

11/15/2006

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

RIGHT NUMBER: 22-34B

NAME AND ADDRESS:

NEIL FURNISS
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

DON E FURNISS
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

MARGIE MAE HANSEN
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

JAMES E FURNISS
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

MARILYN MARSHALL
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

GARY DEAN FURNISS
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

NELDA KAY BURNSIDE
PO BOX 1020
DRIGGS ID 83422
Telephone Number: (208)354-3565

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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	7.00
20 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

Adjudication Recommendation Report 22-34B V1

WATER RIGHT NUMBER: 22-34B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEIL FURNISS PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	DON E FURNISS PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	MARGIE MAE HANSEN PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	JAMES E FURNISS PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	MARILYN MARSHALL PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	GARY DEAN FURNISS PO BOX 1020 DRIGGS, ID 83422 (208)354-3565
Current Owner	NELDA KAY BURNSIDE PO BOX 1020 DRIGGS, ID 83422 (208)354-3565

Priority Date: 01/22/1916

Basis:

Status:

<u>Source</u>	<u>Tributary</u>
MAHOGANY CREEK	TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.500 CFS	
	<u>Total Diversion:</u>	1.500 CFS	

Location of Point(s) of Diversion

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-34B V1

MAHOGANY CREEK
TETON County

NE1/4SW1/4SE1/4

Sec. 1, Twp 04N, Rge 44E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	44E	1	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	20.0
																			20.0

Total Acres: 20

Conditions of Approval:

1. P.O.D. INCORRECT IN DECREE. J. ERWIN INGERITED THIS PORTION OF RIGHT FROM FATHER.

Remarks:

Comments:

Water Supply Bank:

~~P.O.D.~~
~~P.O.D.~~
 .08 cfs / acre
 6.4 cfs
 20 acres - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

22-34B

(Irrigation)

Legend

	Place of Use
	Townships
	PLS Sections
	Quarter Quarters



Teton County
IDWR Basin 22

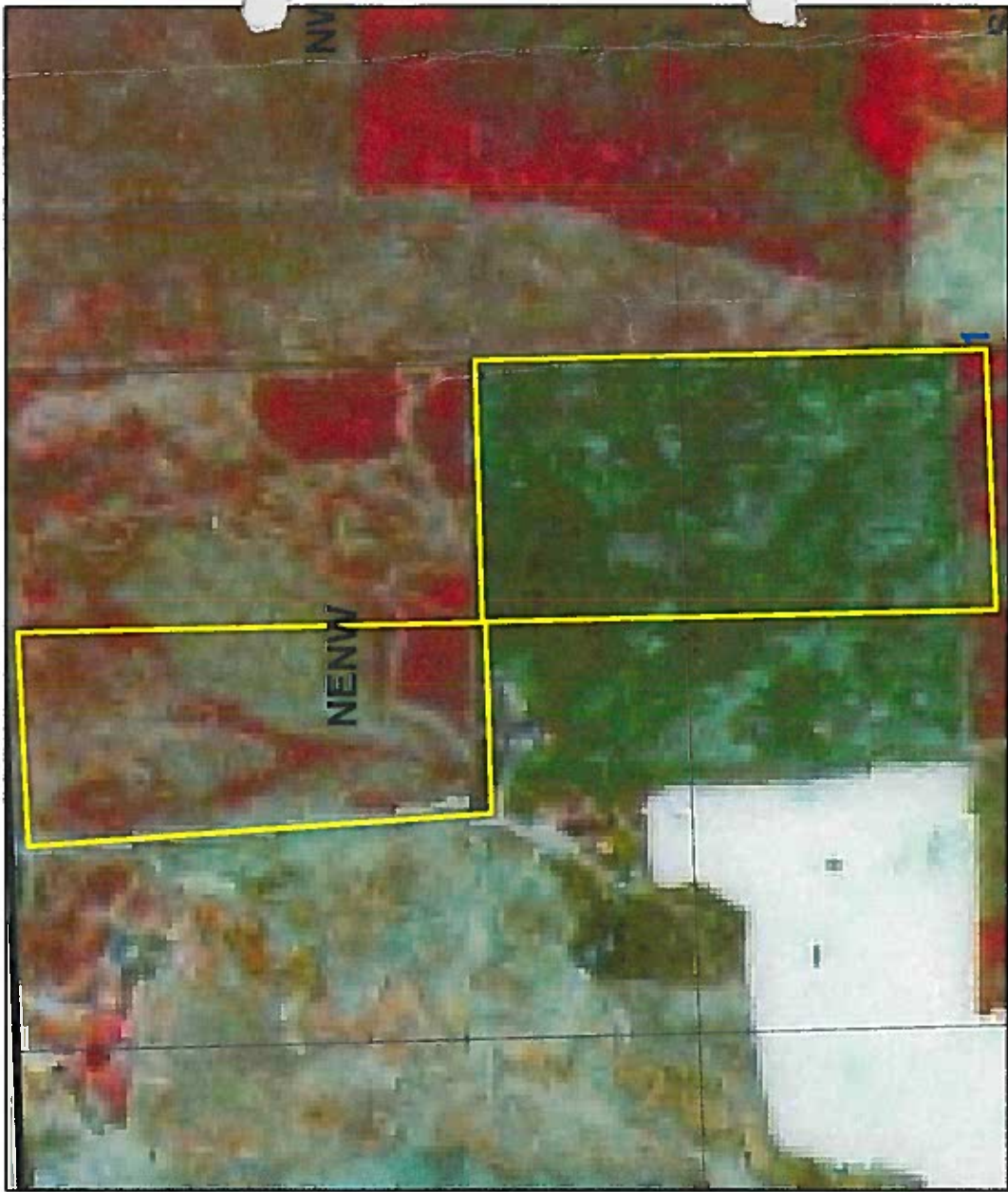
Prepared by C. Moore
On Wednesday, November 15, 2006
1987/88 Aerial Photography

