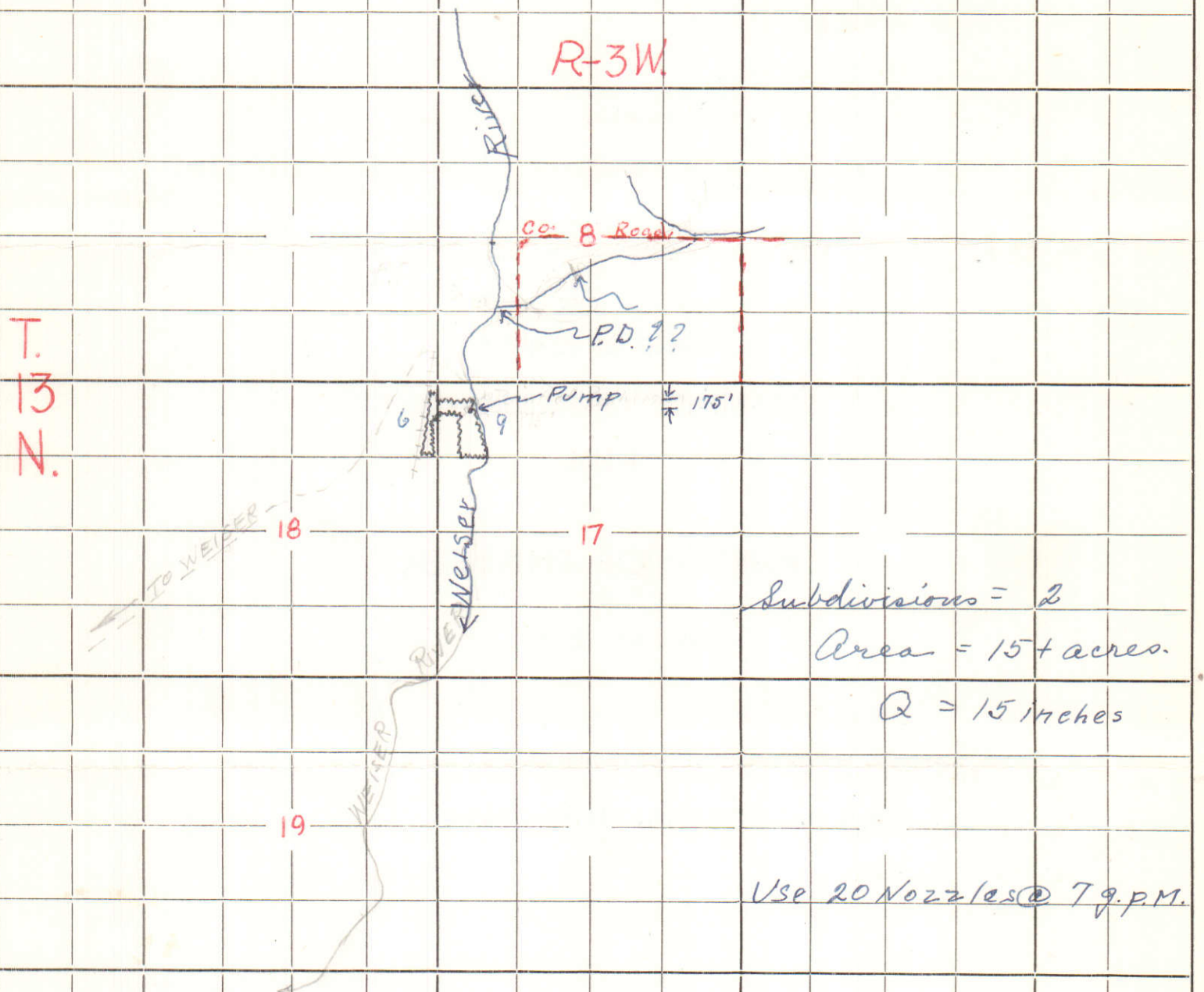


Tax 58 = 130 = NW NW S17 (estimate)

" 40 = 89 = my estimate looking at map in assessors office.



Subdivisions = 2

Area = 15+ acres.

Q = 15 inches

Use 20 Nozzles @ 7 g.p.m.

This point of diversion should be where the constructed drain enters the natural drain rather than where the natural drain enters the river. In such case the P.D. is correct.

no definite info. in assessors office re. size of fields
nor total amt of land. Est. 13 acres.
no info. in S.C.S. office.

