

11/16/2006

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

RIGHT NUMBER: 67-157

NAME AND ADDRESS: YVONNE TOWELL
2311 TOWELL RD
MIDVALE ID 83645

ARLYN R TOWELL
2311 TOWELL RD
MIDVALE ID 83645

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.980 CFS

PRIORITY DATE: 05/15/1883

POINT OF DIVERSION:

T13N R04W S2 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.980 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T13N R04W S01 Lot 2 NWNE 26.00

T13N R04W S01 Lot 3 NENW 26.00

T13N R04W S01 Lot 4 NWNW 32.00

T13N R04W S01 SWNW 26.00

110 ACRES TOTAL

This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos.: 67-156, 67-157.

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

T13N, R04W, SEC 1 & 2

Claim No: 67-157
Prepared By: Kimberly Brown
Date: November 16, 2006



Place of Use



Section Lines

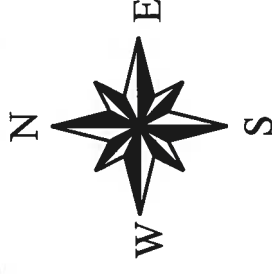


1/4 1/4

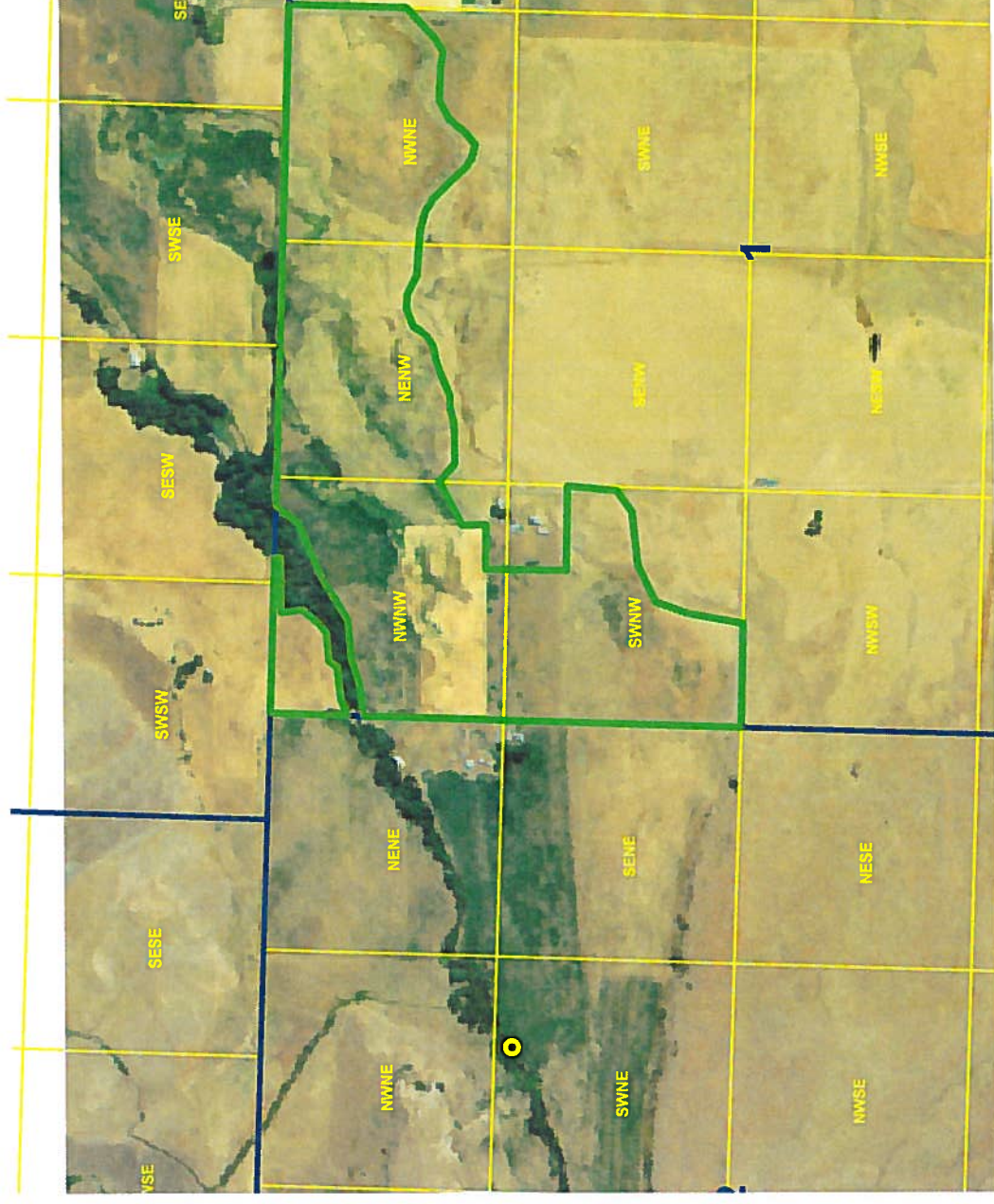


Point of Diversion

Irrigated Acres = 110



1987 NAPP



0.3 0.6 Miles

Muir v. Allison - ypd. \$50.00 (variable fee ypd. under/for #67-156)

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-157

⊛ Claim Same as #67-156

WATER RIGHT NUMBER: 67-157 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES T REAVIS
Current Owner	, ID YVONNE TOWELL ✓ 2311 TOWELL RD MIDVALE, ID 83645 (208)355-2648
Current Owner	ARLYN R TOWELL ✓ 2311 TOWELL RD MIDVALE, ID 83645 (208)355-2648
Original Owner	REX W TOWELL 2309 TOWELL RD MIDVALE, ID 83645 (208)355-2422

Convert Diversion Rate to Acres:
Decreed Amount in Inches = $48\frac{3}{4}$ "
 $48.75 \text{ inches} \div 0.625 = 78 \text{ acre}$
@ $5\frac{1}{8}" / \text{AC}$

Priority Date: 05/15/1883 ✓
Basis: Decreed ✓
