

2001

A hand-drawn map on a grid. The grid has solid lines for the main boundaries and dashed lines for internal divisions. A shaded area, indicated by diagonal lines, is located in the upper-left quadrant. It is labeled '31 OPP' and 'T 5 N'. The shaded area is roughly rectangular, spanning from the second vertical line from the left to the third, and from the second horizontal line from the top to the third. The label '31 OPP' is written inside the shaded area, and 'T 5 N' is written to its left. The label 'T 4 N' is written below 'T 5 N'. The label 'R 3 W' is written at the top of the grid.

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.

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.

George L. Batt
(Claimant)

Notary Public
Residing at 1821 Howard
Caldwell, Ida

For Department Use Only				
Received by <u>2/1/77</u>	Date <u>2/2/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>1/1/77</u>	Date <u>2-9-77</u>		claimant by:	
\$10.00 fee received by <u>2/1/77</u>	Date <u>2-9-77 # 6635</u>			
Approved for publication by _____				
Published in <u>News Tribune</u>				
Dates <u>Feb 17 + 24</u>				

AFFIDAVIT OF PUBLICATION

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

RECEIVED
1 1977
Idaho Department of Water Resources
Regional Office

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4413

Notice is hereby given that
GEORGE L. BATT, Route 5,
Caldwell, Idaho, has filed a
claim to a water right
established by diversion and ap-
plication to beneficial use of 2.4
cubic feet per second of water
from a groundwater source with
the point of diversion in the
NE 1/4 SW 1/4 Sec. 31 T5N-R3W
B.M., Canyon County.

The water is claimed to be
used from April 1 to Nov. 15 for
irrigation of 120 acres with a
priority of June, 1950; the place
of use is within the E 1/2 SW 1/4 Sec.
31 T5N-R3W B.M.; NE 1/4 NW 1/4
Sec. 6 T4N-R3W 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
Director
February 17, 24, 1977.

OK
3-1-77
yf

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:

February 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this

24th day of February, 19 77

Adam D. Tarr

Notary Public, Residing at Nampa, Idaho
My Commission Expires June 23, 1979.

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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 George L. Batt (name of claimant)
of Rt. 5, Caldwell, ID 83605, 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>2.4 cfs</u> | Use <u>Irrigation</u> | Period of Use: From <u>Apr 1</u> To <u>Nov 15</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: 2.4 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) June 1950

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 SW ¼, Sec. 31 Twp. 5N Rge. 3W 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. Well - 12" - 70 ft. deep

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

Total No. of acres 120

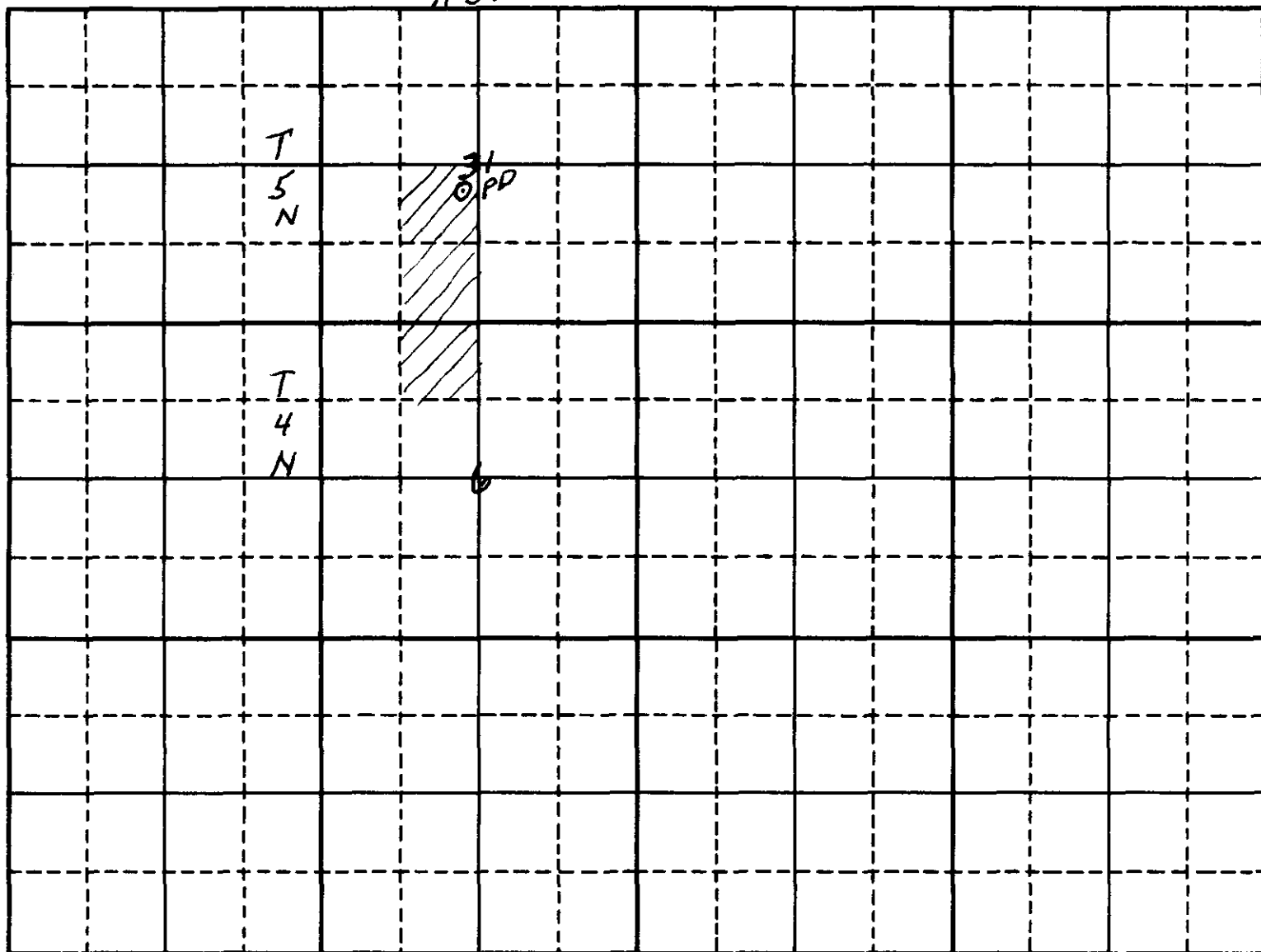
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

