

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 Kenneth 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...

11/07/2006

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

RIGHT NUMBER: 67-182B

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

SOURCE: KEITHLY CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 3.000 CFS

PRIORITY DATE: 05/15/1877

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	3.000 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

This right is limited to the irrigation of 240.0 acres within the place of use described above in a single irrigation season.

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

11/07/2006

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

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

			NE	SW		IRRIGATION
			NW	SW		IRRIGATION
			SW	SW		IRRIGATION
			SE	SW		IRRIGATION
06N	45E	35	SE	SW		IRRIGATION
			NW	SE		IRRIGATION
			SW	SE		IRRIGATION
06N	46E	31	NE	NE		IRRIGATION
06N	46E	32	SW	NE	2	IRRIGATION
			SW	SW		IRRIGATION
			SE	SW		IRRIGATION

11. Place of use in counties: TETON, MADISON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

OTHER WATER RIGHTS USED AT THE SAME PLACE AND FOR THE SAME PURPOSES: 21-24, 21-26, 21-27, 21-120, 21-121, 21-122, 21-123, 21-124, 21-125 AND 21-126, IN COMBINATION DO NOT EXCEED 3618 ACRE FEET. VARIOUS WATER USERS HAVE NATURAL FLOW OR GROUNDWATER RIGHTS ON THESE SAME LANDS.

THIS WATER RIGHT WAS TRANSFERRED AND THE SNAKE RIVER WATERMASTER CONSISTENTLY DELIVERED THESE NATURAL FLOW RIGHTS AS STORAGE FROM 1942 THROUGH 1977 AS DESCRIBED IN THIS NOTE FROM THE 1943 WATERMASTERS REPORT: "THE SHERIDAN CREEK DECREE IS A NATURAL FLOW RIGHT THAT WAS ORIGINALLY APPURTENANT TO LANDS NOW FLOODED BY ISLAND PARK RESERVOIR. IT WAS TRANSFERRED TO THE LANDS WITHIN THE FREMONT-MADISON IRRIGATION DISTRICT BUT IT IS MORE CONVENIENT TO INCLUDE IT AS A STORAGE RIGHT RATHER THAN TO MAKE SOME ARBITRARY DISTRIBUTION OF IT AS A NATURAL FLOW RIGHT AMONG THE DISTRICT CANALS." THIS WATER SHOULD BE RECOGNIZED AS AN ACCOMPLISHED TRANSFER OF NATURAL FLOW TO THE CANAL COMPANIES WITHIN FREMONT-MADISON OR AS AN ACCOMPLISHED TRANSFER OF STORAGE TO FREMONT-MADISON.

PLACE OF USE IS THE LANDS OF FREMONT-MADISON IRRIGATION DISTRICT.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

67-182B
(Irrigation)

Point of Diversion

Place of Use

Townships

PLS Sections

Quarter Quarters



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

Split History 67-182

WR History

SRBA Calm History

Recommendation

67-182 Keithy, Sara
4 cfs
320 acre

67-182 Keithy, Sara
4
320

67-182A Keithy, Howard Jr.
1
223

67-182A Keithy, Howard Jr.
1
80

This is a portion of combined rights.

67-182B Seid, Kenneth
3
418

67-182B Seid, Kenneth
3
240

67-182C Smith, Kent
0.21
40

67-182C Smith, Kent
0
0 Rejected

Acreage based on 5/8 inch per acre

Sum CFS =	4.21
Sum Acre=	681
Sum AF =	0

Sum CFS =	4
Sum Acre=	320
Sum AF =	n/a

Extra CFS =	-0.21
Extra Acre =	-361.0
Extra AF =	0

Extra CFS =	0
Extra Acre =	0
Extra AF =	n/a

*Last updated 4-20-06 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Split Analysis

