

03/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-4182

NAME AND ADDRESS: BLAINE HUNTSMAN
7 S WOLCOTT
SALT LAKE CITY UT 84101

SOURCE: UNNAMED STREAM

TRIBUTARY: FOX CREEK

QUANTITY: 0.300 CFS

PRIORITY DATE: 01/24/1938

POINT OF DIVERSION: T04N R45E S33 SENWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.300 CFS

PLACE OF USE: IRRIGATION Within TETON County

T04N R45E S29

SESE 15.00

15 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

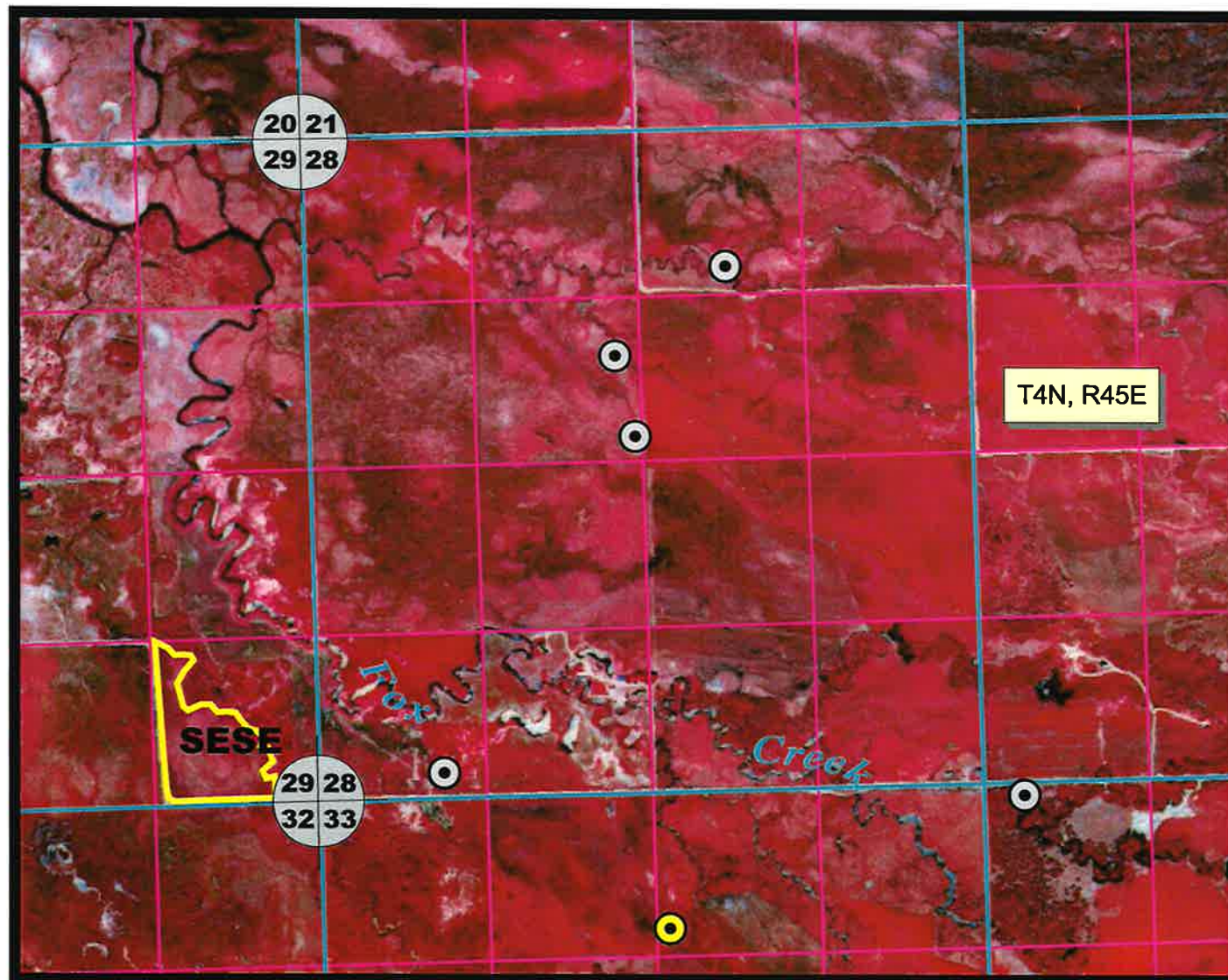
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Source is also known as Snake Creek.



