

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 67-168
Date Received: 12/18/2002
Receipt No: W007152
W029932

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENNETH SEID Phone: (208) 355-2339
2504 SMITH RD
MIDVALE ID USA 83645

2. Date of Priority: 05/15/1884

3. Source: KEITHLY CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
13N	04W	2	NE	SW	NE	WASHINGTON	
13N	04W	1	NE	NW	NW	WASHINGTON	
14N	03W	31	NE	SE	NE	WASHINGTON	
14N	04W	35	NE	SE	NW	WASHINGTON	I
14N	03W	31	SE	NE	NW	WASHINGTON	R

5. Description of diverting works:

Water can be diverted by ditch to Hopper Creek and rediverted by pump for sprinkler application. Water can also be diverted by ditch to pond in SENW, Sec. 31, T14N, R3W and pumped to sprinklers, or water can be pumped directly from Keithly Creek to sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	03W	31	NE	NE	IRRIGATION	39
			NW	NE	IRRIGATION	39
			NE	SE	IRRIGATION	22
			SW	NE	IRRIGATION	38
			SE	NE	IRRIGATION	39
			SW	NW	IRRIGATION	25
			SE	NW	IRRIGATION	17
			NE	SW	IRRIGATION	35
			NW	SW	IRRIGATION	38
			NW	SE	IRRIGATION	38
					Section Acres	330
					Total Acres	330

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used: High water claim filed in the SRBA and 67-158, 67-159, 67-171 & 67-2143.

14. Remarks:

This water right is claimed with a permissible place of use within the 330 acres described above. Under the Muir v. Allison Decree, this right should have been allocated to 80 acres.

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM HOPPER CREEK.

TRANS. #826A.

THIS RIGHT IS A COMBINATION OF 67-00163, 67-00166, AND 67-00168 B.A.S. 12/15/89 THE DIFFERENT POINTS OF SECONDARY DIVERSION APPEAR TO HAVE RESULTED THROUGH THERE PROXIMITY TO THE TWO STREAM CONFLUENCES.

15. Basis of Claim: Decreed

Should questions arise during the processing of this application please contact:
David B. Shaw - ERO Resources Corp. (208) 373-7983

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 67-168

Date Received

Receipt Number

6029932

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 18 2002

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant(s) Kenneth Seid Phone (208) 355-2339
Mailing Address 2504 Smith Rd., Midvale, Idaho Zip 83645
2. Date of Priority (Only one (1) per claim) 5/15/1884
3. Source of water supply (a) Keithly Creek
Which is tributary to (b) Weiser River
4. a. Location of point of diversion is: Township 13N Range 4W Section 2, NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____, B.M., County of Washington
Additional points of diversion if any: NE NW NW, SEC. 1, T13N, R4W; NE SE NE, SEC. 31, T14N, R3W; NE SE NW, SEC. 35, T14N, R4W (I); SE NE NW, SEC. 31, T14N, R3W (R)
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Water can be diverted by ditch to Hopper Creek and rediverted by pump for sprinkler application.
Water can also be diverted by ditch to pond in SE NW, Sec. 31, T14N, R3W and pumped to sprinklers, or water can be pumped directly from Keithly Creek to sprinklers.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/1 to 10/31 amount 1.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
14N	3W	31	39	39	38	39			25	17	35	L3 38			22	38			330

