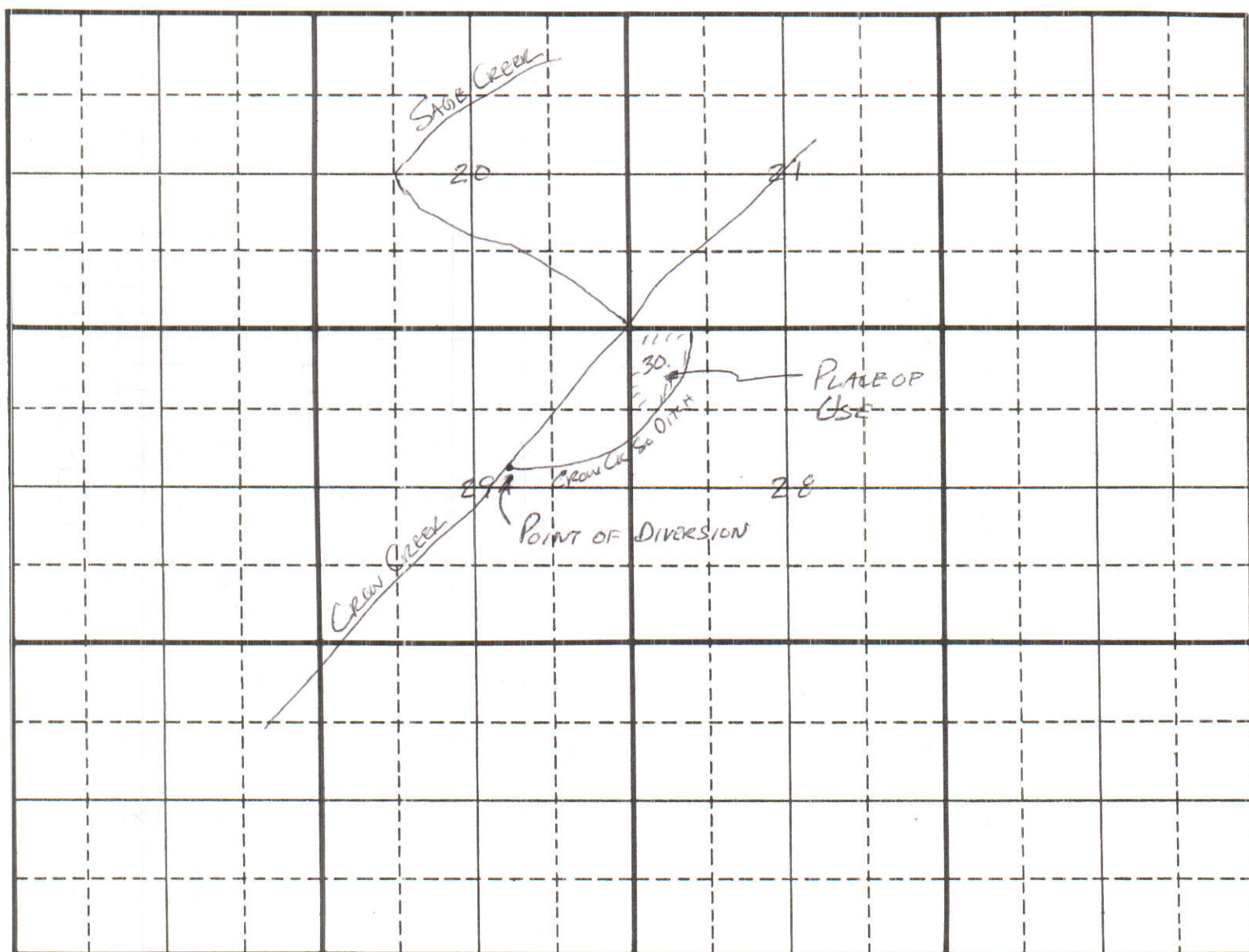


(8) Remarks DITCH NAME: CROWN CREEK SOUTH.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

G. Harvey Kennington
(Claimant)

Sworn to before me this 11th day of May, 1979.

Notary Public
Residing at Idaho Falls Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by _____	dh	Date <u>5-11-79</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>SM</u>		Date <u>5-11-79</u>		claimant by: _____	
\$20.00 fee received by _____	dh	Date <u>5-11-79</u> #11872			
Published in <u>Caribou County Sun</u>					
Dates <u>May 24 & 31, 1979</u>					

Affidavit of Publication

County of Caribou } ss.
State of Idaho

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

24th day of

May, 19 79

The date of the last publication

being the 31st day of

May, 1979

Mark Steele

Subscribed and sworn to before me this 31st day

of May, 19 79

Mark Steele

Notary Public, residing at Soda Springs, Idaho (SEAL)

My Commission expires the 1st day of March

19 80.

