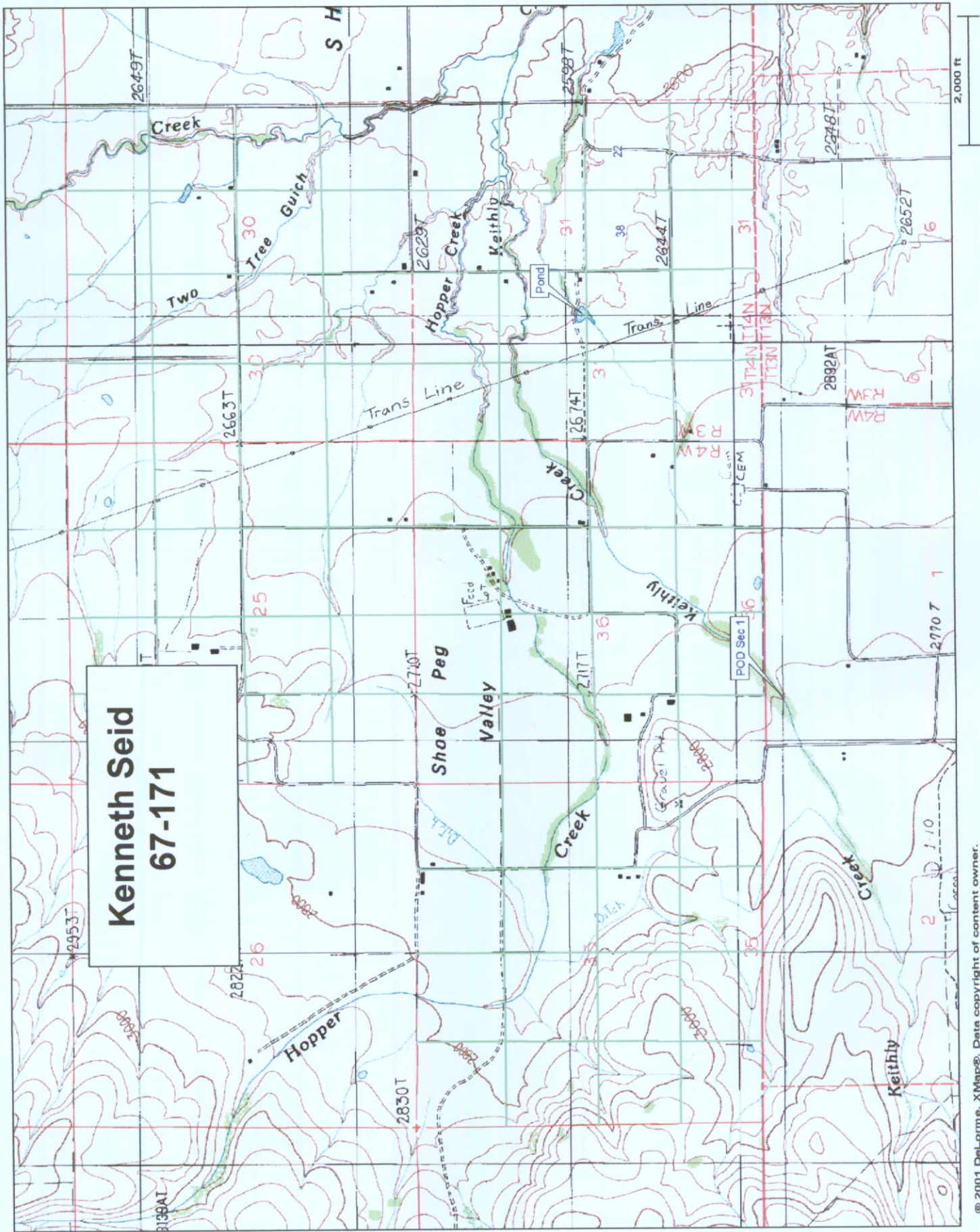




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 67-171
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: 05/15/1896

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	1	NE NW NW	WASHINGTON	

5. Description of diverting works:

Diversion and ditch to pond in SENW, Sec. 31, T14N, R3W. Pump from pond 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	0.07	

7. Total Quantity Appropriated is:
0.07 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	NW	SE	IRRIGATION	38
			NE	SE	IRRIGATION	22
					Section Acres	60
					Total Acres	60

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, 67-158, 67-159 & 67-168.

14. Remarks:

This water right is claimed with a permissible place of use within the 60 acres described above. Under the Muir v. Allison Decree, this right should have been allocated to 5.6 acres.

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

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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) 5/15/1896
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 1, NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____, B.M., County of Washington
Additional points of diversion if any: _____
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.
Diversion and ditch to pond in SE NW, Sec. 31, T14N, R3W. Pump from pond 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 0.07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.07 (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													22	38			60

Total number of acres irrigated 60

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, 67-158, 67-159 and 67-168 or None ()

14. Remarks:

This water right is claimed with a permissible place of use within the 60 acres described above.

Under the Muir v. Allison Decree, this right should have been allocated to 5.6 acres.

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

Decree XX

If applicable provide IDWR Water Right Number 67-171

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 _____

_____ Title _____
of _____, that I have signed the foregoing

_____ Organization
document in the space below as _____ of _____

_____ Title _____ Organization
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 _____)

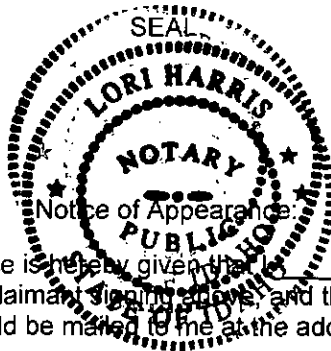
County of Ada) SS.

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

Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-06



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 67-171

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-171

WATER RIGHT NUMBER: 67-171

Owner Type Name and Address
 Current Owner WILLIAM WICKS
 , ZZ

Priority Date: 05/15/1896

Basis: Decreed

Status: Active

Source Tributary
 KEITHLY CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

KEITHLY CREEK

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	03W	31														X			

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-171

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