Total number of acres irrigated 330

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

12. Do you own the property listed above as place of use? Yes XX No _____

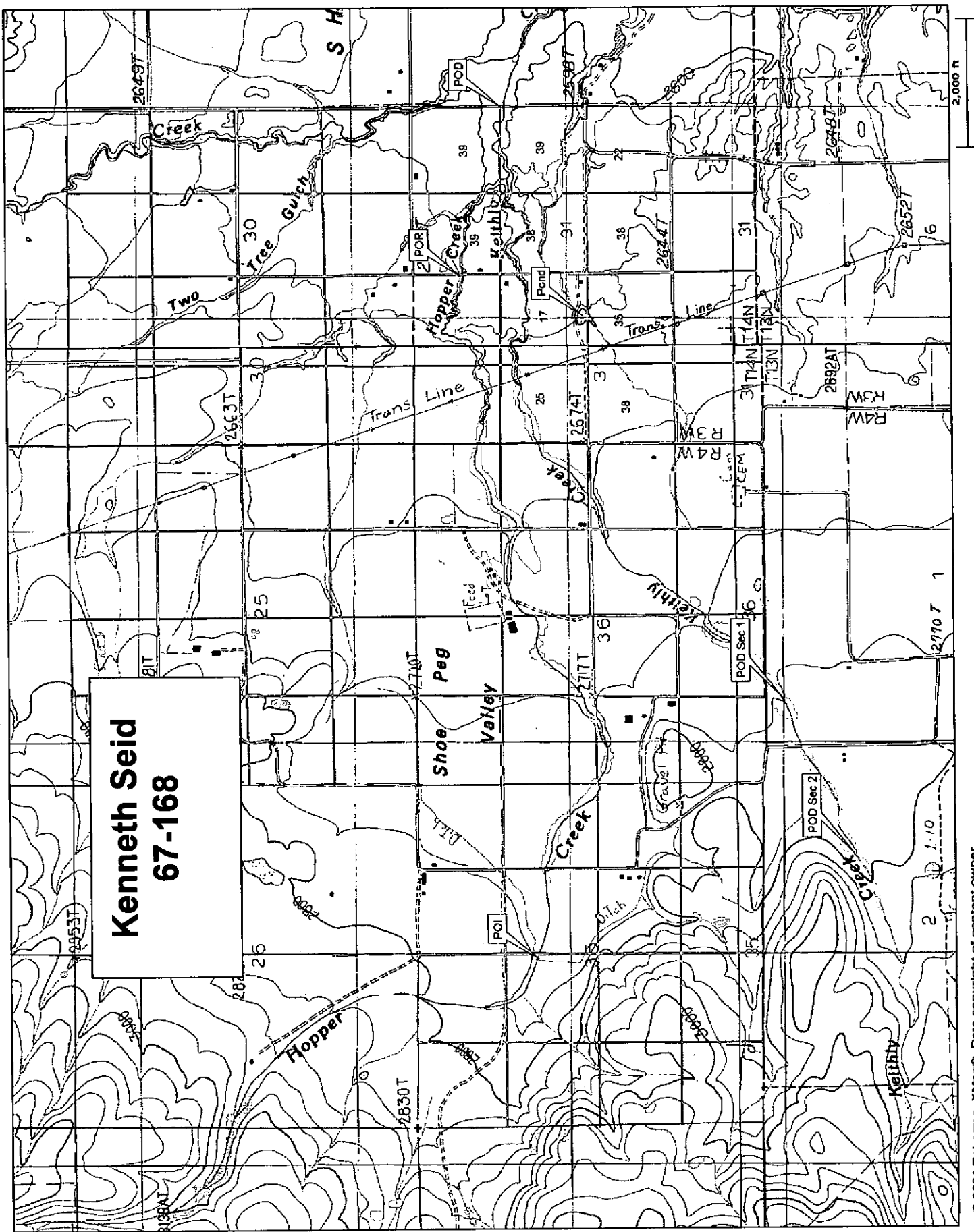
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

High water claim filed in the SRBA and 67-158, 67-159, 67-171 & 67-2143 or None ()

14. Remarks:

This water right is claimed with a permissible place of use within the 330 acres described above. Under the Muir v. Allison Decree, this right should have been allocated to 80 acres.



**Kenneth Seid
67-168**

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree XX

If applicable provide IDWR Water Right Number 67-168

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will received notice in the Snake River Basin Adjudication." I/We do _____ do not XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Kenneth Seid Date 12-20-02

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

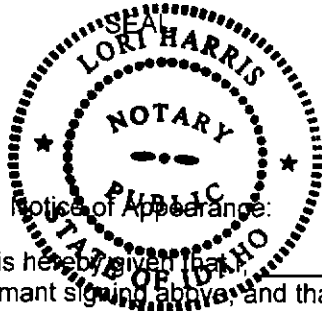
State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20 day of December 20 02

Notary Public Lori Harris

Residing at 12-8-06 Boise, Idaho

My Commission Expires _____



17. Notice of Appearance:

Please Print Name

Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Seid Ident. Number 67-168

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-168

WATER RIGHT NUMBER: 67-168

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMERSON WIGGINS
	MIDVALE, ID 83645
Original Owner	EDWARD M WIGGINS
	, ID

Priority Date: 05/15/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
KEITHLY CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	1.000 CFS	
DOMESTIC	/	to /		
	<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

KEITHLY CREEK	SW1/4NE1/4	Sec. 31, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of UseIRRIGATION Within WASHINGTON County

T14N R03W S31	NESE	T14N R03W S32	NESW
T14N R03W S32	NWSW	T14N R03W S32	SESW

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General TRANS. #826A.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-168

Dates and Other Information:

Licensed Date:
Decreed Date: 6/20/1921
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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EDWARD M

EMERSON

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MICROFILMED
OCT 22 1996

Prefix Translation: ADJUDICATION CLAIM

Water right number - A67-00168

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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Total Acres: 280.0

+ - - Diversion Means - PUMPS AND WHEEL LINES

+ - - Non-Irrigation Use - NA

+ - - Other Rights for Same Use - 67-00158, 67-00159, 67-00167,

+ - - Remarks -

TRANS. #826A.