Virgil H. Battershell
Midvale, Idaho
Permit No. 24388

Examination for Beneficial Use

County Washington

P.D. = 8-13N.-3W.

Re-Div. = 17- " "

Q = 0.3 a.c.s.

S = Un-named stream

P.D. = NE. SW. Sec. 8, T. 13N. - R. 3W

Re-Div. = NW. NW. " 17, " "

See Irrigation

drain water into weaves R.

cut by pump in midvale.

Quantity = Aug. 17, 1953
Dec. - Aug. 24, 1956

CPW = 9-20-54

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.

P. More motor 7 1/2 hp.
F 36 956 220V
18.69 2890 rpm

Centrifugal pump.

3" in x 2" out. no name
no number

2M Switchboard #8830.

GE 7 motor 240V

33009019.

Small shed 6' x 5' x 5' 1/2.

wood - open E & W.

24' x 3 1/2" into river
pipe.

15 a.cres.

19-3' x 40'

16-3' x 30'

10-4' x 30'

20 nozzles 3/16" x 7/32

Rainbird #40

Anderson Miller fitting

55# pie of pump.

AFFIDAVIT OF 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 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 is 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 is N. E. Quarter of the N. E. Quarter, Section 18 six acres and the North west quarter of the North West 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 fed from a developed drain water which is a tributary of the Weiser River.

The date of priority which said user is prepared to establish is August 17, 1953.

MARK R. KULP 10-4
State Reclamation Engineer.

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for four..... consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of September 16, 1954., and ended with the issue of Oct. 1., 1954.

