

HAT

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: **A63-26922**
Date Received: 3/19/1990
Receipt No: W011460
Received By: _____

*Rec'd from
So 6-22-92*

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

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

2. Date of Priority: MAR 15, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	05W	15	NE	SE			CANYON

5. Description of diverting works:
WELL, 5 HP ELECTRIC MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.400		

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

A.F.A.

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SEP 15 1992

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05W	15	NE	SE		IRR	36.0
			NW	SE		IRR	36.0

Section Acres 72.0

Total Acres 72.0

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:
WILDER IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

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State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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SEP 15 1992

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 A03-26922Date Received 2-7-1990 3/19/90Receipt Number W011460

RECEIVED

MAR 19 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 12 1992

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Frederic B. Battamell^{10V} Ellen B. Batt OR
Norman A. Batt and Ellen B. Batt Phone (202) 482-6448Mailing Address Box 646, Wilder, Id. Zip 836762. Date of Priority (Only one (1) per claim) 3-15-19553. Source of water supply (a) Ground water.
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4N Range 5W Section 15,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well - Depth unknown - powered
by 5 Hp Electric motor.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct 15 amount 40 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	5W	15													36	36			72 (72)

Total number of acres irrigated 72

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Wildcat Irrigation District or None ()

14. Remarks:

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SEP 15 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date 2-7-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____

Title _____

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of ADA)

SS.

Subscribed and sworn (or affirmed) before me this _____

7th

day of

February

19

90

SEAL

Notary Public

Residing at

My Commission Expires

Jan J. Puntel

Meridian ID

9-14-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

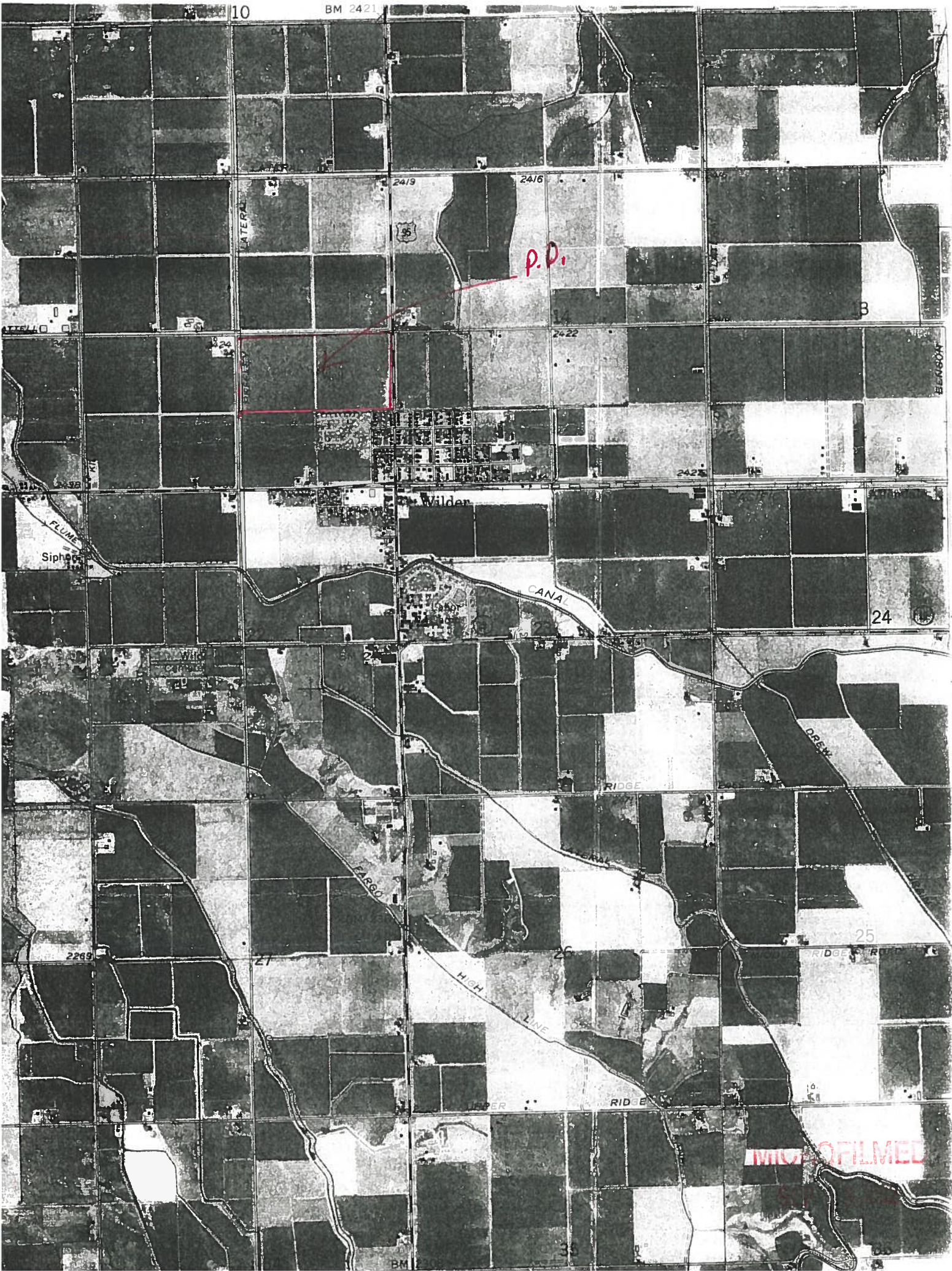
Date _____

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SEP 15 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Bath

CLAIM IDENT. NO.

