

11/12/2006

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

RIGHT NUMBER: 67-2233

NAME AND ADDRESS: MICHAEL V JORDAN
PO BOX 81
MIDVALE ID 83645

SOURCE: WASTE WATER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.300 CFS

PRIORITY DATE: 08/17/1953

POINT OF DIVERSION:

T13N R03W S17 NWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.300 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T13N R03W S17 NWNW 9.00

T13N R03W S18 NENE 6.00

15 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 - License

Idaho Department of Water Resources

**T13N, R03W,
SEC 17 & 18**

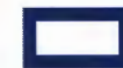
Claim No: 67-2233

Prepared By: Kimberly Brown

Date: November 12, 20067471



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Irrigated Acres = 15



1987 NAPP

Water License No. 24388

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2233

WATER RIGHT NUMBER: 67-2233

Owner Type Name and Address
 Original Owner VIRGIL H BATTERSHELL ✓

 Current Owner MIDVALE, ID
 MICHAEL V JORDAN
 PO BOX 81
 MIDVALE, ID 83645
 (208)355-2619

Current Owner:

David A. Jordan
 P.O. Box 134
 Midvale 83645

Priority Date: 08/17/1953 ✓
 Basis: License ✓
 Status: Active

Source
 WASTE WATER ✓
~~WEISER RIVER~~

Tributary
 WEISER RIVER
~~SNAKE RIVER~~

REMOVE (not licensed)

Beneficial Use
 IRRIGATION ✓

Ambiguous Per. of U.
 From To
 3 / 15 to 10 / 31

Diversion Rate
 0.300 CFS ✓
 Total Diversion: 0.300 CFS ✓

Annual Volume

Location of Point(s) of Diversion

WEISER RIVER NW1/4NW1/4 ✓ Sec. 17, Twp 13N, Rge 03W, B.M.
 → WASHINGTON County
~~WASTE WATER NW1/4NW1/4 ✓ Sec. 1, Twp 13N, Rge 03W, B.M.~~
~~WASHINGTON County (Rediversion)~~

⊛ See FX map for P.O. loc.

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓	13N	03W	17					✓	9.0										9.0 ✓
✓	13N	03W	18	6.0															6.0 ✓

Total Acres: 15 ✓

Conditions of Approval:

1. SOURCES FOR THIS RIGHT ARE WASTE WATER & UNNAMED STREAM.

Remarks:

- Season of use is 3/15 to 10/31.

Parcel Nos: RPM 65300173240 & RPM 65300180024.

one P.O.
 licensed
 in S17,
 not S1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-2233

11/12/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
'-23	Claim	13N	03W	17	NW	NW		IRRIGATION	20/3759	MIDDLE VALLEY DITCH CORP
'-24	Claim	13N	03W	17	NW	NW		IRRIGATION	20/3759	MIDDLE VALLEY DITCH CORP
'-25	Claim	13N	03W	17	NW	NW		IRRIGATION	20/3759	MIDDLE VALLEY DITCH CORP
~~2233~~	~~Claim~~	~~13N~~	~~03W~~	~~17~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~9/15~~	~~MICHAEL V JORDAN~~
4434	Claim	13N	03W	17	NW	NW		IRRIGATION	20/3759	MIDDLE VALLEY DITCH CORP
~~2233~~	~~Water Right~~	~~13N~~	~~03W~~	~~17~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~9/15~~	~~VIRGIL H BATTERSHELL~~
2331	Water Right	13N	03W	17	NW	NW		IRRIGATION	4/44	LEE L WILLIAMS
4434	Water Right	13N	03W	17	NW	NW		IRRIGATION	20/3711	MIDDLE VALLEY DITCH CORP
~~2233~~	~~Claim~~	~~13N~~	~~03W~~	~~18~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~6/15~~	~~MICHAEL V JORDAN~~
2287	Claim	13N	03W	18	NE	NE		IRRIGATION	3/3	CLAUDIA J HOLMES
~~2233~~	~~Water Right~~	~~13N~~	~~03W~~	~~18~~	~~NE~~	~~NE~~		~~IRRIGATION~~	~~6/15~~	~~VIRGIL H BATTERSHELL~~