Stuart Dopf

Subscribed and sworn to before me this

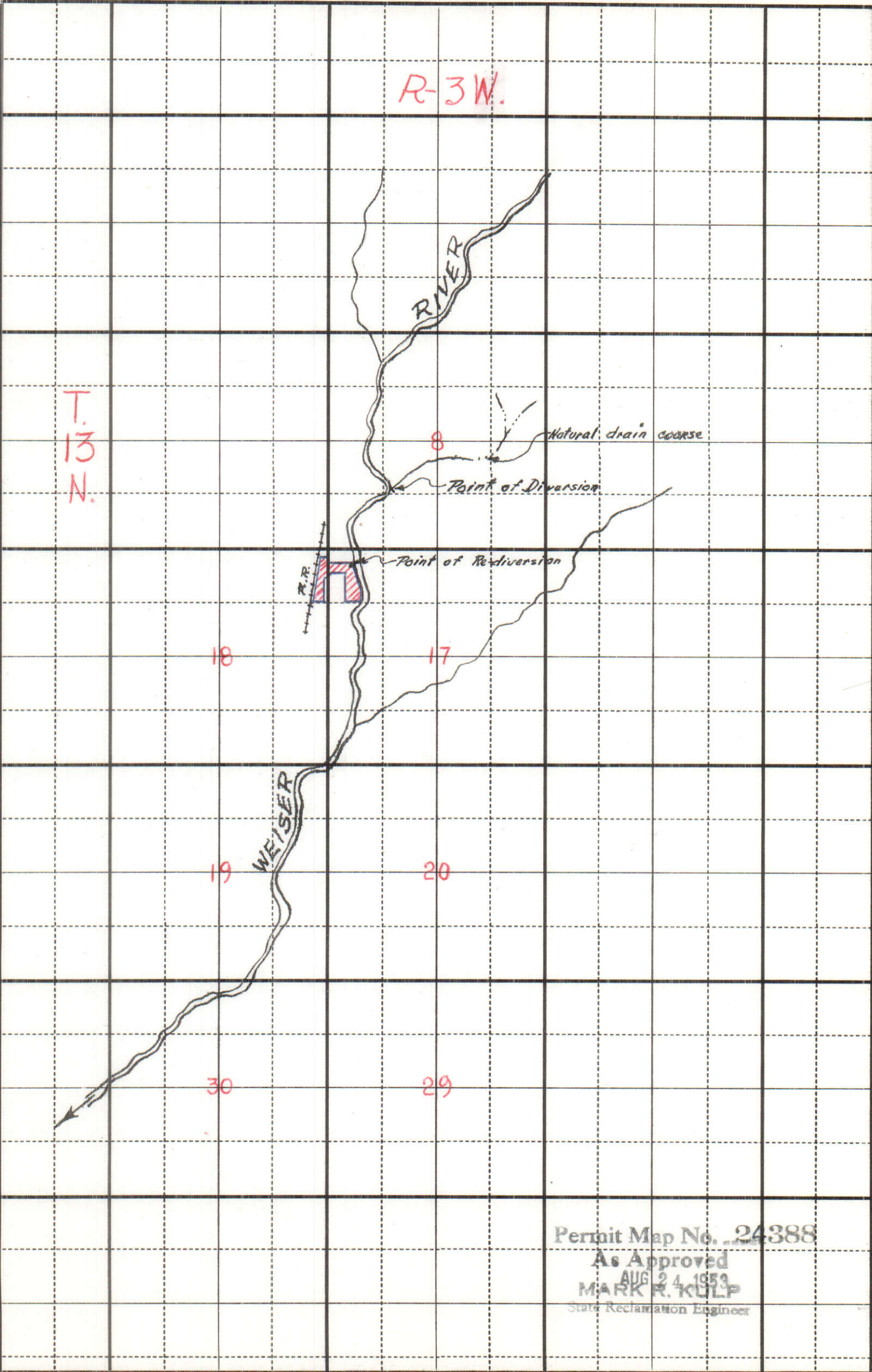
7th day of October, 1954

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

24388

RECEIVED
OCT 28 1954
Department of Reclamation



Permit Map No. 24388
As Approved
AUG 24 1953
MARK R. KULP
State Reclamation Engineer

West

Rail Road

Grain Elevator

18
Virgil H. Battershell

610' section line
940'

CITY Property

275'

730'

375'

South

24388

Weiser

Point of
DIVERSION

East

130'

175'

386'

Lodge Hall

Bert Wilburn

Joe Heinrich

Street

Section Corner

Bridge

North

Midvale

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 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 is 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 is N. E. Quarter of the N. E. Quarter, Section 18 six acres and the North west quarter of the North West 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 fed from a developed drain water which is a tributary of the Weiser River.

The date of priority which said user is prepared to establish is August 17, 1953.

MARK R. KULP

State Reclamation Engineer.

9-16-54
10-4

State of Idaho
License and Certificate of Water Right

Water License No. 24388

Amount 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 foot 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	NW 1/4 NW 1/4	9	9
		18	NE 1/4 NE 1/4	6	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.

(SEAL) MARK R. KILP
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 20603 Amount 0.13 second foot
Water District No. Priority August 9, 1948

THIS IS TO CERTIFY that JOHN REMPP
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 9, 1948; that Permit No. 20603
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
32 inches ~~second foot~~, was issued thereunder on May 29, 1951, showing that said works
were completed on the 28th day of May, 1951; and that on the 30th
day of July, 1952,
JOHN REMPP

of Nampa, 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 ~~contributing to~~, for the purpose of irrigation
, under Use Permit No. 20603 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 5522, on the 19th day of July, 1955;
The right hereby confirmed dates from August 9, 1948;
The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 30, Tp. 3 N., R. 1 W., B. M. Canyon 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 0.13 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	1 W.	30	SE 1/4 NE 1/4 SE 1/4	20	6.55

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
19th day of July, 1955.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

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 H. 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 4 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

IDENT. NO. 67-2233

WATER RIGHT
DATA ENTRY LOG

[illegible]

✓
July 15, 1955

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

We enclose License and Certificate of Water Right issued under Permit No. 24388 confirming your right to the use of 0.3 second foot of water from an un-named stream (waste water from a natural drain) a tributary of Weiser River with priority of August 17, 1953 and point of diversion from the Weiser River in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, Township 13 North, Range 3 West, B.M. for irrigation of 15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 13 North, Range 3 West, B.M.

We also enclose departmental receipt No. 27440 for the \$4.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

24388

✓
July 11, 1955

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

The report of our Field Engineer on examination for Beneficial Use on your Permit No. 24388 shows that you have irrigated approximately 15 acres of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Township 13 North, Range 3 West, B. M., from an un-named stream tributary to Weiser River.

