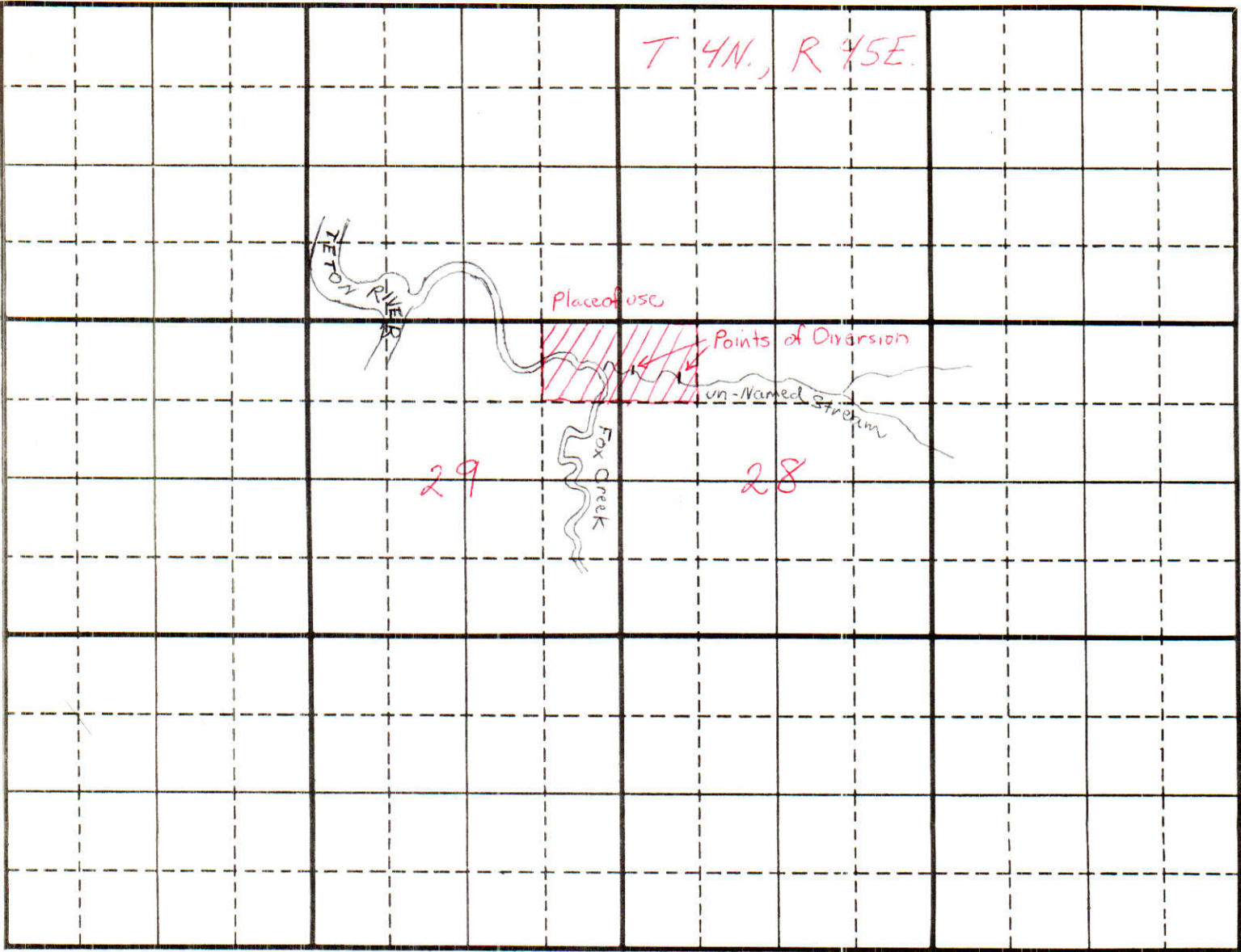


(8) Remarks _____



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)
) ss.
County of Teton)

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 9th day of October, 1980.

Vernal Foster
(Claimant) Vernal Foster

(seal)

Earl G. Sewel
Notary Public
Residing at PRINES

Earl G. Sewel, Notary Public
My Commission Expires Aug 1, 1981

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by KW Date 10/16/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 10-20-80 claimant by: _____
30. \$20.00 fee received by KW Date 10/20/80 #16047
Published in Teton Valley News
Dates 10/30 & 11/06/80

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Sherry Hastings
Secretary
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
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of 22-4044 22-4045

Vernal Foster

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 3
consecutive issues thereof; first
publication having been made on
the 30 day of Oct, 1980
and last publication on the 6 day
of Nov, 1980

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.

