

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: A63-04413
Date Received: 2/27/1990
Receipt No: W009615
Received By: _____

MAY 05 1992

Department of Water Resources

Western Regional Office

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

208-459-1852^{1/2}

1. Name: ATLAS FARMS INC
Address: 17528 WILLIS RD
CALDWELL ID

83605

2. Date of Priority: JUN 30, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	31		NE	SW		CANYON

5. Description of diverting works:
WELL, 12", 70' DEEP; 15 HP PUMP; DITCH SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/15	2.400		

7. Total Quantity Appropriated is:
2.400 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
04N	03W	6	NE	NW		IRR	40.0

A63-04413

Page 1

Date: 05/04/92

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AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
05N	03W	31	NE	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	80.0
					Total Acres	120.0

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:
BLACK CANYON IRRIGATION DISTRICT

14. Remarks:
THIS IS SUPPLEMENTAL TO IRRIGATION DISTRICT WATER.

15. Basis of Claim: STATUTORY CLAIM

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

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

CIVIL CASE NUMBER: 39576

Ident. Number A63-04413

Date Received

Receipt Number

10009615

RECEIVED
FEB 27 1990

Department of Water Resources
Western Regional Office

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

RECEIVED
MAY 04 1992

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Atlas Farms, Inc. Phone (208) 459-1852Mailing Address 17528 Willis Road, Caldwell, ID 83605 Zip 836052. Date of Priority (Only one (1) per claim) June 30, 19503. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 5N Range 3W Section 31,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of CanyonAdditional points of diversion if any: None

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 - 12" - 70 feet deep - 15 h.p. pump
Ditch system used for distribution**MICROFILMED****AUG 20 1992**

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month, the dates and locations of hearings scheduled for the following three months.

The docket sheet will be filed with the district court clerk in each county within the Snake River Basin. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 15 amount 2.4 cfs or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 2.4 cfs (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.) None

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	
5N	3W	31									40			40					80
4N	3W	6					40												40

Total number of acres irrigated 120

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.
Black Canyon Irrigation District or None ()

14. Remarks:
This is supplemental to irrigation dist. water

Last Name Atlas Farms Ident No. A63-04413

MICROFILMED
Copies: White -State, Yellow-Claimant
AUG 20 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.									
80									
10									

1.50

Total number of acres irrigated

County

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

No

Yes

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

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.