- no overlap

Idaho Department of Water Resources

67-2233



900 0 900 1800 Feet

T13N, R 03W, S17



**Prepared by Anita L. Warntjes
January 16, 2004
1993/94 True Color Photo**

Receipt Details for ID W003490

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/6/1989 2:17:04 PM	7/6/1989	Western	\$65.00	Check
Payer		JORDAN, LAURA L.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1011			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$65.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	2233		\$65.00	Claim

Print Report

State of Idaho

License and Certificate of Water Right

Water License No. 24388Amount 0.3 second foot

Water District No. _____

Priority August 17, 1953

THIS IS TO CERTIFY that VIRGIL H. BATTERSHELL
of Midvale, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 17, 1953; that Permit No. 24388
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.3 second foot, was issued thereunder on September 24, 1954, showing that said works
were completed on the 9th day of September, 1954; and that on the 18th
day of October, 1954,

VIRGIL H. BATTERSHELL

of Midvale, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an un-named
stream / (Waste water from a natural drain), a tributary of Weiser River, for the purpose of Irrigation
, under Use Permit No. 24388 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5521, on the 15th day of July, 1955;

The right hereby confirmed dates from August 17, 1953;

The Point of Diversion is located

in the NW 1/4 NW 1/4 Sec. 17, Tp. 13 N, R. 3 W, B. M. Washington / County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 N.	3 W.	17 18	NW 1/4 NW 1/4 NE 1/4 NE 1/4	9 6	9 6
Number of Acres Actually Irrigated - - - - -				15	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of July, 1956.

MARK R. KIPP

State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 24388

REPORT ON PROOF OF Beneficial Use

VIRGIL H. BATTERSHELL, Midvale, Idaho

*304s
break
Tub to Miner*

app. 15"

*15 acres
2-40's*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 24388This proof is for Beneficial Use In Water District No. _____1. Name of applicant Virgil H. Battershell, Midvale, Idaho2. Source of water supply: An un-named stream (waste water from natural drain)3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17T. 13 N. R. 3 W. County of Washington

4. Describe works as they exist, giving dimensions and capacities of same: Point of diversion is where the drain (part natural and part constructed drain) enters the Weiser River. Water is taken out of the Weiser River down stream by a pump and delivered to the fields by sprinkler system. Fairbanks Morse Motor, 7 $\frac{1}{2}$ h.p., 220 V., Serial No. F 36956. Centrifugal Pump 3' by 2". Sprinkler system employs 20 nozzles, size 3/16 by 3/32. Delivery is at least 7 g.p.m. from each sprinkler. Pump and Motor set on platform on the river bank in a small shed type house. Open on two sides. There is a 24" by 3 $\frac{1}{2}$ " suction pipe extending into the river.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18;NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17;Twp. 13 North, Range 3 West, B. M.See the mapSee small (large scale) map submitted by Battershell.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Crop at present is principally pasture.This examination was made on the 13 day of April, 1925(Signed) E. H. Humphrey Examiner.

24388

no definite info. in assessor's office re. size of fields
nor total amt of land. Est. 13 acres.
no info in S.E.S. office.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Virgil H. Battershell

Midvale, Idaho

Permit No. 24388

Examination for Beneficial Use

County Washington

PK = 8-13N-3W

Re-Div = 17-11-11

Q = 0.3 c. f. s.

S = In-name stream

Re-Div = NE. SW. Sec. 8, T. 13N. - R. 3W

Re-Div = NW. NW. " 17 "

See Irrigation

Stream water into weaver N.

out by pump in Midvale.

