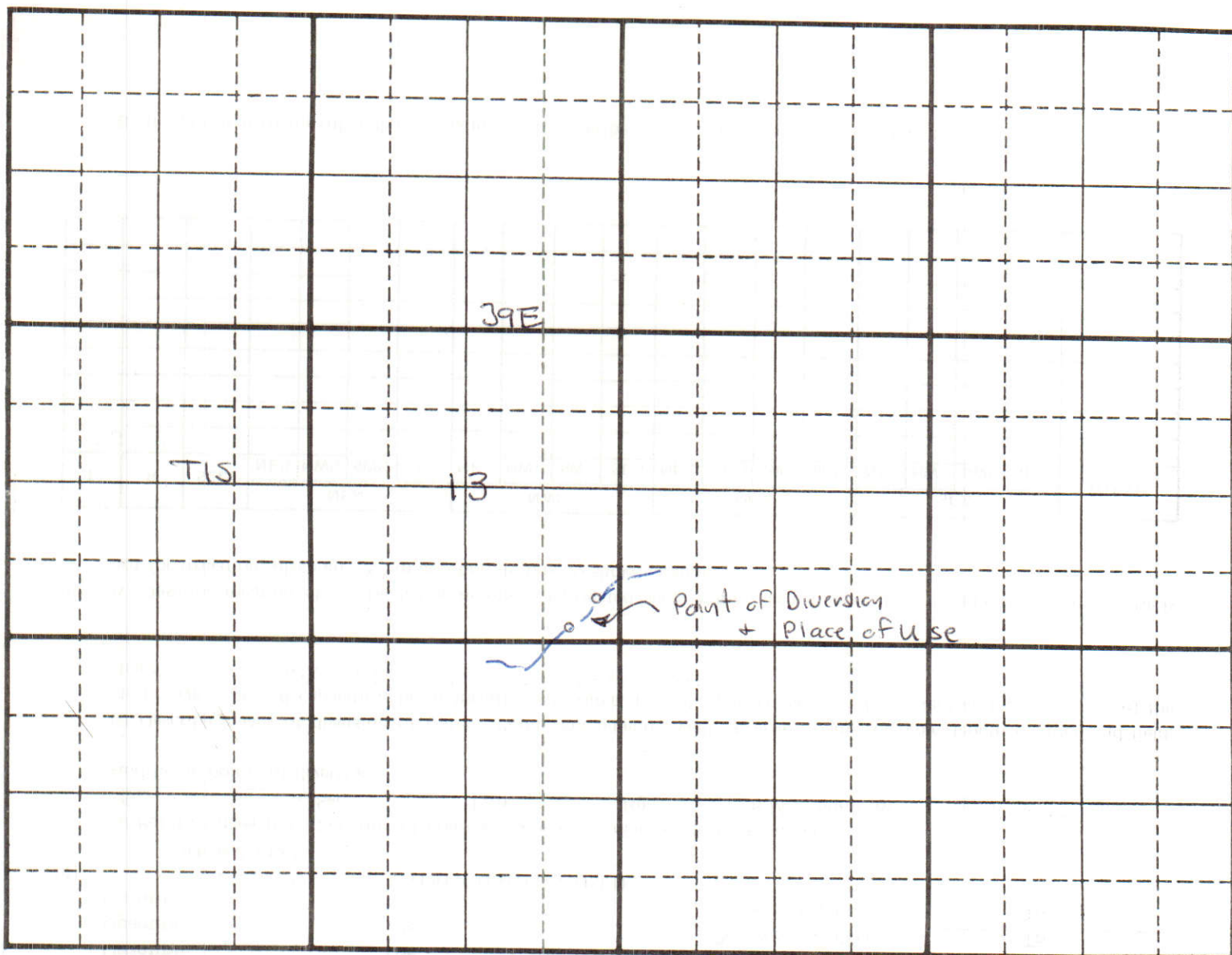


(8) Remarks _____



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 Donnerville) 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.

Elkington Bros.
Brent Elkington
(Claimant)

Sworn to before me this 12th day of Nov.

Callen Way
Notary Public
Residing at Idaho Falls Id.

