

12/12/2006

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

RIGHT NUMBER: 67-182A

NAME AND ADDRESS: HOWARD E KEITHLEY JR
2421 KEITHLEY CREEK RD
MIDVALE ID 83645

VIVIAN KEITHLEY
2421 KEITHLEY CREEK RD
MIDVALE ID 83645

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 2.080 CFS

PRIORITY DATE: 05/15/1877

POINT OF DIVERSION:

T13N R04W S1 NENWNW Lot 4 Within WASHINGTON County
T13N R04W S2 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 10/31

QUANTITY
2.080 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R04W S35	NENE	22.00	T14N R04W S36	NWNW	40.00
T14N R04W S36	SESW	23.40	T14N R04W S36	NESE	24.00
T14N R04W S36	NWSE	34.00	T14N R04W S36	SWSE	23.00

166.4 ACRES TOTAL

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.

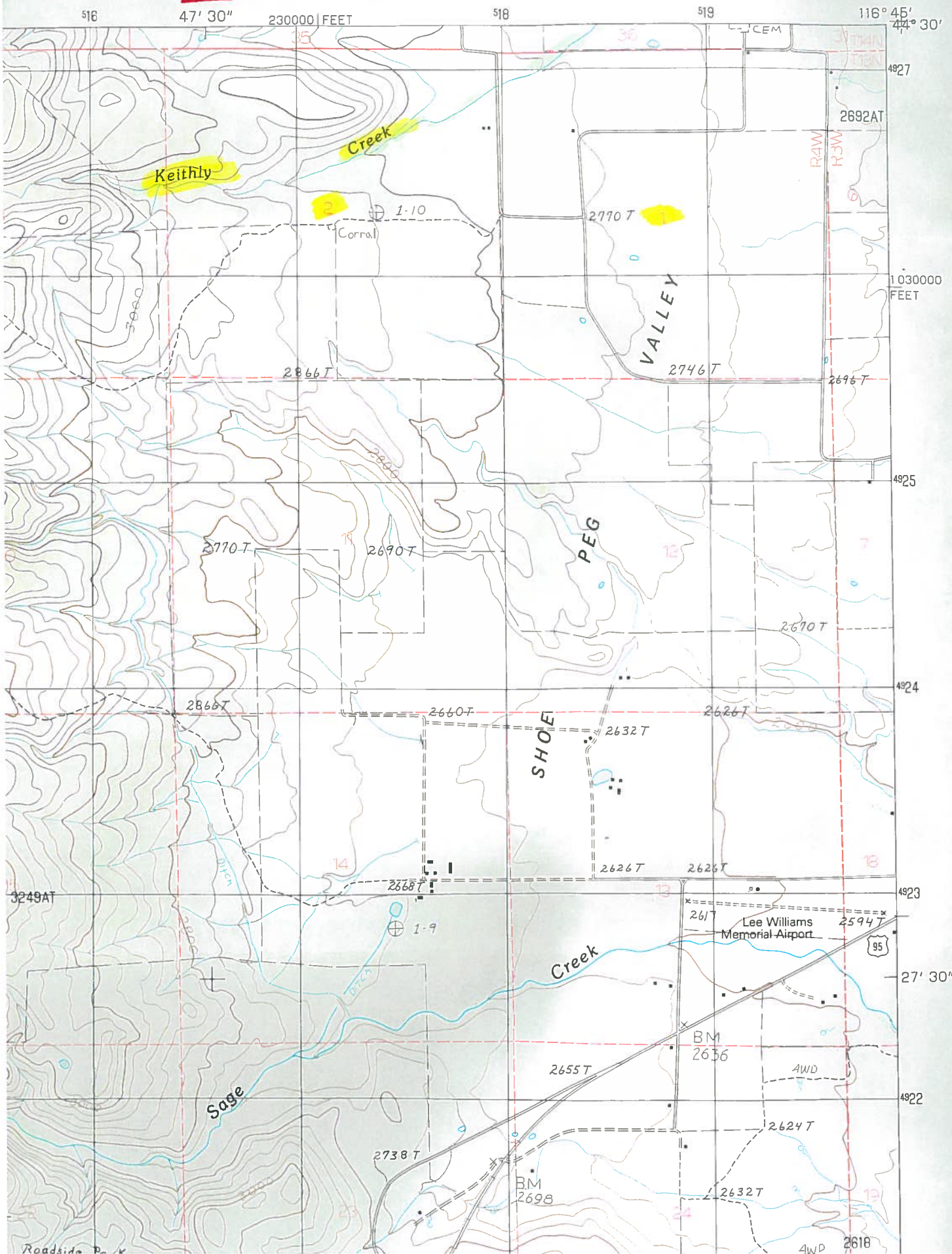
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Stockwater use is incidental to irrigation use.

KEITHLY U4

MIDVALE HILL QUADRANGLE
IDAHO-WASHINGTON CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



Craig Saxton

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-182A

HOWARD E KEITHLEY JR
2421 KEITHLEY CREEK RD
MIDVALE ID 83645
Telephone Number: (208)355-2410

VIVIAN KEITHLEY
2421 KEITHLEY CREEK RD
MIDVALE ID 83645
Telephone Number: (208)355-2410

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Amend claim to include stockwater use (non-cumulative) for 200 range cattle. Change recommended

2. Describe the changes you wish to make in the proposed recommendation: Source of:

Keithly to

3. Give a brief explanation as to why you disagree with these portions:

Keithley
(add the "e"
to l-e-y)

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-28-06 SIGNATURE: Howard Keithley Jr.

