

Point of Diversion and Source Data Entry Form

Claim Number: A24-04019, A24-04020

Water Right Point of Diversion: T. _____, R. _____, Sec. _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T. _____, R. _____, Sec. _____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T. _____, R. _____, Sec. _____, County: _____

Source: _____ Tributary: _____

Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQ of QQ of Q	County	Source	
9S	46E	20		NESESW	Carbon	Sage Creek	N side
GPS Coordinates: 2737418E 1273001N DOTM83							
9S	46E	20		NESESW	Carbon	Sage Creek	S side
GPS Coordinates: 2737429E 1272989N DOTM83							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							
GPS Coordinates: _____							

Other rights from this POD? A24-04017? New sage creek claim for Hartman Ranch LLC are served by N side.

Document how the POD and Source were verified and/or Pump and Motor data:

S side POD is across the stream south of the Waypoint. N side site tag A0013649. No good location for tag on S side.

3 Aug 05 BCC

6:11 Basin 24/Subcontractor/B24-July 05/excel sheet

Transfers Changing POD _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number: A24-04019, A24-04020☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Domestic observed. Pences indicate stockwater
use seems reasonable. Bac 3 Aug 05

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

A24-04019, A24-04020 Acres

Township, Range	Section	QQ	Q	ACRES
09S46E	20	SW	SE	10
09S46E	20	SE	SE	31
Section Acres				41
09S46E	21	NW	SW	1.6
09S46E	21	SW	SW	25
Section Acres				26.6
09S46E	28	NW	NW	5.5
Section Acres				5.5
09S46E	29	NE	NE	15
09S46E	29	NW	NE	7.2
Section Acres				22.2
Total Acres				95.3

POU acreage list

Place Of Use Data Entry Form

Claim Number: A24-04019, A24-04020☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

please see narrative / attached list for GIS.
Bac 3 Aug 05

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: A24-04019, A24-04020☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

See narrative. Adequate capacity for diversion
rate appropriate for wild flood on 95.3 acres
Bac 3 Aug 05

Reviewer: _____

Date: _____

Claim No.: _____

This image shows a single sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

1) Narrative 2 p. 2) Map w/ slope calcs 1 p. 3) layout of
Pool w/ sketch/ aerial photo 2 p. 4) photos 3 p.
3 Aug 05 Bac

Reviewer _____ Date _____

FRED BEYLER

AFFIDAVIT

FILED: August 23, 1956 at 1:53 P.M.
Instrument No. 38,157
Recorded: Book 6 of Miscellaneous Records, at
Page 23, records of Caribou County, Idaho.

STATE OF IDAHO }
COUNTY OF BEAR LAKE } SS.

FRED BEYLER, being first duly sworn upon oath deposes and says: That he is a citizen of the United over the age of Sixty five years; That he is the owner of a certain ranch situated at the junction of Sage Creek and Crow Creek Canyons, in Caribou County Idaho, situated in Sections 20, 21, 28 and 29, in Township 9 South, Range 46 East of the Boise Meridian, comprising approximately 760 acres, of which approximately 120 acres are irrigated, approximately 80 acres being irrigated from Sage Creek and 40 acres from Crow Creek.

That affiant homesteaded 600 acres of the above mentioned ranch and purchased 160 acres thereof, said 160 acres being known as the Stephen Green homestead.

That affiant commenced to homestead the said 600 acres in the year 1914 but prior to that time to-wit in the year 1907 was working on the said Green place and knows of his knowledge that at said time approximately 30 acres thereof was being irrigated from Sage Creek, well defined ditches being visible and in use at said time and affiant has been informed by others that said place had been irrigated for several years prior to said year 1907.

That since the year 1914 when affiant commenced to homestead said ranch as above stated, he has increased the irrigated portion of same, particularly in the year 1930 at which time affiant built a diversion ditch from the North side of Crow Creek and conveyed water therefrom on to approximately 40 acres of said land. That in the year 1932 affiant diverted from Sage Creek water through what is known as Halls Sage Creek ditch which has been constantly used since said time in the irrigation of 20 additional acres of said land.

That in the year 1919 affiant diverted from Crow Creek on the South side thereof through what is known as the Hall and Beyler Ditch water for the irrigation of approximately 30 acres of said land, and has continuously irrigated 30 acres of said land from said source ever since said time with the exceptions of the years 1931 and 1932, and at the present time there is now irrigated on said ranch a total of approximately 120 acres.

Fred Beyler

Subscribed and sworn to before me this 12th day of July, 1956.

