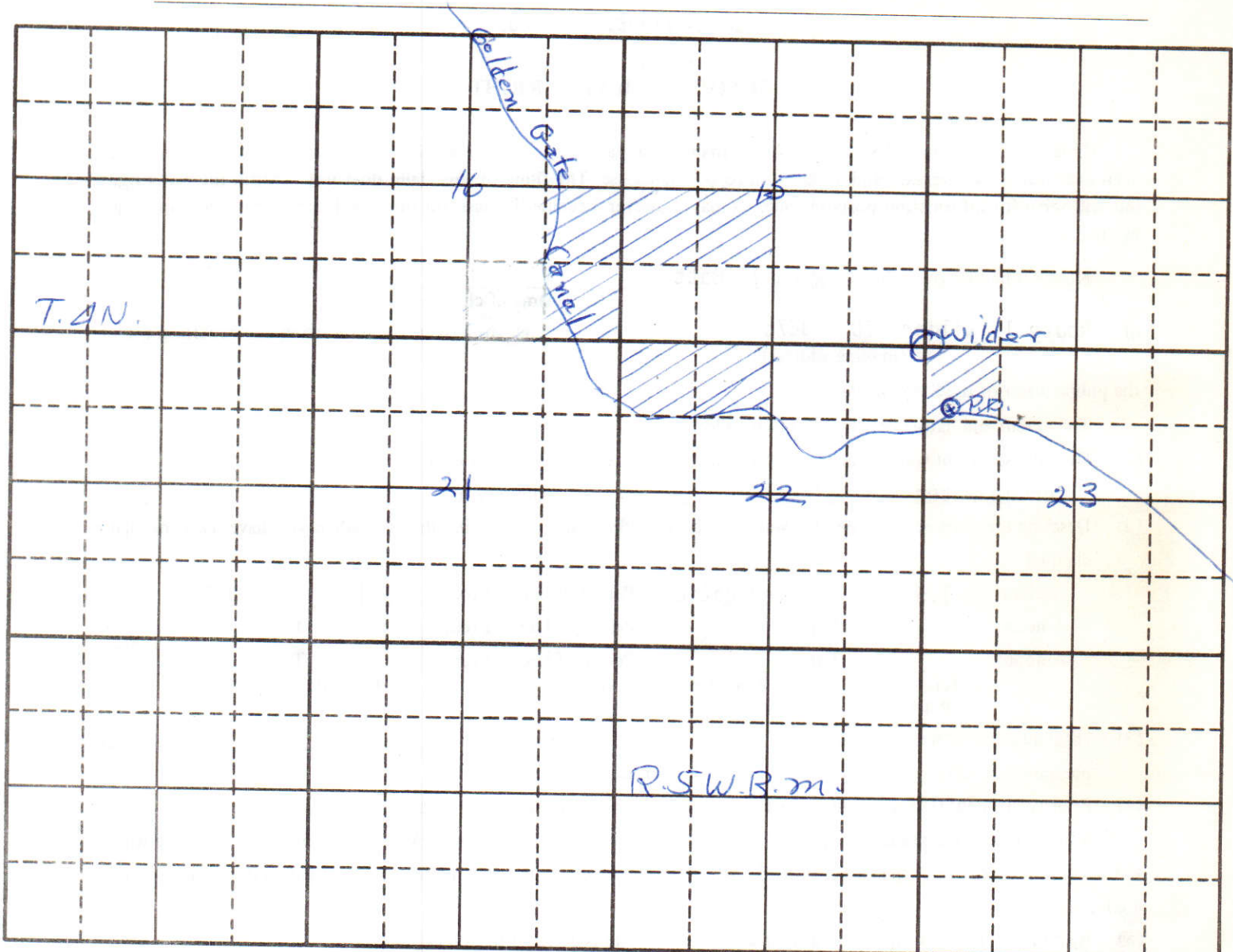


(8) Remarks Water is sometimes exchanged with the Wilder Irrigation District.



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 Ada) 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 3rd day of March, 19 77.

Wendell Bell
(Claimant)
Rita Bendale
Notary Public
Residing at Boise, ID

My commission expires March 8, 1980

For Department Use Only

Received by R.W.H. Date 3-3-77 Exception filed by: Forwarded to Date
Prelim. check by R.W.H. Date 3-3-77 claimant by:
\$10.00 fee received by CS 6754 Date 3-3-77
Approved for publication by 3-4-1977
Published in News Tribune
Dates Mar 10 + Mar 12, 1977 R.W.H. 3-21-77

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 18 1977

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

Department of Water Resources
Western Regional Office

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:

March 10, 17, 1977

Verla Harker

Subscribed and sworn to before me this _____

17th day of March
19 77

Adam & Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4428

Notice is hereby given that
WENDELL BATT, Route 1,
Wilder, Idaho, has filed a claim
to a water right established by
diversion and application to
beneficial use of 1.5 cubic feet
per second from a groundwater
source with the point of diver-
sion in the NW 1/4 NW 1/4 Sec. 23
T4N-R5W, Canyon County.

