

11/16/2006

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

RIGHT NUMBER: 67-172

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

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 05/01/1886

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

0.130 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 10 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.

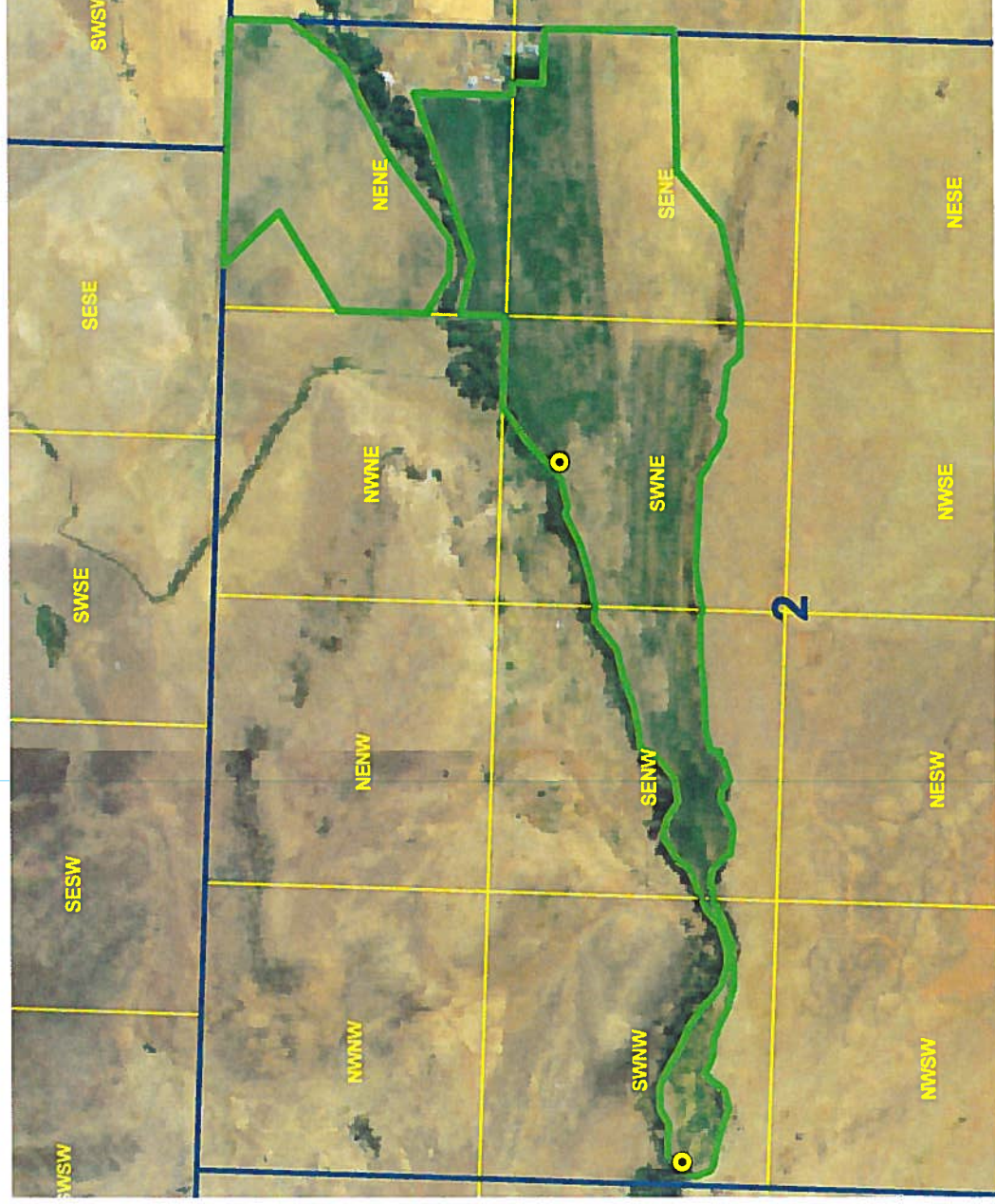
Idaho Department of Water Resources

T13N, R04W, SEC 2

Claim No: 67-172

Prepared By: Kimberly Brown

Date: November 16, 2006



Place of Use



Section Lines

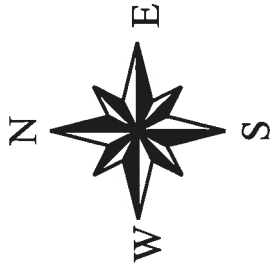


1/4 1/4



Point of Diversion

Irrigated Acres = 87



1987 NAPP

Muir v. Allison -

pd. \$50.00 (variable fee pd. under 67-14

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-172

WATER RIGHT NUMBER: 67-172 ✓

#67-173 was combined w/67-14092

Owner Type

Current Owner

Name and Address ✓

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

Original Owner

OTHO TOWELL

Priority Date: 05/01/1886 ✓

Basis: Decreed ✓

Status: Active

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 ✓

$$\frac{6.25 \text{ inches}}{50 \text{ m.i.}} = 0.125 \text{ cfs}$$

Location of Point(s) of Diversion

KEITHLY CREEK

WASHINGTON County ✓

SW1/4SW1/4NW1/4 ✓

Sec. 2, Twp 13N, Rge 04W, B.M. ✓

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 ✓

Twp Rge Sec

13N 04W 2

NE ✓ ✓ ✓

NE NW SW SE

26.0 23.0 25.0

NW ✓ ✓

NE NW SW SE

4.0 13.0

SW

NE NW SW SE

SE

NE NW SW SE

Totals

87.0

Total Acres: 87.0

covered by

#67-164

DECREED

87 (10 ac)

Conditions of Approval:

1.

