** on the 1987 aerial photos also; along with the location of the **point of diversion**.
- **Capacity of System:** Please calculate the **capacity of this system** used from the Lower Embankment Drain.
- **Concerning the -C split for the Armentas:** only 17.2 acres are listed in the tax lot data as belonging to 18369 Pride Lane. However, the Armentas claimed 20.0 acres. In addition, the owner is listed as "Mond Garden Designs" for the -C portion. If the Armentas accompany you on the exam, please discuss these two issues with them.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

(see back
for pump
info)

ID PWR

GPS

2275091
1385367

METER

02 977169

$K_h = 21.6$

SINGLE PHASE

SITE TAG

A0002407

VERTICAL LIFT PUMP

FROM DRAIN

MOTOR

GE SN: A9J106358

HP = 20 RPM 1750

SF = 1.15 230V 51.4 AMP

PUMP

CORNELL

8 $\frac{3}{4}$ " IMPELLER

SN = 38627

MODEL 5W BH-15-4

8" SUCTION 10" D.A

DISCHARGE 6" $\leftarrow$ 10"

TURBULENT FOUNTAIN SCREEN
W/ BOOSTER PUMP SUCTION

PRESSURE PUMP

NO NAMEPLATE

MOTOR SN = 1002576

US MOTOR

HP = 25 3 PHASE

1800 RPM 230V 62 AMP

10" SUCTION

6" $>$ 8" DISCHARGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4256A

WATER RIGHT NUMBER: 63-4256A

6008
STEVE WOODARD - 466-
MAURICE WOODARD

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORMAN A BATT 459-3826 1621 IDAHO CALDWELL, ID 83605
Current Owner	FREDERICK C BATT 454-9888 1621 IDAHO CALDWELL, ID 83605
Current Owner	ELLEN B BATT BOX 646 WILDER, ID 83676 (208)482-6448
Current Owner	ELLEN G BATT BOX 646 WILDER, ID 83676 (208)482-6448
Original Owner	TOBIAS BENDER RT 6 CALDWELL, ID 83605

A-portion

Property Address:Ø Beet Rd.
Caldwell

Priority Date: 04/01/1949 ✓
Basis: Statutory Claim
Status: Active

Source

LOWER EMBANKMENT DRAIN

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.840 CFS	
	<u>Total Diversion:</u>	1.840 CFS	

Location of Point(s) of DiversionLOWER EMBANKMENT DRAIN
CANYON County

SW1/4SW1/4

Sec. 35, Twp 04N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	34	12.0			40.0									40.0				92.0

Total Acres: 92

Conditions of Approval:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WESTERN IDAHO DEVELOPMENT
ATTN: WESLEY PORTER
19630 FRIENDS RD
GREENLEAF ID 83626

RE: Snake River Basin Adjudication (SRBA) Claim No. 63-4256A

Dear Mr. Porter:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact me at (208)287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4256

WATER RIGHT NUMBER: 63-4256

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOBIAS BENDER RT 6 CALDWELL, ID 83605

Priority Date: 04/01/1949

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
LOWER EMBANKMENT DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	10/31	2.200 CFS	
	<u>Total Diversion:</u>		2.200 CFS	

Location of Point(s) of Diversion

LOWER EMBANKMENT DRAIN CANYON County	SE1/4SW1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
LOWER EMBANKMENT DRAIN CANYON County	SW1/4SW1/4	Sec. 35, Twp 04N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	34				40.0									40.0				80.0
04N	04W	35								30.0									30.0

Total Acres: 110

Conditions of Approval:Remarks:Comments:

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Mr. Tobias Bender
(name of claimant)
of Route 6, Caldwell, Idaho 83605, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Snake River.