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 08 2006

11/08/2006

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

RIGHT NUMBER: 67-182A

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T13N R04W S1 NENWNW Lot 4 Within WASHINGTON County

T13N R04W S2 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

2.080 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R04W S35	NENE	22.00	T14N R04W S36	NWNW	40.00
T14N R04W S36	SESW	23.40	T14N R04W S36	NESE	24.00
T14N R04W S36	NWSE	34.00	T14N R04W S36	SWSE	23.00

166.4 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

67-182A
(Irrigation)

Legend

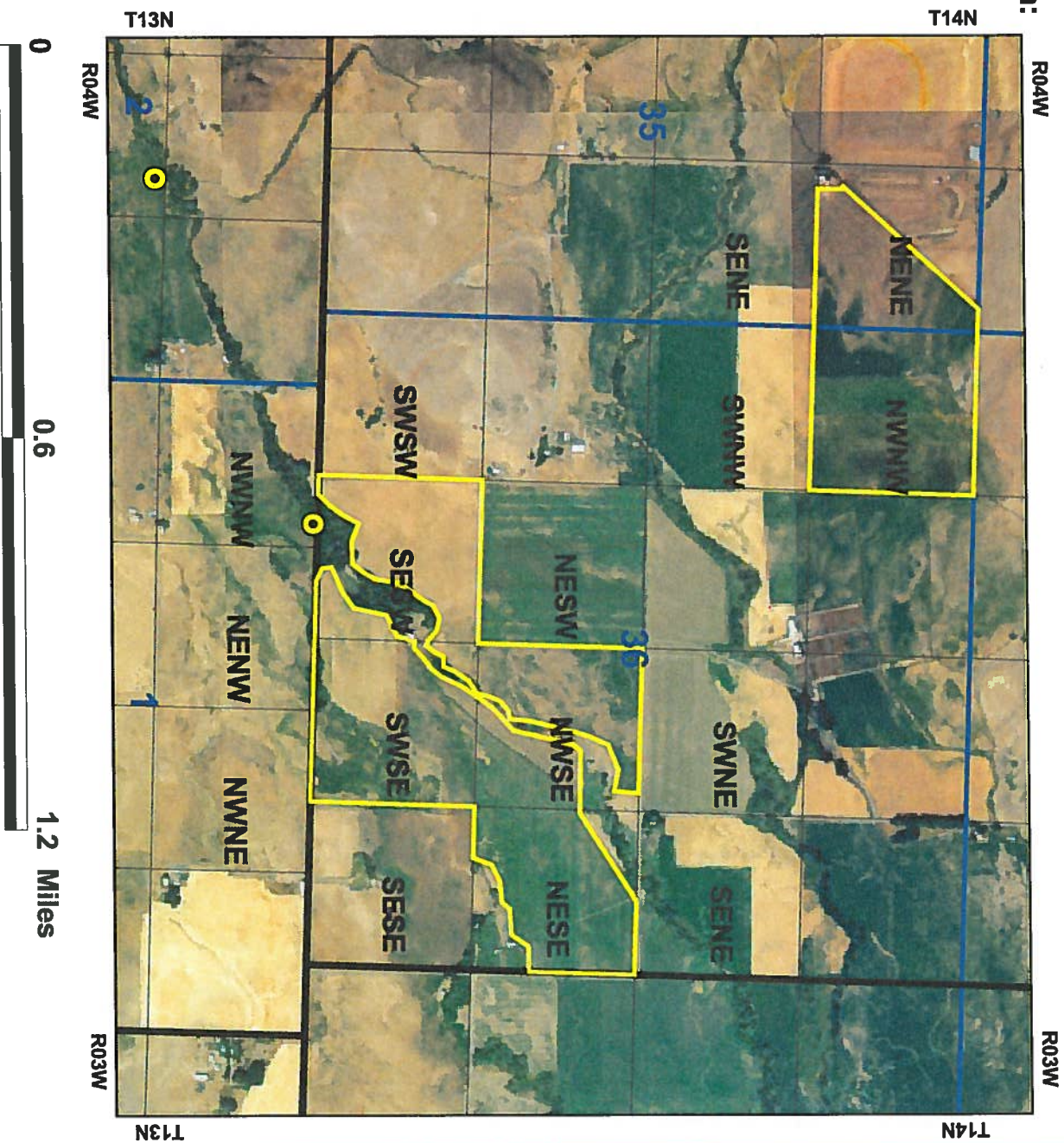
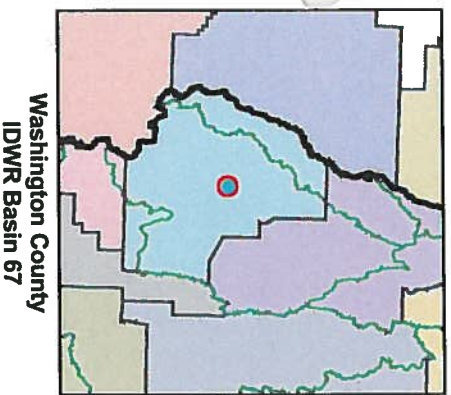
 Point of Diversion