Water Right Number: _____

Seld, Kenneth

Diversion Rate: _____

CFS

Reviewer Name: _____

Craig L. Saxton

Date: _____

11/7/2006

Acreage Analysis

Twp	Rng	Sec	Q-Q	Lot	Parent	Actual Acres	Recommended	Children Acres						
					Claimed Seld, Kenneth	Found	Land List							
14N	3W	30	NESW	3	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							

511.6

Claim									
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Users) Owners) 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 wrAdjudicationClaim
67	7523 C		License	Active	1/29/1981	0.45	26.5	KEITHLY CRE IRRIGATION	CORBETT, N wrAdjudicationClaim

Recommendation									
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Users) Owners) Source Table
67	152		Decreed	Active	1879-05-15	1.25	100	KEITHLY CRE IRRIGATION	SEID, KENNE Recommendation
67	153		Decreed	Active	1897-05-01	0.16	12.8	HOPPER CRE IRRIGATION	SEID, KENNE Recommendation
67	168		Decreed	Active	1884-05-15	1	80	HOPPER CRE IRRIGATION	SEID, KENNE Recommendation
67	171		Decreed	Active	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	6.395	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	Active	1/29/1981	0.62	37	KEITHLY CRE IRRIGATION	CORBETT, N Recommendation
67	7523 C		License	Active	1/29/1981	0.45	25.5	KEITHLY CRE IRRIGATION	CORBETT, N Recommendation

Water Master Delivery Records

Page #	Parcel	Name	Inches	W/R #	Original Owner	Priority
13	14N04W257200	SEID, KENNETH	62.50	152	C W Randleman	5/15/1879
13	14N04W257200	SEID, KENNETH	8.00	153	C W Randleman	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

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

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	152 A			Rejected	1879-05-15	0.68		KEITHLY CRE IRRIGATION SEID, KENNE Recommendation			
67	153 A			Rejected	1897-05-01	0.14		HOPPER CRE IRRIGATION SEID, KENNE Recommendation			
67	159			Rejected	1883-05-15	0.92		KEITHLY CRE IRRIGATION SEID, KENNE Recommendation			
67	167			Rejected	1886-05-15	0.1		HOPPER CRE IRRIGATION SEID, KENNE Recommendation			
67	7072			Rejected	2/9/1972	0.04		HOT CREEK IRRIGATION, SEID, KENNE Recommendation			
67	7107			Rejected	8/30/1972	1		WASTE WAY IRRIGATION SEID, KENNE Recommendation			
67	7174			Rejected	8/28/1973	0.2		UNNAMED S IRRIGATION, SEID, KENNE Recommendation			
67	11340			Rejected	1879-05-15	0.24		GROUND WA DOMESTIC, ; SEID, KENNE Recommendation			
67	11341			Rejected	1879-05-15	0.24		GROUND WA DOMESTIC, ; SEID, KENNE Recommendation			
67	11342			Rejected	1879-05-15	0.24		GROUND WA STOCKWATE SEID, KENNE Recommendation			
67	11343			Rejected	1879-05-15	0.24		GROUND WA STOCKWATE SEID, KENNE Recommendation			
67	11344			Rejected	1879-05-15	0.24		GROUND WA DOMESTIC, ; SEID, KENNE Recommendation			
67	11345			Rejected	1879-05-15	0.24		GROUND WA DOMESTIC, ; SEID, KENNE Recommendation			
67	11346			Rejected	1879-05-15	0.24		GROUND WA STOCKWATE SEID, KENNE 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: A67-00182B

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

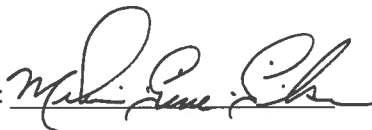
Description of Diversion Works: Headgate, Ditch, Pump, Pipeline, Sprinklers.