A63-26922

DATE RECEIVED

3/19/90

RECEIPT #

W011460

^{\$571}

AMOUNT \$

122 (applied)

- | | YES | NO | Required Info? |
|---|--|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | N/A ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☐ | ☒ | 40 |
| 8. If required is a consumptive use entered? | N/A ☐ | ☒ | |
| Is the consumptive use correct? | N/A ☐ | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 | N/A ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☒ | BK |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? | N/A ☒ | ☐ | * |
| (Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | | | USDI only. |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? | N/A ☒ | ☐ | BK |
| (If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | | | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | N/A ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | Exempt ☒ | ☐ | * |

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SEP 15 1992

23. Should this claim be data entered?

YES

NO

☒

☐

Claim reviewed by:

HHT

Date

6-22-92

Claim data entered by:

HHT

Date

6-22-92

Claim is being returned to claimant:

☒

(Yes)

☐

(No)

Claimant is being notified of modifications:

☐

(Yes)

☒

(No)

Comments:

other claims identified as and/or - this one says

and need Ellen B. signature & notarized

Received modified claim 6/12/92 - "OR" between names

06/07/2006

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

RIGHT NUMBER: 63-26922
NAME AND ADDRESS: NORMAN A BATT
1621 IDAHO
CALDWELL ID 83605

ELLEN G BATT
BOX 646
WILDER ID 83676

FREDERICK C BATT
1621 IDAHO
CALDWELL ID 83605

ELLEN B BATT
BOX 646
WILDER ID 83676

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.400 CFS
206.300 AFY
PRIORITY DATE: 03/01/1955
POINT OF DIVERSION:

T04N R05W S15 NESE 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	0.400 CFS 206.30 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R05W S15	NESE	36.00	T04N R05W S15	NWSE	36.00
---------------	------	-------	---------------	------	-------

72 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

Use of this right is combined with water from Wilder Irrigation District.

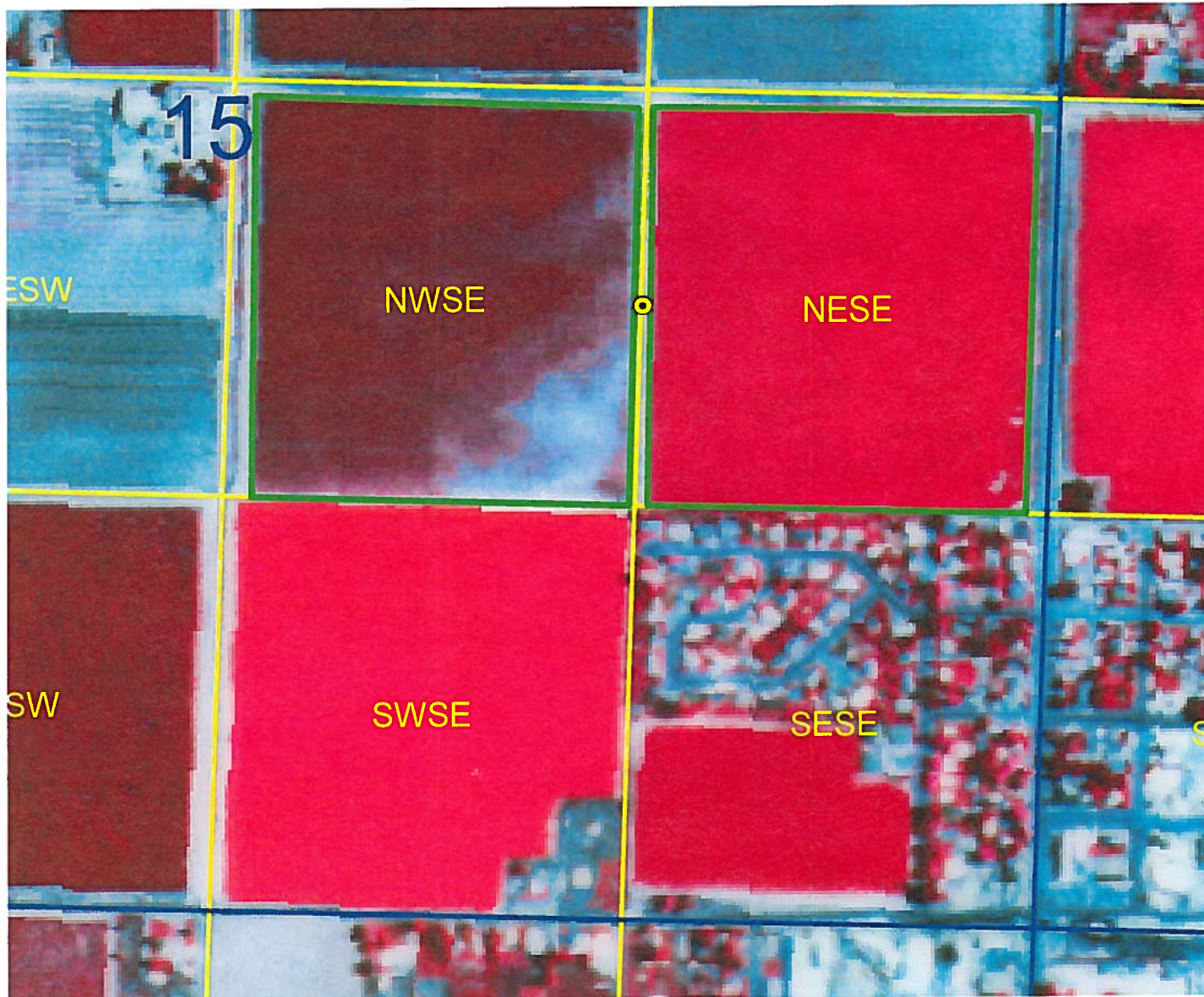
Idaho Department of Water Resources

**T04N, R05W,
SEC 15**

Claim No: 63-26922

Prepared By: Kimberly Brown

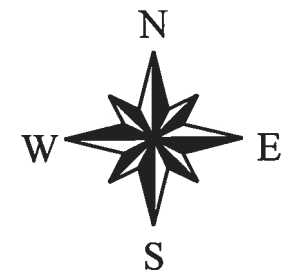
Date: June 7, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Irrigated Acres = 72



