

11/07/2006

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

RIGHT NUMBER: 67-152

NAME AND ADDRESS: KENNETH SEID
2504 SMITH RD
MIDVALE ID 83645

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.250 CFS

PRIORITY DATE: 05/15/1879

POINT OF DIVERSION:

T13N R04W S2 NESWNE Within WASHINGTON County
T14N R03W S31 SENENW Rediversion Within WASHINGTON County
T14N R04W S35 NESENW Injection Within WASHINGTON County
T14N R04W S36 NESWNE Rediversion 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	1.250 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S30 Lot 4 SWSW	24.00	T14N R03W S30	SESW	18.00
T14N R03W S31	NENE 0.20	T14N R03W S31	NWNE	11.00
T14N R03W S31	SWNE 7.10	T14N R03W S31	SENE	0.50
T14N R03W S31	NENW 26.00	T14N R03W S31 Lot 2 SWNW		26.00
T14N R03W S31	SENW 26.00	T14N R03W S31	NESW	26.00
T14N R03W S31 Lot 3 NWSW	25.00	T14N R03W S31	NESE	17.00
T14N R03W S31	NWSE 25.00	T14N R04W S25	SESW	25.00
T14N R04W S25	NESE 0.10	T14N R04W S25	NWSE	1.80
T14N R04W S25	SWSE 25.00	T14N R04W S25	SESE	25.00
T14N R04W S35	SENE 25.00	T14N R04W S35	NESE	21.00
T14N R04W S36	NENE 25.00	T14N R04W S36	NWNE	25.00
T14N R04W S36	SWNE 25.00	T14N R04W S36	NENW	25.00
T14N R04W S36	SWNW 25.00	T14N R04W S36	SENW	25.00
T14N R04W S36	NWSW 6.90			

511.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 511.6 acres in a single irrigation season. Combined Right Nos.: 67-152, 67-153, 67-168, 67-171, 67-182B, and 67-14404

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

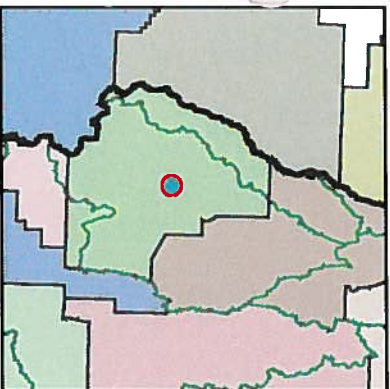
SRBA Recommendation:

67-152

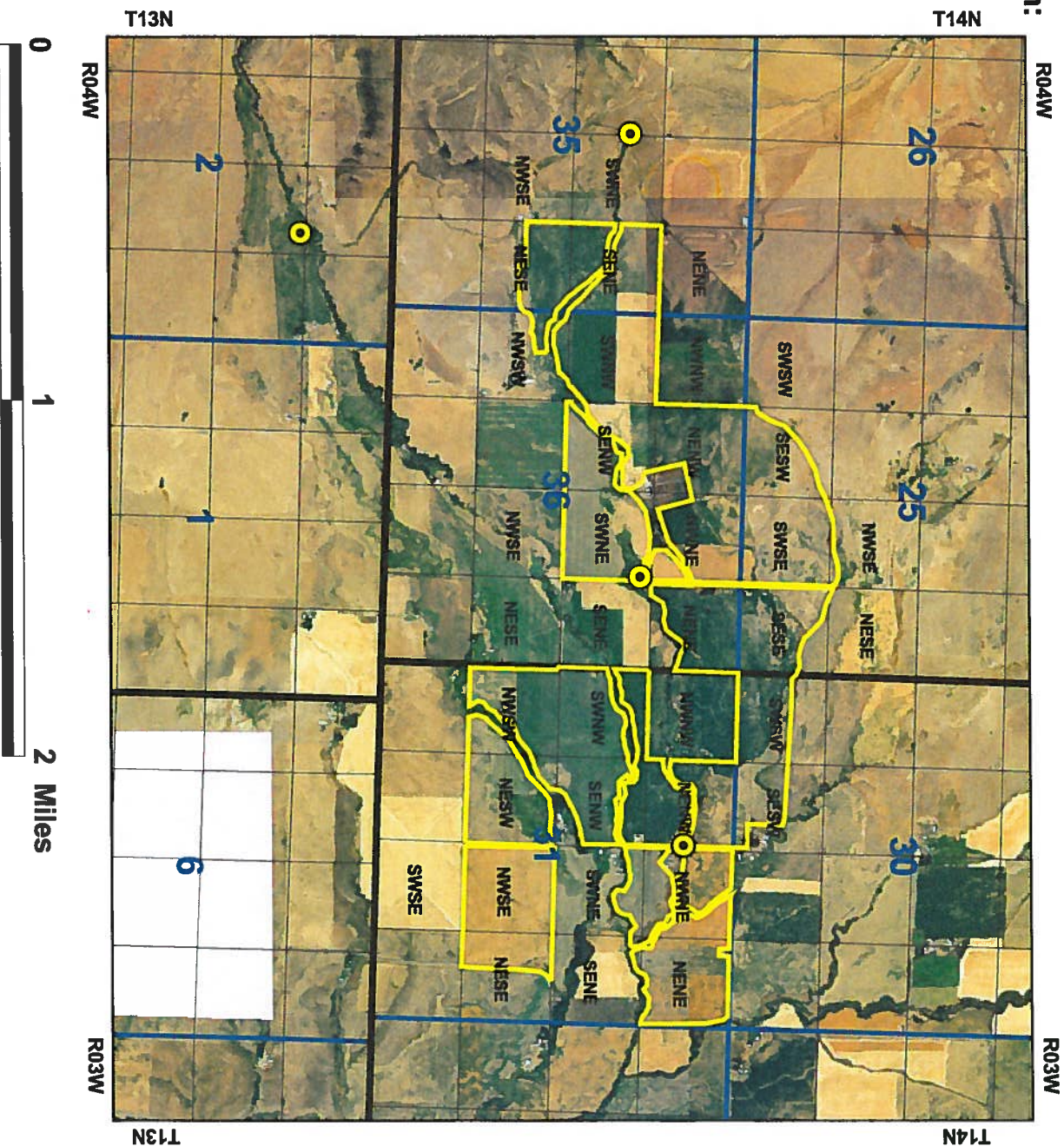
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by C. Saxton
On Tuesday, November 7, 2006
1987/88 Aerial Photography

Saxton, Craig

To: dshaw@eroresources.com
Subject: Seid, Kenneth B67 preliminary Recommendations

Good Morning Dave,

I am sending you the preliminary recommendations for Kenneth Seid a little ahead of time so you can review them. The preliminary mailing is actually going out on November 20th, but these recommendation are probably not what your claimant expected so I want you to have some time to look at them.

The main issue I can see is that as far as I can tell, Mr. Seid has enlarged his water use well over his decreed rights. I recommended as much acreage as I could base on the decreed rights. 67-14403 claims flood water on top of the decreed rights. I do not have any documentation supporting when the acres up an above those decreed were added so I recommended 67-14403 directly on top of the decreed acres for the standard 3/8 inches per acre that bring use of the flood water and the decreed water up to one inch per acre.

You will see that the shape on the layouts is larger than the 511.6 acres recommended. The shape is 667.3 acres. In order to recommend the additional acres under right 67-14403, I need some sort of evidence of when that additional ground first started being irrigated.

Anyway, you know how it goes. Take a look at the recommendations and let me know what you think. I can tell you that I am most likely not going to make changes before the preliminary mailing goes out, but hopefully, if Mr. Seid feels changes need to be made, we can get the information into me and change them before the directors report goes out so you don't have to file an objection.

67-7253B & C appear to be Mr. Seids water rights. We need a change of ownership for those.

Lastly, water master records show that 67-507, 67-509, 67-510, and 67-511 are delivered to Kennith Seid but are not claimed in the SRBA. I didn't know if there was a reason for that so I thought I would bring it to your attention.

Thanks,

Craig L. Saxton
287-4916
craig.saxton@idwr.idaho.gov



Zip Prelim Rec
Kenneth Seid (1...