A License can therefore be issued for 15 inches or .3 cubic foot per second of water upon receipt of a statutory fee amounting to \$4.00

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

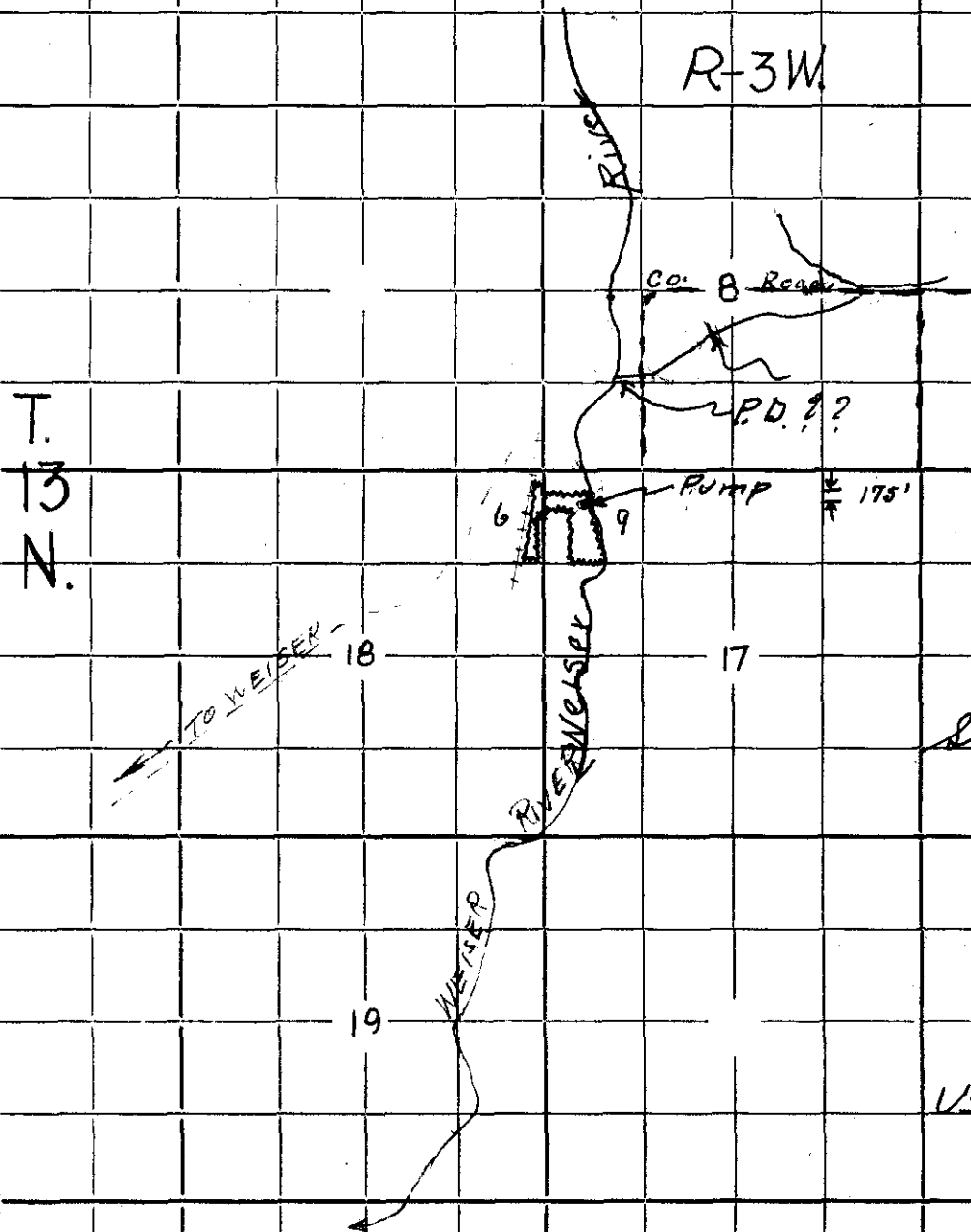
Chief Clerk

A:cu

24 388

Tax 58 = 135 = NW NW S17 (Timate)

" 40 = 89 = my estimate looking at map in assessors office.



Subdivisions = 2

Area = 15+ acres.

Q = 15 inches

Use 20 Nozzles @ 79 p.m.

