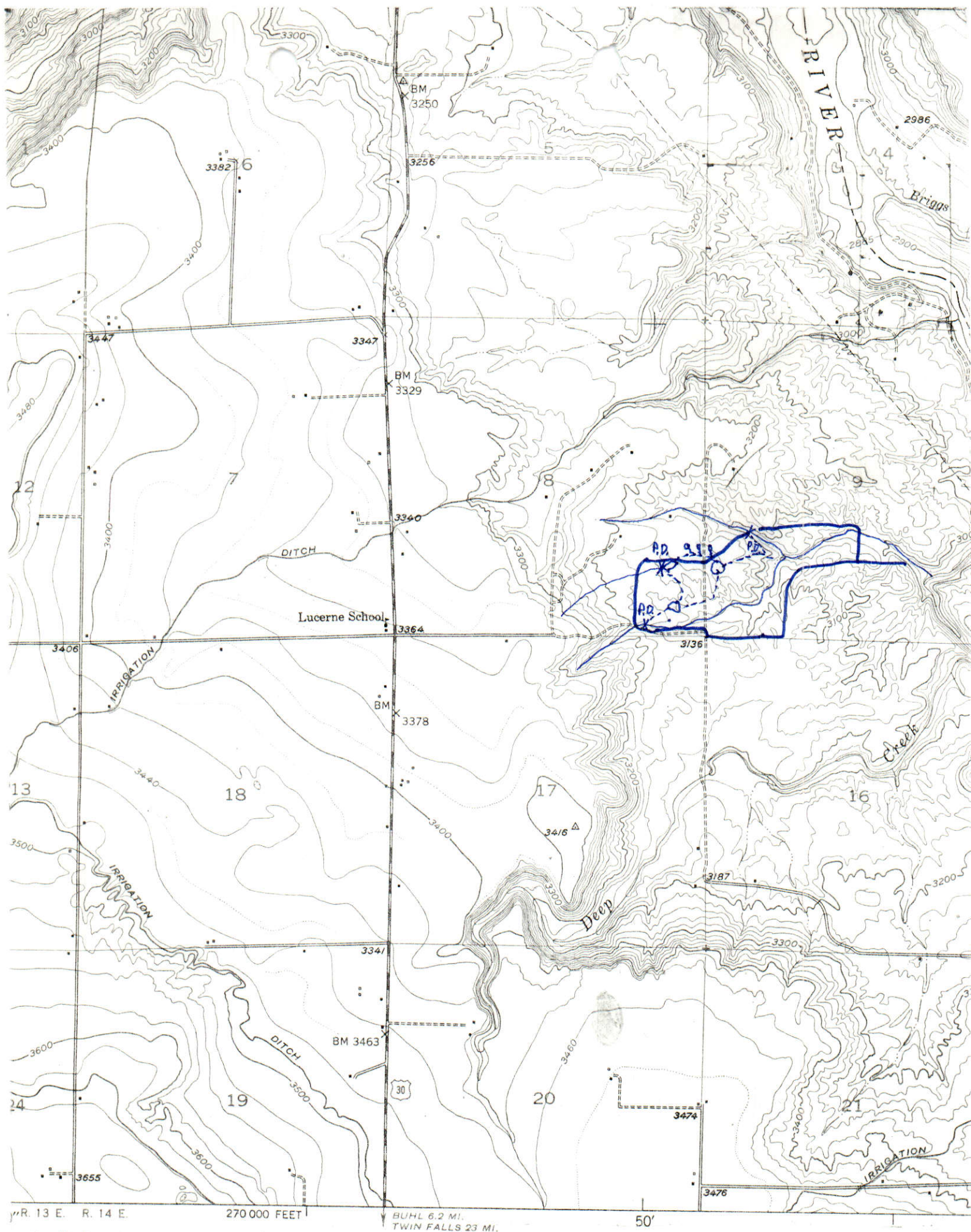


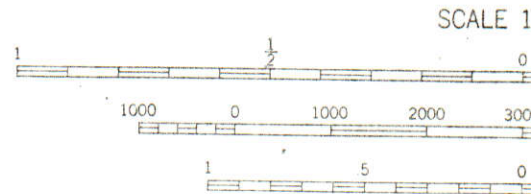
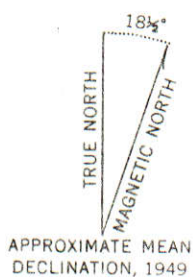