THIS RIGHT IS A COMBINATION OF 67-00163, 67-00166, AND 67-00168
B.A.S. 12/15/89THE DIFFERENT POINTS OF SECONDARY DIVERSION APPEAR TO HAVE RESULT
ED THROUGH THERE PROXIMITY TO THE TWO STREAM CONFLUENCES
CLAIM INCOMPLETE.

+ - - Old Water Right Numbers -

A6700168

A6700163

A6700166

+ - - Conditions of Approval -

No Conditions of Approval found.

+ - - Decree Plaintiff - + - - Decree Defendant - + - - Decree Date - +
JOHN T. MUJR WILLIAM ALLISON 00/00/0000

+ - - Comments -

No Comments Found

+ - - Audit Fields - +

03/17/95 LHARRIS

+ - - Adjudication Rights Dates and Flags Area -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W007152	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

REFUND REQUEST

RECEIVED

MAR 23 1995

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: Western Region
 SUBJ: Receipt No. W007152 (Please attach ARQ2 Receipt copy immediately behind blue form)

POOR ORIGINAL

Department of Water Resources

Date: 3-22-95

RE: PayOR Said, Kenneth E.
 Address Rt. 1 Box 69
Midvale, ID 83645

RECEIVED

APR 19 1995

WATER RESOURCES
WESTERN REGION

Claimant(s) if NOT Payor _____

Refund Amount \$511.40 Claim Location (Region/Claimant) _____Extension Filed? Y/N NA Copy Attached? Y/N NALate Fees Paid? Y/N NA Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By ☒ Agent () Claimant

Refund Category:
 insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) 1-15-90

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>See Attached</u>	<u>Irrig.</u>	<u>\$ 511.40</u>		<u>W007152</u>
" "	<u>D & S</u>	\$		
		\$		
		\$		
		\$		
		\$		
Total		<u>\$511.40</u>	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

Claims have not been submitted by claimant.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval _____
 Don Shaff Approval [Signature] Hold 2wks? To Fiscal _____
 Data Base Modified? (Y/N) NA A &/or R Records By [Signature] on 3-17-95

THESE CLAIMS MUST BE FILED SOMETIMEAND WE'LL WAIT UNTIL HE FILES TO SAVETHE PROCESSING COST OF A REFUND.

MICROFILMED

05/19/94

OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

POOR ORIGINAL

*See -
Covered.
Thank,
Jan*

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 23 1995

Department of Water Resources

January 15, 1990

Kenneth Seid
Rt 1 Box 69
Midvale, Idaho

RE: Snake River Basin Adjudication
A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00182B, A67-00159, A67-00182C, A67-00168, A67-00167,
A67-02143, A67-07072, A67-07107, A67-07174, A67-11340,
A67-11341, A67-11342, A67-11343, A67-11344, A67-11345,
A67-11346 - Washington County

Dear Mr. Seid;

Please find enclosed the map you brought into our office of the land for which you are filing "Notices of claims to Water Rights", your Washington County Tax Assessor's Notices, two copies of "Notices of Claims to Water Rights", which were either found during my research of your and Mr. Smith's land or which I generated claims, and blank forms for submittal of "Notice of Claim to Water Rights". I strongly suggest that you carefully peruse the enclosed information.

If you wish to make any changes please fill out the blank forms with the information as you want it reviewed in the Adjudication. For those claims you and Mr. Smith wish to submit, a signed and notarized copy of the "Notice of Claim to a Water Right" should be returned to this office.

Although we have often made ourselves available to assist you, your late attempts to submit your claims and your continued failure to be prompt or to appear for times we have discussed to complete your claims work indicates a lack of interest on your part to pursue the matter. We can no longer reserve time for your claims work during, which we could be assisting other claimants. However, you may wish to come into our office and wait until I have some free time or you may wish to seek assistance elsewhere.

Please have the documents submitted by February 15, 1990 or you may be subject to additional late fees. If you have any questions or concerns, please contact this office.