This point of diversion should be where the constructed drain enters the natural drain rather than where the natural drain enters the river. In such case the P.D. is correct.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 24388

REPORT ON PROOF OF Beneficial Use

VIRGIL H. BATTERSHELL, Midvale, Idaho

3 cfs
small
1 mi. to river

app. 15 "

15 acres
2-40's

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

P.D. = 8-13N.-3W.

Re-Div. = 17- " "

Q = 0.3 c.f.s.

S = An-named stream

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

Re-Div. = NW. NW. " 17, " "

Use - Irrigation

Drain water into Weiser R.
out by pump in midvale.

Priority = Aug. 17, 1953
Due = Aug. 24, 1956

QW = 9-20-54

L. More motor 7 1/2 hp.
#F36956 220V.
18.6A. 2890 rpm

Centrifugal pump
3" in x 2" out, no name
no number

E.M. Switchboard #830.

G.E. Meter 240V
35009019

Small shed 6' x 5' x 5 1/2'.
wood - open E. & W.

24' x 3 1/2" into river
pipe

15 acres.

19 - 3' x 40'

16 - 3' x 30'

10 - 4" x 30'

20 nozzles = 3/16" x 3/32" 55 psi at pump

Rainbird #40

Anderson Miller letter

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 NW $\frac{1}{4}$ 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 32" 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):

NW $\frac{1}{4}$ 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. M. Humphrey Examiner.

24388

✓
October 29, 1954

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

We now have the affidavit of publication in the Cambridge News-Reporter which completes your proof of Beneficial Use on Permit No. 24388.

Before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KUL
State Reclamation Engineer
By

Chief Clerk

A:br

24388

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for four..... consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of September 16, 1954., and ended with the issue of Oct. 1., 1954.

Stuart Dopf

Subscribed and sworn to before me this

7th day of October, 1954

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

24388

RECEIVED
OCT 28 1954
Department of Reclamation

October 25, 1954

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use on Permit No. 24388.

However, the affidavit of publication is a necessary part of this proof and the Cambridge News Reporter was instructed to send this to you.

If you have not received it we suggest you take the matter up with them at once.

Meanwhile, we return your Certificate of Completion of Works which you will wish to keep in your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

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 West 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 nozzels 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 Twnship Thirteen North Range three West 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

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

My commission expires May 10 1956

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 E. Holmes, age 31 years. Midvale Idaho
Rancher (Livestock)

Ques. 2. Are you acquainted with Virg 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 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. Goodright
Residing at Midvale Idaho Notary Public.

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 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 $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18- 9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17 in Twp 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 since the system has been 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. Horning

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.

J. H. Gooding

Notary Public.

My commission expires May 10 1956

Residing at Midvale Idaho

24388

✓
September 20, 1954

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

We enclose Certificate of Completion of Works issued on Permit No. 24388 for the diversion of 15 inches of water from an un-named stream (waste water) with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, Township 13 North, Range 3 West, B. M. for irrigation of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, same township and range.

We also enclose departmental receipt No. 26921 for the \$5.00 fee paid in connection with Completion of Works proof.

We have sent to the Cambridge News Reporter a copy of notice of Beneficial Use proof to be made on this permit October 18, 1954, with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set you should appear before Mr. J. H. Goodnight, Notary Public, together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bf
Encls.

24388

Trieste Idaho
Sept 10-54

Mr Mark D. Kulp

Dear Sir

I am sorry I forgot to
inclose check for fee on papers
I sent to your office yesterday
So please find enclosed check
for same

Respect yours
Virgil H. Patterson

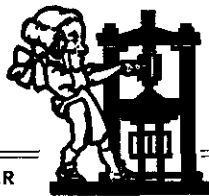
RECEIVED
SEP 14 1954
Department of Reclamation

24 388

THE UPPER COUNTRY

NEWS-REPORTER

PUBLISHED WEEKLY SINCE 1889



Printers=Publishers

CONSOLIDATION OF THE CAMBRIDGE NEWS AND MIDVALE REPORTER

STUART & BETHEL DOPF, PUBLISHERS

CAMBRIDGE, IDAHO

Sept. 13, 1954

24388
Dept. of Reclamation
Boise, Idaho

Dear Sir:

With thanks we acknowledge receipt of Permit No. 24388 for Virgil H. Battershell of Midvale for publication for four weeks.

