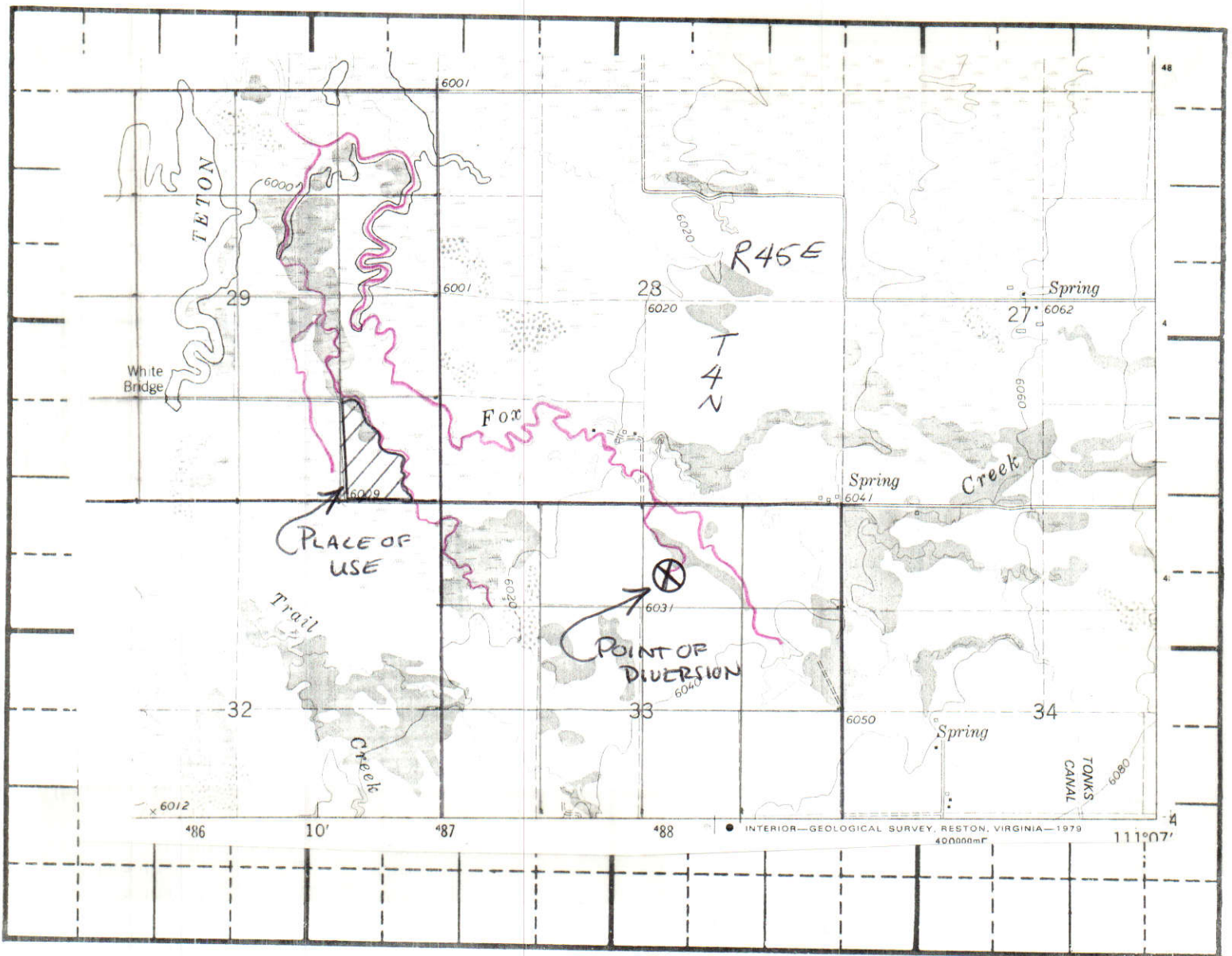


(8) Remarks Source also known as Snake Creek



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 19th day of November, 1984.