 Place of Use

 Townships

 PLS Sections

 Quarter Quarters



**Prepared by C. Saxton
On Wednesday, November 8, 2006
1987/88 Aerial Photography**

	A	B	C	D	E	F	G	H	I
1	Page	Parcel	Name	New Charge	Current Charge	Water in	File	Original Owner	Priority
2	#	Number		2004	2003	Inches	#		Date
3	11	13N03W054750	BILL GRIFFIN	\$ 5.20	\$ 4.56	6.50	149	A M Reed	5/15/1871
4	11	13N03W060600	VERLINDA WAITE	\$ 10.00	\$ 7.50	3.50	171	Wm Wicks	5/15/1896
5	11	13N04W010610	ARLEN TOWELL	\$ 16.00	\$ 14.00	20.00	156	C T Reavis	5/15/1882
6	11	13N04W010610	ARLEN TOWELL	\$ 39.20	\$ 34.30	49.00	157	C T Reavis	5/15/1883
7	11	14N03W301220	CLIFF HOPPER	\$ 10.00	\$ 7.50	6.50	154	V L Hopper	5/15/1879
8	11	14N03W304900	SEID, KENNETH	\$ 8.80	\$ 7.70	11.00	170	W J Hopper	5/15/1885
9	11	14N03W311200	HALLENBECK	\$ 10.00	\$ 7.50	2.00	174	C Clayton	5/15/1886
10	11	14N04W350000	HOWARD KEITHLEY	\$ 40.00	\$ 35.00	50.00	182	Sara Keithley	5/15/1877
11	11	14N04W351220	SEID, TOM	\$ 1.60	\$ 1.40	2.00	160	Wm Potter	5/15/1883
12	11	14N04W351220	SEID, TOM	\$ 2.00	\$ 1.76	2.50	163	Wm Wiggins	5/15/1884
13	11	14N04W351220	SEID, TOM	\$ 10.00	\$ 5.96	8.50	169	J Zencher	5/15/1885
14	11	14N04W363000	HOWARD KEITHLEY	\$ 21.20	\$ 18.56	26.50	177	James Keithley	5/15/1877
15	11	14N04W363000	HOWARD KEITHLEY	\$ 22.00	\$ 19.26	27.50	151	Cloe Keithley	5/15/1877
16	11	14N04W363600	KENNETH SEID	\$ 40.00	\$ 35.00	50.00	182	Sara Keithley	5/15/1877
17									
18			TOTAL	\$ 236.00	\$ 200.00	265.50			
19									
20									
21									

Claimed diversion OK

2.08 cfs

166.4

42.4

44.0

80 ac

Field Investigation Information Form

Claim Number(s): A67-00182A

Claimant: Howard Keithley Jr.

Contact:

Address: PO Box 68

City: Midvale

State: Idaho 83645

Phone: 208-355-2410

Alternate Phone:

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

Point of Diversion Location: Township: 13N Range: 04W Section: 01 QQQ: NE QQ: NW Q: NW

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

Site Tag Number:

GPS Location: Section 1 = 44°29'56.23"N – 116°46'12.31"W
Section 2 = 44°29'41.81"N – 116°46'52.54"W

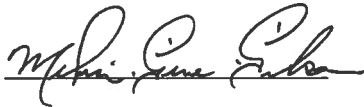
Description of Diversion Works: Headgates, ditches.

Examination Date and Narrative: On July 20, 2006, Gene Gibson performed a field examination on the Points of Diversion, means of Conveyance, and the Places of Use on the above claim. GPS readings were taken and an examined of both claimed Points of Diversion. Examined the means of conveyance from both claimed Points of diversion 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.

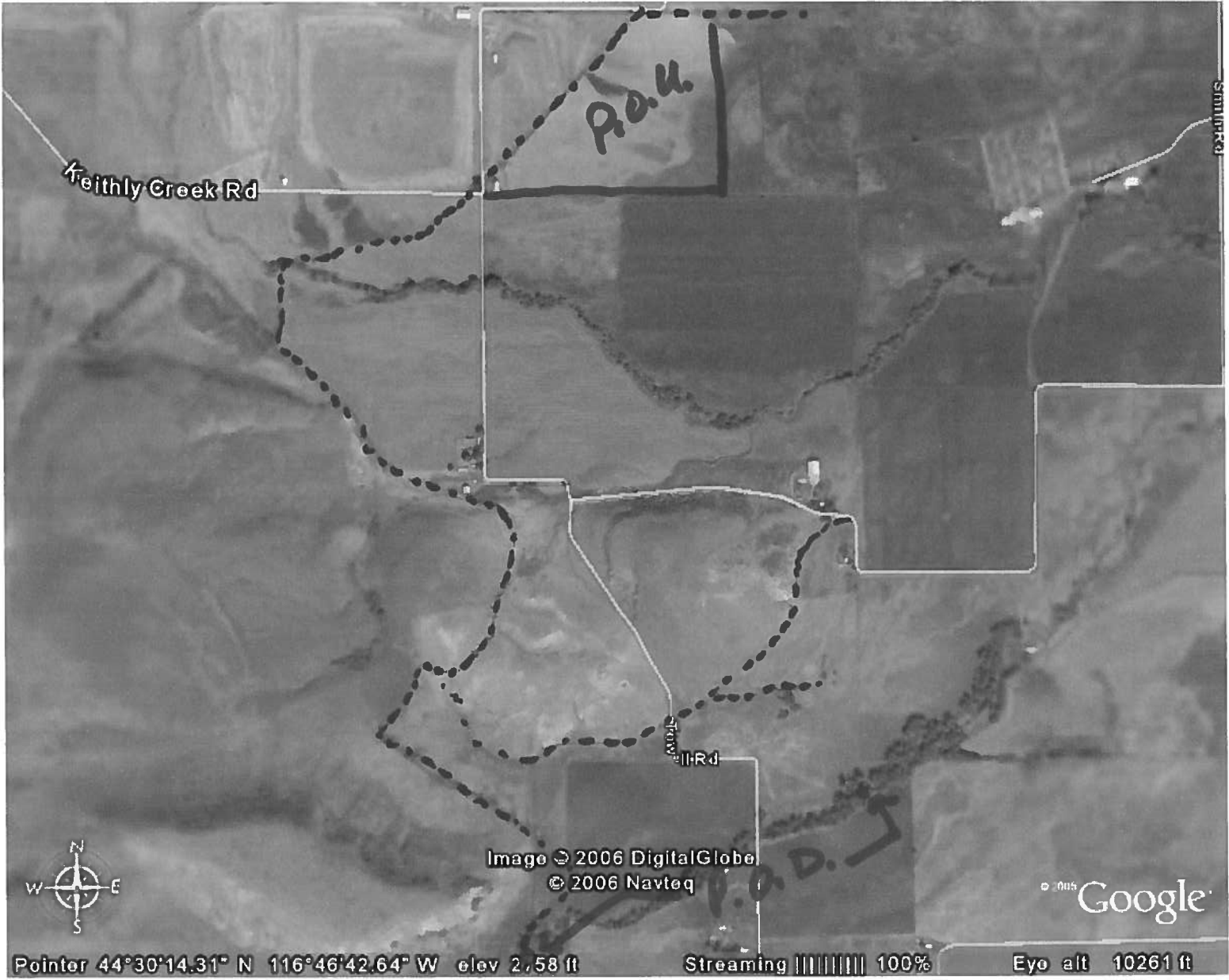
The following is my findings:

- a. The Points of Diversion claimed were found and are operable.
- b. The means of conveyance from the Points of Diversion to the Places of Use were found and are operable.
- c. 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. See pictures and map for POD and POU locations.

