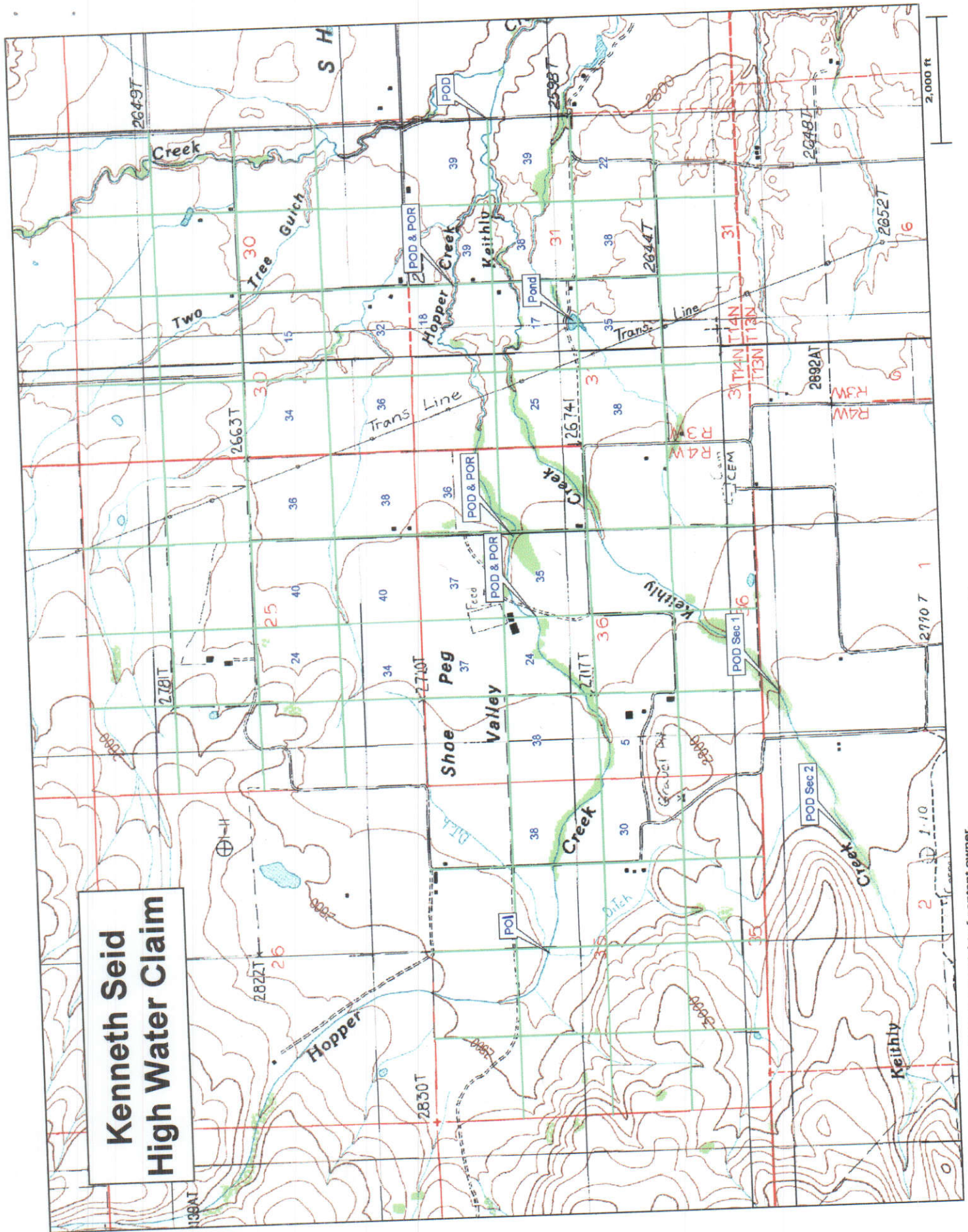


Kenneth Seid High Water Claim



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 67-14403
Date Received: 12/18/2002
Receipt No: W029932
Received By:

