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SRBA Form No.42-1409-1 (Internet 2/09)

DEPARTMENT OF
WATER RESOURCES

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 75-14635

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Kevin J. Keller Phone (208) 756 4632Mailing Address PO Box 36 Carmen Id : ZIP 83462
Street or Box City State2. Date of Priority (Only one (1) per claim) 5-1-1882
Month Day Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other () (a) Davis creek & smoot Creek
which is tributary to (b) Freeman creekX 4. a. ^{see attached} Location of Point of Diversion is: Township _____, Range _____, Section _____,
_____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____Dams ; Ditches Pipelines, Headgates

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For irrigation purposes from April 1 to Oct 31 amount .9 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 45" or .9 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

X 9. Description of place of use: See attached

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s) _____

Total number of acres irrigated _____

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

75-14342, 75-14344, 75-14346, 75-14348 or None ()

13. Remarks: _____

Last Name Keller Identification No. 75-14635

POINT OF
DIVERSION:

T23N R23E S29 NENWSW Within LEMHI County
T23N R23E S29 NWNWSW Within LEMHI County
T23N R23E S30 NENWNE Within LEMHI County
T23N R23E S30 NWSWNE Within LEMHI County
T23N R23E S30 NWNESW Within LEMHI County
T23N R23E S30 SENWSW Within LEMHI County
T23N R23E S30 SENESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.090 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R22E S25	NENE	0.20	T23N R22E S25	SENE	22.00
T23N R22E S25	NESE	15.00	T23N R22E S25	SESE	18.00
T23N R22E S36	NENE	35.00	T23N R22E S36	NWNE	15.00
T23N R22E S36	SWNE	16.00	T23N R22E S36	SENE	19.00
T23N R23E S30	NENW	19.00	T23N R23E S30	NWNW	20.00
T23N R23E S30	SWNW	36.00	T23N R23E S30	SENW	7.30
T23N R23E S30	NESW	23.00	T23N R23E S30	NWSW	13.00
T23N R23E S30	SWSW	37.00	T23N R23E S30	SESW	39.00
T23N R23E S30	NESE	2.80	T23N R23E S30	NWSE	32.00
T23N R23E S30	SWSE	22.00	T23N R23E S30	SESE	0.40
T23N R23E S31	NENW	18.00	T23N R23E S31	NWNW	39.00
T23N R23E S31	SWNW	25.00			

473.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total 473.7 acres in a single irrigation season. Combined Right Nos.: 75-14342, 75-14344, 75-14346 and 75-14348

A75-00079

T23N

24

Canyon

R22E

R23E

P.D.'s

25

25

35

35

30

35

P.D.'s

40

40

40

40

5

10

10

38

36

BR 4925

Golway

Gulch

Prospect

6

See attached

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (X)

Court _____ Decree Date 5-9-02 Plaintiff v. Defendant Thomas Palmer, et al

If applicable provide IDWR Water Right Number _____

Exchange water via Carnation Creek water user agreement of 1904.

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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: 4

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Gavin Keller Date: 3/1/10

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Title of _____ Organization

that I have signed the foregoing document in the space below as

Title of _____ Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name Keller Identification No. 25-14635

TITLE
OF
CASE

DAVID McNUTT, et al

vs.