Very truly yours

Stuart Dopf
Stuart Dopf

RECEIVED
SEP 14 1954
Department of Reclamation

24388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 24388

News Reporter

Date: September 11, 1954

Cambridge, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **October 18, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **Virgil H. Battershell** of **Midvale** **Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

24388



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

September 11, 1954

RECEIVED
SEP 16 1954

Department of Reclamation

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

We are in receipt of your affidavit in proof of Completion of Works on Permit No. 24388 together with notice for Beneficial Use to be made on this Permit October 18, 1954, and authorization to publish same in the Cambridge News Reporter.

However, your proof of Completion of Works does not give a description of the works which you have constructed and we return same for such completion.

If a pump has been installed please give the kind and power of same, and also describe your sprinkler system as to the number and size of the pipes.

This information may be given under paragraph 9.

The statutory fee of \$5.00 should also accompany your proof of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson

Chief Clerk

A:br

Enc.

Mr. Mark R. Kulp

Dear Sir
Please find enclosed information you requested & also send a check for \$5.00 for fee so think you have received it by now
Respectfully
Virgil H. Battershell

24388

Permit No. 24388STATE OF IDAHO
Department of ReclamationRECEIVED
SEP 11 1954
Department of Reclamation
70/20

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 Midvale
State 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 acre feet.(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 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: Reserved 6 acres in the NE Quarter
of the NE Quarter of Section Eighteen, and 9 acres in NW Quarter of
of the NW quarter Section 17 all in Twp. Thirteen North Range Three
West of The Boise Meridian, in Washington County State of Idaho24388
7½ H.P. Fairbanks - Morris Electric motor and 7½ in
close coupled pump.
300 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 ell, - 2 2½ 3 in Tees and 1
4 x 3 reducer, Cost IRON 1511.00
Cost of power line \$950.00Subscribed and sworn to before me this day My commission expires May 10 - 1956J. H. Goodrich
Notary Public,
Residing at Midvale Idaho

24388

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

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 Midvale
State of IdahoFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 24th, 1956.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

(State whether ditch, flume or pipe)

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: 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 9th day of September, 1957My commission expires May 10 - 1956

Notary Public

J. H. Goodrich
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
Department
heretofore issued by the Engineer of Reclamation of the State of Idaho 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)

Section 18 six acres and the North west quarter of the North west 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 Meiser River

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

MARK R. KULP
State Reclamation Engineer.

24388

✓
July 19, 1954

RE: Permit No. 24388

Mr. Virgil H. Battershell
Midvale
Idaho

Dear Mr. Battershell:

As requested by your son-in-law, we have checked your permit No. 24388 and find that the proofs of Completion of Works and Beneficial Use required to complete your water right will not be due until August 24, 1956. However, they may be made at any earlier date that you are prepared to make them.

Proof of Completion of Works can be made by executing form 6 enclosed before a Notary Public and returning same with the statutory fee of \$5.00.

In order to make proof of Beneficial Use, the law requires the publication of a notice in a county newspaper once a week for four weeks before the date set for making proof. This notice should be made in duplicate on form 10 enclosed setting the time and place and naming the Notary Public before whom the proof is to be made.

The proof may be made at Midvale or any place convenient for you and your two witnesses, and the time must be set far enough ahead to allow for four weeks publication.

Both copies of form 10 to be returned to this Department together with form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