State of Idaho

Department of Water Resources

Eastern Region



750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 Feet

Water Right(s):

22-4182

Point(s) of Diversion:

T4N, R45E

Sec. 33 SENWNE

Place of Use: (part of)

T4N, R45E

Sec. 29 SESE

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

December 15, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

BLAINE HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093-1115

RE: CHANGE OF ADDRESS FOR 22-4182, 22-13482, 22-13484

Dear Mr. Huntsman:

Please fill out the enclosed change of address form and mail back to me. We need signed permission to update your address in our database.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

174
 2942801.110 NOV 28 2006
 6127 MAILED FROM ZIP CODE 83402

ADDRESS SERVICE
REQUESTED

EUNTS587 341021071 1106 03 12/07/95
FORM 3547
HUNTSMAN
2834 ETIENNE WAY
SANDY UT 84093-1115

[illegible]

please forward
2834 Etienne Way
Sandy, UT 84093

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

return
to sender

U.S.P.S. Form 3547

fee due 75 ¢

OK
JC
3/14/06

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. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-4181	√			
	22-4182				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. 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(s) or claims(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use your water rights(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county.)
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
 Owner/Claimant Charles E. Crary, III & Margaret H. Crary, as Trustees of the 1988 Crary Trust
8401 East Woodland Road, Tucson AZ 85749
4. New Owner/Claimant(s) Blaine Huntsman
 Name connector (check one): [] and [] or, [] and/or
 New Mailing Address 7 South Wolcott
 City, State and ZIP Code Salt Lake City, UT 84101
 New Telephone Number 801-994-0303
5. Date you acquired the property March 16, 2001

RECEIVED
MAR 06 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	0.74 cfs	15 acres in NESE and 22 acres in SESE, Section 29, T4N., R45E.
Stock		
Domestic		
Other		
TOTAL		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation		
Stock		
Domestic		
Other		
TOTAL		

7. Signature of New Owner(s) Or Claimant(s)
(include title if applicable)

[Handwritten Signature]
[Handwritten Signature]

For Snake River Basin Adjudication Claims: Please attached 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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

Water Right No(s).

A 22 0 4182



GPS DATA:

Tag # A0009577 Location: ON CULVERT

Diversion Data:

Source: UNNAMED STREAM Trib to: FOX CREEK

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

This whole Ranch Subs ^{IRrigate's} So it's Really
Hard To Tell what is Irrigated + what isn't

Field Exam Date: 10-10-05 Agent: NICK OLSON

See EVIDENCE IN 22-4179 - Does it work?

May 12, 2004

CHARLES E CRARY OR MARGARET H CRARY
PO BOX 581
DRIGGS ID 83422

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4183

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

Your claim, as referenced above, claims a Priority Date of JUNE 1 1908 from UNNAMED CREEK.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

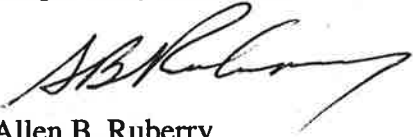
For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