0 0.03 Miles



1987 NAPP

09/29/2006 RECEIVED
NOV 02 2006
WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-26922

NORMAN A BATT
1621 IDAHO
CALDWELL ID 83605

208 453 8588

ELLEN G BATT
1621 IDAHO
CALDWELL ID 83605
Telephone Number: (208) 482-6448

11

FREDERICK C BATT
1621 IDAHO
CALDWELL ID 83605

11

ELLEN B BATT
1621 IDAHO
CALDWELL ID 83605
Telephone Number: (208) 482-6448

11

This water right & the property/place of use assigned to it, has been sold in 2005. As of 1987, the information hereon is correct, however.

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

NONE!

2. Describe the changes you wish to make in the proposed recommendation:

NONE!

3. Give a brief explanation as to why you disagree with these portions:

NA.

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-30-06

SIGNATURE:



Please print your name:

Norman Batt

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

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.400 CFS
206.30 AFY

PRIORITY DATE: 03/01/1955

POINT OF DIVERSION:
T04N R05W S15 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Wilder Irrigation District.

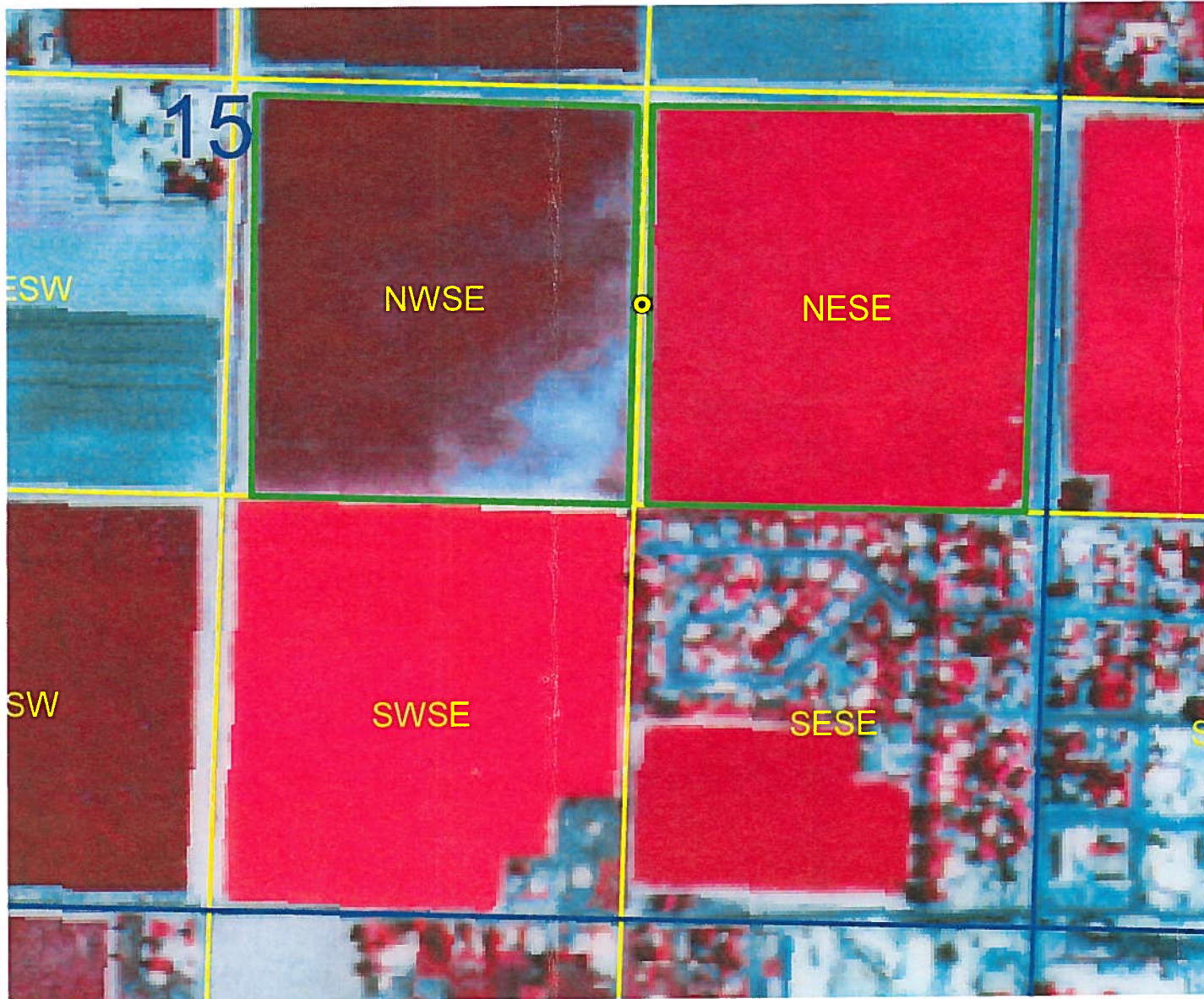
Idaho Department of Water Resources

**T04N, R05W,
SEC 15**

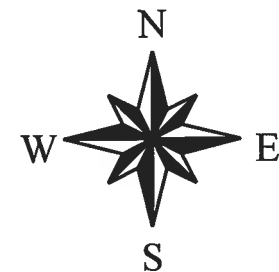
Claim No: 63-26922

Prepared By: Kimberly Brown

Date: June 7, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion



0 0.03 Miles



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26922

WATER RIGHT NUMBER: 63-26922 ✓

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

Priority Date: 03/15/1955 ✓
Basis: Beneficial Use
Status: Active

Source
GROUND WATER ✓

Beneficial Use
IRRIGATION ✓ *change to 3/1 - 11/15*

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
4/01	to 10/15 ✓	0.400 CFS ✓
<u>Total Diversion:</u>		0.400 CFS

Location of Point(s) of Diversion
GROUND WATER
CANYON County ✓

NE1/4SE1/4 ✓

Sec. 15, Twp 04N, Rge 05W, B.M. ✓

Place of Use
IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	05W	15													72.0

Total Acres: 72 ✓

Season of use is 3/1 to 11/15.

Conditions of Approval:

ADD W59 - Use is combined with Wilder Irr. Dist.

Remarks:

~~ADD E62 - This right when combined with 63-11659 together = 0.0163 cfs/acre shall provide no more than 0.02 cfs/acre.~~

Parcel Nos: R 3683000000, R 3683001000, R 36830010A0.

Current Owners:

① Maurice Woodard
18638 Prescott Lane
Nampa 83687

② Allendale Produce Co.
P.O. Box 1060
Homedale 83628

③ City of Wilder
P.O. Box 687
Wilder 83676

Property Address:

Ø Penny Lane, Wilder
21335 Hwy 95, Wilder
Ø Avenue D, Wilder

Annual Volume
206.3 AFA
206.3 AFA

CFS FACTOR = 0.005555556 cfs

Field Exam Date 2.24.06

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 122.⁰⁰
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-26922

Owner: Norman, Ellen, Frederick, and Ellen Batt Phone No. _____

Current Address: 1621 Idaho Caldwell 83676

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Maurice Woodard / Allendale Produce Co. / City of Wilder
- ☐ No change Address
- ☒ NEW ADDRESS 18638 Prescott Lane / P.O. Box 1060 / P.O. Box 687
- ☐ How long owned property? nanyma / Homedale / Wilder
83687 / 83628 / 83676

Accompanied by: N/A

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: 3/15/55

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

The new standard season of use for this area is 3/1-11/15, so the recommended P.O. will be 3/01/55.