My commission expires 6/15/85

Drafted by HWS

- 11-9-81 FOR DEPARTMENT USE ONLY

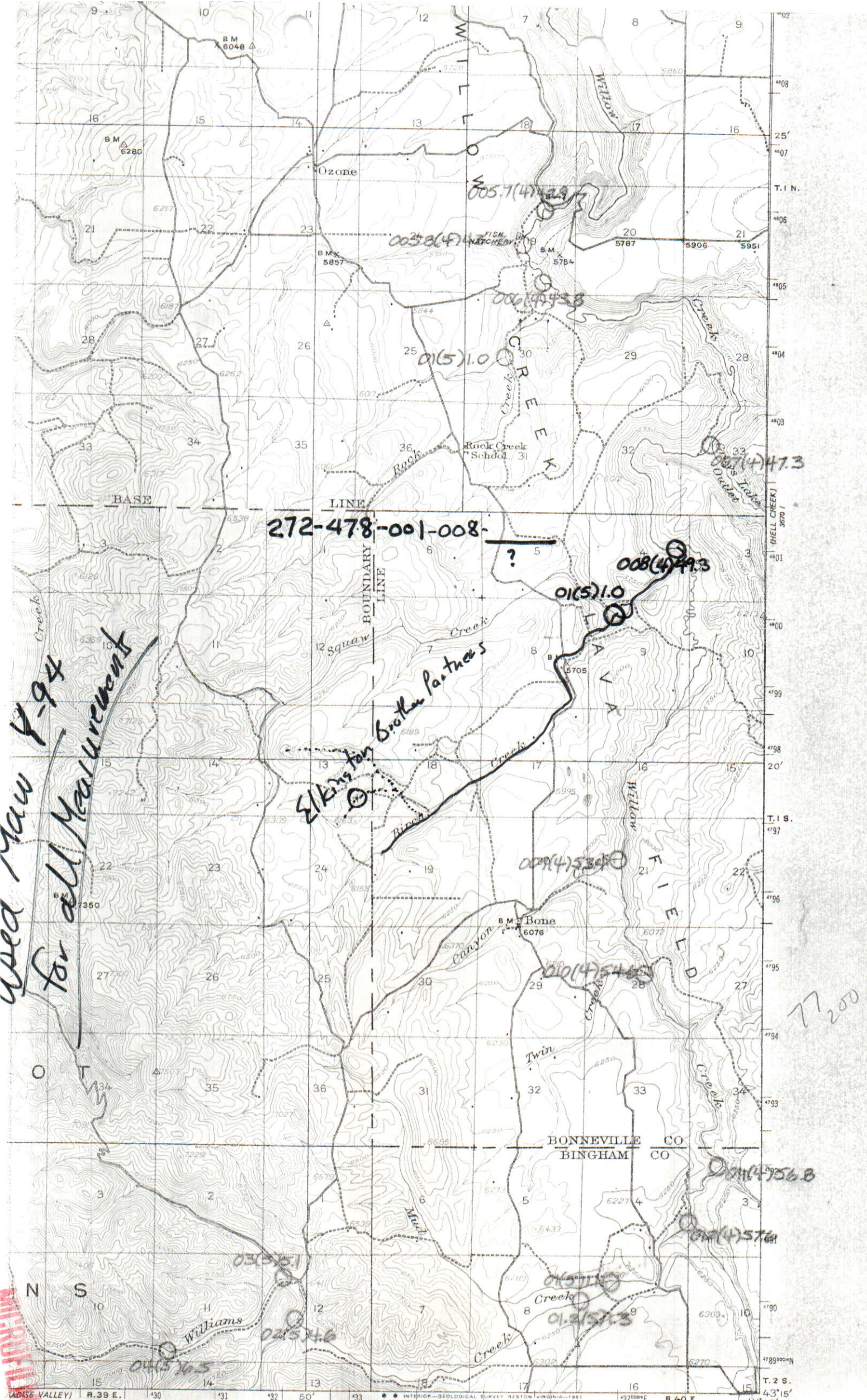
Received by _____ Date _____ Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KCW Date 11-12-81
\$20.00 fee received by OW Date 11-12-81
Published in The Post Register #19155
Dates 11-26 & 12-3-1981

RECEIVED

Used Map 4-94
for all Measurement

272-478-001-008-

Elkins for Broken Partners



Proof of Publication The Post-Register

DEC 10 1981

Department of Water Resources
Eastern District Office

State of Idaho,
County of Bonneville

ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 26th day of November, 1981, last publication having been made on the 3rd day of December, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 3rd day of December, 1981

Don R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

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.