Map compiled, edited, and published by the Geological Survey
 Control by USC&GS

Topography and drainage in part compiled from
 Aerial photographs taken 1946
 Topography from aerial photographs by multiplex methods,
 by plane-table methods 1949

Conic projection. 1927 North American datum
 100-foot grid based on Idaho coordinate system,
 T12N, 14E, 36S

Dashed land lines indicate approximate location



CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT
 CONTOUR INTERVAL ON
 DATUM IS MEAN

THIS MAP COMPLIES WITH NATIONAL MAP ACT
 FOR SALE BY U. S. GEOLOGICAL SURVEY, FEDERAL CENTER
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS

100-100-100

47-4171
KINYON, DENVER
RT. 1 BOX 55A,
CASTLEFORD, ID 83321
Source: WASTE WATER
tributary to DEEP
CREEK
UNNAMED SPRINGS trib-
utary to DEEP CREEK
Priority Date: 11/13/1922
Amount: 5.44 CFS 15.0 AC-FT
Diversion Point: SESE Sec
08 T 09S R 14E SWSW
NWSW Sec 09 T 09S R
14E, TWIN FALLS Co.
Use: IRRIGATION FROM
STORAGE (1.79 CFS)
from 03/15 to 11/15
IRRIGATION STORAGE
(3.00 CFS) from 01/01 to
12/31
IRRIGATION STORAGE
(15.0 AC-FT) from 01/01
to 12/31
STOCKWATER (0.09 CFS)
from 01/01 to 12/31
IRRIGATION (0.65 CFS)
from 03/15 to 11/15
Place of Use: SESE Sec 08 T
09S R 14E NESW NWSW
SWSW SESW Sec 09 T
09S R 14E FOR 75
ACRES
Diversion Means: DITCH &
PONDS

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

N^o 9561

I, Linda Capps McGuire being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive Weeks, commencing with the issue dated
August 7, 1980, and ending with the issue dated
August 14, 1980

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McGuire
Subscribed and sworn to before me on this 15 day of

August, 1980

Della Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 23 1980

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

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 Mrs. Denver Kinyon

(Name of Claimant)

Route #1 Box 55A, Castleford, Id. 83321

(Mailing Address)

Telephone No. 537-6555

(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) November 13, 1922

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)

Wastewater & Unnamed Springs tributary to Deep Creek

- (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.)	storage	(Mo., Day)	(Both dates inclusive) (Mo., Day)
Quantity	<u>1.79 cfs</u>	Use	<u>irrigation from</u>	Period of Use From	<u>Mar 15</u> To <u>Nov 15</u>
Quantity	<u>3.00 cfs</u>	Use	<u>div. to storage</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity	<u>15.0 AFA</u>	Use	<u>storage for irrig.</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity	<u>0.09 cfs</u>	Use	<u>livestock</u>	Period of Use From	<u>Jan 1</u> To <u>Dec 31</u>
Quantity	<u>0.65 cfs</u>	Use	<u>irrigation</u>	Period of Use From	<u>Mar 15</u> To <u>Nov 15</u>

- (4) 5.44 cfs & 15.0 AFA TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 8 Twp. 9S Rge. 14E B.M., County of Twin Falls

Additional points of diversion: SW 1/4 SW 1/4, NW 1/4 SW 1/4 Sec. 9 T. 9S R. 14E

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. Ditch in SE 1/4 SE 1/4 Sec. 8; three 3-acre ponds in W 1/4 SW 1/4 Sec. 9; ditches from storage ponds. Livestock drink from ponds & from ditches.

