

---

Sec 23

Well

----- pipelines

For Department Use Only

|                                       |                                  |                     |              |      |
|---------------------------------------|----------------------------------|---------------------|--------------|------|
| Received by <u>rw 3-31-77</u>         | Date <u>3-31-77</u>              | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>GLS</u>           | Date <u>4-8-77</u>               |                     | claimant by: |      |
| \$10.00 fee received by <u>rw</u>     | Date <u>4-8-77</u> # <u>7139</u> |                     |              |      |
| Approved for publication by <u>CS</u> | <u>4-14-77</u>                   |                     |              |      |
| Published in <u>News-Tribune</u>      |                                  |                     |              |      |
| Dates <u>4-21-77 + 4-28-77</u>        |                                  |                     |              |      |

AFFIDAVIT OF PUBLICATION

RECEIVED  
APR 23 1977

STATE OF IDAHO, )  
 ) SS.  
County of Canyon. )

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM TO A  
WATER RIGHT  
No. 63-4455

Notice is hereby given that ROBERT M. BATT P.O. Box 189, Caldwell, ID has filed a claim to a water right established by diversion and application to beneficial use of 450 gallons per minute of water from a groundwater source with the point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 23 T4N-R5W B.M., Canyon County.

The water is claimed to be used from April 1 to Oct. 1 for the irrigation of 40 acres with a priority of July 1946; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 23 T4N-R5W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

C. STEPHEN ALLRED  
Director  
April 21, 28, 1977

Verla Harker  
of Caldwell, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 21, 28, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 28th day of April

Adam D. Kaub  
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

UNRECORDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

Section 42-225a, Idaho Code

MAR 14 1977

Department of Water Resources

CLAIM TO A WATER RIGHT

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

Notice is hereby given that Robert M. Batt (name of claimant)  
of P. O. Box 189 Caldwell, Idaho (mailing address), claims a right to the diversion and beneficial use of  
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground Water  
\_\_\_\_\_, tributary to, \_\_\_\_\_
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |        |                   |     |                            |                     |                |    |                        |
|--------|-------------------|-----|----------------------------|---------------------|----------------|----|------------------------|
| Amount | <u>450 gpm</u>    | Use | <u>Irrigation</u>          | Period of Use: From | <u>April 1</u> | To | <u>October 1</u>       |
| Amount | _____             | Use | _____                      | Period of Use: From | _____          | To | _____                  |
| Amount | _____             | Use | _____                      | Period of Use: From | _____          | To | _____                  |
|        | (cfs, gpm or a/f) |     | (dom., irri., stock, etc.) |                     |                |    | (both dates inclusive) |
- (3) Total quantity of water claimed: \_\_\_\_\_ cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or 450 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) July 1946

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
NE ¼ SE ¼, Sec. 23 Twp. 4 N. Rge. 5 W. B. M. County of Canyon  
Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 10 HP turbine pump with 30 " casing and 15 H. Centrifical pump for pressure and pipelines

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

| T  | R  | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 4N | 5W | 23   |     |     |     |     |     |     |     |     |     |     |     |     | 40  |     |     |     | 40    |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres 40