RECEIVED

NOTICE OF CLAIMS TO WATER RIGHTS
NOTICE IS HEREBY GIVEN THAT THE FOLLOWING CLAIM(S) TO WATER RIGHT(S) HAVE BEEN ESTABLISHED BY DIVERSION AND APPLICATION TO BENEFICIAL USE:

24-4018

KENNINGTON, G. HARVEY
P.O. BOX 98, FAIRVIEW, WY 83119

Source: CROW CREEK tributary to SALT RIVER

Priority Date: 05-01-1919

Amount: 0.90 CFS

Diversion Point: SWNE Sec 29 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (0.90 CFS) from 04-01 to 11-01

Place of Use: NWNW Sec 28 T 09S R 46E FOR 30 ACRES

Diversion Means: HEADGATE & DITCHES

24-4019

KENNINGTON, G. HARVEY
P.O. BOX 98, FAIRVIEW, WY 83119

Source: SAGE CREEK tributary to CROW CREEK

Priority Date: 05-01-1932

Amount: 1.20 CFS

Diversion Point: NESW Sec 20 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (1.20 CFS) from 04-01 to 11-01

Place of Use: NESE NWSE SWSE SESE Sec 20 T 09S R 46E FOR 40 ACRES

Diversion Means: HEADGATE & DITCH

24-4020

KENNINGTON, G. HARVEY
P.O. BOX 98, FAIRVIEW, WY 83119

Source: SAGE CREEK tributary to CROW CREEK

Priority Date: 05-01-1902

Amount: 1.60 CFS

Diversion Point: NESW Sec 20 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (1.60 CFS) from 04-01 to 11-01

Place of Use: SWSE SESE Sec 20 T 09S R 46E FOR 60 ACRES

Diversion Means: HEADGATE & DITCHES

24-4021

KENNINGTON, G. HARVEY
P.O. BOX 98, FAIRVIEW, WY 83119

Source: CROW CREEK tributary to SALT RIVER

Priority Date: 05-01-1914

Amount: 1.50 CFS

Diversion Point: SWNE Sec 29 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (1.50 CFS) from 04-01 to 11-01

Place of Use: NENE SWNE SENE Sec 29 T 09S R 46E FOR 50 ACRES

Diversion Means: HEADGATE & DITCH

24-4022

KENNINGTON, G. HARVEY
P.O. BOX 98, FAIRVIEW, WY 83119

Source: CROW CREEK tributary to SALT RIVER

Priority Date: 05-01-1930

Amount: 1.10 CFS

Diversion Point: SWNE Sec 29 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (1.10 CFS) from 04-01 to 11-01

Place of Use: NENE Sec 29 T 09S R 46E SESE Sec 20 T 09S R 46E FOR 40 ACRES

Diversion Means: HEADGATE & DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published May 24 and 31, 1979 in the Caribou County Sun.

RECEIVED

JUN 5 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that G. HARVEY KENNINGTON
(Name of Claimant)
P.O. Box 98, FAIRVIEW WYO 83119 Telephone No. 225-3451
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) MAY 1, 1919
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
CROWN CREEK tributary to SALT RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.9 cfs</u>	Use	<u>IRRIGATION</u>	Period of Use From <u>APR 1</u>	To <u>NOV 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 0.9 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 29 Twp. 9S Rge. 46E B.M., County of CARIBOU
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
HEADGATE WITH DITCHES TO FLOOD IRRIGATION

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

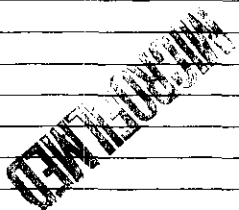
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	46E	28						30											30

