



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 27, 2006

WILLIAM A GRIFFIN
PO BOX 142
MIDVALE ID 83645

RE: Preliminary recommendations for Snake River Basin Adjudication (SRBA) claims 67-149, 67-14269 and 67-14271

Dear Mr. Griffin,

Per your request, I am sending you copies of the preliminary recommendations for your Keithly Creek water rights. Look them over and let me know if you have any questions.

Side Notes:

1) You have a private SRBA claim filed for your Lost Valley Reservoir Share water. This claim is being recommended as disallowed because the share water is being recommended in the name of Lost Valley Reservoir Co. **This does not mean** the storage water is not applicable to your ground. It just means that the water right is being recommended in the company name.

2) You are going to be notified about another water right applicable to a portion of your property. The source for this water right is the Weiser River. This is different than your Lost Valley "share" water. You told me on the phone you haven't been using live water from the Weiser, but Blendu filed a claim for it when he owned the property. Based on when the time the license was issued and when the SRBA claim was filed, I am not going to recommend this right as forfeited. It does not mean that someone else won't object to the recommendation and argue that it is forfeited due to non-use. When you get the information, look over it and if you do not wish to pursue the water right, give me a call.

Feel free to call if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

09/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-149

NAME AND ADDRESS: WILLIAM A GRIFFIN
PO BOX 142
MIDVALE ID 83645-0142

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 05/15/1871

POINT OF DIVERSION:

T13N R03W S5 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.130 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T13N R03W S05	SESW	3.20	T13N R03W S05	NESW	11.00
---------------	------	------	---------------	------	-------

14.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 52.4 acres in a single irrigation season. Combined Right Nos.: 67-149, 67-14269, 67-14271

This right is limited to the irrigation of 10.4 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-149

NAME AND ADDRESS: WILLIAM A GRIFFIN
PO BOX 142
MIDVALE ID 83645-0142

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 05/15/1871

POINT OF DIVERSION:

T13N R03W S5 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.130 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T13N R03W S05	SESW	3.20	T13N R03W S05	NESW	11.00
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14.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 67.7 acres in a single irrigation season. Combined Right Nos.: 67-149, 67-14269, 67-14271, & 67-14364

This right is limited to the irrigation of 10.4 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