- (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	14E	8																20	20
		9									20	10	20	5					55

No. of acres 75

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

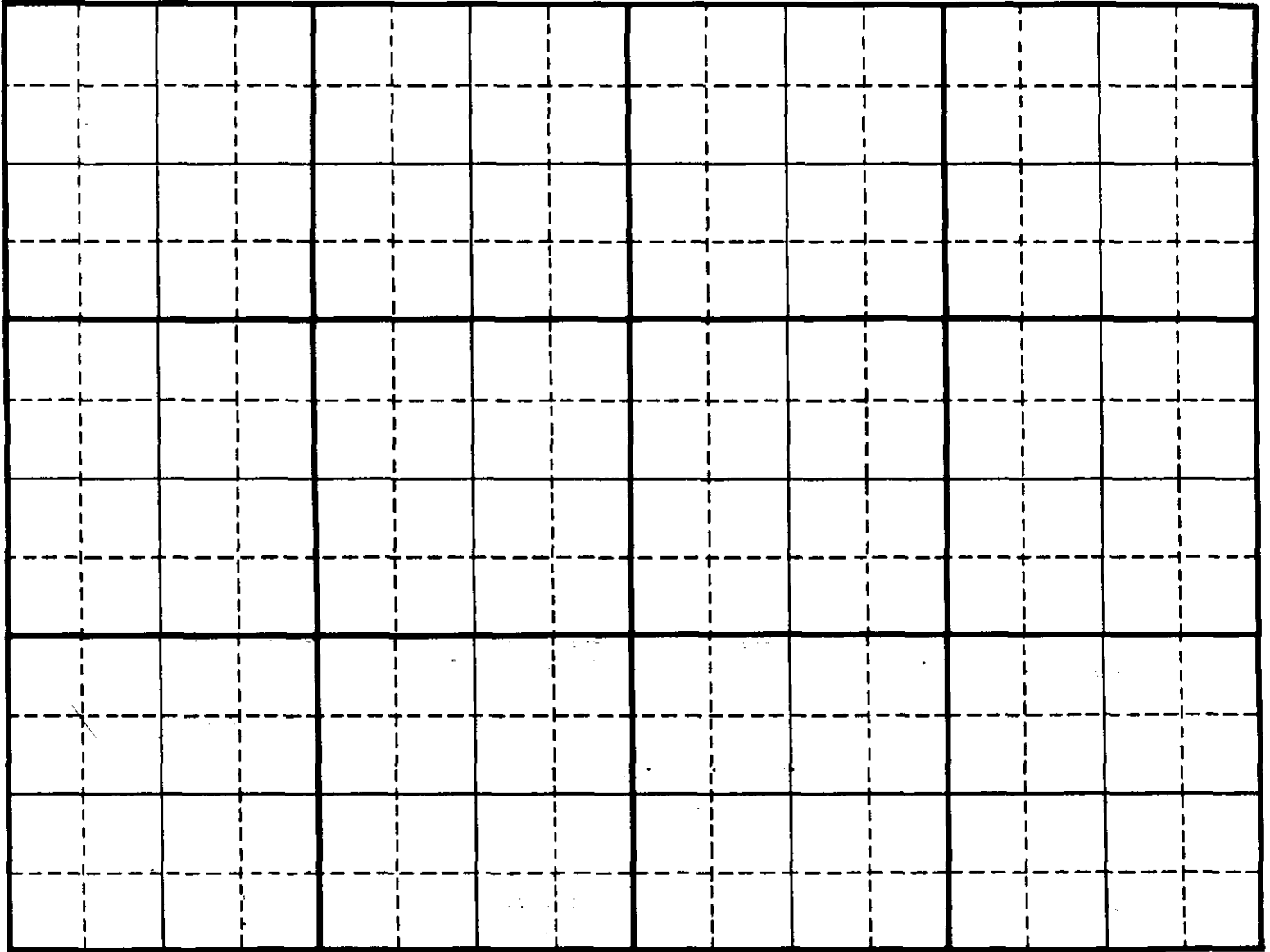
SCANNED

NOTE: Include here the type and number of stock watered: 400 range cattle

JAN 29 2002

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

(8) Remarks This same priority is claimed under 47-4098; the same family settled all this land, selling this part about 1968. Applicant also owns the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, but this ground was excluded from this claim since it is covered by 47-4098.



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 Twin Falls) 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.