Examination Date and Narrative: On July 20, 2006, Gene Gibson performed a field examination on the Points of Diversion and redirection, 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 redirection. Examined the means of conveyance from claimed Points of diversion and redirection 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 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 SCID
2279795-1483160
LOOKING EAST

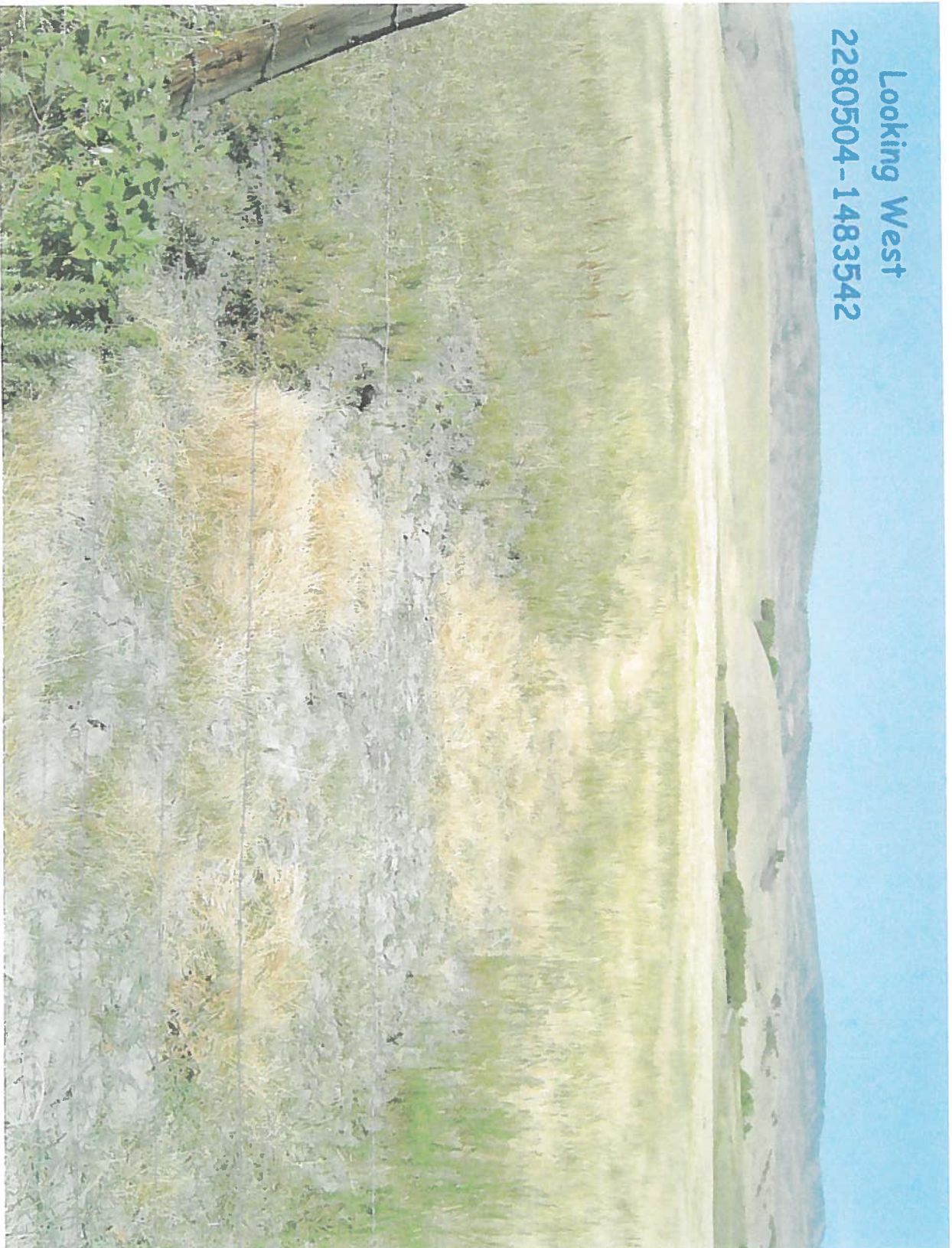


Looking East
2280150-1483538

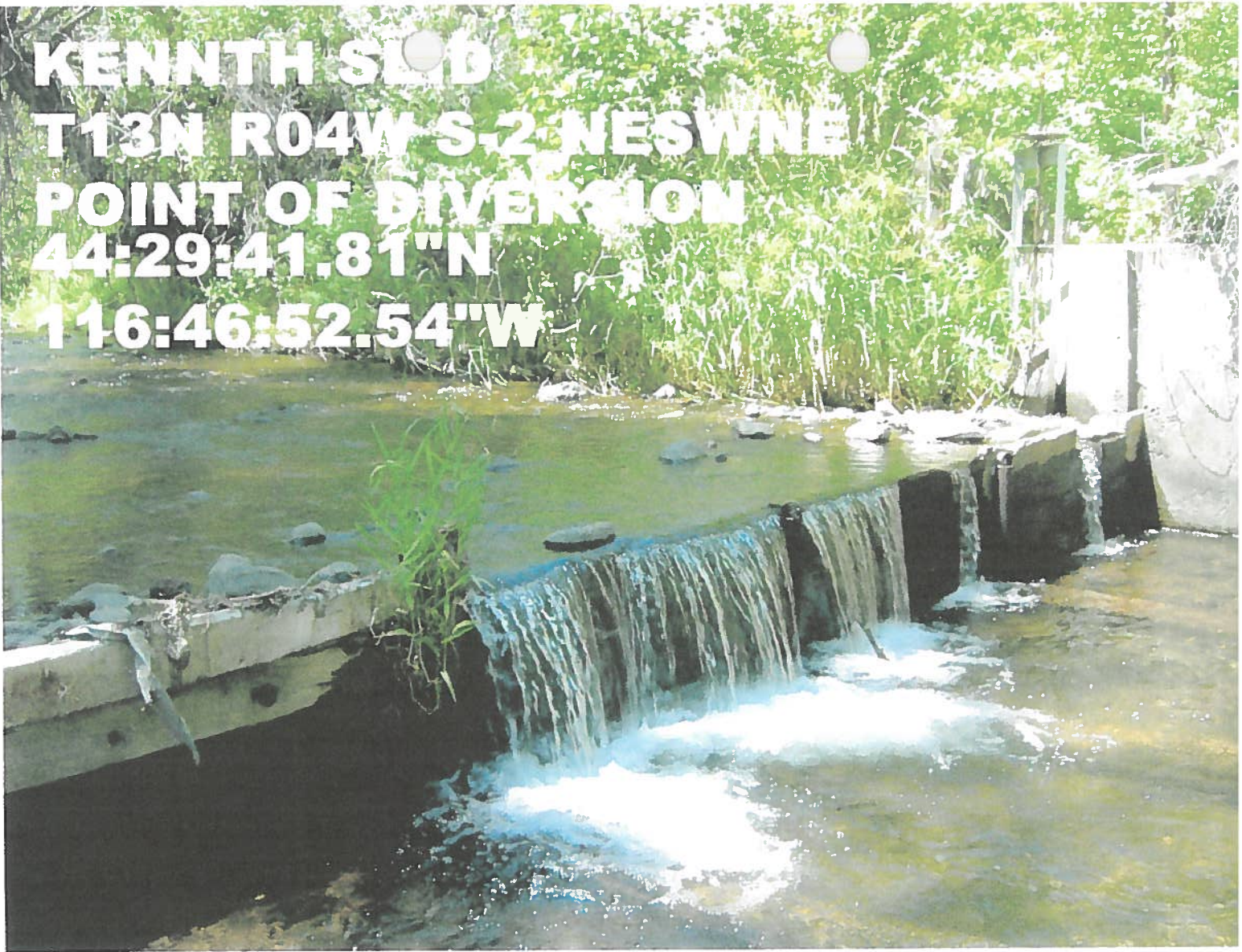


Looking West

2280504-1483542

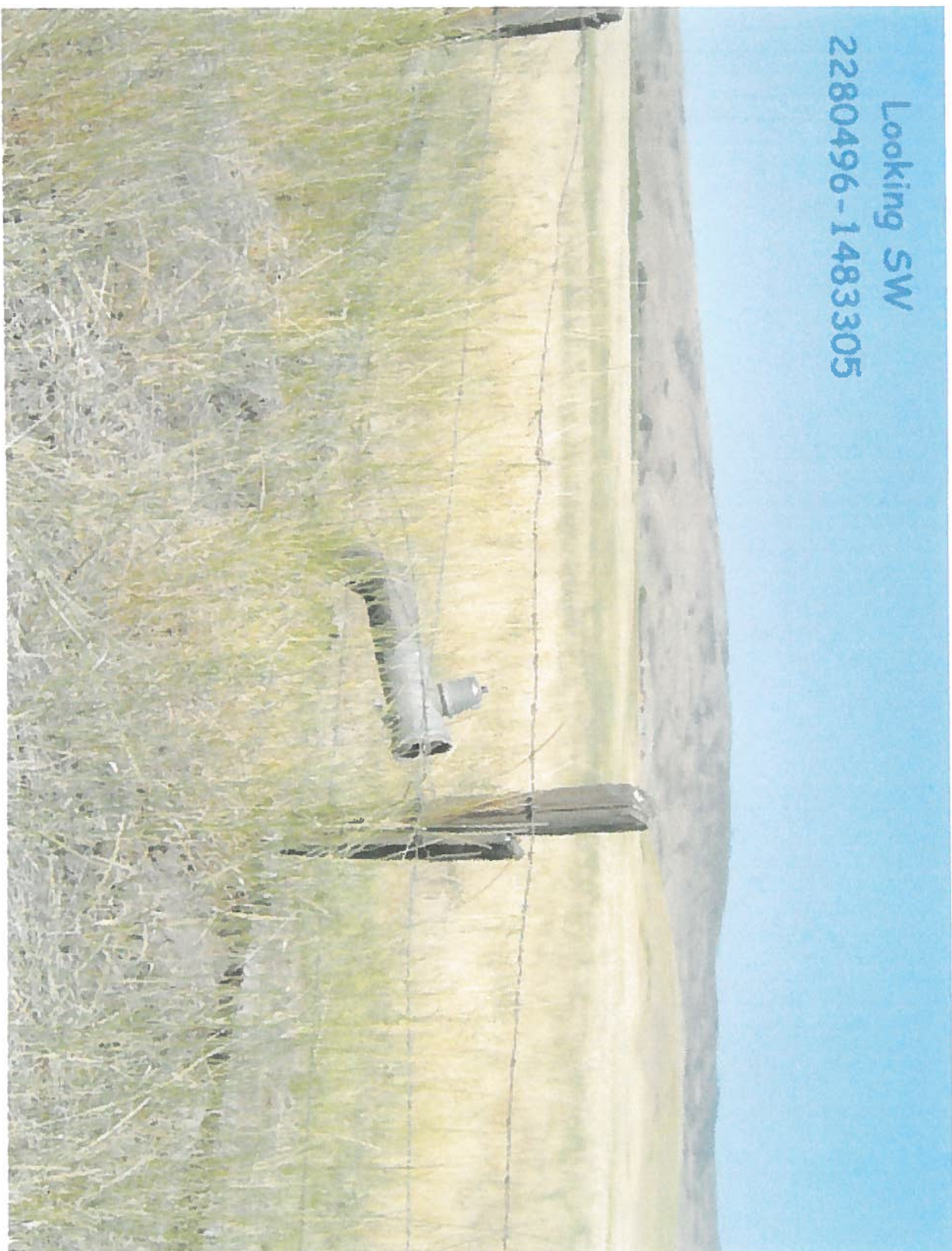


KENNETH SLID
T13N R04W S-2 NESWNE
POINT OF DIVERSION
44:29:41.81"N
116:46:52.54"W



Looking SW

2280496-1483305



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-182

WATER RIGHT NUMBER: 67-182

<u>Owner Type</u>	<u>Name and Address</u>
Trustee	SARAH S KEITHLEY
	, ID
Current Owner	HOWARD E KEITHLEY
	, ID
Current Owner	JOHN D KEITHLEY
	, ID
Current Owner	CLARENCE F KEITHLEY
	, ID
Current Owner	JOHN KEITHLEY
	, ID