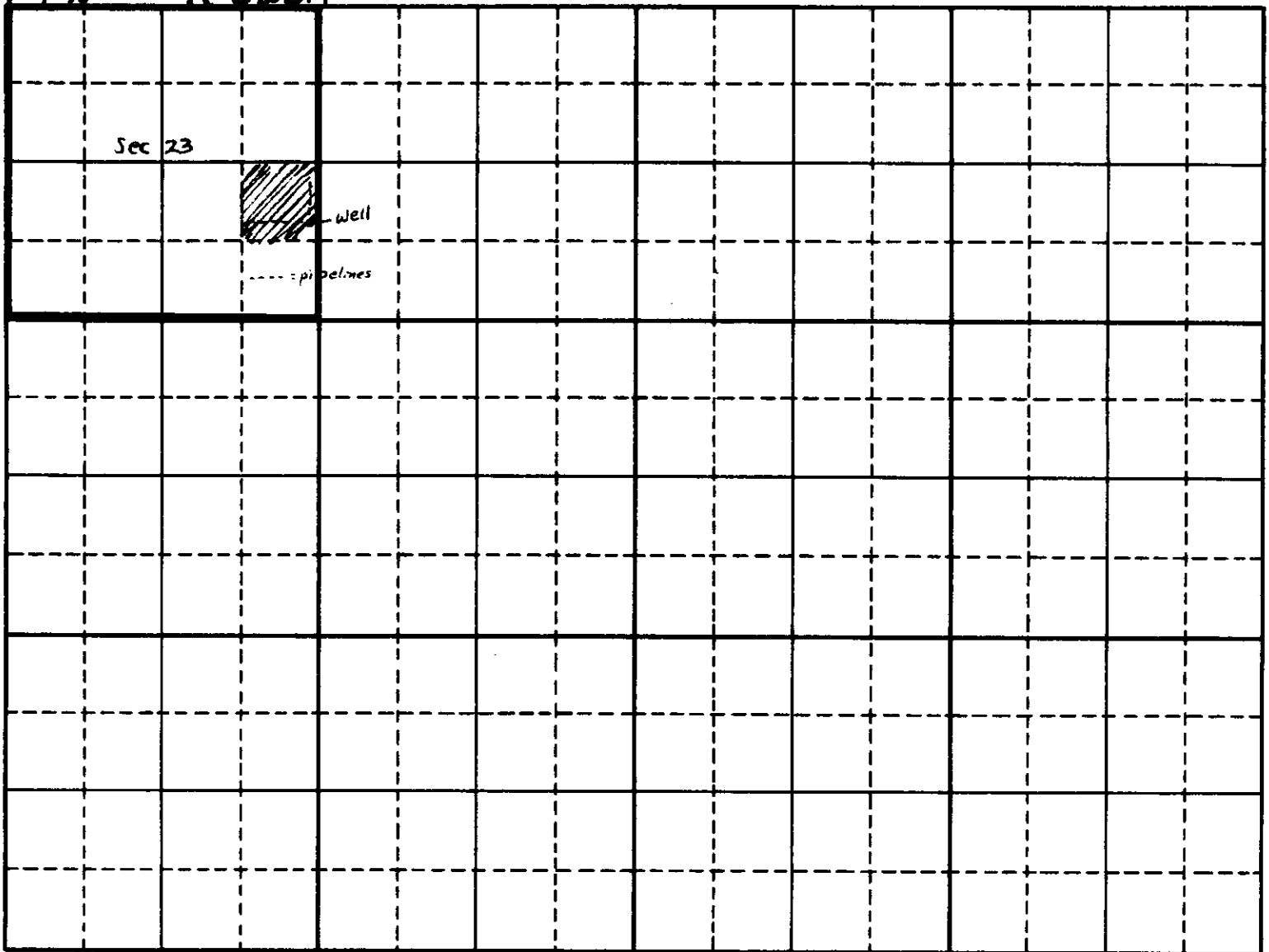
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

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

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(8) Remarks \_\_\_\_\_

T4N - R5WBM



Scale: 2 inches equal 1 mile.

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

State of Idaho )  
 ) ss.  
County of Canyon )

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 30th day of March, 1977.

Ed M. Batt  
(Claimant)

Lynn Garland  
Notary Public  
Residing at Caldwell, Idaho

My commission expires perpetual

For Department Use Only

|                                       |                |                     |                     |              |      |
|---------------------------------------|----------------|---------------------|---------------------|--------------|------|
| Received by <u>RW</u>                 | <u>3-31-77</u> | Date <u>4-8-77</u>  | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>GLS</u>           |                | Date <u>4-8-77</u>  |                     | claimant by: |      |
| \$10.00 fee received by <u>M</u>      |                | Date <u>4-8-77</u>  | # <u>7139</u>       |              |      |
| Approved for publication by <u>KS</u> |                | Date <u>4-14-77</u> |                     |              |      |
| Published in <u>Newspaper</u>         |                |                     |                     |              |      |
| Dates <u>4-21-77 + 4-28-77</u>        |                |                     |                     |              |      |

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, )  
 ) ss.  
County of Canyon. )

Verla Harker  
of Caldwell, Canyon County, Idaho, being first duly  
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all  
times hereinafter mentioned was over the age of twenty-one years,  
and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune,  
a daily, (except Sunday) newspaper published in the City of  
Caldwell, in the County of Canyon, State of Idaho; that  
the said newspaper is in general circulation in the said County of  
Canyon, and in the vicinity of Caldwell, and has  
been uninterruptedly published in said County during a period of  
seventy-eight consecutive weeks prior to the first publication of the  
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was  
published in said newspaper