Mrs Denver Kinyon
(Claimant)

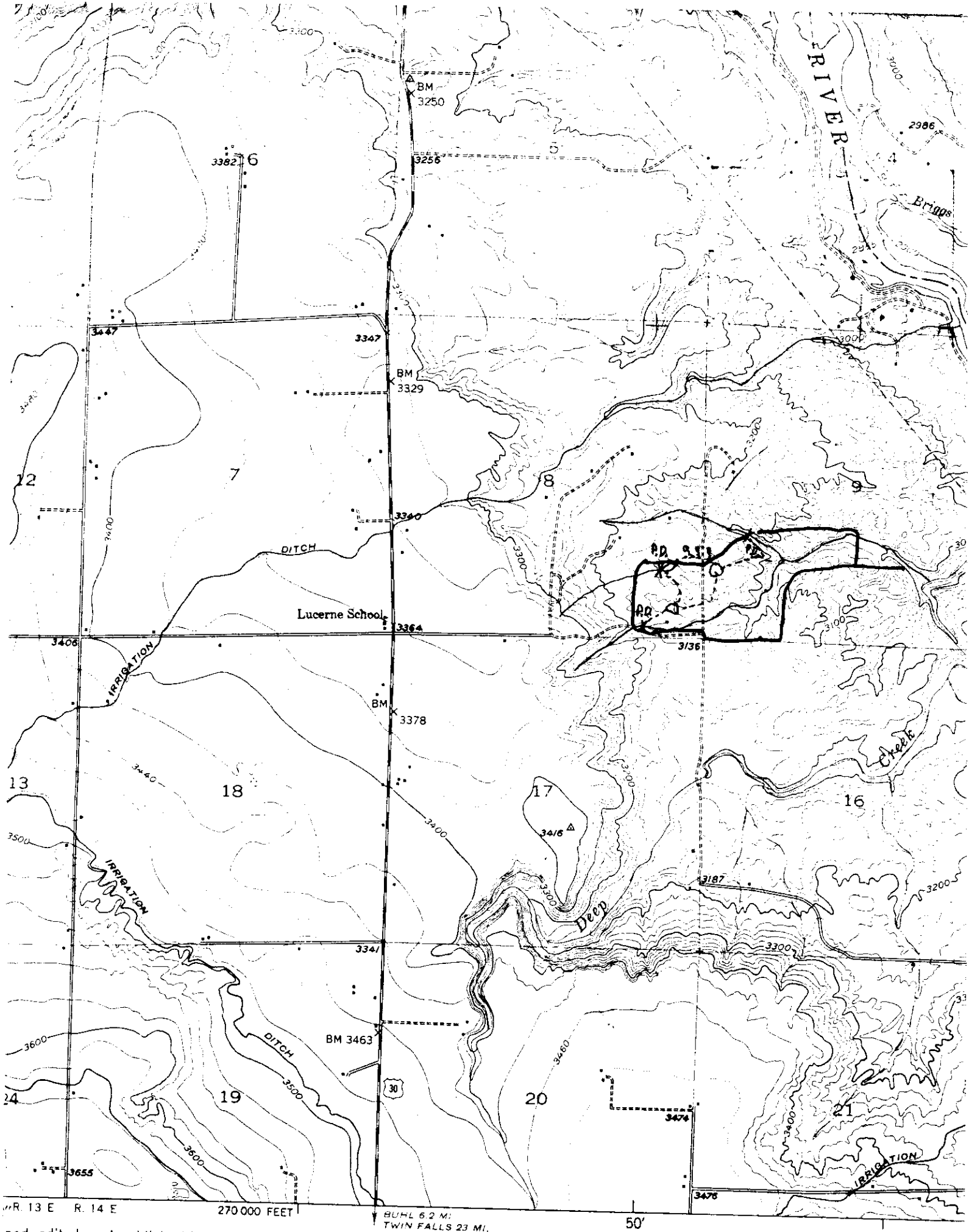
Sworn to before me this 23rd day of July, 1980.