The water is claimed to be
used from April 1 to October 31
for irrigation of 265 acres with a
priority of 1959; the place of use
is within the NW 1/4 NW 1/4 Sec. 23;
N 1/2 NW 1/4 Sec. 22; N 1/2 SW 1/4 Sec.
15; NE 1/4 SE 1/4, SE 1/4 SE 1/4 Sec.
16; T4N-R5W.

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
Director
March 10, 17, 1977.

MICROFILMED

R.W.H.
3-21-77

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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 Wendell Batt (name of claimant)
of Route 1 Wilder, ID 83676, claims a right to the diversion and beneficial use of
(mailing address)
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) _____
groundwater, 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>1.5</u> | Use | <u>irrigation</u> | Period of Use: From | <u>4-1</u> | To | <u>10-31</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: 1.5 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1959

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)
NW ¼ NW ¼, Sec. 23 Twp. 4N Rge. 5W 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. When water is not needed in NWNW Sec 23, it is pumped into Golden Gate Canal and taken to property downstream.
(See remarks)

- (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.

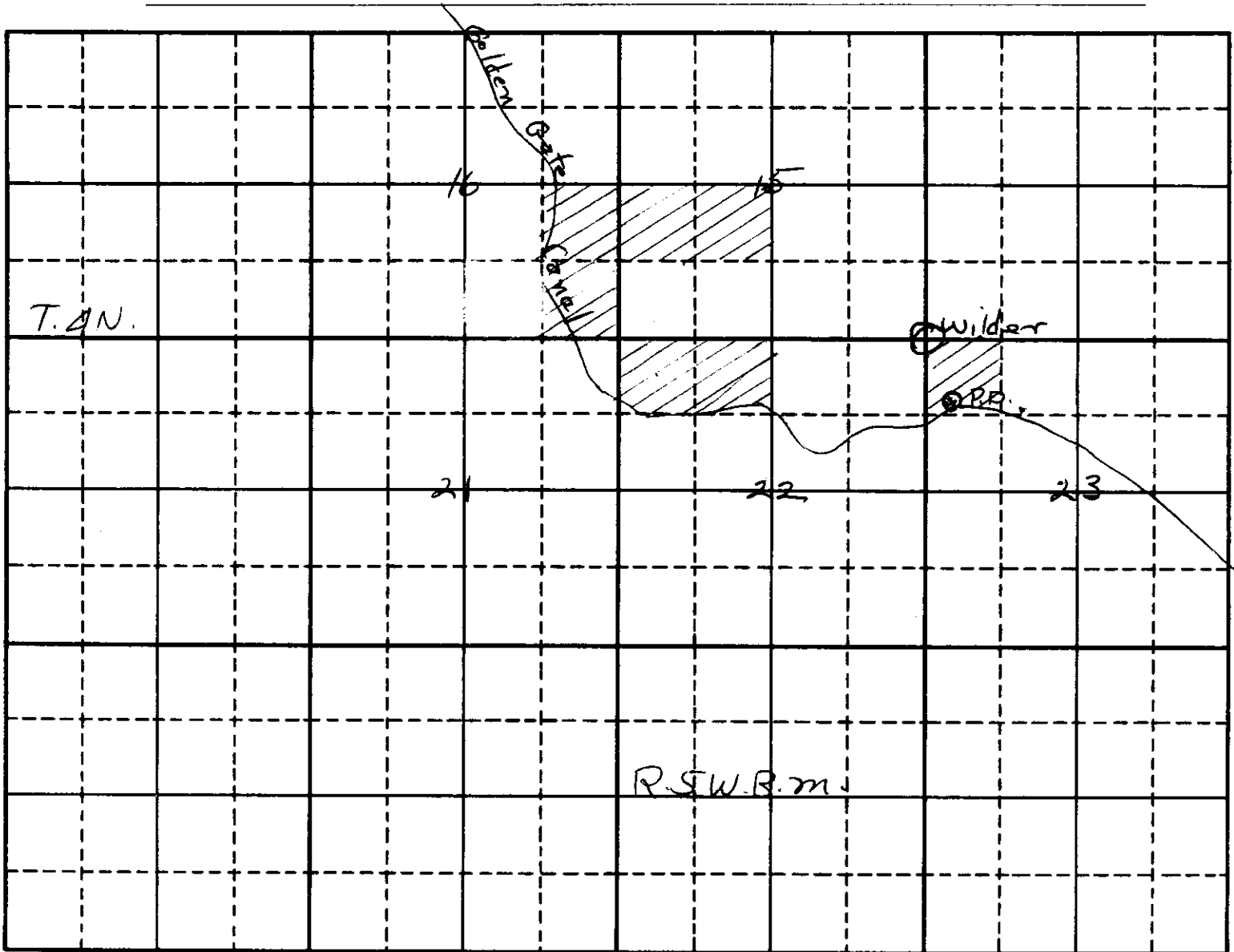
[illegible]

Total No. of acres 265

- 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: _____

(8) Remarks Water is sometimes exchanged with the Wilder 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)
) ss.
County of Ada)

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 3rd day of March, 19 77.