Sherry Hastings

Subscribed in my presence and
sworn to before me this 10th day of
Nov, 1980
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Michael C. Stabauer
My Commission expires
July 7, 1982

**NOTICE OF CLAIM 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:

22-4044 OK new

Foster, Vernal.
Swan Valley, Idaho 83449.
Source: Unnamed Stream tribu-
tary to Fox Creek.
Priority Date: 04/01/1920.
Amount: 1.60 CFS.
Diversion Point: NWNW Sec 28

T04N R45E, Teton County.
Use: Irrigation (1.60 CFS) from
04/01 to 10/01.
Place of Use: NWNW Sec 28
T04N R45E NENE Sec 29 T04N
R45E for 80 acres.
Diversion Means: Dam and
ditch.

22-4045 OK new

Foster, Vernal.
Swan Valley, Idaho 83449.
Source: Spring tributary to
Sorensen Creek.
Priority Date: 04/01/1920.
Amount: 1.01 CFS.
Diversion Point: SENE Sec 20
T04N R46E, Teton County.

Use: Irrigation (1.00 CFS)
from 04/01 to 10/01. Stockwater
(0.01 CFS) from 01/01 to 12/31.
Place of Use: NENE NENE Sec
19 T04N R46E for 80 acres.
Diversion Means: Ditch.

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401.

C. Stephen Allred
Director

Published in the Teton Valley
News October 30 and November 6,
1980.

RECEIVED

NOV 14 1980

Department of Water Resources
Eastern District Office

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 Vernal Foster
Swan Valley, Idaho 83449 (Name of Claimant) 483-2072
(Mailing Address) (Zip Code) Telephone No. 354-2425

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) April 1, 1920
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)
Un-named 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.6 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>April 1</u> To <u>October 1</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)	<u>1.6 cfs</u>	TOTAL QUANTITY USED.			
	(cfs, gpd, AFA)				

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 28 Twp. 4 N Rge. 45 E 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. Wooden dam and short ditch; pasture irrigated by flooding

- (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	28						40											40
4N	45E	29	40																40

No. of acres 80

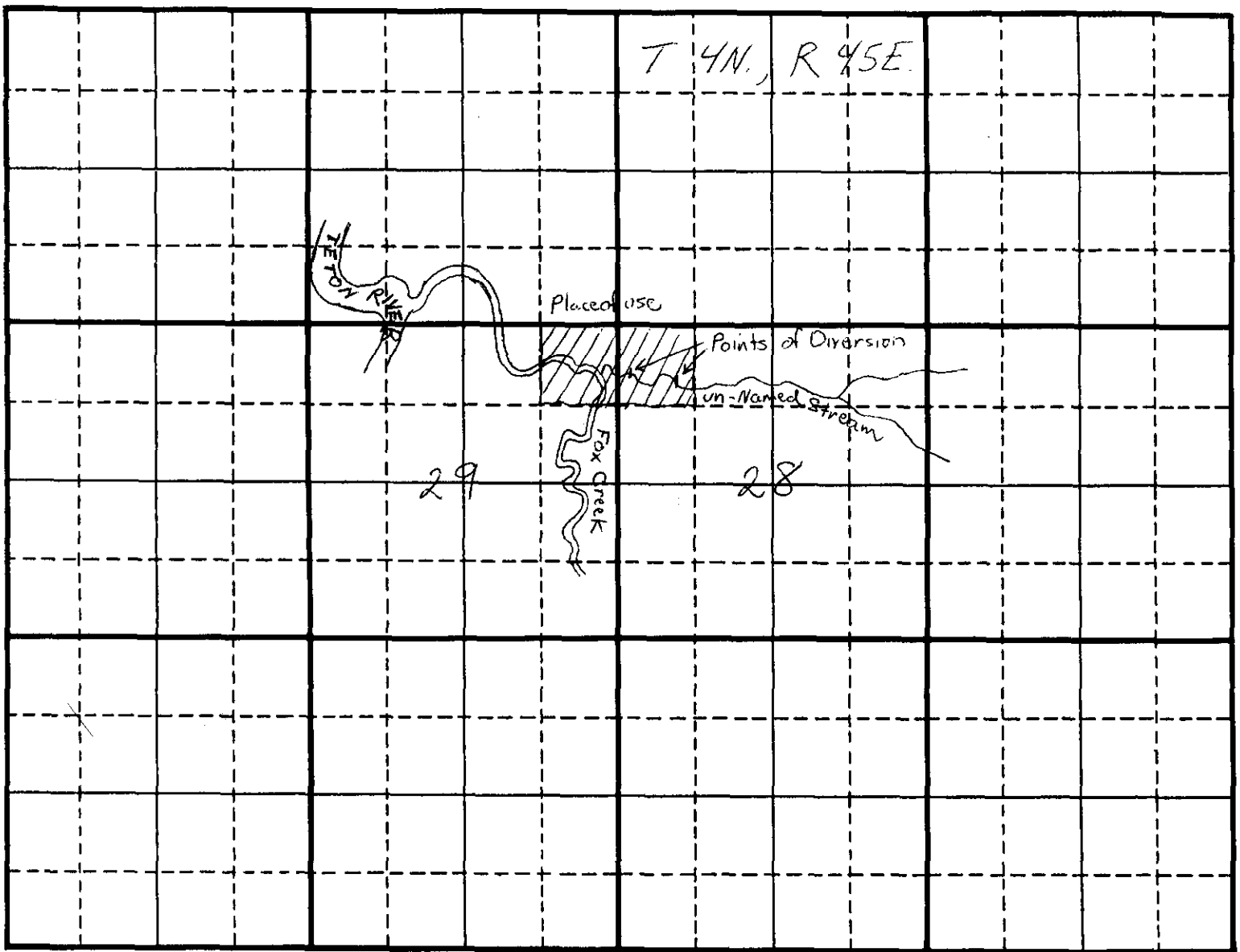
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