Status: Active

Current Owner:
Arlyn R. Towell
2334 Towell Rd.
Midvale 83645

Source
KEITHLY CREEK ✓

Tributary
WEISER RIVER ✓

Beneficial Use
IRRIGATION ✓

From To
3/15 to 11/15 ✓
10/31
Total Diversion:

Diversion Rate
0.980 CFS ✓
0.980 CFS ✓

Annual Volume

48.75 inches decreed = 0.975 g
50 m.i.

Location of Point(s) of Diversion

KEITHLY CREEK
WASHINGTON County ✓

NE1/4SW1/4NE1/4 ✓

Sec. 2, Twp 13N, Rge 04W, B.M. ✓

* "POD may vary during dry seasons"

Place of Use
IRRIGATION ✓

no claim map

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04W	1	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	130.0
				35.0			35.0	32.0	26.0										110.0
				L 2			L 3	L 4											
Total Acres: 130			26				26	26											78 AC

Conditions of Approval:

"except for 6.0 acres in NW1/4"
Season of use is 3/15 to 10/31.

Proposed Nh. RPI 13N04W1AC10 (145.5 AC)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-157

1. DIV. RATE=.975 CFS.
STOCK USE IS INCIDENTAL FOR 160 HD. BEEF CATTLE.
POINT OF DIV. MAY VARY AT TIMES OF THE YEAR DURING DRY SEASONS. OWNERSHIP
CHANGED PER CHANGE OF OWNERSHIP FORM. 6-14-93. JS

Remarks:

Comments:

ADD E56 - Rights listed below are limited to the irrigation of a combined total of 110 acres in a single irrigation season. Combined Right Nos: 67-156, 67-157.

Water Supply Bank:

ADD K06 - This right is limited to the irrigation of 78.0 acres within the place of use described above in a single irrigation season.

incidental stock - for 160 range cattle
(not claimed or decreed.)

Comments - Recommend as POU w/ 67-156 and 67-157 as the decree shows the same POU and the system description describes the same POU and what appears to be the same POD.