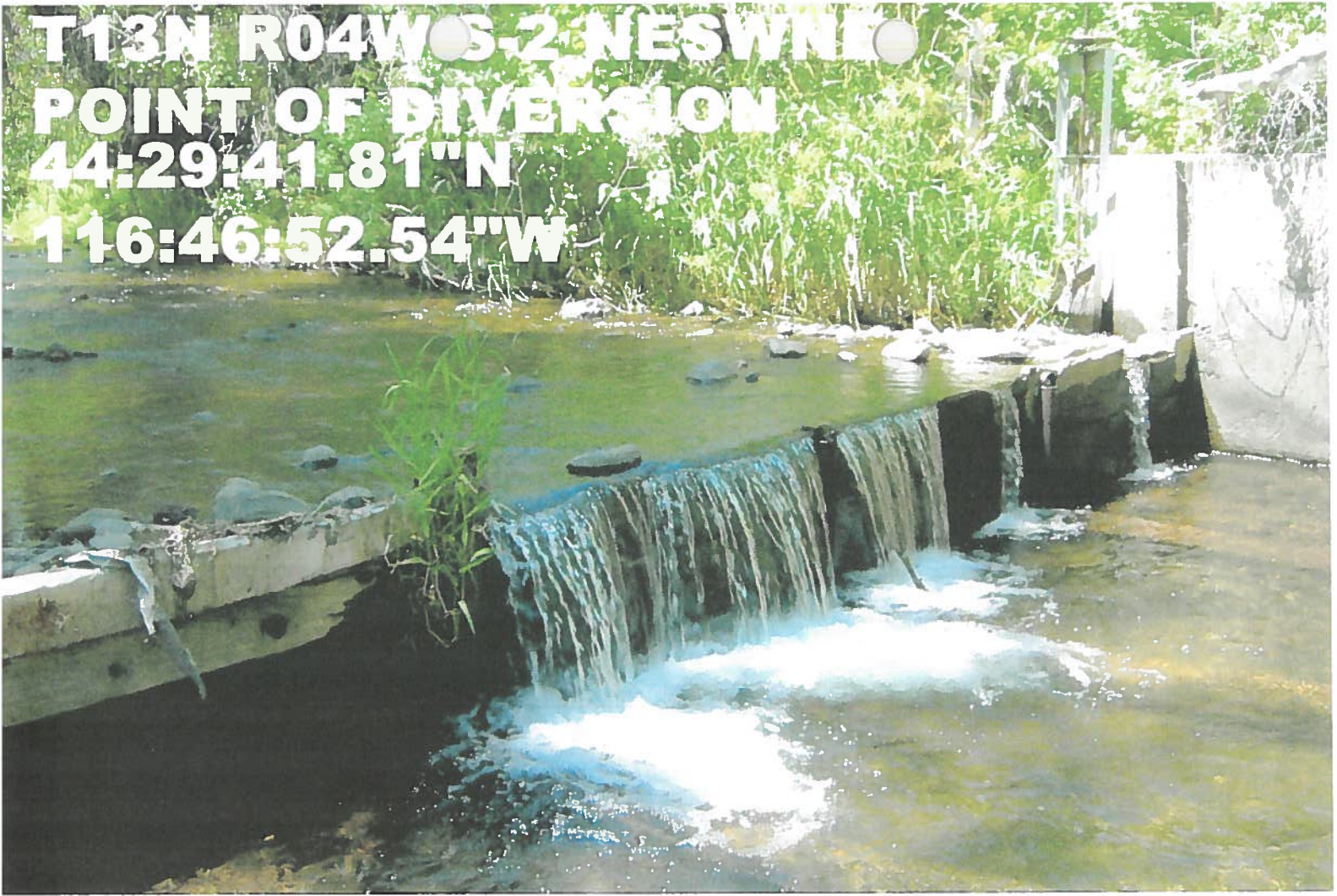
Field Examiner:

Date: 8-21-2006





T13N R04W S-2 NESWN
POINT OF DIVERSION
44:29:41.81"N
116:46:52.54"W



Howard Keithley JR A67-00182A

On July 20, 2006 I performed a field examination of Adj claim
Number A67-00182A and found the following information

The claimed P.O.D.'s were GPS'ed AT $44^{\circ}29'41.81''N$ - $116^{\circ}46'52.54''W$ for Sec. 2
AND $44^{\circ}29'56.23''N$ - $116^{\circ}46'12.31''W$ for Sec 1. Both of These P.O.D's are
valid and operable.