MICROFILMED

(8) Remarks _____



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 Teton) 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 9th day of October, 1980.

(seal)

Earl G. Sewel, Notary Public
My Commission Expires July 1, 1991

Notary Public

Residing at

Vernal Foster
(Claimant) Vernal Foster

Earl G. Sewel

2111 S

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by KW Date 10/16/80 Exception filed by: _____ Date _____
Prelim. check by NWS Date 10-20-80 Forwarded to claimant by: _____
30. \$20.00 fee received by KW Date 10/20/80 #16047
Published in Teton Valley News
Dates 10/30 & 11/06/80

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Teton)

I, Sharon Hastings
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
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of 22-4044 & 22-4045

Vernal Foster

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 30 day of Oct, 1980
and last publication on the 6 day
of Nov, 1980

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.

Sharon Hastings

Subscribed in my presence and
sworn to before me this 10th day of
Nov, 1980
(SEAL) Notary Public for the state
of Idaho, residence and postoffice
address, Driggs, Idaho.

Michael C. Stabauer
My Commission expires
July 7, 1982

**NOTICE OF CLAIM 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:

22-4044 *ok kw*

Foster, Vernal.
Swan Valley, Idaho 83449.
Source: Unnamed Stream tribu-
tary to Fox Creek.
Priority Date: 04/01/1920.
Amount: 1.00 CFS,
Diversion Point: NWNW Sec 28

T04N R45E, Teton County.
Use: Irrigation (1.00 CFS) from
04/01 to 10/01.
Place of Use: NWNW Sec 28
T04N R45E NENE Sec 29 T04N
R45E for 80 acres.
Diversion Means: Dam and
ditch.

22-4045 *ok kw*

Foster, Vernal.
Swan Valley, Idaho 83449.
Source: Spring tributary to
Sorensen Creek.
Priority Date: 04/01/1920.
Amount: 1.01 CFS.
Diversion Point: SENE Sec 20
T04N R46E, Teton County.
Use: Irrigation (1.00 CFS)
from 04/01 to 10/01. Stockwater
(0.01 CFS) from 01/01 to 12/31.
Place of Use: NENE NWNE Sec
19 T04N R46E for 80 acres.
Diversion Means: Ditch.

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 1515 Lincoln
Road, Idaho Falls, Idaho 83401.

C. Stephen Allred
Director

Published in the Teton Valley
News October 30 and November 6,
1980.

RECEIVED

NOV 14 1980

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: SKP

Right Number 22 4044 Applicant Vernal Falls

NOTE: 22-4044
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.
- 11/17

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date 11-14-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Harveer Date 11/20/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

NOVEMBER 17, 1980

VERNAL FOSTER
SWAN VALLEY

ID 83449

RE: Claim No. 22-4044

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

MICROFILMED

October 22, 1980

RE: Claims to Water Rights Nos. 22-4044 and 22-4045

Vernal Foster
Swan Valley,
Idaho 83449

Dear Mr. Foster:

Attached herewith is Departmental Receipt No. 16047 in the amount of \$60.00
for the above referenced claims.

Sincerely,

KAY WALKER
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

OCTOBER 22, 1980

Teton Valley News
Driggs,
Idaho 83422

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 NOVEMBER 17, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 10/30 & 11/06/80.

MICROFILMED

22-4044-

FOSTER, VERNAL

SWAN VALLEY, ID 83449

Source: UNNAMED STREAM tributary to FOX CREEK

Priority Date: 04/01/1920

Amount: 1.60 CFS

Diversion Point: NWNW Sec 28 T 04N R 45E, TETON Co.

Use: IRRIGATION (1.60 CFS) from 04/01 to 10/01

Place of Use: NWNW Sec 28 T 04N R 45E NENE Sec 29 T 04N R 45E
FOR 80 ACRES

Diversion Means: DAM & DITCH.

MICROFILMED