

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-4033
Date Received: 9/25/2024
Receipt No: T119196
Claim Fee: \$70.00
Received By: _____

RECEIVED

MAR 27 2026

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/Preston

1. Name of Claimant(s)

HEIDI KELLER
PO BOX 454
PRESTON ID 83263 UNITED STATES

Phone: (208) 339-6771

AND/OR

AUSTIN KELLER
3824 E CUB RIVER RD
PRESTON ID 83263 UNITED STATES

Phone: (208) 339-6771

2. Date of Priority: 9/1/1904

3. Source:
SPRINGS

Trib. to:
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
14S	40E	30	~~SE~~ NW		FRANKLIN	
			SW NE			

5. Description of diverting works:

Historically there was a piece of tin that diverted water to a ditch. Now there is just a ditch and PVC pipe.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	4 /1	11/1	0.4		

7. Total Quantity Appropriated is:

0.4 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	30	SW		NE		3.4
~~14S~~	~~40E~~	~~30~~	~~NW~~		SE		8

Total Acres = 3.4

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

None.

12. Remarks:

Priority Date Explanation:

It is likely that the statutory claim filed by my grandmother described the POD in the wrong legal description. She did not own the land in that 40 acre tract. To the best of my knowledge, the claimed POD location is where the diversion has always been located.

13. Basis of Claim: Statutory Claim

14. 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 BEAR 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Hardy Kelly Date: 3/27/26

Date: _____

State of Idaho
Department of Water Resources
Adjudication Claim
13-4033
(IRRIGATION)
HEIDI KELLER

40E

14S



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

- | | |
|---|--|
|  Point of Diversion |  Townships |
|  Place Of Use Boundary |  Sections |
|  State Outline |  Quarter Quarters |



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2021 Aerial Photography
Prepared By Wunsch, Brian