Seid, Kenneth

CFS

Craig L. Saxton

11/7/2006

Children Acres

Average Analysis					Children Acres										
Twp	Rng	Sec	Q-Q	Lot	Parent	Actual Acres		Recommended							
					Seid, Kenneth	Found	Land List								
14N	3W	30	NESW		15										
			NWSE	3	34										
			SWSW	4	36	24	24								
			SESW		32	18	18								
		31	NENE		39	0.2	0.2								
			NWNE		39	11	11								
			SWNE		38	7.8	7.1								
			SENE		39	0.5	0.5								
			NENW	3	18	36	26								
			SWNW		25	36	26								
			SENW		17	32	26								
			NESW		35	37	26								
			NWSW	3	38	34	25								
			NESE		22	17	17								
			NWSE		38	39	25								
14N	4W	25	NESW		24										
			NESE		36	0.1	0.1								
			NWSE		40	1.8	1.8								
			SWSE		40	39	25								
			SESE		38	33	25								
			SESW		34	25	25								
		35	SENE		38	37	25								
			NESE		30	21	21								
		36	NENE		36	31	25								
			NWNE		37	34	25								
			SWNE		35	37	25								
			NENW		37	35	25								
			SWNW		38	39	25								
			SENW		24	35	25								
			NWSW		5	6.9	6.9								
					957	667.3	0								

Claim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	152		Decreed	Active	1879-05-15	1.25	209	KEITHLY CRE IRRIGATION	SEID, KENNE	Claim	
67	153		Decreed	Active	1897-05-01	0.16	209	LITTLE KEITH IRRIGATION	SEID, KENNE	Claim	
67	168		Decreed	Active	1884-05-15	1	330	KEITHLY CRE IRRIGATION	SEID, KENNE	Claim	
67	171		Decreed	Active	1896-05-15	0.07	60	KEITHLY CRE IRRIGATION	SEID, KENNE	Claim	
67	182 B		Decreed	Active	1877-05-15	3		KEITHLY CRE IRRIGATION	SEID, KENNE	Claim	
67	2143		License	Active	6/19/1924	1		HOPPER CRE IRRIGATION	SEID, KENNE	Claim	
67	14404		Decreed	Active	1883-05-15	0.92		KEITHLY CRE IRRIGATION	SEID, KENNE	Claim	
67	7523 B		License	Active	1/29/1981	0.78	37	KEITHLY CRE IRRIGATION	CORBETT, N	w/Adjudication	Claim
67	7523 C		License	Active	1/29/1981	0.45	26.5	KEITHLY CRE IRRIGATION	CORBETT, V	w/Adjudication	Claim

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	152		Decreed		1879-05-15	1.25	100	KEITHLY CRE IRRIGATION	SEID, KENNE	Recommendation	
67	153		Decreed		1897-05-01	0.16	12.8	LITTLE KEITH IRRIGATION	SEID, KENNE	Recommendation	
67	168		Decreed		1884-05-15	1	80	HOPPER CRE IRRIGATION	SEID, KENNE	Recommendation	
67	171		Decreed		1896-05-15	0.07	5.6	KEITHLY CRE IRRIGATION	SEID, KENNE	Recommendation	
67	182 B		Decreed	Active	1877-05-15	3	240	KEITHLY CRE IRRIGATION	SEID, KENNE	Recommendation	
67	14404		Decreed	Active	1883-05-15	0.915	73.2	KEITHLY CRE IRRIGATION	SEID, KENNE	Recommendation	
67	14403		Beneficial	Active	6/21/1921	3.84	511.6	HOPPER CRE IRRIGATION	SEID, KENNE	Recommendation	
						10.232	511.6 = 1 inch per acre				
67	2143		License	Active	6/19/1924	1	60	HOPPER CRE IRRIGATION	SEID, KENNE	Recommendation	
67	7523 B		License		1/29/1981	0.62	37	KEITHLY CRE IRRIGATION	CORBETT, N	Recommendation	
67	7523 C		License		1/29/1981	0.45	25.5	KEITHLY CRE IRRIGATION	CORBETT, V	Recommendation	

Water Master Delivery Records

Page #	Parcel	Name	Inches	W/R #	Original Owner	Priority
13	14N04W257200	SEID, KENNETH	62.50	152	C W Randlemann	5/15/1879
13	14N04W257200	SEID, KENNETH	8.00	153	C W Randlemann	6/8/1884
13	14N03W324810	KENNETH SEID	50.00	168	E Wiggins	5/15/1884
11	13N03W060600	VERLINDA WAITE	3.5	171	Wm Wicks	5/15/1896
12	14N04W254800	KENNETH SEID	2.00	159	W F Seid	5/15/1883
12	14N04W254800	KENNETH SEID	44.00	158	W F Seid	5/15/1883
12	14N04W254800	KENNETH SEID	100.00	182	Sara Keithley	5/15/1877
11	14N04W363600	KENNETH SEID	50.00	182	Sara Keithley	5/15/1877
14	14N03W311800	SEID, KENNETH	78	7523	Wm Corbett	6/29/1981

Claimed by Kenneth Seid

67-14404

12	14N04W263600	KENNETH SEID	2.50	507	J W Laphs	5/1/1885
12	14N03W314230	KENNETH SEID	39.00	509	J M Hopper	5/1/1897
12	14N03W314230	KENNETH SEID	20.00	510	J M Hopper	5/1/1911
12	14N03W314230	KENNETH SEID	20.00	511	L Hopper	5/1/1910
14	14N03W324810	SEID, KENNETH	35	2176	E Wiggins	5/3/1945
11	14N03W304900	SEID, KENNETH	11.00	170	W J Hopper	5/15/1885

Not claimed by Kenneth Seid

205.5 328.8

Not claimed, but are delivered

67	507	Decreed Active	1885-05-01	0.05	HOPPER CRT IRRIGATION LAPISH, J W wrWaterRight
67	508	Decreed Active	1886-05-01	0.8	HOPPER CRT IRRIGATION LAPISH, J W wrWaterRight
67	509	Decreed Active	1897-05-01	0.78	HOPPER CRT IRRIGATION HOPPER, JO wrWaterRight
67	510	Decreed Active	5/1/1911	0.4	HOPPER CRT IRRIGATION HOPPER, JO wrWaterRight
67	511	Decreed Active	4/1/1910	0.4	HOPPER CRT IRRIGATION HOPPER, LE wrWaterRight

WR

67	7107	Closed	8/30/1972	1	WASTE WAY IRRIGATION SEID, KENNETH wrWaterApplication
67	7107	Relinquished	8/30/1972	1	WASTE WAY IRRIGATION SEID, KENNETH wrWaterPermit
67	507	Decreed Active	1885-05-01	0.05	HOPPER CRT IRRIGATION LAPISH, J W wrWaterRight
67	508	Decreed Active	1886-05-01	0.8	HOPPER CRT IRRIGATION LAPISH, J W wrWaterRight
67	509	Decreed Active	1897-05-01	0.78	HOPPER CRT IRRIGATION HOPPER, JO wrWaterRight
67	510	Decreed Active	5/1/1911	0.4	HOPPER CRT IRRIGATION HOPPER, JO wrWaterRight
67	511	Decreed Active	4/1/1910	0.4	HOPPER CRT IRRIGATION HOPPER, LE wrWaterRight

Claim		Basis		Status		Priority Date		Rate(cfs)		Acres		Source		Water Use(s) Owner(s)		Source Table	
Basin	Sequence	Suffix															
67		152 A	Rejected	1879-05-15	0.68							KEITHLY CRE IRRIGATION SEID, KENNIF Claim		KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation			
67		153 A	Rejected	1897-05-01	0.14							HOPPER CRE IRRIGATION SEID, KENNIF Claim		HOPPER CRE IRRIGATION SEID, KENNIF Recommendation			
67		159	Rejected	1883-05-15	0.92							KEITHLY CRE IRRIGATION SEID, KENNIF Claim		KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation			
67		167	Rejected	1886-05-15	0.1							HOPPER CRE IRRIGATION SEID, KENNIF Claim		HOPPER CRE IRRIGATION SEID, KENNIF Recommendation			
67		7072	Rejected	2/9/1972	0.04							HOT CREEK IRRIGATION SEID, KENNIF Claim		HOT CREEK IRRIGATION SEID, KENNIF Recommendation			
67		7107	Rejected	8/30/1972	1							UNNAMED S' IRRIGATION SEID, KENNIF Claim		UNNAMED S' IRRIGATION SEID, KENNIF Recommendation			
67		7174	Rejected	8/28/1973	0.2							GROUND WA DOMESTIC, ; SEID, KENNIF Claim		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11340	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Claim		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11341	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Claim		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11342	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Claim		GROUND WA STOCKWATT SEID, KENNIF Recommendation			
67		11343	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Claim		GROUND WA STOCKWATT SEID, KENNIF Recommendation			
67		11344	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Claim		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11345	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Claim		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11346	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Claim		GROUND WA STOCKWATT SEID, KENNIF Recommendation			
67		11347	Beneficial Temporary	1879-05-15	0.68							KEITHLY CRE IRRIGATION SEID, KENNIF Claim		KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation			