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 106 - limited to the irrigation of 10 acres in a single irrigation season.

ADD 156 - 67-164, 67-172, #67-14092 are limited to a combined total of 87.0 acres of irrigation in a single season.

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

Names

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

Olhos 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 Zenger

Walter J Hopper

William Wicks

Otho Towell

Carrie Clayton

Jacob Adair

E M Stewart

James Keithley

Amounts
in inchesDates

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

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

6 1/2 / May 15, 1871 / 67 0149
6 1/2 / May 15, 1906 / 67 0150
27 1/2 / May 15, 1877 / 67 0151
62 1/2 / May 15, 1879 / 67 0152

8 / May 1, 1897 / 67 0153 (Book 4 p 667)
6 1/2 / 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
2 1/2 / May 15, 1889 / 67 0161
7 / May 15, 1901 / 67 0162
2 1/2 / May 15, 1884 / 67 0163

18 3/4 / May 15, 1884 / 67 0164
9 3/8 / May 15, 1899 / 67 0165
7 1/2 / May 15, 1884 / 67 0166

5 / May 15, 1886 / 67 0167
50 / May 15, 1884 / 67 0168
8 1/2 / May 15, 1885 / 67 0169
11 / May 15, 1885 / 67 0170

3 1/2 / May 15, 1896 / 67 0171
6 1/2 / 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

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.

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

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 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	
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
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 Neavie	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

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):