Priority - Dec. 17, 1953

Due - Dec. 24, 1955

Ch = 9-20-54

R. Morse motor 7 1/2 hp.

7 F 36 956 220 V

17.69 2370 rpm

Centrifugal pump

1/2" x 1/2" out. no name

1 M Switchboard 20.

6.5 7401 2401

019

Small wheel 5x 1/2

work - 6.012

24' x 2' into river
1/4"

134

19-2 x 40'

16-2 x 20'

10-4 x 30'

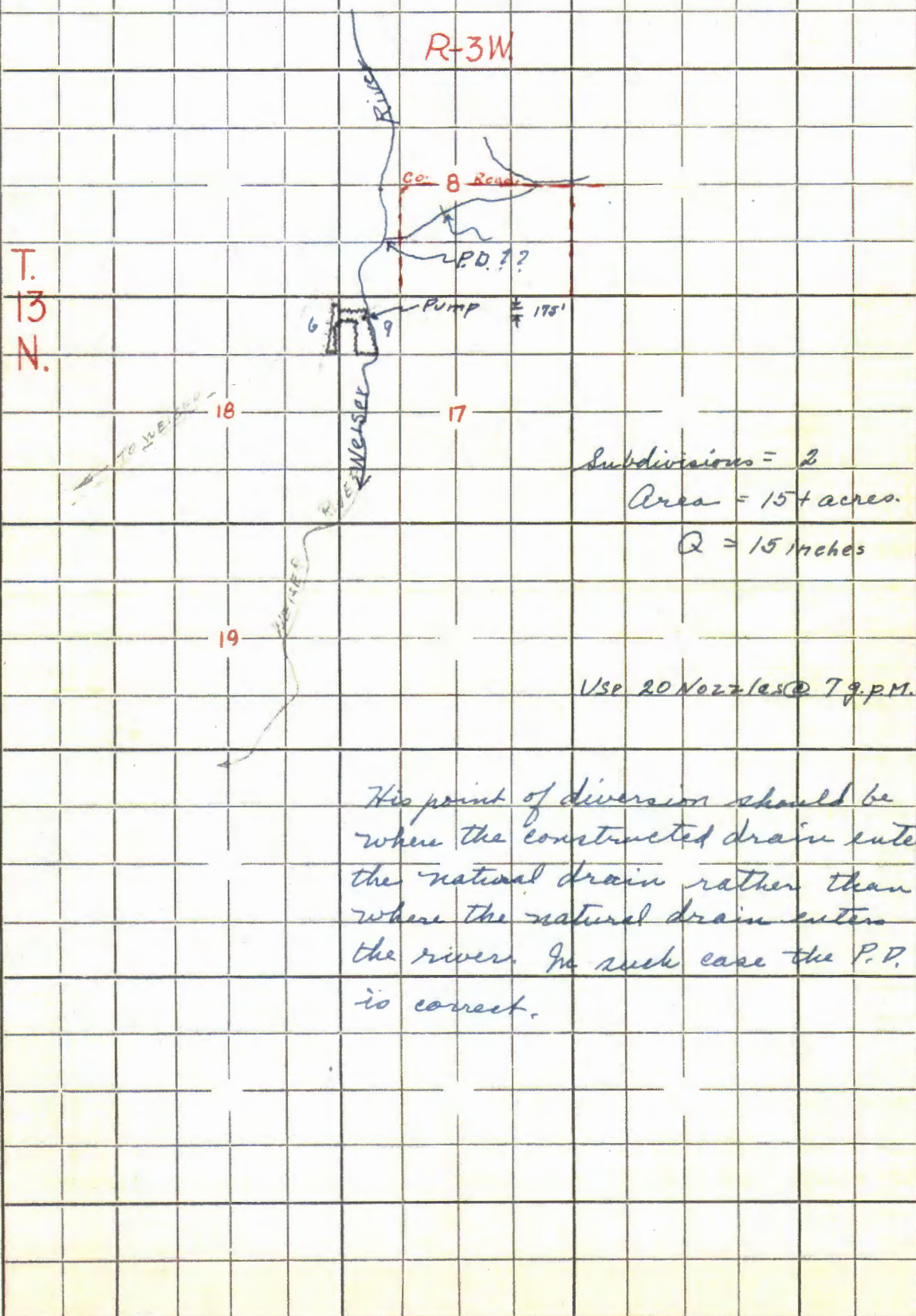
20 nozzles 3/4" 100

20-2 x 10

Chamber 10' x 10'

Tax 58 = 13d = NW NW 317 (T. 13 N. 17 W.)