Recommendation		Basis		Status		Priority Date		Rate(cfs)		Acres		Source		Water Use(s) Owner(s)		Source Table	
Basin	Sequence	Suffix															
67		152 A	Rejected	1879-05-15	0.68							KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation		KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation			
67		153 A	Rejected	1897-05-01	0.14							HOPPER CRE IRRIGATION SEID, KENNIF Recommendation		HOPPER CRE IRRIGATION SEID, KENNIF Recommendation			
67		159	Rejected	1883-05-15	0.92							KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation		KEITHLY CRE IRRIGATION SEID, KENNIF Recommendation			
67		167	Rejected	1886-05-15	0.1							HOPPER CRE IRRIGATION SEID, KENNIF Recommendation		HOPPER CRE IRRIGATION SEID, KENNIF Recommendation			
67		7072	Rejected	2/9/1972	0.04							HOT CREEK IRRIGATION SEID, KENNIF Recommendation		HOT CREEK IRRIGATION SEID, KENNIF Recommendation			
67		7107	Rejected	8/30/1972	1							UNNAMED S' IRRIGATION SEID, KENNIF Recommendation		UNNAMED S' IRRIGATION SEID, KENNIF Recommendation			
67		7174	Rejected	8/28/1973	0.2							GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11340	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11341	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11342	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Recommendation		GROUND WA STOCKWATT SEID, KENNIF Recommendation			
67		11343	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Recommendation		GROUND WA STOCKWATT SEID, KENNIF Recommendation			
67		11344	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11345	Rejected	1879-05-15	0.24							GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation		GROUND WA DOMESTIC, ; SEID, KENNIF Recommendation			
67		11346	Rejected	1879-05-15	0.24							GROUND WA STOCKWATT SEID, KENNIF Recommendation		GROUND WA STOCKWATT SEID, KENNIF Recommendation			

Memorandum

Date: April 20, 2006

To: Keithly Creek and Hopper Creek Files
CC: Chris Bromely

Subject: Keithly Creek and Hopper Creek decrees

Muir vs. Allison included Keithly Creek as a source. However, in the decree, Keithly Creek is recognized as having two forks that were formerly known as **Big Creek** and **Little Creek** (This information can be found on pg 107 of *Muir vs. Allison* or at the end of the section that categorizes water rights by the source.) In *Muir vs. Allison* the Keithly Creek rights are designated as 67-149 thru 67-182 and Keithly Creek is decreed as the source.

Now, what was **Little Creek** is known as **Hopper Creek** and what was **Big Creek** is known as Keithly Creek.

Issue #1: *Muir vs. Allison* decreed some rights with a source as Keithly Creek but now we call that source **Hopper Creek**.

Proposed Solution: Recommend *Muir vs. Allison* rights decreed from what was known as Little Creek with a source of Hopper Creek. No accomplished change in source because the source never really changed.

.....
John Hopper v. Leonard Hopper et al. (Washington County, August 19, 1931) decree B67-F, described decreed rights 67-507 thru 67-511 with a source as Hopper Creek. However, *Muir vs. Allison* decreed rights on this stream that were not included in ***Hopper vs. Hopper***.

The parties in *Hopper vs. Hopper* were not party to *Muir vs. Allison* (or at least are not listed in *Muir vs. Allison*).

Decreed rights 67-507 thru 67-511 have priority dates that are mixed in with the *Muir vs. Allison* priority dates. Meaning the 1931 decree didn't decree rights, as a group, for better or worse priority dates than what was decreed in *Muir vs. Allison*. It looks as if 67-507 thru 67-511 were missed in *Muir vs. Allison* but were there, so when decreed in 1931, the priority dates could date back into *Muir vs. Allison*.

Issue #2: There are two separate decrees for the same source and it does not appear that one supercedes the other.

Proposed Solution: Actually, I don't see this as a big issue. I will just recommend the *Hopper vs. Hopper* rights as they were decreed, and the *Muir vs. Allison* rights from that source as they were decreed, **except** for changing the source to Hopper Creek.

Field Investigation Information Form

Claim Number: A67-00152

Claimant: Kenneth Seid

Contact:

Address: 2504 Smith Road

City: Midvale

State: Idaho 83645

Phone: 208-355-2339

Alternate Phone:

Is there a new owner? Yes: No: X If yes, complete new owner information section

Point of Diversion Location: Township: 13N Range: 04W Section: 02 QQQ: NE QQ: SW Q: NE

Site Tag Number: GPS Location: Section 02 = 44*29'41.81" N - 116* 46' 52.54" W

Description of Diversion Works: Headgate, Ditch, Pump, Pipeline, Sprinklers.

Examination Date and Narrative: On July 20, 2006, Gene Gibson performed a field examination on the Points of Diversion and rediversion, means of Conveyance, and the Places of Use on the above claim. GPS readings were taken and an examination of the claimed Points of Diversion and rediversion. Examined the means of conveyance from claimed Points of diversion and rediversion to the claimed Places of Use. Reviewed the claimed Places of Use in the file and compared it to the area that could be irrigated in the field.

The following is my findings:

- a. The Points of Diversion claimed were found and are operable.
- b. The means of conveyance from the Points of Diversion to some of the Places of Use were found and are operable.
- c. Some of the claimed Places of Use can be irrigated from the claimed Points of Diversion.
- d. The number of irrigated acres in the field was not measured; therefore the number of acres claimed may or may not be accurate.
- e. The claimed POU's shown (as cross hatched) on the map in the S ½ Section 25 and the SW ¼ Section 30 at the time of the field exam did not have a means of conveyance for irrigation.
- f. See pictures and map for POD and POU locations.

Field Examiner:

Date: 9-13-2006

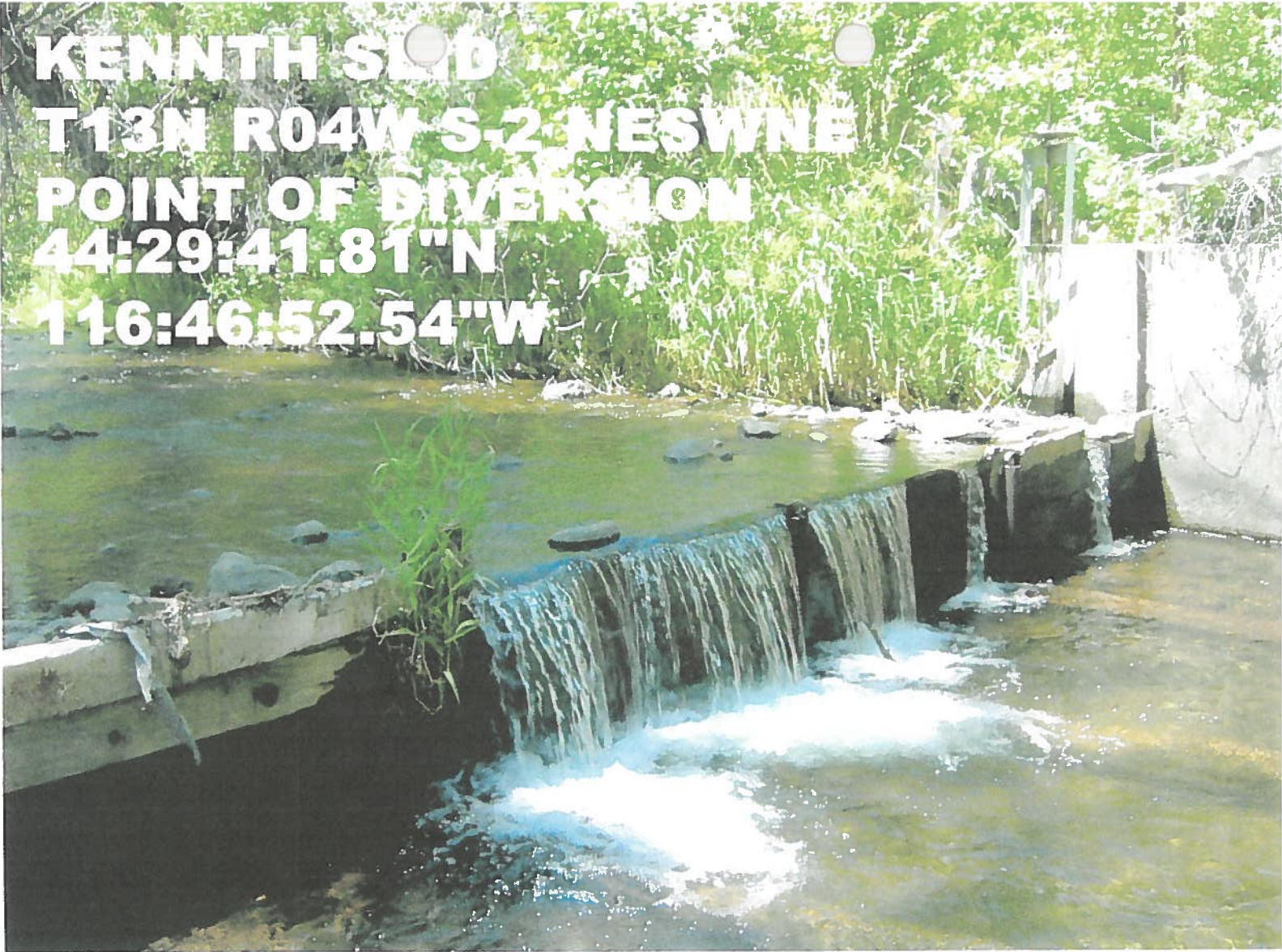
KENNETH SLID

T13N R04W S-2 NESWNE

POINT OF DIVERSION

44:29:41.81"N

116:46:52.54"W



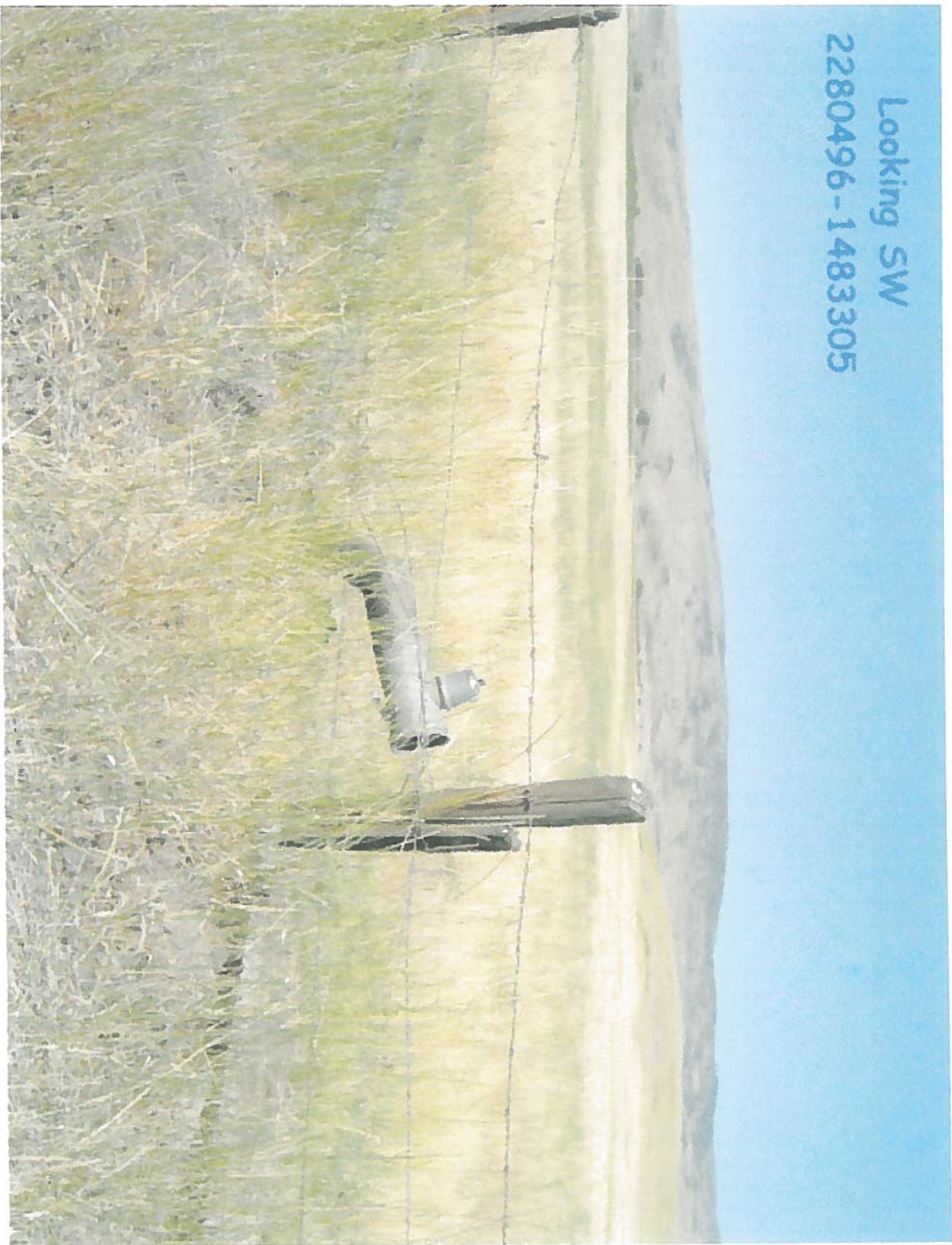
KENNETT

2200

1000

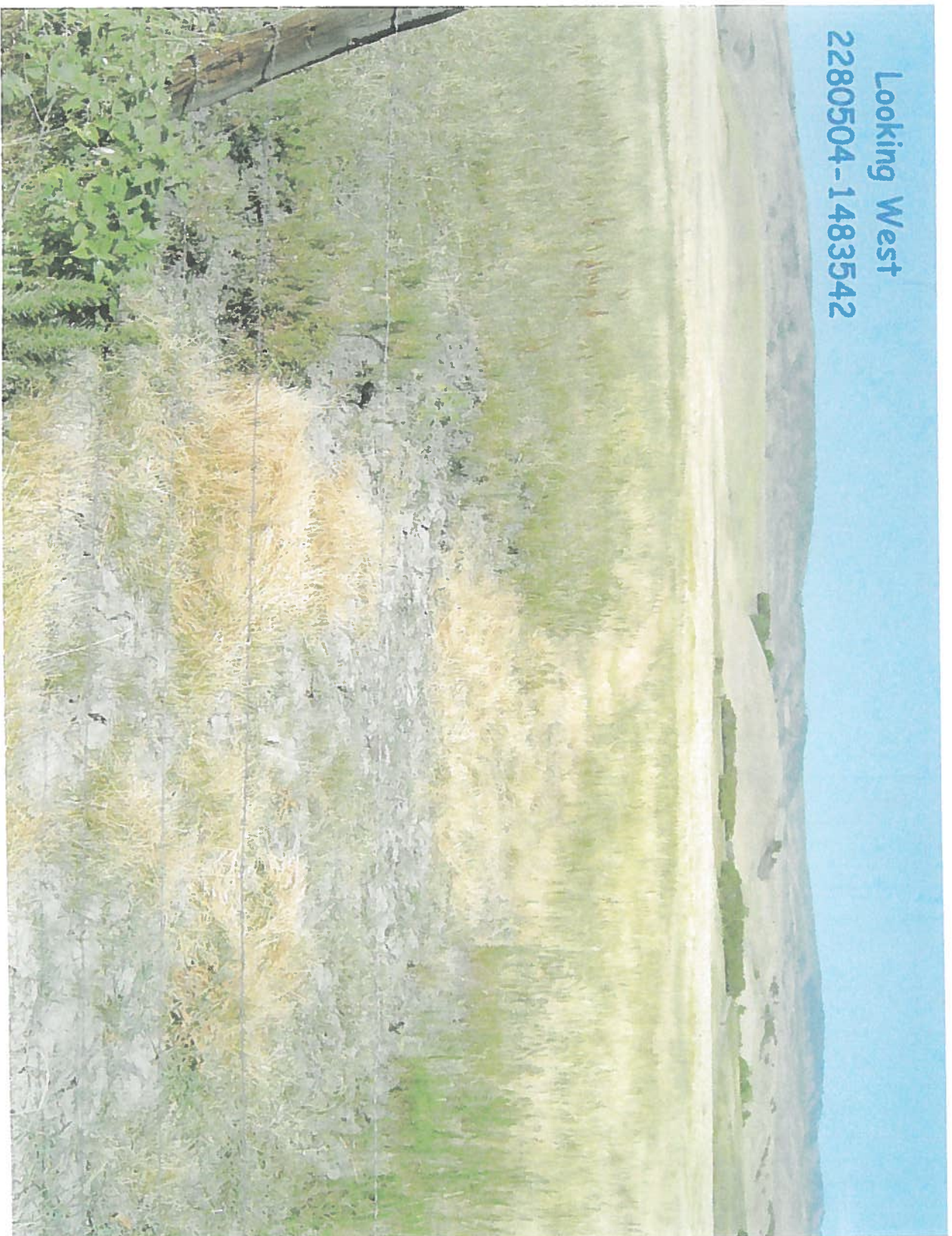


Looking SW
2280496-1483305



Looking West

2280504-1483542



Looking East
2280150-1483538



Looking South
44°31'13.85" N
116°45'42.36" W



Looking SE
44°31'13.85" N
116°45'42.36" W



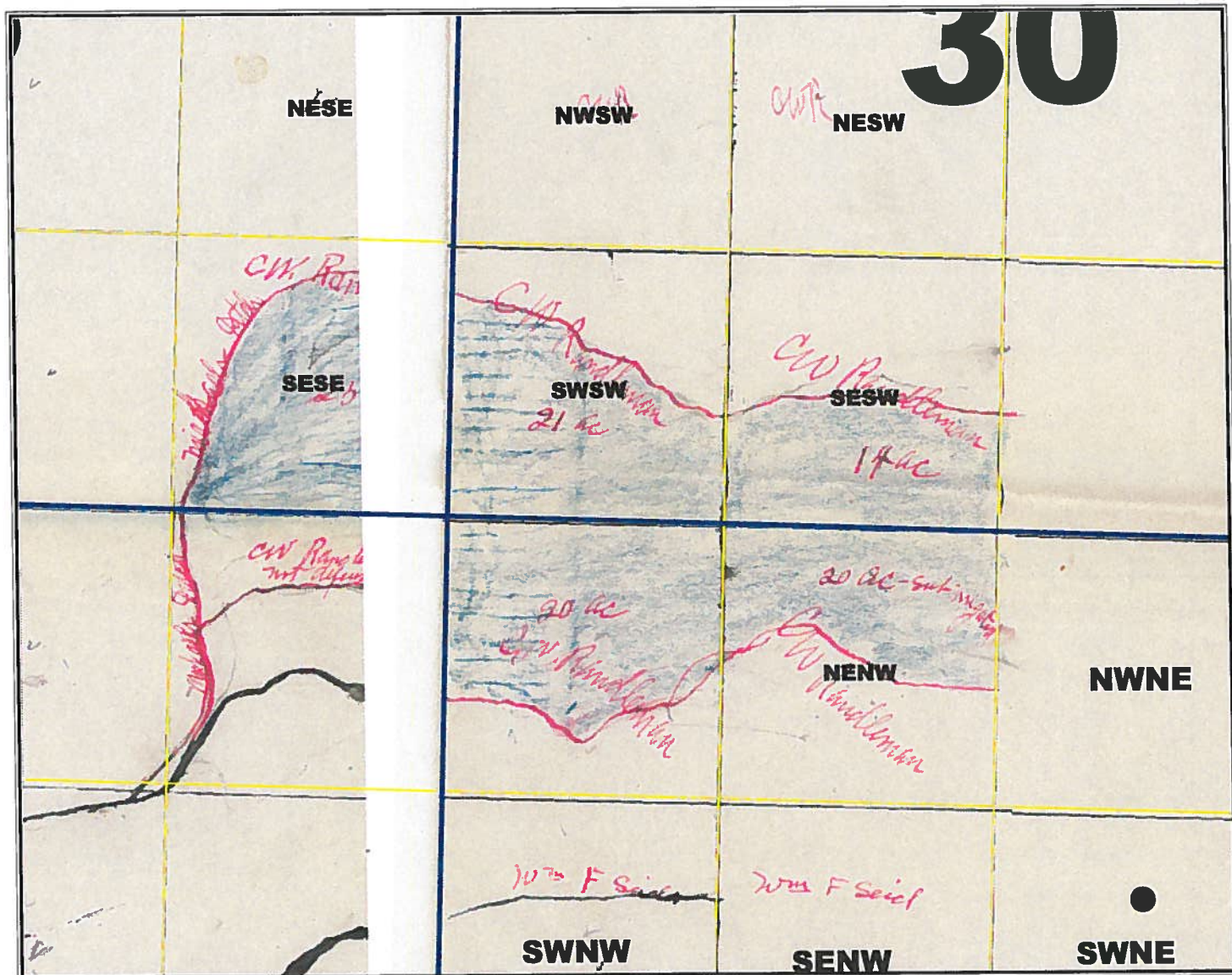


State of Idaho

Muir vs. Allison Decree Map

Decree Owner: Randleman, Curt W

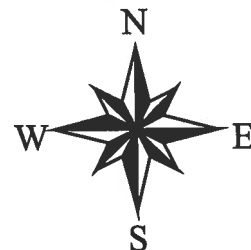
Claimant: Seid, Kenneth



1320 0 1320 2640 Feet

-  Point(s) of Diversion
-  POU N/A
-  Claimed Place of Use
-  Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Total Irrigated Acres = 100



Prepared By: Craig L. Saxton
Date: April 2006

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary ScreenDate: 12/12/02
Time: 15:52:10Rec/No - W007152 AR/No -
From: - SEID, KENNETH E.Receipt Type - CK Doc/No - 6995
Remarks - PARTIAL PAYMENT

MOST CURRENT RECEIPT

Receipt Date: 12/15/1989

Type Of Payment	Fund FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337	410162	6490		511.40

Total Due - 511.40

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6700152A*	206.40	A6700168*	10.00	A6700167	10.00
A6700167	10.00	A6702143*	10.00	A6707072	10.00
A6707107	10.00	A6707174	10.00	A6700182B*	10.00
A6700159	10.00	A6700153A*	10.00	A6711340	25.00
A6711341	25.00	A6711342	25.00	A6711343	25.00

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

Anso

153B*

152B

182C

11344

11345

11346

Can't find

OR 11341
11347



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 16, 2002

KENNETH SEID
2504 SMITH RD
MIDVALE ID 83645

Dear Mr. Seid:

During your visit to this office the other day, you mentioned some original documents left here a number of years ago. You asked for the documents to be returned. I cannot locate anything here related to that except a copy of the enclosed letter sent to you in 1990.

It appears the original documents were returned to you in the mailing of January 15, 1990.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure = *copy BS's 1/15/90 letter (filed in A67-152A)*