The claimed P.O.U. in Section 35 can be irrigated from P.O.P. in Section 2

The claimed P.O.U. in Section 36 can be irrigated from both P.O.D in S-1 & S-2

HOWARD KEITHLEY JR

T14N R04W S-36

PLACE OF USE

44°30'47.61"N

116°46'37.77"W



HOWARD KEITHLEY JR

T14N R04W S-35

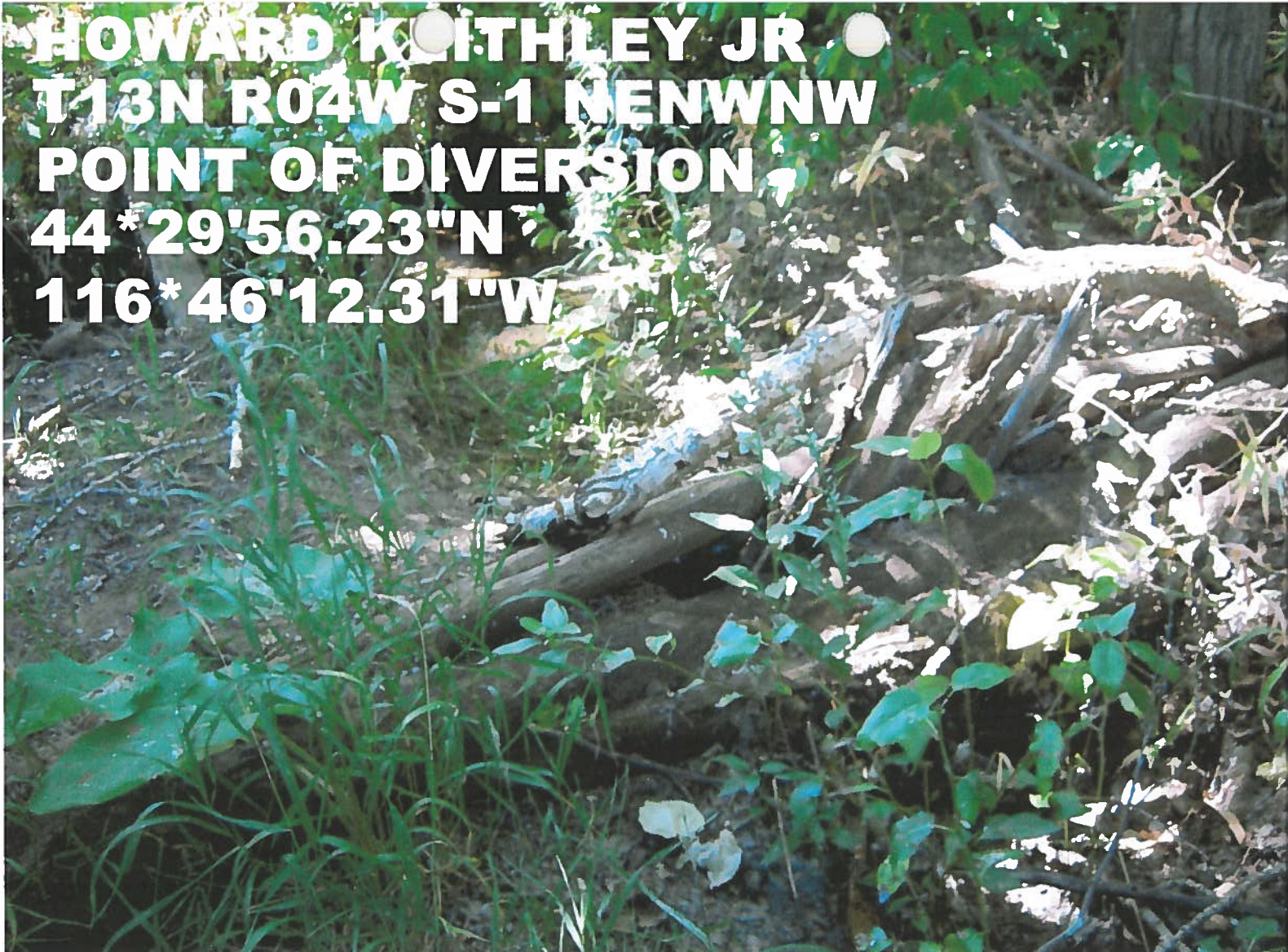
PLACE OF USE

44°30'47.61"N

116°46'37.77"W



HOWARD K. LITHEY JR. ●
T13N R04W S-1 NENWNW
POINT OF DIVERSION
44°29'56.23"N
116°46'12.31"W



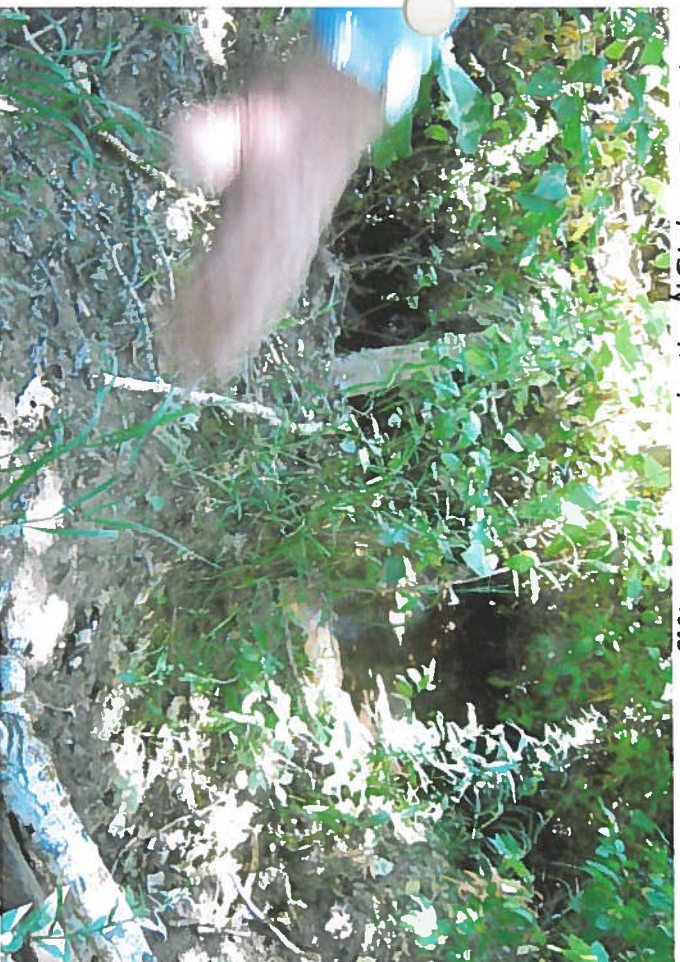
HOWARD KLITHLEY JR ●
T13N R04W S-35 NESWSW
REDIVERSION
44:30:35.21"N
118:46:55.99"W