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed drain
(Sometimes recently referred to as the Lower Imbankment Drain)
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

#1	Amount	.60	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Oct. 31</u>
#2	Amount	1.60	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Oct. 31</u>
	Amount		Use		Period of Use:	From		To	
		(cfs, gpm or a/f)		(dom., irri. stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 2.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1949

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
#1 SE ¼ SW ¼, Sec. 35 Twp. 4 N. R. 4 W. B. M. County of Canyon
Additional points of diversion: #2 - SW ¼ Sec. 35, T.4 N. R.4 W.

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Pump from drain through pipeline to property. Pipeline located on quarter section line.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

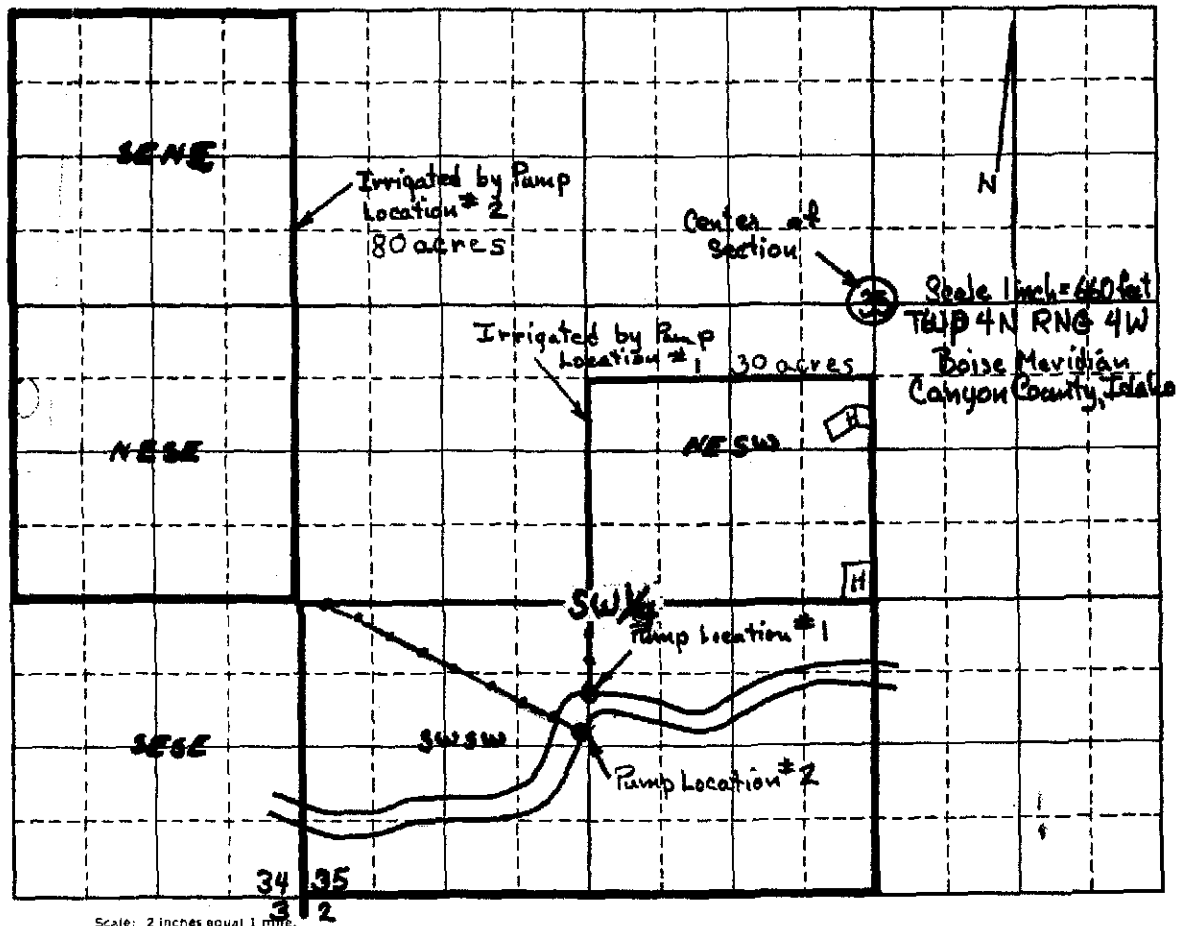
[illegible]