Charles E. Gray
(Claimant)

Calvin Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>KWJ</u>	Date <u>19 Nov 84</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWT</u>	Date <u>11-20-84</u>		claimant by:	
\$30.00 fee received by <u>CRJ</u>	Date <u>11-19-84</u>	#34341		
Published in <u>Teton Valley News</u>				
Dates <u>11-29 & 12-6-84</u>				

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 CHARLES E. or MARGARET H. CRARY

(Name of Claimant)

8401 E. Woodland Rd., Tuscon, AZ 85749

Telephone No. 602-749-1466

(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) 6-1-1908

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)

Unnamed Stream tributary to Fox 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.32 cfs.</u>	Use <u>Irrigation</u>	Period of Use From <u>4-15</u>	To <u>10-15</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) 0.32 cfs. TOTAL QUANTITY USED.
(cfs, af)

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

NW ¼ NE ¼, Sec. 33 Twp. 4N Rge. 45E B.M., County of Teton

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 to ditch for 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	45E	29																16	16

No. of acres 16

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

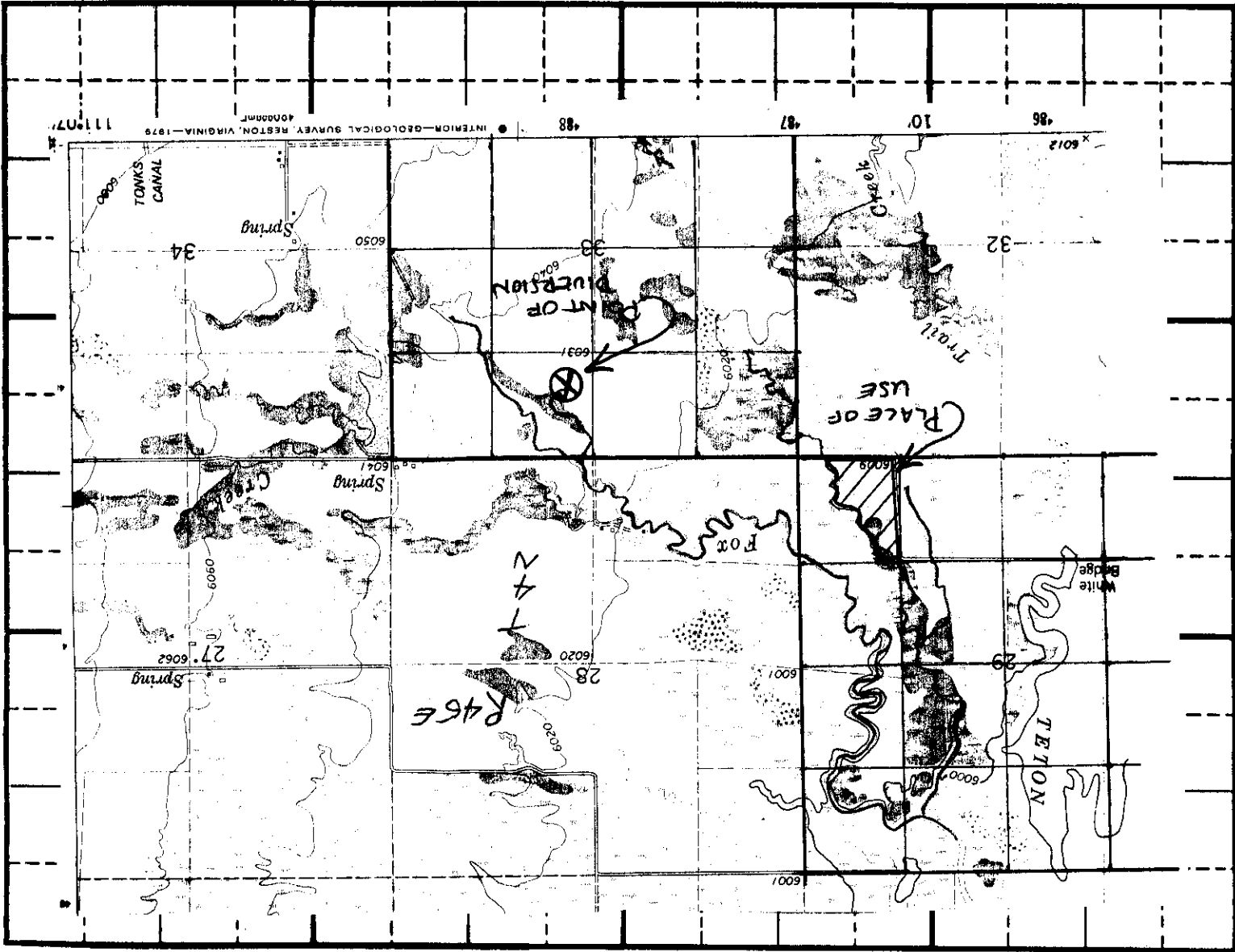
NOTE: Include here the type and number of stock watered:

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

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(8) Remarks Source also known as Snake Creek



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 Donner 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 19th day of November, 1984.

Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by KCJ Date 19 Nov 84 Prelim. check by HWJ Date 11-20-84 Fee received by John H. Hays Date 11-19-84 # 34341
Published in 11-29 & 12-6-84 Dates
Forwarded to claimant by: Date
Exception filed by: 19 Nov 84

STATEMENT

My husband, Samuel, acquired 80 acres on North Cedron Road in about 1905 from Pete Hansen, who had homesteaded a few years earlier. It had a two room house on the high spot just inside the present entrance to the Fox Creek Ranch. We were married the next year. Our son, Vern, was born there in 1908 and our next son, Lloyd, in 1912.

By about 1908, Samuel had cleared the willows from the drier Eastern 40 acres by twisting them out of the ground with his work horses. He and George Tonks dug a ditch from Snake Creek near the Southeast corner of our property (not far from our house) and started irrigating the Southern half of this 40. Over the years, this irrigated land was mostly for hay but occasionally we raised grain too.

Samuel irrigated the drier ground on the Northern half of this 40 by digging one or two ditches to the East and Northeast and getting water from our neighbor, Denton Moulton. His water came from springs and the Fox Creek. If I remember correctly, Farmer Fenton irrigated his 80 acres adjacent to us on the North in the same manner.

Our Western 40 was swampy and did not need to be irrigated. It was covered with willows but provided good summer grazing for our cattle.

Shortly after Lloyd was born, Samuel homesteaded the adjacent 80 acres to the West and Northwest. He cleared the Southwest corner West of Fish Creek, and Andy Boles helped him dig a ditch so that water from Fish Creek could be used to irrigate the cleared land. The rest of the 80 acres to the East and North was swampy and covered with willows, but made good grazing land.

I have always been under the impression that full water rights accompanied the homestead.

Lizzie Woolstenhulme
Lizzie Woolstenhulme
52 North First Street
Driggs, Idaho

Nov 16 - 1984
Date

Lloyd Woolstenhulme
Lloyd Woolstenhulme
Witness

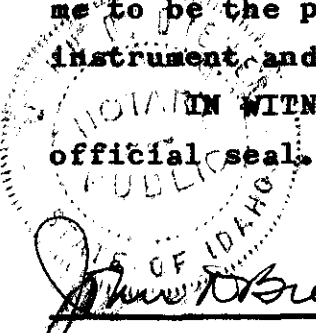
Nov 16 - 1984
Date

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STATE OF IDAHO)
County of Teton) SS

On this 16 day of November, 1984, before me,
the undersigned, a Notary Public for Idaho, personally appeared
Lizzie Woolstenhulme and Lloyd Woolstenhulme, her son, known to
me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal.

A circular notary seal for the State of Idaho. The outer ring contains the text "NOTARY PUBLIC" at the top and "STATE OF IDAHO" at the bottom. In the center, there is a signature, which appears to be "John A. Brewer".
John A. Brewer
Notary Public for Idaho
Residing at Driggs, Idaho
Commission Expires: life

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AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Gene Hatch,
 being first duly sworn depose and
 say that I am the Secretary
 of the Teton Valley News, a
 newspaper as defined by Idaho
 Codes Annotated, Section 58-106,
 as amended, and that said
 newspaper is a weekly newspaper
 printed and published at Driggs, in
 Teton County, Idaho, having a
 general circulation in said county;
 and that said newspaper has been
 printed in said county for more
 that 78 consecutive weeks prior to
 the first publication of the attached
 notice, advertisement or publica-
 tion of

Notice of Claims to Water Rights

And affiant further says that said
 attached notice, advertisement or
 publication, as per clipping
 attached, was published in said
 newspaper, in the regular and
 entire issue thereof, and not in any
 supplement issue thereof, for 2
 consecutive issues thereof; first
 publication having been made on
 the 21 day of Nov, 1984
 and last publication on the 6 day
 of Dec, 1984

And affiant further says that at
 the times herein mentioned said
 newspaper was made up of at least
 eight pages of at least five columns
 each, printed from type matter, of
 at least sixteen inches deep.