Comments - Since stockwater was not claimed, or decreed, and only referred to in Remarks - it is not recommended.

<u>Names</u>	<u>Amounts in Inches</u>	<u>Dates</u>
Janet Ketchum	20	July 1, 1905 / 67 0138
J B Hamilton	10	July 1, 1905 / 67 0139
Whitney P James	40	July 1, 1905 / 67 0140
Council Valley Orchards Company	110	July 1, 1905 / 67 0141
Henry Van Kleeck	27 1/2	July 1, 1905 / 67 0142

West Fork Weiser River.

E. J. Glenn Ditch.

T J Glenn	53	May 1, 1898 / 67 0143
Joel Glenn	15	May 1, 1900 / 67 0144
C L Ham	4	May 1, 1900 / 67 0145
J H Bridgewood	8	May 1, 1900 / 67 0146

Osborn-Grooms Ditch.

C. L Ham	22	May 1, 1900 / 67 0147
Bridgewood and Riddell	26	May 1, 1900 / 67 0148

Keithley Creek.

Andrew M Reed	6 1/2	May 15, 1871 / 67 0149
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Ohloe Keithley	6 1/2	May 15, 1906 / 67 0150
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Curt W Randleman	27 1/2	May 15, 1877 / 67 0151
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Curt W Randleman - Little Keithley Creek	62 1/2	May 15, 1879 / 67 0152
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Victor L Hopper	8	May 15, 1897 / 67 0153 (Book 4 p 667)
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Allen Seid	6 1/2	May 15, 1879 / 67 0154
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Charles T Reavis	2	May 15, 1879 / 67 0155
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W F Seid	20	May 15, 1882 / 67 0156
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William B Potter	48 3/4	May 15, 1883 / 67 0157
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William Wiggins	43 3/4	May 15, 1883 / 67 0158
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Frank Towell	2	May 15, 1883 / 67 0159
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Forrest Burns and Clifford Burns	2	May 15, 1883 / 67 0160
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Edward M Wiggins	2 1/2	May 15, 1889 / 67 0161
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John Zencher	7	May 15, 1901 / 67 0162
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Walter J Hopper	2 1/2	May 15, 1884 / 67 0163
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William Wicks	18 3/4	May 15, 1884 / 67 0164
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Otho Towell	9 3/8	May 15, 1899 / 67 0165
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Carrie Clayton	7 1/2	May 15, 1884 / 67 0166
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Jacob Ader	5	May 15, 1886 / 67 0167
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E M Stewart	50	May 15, 1884 / 67 0168
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James Keithley	8 1/2	May 15, 1885 / 67 0169
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	11	May 15, 1885 / 67 0170
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	3 1/2	May 15, 1896 / 67 0171
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	6 1/2	May 1, 1886 / 67 0172
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	20	May 15, 1899 / 67 0173
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	2	May 15, 1886 / 67 0174
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	20	May 15, 1890 / 67 0175
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	4	May 15, 1890 / 67 0176
--	---	------------------------

	5 1/2	May 15, 1877 / 67 0177
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	10	May 15, 1884 / 67 0178
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Janet Ketcham
J B 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 Ador

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

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
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 3/0 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
34 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

24 May 15, 1877 / 67 0177

JUL 24 1996

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 SKID: 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 SKID: 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.

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

MALTON 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

O L Weid	10	2.27	2.10	.17	
F E Weymouth	30	6.81	4.00	2.81	
Johan Ingram	20	4.54	4.00	.54	
C F Lappin	30	6.81	6.30	.51	
A E Felmley	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 Kleeck	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
O 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 Neavis	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 Zenoher	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

