

T3099 CRARY

RECEIVED

AUG 19 1985

Transfer No. 3099Water Right No. 22-0093

AMENDED

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant CHARLES E. or MARGARET H. CRARY Phone 602-749-1466
Post Office address 8401 E. Woodland Road, Tuscon, AZ 85749

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 22-0093 Decreed to Byrne Woolstenhulme
(Name)
in case of Robert E. Griggs vs Lynn Crandall
dated in Jan. 24, 1938 in Ninth Jud. Dist. county of Fremont
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Fox Creek tributary to Teton River4. Date of priority January 22, 1916

5. Water is used for the following purposes:

amount 3.2 cfs for Irrigation purposes from Not specified in decree to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34
Township 4N Range 45E, B.M., in Teton County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	45E	28											40	40					80

Total number of acres to be irrigated 809. Describe any other water rights used for the same purpose as described above 22-4182 & 22-4183

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information *See Remarks

- a. Amount of water to be diverted 1.72* c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgate to ditches for flood irrigation
- c. Describe the reasons for the proposed changes Reflect place of use under current irrigation practices.

2. Change in point of diversion No Change

Point of diversion NW ¼ NW ¼, Section 34 Township 4N
Range 45E, B.M., Teton County
Additional points _____

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None. The original place has been irrigated from unnamed streams as evidenced by claims.

D. REMARKS

This transfer represents a reduction in the total water right from 3.2 cfs for 80 acres to 1.72 cfs for 43 acres to reflect current irrigation practices.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Charles E. Gray
(Signature of Applicant)

Subscribed and sworn to before me this 12 day of March, 19 85

Kristine L. Hart
(Notary Public)

My commission expires 9-4-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0093 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 13th day of August, 19 85

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>aw</u>	Date <u>3-18-85</u>	Protest filed by _____
Prelim. check by _____	Fee <u>U.A.</u>	_____
Receipted by _____	Date _____	_____
Published in _____		Copies of protest forwarded by _____
Pub. dates _____		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>RBC Jim</u>