Total No. of acres 110

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Alta

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of

Tobias Bender
(Claimant)

February, 1974

Notary Public

Residing at Boise, Idaho

My commission expires

June 15, 1977

For Department Use Only

Received by <u>CEB</u>	Date <u>2-15-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CEB</u>	Date <u>15 Feb. 1974</u>		claimant by:	
\$10.00 fee received by <u>CEB</u>	Date <u>2-15-74</u>			
Approved for publication by <u>John E. Bane</u>				
Published in <u>Boise Tribune</u>				
Dates <u>2-25-74 to 3-7-74</u>				

RECEIVED

FEB 24 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
A63 - 4256A)

2-15-06

AFFIDAVIT

State of Idaho)
County of Canyon)

Norman A. Batt

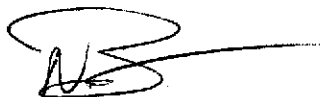
deposes and says: We bought the water right of the 80
acres which it serves, in 1977, from Paul Munson.
The "Claim to a Water Right", however, was filed
by ^{previous} several owners BEFORE Munson, by Tobias Bender.
Mr. Bender filed the Claim in 1974, with a
priority claimed date of 1949. Bender had farmed there for years.

We know that this water diversion was used for
the specified 80 acres at least from 1970 on. We
believe that this usage existed from decades earlier,
but we can not prove that, & we do not have any
knowledge of the whereabouts of Tobias Bender.

A copy of the "Claim to a Water Right" by Tobias Bender
is enclosed.


(Signature)

Also of Note: We sold this property, & the water
right, in 2005 to Wesley Porter, dba Western Idaho
Development.



Idaho Department of Water Resources

Claim Number: 63-04256A

Legal: T04N, R04W, S34

Reviewed By:

⊙ Point of Diversion



Place of Use



Section Lines



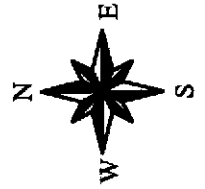
Quarter Quarter Lines

Correction

1987 Napp Photo



0 0.25 Miles



CLAIM TO A WATER RIGHT

Notice is hereby given that Mr. Tobias Bender

(name of claimant)

ground water or surface water tributary to Snake River

The extent and nature of said claim is as follows:

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

#1 Amount .60 Use Irrigation Period of Use: From April 1 To Oct. 31

#2 Amount 1.60 Use Irrigation Period of Use: From April 1 To Oct. 31

Amount	Use	Period of Use: From	To
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)	

- (3) Total quantity of water claimed: 2.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 1, 1949

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

#1 SE ¼ SW ¼, Sec. 35 Twp. 4 N Rge. 4 W B. M. County of Canyon

Additional points of diversion: #2 - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T.4 N, R.4 W,

- b) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Pump from drain through pipeline to property. Pipeline located on quarter section line.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