Wendell Ball
(Claimant)

Rita Durdale
Notary Public
Residing at Boise, ID

My commission expires March 8, 1980

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>3-2-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-3-77</u>		claimant by:	
\$10.00 fee received by <u>CS 6754</u>	Date <u>3-3-77</u>			
Approved for publication by <u>J</u>	Date <u>3-4-1977</u>			
Published in <u>Idaho Tribune</u>				
Dates <u>Mar 10 + 11 Mar 12, 1977</u>				

AFFIDAVIT OF PUBLICATION

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

1977
Bureau of Water Resources
Regional Office

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:

March 10, 17, 1977

Verla Harker

Subscribed and sworn to before me this _____

17th day of March
19 77

Adam O. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MICROFILMED

11-2
3-21-77

ACT
IONN OWNER LAST NAME - BATT
N ADDRESS LINE 1 - RT. 1

FIRST NAME - WENDELL

N
N SOURCE - GROUNDWATER

CITY - WILDER

STATE - ID ZIP CODE - 83676

N STAGE - STATRY CLM

PRIORITY - 06-01-1959

COUNTY - CANYON

TOTAL DIV. RATE - 1.5000CFS

N DIVERSION POINT - NWNW 23 04N 05W

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - 1.5000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 23 TRACT NWNW

AC 25

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 22 TRACT NENW

AC 40 TRACT NWNW

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 15 TRACT NESW

AC 40 TRACT NWSW

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 05W SEC 16 TRACT NESE

AC 40 TRACT SESE

AC 40

1000

103-4428

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: _____

B. Tributary of:

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

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 70

[illegible]

9. A. Decree Name:

B. Decree Date:

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. 63-4428

☒ 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

(1) R.W.H. 3-3-77

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) R.W.H. 3-3-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels: N/A
_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none platted

(10) _____

Comments: _____

(11) sf OK

Affidavit of Publication received (date) 3-21-77

(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 W.H.

Date 3-29-77

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

March 30, 1977

Re: Claim to a Water Right No. 63-4428

Wendell Batt
Route 1
Wilder, ID 83676

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. Anderson
Governor

R. Keith Higginson
Director

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

March 4, 1977

RE: See Attached Sheet

63-4428

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 March 28, 1977.

Sincerely,

Bill submitted
3-21-77
y

MICROFILMED

PUBLISHED IN THE NEWS-TRIBUNE, CALDWELL, ID, ON MARCH 10, 1977 AND
MARCH 17, 1977.

63-4422	Robert M. &/or Danniele Sundberg
63-4423	ROBERT M. &/or Danniele Sundberg
63-4425	M. A. &/or Margret E. Watkins
63-4426	E. T. &/or Mellie Shiley
<u>63-4428</u>	Wendell Batt
63-4429	Wayne A. Warren
63-4430	Wayne A. Warren
63-8505	Elmer W. &/or Emma Mark
63-8506	Elmer W. &/or Emma Mark
63-8509	Ed &/or Carrie Truesdell
63-8510	Ed &/or Carrie Truesdell
63-8511	Ed &/or Carrie Truesdell
63-8512	Edward H. Goodson
63-8514	James E. &/or Deborah K. Kapicka
63-8517	James K. &/or Mabel Y. Itano
63-8521	John I. Hass, Inc.
63-8528	Story Farms, Inc.,-Earl Story, Chairman
63-8530	Rim Ranches, Inc.
63-8529	Story Farms, Inc. - Ear Story, Chariman
63-8531	Rim Ranches, Inc.
63-8532	John M. Stam

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4428

Notice is hereby given that WENDELL BATT

Route 1 Wilder, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.5 cubic feet per second ~~acres feet of water~~
from A groundwater source
with the point of diversion in the NW¹/4 NW¹/4 Sec 23 T4N-R5W, Canyon County

The water is claimed to be used from April 1 to October 31
for irrigation of 265 acres

with a priority of 1959;
the place of use is within the NW¹/4 NW¹/4 Sec 23, N¹/4 NW¹/4 Sec 22; N¹/4 SW¹/4 Sec 15;
NE¹/4 SE¹/4, SE¹/4 Sec 16, T4N-R5W

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

Director

Published in the News-Tribune - Caldwell, Idaho
on March 10, 1977 and March 17, 1977.

MICROFILMED