ELKINGTON, BRENT
ELKINGTON BROTHERS PARTNERSHIP

RT. 7, BOX 92, IDAHO FALLS, ID. 83401

Source: SPRINGS tributary to SINKS

Priority Date: 08/01/1950

Amount: 0.05 CFS

Diversion Point: SESE Sec 13 T 01S R 39E Bonneville Co.

Use: STOCKWATER (0.05 CFS from 01/01 to 12/31)

Place of Use: SESE Sec 13 T 01S R 39E

Diversion Means: SPRING

ELKINGTON, KEITH &/or BRENT
RT. 7, BOX 92, IDAHO FALLS, ID. 83401

Source: ROCK CREEK tributary to WILLOW CREEK

Priority Date: 07/01/1934

Amount: 1.00 CFS 40.0 AC-FT

Diversion Point: SWNE Sec 30 T 01N R 40E LOT 00 (7720) Sec 41 T 800 R 010 BONNEVILLE Co.

Use: IRRIGATION (1.00 CFS) from 05/01 to 11/01; IRRIGATION STORAGE (40.0 AC-FT) from 01/01 to 12/31; IRRIGATION FROM STORAGE (40.0 AC-FT) from 05/01 to 11/01; STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE SWNE SENE Sec 30 T 01N R 40E FOR 37 ACRES

Diversion Means: DAM & DITCHES TO FLOOD IRRIGATION

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

Published: November 26, December 3, 1981

UNRECORDED

Proof of Publication

The Post-Register

State of Idaho,
County of Bonneville { ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 26th day of November, 1981, last publication having been made on the 3rd day of December, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of March, 1982

Notary Public

My commission expires October 10, 1983

B10, 1M,

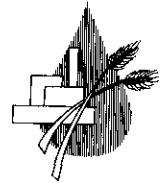
LEGAL NOTICES

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:

25-4111
ELKINGTON, BRENT
ELKINGTON BROTHERS PARTNER-SHIP
RT. 7, BOX 92, IDAHO FALLS, ID 83401
Source: SPRINGS tributary to SINKS
Priority Date: 08/01/1950
Amount: 0.05 CFS
Diversion Point: SESE Sec 13 T 01S R 39E Bonneville Co.
Use: STOCKWATER (0.05 CFS from 01/01 to 12/31
Place of Use: SESE Sec 13 T 01S R 39E
Diversion Means: SPRING
25-4110
ELKINGTON, KEITH &/or BRENT
RT. 7, BOX 92, IDAHO FALLS, ID 83401
Source: ROCK CREEK tributary to WILLOW CREEK
Priority Date: 07/01/1924
Amount: 1.00 CFS 40.0 AC-FT
Diversion Point: SWNE Sec 30 T 01N R 40E LOT 00 (2720) Sec 47 T 800 R 010 BONNEVILLE Co.
Use: IRRIGATION (1.00 CFS) from 05/01 to 11/01; IRRIGATION STORAGE (40.0 AC-FT) from 01/01 to 12/31; IRRIGATION FROM STORAGE (40.0 AC-FT) from 05/01 to 11/01; STOCKWATER (0.02 CFS) from 01/01 to 12/31
Place of Use: NENE NWNE SWNE SENE Sec 30 T 01N R 40E FOR 37 ACRES
Diversion Means: DAM & DITCHES TO FLOOD IRRIGATION
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.
A. KENNETH DUNN
Director
Published: November 26, December 3, 1981

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 ELKINGTON BROTHERS PARTNERSHIP &/or Brent Elkington
(Name of Claimant)
Rt. #7, Box 92, Idaho Falls, Idaho 83401 Telephone No. 522-8551
(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) August 1, 1950

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)
Springs tributary to Sinks

(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>0.05cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</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) 0.05cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 13 Twp. 1S Rge. 39E B.M., County of Bonneville
Additional points of diversion: 272.0-478.0-001.0-008.0-002.0

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.
Stock drink directly from spring

