

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A25-11809
Date Received: 12/01/1988
Receipt No: E004812
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD KELLEY 208-357-3861
Address: 1215 N. 950 E.
SHELLEY, ID 83274

2. Date of Priority: JUN 01, 1946

3. Source: UNNAMED STREAM Trib. to: SELLARS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	40E	18	NW	SW	NE		BINGHAM

5. Description of diverting works:
PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	40E	18	NW	NE		IRR	5.0
Section Acres							5.0

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X *Harold Kelley* Date: X Dec 1 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of Dec 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

AJ0749NP
No. A25-11809

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/16/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS  DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C  GERALD KELLEY          06/01/1946  IRRIGATION    04-01 11-01    0.02 CFS
   BLACKFOOT RESERVOIR RD
   PO BOX 400
   IDAHO ID 83427
   (208) 525-6805

                                TOTAL DIVERSION: 0.02 CFS
                                CONSUMPTIVE USE: 12.50 AFA
=====
```

Water Source: UNNAMED STREAM

Tributary to: SELLARS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R40E S18

NWSWNE

BINGHAM County

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	:	SUM
02S	40E	18	:			05														:	5.0
																				TOTAL ACRES	5.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/7-16-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

A25-11809

~~T25~~

R40E

804

P.D.

MICROFILMED

NOV 1 1 1992

Log for claim 25-11809

Spatial Dynamics CAT

11/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s40e	18	NWNE	5	3.2	
Totals:			5	3.2	

AJ5809NP
No. A25-11809

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 62

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD KELLEY BLACKFOOT RESERVOIR RD PO BOX 400 IONA ID 83427 (208) 525-6805	06/01/1946	IRRIGATION	04-01 11-01	0.020 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.020 CFS	12.50 AFA

Water Source: UNNAMED STREAM

Tributary to: SELLARS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R40E S18 NWSWNE

BINGHAM County

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	:	SUM
02S	40E	18	:			05														:	5.0
																				TOTAL ACRES	5.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JH/7-16-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 12/01/88 JONES 02/13/91 THOMPSON 03/29/95 POST-STD 07/16/99 JHOAGLAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 20, 1999

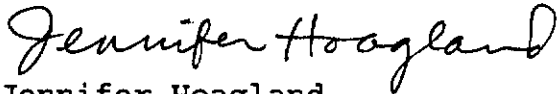
GERALD KELLEY
BLACKFOOT RESERVOIR RD
PO BOX 400
IONA ID 83427

RE: CHANGE OF ADDRESS FOR ADJUDICATION CLAIM(S) A25-11809

Dear Mr. Kelley:

The Idaho Department of Water Resources has changed the address for the above referenced claim. Please keep a copy of this notice for your records.

Sincerely,


Jennifer Hoagland
Technical Records Specialist

Enclosure

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): A25-11809

[] Old Mailing Address: 1215 N. 950 E.
Shelley, ID 83274

[] New Mailing Address: Box 400
Blackfoot Reservoir Rd.
Tona, ID 83427

[] Telephone Number: (208) 525-6805

[] Signature of Claimant: Gerald Kelley

[] Date: July 16

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED

JUL 15 1999

Department of Water Resources
Eastern Region

May 1, 1991

Gerald Kelley
1215 N. 950 E.
Shelley, ID 83274

RE: **Evidence of Priority**

Dear Mr. Kelley:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

MICROFILMED

NOV 11 1992

Gerald Kelley

Page 2

Please submit the required evidence supporting the priority date by June 3, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-11809
GERALD KELLEY
1215 N. 950 E.

SHELLEY

IN 83274

MICROFILMED

NOV 11 1992