Priority Date: 05/15/1877

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

KEITHLY CREEK

Place of UseIRRIGATION Within WASHINGTON County

T14N R04W S25	NESW	T14N R04W S25	SESW
T14N R04W S25	NWSE	T14N R04W S25	SWSE
T14N R04W S35	NENE	T14N R04W S35	SENE
T14N R04W S35	NESE	T14N R04W S36	NENE
T14N R04W S36	NWNE	T14N R04W S36	SWNE
T14N R04W S36	NENW	T14N R04W S36	NWNW
T14N R04W S36	SWNW	T14N R04W S36	SENW
T14N R04W S36	NESW	T14N R04W S36	NWSW

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-182

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 6/20/1921
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - A67-00182B
Prefix Translation: ADJUDICATION CLAIM
Old (0) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SEIO
KENNETH
1 - RT 1 BOX 69
2 -
3 -
City- MIOVALE
Phone - 208-355-2256
State- ID Zip- 83645
*** O - ORIGINAL OWNER ***
KEITHLEY
JOHN
1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX
KEITHLEY
JOHN D.
1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX
KEITHLEY
HOWARD E.
1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX
KEITHLEY
CLARENCE F.
1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX
KEITHLEY, TRUSTEE
SARAH S.
1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXXXX

+ - - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/15/1877 14 WESTERN
+ - - - - Source - - - - + + - - - - Tributary - - - - - +
KEITHLEY CREEK WEISER RIVER
REJECTED SEE REMARKS

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
13N	04W	2	NE SW NE		(87)	WASHINGTON	
14N	03W	31	NW SW NW		(87)	WASHINGTON	
			NE SE NW		(87)	WASHINGTON	
	04W	35	SW SE NE		(87)	WASHINGTON	
			SE SE NW		(87)	WASHINGTON	
		36	NW NW SW		(87)	WASHINGTON	

MICROFILMED
OCT 22 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Prefix Translation: ADJUDICATION CLAIM

Water right number - A67-00182B

+ - - - - Code - - - - - Description - - - - - Period From - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - -
01 - IRRIGATION
+ - - - - Total Div. Rate - - + - - Total Div. Volume - - + - - Total Consumptive Use - - + - - KW Usage - - +
2.790 2.790 2040.0

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	03W	31	NW NW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	03W	31	SW NW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	03W	31	NW SW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	25	NE SW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	25	SE SW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	25	NW SE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	25	SW SE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	35	SE NE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	35	NE SE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	NW NE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	SW NE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	SE NE		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	NE NW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	SW NW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	SE NW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	NE SW		40.0	01	IRRIGATION	WASHINGTON (87)
14N	04W	36	NW SW		40.0	01	IRRIGATION	WASHINGTON (87)

Total Acres: 680.0

+ - - - - Diversion Means - PUMPS AND WHEEL LINES
+ - - - - Non-Irrigation Use - NA
+ - - - - Other Rights for Same Use - A67-00152A, A67-00159
+ - - - - Remarks - - - - - THIS RIGHT IS A SPLIT OF A67-00182
CLAIM INCOMPLETE.
+ - - - - Old Water Right Numbers - - - - -
A6700182
+ - - - - Conditions of Approval - - - - - No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - +
JOHN T. MJR WILLIAM ALLISON 00/00/0000

MICROFILMED
OCT 22 1996

MICROFILMED
OCT 22 1995

REFUND REQUEST

RECEIVED

MAR 23 1995

POOR ORIGINAL

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: Western Region
 SUBJ: Receipt No. W007152 (Please attach ARQ2 Receipt copy immediately behind blue form)

Department of Water Resources

Date: 3-22-95RE: PayOR Said, Kenneth E.