Two Times  
in the regular and entire issue of said paper, and was  
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 21, 28, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 28th day of April

Adam Q Kaeb

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK  
5-2-77  
M  
MICROFILMED

ACT  
ION

N OWNER LAST NAME - BATT FIRST NAME - ROBERT M.  
N ADDRESS LINE 1 - P.O. BOX 189  
N CITY - CALDWELL STATE - ID ZIP CODE - 83605  
N SOURCE - GROUNDWATER  
N STAGE - STATRY CLM PRIORITY - 07-01-1946 COUNTY - CANYON TOTAL DIV. RATE - 1.0000CFS  
N DIVERSION POINT - NESE 23 04N 05W  
N FROM - 04-01 TO - 10-01 USE - IRRIGATION USE DIV. RATE - 1.0000CFS  
N USE - IRRIGATION PLACE OF USE - TWN 04N RNG 05W SEC 23 TRACT NESE AC 40

IDENT. NO. 63-4455

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

# WATER RIGHT DATA ENTRY LOG

[illegible]

- DATA ENTRY -

## Record

Present Owner: \_\_\_\_\_

**J. Right Basis (for adjudication claims A,B,C only):**

from to for purposes. Amount

8. Use Code: A

9. A. Decree Name:

10. Remarks: A.  
B.  
C.  
D.  
E.

11. Other Uses (Non-irrigation explanatory information):

## 12. Other Rights for Same Use:

**13. A. Proof Due Date:**

**B. Date Permit Approved or Denied:**

**C. Protested Date:**

**D. Hearing Date:**

E. Old Number:

**F. Proof Made (P or blank):**

G. Field Exam Made (P,R,F or blank):

**H. Conditions of Approval:**

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 63

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

☐ Pre-permit exam  
☐ Adjudication Claim  
☐ Dam Construction  
Papers Sent

(1) 629 4/8/77

In form to receipt

(2) \_\_\_\_\_

Send Copies to:

☐ Idaho State Health Department  
☐ Idaho Fish and Game Department  
☐ Bureau of Land Management

(3) \_\_\_\_\_

☐ Request Special Use Permit from U.S.F.S.  
☐ Request Easement from B.L.M.  
☐ Request Information from Applicant

(4) 629 4/8/77

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no ☒

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use none platted

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) Y OK

Affidavit of Publication received (date) 5-2-77

(12) \_\_\_\_\_

Final date for protests N/A

Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) \_\_\_\_\_

Action recommended:

☐ Approve ☐ Deny

☐ Proposed Priority

☐ Reason for Reduction \_\_\_\_\_

☐ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District W

By YH Date 5-9-77

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

May 10, 1977

Re: Claim to a Water Right No. 63-4455

Robert M. Batt  
P. O. Box 189  
Caldwell, ID 83605

Dear Mr. Batt:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS: rf

Enclosure

MICROFILMED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

April 19, 1977

Robert M. Batt  
P. O. Box 189  
Caldwell, ID 83605

Dear Mr. Batt:

Enclosed is your Receipt No. 7139 in the amount of \$ 30.00  
for Claim Nos. 63-4455, 63-4459 & 63-4460 which was received in  
this office on April 8, 1977.

Sincerely,

RITA FLECK  
Secretary

RF

Enclosure

MICROFILMED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION

Cecil D. Anderson  
Governor

R. Keith Higginson  
Director

92 South Cole Road  
Boise, Idaho 83705  
(208) 384-2190

April 15, 1977

Re: See attached sheets

News-Tribune  
P.O. Box 1179  
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

\_\_\_\_\_  
(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before May 9, 1977.

Sincerely,

Bill submitted  
5-2-77  
yf

MICROFILMED

Published in the News-Tribune, Caldwell, Idaho on April 21 & 28, 1977.