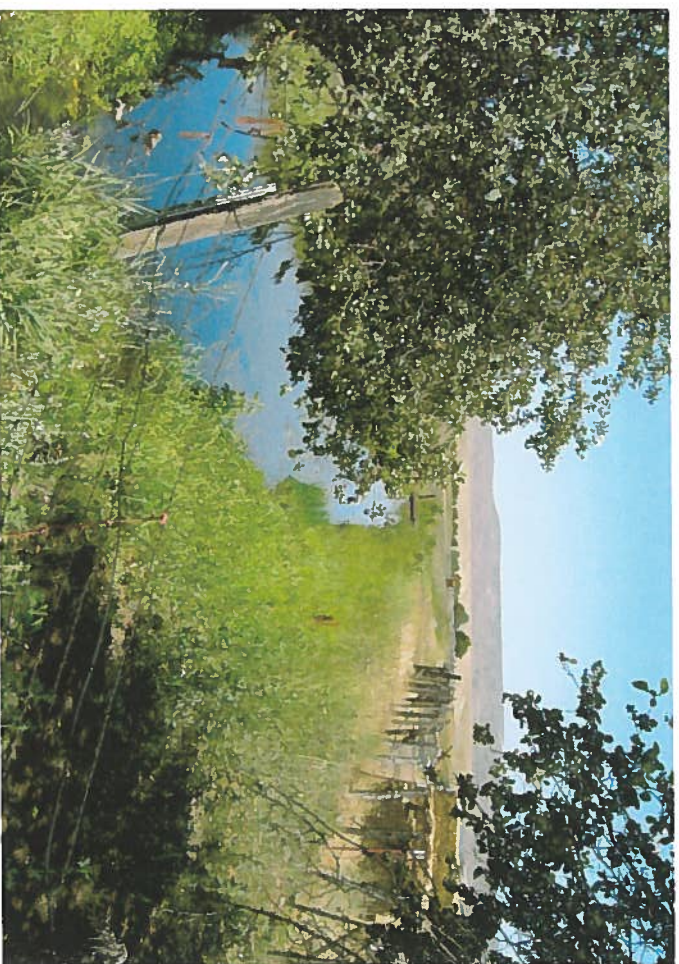
Howard Keitley Jr. 4672 00182A



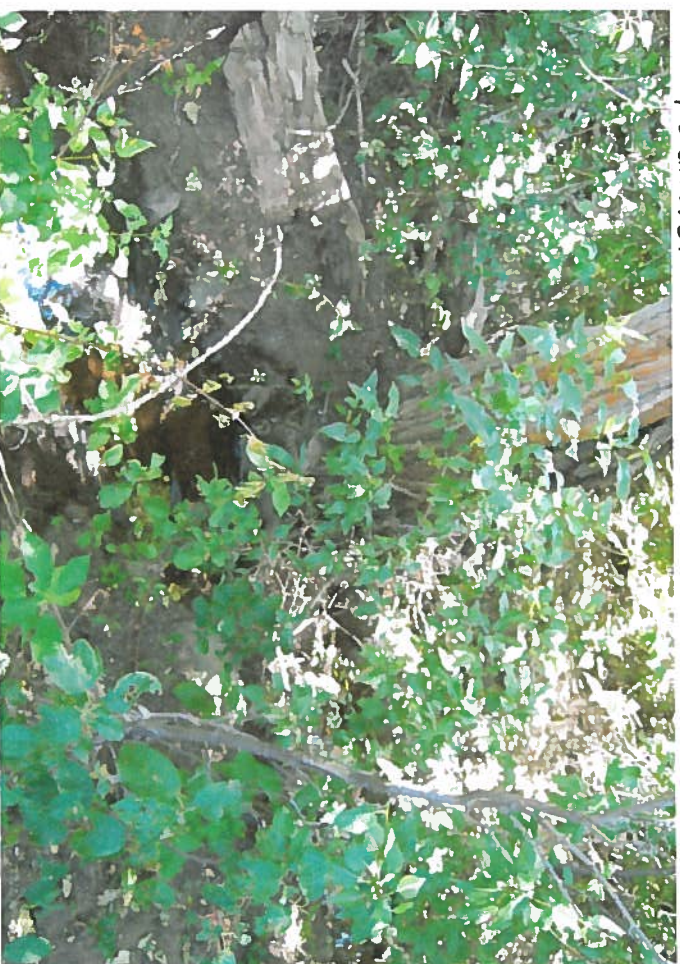
P.O.D. T13N R04W S-1 NE1/4 NW



P.O.D. T13N R04W S-1 NE1/4 NW



Rediversion

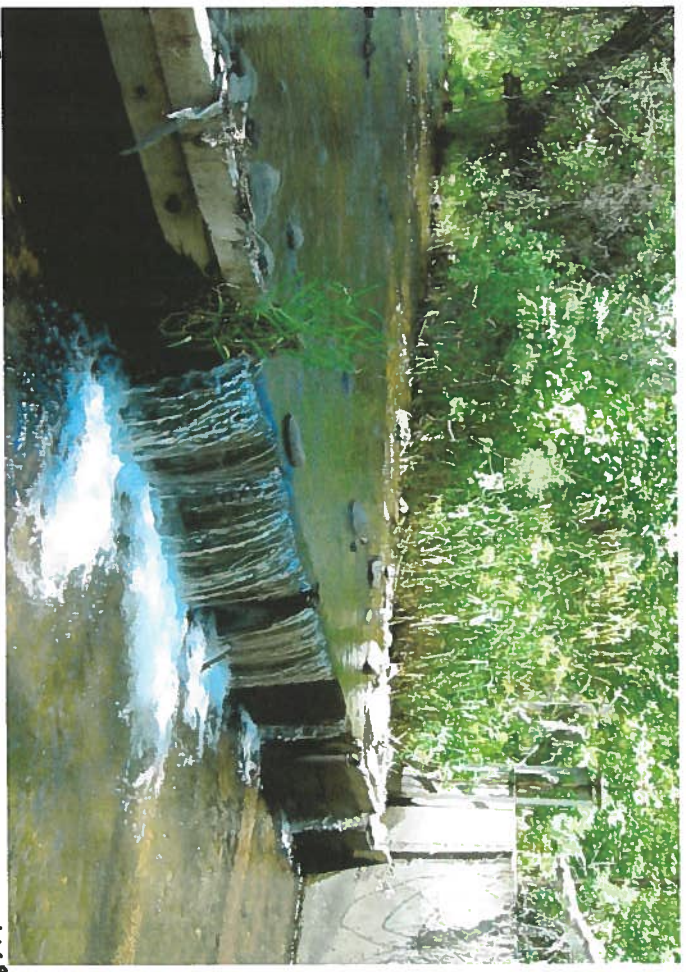


P.O.D. T13N R04W S-1 NE1/4 NW

Howard Keitaley Jr. A67-00182A



Rediversion

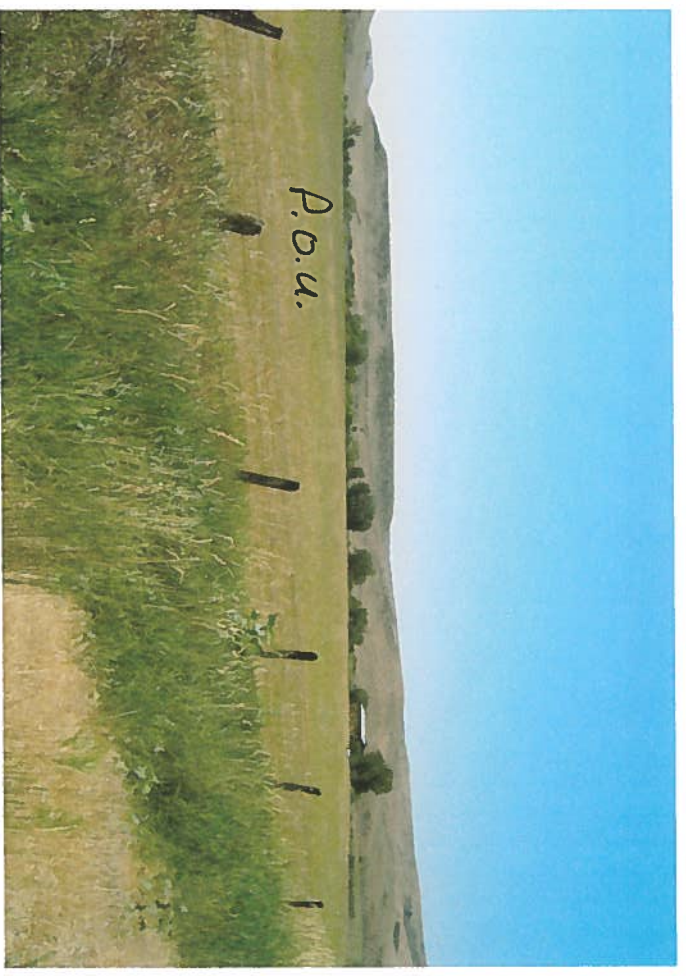


P.O. D. T13N R04W S-2 NE SW NE 44°29'41.81" N 116°46'39.54" W



excavated ditch T14N R04W S-3S 44°30'03.64" N 116°46'55.76" W

Howard Keistley Jr. A67-0082A T14N R04W S-35 & 36



RECEIVED
AUG 19 2004
DEPARTMENT OF
WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number(s):

67-182A

Previous Mailing Address:

VIVIAN KEITHLEY
HOWARD KEITHLEY JR
PO BOX 68
MIDVALE ID 83645

New Mailing Address:

8-20-04 I called
Mrs. Keithley re
spelling of road
name. = Keithley

VIVIAN AND HOWARD KEITHLEY JR
2421 KEITHLY CREEK RD