Kenneth Seid -

info in case files JARA
claims.

no follow up needed at
this time.

-JL 12/16/02

CONVERSATION MEMORANDUM

DATE 12/12/02

FILE _____

NAME OF PARTY Kenneth Seid

EMPLOYEE SE

RE: Office visit to file numerous SRBA claims

Visited office today (non appointment) to file many claims per attached list. Lots of confusing leads found in database but no claims for any of highlighted rights except portion of 67-182 filed by Keithley in A67-182A.

Seid needs to file claims to secure bank loan ASAP. By end of his 2 hour visit, provided him info sufficient for him to file claims or seek help from consultant.

If files claim, can apply \$511.40 (W007152) towards fees. (not refunded).

File history (JAN Shute) showed considerable efforts by IDWR to help Seid file claims in the past. Seid NEVER followed through with this.

Seid provided IDWR an old document (or y decree?) rolled up in a tube back in 1989 (?) - wants it back.

done 12/16/02
Search IDWR files & Western & call Seid to let him know if found anything like that.

12/9/02

Seid Ranch - Water Rights

Number	Water Source	Priority	Amnt (CFS)	Lands (Acres)	Filing
57-00182	Keithly Creek	05/15/1877	4	560	Orig Decree*
57-00152	Keithly Creek	05/15/1879	1.25	240	Orig Decree*
67-00153	Little Keithly Cr	05/01/1897	0.16	240	Orig Decree*
67-0158	Keithly Creek	05/15/1883	0.88	80	Orig Decree*
67-00159	Keithly Creek	05/15/1883	0.04	120	Orig Decree*
67-00168	Keithly Creek	05/15/1884	1	160	Orig Decree*
67-00171	Keithly Creek	05/15/1896	0.07	40	Orig Decree*
67-02143	Hopper Creek	6/19/24	1	50	Orig Decree*
A67-10739	Groundwater	1/1/50	0.04	Hse + 1/2 Ac	Ben. Use
A67-10704	Groundwater	06/30/1880	0.06	Stock water	Ben. Use
A67-10703	Groundwater	06/30/1880	0.12	Stock water	Ben. Use
A67-072D	Keithly Creek	1/29/81	0.06	3	License
A67-07523D	Keithly Creek	1/29/81	0.45	26.5	License
A67-07523B	Keithly Creek	1/29/81	0.78	39	License
A67-00174	Keithly Creek	05/15/1886	0.04	2	Decree

Need
Filing*

* These filings are the original filings under the Muir-Allison Decree; Adjudication filings are needed.

* of these, none claimed except 1.00 CFS in
A67-182A for Mr. Keithly. Seid needs
to file all these assuming they describe
his plw.