R44E

NENW

NW

T04N



0 0.1 0.2 Miles



Owner: Neil Furniss

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

-34 B
-34 C
-34 D

Claim no. 22-34E

Claimant Contact Log

Date 11-10-2006 Remarks Agent initials

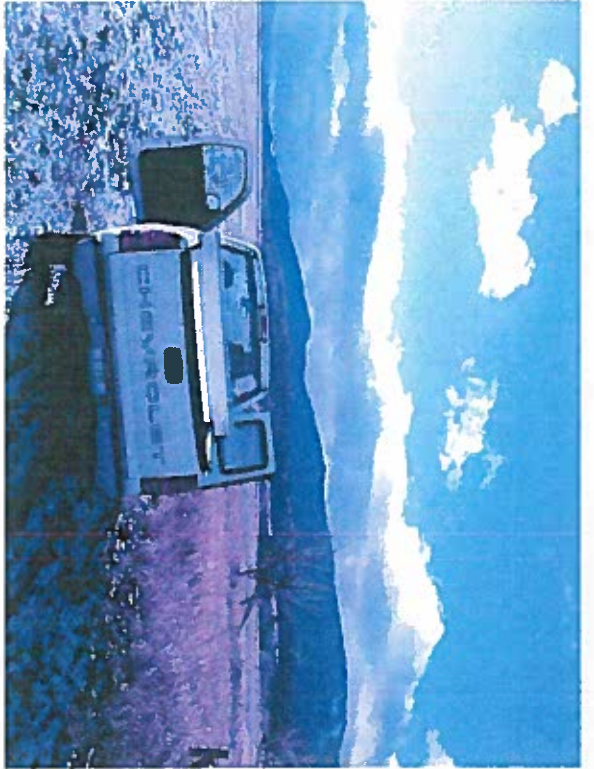
DLJ

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.

Map "A" shows the ground as it now is. All the farmed area appears land leveled. Nick Olson did an aerial field exam for the P.O.D on Mahogany Creek & stated that the pad is different than the claim.

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.

Since land has a dramatic different look when compared to 1987 air photo, Agents in charge of recommend will have to decide which maps are best to use for P.O.D.