MIDVALE ID 83645

Creek Rd.

Telephone Number:

(208) 355-2410

Signature of Claimant(s):

Howard Keithley Jr.

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SCANNED
AUG 20 2004

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: *Shoma*

Date: 8-20-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

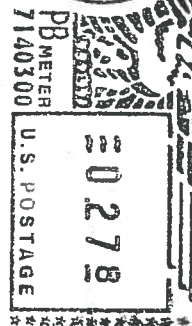
~~Return Service Requested~~



**NOT DELIVERABLE
AS ADDRESSED
UNABLE
TO FORWARD**

**ADDRESS SERVICE
REQUESTED**

**PRESORTED
FIRST CLASS**



RECEIVED
AUG 2 2004
DEPARTMENT OF
WATER RESOURCES

2421 Keithly Ck Rd

VIVIAN KEITHLEY
HOWARD KEITHLEY JR
PO BOX 68
MIDVALE ID 83645

FDC

67-182A

I called Mrs. K to Ed. Keithly Creek Rd.)
Verify spelling of ~~Ed~~ and ~~Ed~~
8-20-04

SCANNED
AUG 20 2004

ELIHU G JOHNSON: Lot 1, and the South half of the Northeast Quarter, Section 1, Township 13 North, Range 4 West Boise Meridian.