THOMAS PALMER, et al

SOURCE CARMEN CREEK

WATER DIST. 75-D

PAGE 1

JUDICIAL DIST. 5

COUNTY Lemhi

JUDGE Joseph C. Rich

DATE OF DECREE 5-9-02

RECORDED 1
IN BOOK NO. AT PAGE NO. 403 FILE NO. 2-1

PN.	DN.	DECEDED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
							SUBDIV.	SEC.	TWR.	RG.		
75	058	Frank P. McCracken	Barsalout Slavin		30	5-1-69					W $\frac{1}{2}$ NW $\frac{1}{4}$ 17; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8; Lots 10, 12-7-22N-22E.	
75	060	Montraville White Est.	Jack Neal		70	5-1-74					SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9-22N-22E.	
75	061	Emma White	Jack Neal		20	"					NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9-22N-22E.	
75	064	John F. Ferguson	Milt Slavin - Sr.		75	"					E $\frac{1}{2}$ NE $\frac{1}{4}$ 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10-22N-22E.	
75	075	Peter McKinney	Milt Slavin		15	5-1-82					Portion of SW $\frac{1}{4}$ NE $\frac{1}{4}$ above Carmon Creek Ditch 5-22N-22E	
75	076	Ernest R. Benedict	Jim & Mitch McFar		180	" "	45	82			SW $\frac{1}{4}$ 24; W $\frac{1}{2}$ NW $\frac{1}{4}$ 25; E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ 26; NE $\frac{1}{4}$ 35-23N-22E.	
75	062	A. C. Mather	Arch.		125	5-2-82	45	82			S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, 35-23N-22E.	
75	063	William Smith	Albert Schultz		80	5-1-84	90	82			NW $\frac{1}{4}$ 8-22N-22E.	
75	065	Hillard H. Dahle	Arthur Aldous		75	5-1-85	90	82			W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ 3-22N-22E.	
75	066	Wallace W. Slavin	Evelyn B. B.		75	"	45	82			E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 17-22N-22E.	
75	067	John Dimock	Jack Neal		50	"	45	82			S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9-22N-22E.	
75	079	Ora L. & William L. Igou	Wolfley		70	"	45	82			N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, 30; W $\frac{1}{2}$ NW $\frac{1}{4}$ 31-23N-23E	
75	069	Thomas Palmer	Frank Farmer		20	5-1-88	45	82			SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25-23N-22E; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30; NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 31, 23N-23E.	
75	071	John Palmer	Arthur Aldous		100	"					S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2-22N-22E. Aldous Ditch	
75	081	Blacer Mining Co.	OUT		500						E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10-22N-22E.	
75	072	Albert J. Mathews	Dick Morton		10	5-1-90	45	82			Near two East Forks of Carmen Cr.	
75	070	Thomas Palmer	Frank Farmer		30	5-1-92					S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17; SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8-22N-22E.	
75	077	Ernest R. Benedict	Jim & Mitch		70	"					See No. 7 Arch Ditch	
75	080	Ora L. & Wm. L. Igou	Wolfley		100	"					See No. 3	
75	082	Lemhi Placer Mining Co.	OUT		2000	10-15-92					See No. 6	
											On Kirtley Creek - from Oct. 15 to Apr. 15 except the water can be used when there is excess over irrigation rights.	

TITLE
OF
CASE

SOURCE CARMEN CREEK

PAGE 2

WATER DIST. 75-D

COUNTY Lemhi

JUDICIAL DIST. 5

JUDGE Joseph C. Rich

DATE OF DECREE

RECORDED
IN BOOK NO. AT PAGE NO. FILE NO. 31-1

P.N.	D.N.	DECREED OWNER	NAME	PRESENT OWNER	AMT. INCHES ST. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
							SUBDIV.	SEC.	TWR.	RG.		
75 059		Frank P. McCracken	Barsalout Slann		15	5-1-96					See No. 1	
75 0 8		Eliza S. Mather	Arch		70	"					SE $\frac{1}{4}$ SE $\frac{1}{4}$ 34-23N-22E; Lots 3, 4-2; Lot 1-3-22N-22E.	
75 074		Peter McKinney	MIT Slann Flat		50	"					Desert Lot W $\frac{1}{2}$ SE $\frac{1}{4}$ 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8-22N-22E.	
75 073		Albert J. Mathews	Dick Morton		40	5-1-97					See No. 9	
75 078		Elwood D. Clark	Jack Ellis	Sprgs.	all	5-1-98	22 $\frac{1}{2}$	82			Springs on own land No land description in decree	
		Rights below deeded to above water users. An exchange of Carmen Cr. water for Salmon R. Water to irrigate the lands below										
			De Board		22 $\frac{1}{2}$	82						
			Stan Daniels		45	82						
75 051		David McNutt			200	5-1-75					Part of NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32; S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 22-23N-22E	
75 055		Mary J. Birdseye			100	"					SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and portions of NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 32- portions of NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ 31 23N-22E	
75 056		Anna B. Davis			100	"					SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and portions of NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ 32; and part of NE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-23 No-22E. SE, S $\frac{1}{2}$ 31	
75 052		Henry Greber			70	5-1-82					Lots 2, 3 & 4-5; Lot 1-6-22N-22E.	
75 053		Niel Sweeney			35	"					N $\frac{1}{2}$ SW $\frac{1}{4}$ 5; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Lot 12-6-22N-22E.	
75 054		Peter McKinney			60	"					SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ 5; SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6-22N-22E.	
75 057		George L. Shoup, M. M. McPherson A. J. Macnab, Wm. H. Shoup			55	"					Lot 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ 6; S $\frac{1}{2}$ SW $\frac{1}{4}$ 5, 22-N-22 E.	