No. of acres 30

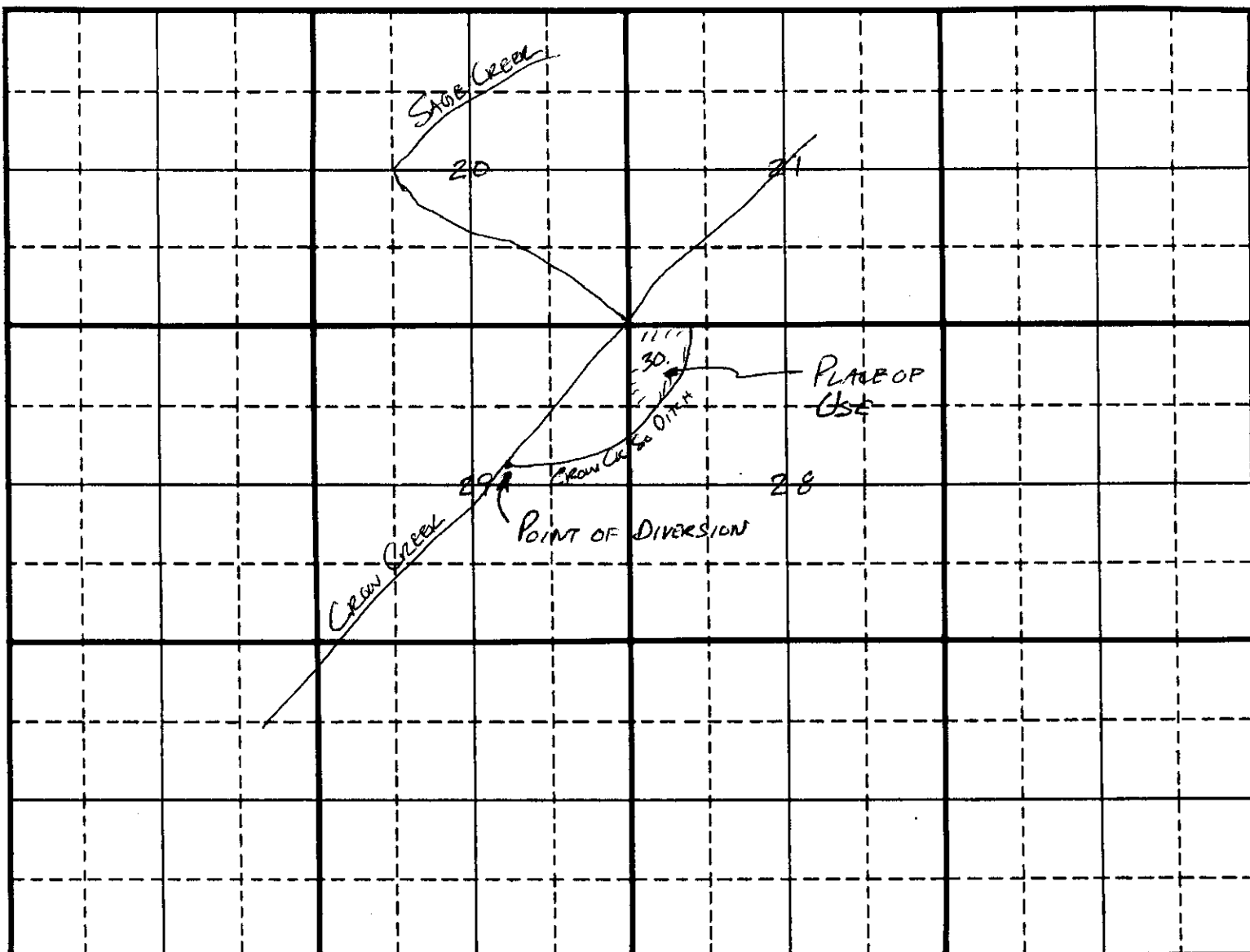
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:



(8) Remarks DITEL NAME: CROWN CREEK SOUTH.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 11th day of May, 1979.

G. Harvey Kennington
(Claimant)

Allen Wray
Notary Public
Residing at Idaho Falls, Idaho

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by	dh	Date	5-11-79	Exception filed by:		Forwarded to	Date
Prelim. check by	SM	Date	5-11-79			claimant by:	
\$20.00 fee received by	dh	Date	5-11-79	#11872			
Published in	Caribou County Sun						
Dates	May 24 & 31, 1979						

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)
) SS.
COUNTY OF BEAR LAKE)

FRED BEYLER, being first duly sworn upon oath deposes and says: That he is a citizen of the United States 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.

(Seal)

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

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DECLASSIFIED

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

JUNE 11, 1979

G. HARVEY KENNINGTON
P. O. BOX 98
FAIRVIEW WY 83119

RE: Claim No. 24-4018

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

MICROFILMED
JUN 14 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MAY 18, 1979

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before JUNE 11, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

24-4018

KENNINGTON, G. HARVEY

P. O. BOX 98, FAIRVIEW, WY 83119

Source: CROW CREEK tributary to SALT RIVER

Priority Date: 05/01/1919

Amount: 0.90 CFS

Diversion Point: SWNE Sec 29 T 09S R 46E, CARIBOU Co.

Use: IRRIGATION (0.90 CFS) from 04/01 to 11/01

Place of Use: NWNW Sec 28 T 09S R 46E FOR 30 ACRES

Diversion Means: HEADGATE & DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 5/24 & 5/31/79.

RECEIVED
MAY 31 1979
IDAHO DEPT. OF WATER RESOURCES
IDAHO FALLS, IDAHO

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JC

Right Number _____ Applicant Hennington

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. NONE

By Ernest Carlson Date 6/1/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 6/19/79

MICROFILMED