-JL 12/12/09

Receipt Details for ID W007152

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/15/1989 3:53:47 PM	12/15/1989	Western	\$511.40	Check
Payer		SEID, KENNETH E.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6995			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$511.40	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

* CAN apply this unrefunded fee to
 Adj. claims if filed
 Fee paid but no claims received

Seid Records 12/12/02
 AS 67

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Volume(a)	Source	Water Use(s)	Source Table	Version	Source Ta App ID
67	160		Decreed	Active	1883-05-15	0.04		KEITHLY CREEK	IRRIGATION	SEID, KELLY (Current); SEID, TOM (Current)	wrAdjudicationClaim	
67	161		Decreed	Active	1889-05-15	0.05		KEITHLY CREEK	IRRIGATION	SEID, KELLY (Current); SEID, TOM (Current)	wrAdjudicationClaim	
67	162		Decreed	Active	5/15/1901 1879-05-15	0.14		KEITHLY CREEK	IRRIGATION	SEID, ALLEN (Current); SEID, TOM (Current)	wrAdjudicationClaim	
67	155		Decreed	Active	1883-05-15	0.04		KEITHLY CREEK	IRRIGATION	SEID, W F (Current)	wrWaterRight	
67	158		Decreed	Active	1883-05-15	0.88		KEITHLY CREEK	IRRIGATION	SEID, W F (Current)	wrWaterRight	
67	159		Decreed	Active	1883-05-15	0.04		KEITHLY CREEK	IRRIGATION	SEID, KELLY (Current)	wrWaterRight	
67	10605		Decreed	Active	1899-12-24	0.06		SPRING	STOCKWAT ER	SEID, KELLY (Current); SEID, TOM (Current)	wrWaterRight	
67	10606		Decreed	Active	1899-12-24	0.06		SPRING	STOCKWAT ER	SEID, KELLY (Current); SEID, TOM (Current)	wrWaterRight	
67	10607		Decreed	Active	1899-12-24	0.06		SPRING	STOCKWAT ER	SEID, KELLY (Current); SEID, TOM (Current)	wrWaterRight	
67	11172		Decreed	Active	4/1/1971	0.04		GROUND WATER	DOMESTIC	SEID, GERTRUDE (Current)	wrWaterRight	
67	7107		Active	Active	8/30/1972	1		WASTE WAY	IRRIGATION	SEID, KENNETH (Current)	wrWaterPermit	

NO SRBA claims filed by Ken Seid at KAST
 w/ that name. Did not check extensive Plu
 listed as attached info.

only record
 for Ken

Ken's
 mother

EXHIBIT "A"

FILE NO.: 100-02-8893

PARCEL I:

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

SECTION 20: SW1/4SW1/4;
SECTION 29: NW1/4NW1/4;
SECTION 32: NW1/4NW1/4;
SECTION 28: S1/2SE1/4;
SECTION 31: Lots 2 and 3, NW1/4SE1/4, W1/2E1/2SE1/4, Save and Except all that part lying Easterly of the West line of Wiggins Road as conveyed to Washington County by Deed recorded March 17, 1999 as Instrument No. 175701, Official Records, NE1/4SW1/4 EXCEPT THEREFROM the following: Beginning at the southeast corner of NE1/4SW1/4; thence North 210 feet; thence West 210 feet; thence South 210 feet; thence East 210 feet to the point of beginning;
SE1/4NW1/4;
SECTION 33: N1/2NE1/4, SAVE AND EXCEPT all that part of the NE1/4NE1/4 lying South and East of the right of way for Highway 95.

IN TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 8: W1/2SE1/4, SE1/4SE1/4;
SECTION 17: NW1/4NE1/4;
SECTION 25: W1/2SE1/4, SW1/4;
SECTION 26: S1/2, SW1/4NW1/4;
SECTION 27: S1/2NE1/4, SE1/4, E1/2SW1/4, SW1/4SW1/4;
SECTION 28: S1/2S1/2, NW1/4SW1/4;
SECTION 29: W1/2, SE1/4;
SECTION 32: That portion of the E1/2NW1/4 and the NE1/4 lying south of the north line of said Section, a distance of 1980 feet more or less, to an existing fence;
SECTION 33: That portion of the W1/2NW1/4 lying south of the north line of said Section, a distance of 1980 feet more or less, to an existing fence;
E1/2NW1/4, NE1/4, NE1/4SE1/4;
SECTION 34: W1/2NW1/4, N1/2SW1/4, SE1/4SW1/4, and all that part of the N1/2NE1/4 lying north of the new county road as constructed in 1970;
SECTION 35: NW1/4NE1/4, and all that part of the NW1/4NW1/4 lying north of the new county road as constructed in 1970;
SECTION 36: E1/2NW1/4, W1/2NE1/4.

CONTINUED

page 1

EXHIBIT "A" CONTINUED

FILE NO.: 100-02-8893

IN TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 35: SE1/4NE1/4, NE1/4SE1/4;
SECTION 36: SW1/4NW1/4, N1/2SW1/4; EXCEPTING THEREFROM the following:
Beginning at the southwest corner of the NE1/4SE1/4 of said Section 35; thence East 2640 feet, more or less, to the southeast corner of the NW1/4SW1/4 of said Section 36; thence North 400 feet to the County Road; thence westerly along said County Road 2040 feet to a point 450 feet north of the south line of said NE1/4SE1/4 of Section 35; thence North 125 feet; thence northwesterly 620 feet to the west line of said NE1/4SE1/4; thence South 625 feet to the place of beginning.

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

SECTION 18: Lot 4;
SECTION 19: Lot 1, E1/2NW1/4.

IN TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, Idaho:

SECTION 13: N1/2SW1/4, NW1/4SE1/4, Lots 4, 5, 6, and 7;
SECTION 14: Lot 1, NE1/4SE1/4;
SECTION 24: N1/2N1/2.

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

SECTION 32: SW1/4NW1/4 SAVE AND EXCEPT all that portion lying South and West of Seid Slough, and FURTHER EXCEPTING that portion Conveyed to Washington County by Deed recorded March 17, 1999 as Instrument No. 175701, Official Records.

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

SECTION 19: LOT 2;
SECTION 31: N1/2NE1/4, and ALL THAT PORTION OF THE S1/2NE1/4 WHICH LIES NORTH OF KEITHLEY CREEK.

IN TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY:

SECTION 23: E1/2NE1/4;
SECTION 24: S1/2N1/2, N1/2SW1/4, NW1/4SE1/4.

CONTINUED

EXHIBIT "A" CONTINUED

FILE NO.:100-02-8893

IN TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 36: NE1/4NE1/4;
SECTION 25: E1/2SE1/4;
SECTION 24: E1/2SE1/4.

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

SECTION 19: LOTS 3 AND 4, THE NE1/4SW1/4, W1/2SE1/4, SE1/4SW1/4;
SECTION 30: NW1/4NE1/4.

PARCEL II:

TOWNSHIP 14 NORTH, RANGE 4 WEST, BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 4: SW1/4;
SECTION 5: N1/2SW1/4, SE1/4SW1/4, SE1/4;
SECTION 6: SW1/4SW1/4;
SECTION 7: NW1/4NE1/4, NW1/4NW1/4, S1/2N1/2, N1/2S1/2, S1/2SW1/4;
SECTION 8: NE1/4, NE1/4NW1/4, S1/2NW1/4, N1/2SW1/4, NE1/4SE1/4;
SECTION 9: N1/2NW1/4, SW1/4;
SECTION 18: ALL.

PARCEL III:

TOWNSHIP 14 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 13: NW1/4NE1/4.

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

SECTION 30: Lots 3 and 4, E1/2SW1/4, SAVE AND EXCEPT a parcel of land situated within the SE1/4SW1/4, more particularly described as follows: Beginning at the southeast corner of the SE1/4SW1/4 of Sec. 30, T.14N., R.3W., B.M.; Thence north, a distance of 205 feet along the east line of said SE1/4SW1/4 to the TRUE POINT OF BEGINNING; Thence west at a right angle to the east line of said SE1/4SW1/4, a distance of 400 feet; Thence north, parallel to the east line of said SE1/4SW1/4, a distance of 550 feet; Thence east at a right angle to the east line of said SE1/4SW1/4, a distance of 400 feet to a point on the east line of said SE1/4SW1/4; Thence south, a distance of 550 feet along the east line of said SE1/4SW1/4 to the TRUE POINT OF BEGINNING.

SECTION 31: Lot 1 and NE1/4NW1/4.

CONTINUED

EXHIBIT "A" CONTINUED

FILE NO.:100-02-8893

PARCEL IV:

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

SECTION 28: E1/2SW1/4;
SECTION 31: E1/2NE1/4SE1/4, SAVE AND EXCEPT all that part lying Southerly of the Northerly line of Wiggins Road as conveyed to Washington County by Deed recorded March 17, 1999 as Instrument No. 175701, Official Records;
SECTION 32: SE1/4NE1/4, E1/2SW1/4, that part of the E1/2NW1/4 lying South and West of Keithley Creek, and the NW1/4SW1/4 except that part lying Westerly and Southerly of Seid Slough;
SECTION 33: NW1/4, SW1/4NE1/4 EXCEPTING THEREFROM all that part of the SW1/4NE1/4 lying East of the Public Highway.