SARAH S KEITHLEY, ADMINISTRATRIX OF THE ESTATE OF JOHN D KEITHLEY, AND TRUSTEES OF HOWARD E KEITHLEY, JOHN KEITHLEY AND CLARENCE F KEITHLEY: The West half of the Southeast Quarter, and the East half of the Southwest Quarter, Section 35, the West half of the Northeast Quarter, and the East half of the Northwest Quarter, Section 36, the Northeast Quarter of the Northeast Quarter Section 36, the East half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter Section 35, and the West half of the Northwest Quarter and the North half of the Southwest Quarter Section 36, Township 14 North, Range 4 West Boise Meridian. 582
F.365A

ANGUS R McDONALD: The Northeast Quarter of Section 9, the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian, and 4 acres in the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian.

NELS HURL: The South half of the Southwest Quarter of Section 3, the North half of the Northwest Quarter Section 10; The East half of the Southeast Quarter of Section 4, the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter Section 4, excepting a tract of land in the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10, described as follows, to-wit:

Beginning at a point 1321.8 feet west of the Southeast corner of Section 4, Township 14 North, Range 3 West Boise Meridian and running thence North 435 feet on the true line between the East and West halves of the Southeast Quarter of said Section 4; thence in an easterly direction at an angle of $69^{\circ} 25'$, a distance of 534 feet; thence in a Northerly direction at an angle of $11^{\circ} 42'$ a distance of 262 feet to the section line on the South side of Section 4; thence West along said section line a distance of 500 feet to the place of beginning containing an area of 4 acres.

Also including in said defendants holdings the following described lands in the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian, described as follows, to-wit:

Beginning at the center of the Southeast quarter of Section 4, Township 14 North, Range 3 West, and running thence West on the true line between the North and South halves of said Southeast Quarter of Section 4, a distance of 274 feet; thence in a Southwesterly direction at an angle of $10^{\circ} 25'$, a distance of 432 feet; thence in a southeasterly direction on an angle of $10^{\circ} 30'$ a distance of 426 feet to the true line between the East and West halves of said Southeast Quarter of Section 4; thence North on said true line a distance of 604 feet to the place of beginning, containing an area of 4 acres more or less.

JAMES H PHILLIPS: The Southeast Quarter of the Northeast Quarter of Section 5, and the South half of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian.

C E SCHMITZ: The South half of the Southwest Quarter Section 32, Township 15 North, Range 3 West, and Lots 2 and 3, Section 5, Township 14 North, Range 3 West Boise Meridian.

O S HILLET: The North half of the Southwest Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian, excepting a small tract conveyed to other parties.

JUL 24 1996

INCHES OF WATER UNDER PRIORITY DATE, MAY 15, 1883.

as follow: 2 inches of water, May 15, 1883; 2½ inches of water May 15, 1889 and 7 inches of water under priority date, May 15, 1901.

That the defendant, Sarah S. Keithley, administratrix of the estate of John D. Keithley and as trustee for the estates of Edward E. Keithley, John Keithley and Clarence F. Keithley, is entitled to the use of 200 inches of water from Keithley Creek during the high water period for use upon the West half of the Southeast quarter and the East half of the Southwest quarter Section 35, the West half of the Northeast quarter and the East half of the Northwest quarter Section 36, the Northeast quarter of the Northeast quarter of section 36, the East half of the Northeast quarter and the Northwest quarter of the Southeast quarter of section 35, the West half of the northwest quarter and the North half of the Southwest quarter of Section 36, Township 14 North, Range 4 West Boise, Meridian and during the low water period the said defendant is entitled to the use of 100 inches for said land.

Walter C Keithley

Elihu G Johnson

Sarah B Keithley, administratrix of the estate
of John D Keithley

and trustee of Howard K Keithley, John Keith-
ley and Clarence F Keithley.

Pine Creek.

Angus R. McDonald

Nels Buhl

James H Phillips

C E Schmits

O B Hulet

Enoch Bloomstrom

Harold K Kinney

Nathaniel H Wells

William W Allison

Little Pine

Said Creek

Joseph C Allison

Little Pine

Little Pine

James W Tindell

Michael Ward

E E Edwards

Fannie R Baker

Denbrae Sheep Company

William Niemeyer

Mary Marquess

R M Fuller

John D Foreyth

James M Davis

Charles A Hnygood

John W Gibson

William A McKenzie

Elizabeth Webber for life

16 /

3 1/8

5 /

200 /

47 /

13 /

90 /

30 /

17 1/2 /

5 /

12 /

5 1/2 /

31 1/2 /

12 1/2 /

22 1/2 /

35 /

31 /

12 /

62 1/2 /

18 /

30 /

32 1/2 /

47 1/2 /

123 /

42 /

6 /

29 /

15 /

7 /

6 1/2 /

5 /

21 /

20 /

32 /

45 /

35 /

25 /

25 /

27 1/2 /

19 /

14 /

May 15, 1899 67 0179

May 15, 1899 67 0180

May 15, 1899 67 0181

May 15, 1877 67 0182

June 1, 1879 67 0183

June 1, 1905 67 0184

May 1, 1880 67 0185

June 1, 1884 67 0186 8043

June 5, 1884 67 0187

May 1, 1884 67 0188

May 1, 1904 67 0189

May 1, 1912 67 0190

June 1, 1886 67 0191

May 1, 1886 67 0192

May 1, 1889 67 0193

Aug 15, 1888 67 0194

Aug 15, 1888 67 0195

June 26, 1888 67 0196

May 6, 1899 67 0197

June 26, 1888 67 0198

May 1, 1906 67 0199

May 1, 1890 67 0200

June 3, 1890 67 0201

May 1, 1891 67 0202

May 1, 1891 67 0203

May 1, 1891 67 0204

May 1, 1900 67 0205

June 1, 1891 67 0206

May 1, 1892 67 0207

May 1, 1897 67 0208

— — — 67 0209

May 1, 1892 67 0210

May 1, 1893 67 0211

May 1, 1900 67 0212

May 1, 1900 67 0213

May 1, 1900 67 0214

May 1, 1900 67 0215

May 1, 1902 67 0216

May 1, 1900 67 0217

May 1, 1900 67 0218

May 1, 1901 67 0219

JUL 2 4 1899