" 40 = 64 = my estimate looking at map in
aerion office.



APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 32180
 PERMIT No. 24388
 DISTRICT No.

1. Name of Applicant: VIRGIL W. BATTERSHELL

Postoffice address: Midvale

County: Washington

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 15 inches or .30

cubic feet per second.

3. Source of water supply: Unnamed stream (waste water from/ natural drain) fed from developed drain water, which is a tributary of Weiser River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 8 , T. 13 N. , R. 3 W. , B.M., County of Washington

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water:

feet distant from

corner of Section

T. , R. , B.M., in the

of Section

, T.

, R.

, B.M.

(b) Amount of power generated:

H.P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section

, T.

, R.

, B.M., in the

of Section

, T.

, R.

, B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Pump and ditches and pipeline.

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom 1

feet; width at water line 1 $\frac{1}{2}$

feet; depth of water .5

feet;

dimensions of flume:

Diameter of pipe 30 ft. pipe-line
 & or 6

inches; length of conduit

one-eighth

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is Three years.

13. The time required for the complete application of the water to the proposed use is None

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

VIRGIL H. BATTERSHELL

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 a.m. August 17, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 24388

Recorded in Book 86

Page 24388

Approved August 24, 1953

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **October 24, 1953**

and to continue diligently and uninterruptedly to completion.

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 24, 1955

The whole of said work to be completed on or before August 24, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before **August 24, 1956**

WITNESS My hand this 24th day of August, 1953

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We _____ **LEN JORDAN**

Governor of the State of Idaho.

and IRA H. MASTERS

... Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st

day of August 19 53

STATE OF IDAHO

Countersigned:

LEN JORDAN

Governor.

(SEAL)

By IRA H. MASTERS

Secretary of State.