Gene Hatch

Subscribed in my presence and
 sworn to before me this 30 day of
Nov, 1984
 (SEAL) Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Randa Hammer
 My Commission expires

9/29, 1986

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have
 been filed on water rights
 created by diversion and
 beneficial use:

22-4179

Crary, Charles E. &/or Margaret
 H.
 8401 E. Woodland Rd., Tucson,

AZ 85749
 Source: Unnamed stream trib. to
 Unnamed stream
 Priority Date: 06/01/1908
 Diversion Pt: SENW Sec 28 T
 04N R 45E
 Use: Irrigation (0.80 cfs)
 In: NENW SENW Sec 28 T 04N R
 45E for 40 acres.

22-4180

Crary, Charles E. &/or Margaret
 H.
 8401 E. Woodland Rd., Tucson,
 AZ 85749
 Source: Unnamed Stream trib. to
 Fox Creek
 Priority Date: 06/01/1908
 Diversion Pt: NWNE Sec 28 T
 04N R 45E
 Use: Irrigation (0.60 cfs)
 In: NENW Sec 28 T 04N R 45E
 for 30 acres.

22-4181

Crary, Charles E. &/or Margaret
 H.
 8401 E. Woodland Rd., Tucson,
 AZ 85749
 Source: Unnamed streams trib.
 to Fox Creek
 Priority Date: 09/01/1968
 Diversion Pt: NWNE Sec 33 T
 04N R 45E SWSW Sec 28 T 04N
 R 45E
 Use: Irrigation (1.54 cfs)
 In: SWSW SESW Sec 28 T 04N
 R 45E NESE SESE Sec 29 T 04N
 R 45E for 77 acres.

22-4182

Crary, Charles E. &/or Margaret
 H.
 8401 E. Woodland Rd., Tucson,
 AZ 85749
 Source: Unnamed stream trib. to
 Fox Creek
 Priority Date: 06/01/1908
 Diversion Pt: NWNE Sec 33 T
 04N R 45E
 Use: Irrigation (0.32 cfs)
 In: SESE Sec 29 T 04N R 45E for
 16 acres.

22-4183

Crary, Charles E. &/or Margaret
 H.
 8401 E. Woodland Rd., Tucson,
 AZ 85749
 Source: Unnamed creek trib. to
 Fox Creek
 Priority Date: 06/01/1908
 Diversion Pt: NWNE Sec 33 T
 04N R 45E
 Use: Irrigation (0.40 cfs)
 In: SESW Sec 28 T 04N R 45E
 for 20 acres.

Exceptions to a claim may be
 filed with the Director, Dept. of
 Water Resources, 150 Shoup,
 Suite 15, Idaho Falls, Idaho
 83402.

Ken Dunn, Dir.

Published in the Teton Valley
 News November 29 and
 December 6, 1984.

RECEIVED

DEC 3 1984

Department of Water Resources
 Eastern District Office

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 17, 1984

CHARLES E. CRARY
MARGARET H. CRARY
8401 E. WOODLAND RD.
TUSCON AZ 85749

RE: Claim No. 22-4182

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

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ACJ

Right Number 22-4182 Applicant CARY

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.

By Ernest Carlson Date Dec 18, 1984

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 12/31/84

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RECEIVED

DEC 26 1984

Department of Water Resources

WATER DISTRICT 1

Handwritten signature

22-4182

CRARY, CHARLES E. &/or MARGARET H.

3401 E. WOODLAND RD., TUSCON, AZ 85749

Source: UNNAMED STREAM trib. to FOX CREEK

Priority Date: 06/01/1908

Diversion Pt: NWNE Sec 33 T 04N R 45E

Use: IRRIGATION (0.32 CFS)

In: SESE Sec 29 T 04N R 45E FOR 16 ACRES

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