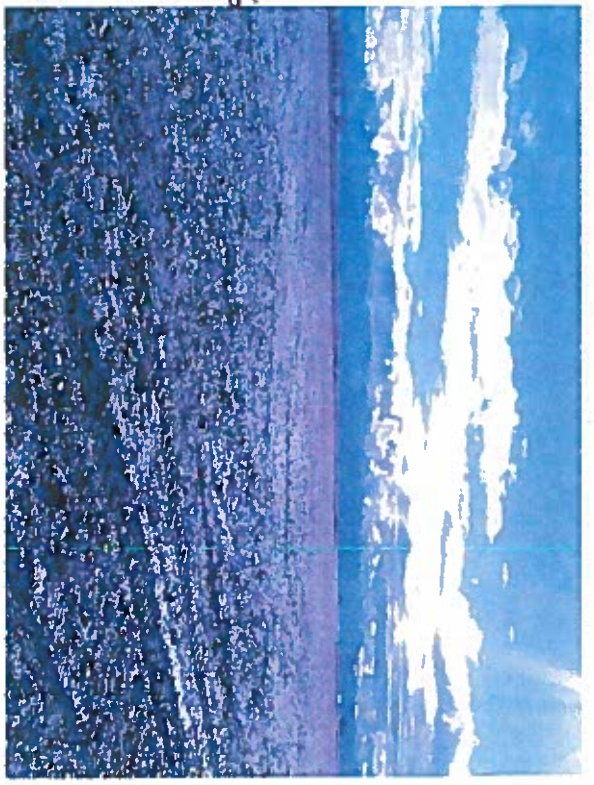


22-343
-100

P.O.U.