() or None

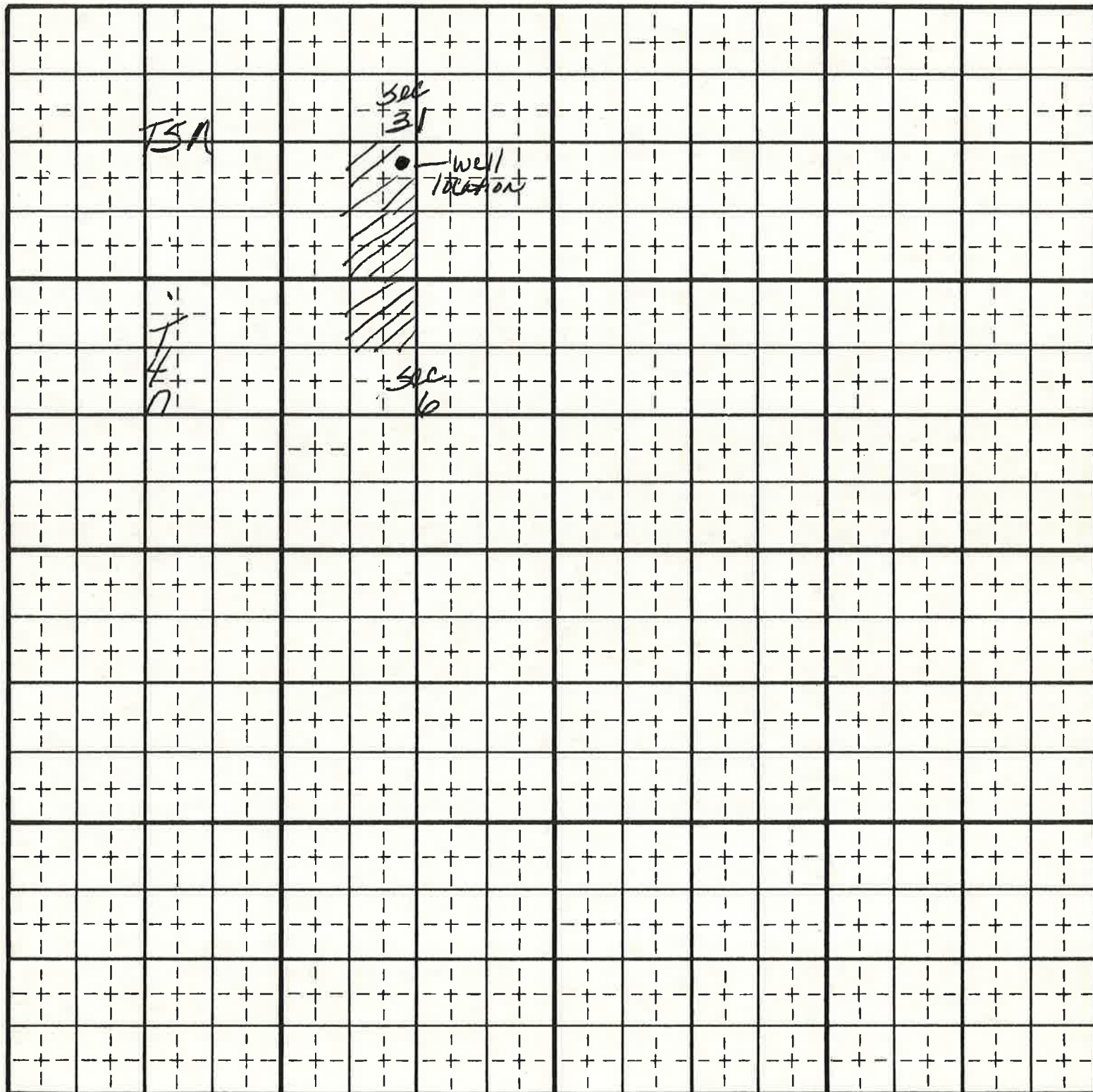
Black Canyon Irrigation District

14. Remarks: This is a supplemental to irrigation dist. water

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

Scale: 2 inches equals 1 mile

R 3W



Last Name Atlas Farms Ident No. A63-04413

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 20 1992

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 0

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 _____
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
 of Atlas Farms, Inc. Organization Title _____, that I have signed the foregoing
 document in the space below as President of Atlas Farms, Inc.
 Title _____ Organization _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Laurence A Batt*
 Title and Organization President Date 2-26-90

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

Subscribed and sworn (or affirmed) before me this 27th day of February 19 90

SEAL

Notary Public *Debra W. Roth*Residing at *Callidwell St*My Commission Expires 7-24-91

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

AUG 20 1992

Last Name Atlas Farms Ident. Number A63-04413

Copies White-State, Yellow-Claimant

09/29/2006

**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: 63-4413

ATLAS FARMS INC
17528-A WILLIS RD
C/O LAUNIE BATT YOULDEN
CALDWELL ID 83605
Telephone Number: (208)459-1852

RECEIVED
OCT 20 2006
WATER RESOURCES
WESTERN REGION

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:

NONE

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

DATE:

10/17/06

SIGNATURE:

Launie Batt Youlden

Please print your name:

Launie Batt Youlden

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

05/31/2006

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

RIGHT NUMBER: 63-4413

NAME AND ADDRESS: ATLAS FARMS INC
17528-A WILLIS RD
C/O LAUNIE BATT YOULDEN
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.700 CFS

PRIORITY DATE: 06/30/1950

POINT OF DIVERSION:

T05N R03W S31 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.700 CFS
540.00 AFY

PLACE OF USE:

IRRIGATION Within CANYON County

T04N R03W S06 Lot 3 NENW	35.00	T05N R03W S31	NESW	38.00
T05N R03W S31 Lot 5 SESW	47.00			

120 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 Black Canyon Irrigation District.