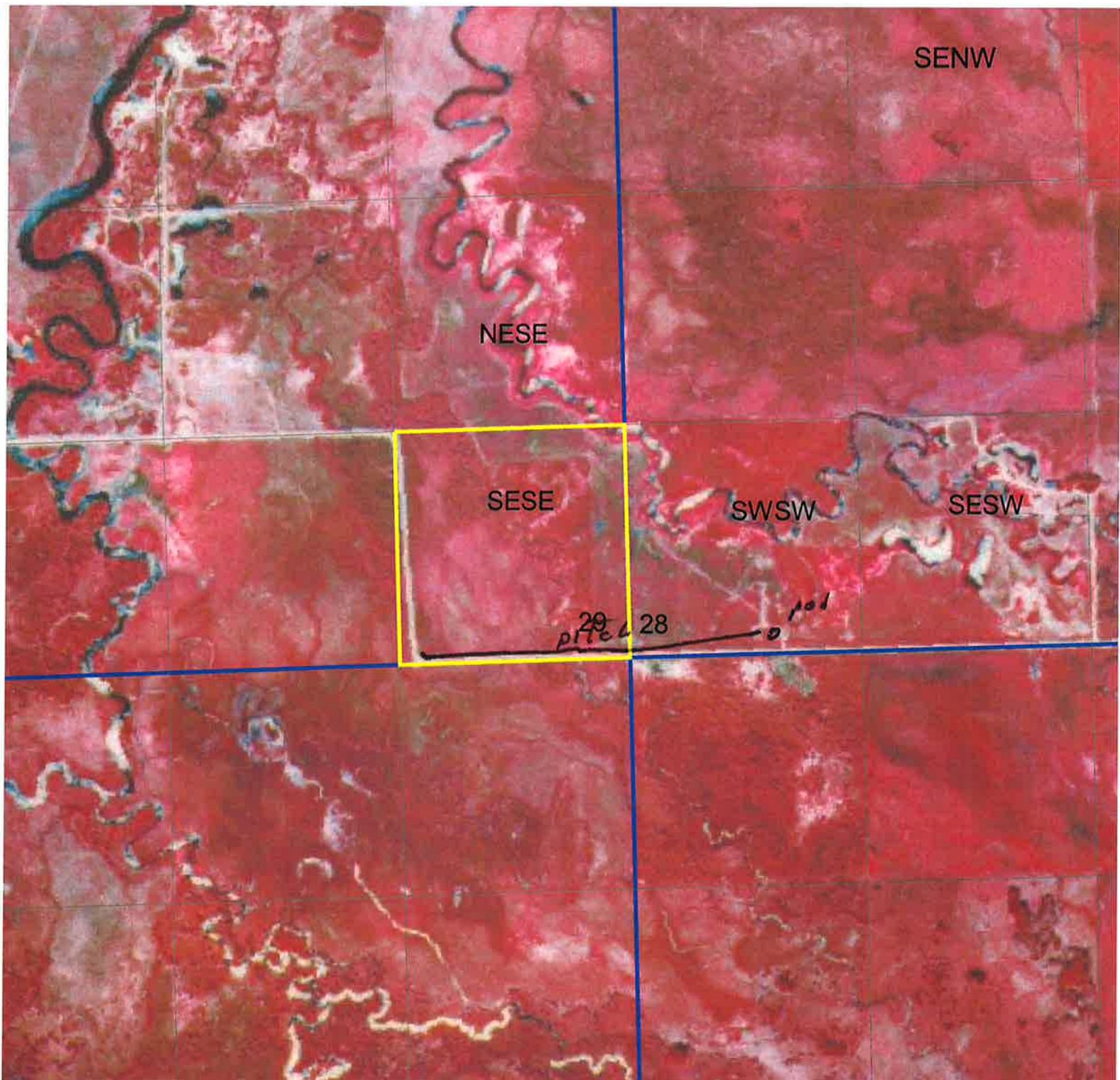


Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

22-4182



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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-04182
Date Received: 9/22/1988
Receipt No: E002788
Received By: _____

SEP 28 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES E. CRARY 602-749-1466
Address: 8401 E. WOODLAND RD.
TUSCON, AZ 85749
AND/OR
Name: MARGARET H. CRARY
Address: 8401 E. WOODLAND RD.
TUSCON, AZ 85749
AND/OR
Name: CHARLES E. CRARY 208-345-8309
Address: P.O. BOX 581
DRIGGS, ID 83422
AND/OR
Name: MARGARET H. CRARY 208-345-8309
Address: P.O. BOX 581
DRIGGS, ID 83422

A2204182

2. Date of Priority: JUN 01, 1908

3. Source: UNNAMED STREAM Trib. to: FOX CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	45E	33	NW	NE			TETON

5. Description of diverting works:
HEADGATE TO DITCH FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.320		

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

A22-04182

Page 1

Date: 09/22/88

MICROFILMED
OCT 29 1992

8. Total consumptive use is 32.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	45E	29	SE	SE	IRR	16.0
Section Acres						16.0
Total Acres						16.0

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCE ALSO KNOWN AS SNAKE CREEK.

15. Basis of Claim: STATUTORY CLAIM

16. 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 Snake 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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Charles E. Cary Date: 9/22/88

Date: _____

State of Idaho)
County of Bonneville) SS.