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	39E	13																X	

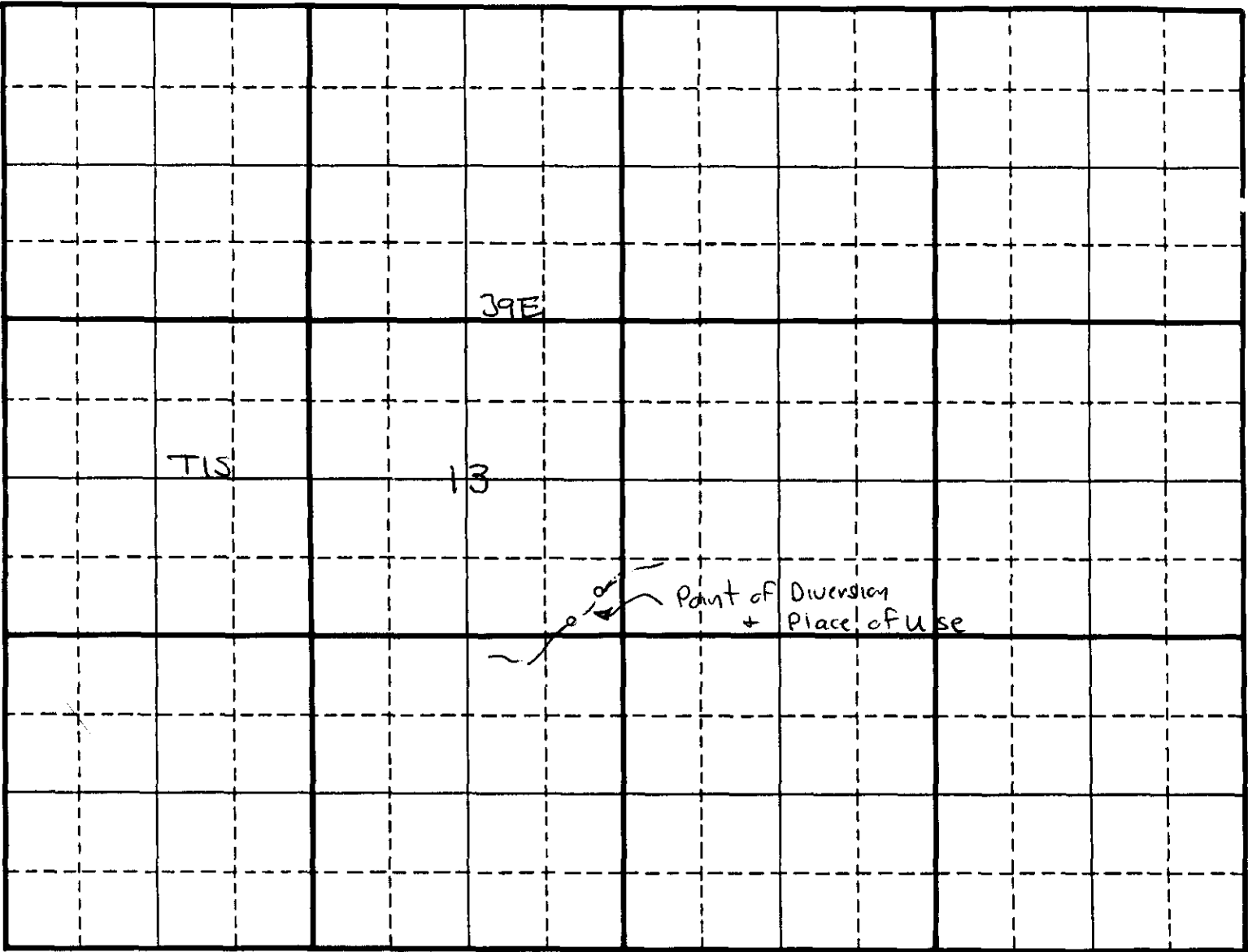
No. of acres _____

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: 200 head cattle

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

(8) Remarks _____



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 Donnerville) 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.