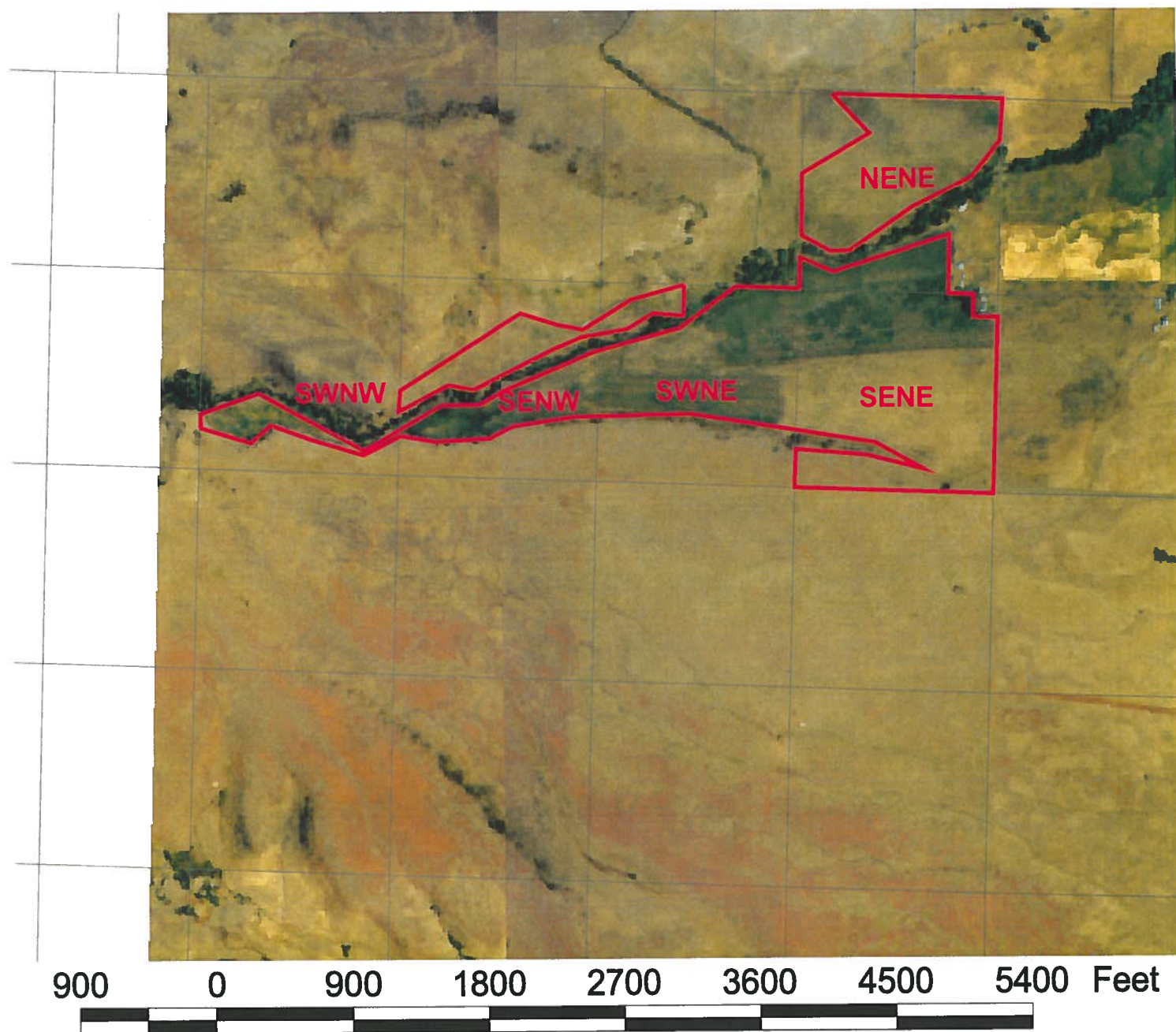
Amount	Payee	Date	Document Number
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Water Right Information:

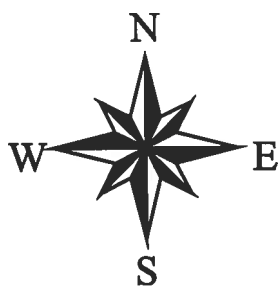
Basin Number	Sequence Number	Split Suffix	Amount	Type
67	172		\$50.00	Claim
67	164		\$50.00	Claim
67	10504		\$25.00	Claim
67	14092		\$154.00	Claim
67	156		\$180.00	Claim
67	157		\$50.00	Claim

[Print Report](#)

Idaho Department of Water Resources
67-172



T13N, R04W, S2



Prepared by Anita L. Warntjes
July 30, 2004
Adj 1987 True Color Photo

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-172 V1

Adjudication Recommendation Report 87-172 V1

1. award/jt	7/30/2004	POU
Comment: Claim lists NE not shown on decree		
2. award/jt	7/30/2004	Water Use
Comment: Decree does not mention water use		

Original Owner
OTHO TOWELL

10

Priority Date: 05/01/1986

Basis: Decreed

Statix®

<u>Source</u>	<u>Tributary</u>
KEITHLY CREEK	WEISER RIVER

KEITH V CREEK

Beneficial Use **From** **To**
IRRIGATION 3/15 to 10/31

Beneficial Use	From	To	Diversion Rate	Annual Volume
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Total

Total Diversion: 0.130 CFS

Total Diversion: 0.130 CFS

Location of Point(s) of Diversion

VENTURI V. COSEV

WASHINGTON

KETHLY CREEK

WASHINGTON County

Place of Use
IRRIGATION

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

Total Acres: 104

Conditions of Approval:

Piermark®

Dr. + +

DO NOT SCAN