in conjunction with telephone conversation with Norm Batt on 2/7/06.

Source: Ground Water Tributary to _____

- ☒ 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? _____

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

Description of diverting works

Well, 5HP electric pump
(See Field Report.)

OVERLAP REVIEWOther 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 UsesUse Irrigation From 3/1 To 11/15 Amount _____ CFS 206.3 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

2.0 acres x 4.5 af/acre = 9.0 af/annum @ 0.4 cfs x 1.9835 x 260 days = 206.3 af/annum

TOTAL VOLUME - Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS 206.3 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:

72.0 acres were irrigated in 1987.

Parcel Nos: R 368 3000000, R 368 3001000, R² 368 3001000

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	

Overlap with other water rights: 63-11659 (+) Wilder Irr. Dist. water

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
no overlap - together, 63-26922 and 63-11659 equal only
0.0163 cfs/acre.

Delivery System Narrative: See Field Report.

TAG # A

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
000 2409					

FLOW MEASUREMENTS: See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
☒ Photographs of POD's and POU
☒ GPS readings
☒ Completed map and or GIS layout showing POD's and POU
- > Field Exam - 3/30/06

DATE EXAM CONDUCTED: 6.7.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-26922

01/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~26922~~	~~Claim~~	~~04N~~	~~05W~~	~~15~~	~~NE~~	~~SE~~		~~IRRIGATION~~	~~36/72~~	~~NORMAN A BATT~~
11659	Water Right	04N	05W	15	NE	SE		IRRIGATION	25/265	WILDER HOP CO
~~26922~~	~~Claim~~	~~04N~~	~~05W~~	~~15~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~36/72~~	~~NORMAN A BATT~~
11659	Water Right	04N	05W	15	NW	SE		IRRIGATION	36/265	WILDER HOP CO

— claim supplemental to
Wilder Irr. Dist. water

— no overlap with #63-11659
(together, 63-26922 and 63-11659
equal 0.0163 cfs/acre).

overlap review

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11659

WATER RIGHT NUMBER: 63-11659

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILDER HOP CO 1621 IDAHO AVE CALDWELL, ID 83605 (208)453-8588
Current Owner	WILD-IDA CORP PO BOX 287 WILDER, ID 83676 (208)482-6250

Priority Date: 02/13/1992

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	2.860 CFS	
	<u>Total Diversion:</u>	2.860 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 16, Twp 04N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

CFS FACTOR = 0.010792453 cfs

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 05W 15									36.0	38.0	34.0	37.0	25.0	36.0			206.0
04N 05W 16													33.0		26.0		59.0

Total Acres: 265

Conditions of Approval:

1. R27 This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.
2. X27 This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.
3. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1192.5 af at the field headgate for the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11659

4. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Remarks:

Comments:

1. skeen 10/9/2001 License Review

Comment: License review by S. Keen on 10/9/2001. Only active overlap is Wilder Irrigation District. Claim 63-4428 is claimed in the SRBA on other lands. Application 63-11867 has not yet been approved.