24388
A:br
Enc.

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

B O I S E

Permit No. 24388

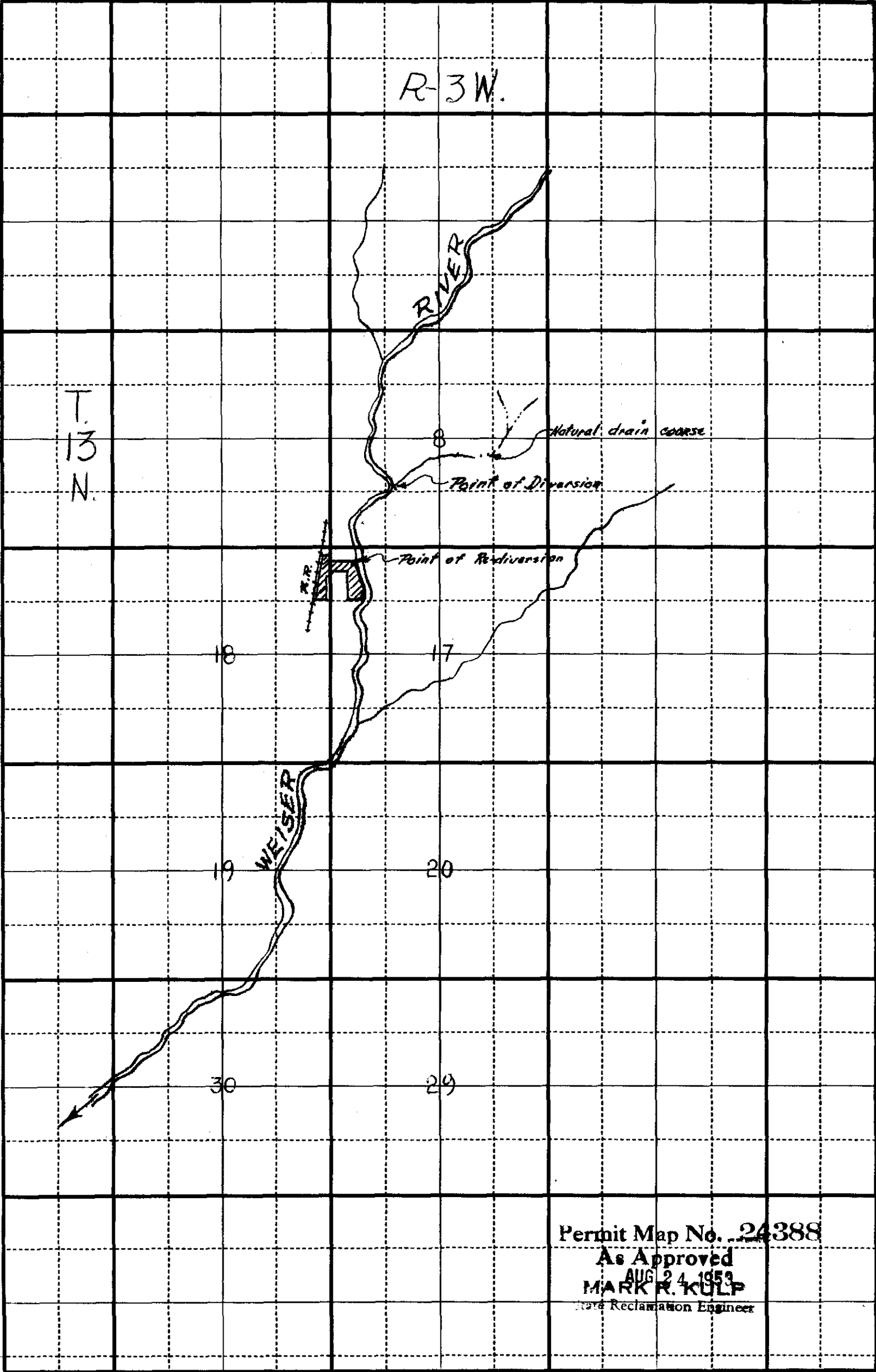
Date September 3, 1953

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Virgil H. Battershell
Midvale
Idaho

MARK R. KULP
State Reclamation Engineer

24388



Permit Map No. 24388
As Approved
AUG 24 1953
MARK R. KULP
State Reclamation Engineer

West

Rail Road

Grain Elevator

130'

175'

CITY MIDWAY

Lodge Hall

Joe Heinrich

SECTION CORNER

BRIDGE

North

Bert Wilburn

18
Virgil H. Battershall

17

610' SECTION E. LINE
940'

CITY PROPERTY

275'

730'

66'

375'

SOUTH

24388

Weiser

POINT OF
DIVERSION

East

Middle Fork
Aug 15 - 53

Mr Roy Thomason

Dear Sir

This is the map of my place you wanted to complete my water filing, I think I have every thing here you will need. But if not let me know and I will try and supply it

Respect yours

Virgil H. Patterson

RECEIVED
AUG 17 1953
Department of Reclamation

24388

**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 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 is 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 is N. E. Quarter of the N. E. Quarter, Section 18 six acres and the North west quarter of the North West quarter of Section 17 6 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 said water is diverted is Waste water from natural drain fed from developed drain water which is tributary of the Weiser River.

The date of priority which said water is prepared to establish is 17, 1953.

9-16-54
MARK R. KULP 10-4
State Reclamation Engineer.