Mary A. Luce
Notary Public
Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J.P. Stanton Date 7-23-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 7-24-80 claimant by: _____
30.00 \$20.00 fee received by Mary A. Luce Date 7/23/80 # 16520
Published in Snake River News _____
Dates 8/2 + 8/14/80 _____

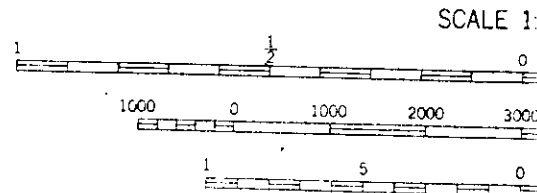
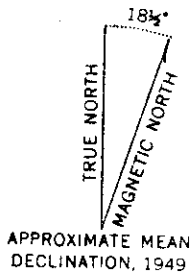


Map prepared, edited, and published by the Geological Survey
 under control by USC&GS

Topographic features and drainage in part compiled from
 aerial photographs taken 1946
 Topography from aerial photographs by multiplex methods,
 by plane-table methods 1949

Conic projection. 1927 North American datum
 600-foot grid based on Idaho coordinate system,
 6th zone

Dashed land lines indicate approximate location



CONTOUR INTERVAL
 DOTTED LINES REPRESENT
 CONTOUR INTERVAL ON
 DATUM IS MEAN

THIS MAP COMPLIES WITH NATIONAL
 FOR SALE BY U. S. GEOLOGICAL SURVEY, FEDERAL CENTER
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 26, 1980

DENVER KINYON
RT. 1 BOX 55A
CASTLEFORD

ID 83321

RE: Claim No. 47-4171

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,

BREN O. HOLMES
Southern Region Supervisor

Enclosure

Affidavit of Publication

STATE OF IDAHO,

COUNTY OF TWIN FALLS

ss.

Nº 9561

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Prinic Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated August 7, 1980, and ending with the issue dated August 14, 1980.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

15 day of

August, 1980.

Inella Rowlett Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

September 12, 1980

Mrs. Denver Kinyon
Rt. 1 Box 55A
Castleford, Idaho 83321

Re: Claim to a Water Right No. 47-4171

Dear Mrs. Kinyon:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right, submitted by Melissa Smalley and Ward Fairchild.

The following is a quote from the provisions under which this claim has been filed (section 42-243b, of the Idaho Code):

42-243b. Recording of claims by Department, Corrections

"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

SCANNED

JAN 29 2002

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 12, 1980

Ward Fairchild
North of Buhl
Buhl, Idaho 83316

Re: Claim to a Water Right No. 47-4171

Dear Mr. Fairchild:

We are in receipt of your exception to a Claim to a Water Right filed by Mrs. Denver Kinyon.

The following excerpt from Section 42-243b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed:

42-243b. Recording of claims by Department, Corrections
"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya
Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

September 12, 1980

Melissa Smalley
Route 3 Box 186
Buhl, Idaho 83316

Re: Claim to a Water Right No. 47-4171

Dear Mrs. Smalley:

We are in receipt of your exception to a Claim to a Water Right filed by Mrs. Denver Kinyon. The following excerpt from Section 42-243b of the Idaho Code explains what has been done and what will be done in regards to the exception you have filed:

42-243b. Recording of claims by Department, Corrections
"At any time after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearing or evaluate for confirmation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya
Encl:

MICROFILMED

RECEIVED

IN THE MATTER OF:)
Claim to a Water Right No. 47-4171)
in the name of:)
Mrs. Denver Kinyon.)
State of Idaho)
County of Twin Falls)

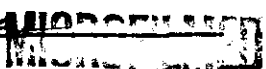
AUG 18 1980

Department of Water Resources AFFIDAVIT
Southern District Office

Melissa Smalley being first duly sworn,
deposes and says: To the best of her knowledge, the stream referred to in the ^{above} ~~adhere~~
referenced claim as being diverted with in the NW 1/4 SW 1/4 Sec. 9 Twn. 9S Range 14E B.M.
And being the most northerly stream referred to in the claim is not diverted for use on
the lands of the claimant.
Affiant further states that the waters of said stream are diverted for use upon her
own property and that she has filed a claim evidencing her water right

Melissa Smalley
(signature)

Subscribed and sworn to before me this 18th day of August 19 80.