The examiner reported 269.9 acres of irrigation, but he does not describe his method of determining that number. I used the aerial photography from 2000 to heads-up digitize the place of use in ArcView. I came up with 265 acres, which is the number I will use to draft the license.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-26901

WATER RIGHT NUMBER: 63-26901

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

Priority Date: 01/01/1915

Basis: Decreed

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

From To

1/01 to 12/31

Diversion Rate

0.040 CFS

Total Diversion:

0.040 CFS

Annual VolumeLocation of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NE1/4SW1/4

Sec. 15, Twp 04N, Rge 05W, B.M.

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	05W	15																	

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. PARCEL NO. 1R36841-000-0

2/24/06

According to Receipt W011460.
\$122.00 was paid in fees for
this domestic claim.

The person who data entered
the information for Receipt
W011460 mixed up the paid
amounts for 63-26901 and
63-26922. Therefore,

\$122.00 in fees was paid
for 63-26922 and
\$25.00 was
paid for
63-26901.

-KB

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-26901

3. C18 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.
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Comments:

1. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

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

Field Exam Date 3/30/06

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

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-26922

Owner: FRED & NORM BATT Phone No. 459-3826 BUSINESS PHONE = 453-8588

Current Address: BUSINESS ADDRESS = 1621 IDAHO ST. CALDWELL ID 83605

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER MAURICE WOODARD (STEVE WOODARD-466-6008, OPERATOR)
- ☐ No change Address
- ☒ NEW ADDRESS 18638 PRESCOTT LANE NAMPA ID 83687
- ☐ How long owned property? ???

Accompanied by: INFORMATION FROM 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: 3/15/1955

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

Source: GROUNDWATER Tributary to _____

- ☒ 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? _____

WELL LOCATION

SITETAG ON SERVICE POLE NEAR PUMP

SITETAG# A0002409

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

GPS = 2264885

#101 1390855

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		NW	NE	SE	15				GPS + AERIAL PHOTO

Description of diverting works WELL

SHA VERTICAL TURBINE PUMP - OPEN DISCHARGE INTO CONCRETE DITCH

OVERLAP REVIEW

Other water rights with the same point of diversion: WILDER IRRIGATION DIST.

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

NO

WATER USES

☒ No change

☐ Different Uses

180 GPM = 4.48 GPM/AC

Use IRRIGATION From 4/1 To 10/15 Amount 0.40 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	
															36				72
															24	36			60

PRIOR TO SPLIT

CURRENTLY

Overlap with other water rights: WILDER IRRIGATION DIST

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

Delivery System Narrative: THE WELL IS LOCATED NEAR THE CENTER OF THE BOAL FARM. THE PUMP HAS AN OPEN DISCHARGE INTO A 18" CONCRETE DITCH. IT APPEARS THE EAST 1/2 OF THE EIGHTY (NESE) IS THE ONLY FIELD WHICH CAN BE IRRIGATED WITH THE WELL. WITH THE PRESENT SYSTEM THERE IS NO PROVISION TO GET WATER TO THE NWSE FIELD.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
WELL + PUMP	US MOTOR	5	853181	PEERLES	6" X 6" X 12"
VERTICAL TURBINE	220V 14 AMP				6" DISCHARGE

IDAH0 POWER METER # 04150999 K_H = 21.6

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

ONLY QUESTION WOULD ABOUT P.O.U. ACRES. IN THE PAST THEY TRIED A DRIP SYSTEM ON THE WHOLE FARM.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3/30/06 6/5/06

FIELD EXAMINER: Bernard H. Schuler

WAS BATT NOW WOODARD

63-26922

FIELD EXAM BHS

5 HP 70% EFF 180 GPM (0.4 CFS)

TDH - UNKNOWN

NO ACCESS
TO MEASURE
WATER LEVEL IN
WELL

$$TDH = \frac{(5)(.70)3960}{180} = \frac{13860}{180} = 77 \text{ FT}$$

ESTIMATED

$$\underline{24 \text{ AC}} \quad 180 \text{ GPM} = \underline{7.5 \text{ GPM/AC}}$$