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-157**

11/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-156	Claim	13N	04W	1	NW	NE	2	IRRIGATION	35/130	YVONNE TOWELL
-157	Claim	13N	04W	1	NW	NE	2	IRRIGATION	35/130	YVONNE TOWELL
-156	Water Right	13N	04W	1	NW	NE	2	IRRIGATION		CHARLES T REAVIS
-157	Water Right	13N	04W	1	NW	NE	2	IRRIGATION		CHARLES T REAVIS
-156	Claim	13N	04W	1	NE	NW	3	IRRIGATION	35/130	YVONNE TOWELL
-157	Claim	13N	04W	1	NE	NW	3	IRRIGATION	35/130	YVONNE TOWELL
-156	Water Right	13N	04W	1	NE	NW	3	IRRIGATION		CHARLES T REAVIS
-157	Water Right	13N	04W	1	NE	NW	3	IRRIGATION		CHARLES T REAVIS
-156	Claim	13N	04W	1	NW	NW	4	IRRIGATION	32/130	YVONNE TOWELL
-157	Claim	13N	04W	1	NW	NW	4	IRRIGATION	32/130	YVONNE TOWELL
-156	Water Right	13N	04W	1	NW	NW	4	IRRIGATION		CHARLES T REAVIS
-157	Water Right	13N	04W	1	NW	NW	4	IRRIGATION		CHARLES T REAVIS
-170	Water Right	13N	04W	1	NW	NW	4	IRRIGATION		WALTER J HOPPER
-156	Claim	13N	04W	1	SW	NW		IRRIGATION	28/130	YVONNE TOWELL
-157	Claim	13N	04W	1	SW	NW		IRRIGATION	28/130	YVONNE TOWELL
-156	Water Right	13N	04W	1	SW	NW		IRRIGATION		CHARLES T REAVIS
-157	Water Right	13N	04W	1	SW	NW		IRRIGATION		CHARLES T REAVIS

Receipt Details for ID W006379

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/18/1989 2:38:33 PM	10/18/1989	Western	\$509.00	Check
Payer		TOWELL, REX		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
7403			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$509.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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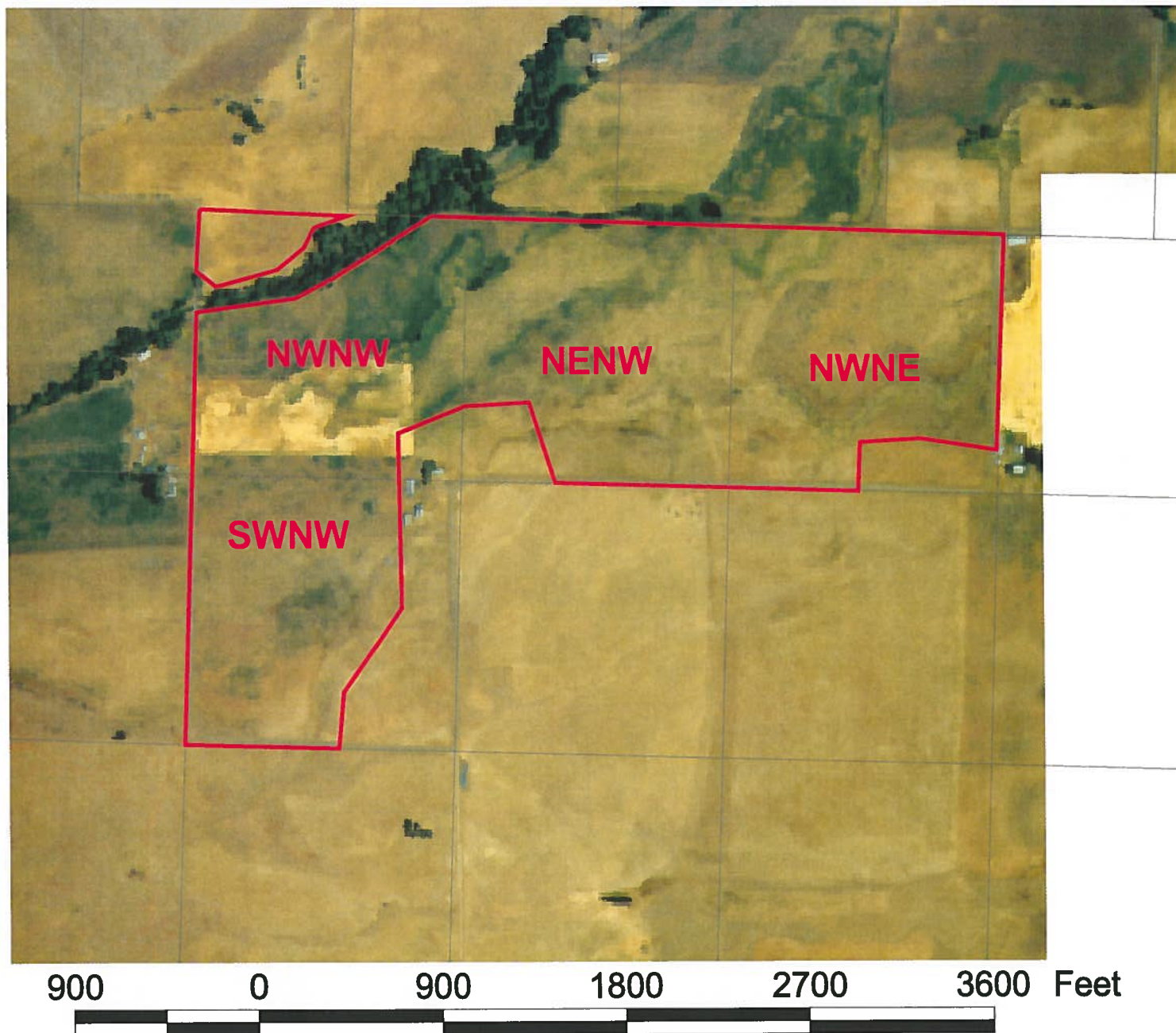
Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	172		\$50.00	Claim
67	164		\$50.00	Claim
67	10504		\$25.00	Claim
67	14092		\$154.00	Claim
67	156		\$180.00	Claim
67	157		\$50.00	Claim