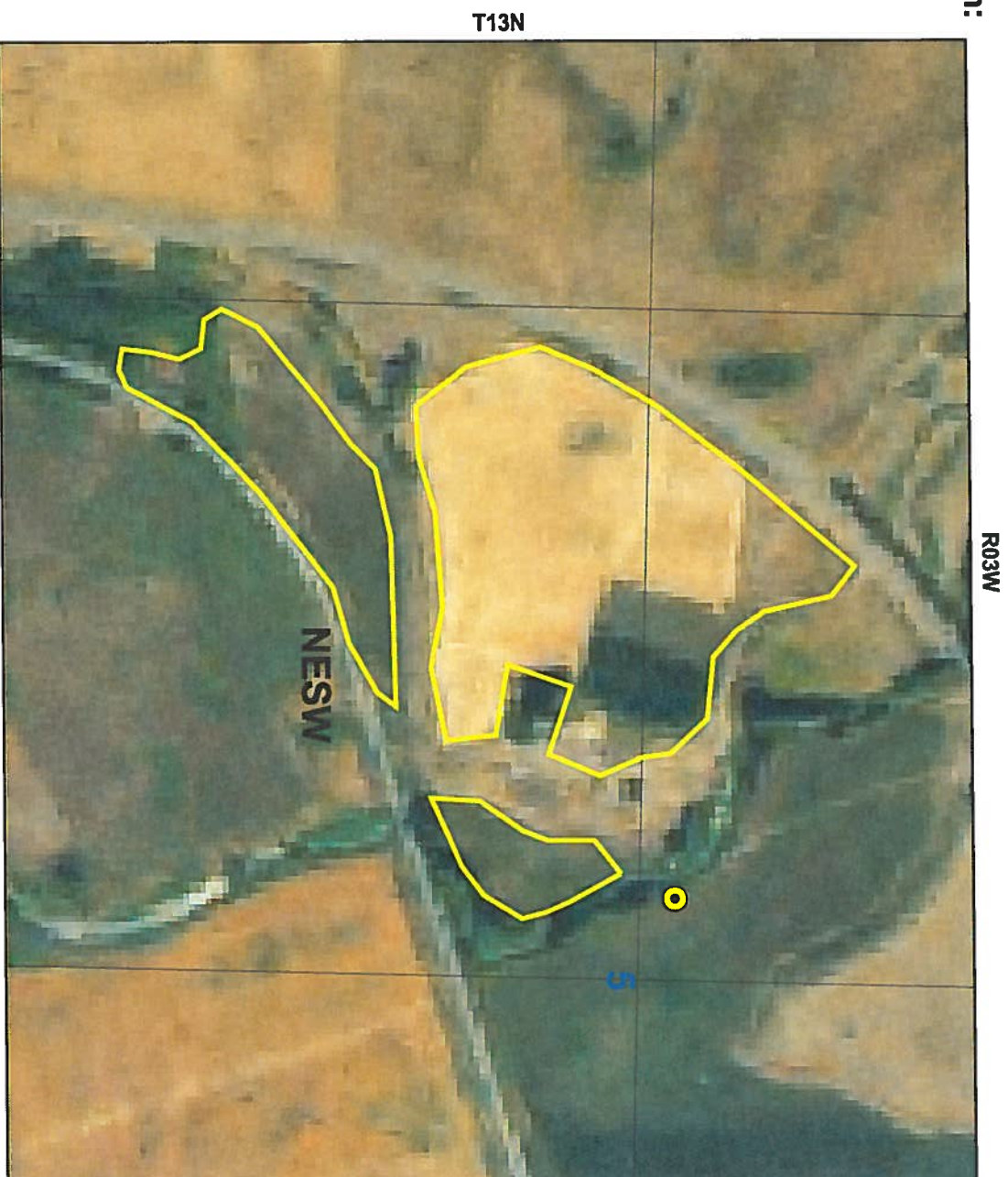
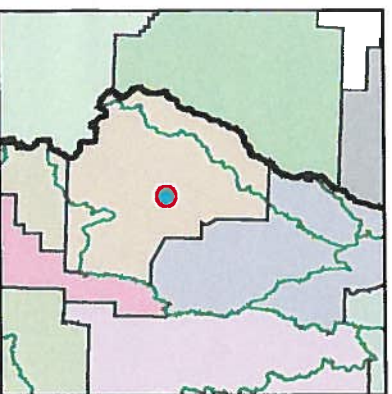
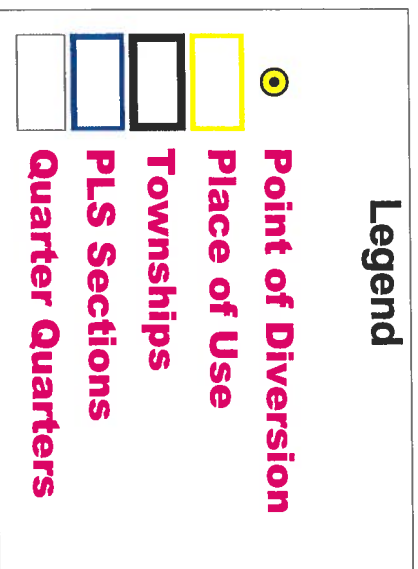
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources



SRBA Recommendation:
67-149
(Irrigation)



Prepared by C. Saxton
On Thursday, September 21, 2006
1987/88 Aerial Photography

RECEIVED

SEP 22 2006

Page 1 DEPARTMENT OF
WATER RESOURCES

SPLIT CLAIM

08/19/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-149

WATER RIGHT NUMBER: 67-149

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALVIN SCHNELL 1417 S KIMBALL AVE CALDWELL, ID 83605 (208)459-9466
Original Owner	RONALD D BLENDU 1345 W OVERLAND MERIDIAN, ID 83642 (208)888-5082
Original Owner	BETTY M BLENDU 1345 W OVERLAND MERIDIAN, ID 83642 (208)888-5082
Original Owner	ANDREW REED , ID

Priority Date: 05/15/1871

Basis: Decreed

Status: Parent

Source

KEITHLY CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.130 CFS

Annual Volume

Total Diversion: 0.130 CFS

Location of Point(s) of Diversion

KEITHLY CREEK SE1/4NW1/4 Sec. 5, Twp 13N, Rge 03W, B.M. WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	03W	5								3.0	12.0	1.0							16.0

Total Acres: 21

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-149

Remarks:

1. General DELETED SOME ACREAGES AND ADDED OTHERS. DATE OF CHANGE UNKNOWN. OWNERSHIP CHANGED BY LH 2/17/95.
2. General This claim has bee split. See nos. 67-14360 & 67-14361. DH 8/19/2002

Comments:Dates and Other Information:

Claim Received Date: 10/13/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
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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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: **A67-00149**
Date Received: 10/13/1989
Receipt No: W006239
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: RONALD D BLENDU 208-888-5082
Address: 1345 W OVERLAND
MERIDIAN ID 83642
AND
Name: BETTY M BLENDU 208-888-5082
Address: 1345 W OVERLAND
MERIDIAN ID 83642
2. Date of Priority: MAY 15, 1871
3. Source: KEITHLEY CREEK Trib. to: WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 13N | 03W | 5 | SE | NW | | | WASHINGTON |
5. Description of diverting works:
PUMP, PIPELINE, SPRINKLERS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.130 | | |
7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 63.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	5	SE	NW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	03W	5	SE	NW		IRR	5.0
			NE	SW		IRR	12.0
			NW	SW		IRR	1.0
Section Acres							21.0
Total Acres							21.0

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:
A67-00081B

14. Remarks:
DELETED SOME ACREAGES AND ADDED OTHERS. DATE OF CHANGE UNKNOWN.
OWNERSHIP CHANGED BY LH 2/17/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree 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 receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

POOR ORIGINAL



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 13 1995

Department of Water Resources

DATE OF CLOSING: 12/9/94

LEGAL DESCRIPTION OF PROPERTY: Township North 13 + 14 Range 3 West
Section 4, 5, 8, 33 + 32 1/4 of 1/4 of 1/4 Govt. Lot , BM.

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

[] Served Only by a Public Service Water Supply (all water is received from a city or company that maintains water supply system, owns the water right, and bills the customer on a regular basis) FEB 15 1995

[] Water Right Number(s) AL67-00081B, AL67-00149, AL67-02117
Assigned by IDWR: AL67-07206, AL67-07280, AL67-10560, AL67-10921

[] Name and Address of Former Owner/Claimant(s)(Seller): ALVIN SCHNELL AND BETTY J. SCHELL, H&W

1417 S, KIMBALL AVE.

CALDWELL, ID 83605

[] New Owner/Claimant (Purchaser): RONALD D. BLENDU AND BETTY M. BLENDU

[] New Mailing Address: ~~2358 US HWY 95~~ 1345 W. Overland
~~MIDVALE, ID 83645~~ Meridian, ID 83642

[] New Telephone Number: (208) 888-5082

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) R. D. Blendu Date 12/8/94

[] Signature of Former Owner/Claimant(s) Betty M. Blendu Date 12/9/94
Alvin Schnell Date 12-9-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2-17-95 By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 2-17-95 By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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INSTRUMENT NO. 161990
PAGE 1 OF 2

100-94-4721

WARRANTY DEED

For Value Received

ALVIN SCHNELL AND BETTY J. SCHNELL, husband and wife

The grantor^s, do hereby grant, bargain, sell and convey unto

RONALD D. BLENDU AND BETTY M. BLENDU, husband and wife

the grantee^s, whose current address is
2358 US HWY 95, MIDVALE, ID 83645

the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s their heirs and assigns forever. And the said Grantor^s do hereby covenant to and with the said Grantee^s that they the owner^s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 9, 1994

ALVIN SCHNELL

BETTY J. SCHNELL

STATE OF IDAHO, COUNTY OF Washington
On this 9th day of DECEMBER, 1994,
before me, a notary public in and for the said State, personally
appeared ALVIN SCHNELL AND BETTY J. SCHNELL

known or identified to me to be the person^s whose name^s
subscribed to the within instrument, and acknowledged to me
that THEY executed the same.

Residing at Weiser
Comm. Expires 3/27/97

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE
at 54 minutes past FIFTEEN o'clock P.M.
this 9TH day of DECEMBER
1994, in my office, and duly recorded in BOOK
EX-1000 BY #161990.