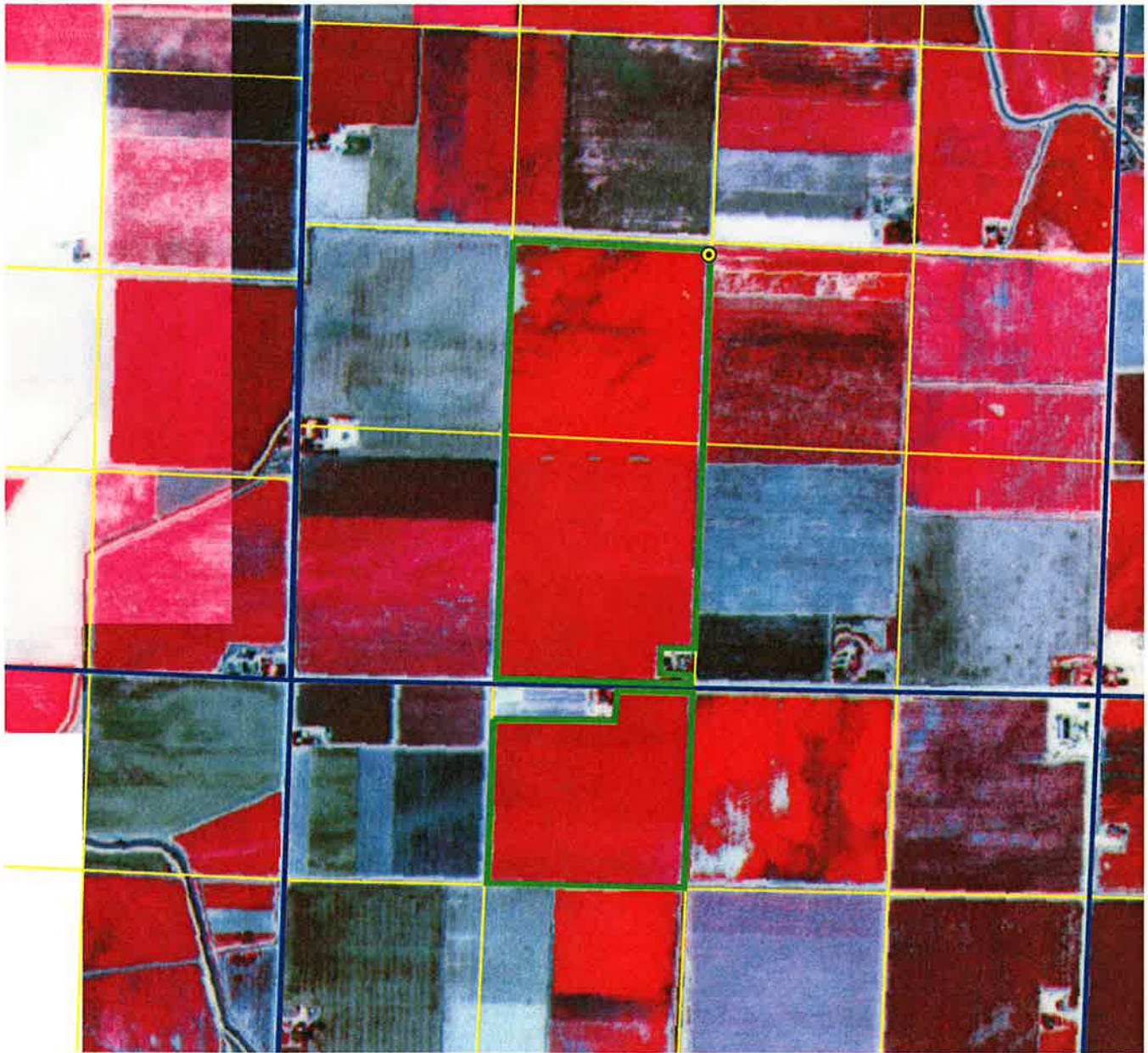


Idaho Department of Water Resources

63-4413

04N 03W Section 6

05N 03W Section 31



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 120

1000 0 1000 2000 Feet



IDWR
Prepared by: Lori Graves
Date: 5-31-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4413 V1

WATER RIGHT NUMBER: 63-4413 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE L BATT RT 5 CALDWELL, ID 83605
Current Owner	ATLAS FARMS INC 17528-A WILLIS RD C/O LAUNIE BATT YOULDEN CALDWELL, ID 83605 (208)459-1852

Priority Date: 06/30/1950

Basis: Beneficial Use

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	1.700 CFS	540.00 AF
<u>Total Diversion:</u>		1.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 31, Twp 05N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	6					35.0												35.0
							L 3												
05N	03W	31								38.0			47.0						85.0
													L 5						

Total Acres: 120

Conditions of Approval:

1. W14 Use of this right is combined with water from Black Canyon Irrigation District.
2. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4413 V1

Comments:

1. Igraves 5/31/2006 Contact/Address

Comment: Per telecon with Launie Batt Youlden 4/5/06: She is the contact for Atlas Farms Inc. Address is 17578-A Willis Rd.

2. Igraves 5/31/2006 CFS

Comment: A flow rate calculation was made by the department in 1977. See file.

3. Igraves 5/31/2006 P/D

Comment: A gps reading was taken on the well site 8/27/2006.

4. Igraves 5/31/2006 P/U

Comment: Acres were adjusted per gov lot info and 1987 photo. Launie stated that lawn area for the home in the SESW S31 is irrigated from the well, but the two lots in the NENW S6 are not.

5. Igraves 5/31/2006 Priority Date

Comment: Claimed priority date supported by notarized affidavit. See file.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4413

WATER RIGHT NUMBER: 63-4413

Owner Type Name and Address
 Original Owner GEORGE L BATT
 RT 5
 CALDWELL, ID 83605
 Current Owner ATLAS FARMS INC
 17528 WILLIS RD
 CALDWELL, ID 83605
 (208)459-1852

*c/o LAWNIE BATT YOULDEN
 17528-A WILLIS RD
 459-1112*

Priority Date: 06/30/1950 ✓
 Basis: Statutory Claim
 Status: Active

change to B/U

Source Tributary
 GROUND WATER ✓

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 11/15 2.400 CFS 540 af

Total Diversion: 2.400 CFS

1.7 per 1977 IDWR Meas

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4 Sec. 31, Twp 05N, Rge 03W, B.M.
 CANYON County

Place of Use
 IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
04N 03W 6	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE
		40.0			40.0
		35			35
05N 03W 31		43			43
		40.0	40.0		80.0
		38	47		85
			45		

Total Acres: 120

Conditions of Approval:

1. THIS IS SUPPLEMENTAL TO IRRIGATION DISTRICT WATER.

Dates and Other Information:

Claim Received Date: 2/27/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

ON THIS 19th day of April, 2006 personally appeared before me, Laurie Batt/Youlden, known to me to be the person whose signature appears below. *Ch. A. Mill*

IN THE MATTER OF)
NOTICE OF CLAIM)
A WATER RIGHT NO. (S))
)
63-4413)
)
State of Idaho)
County of Canyon)

AFFIDAVIT

ALAN D. MILLS
Notary Public
State of Idaho

RECEIVED

APR 20 2006

WATER RESOURCES
WESTERN REGION

Laurie Batt/Youlden

deposes and says:

In our attempt to gather further evidence to substantiate our claim of priority, we referred to the IDWR Guide pamphlet in our search for documentation. We found nothing in Canyon County's records department and were unable to discover any supporting documentation. Due to the fact that the well was drilled prior to June 1950, there is no paper trail or archival record that we could locate.

We were able to gather the following facts:

1. The well was drilled in 1949 or 1950 by a company or individual under the name of Hoslak or Doty. A neighbor of ours who is now in his 80's had a well drilled by this entity in this neighborhood about the same time.
2. The Pump Turbine Serial #18818 was manufactured by Layne Bowder Company of Los Angeles, California. A check with Layne Pump of Idaho indicated the serial number was very low ~~priority~~ indicative of a very old turbine - late 1940 to early 1950 manufacture date. The brass ID Plate with the serial number and Company logo is very heavy and ornate, is typical of products of that era.
3. A check with the General Electric Company service line indicated that the motor was quite old although they could not confirm the exact date of manufacture.
4. Idaho power could give us no information as their records don't go back that far.
5. All persons, family or otherwise who might have had information regarding this well are deceased with the exception of the individual mentioned in #1 above (James Elgin of Caldwell, Idaho).
6. I clearly remember my late husband, George L. Batt, telling me after we were married in 1961 that he had installed the well in 1950 and that it was very important that we maintain our claim of priority as this was one of the first wells of its type in our neighborhood. Over the years he often repeated this and in 1977 he filed and advertised a claim with IDWR to that effect. We also re-filed this claim in 1990 after my husband's death, Civil Case #39576.

Laurie Batt Youlden
(Signature)

Just prior to mailing this document I received a call from a neighbor who ^{has} lived all his life in our neighborhood. He clearly recalled my late husband putting this well in in 1950. He is pretty sure the well was drilled by Doty well drilling but over

he is not 100% sure about the drinker. He stated he is willing to provide IDWR with a statement to that effect if necessary. His name is -

Jay Marchbanks

19664 Purple Sage Rd

Caldwell, ID 83607

Ph - 459-2783

ok to file
BDR

April 5, 1977

Re: #63-4413

Mr. George Batt
Route 5
Caldwell, Idaho 83605

Dear Mr. Batt:

This letter is to confirm a water measurement taken on your well
March 24, 1977, at approximately 9:45 a.m.

The measurement was taken over a two-foot Cipalatti Weir installed
below the discharge pipe from the well. No other water was in the
ditch at the time of the measurement.

The head in feet reading was .40 which converted by standard chart
equalled 1.7 cfs or 85 miners inches.

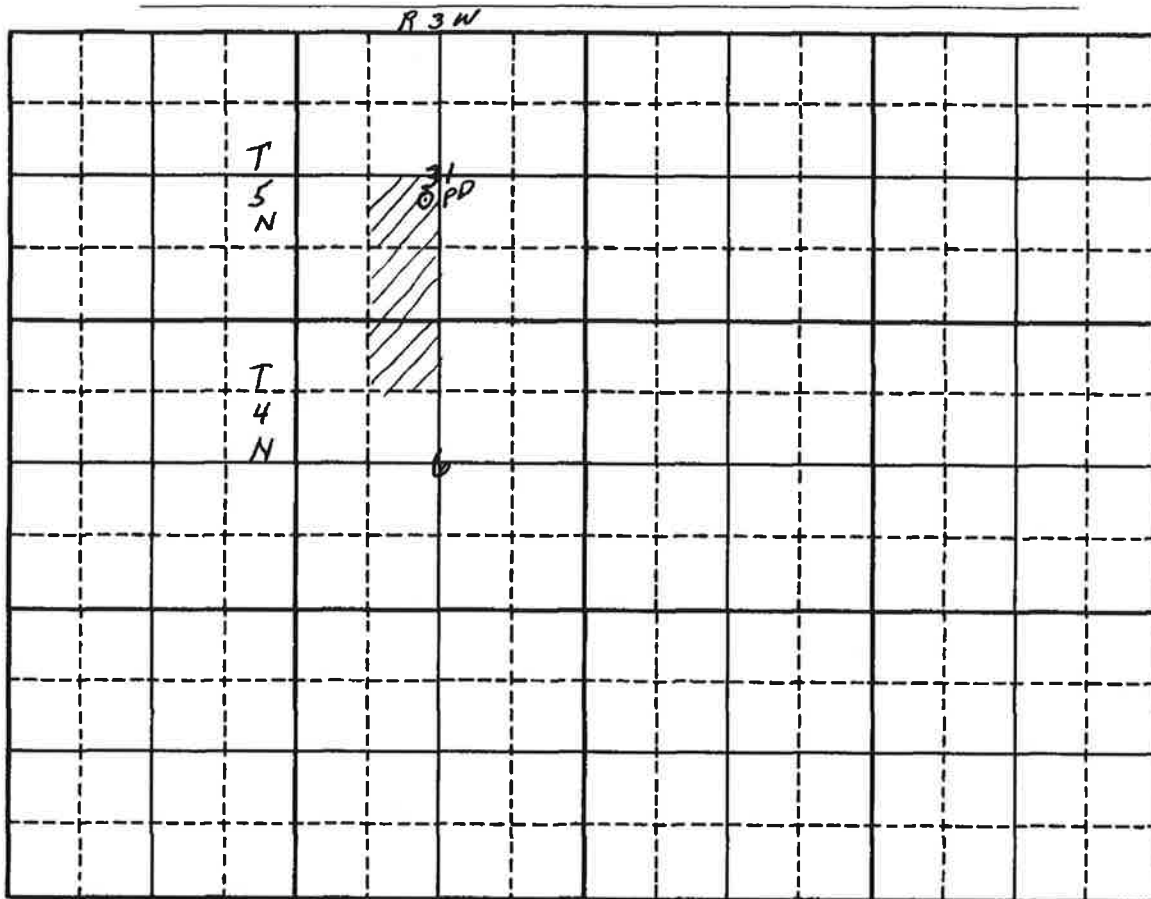
A copy of this letter will be placed in your file for future
reference. If we can be of any assistance in the future, please
do not hesitate to contact this office.