PARCEL V:

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

SECTION 31: The S1/2NE1/4 EXCEPTING that part of said S1/2NE1/4 lying North of Keithley Creek; ALSO EXCEPTING THE FOLLOWING PARCEL:

BEGINNING at the Northwest corner of the NE1/4 of Section 31;
Thence South along the West line of said NE1/4 a distance of 2027 feet, more or less, to the TRUE POINT OF BEGINNING, which point is on the West Line of the SW1/4NE1/4, and which point is 3261.5 feet North of the Southwest corner of the SE1/4 of said Section 31;
Thence East at a 90° angle to the West line of said SW1/4NE1/4, a distance of 568 feet;
Thence North parallel to the West line of said SW1/4NE1/4, a distance of 450 feet, more or less, to the Center of Keithley Creek;
Thence Westerly along the Center line of Keithley Creek to a point on the West line of said SW1/4NE1/4;
Thence South along the West line of said SW1/4NE1/4 a distance of 390 FEET, more or Less, to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING the right of way as now established of an existing County Road known as Busch Road along the West side.

ALSO EXCEPTING all that portion conveyed to Washington County by Deed recorded March 17, 1999 as Instrument No. 175701, Official Records.

END EXHIBIT "A"

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-182A

WATER RIGHT NUMBER: 67-182A

Owner Type Name and Address
 Current Owner HOWARD KEITHLEY JR
 PO BOX 68
 MIDVALE, ID 83645
 (208)355-2410
 Current Owner VIVIAN KEITHLEY JR
 PO BOX 68
 MIDVALE, ID 83645
 (208)355-2410

Keithley claimed 1.00
 cfs of 4.00 cfs in
 WR 67-182

Priority Date: 05/15/1877

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	3/15 to 11/15	2.080 CFS	
	<u>Total Diversion:</u>	2.080 CFS	

Location of Point(s) of Diversion

KEITHLY CREEK	NE1/4SW1/4NE1/4	Sec. 2,	Twp 13N,	Rge 04W, B.M.
WASHINGTON County				
KEITHLY CREEK	NE1/4NW1/4NW1/4	Sec. 1,	Twp 13N,	Rge 04W, 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	
14N	04W	35	26.0																26.0
14N	04W	36					40.0						40.0	37.0	40.0	40.0			197.0

Total Acres: 223

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-182A

1. General NOTE: THIS CLAIM IS A COMBINATION OF WATER RIGHT NO.'S 67-00151, 27.5", 67-00177 - 26.5" AND A PORTION OF 67-00182 - 50" SINCE ALL THREE HAVE THE SAME SOURCE AND PRIORITY.

Comments:

Dates and Other Information:

Claim Received Date: 10/17/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 67
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

Janet Ketcham
J S Hamilton
Whitney P James
Council Valley Orchards Company
Henry Van Kleeck

West Fork Weiser River.
E. J. Glenn Ditch.

T J Glenn
Joel Glenn
C L Ham
J H Bridgewood

Osborn-Grooms Ditch.

C. L Ham
Bridgewood and Riddell

Keithley Creek.

Andrew M Reed

Ohloe Keithley

Curt W Randleman

Curt W Randleman - Little Keithley Creek

Victor L Hopper

Allen Seid

Charles T Reavis

W F Seid

William O Potter

William Wiggins

Frank Towell

Forrest Burns and Clifford Burns

Edward M Wiggins

John Zencher

Walter J Hopper

William Wicks

Otho Towell

Carrie Clayton

Jacob Ader

E M Stewart

James Keithley

20 July 1, 1905 / 67 0138
10 July 1, 1905 / 67 0139
40 July 1, 1905 / 67 0140
110 July 1, 1905 / 67 0141
274 July 1, 1905 / 67 0142

Start here

53 May 1, 1898 / 67 0143
15 May 1, 1900 / 67 0144
4 May 1, 1900 / 67 0145
8 May 1, 1900 / 67 0146
22 May 1, 1900 / 67 0147
26 May 1, 1900 / 67 0148

64 May 15, 1871 / 67 0149
64 May 15, 1906 / 67 0150
274 May 15, 1877 / 67 0151
624 May 15, 1879 / 67 0152

8 May 1, 1897 / 67 0153 (Book 4 p 667)

64 May 15, 1879 / 67 0154

2 May 15, 1879 / 67 0155

20 May 15, 1882 / 67 0156

48 3/4 May 15, 1883 / 67 0157

43 3/4 May 15, 1883 / 67 0158

2 May 15, 1883 / 67 0159

2 May 15, 1883 / 67 0160

24 May 15, 1889 / 67 0161

7 May 15, 1901 / 67 0162

24 May 15, 1884 / 67 0163

18 3/4 May 15, 1884 / 67 0164

9 3/8 May 15, 1899 / 67 0165

74 May 15, 1884 / 67 0166

5 May 15, 1886 / 67 0167

50 May 15, 1884 / 67 0168

84 May 15, 1885 / 67 0169

11 May 15, 1885 / 67 0170

31 May 15, 1896 / 67 0171

64 May 1, 1886 / 67 0172

20 May 15, 1899 / 67 0173

2 May 15, 1886 / 67 0174

20 May 15, 1890 / 67 0175

4 May 15, 1890 / 67 0176

May 15, 1877 / 67 0177

JUL 24 1996

O L Weid	10	2.27	2.10	.17	
F E Weymouth	30	6.81	4.00	2.81	
John Ingram	20	4.54	4.00	.54	
C F Lappin	30	6.81	6.30	.51	
A E Felrley	20	4.54	2.70	1.84	
H W Anderson	10	2.27	2.50		.23
E Medley	5	1.13	.50	.633	
W H Upchurch	10	2.27	1.00	1.27	
C T Ward	2½	.67	.25	.42	
Minnie Rambo	5	1.13		1.13	
E C Smith	3½	.89		.89	
Carrie M Lowe	3	.68	.60	.08	
J D Neale	3	.68		.68	
Riley Atkinson	14	3.37		3.37	
Fay McBirney	20	4.54	4.00	.54	
Janey Ketchum	20	4.54	4.00	.54	
J S Hamilton	10	2.27		2.27	
Whitney P James	40	9.08	15.60		.92
Council Valley Orchards	110	24.97	23.10	1.87	
Henry Van Kiseok	27½	6.34	6.00	.34	
T J Glenn	53	12.03	9.00	3.03	
Joel Glenn	15	3.41	2.30	1.11	
J H Bridgewood	8	1.82	2.40		.58
C L Ham	26	5.90	3.00	2.90	
Bridgewood and Middell	26	5.90	6.80		.90
Andrew M Reed	12½	2.94	4.00		1.06
Chloe Keithley	27½	6.35	5.88	.47	
Curt W Randleman	26½	13.68	13.23	.45	
Curt W Randleman	8	1.82	1.68	.14	
Victor L Hopper	6½	1.58	1.47	.11	
Allen Seid	2	.45	.42	.03	
Charles T Heavie	68 ¾	15.67	14.50	1.17	
W F Seid	45½	10.43	9.66	.77	
Wm B Potter	11½	2.71	2.52	.19	
Wm Wiggins	2½	.67	2.25	1.58	1.58
Frank Towell	28½	6.57	7.50		.93
Forrest & Clifford Burns	12½	2.94	3.73		.79
Edward M Wiggins	62½	14.31	13.25	1.06	
John Zenger	8½	2.03	1.89	.14	
Walter J Hopper	11	2.50	4.00		1.50
William Wicks	3½	.91	1.00		.09
Otho Towell	26½	6.12	5.67	.45	
Carrie Clayton	2.	.45	1.27		.82
Jacob Ader	20	4.54	4.20	.34	
E M Stewart	4	.91	4.00		3.09

C T WARD: Lot 3 of Block 4 of the Whiteley Addition to the Town of Council consisting of about one (1) acre.

MINNIE RAMBO: The West 12 1/2 acres of the Southeast Quarter of the Southeast Quarter of Section 10, Township 16 North, Range 1 West Boise Meridian.

E C SMITH: Lots 21-24 inclusive, of Block 1 Whiteley Addition to the Town of Council comprising approximately 3 acres.

CARRIE M LOWE: Lots 22-27 inclusive, of Block 11 of Perrills Division of the Town of Council.

J D NEALE: Lots 1-5 inclusive, of Block 7 of Perrills Division of Council.

RILEY ATKINSON: The North twenty-five (25) acres of the Southeast Quarter of the Northeast Quarter of Section 15 and the Northeast Quarter of the Northwest Quarter of Section 11 all in Township 16 North, Range 1 West Boise Meridian.