MARY KAUTZ

Ex-Officio Recorder

Notary Public
Idaho

Mail to: WEISER VALLEY TITLE

Inst. Recd.
Comp. Fee
Filing
Comm. Fee
Card Fee
Dr. Fee
Up-date
Return
Copy

POOR ORIGINAL

INSTRUMENT NO. 16199D
PAGE 2 OF 2

Exhibit "A"

IN TOWNSHIP 13 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

In Sec. 4: All that part of Lots 3 and 4 lying northwesterly of Weiser River and southeasterly of the right-of-way of the Pacific and Idaho Northern Railway;

In Sec. 5: All that part of the NE $\frac{1}{4}$ lying northwesterly of Weiser River and southeasterly of the right-of-way of State Highway #95;

All that part of the SE $\frac{1}{4}$ lying northwesterly of Weiser River;

All that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying southeasterly of the right-of-way of State Highway #95;

The NE $\frac{1}{4}$ SW $\frac{1}{4}$;

All that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying easterly of the right-of-way of the Pacific and Idaho Northern Railway;

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying northwesterly of Weiser River ;

In Sec. 8: All that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ lying northwesterly of Weiser River and southeasterly of the right-of-way of State Highway #95;

IN TOWNSHIP 14 RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

In Sec. 33: All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying northwesterly of the Weiser River and southeasterly of the right-of-way of the Pacific and Idaho Northern Railway;

And all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying southeasterly of the right-of-way of the Pacific and Idaho Northern Railway.

PARCEL II

IN TOWNSHIP 14 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

In Sec. 32: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying southerly of the right-of-way of State Highway #95;

In Sec. 33: All that part of the S $\frac{1}{2}$ SW $\frac{1}{4}$ lying southeasterly of the right-of-way of the State Highway #95 Save and Except all that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying southeasterly of the right-of-way of the Pacific and Idaho Northern Railway.

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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: A67-00149
Date Received: 10/13/1989
Receipt No: W006239
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALVIN SCHNELL 208-459-9466
Address: 1417 S. KIMBALL AVE.
CALDWELL, ID 83605

2. Date of Priority: MAY 15, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	03W	5	SE	NW			WASHINGTON

5. Description of diverting works:
PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.130		

7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13N	03W	5	SE	NW		IRR	3.0
			SE	NW		IRR	5.0
			NE	SW		IRR	12.0
			NW	SW		IRR	1.0

Section Acres 21.0

A67-00149

Page 1

Date: 10/13/89

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OCT 01 1992

10. Place of Use: Continued

Total Acres 21.0

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:
A67-00081B

14. Remarks:
DELETED SOME ACREAGES AND ADDED OTHERS. DATE OF CHANGE UNKNOWN.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

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

For Individuals:

Signature of Claimant(s): [Signature] Date: 10-13-89
Date: _____

Subscribed and sworn (or affirmed) before me this 13 day
of Oct. 19 89 Linda W.

Residing at My Commission Expires
 My Commission Expires December 8, 1994

Shallow Water Ranch
2358 U.S. HWY. 95
P.O. BOX 70
MIDVALE, IDAHO 83645

FINE IN A67-000813, A67-000149

A67-07206 + A67-10561

RECEIVED

SEP 27 1995

WATER RESOURCES
WESTERN REGION

September 26, 1995

Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

To Whom It May Concern:

The Shallow Water Ranch is located approximately 1 mile northeast of Midvale, Idaho between US Highway 95 and the Weiser, River. As owner of the ranch I hold water rights with the Lost Valley Res. Co., from the Weiser River, from Keithley Creek, and certain wells on the property.

WITHDRAWN
It has come to my attention that the US Forest Service through claim numbers 67-12144, 67-12176, 67-12177 and the Nez Perce Indians through claim numbers 67-13352 and 67-13381 are claiming water rights which may adversely affect my rights.

Please regard this letter as a formal objection to the Forest Service and Nez Perce claims and any other claims that might adversely affect my family and me, my ranch, dwellings, livestock, crops, or the enjoyment of our personal property.

Please keep me apprised of these proceedings.

Sincerely,



R. D. Blendu
2358 U.S. Hwy. 95
P.O. Box 70
Midvale, Idaho 83645
(208) 355-2201
(208) 344-3570

Objection forms
sent 10/3/95

RDB:ln

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 21, 1995

Re: Notices of Claim to a Water Right Nos. A67-00081B, A67-00149,
A67-02177, A67-07206, A67-07280, A67-10560, A67-10926

Ronald D. Blendu
Betty M. Blendu
1345 W. Overland
Meridian, ID 83642

Mr. & Mrs. Blendu:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

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OCT 22 1996