Albert E. Leeright
Notary Public for Idaho
Residing at Montpelier, Idaho
My Commission Expires March 9, 1957

(Seal)

CARIBOU COUNTY ABSTRACT COMPANY
Soda Springs, Idaho

MICROFILMED

NOV 07 1956

SHEET
NO.

42

October 19, 2005

Dear Idaho Department of Water Resources;

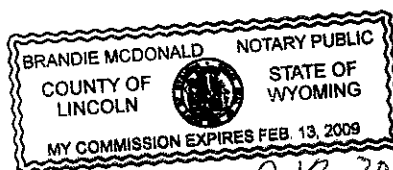
I am writing this letter concerning the water rights on the G. Harvy Kennington ranch located on crow creek Idaho Township 9s range 46 and in parts of sections 20, 21, 28, and 29.

I first came in contact with G. Harvy Kennington and the ranch he operated on crow creek in the fall of the year 1968. The points of diversion for irrigation water and the acres irrigated were the same then in the year 1968 as they are now in the year 2005.

Respectfully

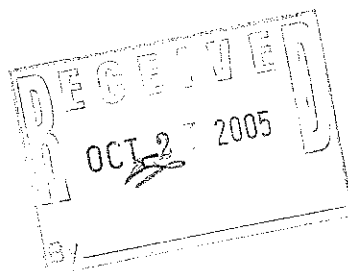


J. Robert Beus
PO Box 30
Fairview, Wy 83119
Phone # 307-886-5749



2-13-2009

Brandie McDonald



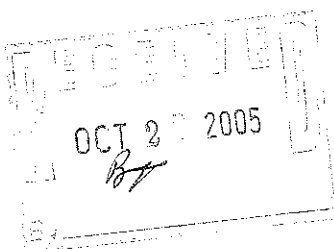
2-118686

No. 1438

ABSTRACT OF TITLE

TO

The South half of the Northwest quarter, and the South half of Section Twenty; the West half of the Southwest quarter of Section Twenty-one; the North half of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section Twenty-eight; the Northeast quarter of Section Twenty-nine; all in Township Nine South, Range 46 East of the Boise Meridian, in Caribou County, Idaho.



-Prepared For-
Mr. Frederick Beyeler
Fairview, Wyoming

==== CARIBOU COUNTY ABSTRACT COMPANY =====
===== Soda Springs, Idaho =====

NO. 1234

Abstract Of Title

OCT 2 1905

Wm. D. Dwyer & Co.
Abstract

FOR

Mc. TRAVELER'S EXPENSE
FARMER
WYOMING

COMPLETE ABSTRACTS OF TITLE
TO ALL LANDS AND TOWN LOTS
IN CARIBOU COUNTY

Compiled by

Caribou County
Abstract Company

Burden Abstracts
SODA SPRINGS, IDAHO

Star Valley Planning & Design

3801 Hwy 241, Afton, Wyoming 83110 (435)503-2866 (307)886-9387/fax

October 6, 2005

Attn: Cindy Bird
State of Idaho
Department of Water Resources
15 West Center Street, Soda Springs, ID 83276

Re: Ownership Changes for 24-4018, 24-4019, 24-4020, 24-4021, 24-4022, 24-4000

Hi Cindy,

The Notice of Change of Water Right Ownership form is enclosed for the above Water Right numbers. We've attached a copy of the deed and Steve Crandall's ability to sign.

With the adjudication process that we're going thru I wasn't sure how I was suppose to fill out section 6. We can go over that on the phone.

I also went to the USDA office here in Afton to get some photos. They only had about half the ranch. Is there an office in Soda that would have this property mapped out for irrigation?

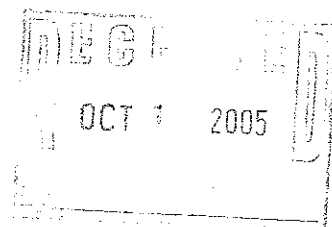
I also talked with Robert Bues about the POD and POU issues we discussed on the phone. Robert move onto the ranch in 1968. His father in law, Harv Kennington, had taken over the ranch from a relative earlier that decade. He remembered that the POD on Crow Creek had been moved up the creek from a previous head gate. He is supposing that some acreage in Section 28 may have been irrigated earlier. He did state without question that the ranch is being irrigated today the way it was in 1968 when he moved on it. Whatever changes were made in the POD or POU were made prior to 1968. You'll have to tell me what we now do with that information.

I appreciate your help in getting thru all of this adjudication process. When I first received all of the water rights information, I tried to make sense of what right was watering what acreage and found it very difficult to track. I will call in the next few days to continue with all that we need to do.