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: 06/21/1921

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

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	04W	31	NE SE NE	WASHINGTON	
14N	04W	35	NE SE NW	WASHINGTON	I
14N	04W	36	SE SW NW	WASHINGTON	R
14N	04W	36	NE SW NE	WASHINGTON	R
14N	03W	31	SE NE NW	WASHINGTON	R

5. Description of diverting works:

These diversions are in conjunction with rights 67-182B, 67-152, 67-153, 67-158, 67-159, 67-168, 67-171 and 67-2143 for high water that has been historically used on these lands. Diversions marked with a (*) are points of redirection of Keithly Creek water from Hopper Creek and points of diversion of Hopper Creek water. Keithly Creek water is injected into Hopper Creek.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	07/15	19.14	

7. Total Quantity Appropriated is:
19.14 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	30	NE SW		IRRIGATION	15
			NW SW	3	IRRIGATION	34
			SW SW	4	IRRIGATION	36
			SE SW		IRRIGATION	32
					Section Acres	117
14N	03W	31	NE NE		IRRIGATION	39
			NW NE		IRRIGATION	39
			SE NE		IRRIGATION	39
			SW NE		IRRIGATION	38
			NE NW	3	IRRIGATION	18
			SW NW		IRRIGATION	25
			SE NW		IRRIGATION	17
			NE SW		IRRIGATION	35
			NW SW	3	IRRIGATION	38
			NE SE		IRRIGATION	22
			NW SE		IRRIGATION	38
					Section Acres	348
14N	04W	25	NE SW		IRRIGATION	24
			SE SW		IRRIGATION	34
			NE SE		IRRIGATION	36
			NW SE		IRRIGATION	40
			SW SE		IRRIGATION	40
			SE SE		IRRIGATION	38
					Section Acres	212
14N	04W	35	SE NE		IRRIGATION	38
			NE SE		IRRIGATION	30
					Section Acres	68
14N	04W	36	NE NE		IRRIGATION	36

NW	NE	IRRIGATION	37
SW	NE	IRRIGATION	35
NE	NW	IRRIGATION	37
SW	NW	IRRIGATION	38
SE	NW	IRRIGATION	24
NW	SW	IRRIGATION	5

Section Acres 212

Total Acres 957

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:

14. Remarks:

This claim is for high water diversions that have occurred historically in addition to the underlying decreed and licensed rights. These additional diversions are curtailed when stream flows diminish and regulation on the river begins.

Other water rights used: 67-182B, 67-152, 67-153, 67-158, 67-159, 67-168, 67-171 & 67-2143.

Point of injection into and point of redirection from Hopper Creek.

15. Basis of Claim: Beneficial Use

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) 6/21/1921
3. Source of water supply (a) Keithly Creek Hopper Creek
Which is tributary to (b) Weiser River Keithly Creek
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, R4W; NE SE NW, Sec. 35, T14N, R4W (I); SE SW NW, NE SW NE, Sec. 36, T14N, R4W (*); SE NE NW, Sec. 31, T14N, R3W (*)
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.
These diversions are in conjunction with rights 67-182B, 67-152, 67-153, 67-158, 67-159, 67-168, 67-171 and 67-2143 for high water that has been historically used on these lands. Diversions marked with a (*) are points of redirection of Keithly Creek water from Hopper Creek and points of diversion of Hopper Creek water. Keithly Creek water is injected into Hopper Creek.

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 4/1 to 7/15 amount 19.14 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 19.14 (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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
14N	4W	25									24			34	36	40	40	38	212
		35				38									30				68
		36	36	37	35		37		38	24		5							212
	3W	30									15	L3 34	L4 36	32					117
		31	39	39	38	39	L3 18		25	17	35	L3 38			22	38			348

Total number of acres irrigated 957

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.