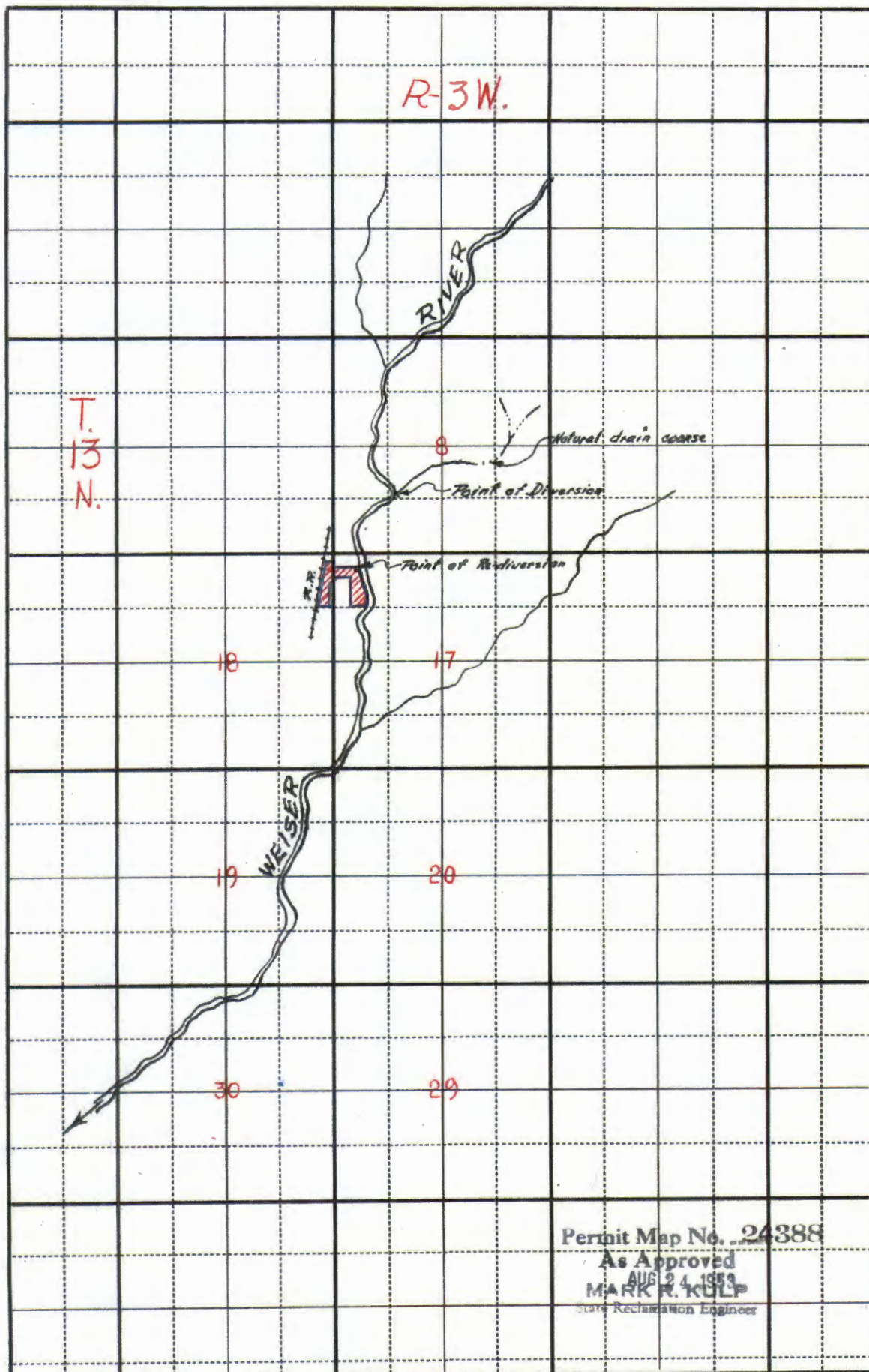
By Paula L. Fleenor

Acting Secretary of State

REMARKS: Water will be delivered into Weiser River and carried in Weiser River to a point located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 13 North, Range 3 West, B.M.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
13 N.	3 W.	17 18	6				9												9 6
			Permit No. 24388 CERTIFICATE OF COMPLETION OF WORKS																15
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that VIRGIL H. BATTERSHELL of Midvale, County of Washington, and State of Idaho, the holder of Permit No. 24388, issued upon Application No. 32180 bearing date of priority of August 17, 1953, authorizing the diversion of 15 inches or 0.3 second foot of the waters of an un-named stream (waste water) county of Washington, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 15 inches or 0.30 cubic foot per second second foot of the waters of said un-named stream; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, and the point of re-creation from Weiser River is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 13 North, Range 3 West, B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17; Township 13 North, Range 3 West, B. M.																			
Witness my hand this 20th day of September, A. D. 1954.																			
			/s/ MARK R. KULP State Reclamation Engineer																
Proof of Completion of Works made September 9, 1954. Certificate of Completion of Works issued September 20, 1954.																			
LICENSE ISSUED FOR 0.2 SEC. FT. P. 5521																			



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

24388

West

Rail Road

Grain Elevator

18
Virgil H. Battershell

610' Section E. line
940'

CITY Property

380' Lodge Hall

Joe Heinrich

Bert Wilburn

17

Section Corner

Bridge

North

Point of
River
Diversion

Weiser

East

South

375'

730'

275'

130'

175'

46'

24388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 19 1954
Department of Reclamation

Permit No. 24388

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Virgil H. Battershell . Midvale Idaho

Farmer . Midvale Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Personal

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 24388 August 24th 1953. August 17th 1953

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Un-named stream (waste water from natural drain, fed from

drain water. point of diversion is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8 and NW $\frac{1}{4}$ Section 17 Township Thirteen North Range 3 East B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Seven and one half In pump, three In suction and two In discharge
Twenty Rain Bird sprinklers No. 40, Size of nozzles 3 thirty
Seconds and three Sixteenths- 50 # pressure at pump

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation - 6 acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 18, 9 acres
in NW $\frac{1}{4}$ of THE NW $\frac{1}{4}$ Sec 17 al in Township Thirteen North Range three
East B.M. - Cultivated meadow.

