



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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MAY 23 1992  
Department of Water Resources  
Western Regional Office

May 27, 1992

CECIL D. ANDRUS  
GOVERNOR

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DIRECTOR

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Howard Keithley Jr.  
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Midvale, ID 83645

Gerald Myers  
HC 70 Box 2010  
Midvale, ID 83645

Gentlemen:

This letter serves as a summary and documentation of our meeting on Tuesday, May 19. At the meeting it was decided that the watermaster would regulate the diversions on Keithley Creek. There was further agreement that measuring devices and controlling works will be installed where necessary to ensure that water deliveries can be made in an equitable fashion.

Also discussed was the issue of the delivery of two water rights with the same priority date, different diversions, a water supply insufficient to satisfy both rights and a loss occurring between diversions. I have attached an example which clarifies the method of distribution. This example illustrates that the losses are shared between the two diversions.

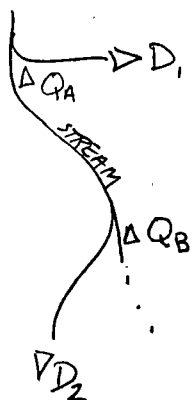
Please feel free to contact me if you have any questions.

Sincerely,

George Austiguy EIT  
Water Management Division

# EXAMPLE

Consider two water rights with the same priority date but different diversion points on the same stream.



$Q_{A,B}$  : stream channel discharge measurement station

$D_{1,2}$  : Discharge in canal

$N_{F,A,B}$  : NATURAL FLOW AT STATION A OR B

$G_{L,A,B}$  : NATURAL GAIN OR LOSS BETWEEN A AND B

$RNF$  : Remaining natural flow

A total of 250 miners inches is appropriated on the stream with the following distribution

Water Right	DIVERSION	QUANTITY	%
1	D1	150	60
2	D2	100	40

In this example the stream flow is not sufficient to fill both rights. The following table illustrates the allocation.

DATE	D1	$Q_A$	$N_{FA}$ ( $D1 + Q_A$ )	$D2$	$Q_B$	$G_{L,A,B}$ ( $D2 + Q_B - Q_A$ )	$N_{FB}$ ( $N_{FA} + G_{L,A,B}$ )	RNF
5/1	0	200	200	0	195	-5	195	195
5/2	117	83	200	78	0	-5	195	0

Therefore each right is entitled to their respective ratio of the water available in the system. In this case:

$$.6(195) = 117 \quad ; \quad \text{water right 1}$$

$$.4(195) = 78 \quad \text{water right 2}$$

WR0749NP  
No. 67-00182

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/08/94  
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN D. KEITHLEY	05/15/1877	IRRIGATION	00-00 00-00	4.00 CFS	
C	HOWARD E. KEITHLEY					
C	JOHN KEITHLEY					
C	CLARENCE F. KEITHLEY					
TOTAL DIVERSION:					4.00 CFS	

Water Source: KEITHLEY CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE														
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
14N	04W	25	:																											
14N	04W	35	:	I																										
14N	04W	36	:	I		I		I						I		I														

Pou County: WASHINGTON

Other Water Rights Listing Overlapping Place(s) of use:

67-00160 67-00161 67-00162 67-00170

Dates: App. Received: Priority Date: 05/15/1877  
 Proof Due Date: Proof Made Date:  
 Exam Made Date: Exam Sent to S.O.:  
 Licensed Date:

Misc: Water District Number: 67 Field Exam Fee:

Audit: 04/16/85 05/01/88 CONVERT 07/13/89 CURTIS 06/12/91 SEIFERT

*200 / .625 = 320 ac Total*

*5/8" / acre*

*Presumption under (previous 1907) - transfers expansion may be ok  
(waivers) constitutional? - judge decides " " "*

*after 1907 - needs transf.*

*Waiver  
Decree*