Address Rt. 1 Box 69
Midvale, ID 83645

RECEIVED

APR 19 1995

WATER RESOURCES
WESTERN REGION

Claimant(s) if NOT Payor _____

Refund Amount \$ 511.40

Claim Location (Region/Claimant) _____

Extension Filed? Y/N NACopy Attached? Y/N NALate Fees Paid? Y/N NA

Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By ☒ Agent () Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn / o-pmtDate of Last Correspondence (copy attached) 1-15-90

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>See Attached</u>	<u>Irrig.</u>	<u>\$511.40</u>		<u>W007152</u>
" "	<u>D & S</u>	\$		
		\$		
		\$		
		\$		
Total		<u>\$511.40</u>	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

Claims have not been submitted by claimant.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval —
 Don Shaff Approval [Signature] Hold ZWB? To Fiscal —
4-18-95 Logged 03-24-95
 Data Base Modified? ☒ Y/N NA A &/or R Records By [Signature] on 3-17-95

THESE CLAIMS MUST BE FILED SOMETIMEAND WE'LL WAIT UNTIL HE FILES TO SAVETHE PROCESSING COST OF A REFUND.

MICROFILMED

OCT 22 1996

05/19/94



POOR ORIGINAL

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 23 1995

Department of Water Resources

January 15, 1990

Kenneth Seid
Rt 1 Box 69
Midvale, Idaho

RE: Snake River Basin Adjudication
A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00182B, A67-00159, A67-00182C, A67-00168, A67-00167,
A67-02143, A67-07072, A67-07107, A67-07174, A67-11340,
A67-11341, A67-11342, A67-11343, A67-11344, A67-11345,
A67-11346 - Washington County

Dear Mr. Seid;

Please find enclosed the map you brought into our office of the land for which you are filing "Notices of claims to Water Rights", your Washington County Tax Assessor's Notices, two copies of "Notices of Claims to Water Rights", which were either found during my research of your and Mr. Smith's land or which I generated claims, and blank forms for submittal of "Notice of Claim to Water Rights". I strongly suggest that you carefully peruse the enclosed information.

If you wish to make any changes please fill out the blank forms with the information as you want it reviewed in the Adjudication. For those claims you and Mr. Smith wish to submit, a signed and notarized copy of the "Notice of Claim to a Water Right" should be returned to this office.

Although we have often made ourselves available to assist you, your late attempts to submit your claims and your continued failure to be prompt or to appear for times we have discussed to complete your claims work indicates a lack of interest on your part to pursue the matter. We can no longer reserve time for your claims work during, which we could be assisting other claimants. However, you may wish to come into our office and wait until I have some free time or you may wish to seek assistance elsewhere.

Please have the documents submitted by February 15, 1990 or you may be subject to additional late fees. If you have any questions or concerns, please contact this office.

MICROFILMED
OCT 22 1996

Sincerely,



Bruce A. Schuld
Senior Water Rights Agent
Western Regional Office
Idaho State Department of Water Resources

RECEIVED

MAR 23 1995

Department of Water Resources

cc:JS:BAS:file

Enclosures: A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00159, A67-00167, A67-00168, A67-00182B,
A67-00182C, A67-02143, A67-07072, A67-07107,
A67-07174, A67-11340, A67-11341, A67-11342,
A67-11343, A67-11344, A67-11345, A67-11346
"Notice of Claim to Water Rights", 10 - Long Forms
"Notice of Claim to Water Rights", 4 - Short Forms

MICROFILMED

OCT 22 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - R67-001828 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SEID KENNETH

1 - RT 1 BOX 69
2 -
3 -
City- MIDVALE
Phone - 208-355-2256
State- ID Zip- 83645

*** O - ORIGINAL OWNER ***
KEITHLEY JOHN

1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX

KEITHLEY JOHN D

1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX

KEITHLEY HOWARD E

1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXX

KEITHLEY CLARENCE F

1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXXX

KEITHLEY, TRUSTEE SARAH S

1 -
2 -
3 -
City- XXXXX
Phone - 208-000-0000
State- ID Zip- XXXXX

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/15/1877 14 WESTERN X - REJECTED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
KEITHLEY CREEK WEISER RIVER
REJECTED SEE REMARKS