By use of irrigation have been able to have pasture for live-
stock

24388

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Used for irrigation only

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 15 inches or .30 cubic feet per second ft.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Used said water from the 25th of May 1954 to October 11 54
For irrigation only - 15 inches

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other than above stated

(Sign) Virgil H. Patterson

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Midvale County of Washington State of Idaho, on this 18th day of October, A. D. 19 54

My commission expires May 10 1956

J. H. Goodnight
Notary Public for Idaho
Residing at Midvale Idaho

24388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 24388

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Thomas ~~fr~~ E. Holmes, age 31 years. Midvale Idaho
Rancher (Livestock)

Ques. 2. Are you acquainted with Vig Virgal H. Battershell, the holder of Permit No. 24388? How long have you known him and where does he reside?

Ans. Known him for over 25 years - At Midvale Idaho

Ques. 3. Have you read or heard read said Permit No. yes, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Waste water from Un named stream tributary of Weiser River
Point of diversion, is in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, point of Rediversion
from Weiser River, is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 Township Thirteen
North Range 3 West B.M. Sprinkler System

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 15 Inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation only, 6 acres in NE $\frac{1}{4}$ Of NE $\frac{1}{4}$ Section 18, 9 acres in
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 in Township Thirteen North Range three West B.M.

All cultivated Meadow - By use of irrigation have been able to furnish
Pasture for livestock

24388

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry land reclaimed - requires 15 inches water buy use of
sprinkler system

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Am a near neighbor and have watched use of water on said land
existence ever since begin irrigation

(Signed) Thomas E. Holmes

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Midvale Idaho,
County of Washington, State of Idaho, on this 18 day of October,
A. D. 19 54

My commission expires May 10 1956 J. H. Goodnight Notary Public.
Residing at Midvale Idaho

24 388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 24388

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Glenn D. Horning, 45 years of age, Midvale Idaho
farmer, Post office Midvale Idaho

Ques. 2. Are you acquainted with Virgil H. Battershell, the holder of Permit No. 24388? How long have you known him and where does he reside?

Ans. have known him over 35 years - he resided at Midvale Idaho

Ques. 3. Have you read or heard read said Permit No. 24388, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Waste water from an named stream, tributary of Weiser River,
Point of diversion is in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Point of Rediversion
from Weiser River, is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 Township Thirteen
North Range 3 West B.M. Sprinkler System

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 15 inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation only, 6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18- 9 acres in
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 in Twnn Township Thirteen, North Range 3 West B.M.
All cultivated meadow- by use of irrigation have been able to
furnish pasture for livestock

24388

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. no

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry land reclaimed-- requires 15 inches of water by use of sprinkler system

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent? none

Ans. ~~Am a near neighbor and have watched the use of water on said land ever since the irrigation was installed~~

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Am a near neighbor and have watched the use of water on said land ever since the irrigation was installed

(Signed) Glenn D. Hoerning

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Midvale Idaho, County of Washington, State of Idaho, on this 18 day of October, A. D. 19 54.

My commission expires May 10 1956

J. H. Gooding
Notary Public.
Residing at Midvale Idaho

24388

Permit No. 24388STATE OF IDAHO
Department of ReclamationRECEIVED
SEP 11 1954
Department of Reclamation
70/100

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Washington

SS.