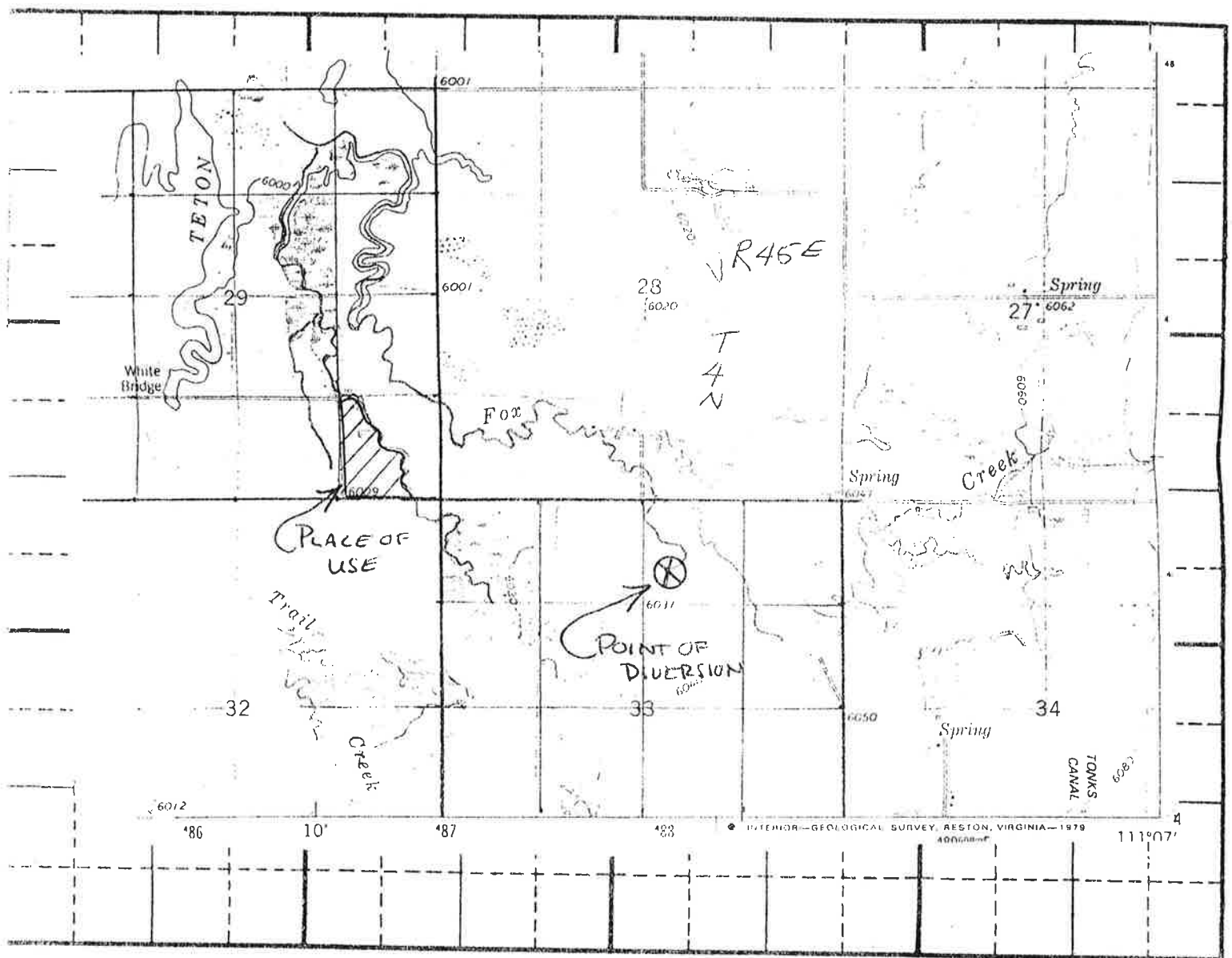
Subscribed and sworn (or affirmed) before me this 22nd day
of September 19 88

Anthony S. Obenichal
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 9/12/1994

(8) Remarks Source also known as Snake Creek



Scale: 2 inches equal 1 mile.

MICROFILMED

OCT 29 1992