↖ #7 IDAHO POWER METER

↗ #8

63-26922-b



Well Pump

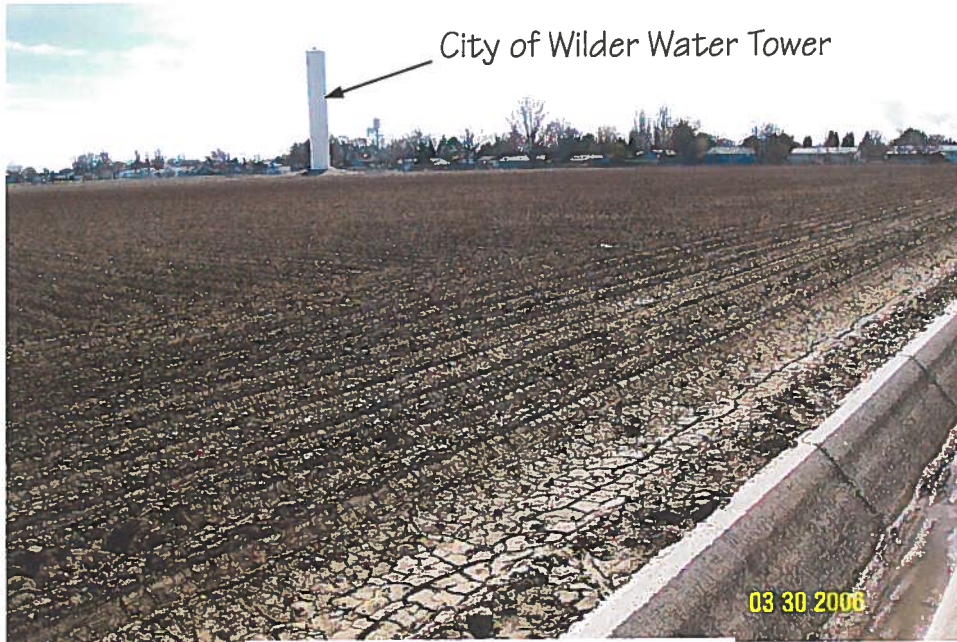


POU—Looking East from Well

63-26922

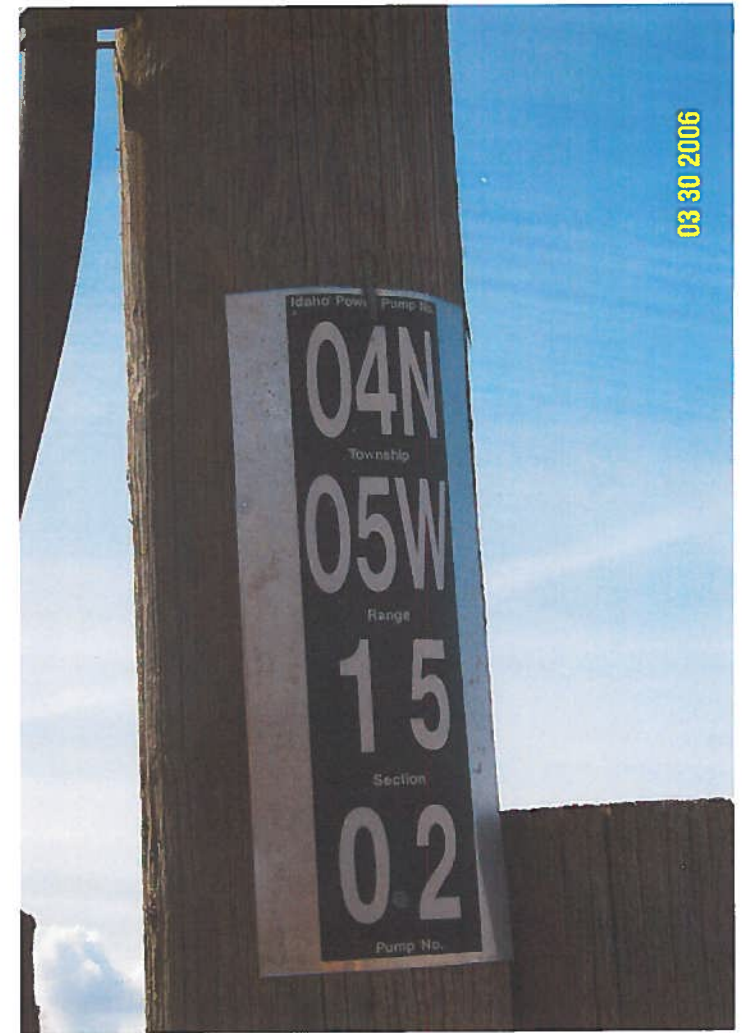
POU — Looking NE from Well





POU—Looking SE from Well

63-26922



Idaho Power Service I. D.

A63-26922 Field Exam Request:
Batt

Contact:

02/24/2006

The Batts have sold this property.

The new owners, according to Canyon County tax lot information, are:

STEVE = 466-6008

Maurice Woodard

18638 Prescott Lane

Nampa

Allendale Produce Co.

PO Box 1060 *11 AC*

Homedale

City of Wilder

PO Box 687

Wilder

*1 AC WATER
TOWER
NO IRRIGATION*

You may be unable to contact a current owner to set up a field exam. The best address for the location of this property is: 21335 Hwy 95, Wilder (below).

*Please refer to the enclosed Project Map attached to the original Notice of Claim to get an idea of this property's location.

Property Address:

0 Penny Lane, Wilder

21335 Hwy 95, Wilder

0 Ave D, Wilder

Requests:

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

In addition, please verify:

- GPS the location of the well.
- Is **Wilder Irrigation District** water used to supplement this right?
- **1987 Aerial Photo:** Please verify the **72.0 acres** that were irrigated from the well on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the 1987 aerial photo also; along with location of the **point of diversion**.
- **Capacity of System:** Verify that the claimed **0.4 cfs** is possible/applicable.
- Frederick Batt submitted evidence of priority, so evidence is already covered.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26922

3/30/06 BHS

WATER RIGHT NUMBER: 63-26922

SITE TAG A0002409

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

GPS = 2264885
#101 | 1390855

ID PWR METER [NOCTR]

04N 05W 15 #2

04150999

K_h = 21.6 ~~5~~(3) PHASE 240V.

Priority Date: 03/15/1955

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Tributary

6" DISCHARGE PEERLESS
→ 6X6X12

TURBINE

NO NAME-
PLATE

#2626278

PUMP

MOTOR = USMOTOR

HP = 5

SN = 853181

RPM = 1800

220 VOLT 14 AMPS

NO S.F.