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

R 3 W



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

My commission expires Dec. 1981

For Department Use Only

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

AFFIDAVIT OF PUBLICATION

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

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:

February 17, 24, 1977

Verla Harker

Subscribed and sworn to before me this.....

24th day of February, 19 77

Adam D. Hark

Notary Public, Residing at Nampa, Idaho
My Commission Expires June 23, 1979.

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ACT
ION

N	OWNER LAST NAME - BATT	FIRST NAME - GEORGE L.		
N	ADDRESS LINE 1 - RT. 5			
N		CITY - CALDWELL	STATE - ID	ZIP CODE - 83605
N	SOURCE - GROUNDWATER			
N	STAGE - STATRY CLM	PRIORITY - 06-01-1950	COUNTY - CANYON	TOTAL DIV. RATE - 2.4000CFS
N	DIVERSION POINT - NESW 31 05N 03W			
N	FROM - 04-01 TO - 11-15	USE - IRRIGATION	USE DIV. RATE - 2.4000CFS	
N	USE - IRRIGATION	PLACE OF USE - TWN 05N RNG 03W SEC 31 TRACT NESW	AC 40 TRACT SESW	AC 40
N	USE - IRRIGATION	PLACE OF USE - TWN 04N RNG 03W SEC 06 TRACT NENW	AC 40	

3/79

IDENT. NO. 63-4413

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

Initials

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

12-12-79

12-26-79

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for _____ purposes. Amount _____

CH 11-7-79

8. Use Code: *A*

[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):

ok to file
BDF

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 on March 24, 1977, at approximately 9:45 a.m.

The measurement was taken over a two-foot Cipalietti 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. BALLOU
Senior Water Resource Agent

EEB:lp

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-4413

- ☒ 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) 144 2-9-77

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) 144 2-9-77

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

(10) _____

Comments: _____

(11) 144 OK

Affidavit of Publication received(date) 3-1-77

(12) 144 _____

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 144 Date 3-8-77

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higgenson
Director

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

March 9, 1977

RE: 63-4413

George L. Batt
Rt. 5
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:

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higgins
Director

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

February 11, 1977

Re: Notice of Application for Water Permit No. 63-8426 - Allen Brothers, Inc.
Notice of Claim to a Water Right No. 63-4413 - George L. Batt

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 3, 1977.

Sincerely,

Bill submitted

3-1-77

y

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NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4413

Notice is hereby given that GEORGE L. BATT

Route 5, Caldwell, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 2.4 cubic feet per second ~~XXXXXX~~ of water
from a groundwater source
with the point of diversion in the NE1/4 Sec 31 T5N-R3W B.M., Canyon
County.

The water is claimed to be used from Apr 1 to Nov 15
for irrigation of 120 acres
with a priority of June, 1950;
the place of use is within the E1/4 Sec 31 T5N-R3W B.M.; NE1/4 Sec 6
T4N R3W 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

Director

Published in the News Tribune, Caldwell, ID

on February 17, 1977 and February 24, 1977.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 10, 1977

George L. Batt
Route 5
Caldwell, ID 83605

Dear Mr. Batt:

Enclosed is your Receipt No. 6635 in the amount of \$ 10.00
for Claim to a Water Right No. 63-4413 which was received in this
office on February 9, 1977.

Sincerely,

RITA BENDELE
Senior Clerk

RB

Enclosure

RECEIVED