Sincerely


Mark Nicoll

Attach: Notice of Change of Water Right Ownership
IDSOS Entity Information Sheet
Warranty Deed



STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): SEE ATTACHMENT "A"
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (There are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: PHILLIP KENNINGTON, ETAL
PO BOX 31, FARVIEW, WY 83119
4. New Owner/Claimant(s): GENEVA CATTLE AND LAND LLC
 Name Connector (Check one): ☐ and ☐ or, ☐ and/or
 New Mailing Address: 2345 N. WOODRUFF
 City, State and ZIP Code: IDAHO FALLS, IDAHO 83401
 New Telephone Number: (208) 827-1451
5. Date you acquired the property: JULY, 2004
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Shawn Mannaer Date: 10-5-05
 _____ Date: _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

0601-2 Last Name: KENNINGTON

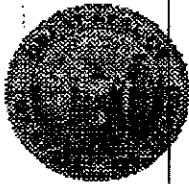
STATE

First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
KENNINGTON						
G HARVEY	C	A24-04019	05/01/1932	SAGE CREEK	1.200	01 IRR
G HARVEY	C	A24-04020	05/01/1902	SAGE CREEK	1.600	01 IRR
G HARVEY	C	24-04000	10/02/1967	FOX SPRING	0.020	43 DOMEST
G HARVEY	C	A24-04018	05/01/1919	CROW CREEK	1.500	01 IRR
G HARVEY	C	A24-04000	10/02/1967	FOX SPRING	0.020	43 DOMEST
G HARVEY	C	A24-04022	05/01/1930	CROW CREEK	1.100	01 IRR
G HARVEY	C	A24-04021	05/01/1914	CROW CREEK	1.500	01 IRR

Enter=Continue)

(GOLD7=This Query)

(Menu _____)



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for GENEVA LAND AND CATTLE, LLC](#)]

GENEVA LAND AND CATTLE, LLC

329 S WOODRUFF
IDAHO FALLS, ID 83401

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 02 May 2005

State of Origin: IDAHO

Date of 16 Jul 2003

Origination/Authorization:

Current Registered Agent: STEPHEN CRANDALL
329 S WOODRUFF
IDAHO FALLS, ID 83401

File Number: W25113

Date of Last Annual Report: 17 May 2005

Amendments:

Amendment filed 16 Jul 2003 ARTICLES OF
ORGANIZATION

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format\)](#)

Annual Reports:

Report for year 2005 ANNUAL REPORT

[View Document Online](#)

Report for year 2004 ANNUAL REPORT

[View Document Online](#)
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[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

171506

COUNTY OF CARIBOU

DATE: July 22, 2004TIME: 2:55 PM

OFFICIAL RECORDS

RECORDER: EDIE BUSH

DEPUTY: Billie Ann StantonFEE: \$6.00**WARRANTY DEED**

Warranty deed made this 21st day of July, 2004, between Phillip Kennington, Trustee of the G. Harvey Kennington Revocable Trust dated June 10, 1991, G. Harvey Kennington having become deceased on July 12, 1998, of Sandy, Salt Lake County, Utah, hereinafter referred to as grantor, and Geneva Cattle and Land LLC, an Idaho Limited Liability Company, of 329 South Woodruff, Idaho Falls, ID 83401, hereinafter referred to as grantee,

WITNESSETH:

That grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and does by these presents, grant, bargain, sell, convey, and confirm unto grantee and their assigns forever, all the following described real estate and associated improvements and described personal property, situated in the County of Caribou, State of Idaho:

Township 9 South, Range 46 East, Boise Meridian:

Section 20:

S1/2NW1/4, S1/2

Section 21:

W1/2SW1/4, S1/2SE1/4

Section 22:

SE1/4SE1/4

Section 27:

N1/2

Section 28:

N1/2

Section 29:

NE1/4

TOGETHER WITH all improvements, any and all oil, gas and other mineral rights, and any and all water and water rights thereunto belonging or in anywise appertaining to the above described premises, and all irrigating ditches used in connection therewith.

SUBJECT TO all easements, exceptions, restrictions, reservations and rights of way of sight or record.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto grantee and its assigns forever.

171506

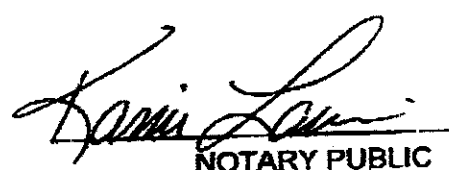
And grantor and his heirs shall and will WARRANT and by these presents forever DEFEND the premises in the quiet and peaceable possession of grantee, his heirs and assigns against grantor and his heirs and against all and every person and persons whomsoever, lawfully claiming the same.