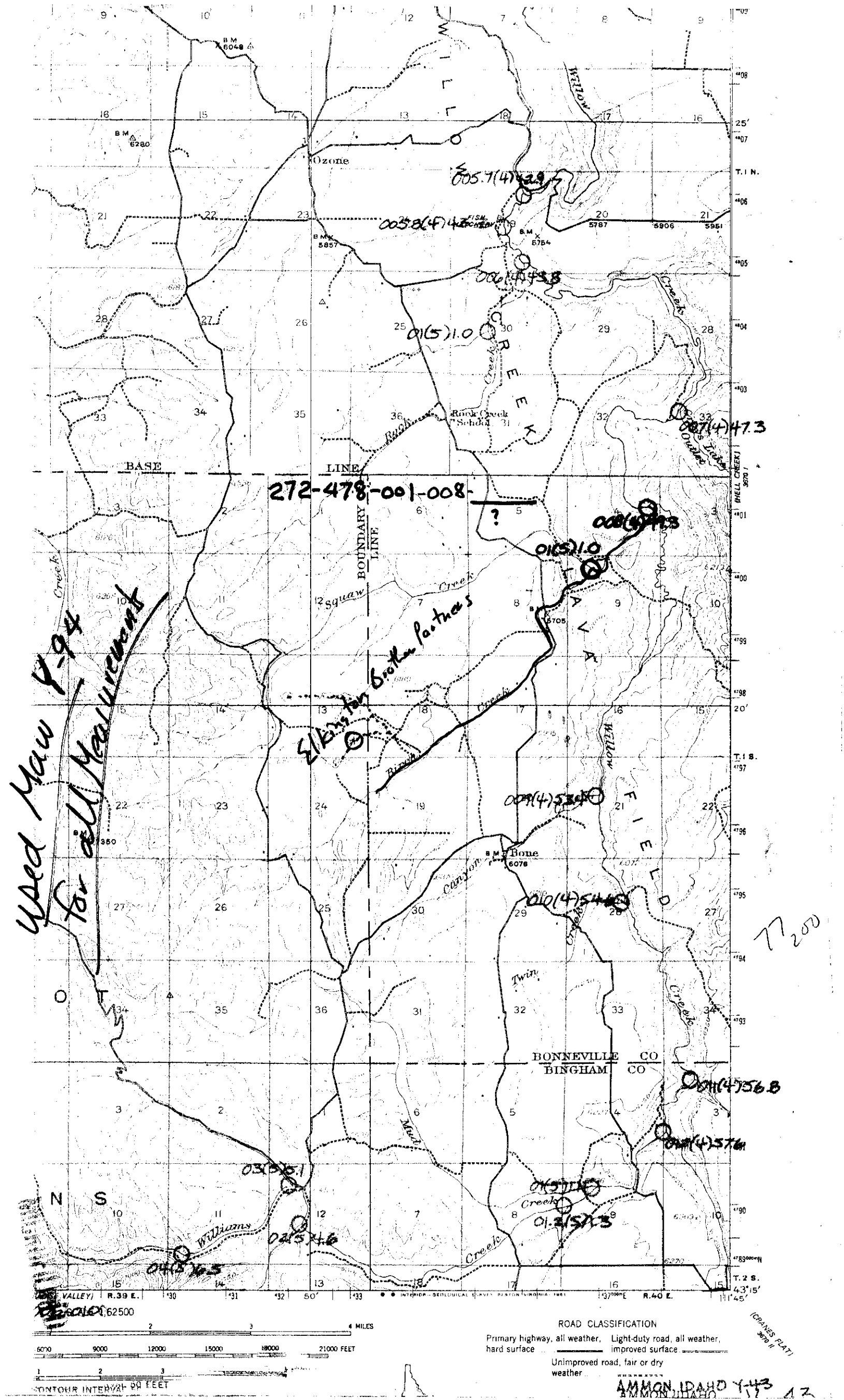
Elkington Bros
Brent Elkington
(Claimant)

Sworn to before me this 12th day of Nov.

Calleen Wray
Notary Public
Residing at Idaho Falls Id.

My commission expires 6/15/85

Drafted by HWS - 11-9-81 FOR DEPARTMENT USE ONLY
Received by _____ Date 11-12-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KCW Date 11-12-81 claimant by: _____
\$20.00 fee received by DL Date 11-12-81
Published in The Post Register #19155
Dates 11-26 & 12-3-1981



Proof of Publication

The Post-Register

State of Idaho,

County of Bonneville

ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 26th day of November, 1981, last publication having been made on the 3rd day of December, 1981, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 3rd day of December, 1981

Dean R. Napier
Notary Public

My commission expires September 30, 1984

B10, 1M,

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.