NOTICE OF CORRECTION

|         |                  |
|---------|------------------|
| 63-4435 | Ruth LeMaster    |
| 63-8567 | Yoshie Yamada    |
| 63-8572 | Wendell B. Platt |

NOTICE OF CLAIM TO A WATER RIGHT

|         |                                                       |
|---------|-------------------------------------------------------|
| 63-4453 | F. Eldon &/or Louise O. Cook                          |
| 63-4455 | Robert M. <del>XXXXX</del> Batt                       |
| 63-4456 | C. J. &/or Robert Kniefel                             |
| 63-4457 | Kniefel Farms, Inc.                                   |
| 63-4458 | Edgar W. Sells                                        |
| 63-4459 | Greenleaf Farms, Inc.                                 |
| 63-4460 | Greenleaf Farms, Inc.                                 |
| 63-4463 | Ivan &/or Alma Dillon                                 |
| 63-4466 | Harold Duane &/or <del>XXXXXXXX</del> Margret M. Root |

NOTICE OF APPLICATION FOR WATER PERMIT

|         |                                           |
|---------|-------------------------------------------|
| 63-8658 | J. C. Watson Co.                          |
| 63-8667 | Claude &/or Billie Percy                  |
| 63-8668 | Michio Takasugi                           |
| 63-8669 | Thomas J. &/or Mildred Brown              |
| 63-8671 | Willie Fletcher                           |
| 63-8675 | Michio Takssugi                           |
| 63-8677 | F. Eldon &/or Louise O. Cook              |
| 63-8679 | Marvin &/or <del>XXX</del> Vearl Sorenson |
| 63-8680 | Orville Obendorf                          |

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continued

Published in the News-Tribune, Caldwell, Idaho on April 21, 1977 & April 28, 1977.

|         |                                 |
|---------|---------------------------------|
| 63-8682 | Hultz Farms, Inc.               |
| 63-8683 | R. E. Maybon or Norma M. Maybon |
| 63-8684 | Cline J. &/or Winoma Sidener    |

**MICROFILMED**

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4455

Notice is hereby given that Robert M. Batt

P. O. Box 189, A Caldwell, ID  
has filed a claim to a water right established by diversion and application  
to beneficial use of 450 ~~gallons per minute~~ acres feet of water  
from a groundwater source

with the point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 23 T4N-R5W B.M., Canyon  
County

The water is claimed to be used from Apr 1 to Oct 1  
for the irrigation 40 acres

with a priority of July 1946;  
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 23 T4N-R5W B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON  
XXXXXXXXXXXXXXXXXXXX C. STEPHEN ALLRED  
Director

Published in the News-Tribune, Caldwell, Idaho  
on April 21, 1977 and April 28, 1977

MICROFILMED

April 5, 1977

Robert M. Batt  
P.O. Box 189  
Caldwell, Idaho 83605

Dear Mr. Batt:

We cannot accept any claim which if not accompanied by the required \$10.00 filing fee per claim.

In reviewing the claim in the name of Robert M. Batt, we noticed item (2) listed as two acre feet of water and item (3) showed 450 g.p.m. This would indicate that the well would only pump for approximately 24 hours during the period from April 1 to October 1.

If you apply two acre feet per acre item (2) should show this or 450 g.p.m. diversion rate and/or a total acre feet per annum in item (3).

Make the addition or corrections and return the claims and fees to this office for processing. If we can be of any additional service, please do not hesitate to contact this office.

Very truly yours,

ERVIN E. BALLOU  
Senior Water Resource Agent

EEB:cs

**MICROFILMED**

DETACH BEFORE DEPOSITING

EMPLOYEE

PERIOD  
ENDINGCHECK  
NO.

37285

| HOURS<br>WORKED | RATE | TOTAL<br>EARNED | DEDUCTIONS        |                |               |  |  |  | TOTAL<br>DEDUCTIONS | NET PAY |
|-----------------|------|-----------------|-------------------|----------------|---------------|--|--|--|---------------------|---------|
|                 |      |                 | STATE<br>UN. INS. | FED.<br>O.A.B. | WITH.<br>TAX. |  |  |  |                     |         |
| REG.            |      |                 |                   |                |               |  |  |  |                     |         |
| O.T.            |      |                 |                   |                |               |  |  |  |                     |         |

| DATE        | INVOICE NO. | DESCRIPTION           | AMOUNT | DISC. | NET AMOUNT |
|-------------|-------------|-----------------------|--------|-------|------------|
| MICROFILMED | a/c 155     | Three (3) filing fees |        |       | 30.00      |
|             |             |                       |        |       |            |

**GREENLEAF FARMS, INC.**  
CALDWELL, IDAHO