

11/15/2006

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

RIGHT NUMBER: 22-34A

NAME AND ADDRESS: RANDY A BURNSIDE
100 W 200 S
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T04N R44E S1 NESWSE Within TETON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.600 CFS

PLACE OF USE:

IRRIGATION in TETON County

T04N R44E S01 Lot 3 NENW

13.00

T04N R44E S01

SENW

7.10

20.1 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 - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

22-34A

(Irrigation)

Legend

Place of Use

Townships

PLS Sections

Quarter Quarters



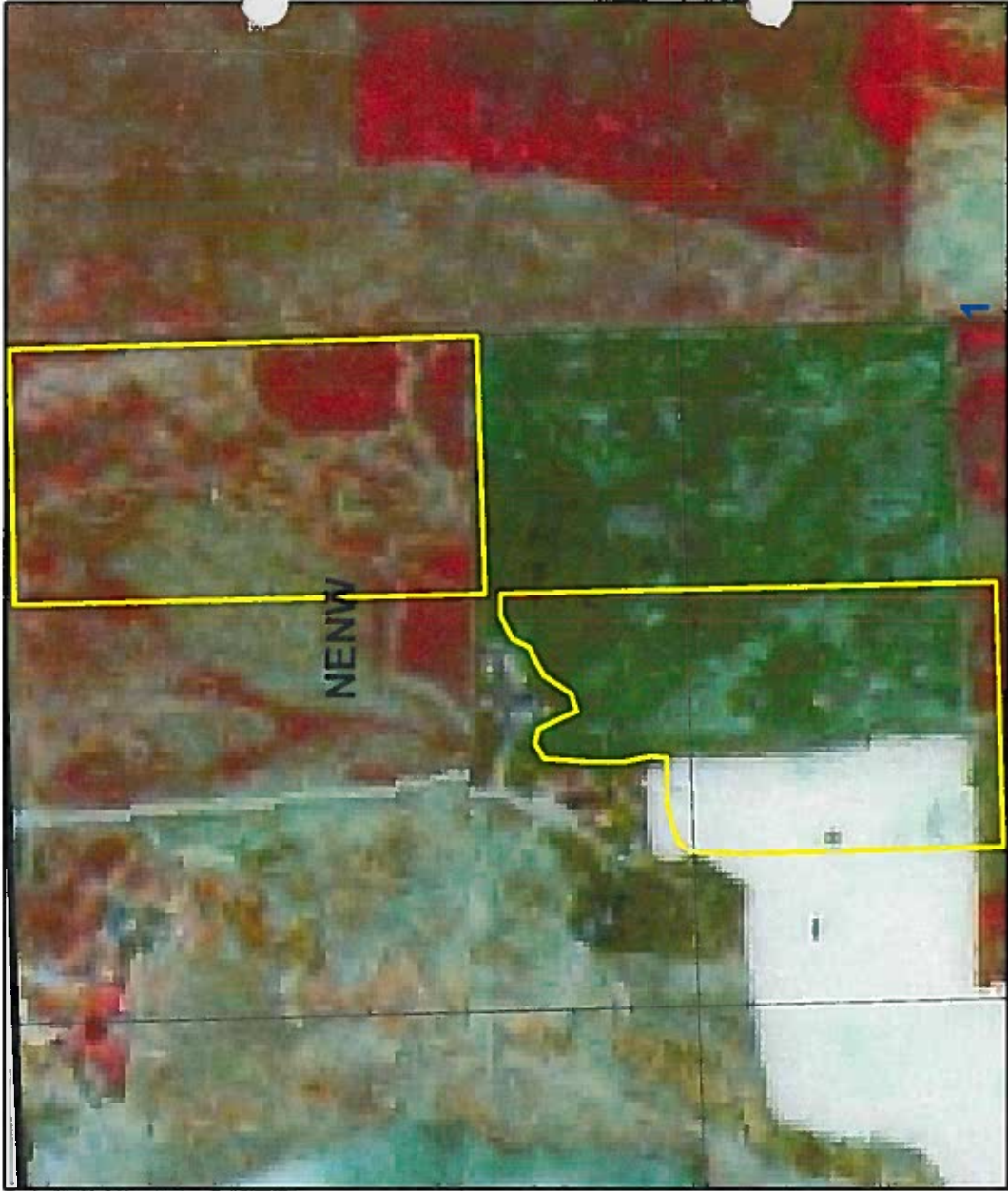
Teton County
IDWR Basin 22



R44E

NENW

T04N



0 0.1 0.2 Miles



Owner: Randy A Burnside

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by C. Moore
On Wednesday, November 15, 2006
1987/88 Aerial Photography

-34 B
-34 C
-34 D
Claim no. 22-34E

Claimant Contact Log

Date	Remarks	Agent initials
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		JWJ
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	I went on-site with Neil Furniss. The Furniss family own most of the NW 1/4 of Sect 1 T4N R44E & farm it as a unit under a tenant farmer.	
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	Map "A" shows the ground as it now is. All the farmed area appears land leveled. Nick Olson did an earlier field exam for the P.O.D on Mahogany Creek & stated that the pad is different than the claim.	
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	The original old ditch no longer functions but Neil said it did in 1987. The family is hoping to re-establish the ditch if Decrees are recommended.	
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	Since land has a dramatic different look when compared to 1987 air photo, Asst. in charge of recommend will have to decide which maps are best to use for P.O.D.	
--	--	--

AN 17

SN 5

See New

MAP "A"

4N 244E
NNW

4

← Z

110
Hous
sit

Ditch came
into property
line.

of section 27 in township 5 north, range 44 E.B.M., and the plaintiff; or his predecessors in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 3.2 cubic feet per second or 160 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights filed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XXVIII.

That the plaintiff, William Furnace, is the owner of or has an estate in the following described lands, to-wit:

Lots 3 & 4; S $\frac{1}{2}$ NW $\frac{1}{4}$ of section 1, in township 4 north, range 44 E.B.M.,

160 Acres

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 1, in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 6.4 cubic feet per second or 320 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights filed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XXIX.

That the plaintiff, George Furnace, is the owner of or has an estate in the following described lands, to-wit:

Lot 3 and the NE $\frac{1}{4}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ of section 31 in township 4 north, range 45 E.B.M.,

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 31 in township 5 north, range 45 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since

22-0034
HARVESTED 6.4 CFS
TO ONLY 20 OF THE
160 ACRES
AND 200 ACRES

22-0035

100
121 acres.

* 190⁰⁰

Sign
Notarized

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 22-34A
Date Received: 3/2/2004
Receipt No: ED32400
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RANDY A BURNSIDE Phone: (208)354-8159
100 W 200 S
DRIGGS ID USA 83422

RECEIVED

NOV 13 2006

Department of Water Resources
Eastern Region

2. Date of Priority: 01/22/1916

3. Source: MAHOGANY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	44E	12	SW NW SE	TETON	

5. Description of diverting works:

DITCH OUT OF CREEK FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15 10/31	1.84	

7. Total Quantity Appropriated is:

1.84 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	44E	1	NE NW 3	IRRIGATION	15
			NW NW 4	IRRIGATION	23
			SE NW	IRRIGATION	7

Section Acres 45
Total Acres 45

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:

14. Remarks:

15. Basis of Claim: Decreed

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 X do not do 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): Candy G. Jernside Date: 11-10-2006

Date: _____

State of Idaho)
County of TETON) SS.

Subscribed and sworn (or affirmed) before me this 10th of NOVEMBER 2006

Michelle Cain

Notary Public

Residing at Teton ID

My commission Expires 9-18-12

MICHELLE CAIN
Notary Public
State of Idaho