PAY McBINNEY: The Northeast Quarter of the Northeast Quarter of Section 3, Township 16 North, Range 1 West Boise Meridian.

JANET KETCHUM: The Northwest Quarter of the Northeast Quarter of Section 10, Township 16 North, Range 1 West Boise Meridian.

J. B. HAMILTON: The South half of the Northeast Quarter of the Northeast Quarter of Section 3, Township 16 North, Range 1 West Boise Meridian.

WHITNEY P JAMES: The Northwest Quarter of Section 1, Township 16 North, Range 1 West Boise Meridian.

COUNCIL VALLEY ORCHARDS: The Northwest Quarter, the South half of the Northeast Quarter, the North half of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter, all in Section 2, Township 16 North, Range 1 West Boise Meridian.

HENRY VAN KLEEFCK: The Southwest Quarter of the Northeast Quarter and the South half of Lot 2, Section 3, Township 16 North Range 1 West Boise Meridian.

T J GLENN: The Southeast Quarter of Section 9, Township 17 North, Range 1 West Boise Meridian.

JOEL GLENN: The Southwest Quarter of the Southwest Quarter of Section 10 and the Northeast Quarter of the Northeast Quarter of Section 16, Township 16 North, Range 1 West Boise Meridian.

C L HAM: The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 9, Township 16 North, Range 1 West Boise Meridian.

J H BRIDGEWOOD and BRIDGEWOOD & RIDDLE: The Southwest Quarter of the Southeast Quarter of Section 32, Township 18 North, Range 1 West Boise Meridian, the West half of the Northeast Quarter and the Northwest Quarter of the Southwest Quarter of Section 5, the Northeast Quarter of the Southeast Quarter and the South half of the Southeast Quarter of Section 5, the North half of the Northeast Quarter of Section 8, the West half of the Northwest Quarter of Section 9, Township 17 North, Range 1 West Boise Meridian.

ANDREW M RUTED: The Southeast Quarter of the Northwest Quarter, the East half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter, Section 5, Township 13 North, Range 3 West Boise Meridian.

CHLOE KEITHLEY: The North half of the Southeast Quarter of Section 36, Township 14 North, Range 4 West Boise Meridian.

CURT W RANLEMAN: The East Half of the Southeast Quarter Section 25, Township 14 North, Range 4 West Boise Meridian, and Lots 3 and 4 of the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 30, and the

Northeast Quarter of the Northwest Quarter and Lot 1, Section 31, Township 14 North, Range 3 West Boise Meridian.

VICTOR L HOPPER: The Southeast Quarter of the Northwest Quarter, Section 30, Township 14 North, Range 3 West Boise Meridian.

ALLEN SEID: The Southwest Quarter of the Northeast Quarter of Section 30, Township 14 North, Range 3 West Boise Meridian.

CHARLES T REAVIS: Lots 2, 3, 4 and the Southwest Quarter of the Northwest Quarter, Section 1, Township 13 North, Range 4 West Boise Meridian, excepting a tract of about six acres out of the said Lot 4.

W F SEID: The Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, and Lot 3, Section 31, Township 14 North, Range 3 West Boise Meridian.

WILLIAM S POTTER: The West half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter, Section 35, Township 14 North, Range 4 West and Lot 2, Section 2, Township 13 North, Range 4 West Boise Meridian. Also an irregular tract of eight acres out of the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 35, Township 14 North, Range 4 West Boise Meridian.

WILLIAM WIGGINS: Lot 3, Section 19, Township 14 North, Range 3 West Boise Meridian.

FRANK TOWELL: The Northeast Quarter of the Northeast Quarter and the South half of the Northeast Quarter Section 2, Township 13 North, Range 4 West Boise Meridian.

FORREST BURNS AND CLIFFORD BURNS: The North half of the Northeast Quarter Section 31, Township 14 North, Range 3 West Boise Meridian.

EDWARD M WIGGINS: The Southeast Quarter Section 32, Township 14 North, Range 3 West Boise Meridian.

JOHN ZINCHER: The Southeast Quarter of the Northwest Quarter Section 35, Township 14 North, Range 4 West Boise Meridian.

WALTER J HOPPER: The Southwest Quarter of the Southwest Quarter Section 36, and an irregular tract out of the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 35, all in Township 14 North, Range 4 West, and also an irregular tract of about six acres out of the Northwest corner of Lot 4, Section 1, Township 13 North, Range 4 West Boise Meridian.

WILLIAM WICKS: The Northwest Quarter of the Southeast Quarter of Section 31, Township 14 North, Range 3 West Boise Meridian.

OTHO TOWELL: The South half of the Northwest Quarter, Section 2, Township 13 North Range 4 West Boise Meridian.

CARRIE CLAYTON: The South half of the Northeast Quarter Section 31, Township 14 North, Range 3 West Boise Meridian.

JACOB ADER: The Northwest Quarter of the Southeast Quarter of Section 30, Township 14 North, Range 3 West Boise Meridian.

E M STEWART: The Southwest Quarter of the Southeast Quarter of Section 30, Township 14 North, Range 3 West Boise Meridian.

JAMES KEITHLEY: The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 36, Township 14 North, Range 4 West Boise Meridian.

WALTER C KEITHLEY: The Southeast Quarter of the Southeast Quarter of Section 36, Township 14 North, Range 4 West Boise Meridian.

JUL 24 1906

KEITHLEY CREEK.

That Keithley Creek is a tributary of the Weiser River and consists of two forks commonly known as Big Keithley and Little Keithley Creeks. Which said creeks were formerly known as and are referred to in the evidence as Big Keithley Creek and Little Creek.

That the defendant, Jacob Ader, is entitled to 20 inches of water from Keithley Creek for use upon the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 30, Twp. 14 N., R. 3 W., B. M., under priority date May 15, 1890.

That the defendant, E. M. Stewart, is entitled to 4 inches of water from Keithley Creek for the irrigation of 6 acres situated in ~~xxxxxx~~ the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 14 N., R. 3 W., B. M., under priority date, May 15, 1890.

That the defendant, James Keithley is entitled to 26 $\frac{1}{2}$ inches of water from Keithley Creek for the irrigation of 42 acres of land situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 14 N., R. 4 W., B. M., under priority date, May 15, 1877.

That the defendant, Chloe Keithley, is entitled to 27 $\frac{1}{2}$ inches of water from Keithley Creek for the irrigation of 44 acres of land situated in the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 36, Twp. 14 N., R. 4 W., B. M., under priority date, May 15, 1877.

That the defendant, John Zacher, is entitled to 8 $\frac{1}{2}$ inches of water from Keithley Creek for use upon 13 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 14 N., R. 4 W., B. M., under priority date, May 15, 1885.

That the defendant, Walter J. Hopper, is entitled to 11 inches of water from Keithley Creek for use upon 17 acres of land situated in Lot 4, Sec. 1, Twp. 13 N., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 14 N. R. 4 W. B. M., under priority date, May 15, 1885.

That the defendant, Curt W. Randleman, is entitled to 62 $\frac{1}{2}$ inches of water from Keithley Creek for use upon 100

WATER AND POWER

acres of land situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 25, Twp. 14 N., R. 4 W., B. M., and Lots 3 and 4 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Twp. 14 N., R. 3 W. and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 4, Sec. 30 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Lot 1, Sec. 31, Twp. 14 N. R. 3 W., B. M. under priority date, May 15, 1879.

That the defendant, W. F. Seid, is entitled to 29 inches of water from Keithley Creek for use upon 46 acres of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 3, Sec. 31, Twp. 14 N., R. 3 W., B. M. under priority date, May 15, 1883 for 2 inches of said water and May 15, 1885 for 27 inches of said water.

That the defendant, Walter G. Keithley, is entitled to 16 inches of water from Keithley Creek for use upon the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 14 N., R. 4 W., B. M., under priority date, May 15, 1899.

That the defendant, William Wicks, is entitled to 3 $\frac{1}{2}$ inches of water from Keithley Creek diverted from the slough in the William Seid land for use upon 5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Twp. 14 N., R. 3 W., B. M., Under priority date, May 15, 1896.

That the defendant, Andrew M. Reed, is entitled to 12 $\frac{1}{2}$ inches of water from Keithley Creek for use upon 20 acres of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 13 N. R. 3 W., B. M., 6 $\frac{1}{2}$ inches thereof under priority date, May 15, 1871 and 6 $\frac{1}{2}$ inches thereof under priority date, May 15, 1906.

That the defendant, William Wiggins, is entitled to 2 $\frac{1}{2}$ inches of water from the Warm Springs a tributary of Keithley Creek for use upon 2 $\frac{1}{2}$ acres of land in Lot 3, Sec. 19, Twp. 14 N., R. 3 W., B. M., under priority date, May 15, 1884.

JUL 24 1906