Loren O. Halund
(notary public) 

Residing at Twin Falls, ID.
My commission expires Life.

IN THE MATTER OF:

Claim To a Water Right No. 47-417F
in the name of Mrs. Denver Kinyon

State of Idaho

County of Twin Falls

RECEIVED

SEP 2 1980

Department of Water Resources
Southern District Office

AFFIDAVIT

Ward Fairchild

being first duly sworn,

deposes and says: The water from these springs have never been used for
irragation purposes on this place. of the three ponds mentioned on this
place i only know one pond, that is not a 3 acre pond, but around a $\frac{1}{2}$ acre
pond. The water from the northerly streams has been used by Albert
Hansen, in or around 1935, which is know owned by Melissa Smalley.
The only water that i know of that was used was waste water on this
place and the spring water would have to be pumped for irragation has
never been used.

I farmed at the place 25 years ago and there was no
water available. Instead of 75 acres of farmland there is around 30
and these springs were never put to beneficial use for irragation
puroses except for a small garden spot.

I was born and raised here on Feb. 28, 1918 next to
this place.

Ward Fairchild
(signature)

Subscribed and sworn to before me this 2nd day of September 19 80.

Mary A. Hie
(notary public)

Residing at Twin Falls, Id
My commission expires Life

MICROFILMED

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:

42-4121

KINYON, DENVER

RT. 1 BOX 55A, CASTLEFORD, ID 83321

Source: WASTE WATER tributary to DEEP CREEK
UNNAMED SPRINGS tributary to DEEP CREEK

Priority Date: 11/13/1922

Amount: 5.44 CFS 15.0 AC-FT

Diversion Point: SESE Sec 08 T 09S R 14E SWSW NWSW Sec 09 T 09S R 14E,
TWIN FALLS Co.

Use: IRRIGATION FROM STORAGE	(1.79 CFS)	from 03/15 to 11/15
IRRIGATION STORAGE	(3.00 CFS)	from 01/01 to 12/31
IRRIGATION STORAGE	(15.0 AC-FT)	from 01/01 to 12/31
STOCKWATER	(0.09 CFS)	from 01/01 to 12/31
IRRIGATION	(0.65 CFS)	from 03/15 to 11/15

Place of Use: SESE Sec 08 T 09S R 14E NESW NWSW SWSW SESW Sec 09 T 09S R 14E
FOR 75 ACRES

Diversion Means: DITCH & PONDS.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 8/07 & 8/14.

MICROFILMED

47-4171
KINYON, DENVER
RT. 1 BOX 55A,
CASTLEFORD, ID 83321
Source: WASTE WATER
tributary to DEEP
CREEK
UNNAMED SPRINGS trib-
utary to DEEP CREEK
Priority Date: 11/13/1922
Amount: 5.44 CFS 15.0 AC-FT
Diversion Point: SESE Sec
08 T 09S R 14E SWSW
NWSW Sec 09 T 09S R
14E, TWIN FALLS Co.
Use: IRRIGATION FROM
STORAGE (1.79 CFS)
from 03/15 to 11/15
IRRIGATION STORAGE
(3.00 CFS) from 01/01 to
12/31
IRRIGATION STORAGE
(15.0 AC-FT) from 01/01
to 12/31
STOCKWATER (0.09 CFS)
from 01/01 to 12/31
IRRIGATION (0.65 CFS)
from 03/15 to 11/15
Place of Use: SESE Sec 08 T
09S R 14E NESW NWSW
SWSW SESW Sec 09 T
09S R 14E FOR 75
ACRES
Diversion Means: DITCH &
PONDS

47-4171
KINYON, DENVER
RT. 1 BOX 55A,
CASTLEFORD, ID 83321
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tributary to DEEP
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from 03/15 to 11/15
Place of Use: SESE Sec 08 T
09S R 14E NESW NWSW
SWSW SESW Sec 09 T
09S R 14E FOR 75
ACRES
Diversion Means: DITCH &
PONDS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 25, 1980

Times News
P. O. Box 548
Twin Falls, Idaho 83301

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 billing to this office before AUGUST 25, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED