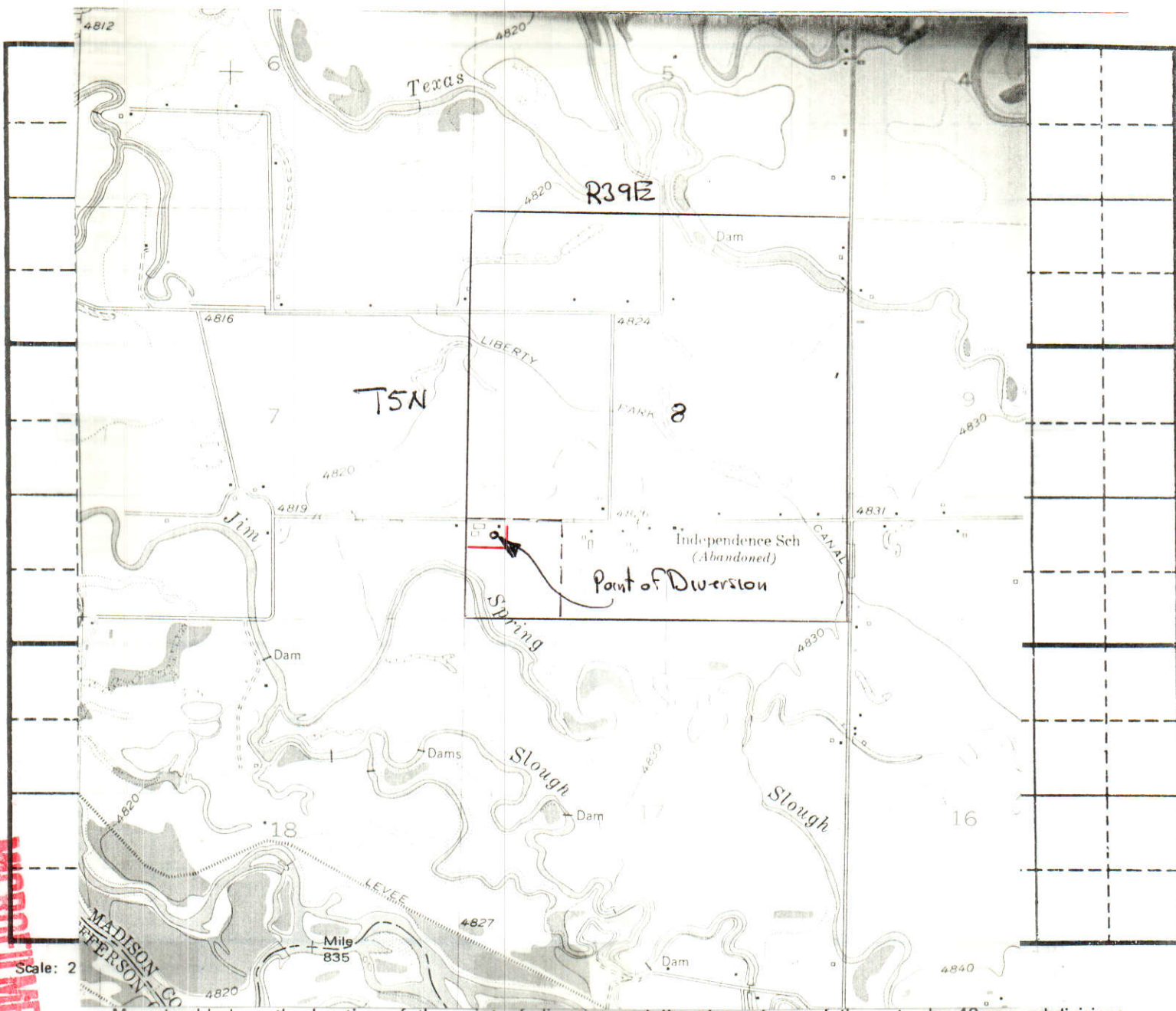


(8) Remarks _____



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 Conneville) 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 29th day of June, 1983.

Roy McHenry
(Claimant)

Callum Wray
Notary Public

Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>HJ</u>	Date <u>6-29-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>9-12-83</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>6-29-83</u>			
Published in <u>Standard Journal</u>	<u>#25648</u>			
Dates <u>10/6 - 10/13/83</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 Roy J. McGarry
(Name of Claimant)
Rt. 1, Box 306, Rexburg, Idaho 83440 Telephone No. 356-6671
(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) September 1, 1948

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)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
0.04 cfs		Domestic		Period of Use From 1-1	To 12-31
0.40 cfs		Stockwater		Period of Use From 1-1	To 12-31
				Period of Use From	To
				Period of Use From	To
				Period of Use From	To
0.44 cfs		TOTAL QUANTITY USED.			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 8 Twp. 5N Rge. 39E B.M., County of Madison
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. Well, pump with lines to one home and series of water troughs

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5N	39E	8											X						

No. of acres _____

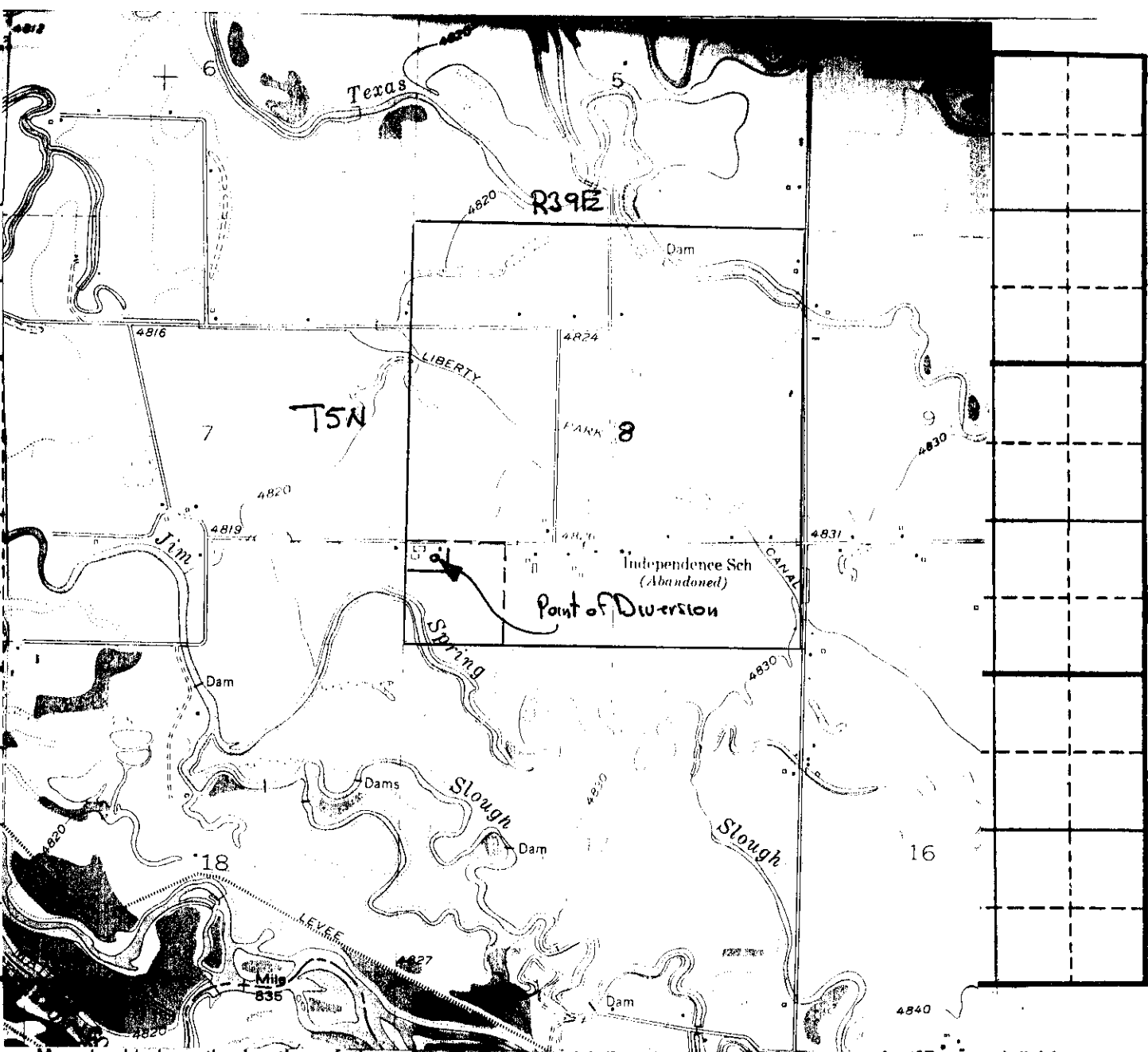
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic and stockwater

