

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: A29-07500
Date Received: 2/14/1994
Receipt No: E020154 - E014644
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS G KELLER 208-233-6429
Address: 5728 W BUCKSKIN RD
POCATELLO ID 83201
OR
Name: MARLENE KELLER 208-233-6429
Address: 5728 W BUCKSKIN RD
POCATELLO ID 83201

2. Date of Priority: SEP 13, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	35E	26	NW	NW			BANNOCK

5. Description of diverting works:
330 FT DEEP WELL, 6" DIA CASING, 3 H.P. PUMP, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		4.00
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME.

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	35E	26	NW	NW	IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

DOMESTIC USE INCLUDES DRINKING WATER FOR FOUR HORSES.

Contact made on 2/14/94. Claimant was advised that if their claim is revised to reflect the irrigation right on their water license their full one acre lot would have claim to irrigation water. Claimant agreed to modification of claim. A revised claim form was prepared and sent to claimant with a letter of explanation. The required response from claimant is the signed claim form and a check for \$26.00. If this response is not received, record may be deleted.

S BALL 02/15/94

15. Basis of Claim: LICENSE

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): _____ Date: _____
MICROFILMED
Date: NOV 13 1994

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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10. Place of use is: Township: XX 06s Range 35 E
Section 26, NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(~~XX~~) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number PERMIT# 29-07500

16. Signature (s)

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

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Marlene M. Keller Date May 1, 1990
_____ Date May 1, 1990

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Bannock) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 15 day of May 19 90

SEAL

Notary Public Antonia Hopkins

Residing at Bozatyrells Bozatyrells

My Commission Expires Dec 12, 1996 NOV 13 1996

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

WATER RIGHT NO. 29-07500**Priority: September 13, 1979****Maximum Diversion Rate:****0.05 CFS****Maximum Diversion Volume:¹****4.1 AF**

This is to certify, that **DOUGLAS G. KELLER**
MARLENE KELLER

P. O. BOX 2165**POCATELLO, ID 83201**

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 1979; and has submitted Proof of Beneficial Use on October 19, 1984. An examination indicates that the works have a diversion capacity of .050 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	3.5 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.05 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 26, Township 06S, Range 35E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	35E	26	NWNW	1		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use**CONDITIONS/REMARKS:**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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KELLER

construction inc.

232-2111

P.O. BOX 2165

POCATELLO, IDAHO 83201

MAY 18, 1990

RECEIVED

MAY 21 1990

Department of Water Resources
Eastern District Office

Ernest Carlson
Adjudication Supervisor
150 Snoup Avenue
Suite 15, Idaho Falls,
Idaho 83402

Dear Mr. Carlson:

Upon the advise of Eric Verna, we are resubmitting our application for a domestic water right.

We hereby certify that the enclosed application was mailed on May 1, at 5:30 p.m. at the Pocatello Main Post office. Enclosed is a letter from the postmaster, stating that their policy was changed and they no longer postmark after 5 p.m., we were unaware of their policy and we did make a substantial effort to submit the application on time.

We originally thought we could submit the application at the county court house, and we did go to the courthouse at 4:30 to submit the application, you will note that the notary is at that time and place, after discovering it had to be mailed to you, we repackaged it and mailed it that same day.

Please accept our application.

Thank you,

Barbara Orr

Barbara Orr

for Marlene and Doug Keller.

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**United States
Postal Service**

POCATELLO, ID 83201-9998

MAY 17, 1990

ERNEST CARLSEN
ADJUDICATION SUPERVISOR

DEAR MR. CARLSEN:

WE WERE ASKED TO WRITE A LETTER OF EXPLANATION FOR BARBARA ORR REGARDING A MISUNDERSTANDING ON THEIR PART IN REGARDS TO THE CANCELING OF LETTERS AT OUR OFFICE. OUR POLICY AS POSTED IN THE LOBBY IS TO ONLY CANCEL MAIL DEPOSITED IN THE MAIN OFFICE UNTIL 8:00 P.M. ANY MAIL DEPOSITED AFTER THAT TIME WILL BE CANCELED THE FOLLOWING DAY.

THIS IS A FAIRLY NEW POLICY AS IN THE PAST WE HAVE CANCELED MAIL LATER THAN 8:00. THEREFORE, THERE IS A POSSIBILITY THAT THE LETTER COULD HAVE BEEN DEPOSITED ON ONE DATE AFTER 8:00 AND NOT CANCELED UNTIL THE FOLLOWING DAY.


JOHN GREGAN
SPO DELIVERY

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NOV 13 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

May 8, 1990

Douglas or Marlene Keller
P.O. Box 2165
Pocatello, ID 83206

RE: Late

Dear Mr. and Mrs. Keller:

Our office has reviewed your claim for your domestic and/or stockwater well(s). The last day we were allowed to accept claims from Bannock County (83206), without collecting a late-filing fee, was May 1, 1990. Your claim was postmarked on May 2, 1990 making it subject to the late filing fee. Before we can accept your claim, you must either submit, and have approved, an extension of time to file, or submit an additional \$50.00 for each claim for the late fee (late domestic/stockwater claims are then \$75.00 each). Enclosed is your claim and your check No. 2309 in the amount of \$25.00.

You may be granted an extension if there were extenuating circumstances which prevented you from filing on time. The enclosed "Extension Request" form can be submitted to the Boise Office (address is at bottom of form) for consideration by the Department. If you submit the request, hold the claim until your request is processed. Please return the claim with proper fee(s) to this office when you resolve this matter.

Naturally, feel free to call this office if you have questions.

Respectfully submitted,

Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

EC:bb

Enclosure

RECEIVED

MAY 21 1990

Department of Water Resources
Eastern District Office

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

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NOV 13 1990

1 Along or 7 Marlene Keller
P.O. Box 2165
Pocatello, Idaho
83206



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NOV 13 1991

Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 08/11/94
Time: 13:25:42

Rec/No - E014644 AR/No -
From: - KELLER, DOUGLAS/MARLENE

Receipt Type - CK Doc/No - 2309
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 05/22/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		25.00

Total Due - 25.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A2912070	25.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*not a valid claim -
money applied
to A29-07500*

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NOV 13 1994

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

Identification No. A29-12070Date Received 5-190 P.M. SENT COR.Receipt Number 5019644

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Department of Water Resources
Eastern District Office

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Douglas or Marlene Keller Phone (208) 233-6429Mailing Address P.O. Box 2165 Zip 832062. Date of Priority (Only one per claim) September 13, 1979 Month/Day/Year3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 06s Range 35 ESection 26 , NW 1/4 of NW 1/4 of _____ 1/4, Govt. LotCounty of BANNOCKAdditional points of diversion if any: NONE

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 330 FT DEEP WELL, 6" CASING, 3 H.P. SYSTEM PUMP, PIPING TO HOUSE, BARN AND AUTOMATIC SPRINKLER SYSTEM.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} amount .04 (cfs)For STOCKWATER purposes from 3-15 ^(Both dates are inclusive) to 11-15 amount .027. Total quantity claimed .06 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOUSE, FOUR HORSES

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MAY 03 1990

A2907500



*accept as is for
now -
will need to
cons. per irrigation
use on claim form.
LICEN 55*

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NOV 13 1996

KELLER CONSTRUCTION

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
5-12-94	5728	NOTICE CLAIM/A29-07500	26.00	.00	26.00
CHECK DATE	7-15-94	CHECK NUMBER	1123	TOTALS	26.00
					26.00

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS

NOV 13 1994