Point of Diversion		County	
Twn	Rng	Sec	Tract
13N	04W	2	NE SW NE
14N	03W	31	NW SW NW
			NE SE NW
	04W	35	SW SE NE
			SE SE NW
		36	NW NW SW
			(87) WASHINGTON
			(87) WASHINGTON
			(87) WASHINGTON
			(87) WASHINGTON
			(87) WASHINGTON

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water right number - R67-00182B Prefix Translation: RESEARCH

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 2.790
+ - - - - Total Div. Rate - + - - - - Total Div. Volume - + - - - - Total Consumptive Use - + - - - - KW Usage - +
2.790 2040.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	31	NW NW		40.0	01	IRRIGATION	(87) WASHINGTON
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14N	04W	25	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
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14N	04W	25	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	35	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	35	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	NE SW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	04W	36	NW SW		40.0	01	IRRIGATION	(87) WASHINGTON

Total Acres: 680.0

+ - - - - Diversion Means - PUMPS AND WHEEL LINES
+ - - - - Non-Irrigation Use - NA
+ - - - - Other Rights for Same Use - A67-00152A, A67-00159
+ - - - - CLAIM INCOMPLETE.
+ - - - - Old Water Right Numbers -
A6700182
+ - - - - Conditions of Approval -
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - +
JOHN T. MUIR WILLIAM ALLISON
+ - - - - Decree Date - - +
00/00/0000

Water right number - R67-00182B

+ - - Audit Fields - - +
03/17/95 L HARRIS[illegible]

MICROFILMED
OCT 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 15, 1990

Kenneth Seid
Rt 1 Box 69
Midvale, Idaho

RE: Snake River Basin Adjudication
A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00182B, A67-00159, A67-00182C, A67-00168, A67-00167,
A67-02143, A67-07072, A67-07107, A67-07174, A67-11340,
A67-11341, A67-11342, A67-11343, A67-11344, A67-11345,
A67-11346 - Washington County

Dear Mr. Seid;

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If you wish to make any changes please fill out the blank forms with the information as you want it reviewed in the Adjudication. For those claims you and Mr. Smith wish to submit, a signed and notarized copy of the "Notice of Claim to a Water Right" should be returned to this office.

Although we have often made ourselves available to assist you, your late attempts to submit your claims and your continued failure to be prompt or to appear for times we have discussed to complete your claims work indicates a lack of interest on your part to pursue the matter. We can no longer reserve time for your claims work during, which we could be assisting other claimants. However, you may wish to come into our office and wait until I have some free time or you may wish to seek assistance elsewhere.

Please have the documents submitted by February 15, 1990 or you may be subject to additional late fees. If you have any questions or concerns, please contact this office.

MICROFILMED
OCT 22 1996

Sincerely,



Bruce A. Schuld
Senior Water Rights Agent
Western Regional Office
Idaho State Department of Water Resources

cc:JS:BAS:file

Enclosures: A67-00152A, A67-00152B, A67-00153A, A67-00153B,
A67-00159, A67-00167, A67-00168, A67-00182B,
A67-00182C, A67-02143, A67-07072, A67-07107,
A67-07174, A67-11340, A67-11341, A67-11342,
A67-11343, A67-11344, A67-11345, A67-11346
"Notice of Claim to Water Rights", 10 - Long Forms
"Notice of Claim to Water Rights", 4 - Short Forms

MICROFILMED
OCT 22 1996

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 THOSE 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.

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.

NELB IRSH: 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 HUIJET: 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 - PRESENT AUGER DRILLING DATA 1883 TO 1901

as follow: 2 inches of water, May 15, 1883; 2 1/2 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.