Beneficial Use

IRRIGATION

From To

4/01 to 10/15

Diversion Rate

0.400 CFS

Annual VolumeTotal Diversion:0.400 CFS = $\frac{180 \text{ GPM}}{9} = 20 \text{ AC}$ Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4

Sec. 15, Twp 04N, Rge 05W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 05W 15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	72.0
													36.0	36.0			

Total Acres: 72

Conditions of Approval:Remarks:

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

A63-26922

Date Received

2-7-1990 3/19/90

Receipt Number

0011460

RECEIVED

MAR 19 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUN 12 1992

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s)

Frederick Battome/ Ellen B. Batt OR
Norman A. Batt and Ellen B. Batt

Phone (208) 482-6448

Mailing Address

Box 646, Wilder, Id.

Zip

83626

2. Date of Priority (Only one (1) per claim)

3-15-1955

3. Source of water supply (a)

Ground water.

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

4N

Range

5W

Section

15

NE 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section, 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

well - Depth unknown - powered
by 5 Hp Electric motor.

MICROFILMED

SEP 15 1992

Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct 15 amount .40 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	5W	15													36	36			72 (72)

Total number of acres irrigated

72

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Under Irrigation District or None ()

14. Remarks:

MICROFILMED

SEP 15 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

n your
its that

Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date 2-7-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this

7th day of February 19 90

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

9-14-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

SEP 15 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

95

Allendale
Produce
Hac

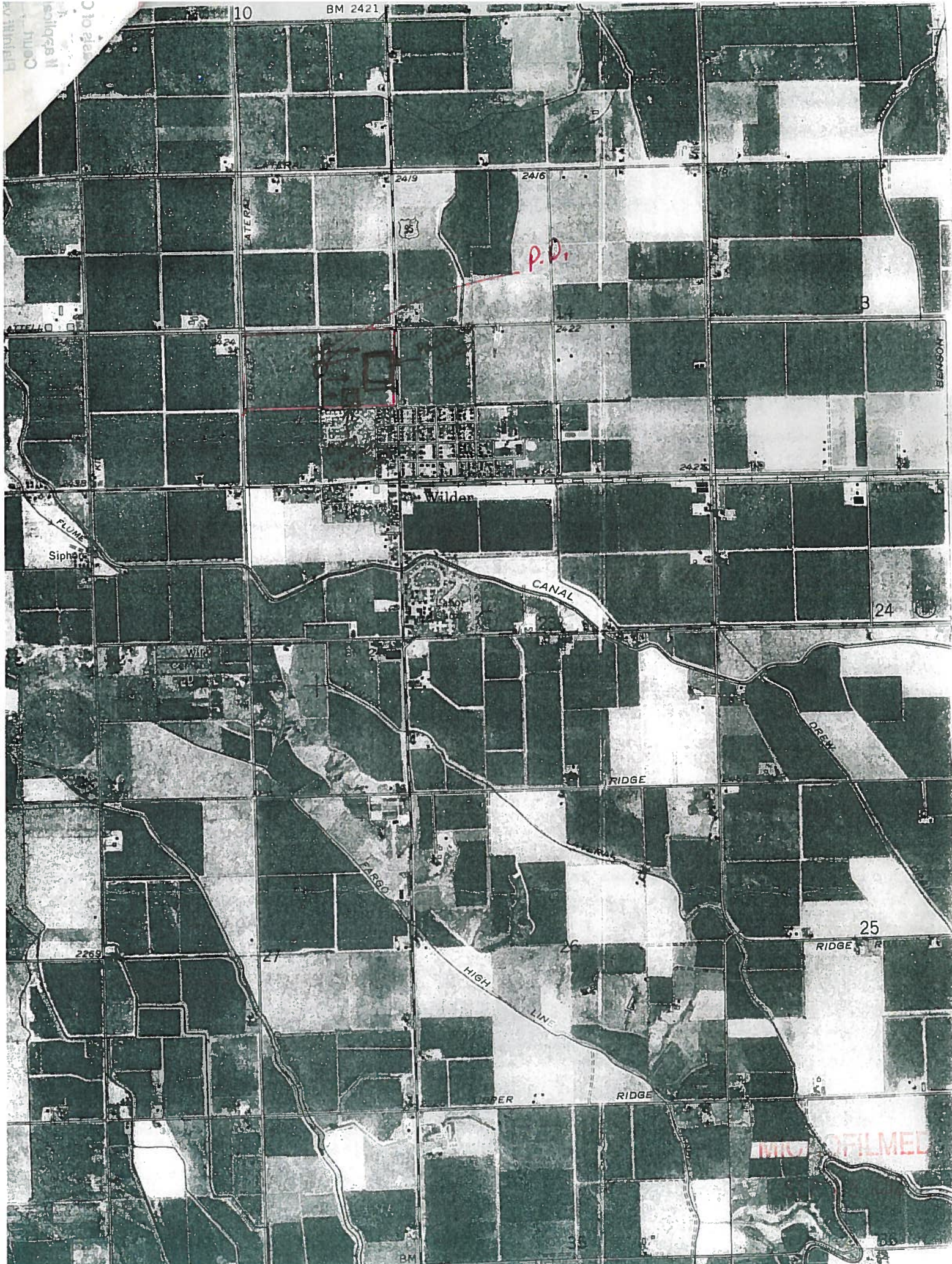
Water
Water Tank

Well

Pony Lane

Batt → Woodard 2005

Batt Corner Rd



A63-26922 Field Exam Request:
Batt

for Burke Scholer,
contractor

Contact:

02/24/2006

The Batts have sold this property.