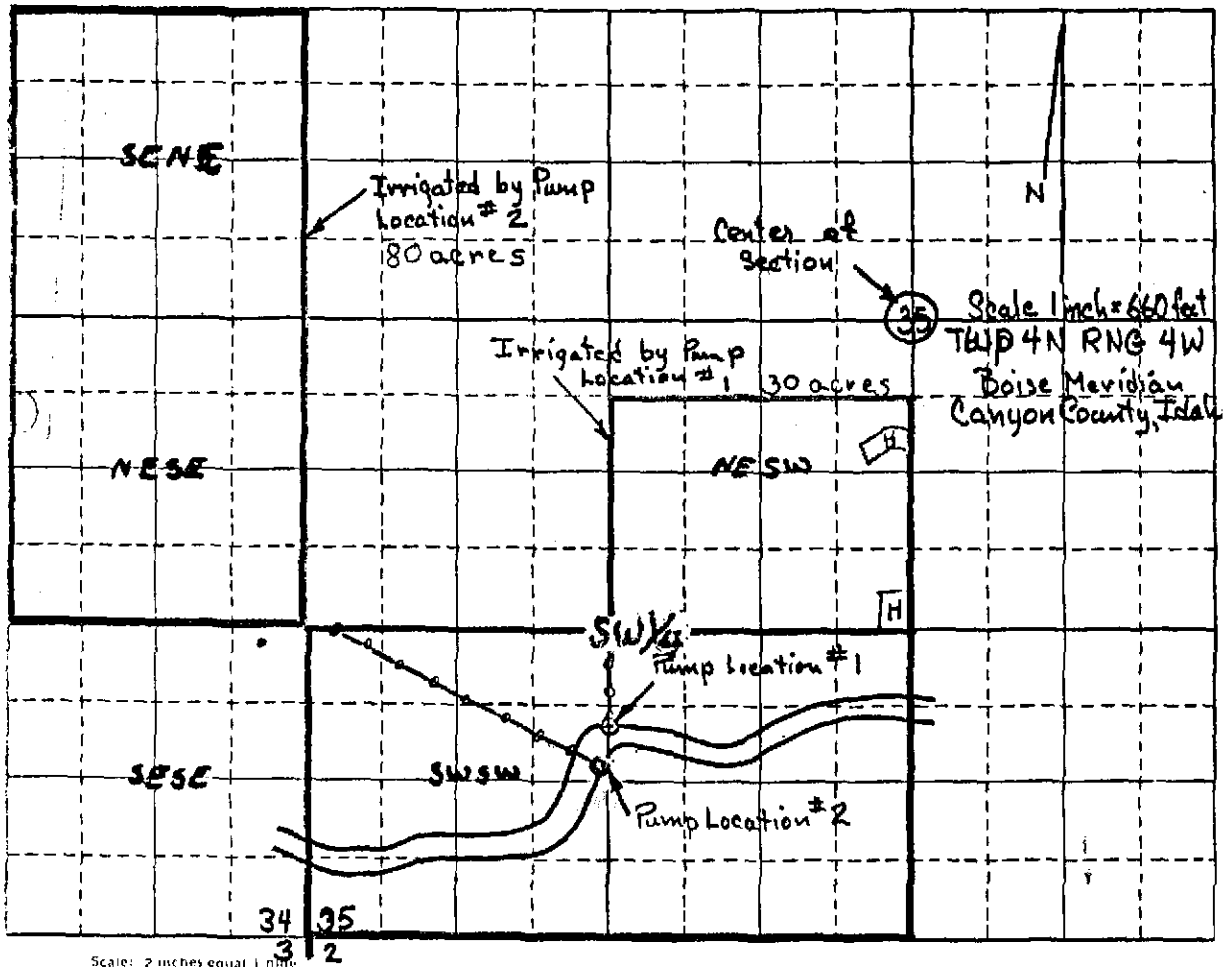
Total No. of acres 110

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

63 4256



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 15 day of February, 1974.

Thomas Bender
(Claimant)

Edna Hill
Notary Public

Residing at Boise, Idaho

My commission expires June 15, 1977

For Department Use Only

Received by OCB

Date 2-15-74

Exception filed by:

Forwarded to

Date

Prelim. check by OCB

Date 15 Mar. 1974

claimant by:

\$10.00 fee received by OCB

Date 2-15-74

Approved for publication by Edna Hill

Published in Boise, Idaho

Dates 2-15-74

1-3-74



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 7, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORMAN, FREDERICK, ELLEN B, & ELLEN G BATT
1621 IDAHO
CALDWELL, ID 83605

+ sent state file

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4256A

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by March 1, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4256A

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.