Sincerely,

ERVIN E. GALLON 
Senior Water Resource Agent

EEB:lp

(8) Remarks Irrigation rights in First Unit of the Black Canyon Irrigation District.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Canyon) ss.

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

Sworn to before me this 4th day of February, 19 77.

George L. Batt
(Claimant)
Reuben D. Stringfield
Notary Public
Residing at 1821 Howard
Caldwell, Ida

My commission expires Dec. 1981

For Department Use Only

Received by <u>2/9/77</u>	Date <u>2-9-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>PS</u>	Date <u>2-9-77</u>		claimant by:	
\$10.00 fee received by <u>N</u>	Date <u>2-9-77</u> # <u>6635</u>			
Approved for publication by				
Published in <u>Idaho Tribune</u>				
Dates <u>Feb 17 + 24</u>				



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 23, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ATLAS FARMS INC
ATTN: LAUNIE BATT
17528 WILLIS RD
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4413

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 April 20, 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.

Page 2
3/23/2006

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.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-4413

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.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4413**

03/14/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2322A	Claim	04N	03W	6	NE	NW		IRRIGATION	40/6152	BLACK CANYON IRRIGATION DIST
2878	Claim	04N	03W	6	NE	NW		IRRIGATION	40/6927	BLACK CANYON IRRIGATION DIST
2322	Claim	04N	03W	6	NE	NW		IRRIGATION	40/6152	UNITED STATES OF AMERICA ACTING THROUGH
4413	Claim	04N	03W	6	NE	NW		IRRIGATION	40/120	ATLAS FARMS INC
2322	Water Right	04N	03W	6	NE	NW		IRRIGATION	40/6152	US DEPT OF INTERIOR
4413	Water Right	04N	03W	6	NE	NW		IRRIGATION	40/120	GEORGE L BATT
2322A	Claim	05N	03W	31	NE	SW		IRRIGATION	40/6152	BLACK CANYON IRRIGATION DIST
2322	Water Right	05N	03W	31	NE	SW		IRRIGATION	40/6152	US DEPT OF INTERIOR
4413	Water Right	05N	03W	31	NE	SW		IRRIGATION	40/120	GEORGE L BATT
2878	Claim	05N	03W	31	NE	SW		IRRIGATION	40/6927	BLACK CANYON IRRIGATION DIST
2322	Claim	05N	03W	31	NE	SW		IRRIGATION	40/6152	UNITED STATES OF AMERICA ACTING THROUGH
4413	Claim	05N	03W	31	NE	SW		IRRIGATION	40/120	ATLAS FARMS INC
2878	Claim	05N	03W	31	SE	SW		IRRIGATION	49/6927	BLACK CANYON IRRIGATION DIST
2322A	Claim	05N	03W	31	SE	SW		IRRIGATION	49/6152	BLACK CANYON IRRIGATION DIST
2322	Water Right	05N	03W	31	SE	SW		IRRIGATION	49/6152	US DEPT OF INTERIOR
4413	Claim	05N	03W	31	SE	SW		IRRIGATION	40/120	ATLAS FARMS INC
4413	Water Right	05N	03W	31	SE	SW		IRRIGATION	40/120	GEORGE L BATT
2322	Claim	05N	03W	31	SE	SW		IRRIGATION	49/6152	UNITED STATES OF AMERICA ACTING THROUGH

Receipt Details for ID W009615

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/27/1990 10:10:08 AM	2/27/1990	Western	\$170.00	Check
Payer	ATLAS FARMS, INC.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3809			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$170.00	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
63	4413		\$170.00	Claim

Print Report

REAL PROPERTY INQUIRY

+++++

01 6R38098-010- -0 082-00 SCH135+ 01 82,800 84.76

+++++ 19 3.00

ATLAS FARMS INC +

% BATT, LAUNIE A +

+

+

+

+

17528 WILLIS RD APT A +

CALDWELL ID 83607 +

+++++

31-5N-3W SW + TOTAL 82,800 87.76

NESW & LT 5 LS E250' OF THE S 250' ++++++

+ SURVEY INST 9201961

+ DRAIN DR VALUE APPR DYW

+ CLASS REAP 04 MAN UNIT 0

WILLIS RD, CA

+ PARCEL 6R05N03W314949 H/O N C/B N

+ PRIOR ACCOUNT 5R38098-010- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R38098010 0 UNIT 001 TOTAL UNITS

SITE WILLIS RD CA SEC/TWN/RNG 31-5N-3W

ASSESSED VALUE 82,800 ACREAGE 87.76

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL PROPERTY INQUIRY

```
+++++
01 6R34586-000- -0 082-00 SCH135+ 01 28,700 34.68
+++++ 19 .91
ATLAS FARMS INC +
% BATT, LAUNIE A +
+
+
+
17528 WILLIS RD APT A +
CALDWELL ID 83605 +
+++++
06-4N-3W NW + TOTAL 28,700 35.59
LT 3 LS TX 6 & 96316 ++++++
+ SURVEY INST 9201959
+ DRAIN DR VALUE APPR CTR
+ CLASS REAP 02 MAN UNIT 0
WILLIS RD, CA + PARCEL 6R04N03W062400 H/O N C/B N
+ PRIOR ACCOUNT 5R34586-000- -0
+ 02 MH on Property NO
```

ACCOUNT NUMBER R34586000 0

UNIT 001

TOTAL UNITS

SITE WILLIS RD CA SEC/TWN/RNG 06-4N-3W

ASSESSED VALUE 28,700 ACREAGE 35.59

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Delivery point from A63-04413
Black Canyon IRR DIST.

Picture #1



6" Discharge to cement ditch for gravity IRR.

Picture #3



40 Acres of PROPERTY



Picture #2

Location by Idaho Power.



Picture #4

IS-NSP

6" Discharge Line

**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
- ☐ 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 completeClaim No(s) A63-04413Owner: ALTA FARM INC Phone No. 208-459-1112 *change*Current Address: 17528 Quinn Rd.

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Laurie Wyoulden
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: Laurie Wyoulden**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: June 30, 1950

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

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
		32	NE	SW	31	5N	3N	Canyon	

Description of diverting works

1.5 HSP Pump 12" well 70' Deep**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

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

WATER USES

- ☐ No change
- ☐ Different Uses

Use IRRIGATION From 04/01 To 11/15 Amount 2.400 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 NONE
- ☐ 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	
04N	03W	6					40.0												40.0
05N	03W	31									40.0								40.00
05N	03W	31												40.0					40.0
																			120.0

Overlap with other water rights: Black Canyon IRR. DISTRICT.

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

Delivery System Narrative: Well is Supplemental to IRR. DIST.

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Well is used to supplement the Black Canyon IRRigation DISTRICT Water. The Well has not been turned on (according to Roger). This Season I did not think power was on for well at this time, because of cost. The water in the cement Ditch is Black Canyon IRR. Water (See picture #1). All well water to the 120 Acres is By Gravity IRRigation.