NOTE: Include here the type and number of stock watered: 1800 head of cattle

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

(8) Remarks _____

MICROFILMED



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 29th day of June, 1983.
Roy McHenry (Claimant)

Callum Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by <u>HJ</u>	Date <u>6-29-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AWJ</u>	Date <u>9-12-83</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>6-29-83</u>			
Published in <u>Standard Journal</u>	<u>#25648</u>			
Dates <u>10/6 - 10/13/83</u>				

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

NOV 7 1983

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Claims to Water Rights
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication hav-

ing been made on October 6, 1983
and the last publication having been made

on October 13, 1983

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
ing a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

[Signature]

[Decorative flourish]

Subscribed to and sworn to before me

this October 14, 1983

[Signature]

Notary Public.

(SEAL)

My commission expires 11/80

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on
water right(s) created by diversion and
beneficial use:

22-4151

SMITH, BOYDE
RT. 1, BOX 343, REXBURG, ID 83440
Source: BANNOCK JIM SLOUGH trib. to
SNAKE RIVER
Priority Date: 08/01/1889
Diversion Pt: SWSE SWNW Sec 21 T 05N
R 39E SENE Sec 20 T 05N R 39E
Use: IRRIGATION (40.0 AF)
In: SWNE Sec 20 T 05N R 39E FOR 40
ACRES

22-4150

MCGARRY, ROY J.
RT. 1, BOX 308, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 09/01/1948
Diversion Pt: SWSW Sec 08 T 05N R 39E
Use: STOCKWATER (0.40 CFS),
DOMESTIC (0.04 CFS)
In: SWSW Sec 08 T 05N R 39E

22-4149

OLDHAM, REED
RT. 2, BOX 297, REXBURG, ID 83440
Source: GROUNDWATER
Priority Date: 08/01/1920
Diversion Pt: SESW Sec 01 T 06N R 39E
Use: IRRIGATION (0.10 CFS), STOCK-
WATER (0.10 CFS), DOMESTIC (0.10 CFS)
In: SESW Sec 01 T 06N R 39E FOR 3
ACRES

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

KEN DUNN
Director

Publ. Oct. 6 and 13, 1983J

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

OCTOBER 24, 1983

ROY J. MCGARRY
RT. 1, BOX 306
REXBURG

ID 83440

RE: Claim No. 22-4150

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

RECEIVED
OCT 27 1983

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 22 4150 Applicant McGarry

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.

Oct 24, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date Nov. 10, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 11-16-83

MICROFILMED



Department of Water Resources

MICROFILMED

22-4150-

MCGARRY, ROY J.

RT. 1, BOX 306, REXBURG, ID 83440

Source: GROUNDWATER

Priority Date: 09/01/1948

Diversion Pt. SWSW Sec 08 T 05N R 39E

Use. STOCKWATER	(0.40 CFS)
DOMESTIC	(0.04 CFS)

In. SWSW Sec 08 T 05N R 39E