MICROFILMED

OCT 22 1996

Sincerely,



Bruce A. Schuld
Senior Water Rights Agent
Western Regional Office
Idaho State Department of Water Resources

RECEIVED

MAR 23 1995

Department of Water Resources

cc:JS:BAS:file

Enclosures: A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00159, A67-00167, A67-00168, A67-00182B,
A67-00182C, A67-02143, A67-07072, A67-07107,
A67-07174, A67-11340, A67-11341, A67-11342,
A67-11343, A67-11344, A67-11345, A67-11346
"Notice of Claim to Water Rights", 10 - Long Forms
"Notice of Claim to Water Rights", 4 - Short Forms

MICROFILMED

OCT 22 1996

Old (D) Number -

KENNETH

EDWARD M

EMERSON

+ - - Sta.
X - REJECTED

- - Tributary
WEISER RIVER
KEITHLEY CREEK
KEITHLEY CREEK
SEE REMARKS

Point of Diversion
ity

----- Diversion Rate ----- Diversion Volume

+ - Total Consumptive Use - + - Kk
840.0

County	Description
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MICROFILMED
OCT 22 1996

Prefix Translation: RESEARCH

Water right number - R67-00168

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
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Total Acres: 280.0

+ - - Diversion Means - PUMPS AND WHEEL LINES

+ - - Non-Irrigation Use - NA

+ - - Other Rights for Same Use - 67-00158, 67-00159, 67-00167,

+ - - CLAIM INCOMPLETE. Remarks - - - - -

+ - - A6700168 Old Water Right Numbers - - - - -
A6700163
A6700166+ - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - - +
JOHN T. MUIR WILLIAM ALLISON 00/00/0000+ - - Date: 03/17/1995 User Id: LHARRIS Subject: COPIED FROM REMARKS
TRANS. #826A. THIS RIGHT IS A COMBINATION OF 67-00163, 67-00166, AND 67-00168
B.A.S. 12/15/89 THE DIFFERENT POINTS OF SECONDARY DIVERSION APPEAR TO HAVE RESULT
ED THROUGH THERE PROXIMITY TO THE TWO STREAM CONFLUENCES CLAIM INCOMPLETE+ - - Audit Fields - - +
03/17/95 LHARRIS

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 12/15/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- W007152
		POU Ownership Flag	- Y
		Name Connector	- OR
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	- 67

MICROFILMED

OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 15, 1990

Kenneth Seid
Rt 1 Box 69
Midvale, Idaho

RE: Snake River Basin Adjudication
A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00182B, A67-00159, A67-00182C, A67-00168, A67-00167,
A67-02143, A67-07072, A67-07107, A67-07174, A67-11340,
A67-11341, A67-11342, A67-11343, A67-11344, A67-11345,
A67-11346 - Washington County

Dear Mr. Seid;

Please find enclosed the map you brought into our office of the land for which you are filing "Notices of claims to Water Rights", your Washington County Tax Assessor's Notices, two copies of "Notices of Claims to Water Rights", which were either found during my research of your and Mr. Smith's land or which I generated claims, and blank forms for submittal of "Notice of Claim to Water Rights". I strongly suggest that you carefully peruse the enclosed information.

If you wish to make any changes please fill out the blank forms with the information as you want it reviewed in the Adjudication. For those claims you and Mr. Smith wish to submit, a signed and notarized copy of the "Notice of Claim to a Water Right" should be returned to this office.

Although we have often made ourselves available to assist you, your late attempts to submit your claims and your continued failure to be prompt or to appear for times we have discussed to complete your claims work indicates a lack of interest on your part to pursue the matter. We can no longer reserve time for your claims work during, which we could be assisting other claimants. However, you may wish to come into our office and wait until I have some free time or you may wish to seek assistance elsewhere.

Please have the documents submitted by February 15, 1990 or you may be subject to additional late fees. If you have any questions or concerns, please contact this office.

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Sincerely,



Bruce A. Schuld
Senior Water Rights Agent
Western Regional Office
Idaho State Department of Water Resources

cc:JS:BAS:file

Enclosures: A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00159, A67-00167, A67-00168, A67-00182B,
A67-00182C, A67-02143, A67-07072, A67-07107,
A67-07174, A67-11340, A67-11341, A67-11342,
A67-11343, A67-11344, A67-11345, A67-11346
"Notice of Claim to Water Rights", 10 - Long Forms
"Notice of Claim to Water Rights", 4 - Short Forms

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