ELKINGTON, BRENT
ELKINGTON BROTHERS PARTNERSHIP

SHIP
RT. 7, BOX 92, IDAHO FALLS, ID.
83401

Source: SPRINGS tributary to SINKS
Priority Date: 08/01/1950

Amount: 0.05 CFS
Diversion Point: SESE Sec 13 T 01S R

39E Bonneville Co.

Use: STOCKWATER (0.05 CFS from
01/01 to 12/31

Place of Use: SESE Sec 13 T 01S R 39E
Diversion Means: SPRING

25-4118

ELKINGTON, KEITH &/or BRENT

RT. 7, BOX 92, IDAHO FALLS, ID.

83401

Source: ROCK CREEK tributary to

WILLOW CREEK

Priority Date: 01/01/1950

Amount: 1.00 CFS 40.0 AC-FT

Diversion Point: SWNE Sec 30 T 01N R

40E LOT 86 (2726) Sec 47 T 00S R 01S

BONNEVILLE Co.

Use: IRRIGATION (1.00 CFS) from

05/01 to 11/01; IRRIGATION STORAGE

(40.0 AC-FT) from 01/01 to 12/31; IRRI-

GATION FROM STORAGE (40.0 AC-

FT) from 05/01 to 11/01; STOCK-

WATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE SWNE

SENE Sec 30 T 01N R 40E FOR 37

ACRES

Diversion Means: DAM & DITCHES

TO FLOOD IRRIGATION

Any exception to any claim of water

right may be filed with the Director of

the Idaho Department of Water Re-

sources, 150 Shoup Ave., Idaho Falls,

Idaho 83402.

A. KENNETH DUNN

Director

Published: November 26, December 3,

1981

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

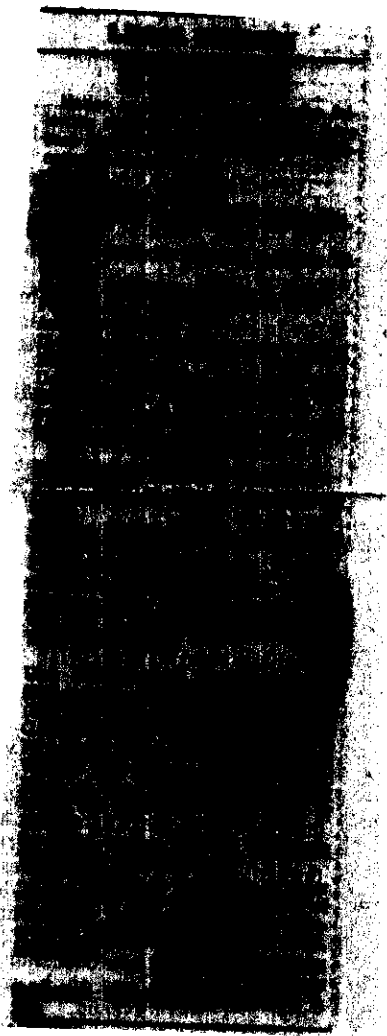
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 26th day of November, 19 81, last publication having been made on the 3rd day of December, 19 81, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of March, 19 82

Notary Public

My commission expires October 10, 19 83

B10, 1M,



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

25 4111

INITIAL REVIEW BY: K.C. Wilson

Right Number 25-4111

Applicant Elkington Brothers Partnership

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.

December 14, 1981

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date December 15, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 12/31/81

Township Sec TWP
SE 1/4 SE 1/4 13 01S

272.0-478.0-001.0-008.0-002.0

0.9
RECEIVED
DEC 13 1981

Department of Water Resources

IDENT. NO. 25 1111

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 14, 1981

BRENT ELKINGTON
ELKINGTON BROTHERS PARTNERSHIP
RT. 7, BOX 92
IDAHO FALLS ID 83401

RE: Claim No. 25-4111

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

25-4111-

ELKINGTON, BRENT
ELKINGTON BROTHERS PARTNERSHIP

RT. 7, BOX 92, IDAHO FALLS, ID 83401

Source: SPRINGS tributary to SINKS

Priority Date: 08/01/1950

Amount: 0.05 CFS

Diversion Point: SESE Sec 13 T 01S R 39E LOT 00 (2720) Sec 47 T 800 R 010
LOT 00 (0002) Sec 00 T 000 R 000, BONNEVILLE Co.

Use: STOCKWATER (0.05 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 13 T 01S R 39E

Diversion Means: SPRING