Virgil H. Battershell, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 24388, and that his postoffice address is MidvaleState of Idaho

Second: That the name of the stream from which said water is to be diverted is

Un-named stream a tributary of the Weiser RiverPoint of diversion

Beginning at the North West corner of Section 17 Twp thirteen Range Three West of The Boise Meridian, thence South 380 feet more or less, thence East to The Weiser River thence South 170 feet more or less to the point of diversion

I. Kind of works: Sprinkler System
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work:
(a) Height of dam no feet, length of dam at top no feet, length of dam at bottom no feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir no acre feet.(c) Size of headgate: Width no feet, height no feet.(d) Conduit no width at bottom no feet, width at water line no feet, depth of water no feet; diameter of pipe no inches, average grade per mile is no feet. Length of conduit is no miles.Seventh: That said works are capable of conducting to the place of intended use 15 inch second feet of water.Eighth: That water appropriated under said permit is available for 15 acres of land described as follows: 2.5 acres in the NE Quarter of the NE Quarter of Section Eighteen, and 9 acres in NW Quarter of the NW quarter Section 17 all in Twp. Thirteen North Range Three West of The Boise Meridian, in Washington County State of Idaho

7 1/2 H.P. Fairbanks - Morris Electric motor and 7 1/2 in
elbow coupled pump.
800 feet 4 in main line and 480 ft 3 in main line
760 feet 3 in lateral, 20 no. 40 Rainbird sprinklers
3 - 3 in plugs, 2 3 in ellg. - 2 2x 3 in Tees and 1
4 x 3 reducer, Cost 1511.00
Cost of power line \$950.00

Subscribed and sworn to before me this May 10 day of 1956My commission expires May 10 - 1956

J. H. Goodrich
Notary Public,
Residing at Midvale Idaho

24388

Permit No. 24388STATE OF IDAHO
Department of ReclamationRECEIVED
SEP 11 1954
Department of Reclamation
W. J. H.

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Washington

ss.

Virgil H. Battershell, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 24388, and that his postoffice address is MidvaleState of IdahoFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 24th, 1954.Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Sprinkler System
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam no feet, length of dam at top no feet, length of dam at bottom no feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir no acre feet.(c) Size of headgate: Width no feet, height no feet.(d) Conduit no width at bottom no feet, width at water line no feet, depth of water no feet; diameter of pipe no inches, average grade per mile is no feet. Length of conduit is no miles.Seventh: That said works are capable of conducting to the place of intended use 15 inches second feet of water.Eighth: That water appropriated under said permit is available for 15 acres of land described as follows: Section 18 6 acres in the NE Quarter of the NE Quarter of Section Eighteen, and 9 acres in NW Quarter ofVirgil H. Battershell
(Sign Here)Subscribed and sworn to before me this 4th day of September, 1954My commission expires May 10 - 1956J. H. Goodrich
Notary Public
Residing at Midvale Idaho

24388

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 9th 1954

(P. O.) Midvale Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

News Reporter

of Cambridge Idaho

published in

the county in which the works are situated. Washington County

Virgil H. Patterson

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

24388

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 18th day of October, 1954,
at Midvale, County of Washington, State of Idaho, before
J.H. Goodnight a Notary Public for Idaho, proof will be submitted of the
application to beneficial use of 15 inches cubic feet per second of the waters of un-named
stream tributary of the Weiser River
in accordance with the terms and conditions of Permit No. 24388
heretofore issued by the Department of Reclamation of the State of Idaho

The name and postoffice address of the person or corporation holding said permit are
Virgil H. Battershell Midvale Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 15 inches

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
N.E. Quarter of the N.E. Quarter
Section 18 six acres and the North west quarter of the North east
quarter of Section 17 9 acres all in Twp. Thirteen Range Three West
of the Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
by Sprinkler System

The right to take water from such works is based upon Permit No. 24388

The source of supply from which such water is diverted is waste water from natural
drain developed from fed from developed drain water which is a
tributary of the Weiser River

The date of priority which said user is prepared to establish is the August 24th 1953

MARK R. KILLP
State Reclamation Engineer.