67-182B, 67-152, 67-153, 67-158, 67-159, 67-168, 67-171, 67-2143

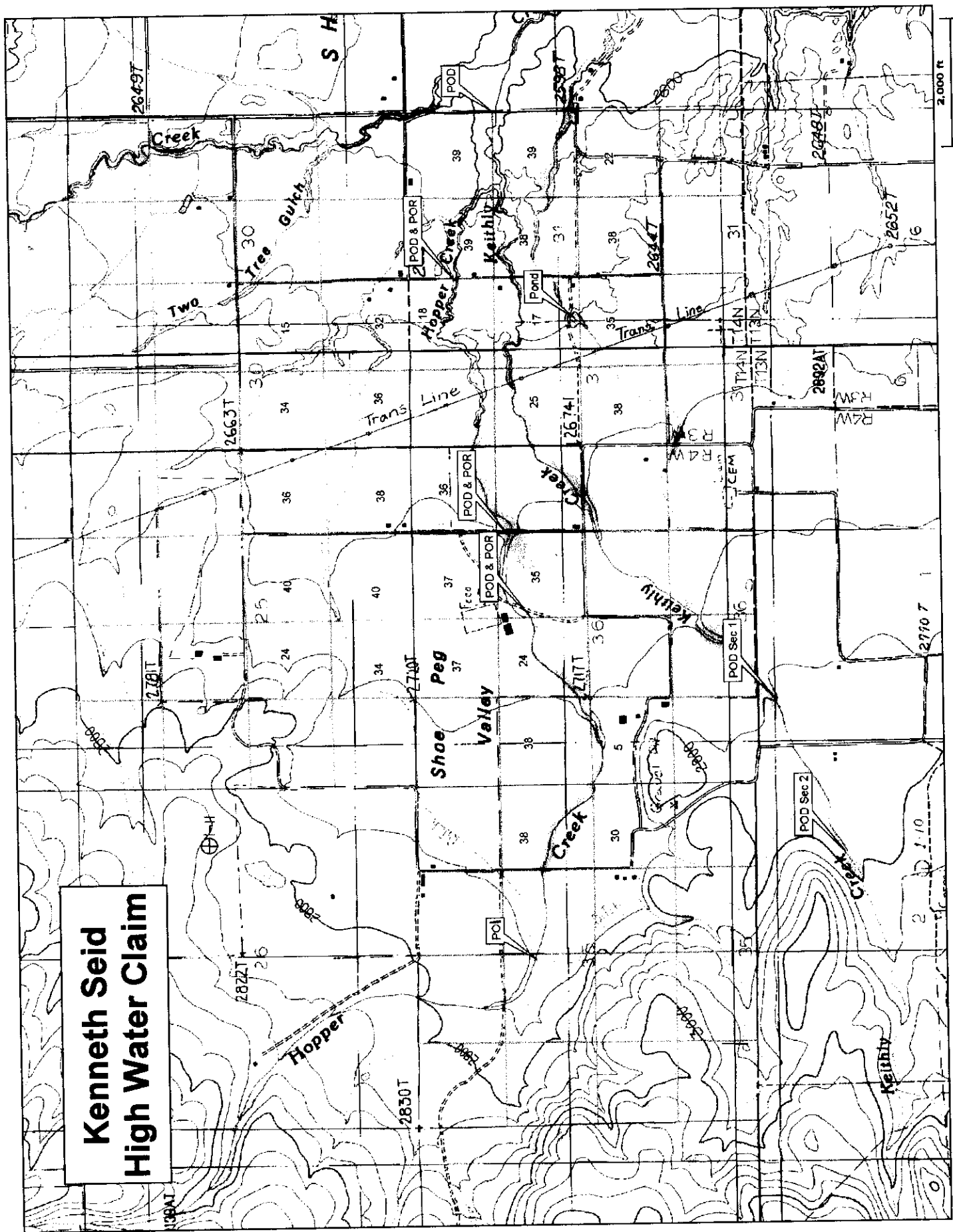
or None ()

14. Remarks:

This claim is for high water diversions that have occurred historically in addition to the underlying decreed and licensed rights. These additional diversions are curtailed when stream flows diminish and regulation on the river begins.

Last Name Seid Ident. Number _____

Kenneth Seid High Water Claim



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

If applicable provide IDWR Water Right Number _____
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 _____
Organization _____, that I have signed the foregoing
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 2002

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 I _____ 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 _____