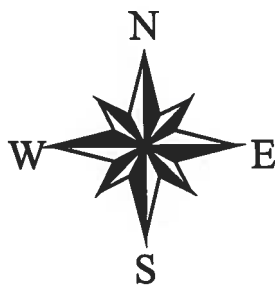
Print Report

Idaho Department of Water Resources

67-157



T13N, R04W, S1



**Prepared by Anita L. Warntjes
July 29, 2004
Adj 1987 True Color Photo**

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-157 V1

WATER RIGHT NUMBER: 67-157 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES T REAVIS

Current Owner
YVONNE TOWELL
2311 TOWELL RD
MIDVALE, ID 83645
(208)355-2648

Current Owner
ARLYN R TOWELL
2311 TOWELL RD
MIDVALE, ID 83645

Original Owner
REX W TOWELL
2308 TOWELL RD
MIDVALE, ID 83645
(208)355-2422

Priority Date: 05/15/1883

Decreased

Status:

<u>Source</u>	<u>Tributary</u>
KEITH V 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 10/31	0.990 CFS	
	Total Diversion:	0.990 CFS	

Location of Point(s) of Diversion
KEITHLY CREEK
NE1/4SW1/4NE1/4
Sec. 2, Twp 13N, Rge 04W, B.M.
WASHINGTON County

Place of Use

Twp	Rgs	Sec	NE			NW			SW			SE			Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	04W	1	35.0	35.0	35.0	35.0	32.0	28.0	35.0	32.0	28.0	35.0	32.0	28.0	130.0

Total Acres: 130

Conditions of Approval:

Remarks:

香

DO NOT SCAM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 15, 1993

[Arlyn R. & Yvonne Towell]

Rt. 1, Box 64

[Midvale, ID 83645]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Washington
CO.

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

✓ There is no existing water right in our records either ^{in the name of Heath} under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us. All water rights in this legal description are in the name of Towell.

Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

Name and address of former owner (seller). This will clarify the original owner of the water right.

Name, address and phone number of new owner (purchaser).

This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. Enclosed is a computer copy of this right for your review.

Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

no claim or
contact as of 5-12-93

____ Signature of new owner (purchaser) is needed on this form.

____ Other: _____

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

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

KW:k
Enclosures