24388

June 28

Enclosed is our claim to water right
24388. And a check for \$5.00 to file
the right.

Please forward receipt back to us
at P.O. Box 81
Pudva, Id
83645

Michael V and Laura L. Jordan

Idaho Dept. of Water Resources
2735 Airport Way
Boise, Id.
83705

MICROFILMED

OCT 01 1992

A67-02233
Permanent file

RECEIVED
FEB 21 1989

February 16, 1989

Idaho State Dept. of
Water Resources
Allocations Bureau
State House Mail
Boise, Idaho 83720

Department of Water Resources

Washington Co.

2-28-91
filed 7/6/89
on W003490
Barbara Smith

RE: water rights

We would ^{like} to file in advance for our water rights under
the Snake River Reallocation.

Our current water right number is 67-2233 as given us by
your office.

We recently purchased the property in question and would
like to file all the papers needed or required to close
this matter as soon as possible.

Please send all applications or papers needed to:

Michael V. Jordan
PO Box 81
Midvale, Idaho
83645

(208) 355-2619

Thank you in advance for your help.

Laura L. Jordan

Laura Jordan

mailed comp. claim
form to them 2/27/89
AJ

MICROFILMED
OCT 01 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: **A67-02233**
Date Received: 7/06/1989
Receipt No: W003490
Received By: _____

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

1. Name: MICHAEL V. JORDAN 208-355-2619
Address: P.O. BOX 81
MIDVALE, ID 83645

2. Date of Priority: AUG 17, 1953

3. Source: WASTE WATER Trib. to: WEISER RIVER
WEISER RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	03W	1	NW	NW	NW	R	WASHINGTON
		17	NW	NW	NW		WASHINGTON

5. Description of diverting works:
7 1/2 H.P. PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13N	03W	17	NW	NW		IRR	9.0
Section Acres							9.0

A67-02233

Page 1

Date: 08/14/89

SCANNED
MAY 17 2004

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	18	NE	NE	IRR	6.0
Section Acres						6.0
Total Acres						15.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCES FOR THIS RIGHT ARE WASTE WATER & UNNAMED STREAM.

15. Basis of Claim: LICENSE
Water Right Number: 24388

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

RECEIVED
JUL 06 1989

Ident. Number: A67-02233
Date Received: 7-6-89
Receipt No: W003490
Received By: *hal*

Department of Water Resources
Western Regional Office

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

1. Name: MICHAEL V. JORDAN 208-355-2619
Address: P.O. BOX 81
MIDVALE, ID 83645

2. Date of Priority: AUG 17, 1953

3. Source: WASTE WATER Trib. to: WEISER RIVER
WEISER RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03W	1	NW	NW	NW	R	WASHINGTON
		17	NW	NW	NW		WASHINGTON

5. Description of diverting works: *7 1/2 H.P. pump*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: *none*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	17	NW	NW		IRR	9.0
Section Acres							9.0

A67-02233

Page 1

Date: 02/24/89

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OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	18	NE	NE		IRR	6.0
Section Acres							6.0
Total Acres							15.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: *none*

14. Remarks:

SOURCES FOR THIS RIGHT ARE WASTE WATER & UNNAMED STREAM.

15. Basis of Claim: LICENSE
Water Right Number: 24388

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):

Michael V. Jordan
Laura L. Jordan

Date:

6/26/89

Date:

6/26/89

State of Idaho)

) SS.

County of

Washington

Subscribed and sworn (or affirmed) before me this 26th day

of June 19 89

Madeline M. Fort
Notary Public



Residing at

McCall, Idaho

My Commission Expires

Nov. 1, 1994

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Michael V. Jordan CLAIM IDENT. NO. Al67-02233

DATE RECEIVED 7/6/89 CK # 1011 AMOUNT \$ 65.00

	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?	☒	☐	
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?	☒	☐	
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?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒ N/A	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒ Exempt	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒ N/A	☐	
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: VA Date: 8-10-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: _____

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OCT 01 1992