The new owners, according to Canyon County tax lot information, are:

Maurice Woodard
18638 Prescott Lane
Nampa

Allendale Produce Co.
PO Box 1060
Homedale

City of Wilder
PO Box 687
Wilder

You may be unable to contact a current owner to set up a field exam. The best address for the location of this property is: 21335 Hwy 95, Wilder (below).

*Please refer to the enclosed Project Map attached to the original Notice of Claim to get an idea of this property's location.

Property Address:

0 Penny Lane, Wilder

21335 Hwy 95, Wilder

0 Ave D, Wilder

Requests:

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

In addition, please verify:

- GPS the location of the well.
- Is **Wilder Irrigation District** water used to supplement this right?
- **1987 Aerial Photo:** Please verify the **72.0 acres** that were irrigated from the well on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the 1987 aerial photo also; along with location of the **point of diversion**.
- **Capacity of System:** Verify that the claimed **0.4 cfs** is possible/applicable.
- Frederick Batt submitted evidence of priority, so evidence is already covered.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

RECEIVED

FEB 16 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
AG3-26922)
)
)
)

AFFIDAVIT

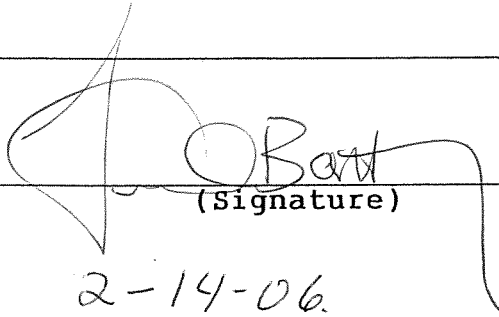
State of Idaho)
County of Canyon)

FREDERICK C. BATT

deposes and says: The Property described in the
above numbered claim was purchased by my brother
Norman Batt and myself from Walt Lowe (deceased)
who purchased same from James Batt (deceased). The
Priority date was derived from conversations with
both above named parties.

The Irrigation usage was significant during
drought years, and subsequent with the installation
of a drip irrigation system on the property.

See Conversation
Memorandum in
addition to this
affidavit.


(Signature)
2-14-06

* * * Memory TX Result Report (Feb. 7. 2006 4:31PM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: Feb. 7. 2006 4:30PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
3679 Memory TX	912084538588	P. 3	OK	

Reason for error

E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection

Form No. 42-1409 (2) a. 1/88

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 A03-26922
Date Received 2-7-1990 3:11 PM
Receipt Number W011460

RECEIVED
MAR 19 1990

Department of Water Resources
Western Regional Office

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

RECEIVED
JUN 18 1992

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (a) Frederick C. Battanelli, E/Em B. Batt OR
Norman A. Batt AND E/Em B. Batt Phone (208) 482-6442
Mailing Address Box 646, Wilder, Id. Zip 83676

2. Date of Priority (Only one (1) per claim) 3-15-1955

3. Source of water supply (a) Ground water.
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 5W Section 15.

N/E 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well - Depth unknown - powered
by 5 Hp Electric Motor.

MICROFILMED

SEP 15 1992

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-26922
Evidence of Priority**

February 7, 2006

Norm Batt called in response to the evidence of priority request he recently received in the mail. Mr. Batt informed me that he has sold this property. Despite this fact, I asked Mr. Batt if he was aware of how the year 1955 was chosen. Mr. Batt replied, "This land has been farmed since the 20s or 30s." He also added that his family bought this property in the 1980s, from Walt Lowe. Since Mr. Batt had personal knowledge of the priority date, I asked him if he would consider filling-out an affidavit for the new owners; since they would probably try to contact him in the future, anyway. In response, Mr. Batt asked if I would fax (FAX #453-8588) the *Notice of Claim* (signed by his brother, Fred) and he would have Fred fill-out an affidavit for the file.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 2, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NORMAN, ELLEN, FREDERICK, & ELLEN BATT
1621 IDAHO
WILDER ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-26922

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 February 24, 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-26922

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.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 10, 1992

[Frederick C. & Ellen B. Batt or
Norman A & Ellen G. Batt
Box 646
[Wilder, ID 83676]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JUN 12 1992

Department of Water Resources
Western Regional Office

Dear Claimant(s):

This office has received the Notice of Claim(s) to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the items checked below, we cannot process this claim(s). We are returning the claim(s) to you to **complete only the following item(s) showing a checkmark in the blank for that item(s)**. Receipt No. W011460 in the amount of \$ 571⁰⁰ for the filing fee previously submitted is also enclosed.

_____ Fee - No fee received or inadequate fee received, fee due is _____.
See enclosed fee schedule for how this fee was computed.

_____ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it is computed.

_____ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

_____ Item No. 3 - Source of Water

_____ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range, except for spring sources which should be shown by quarter-quarter-quarter (10 acre tract), section, township and range. Lot and block for a subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 6 - Uses of Water

_____ Item No. 9 - Non-Irrigation Uses

_____ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 12 - Ownership of place of use.

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Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

X Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item. Claim lists Frederick C and Ellen B Batt or Norman A. and Ellen G. Batt. (continued below)

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

continued.

X Other: Claim needs Ellen B. Batt's signature (must be notarized)

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one is required above), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact the agent listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any information needed, and the fee requested, if any to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to the attention of

Helen.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Helen Harrington-Thornton

HELEN HARRINGTON-THORNTON
Sr. Water Rights Agent

HHT:lh
Enclosures

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