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: 8-27-2005

FIELD EXAMINER: Kent Henley

FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

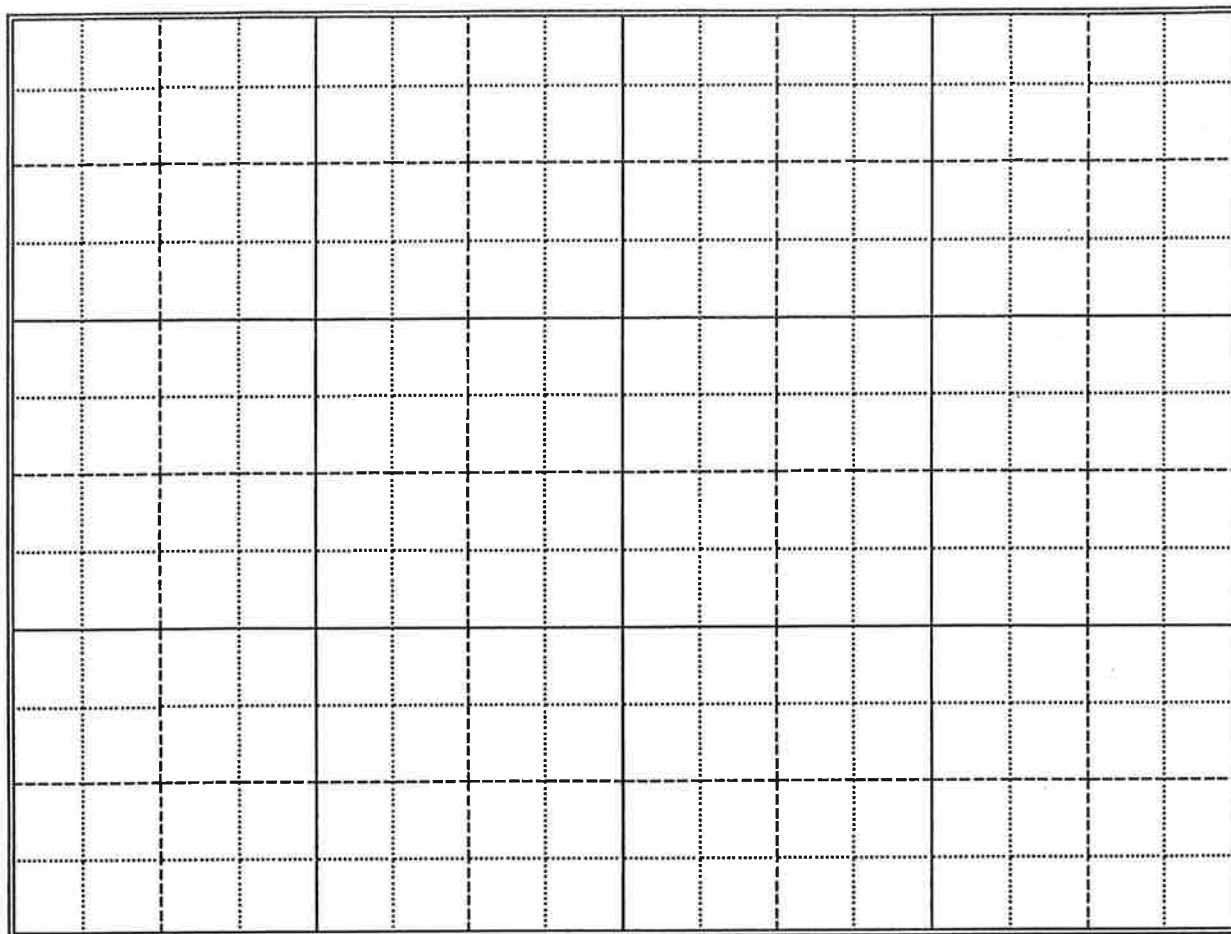
$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{180 \times 4.5 = 540 \text{ AF/y}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{2.4 \times 260 \times 1.9835 = 1237.70}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{540}$$

2. Volume Calculations for Other Uses:

Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	<i>Model</i> Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	15	5K6253XC28A	Submersible	6"

*Code to correspond with No. on map and aerial photo

FLOW MEASUREMENTS

1.

GPS 2279091
USR 1395542

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 29, 1992

Atlas Farms, Inc.
17528 Willis Rd.
Caldwell, ID 83605

Re: Snake River Basin Adjudication (SRBA)
Canyon County - Claim No(s). A63-04413

Dear Claimant,

We are returning your Notice of Claim to a Water Right filed for your property in Canyon County. We are also enclosing Receipt No. W009615 in the amount of \$170.00, for the filing fees. Please retain the receipt for your records. We have noted a problem with your claim which requires your attention.

The notary public's seal is a required element of the claim form. After you have obtained this seal at the bottom of the last page, we will be able to process this claim.

Please return these documents to my attention by May 27, 1992, or late fees will apply. If we do not receive the documents by that date, we will assume you do not wish to continue the filing process and will begin the refund process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm:state:tf

Enclosures:

Claim No. A63-04413

Receipt No. W009615

MICROFILMED

AUG 20 1992