IN WITNESS WHEREOF, grantor has hereunto set his hands on the day and year first above written.


Phillip Kennington, Trustee

STATE OF UTAH :
: SS.
COUNTY OF SALT LAKE :

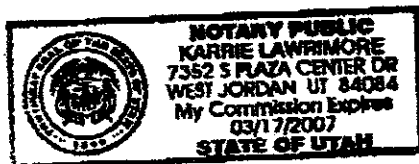
On this 21st day of July, in the year 2004, before me, Karrie Lawrimore,
a Notary Public, personally appeared Phillip Kennington, Trustee of the G. Harvey Kennington Revocable Trust dated June 10, 1991, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.


NOTARY PUBLIC

Notary Public, residing at Salt Lake City, Utah

My commission expires: 3-17-07

(Seal)





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

27 September 2005

Geneva Cattle & Land LLC
329 South Woodruff
Idaho Falls, ID 83401

Re: Snake River Basin Adjudication (SRBA)
Claim 24-4018, ~~24-4019~~, 24-4020, 24-4022

COPY

Subject: CHANGE IN OWNERSHIP

Response Date: 11 October 2005

Dear Claimant(s),

We have been advised that you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need Form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure:

Form 42-248/42-1409(6) "Change in Water Right Ownership"

Cc: Kevin Toner
381 5th Avenue
New York, NY 10016

A24-04019, A24-04020 Field Exam Narrative
3 Aug 2005

This is the writeup for A24-04019 and A24-04020. A24-04018 and A24-04020 are partial overlaps and are owned by the same claimant. Please see narrative in A24-04018 for discussion of overlaps, POU, contact log, and sketch of ditches prepared by claimant.

A24-04019 and A24-04020 serve 95.3 acres, per the attached Summary of acres by QQ. The claims add up to 106 acres.

Two POD serve A24-04019 and A24-04020. One POD is shared w/ A24-04017 (Hartman Ranch LLC). Mannings Calculation in A24-04017 suggest ditch capacity is adequate to serve all three rights at diversion rate appropriate for wild flood irrigation. The south diversion (not shared with A24-04017) appears to have slightly lower capacity. Using the same slope (0.11) and a cross-section of 1.4 ft² (2 ft width x 0.7 ft depth) with a wetted perimeter of 3 ft, the capacity is approximately:

$$R = \text{hydraulic radius} = A/wp = \frac{1.4 \text{ ft}^2}{3 \text{ ft}} = 0.47 \text{ ft}$$

$$A = 1.4 \text{ ft}^2 + 0.038$$

$$S = 0.11 \quad (\text{See topo sketch in A24-04019})$$

$$n = 0.030 \quad (\text{Weedy excavated earth channel,}$$

$$\text{http://www.lmnoeng.com/mannings.htm})$$

$$Q = \frac{1.486 A}{n} R^{2/3} S^{1/2}$$

A24-04019, A24-04020 Narrative p 2

$$Q = \frac{(1.486)(1.4)}{0.030} (0.47)^{2/3} (0.019)^{1/2} \approx 5.8 \text{ ft}^3/\text{s}$$

to

$$Q = \frac{(1.486)(1.4)}{0.030} (0.47)^{2/3} (0.038)^{1/2} \approx 8.2 \text{ ft}^3/\text{s}$$

Combined with the shared ditch, this is adequate capacity to supply appropriate flow for wild flood irrigation:

$$95 \text{ acres} \times 0.03 \text{ cfs/acre} \approx 2.8 \text{ cfs}$$

$$95 \text{ acres} \times 0.04 \text{ cfs/acre} \approx 3.8 \text{ cfs}$$

Byron A. Corton
3 Aug 05

Points in Contor_GPS_July05.shp

Claim	Sitetag	Feature	Waypoint	Idm83_e	Idm83_n	Instrument	Collected	Date	Notes
A24-04020	A0013648	POD	53	2737418	1273001	Garmin Geko 201	B.Contor	20050723	Sage creek diversion for lands NW of creek, multiple WR 2 owners
A24-04020	none	POD	54	2737425	1272889	Garmin Geko 201	B.Contor	20050723	Sage creek diversion for lands SE of creek, Waypoint Nside opposit

6:11 Basin 24 / subcontractory B20-22 Augos-
Contor / Final