

11/16/2006

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

RIGHT NUMBER: 67-164

NAME AND ADDRESS: REX W TOWELL
2309 TOWELL RD
MIDVALE ID 83645

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.380 CFS

PRIORITY DATE: 05/15/1884

POINT OF DIVERSION:

T13N R04W S2 NESWNE Within WASHINGTON County

T13N R04W S2 SWSWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.380 CFS

PLACE OF USE:

IRRIGATION in WASHINGTON County

T13N R04W S02 NENE 26.00

T13N R04W S02 SWNE 23.00

T13N R04W S02 SENE 25.00

T13N R04W S02 SWNW 4.00

T13N R04W S02 SENW 9.00

87 ACRES TOTAL

This right is limited to the irrigation of 30 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 87 acres in a single irrigation season. Combined Right Nos.: 67-164, 67-172, 67-14092.

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.

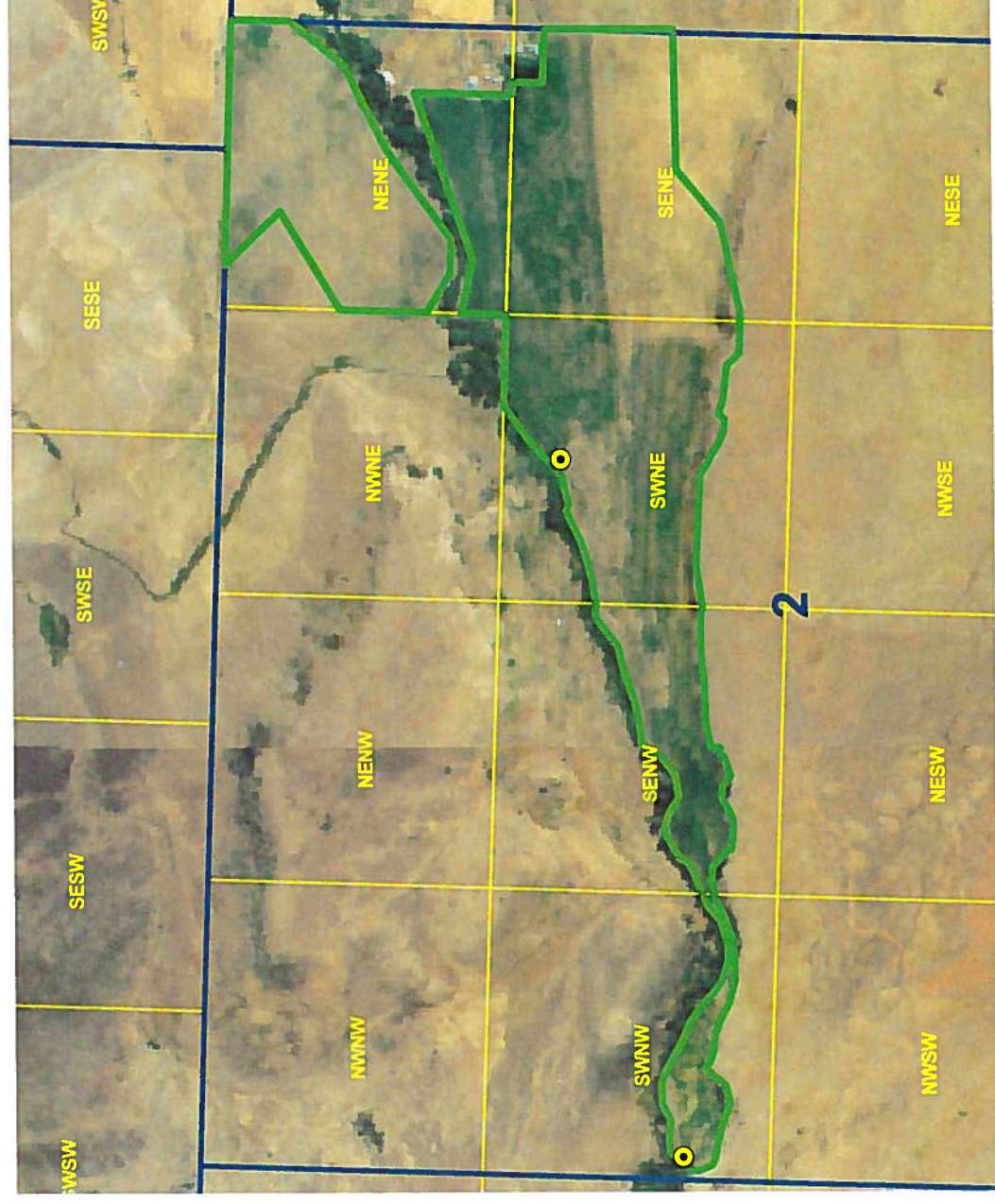
Idaho Department of Water Resources

T13N, R04W, SEC 2

Claim No: 67-164

Prepared By: Kimberly Brown

Date: November 16, 2006



Place of Use



Section Lines

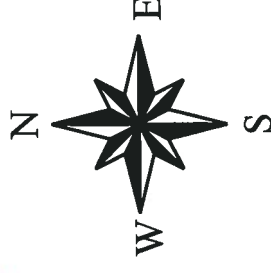


1/4 1/4



Point of Diversion

Irrigated Acres = 87



0.2 0 0.2 0.4 Miles



1987 NAPP

Muir v. Allison

pd. \$5000 (variable fee pd. under 67-14092)

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-164

WATER RIGHT NUMBER: 67-164

* 67-165 was combined w/ 67-14092

Owner Type Name and Address
Original Owner FRANK TOWELL

Current Owner REX W TOWELL
2309 TOWELL RD
MIDVALE, ID 83645
(208)355-2422

Priority Date: 05/15/1884
Basis: Decreed
Status: Active

Source
KEITHLY CREEK

Tributary
WEISER RIVER

Beneficial Use
IRRIGATION

From To
3/15 to 11/15

Diversion Rate
0.380 CFS

Annual Volume

Total Diversion:
10/31

0.380 CFS

Location of Point(s) of Diversion

KEITHLY CREEK
WASHINGTON County
KEITHLY CREEK
WASHINGTON County

NE1/4SW1/4NE1/4

SW1/4SW1/4NW1/4

18.75 inches
50 m.l. = 0.375 cfs
Sec. 2, Twp 13N, Rge 04W, B.M.

Sec. 2, Twp 13N, Rge 04W, B.M.

Place of Use
IRRIGATION

* "POD may vary at times of the year during dry seasons."

claim map

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04W	2	26.0	23.0	23.0	23.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	104.0
			25				9												87

Total Acres: 104

87

DEREED

CLMT. ADDED

ADD 005 - Pou Acc. Transfer

Parcel No: RP 13N04W020000.

Season of use is from 3/15 to 10/31.

Conditions of Approval:

- DIV. RATE = .375 CFS.
STOCK USE IS INCIDENTAL FOR 160 HD BEEF CATTLE.
POINT OF DIV. MAY VARY AT TIMES OF THE YEAR DURING DRY SEASONS.

Remarks:

ADD K06 - limited to the irrigation of 30 acres in a single irrigation season.

ADD E56 - 67-164, 67-172, & 67-14092 are limited to a combined total of 87.0 acres of irrigation in a single irrigation season.

Comments - Stockwater was not claimed or decreed, therefore, not recom

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-164**

11/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-164	Claim	13N	04W	2	NE	NE		IRRIGATION	26/104	REX W TOWELL
-172	Claim	13N	04W	2	NE	NE		IRRIGATION	26/104	REX W TOWELL
14092	Claim	13N	04W	2	NE	NE		IRRIGATION	26/104	REX W TOWELL
-164	Water Right	13N	04W	2	NE	NE		IRRIGATION		FRANK TOWELL
-165	Water Right	13N	04W	2	NE	NE		IRRIGATION		FRANK TOWELL
-164	Claim	13N	04W	2	SW	NE		IRRIGATION	23/104	REX W TOWELL
-172	Claim	13N	04W	2	SW	NE		IRRIGATION	23/104	REX W TOWELL
14092	Claim	13N	04W	2	SW	NE		IRRIGATION	23/104	REX W TOWELL
-164	Water Right	13N	04W	2	SW	NE		IRRIGATION		FRANK TOWELL
-165	Water Right	13N	04W	2	SW	NE		IRRIGATION		FRANK TOWELL
-164	Claim	13N	04W	2	SE	NE		IRRIGATION	38/104	REX W TOWELL
-172	Claim	13N	04W	2	SE	NE		IRRIGATION	38/104	REX W TOWELL
14092	Claim	13N	04W	2	SE	NE		IRRIGATION	38/104	REX W TOWELL
-164	Water Right	13N	04W	2	SE	NE		IRRIGATION		FRANK TOWELL
-165	Water Right	13N	04W	2	SE	NE		IRRIGATION		FRANK TOWELL
-164	Claim	13N	04W	2	SW	NW		IRRIGATION	4/104	REX W TOWELL
-172	Claim	13N	04W	2	SW	NW		IRRIGATION	4/104	REX W TOWELL
14092	Claim	13N	04W	2	SW	NW		IRRIGATION	4/104	REX W TOWELL
-172	Water Right	13N	04W	2	SW	NW		IRRIGATION		OTHO TOWELL
-173	Water Right	13N	04W	2	SW	NW		IRRIGATION		OTHO TOWELL
-164	Claim	13N	04W	2	SE	NW		IRRIGATION	13/104	REX W TOWELL
-172	Claim	13N	04W	2	SE	NW		IRRIGATION	13/104	REX W TOWELL
14092	Claim	13N	04W	2	SE	NW		IRRIGATION	13/104	REX W TOWELL
-172	Water Right	13N	04W	2	SE	NW		IRRIGATION		OTHO TOWELL
-173	Water Right	13N	04W	2	SE	NW		IRRIGATION		OTHO TOWELL

Names

Amounts in Inches

Dates

Janet Ketcham
J B Hamilton
Whitney P James
Council Valley Orchards Company
Henry Vnn Kleeck

20 July 1, 1905 / 67 0138
10 July 1, 1905 / 67 0139
40 July 1, 1905 / 67 0140
110 July 1, 1905 / 67 0141
27 1/2 July 1, 1905 / 67 0142

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

T J Glenn
Joel Glenn
C L Ham
J H Bridgewood

53 May 1, 1898 / 67 0143
15 May 1, 1900 / 67 0144
4 May 1, 1900 / 67 0145
8 May 1, 1900 / 67 0146

Osborn-Grooms Ditch.

C. L Ham
Bridgewood and Riddell

22 May 1, 1900 / 67 0147
26 May 1, 1900 / 67 0148

Keithley Creek.

Andrew M Reed

6 1/2 May 15, 1871 / 67 0149
6 1/2 May 15, 1906 / 67 0150

Olson Keithley
Curt W Randleman

27 1/2 May 15, 1877 / 67 0151
62 1/2 May 15, 1879 / 67 0152

Curt W Randleman - Little Keithley Creek

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

Victor L Hopper
Allen Seid

6 1/2 May 15, 1879 / 67 0154
2 May 15, 1879 / 67 0155

Charles T Reavis

20 May 15, 1882 / 67 0156

W F Seid

48 3/4 May 15, 1883 / 67 0157

William B Potter

43 3/4 May 15, 1883 / 67 0158

2 May 15, 1883 / 67 0159

2 May 15, 1883 / 67 0160

2 1/2 May 15, 1889 / 67 0161

7 May 15, 1901 / 67 0162

2 1/2 May 15, 1884 / 67 0163

William Wiggins

18 3/4 May 15, 1884 / 67 0164

Frank Towell

9 3/8 May 15, 1899 / 67 0165

Forrest Burns and Clifford Burns

7 1/2 May 15, 1884 / 67 0166

5 May 15, 1886 / 67 0167

50 May 15, 1884 / 67 0168

Edward M Wiggins

8 1/2 May 15, 1885 / 67 0169

John Zenger

11 May 15, 1885 / 67 0170

Walter J Hopper

3 1/2 May 15, 1896 / 67 0171

William Wicks

6 1/2 May 1, 1886 / 67 0172

Otho Towell

20 May 15, 1899 / 67 0173

Carrie Clayton

2 May 15, 1886 / 67 0174

Jacob Ader

20 May 15, 1890 / 67 0175

E M Stewart

4 May 15, 1890 / 67 0176

James Keithley

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 NEAVIS: 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.

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

MALTER 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 Felmuley	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	
O 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
G L Ham	26	5.90	3.00	2.90	
Bridgewood and Muddell	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 3/4	15.67	14.50	1.17	
W F Sold	45½	10.43	9.66	.77	
Wm S 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

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):

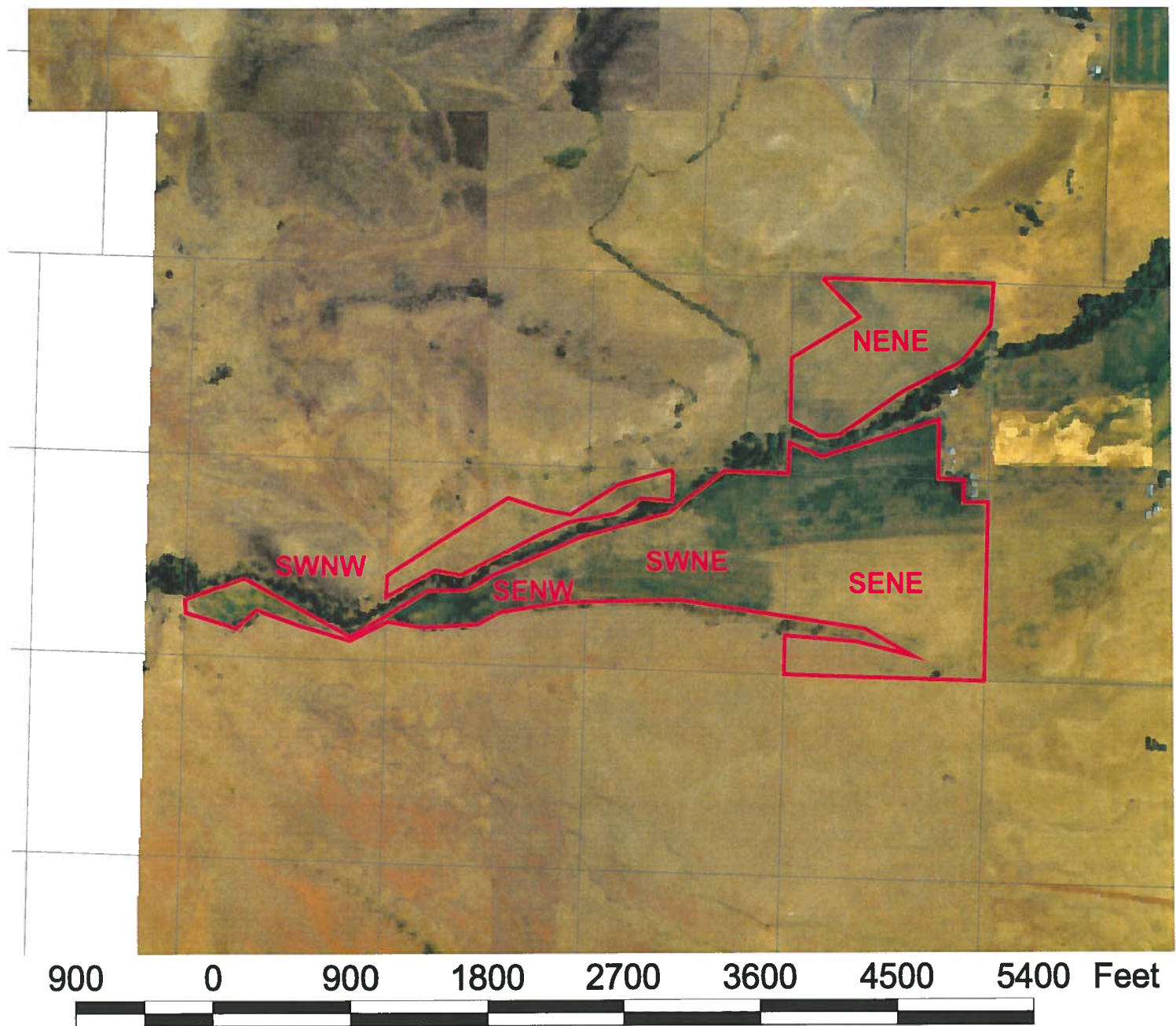
Amount	Payee	Date	Document Number
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Water Right Information:

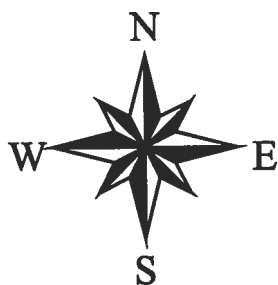
Basin Number	Sequence Number	Split Suffix	Amount	Type
67	172		\$50.00	Claim
67	164		\$50.00	Claim
67	10504		\$25.00	Claim
67	14092		\$154.00	Claim
67	156		\$180.00	Claim
67	157		\$50.00	Claim

Print Report

Idaho Department of Water Resources
67-164



T13N, R04W, S2



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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 87-164 V1

WATER RIGHT NUMBER: 87-164 V1

Owner Type
Original Owner
Name and Address
FRANK TOWELL
ID
REX W TOWELL
2309 TOWELL RD
MIDVALE, ID 83845
(208)355-2422

Priority Date: 05/15/1884

Basis: Decreed

Status:

Source
KEITHLY CREEK
Tributary
WEISER RIVER

Beneficial Use
IRRIGATION
From To
3/15 to 10/31
Annual Volume
Diversion Rate
0.380 CFS
Total Diversion
0.380 CFS

Location of Point(s) of Diversion

KEITHLY CREEK

WASHINGTON County

KEITHLY CREEK

WASHINGTON County

Place of Use
IRRIGATION

Twp Rge Sec
13N 04W 2
NE 1/4 NW 1/4 SW 1/4 SE 1/4
28.0 23.0 38.0
NW NE NW SW SE
4.0 13.0
SW NE NW SW SE
104.0

Total Acres: 104

Conditions of Approval:

Remarks:

Comments:

1. awwarje 7/29/2004 POU

Comment: S1/2NW1/4 is not listed on decree

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 87-164 V1

Data and Other Information:

Decreed Data:
Engagement Use Priority Date:
Engagement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
State or Federal: S
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False
Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	7/29/2004 12:37:11 PM	awarje			
Source	7/29/2004 12:37:25 PM	awarje			
POU	7/29/2004 1:07:28 PM	awarje			
Use	7/29/2004 1:08:33 PM	awarje			
Season	7/29/2004 1:08:45 PM	awarje			
Quantity	7/29/2004 1:09:31 PM	awarje			

Verification Log:

Element	Date Time Stamp	Reviewer	Last Used
Priority Date	7/29/2004 12:37:12 PM	awarje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date? (Yes) 15. Is the basis of claim coded correctly?
POU	7/29/2004 12:48:50 PM	awarje	Edited shape boundary
POU	7/29/2004 12:59:22 PM	awarje	Edited shape boundary
POU	7/29/2004 1:04:20 PM	awarje	Edited shape boundary

DO NOT SCAN