glf

11-10-2006

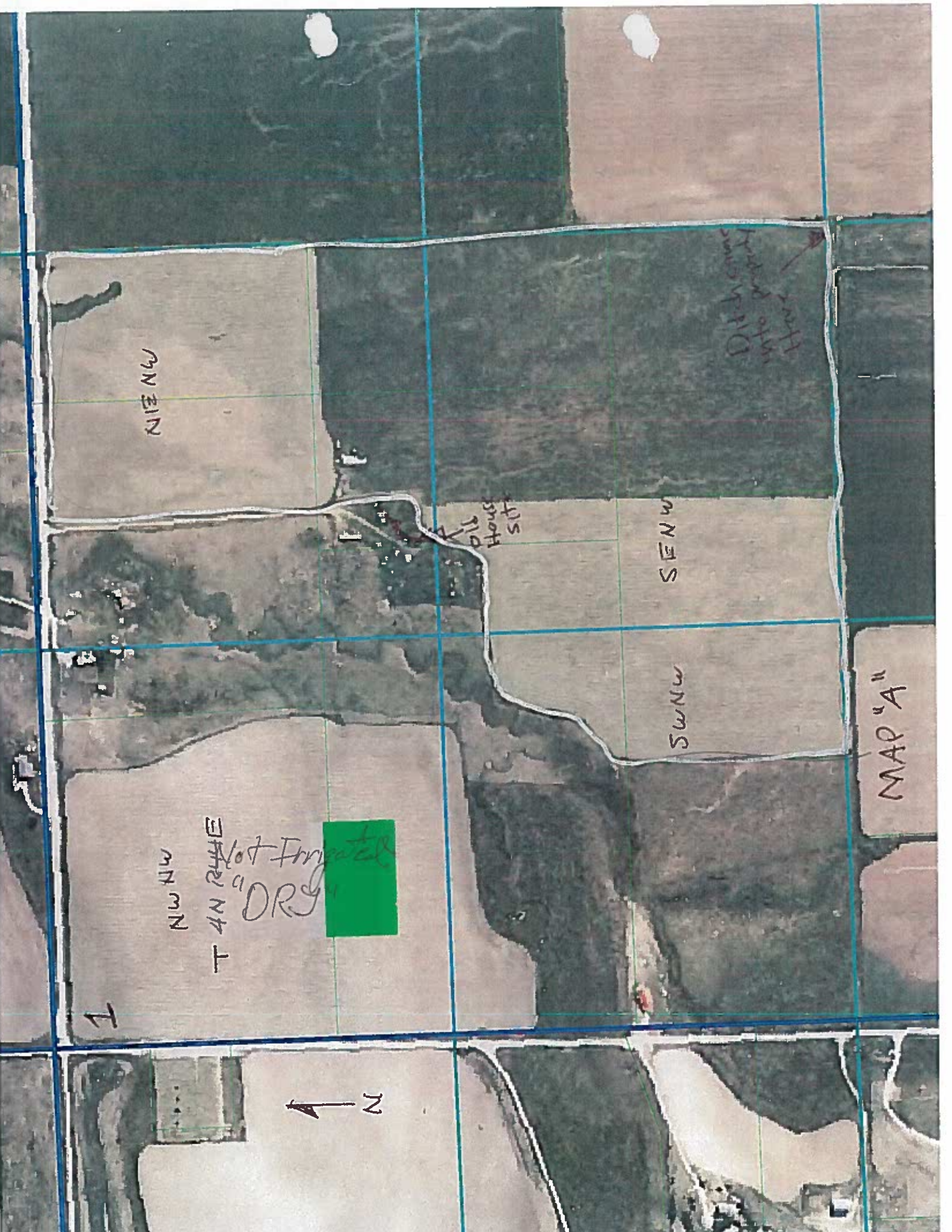


All fields, looking South



Old House - looking South





NW 1/4

SE 1/4

SW 1/4

MAP "A"

NW 1/4

T 4N R11E

Not Irrigated
DRG

Oil House site

Ditch came into property here



Claim no. _____

Claimant Contact Log

Date Remarks Agent initials

Randy Burnside 454 2005 Drigs 83401
~~205-585-0025~~ 354-8159

Neil Furniss 354 3565 + 35647

FAX

4.9 CFS NOT CLAIMED
Why + Where is water

NEIL FURNISS IS SON OF ERWIN WHO
PAST AWAY LAST SUMMER. + ALSO THE
ADMINISTER OF THE ESTATE.

THE POD IS INCORRECT. ON THIS CLAIM
THE POINT AS IT IS CLAIMED COULD NOT
IRRIGATE THE POU FROM THE ADDITIONAL REYBURG DECREE.
THE POD IS IN SEC 12 SW 1/4

ALSO IN THE REYBURG DECREE. THE POU
WAS DECREEED THE SOUTH 1/2 OF THE NW 1/4

THIS CLAIM WILL NEED TO BE AMENDED
FOR POD. NOT CLAIMED ALL THE WATER OR ALL
THE IRRIGATED LAND.
MET WITH NEIL FURNISS AFTER
TALKING TO HIM HE FELT LIKE HE SHOULD
AMEND THIS CLAIM. HE IS A TAX
ACCOUNTANT AND DIDN'T THINK HE WOULD
HAVE THE TIME TO DO THAT UNTIL AFTER
APRIL 15. 06. I TOLD HIM I DIDN'T
THINK THAT WOULD BE A PROBLEM.

Wend Olson 6.15.06

TRAY # 13802

BATES

A2200034B

Water Right No(s)



GPS DATA:

Tag # A0013801 Location: ON Concrete Structure

Diversion Data:

Source: MAHOGANY CREEK Trib to: TETON RIVER

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

Water is Diverted into this Irrigation Pod
Ditch Down to Pod where they flood Irrigate
claim Aired To Be Amended Has Claimed
Wrong pod. NOT All The Acres. + NOT All
the Water Contac Neil Furniss

Field Exam Date: 8-15-06 Agent: NICK OLSON



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 10, 2006

NEIL J FURNISS ET AL
PO BOX 1020
DRIGGS ID 83422

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-34B

Dear Claimants:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 29 2006

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-34 B				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
Gift Deed, Special Power of Attorney.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

J Erwin Furniss & Lola M Furniss.

4. New Owner/Claimant(s)

Neil J Furniss, (see additional claimants
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or listed below.)

New Mailing Address

P.O. Box 1020

City, State and ZIP Code

Driggs ID 83422

New Telephone Number

(208) 354-3565

5. Date you acquired the property

1991.

Don E Furniss
Margie Mae Hansen
James E Furniss
Marilyn Marshall
Gary Dean Furniss
Nelda Kay Burnside

RECEIVED

SEP 29 2006

Department of Water Resources
Eastern Region

POWER OF ATTORNEY

SPECIAL

KNOW ALL MEN BY THESE PRESENTS: THAT

Don Furniss, Margie Hansen, Jim Furniss, Nelda Burnside, Marilyn Marshall
and Gary Furniss

, the undersigned (jointly and severally if more than one), hereby makes, constitutes and appoints his (their) true and lawful attorney for him(them) and in his (their) name, place and stead and for his (their) use and benefit:

Neil Furniss

(a) To EXECUTE, ACKNOWLEDGE AND DELIVER CONTRACTS OF SALE, ESCROW INSTRUCTIONS, DEEDS, LEASES INCLUDING LEASES FOR MINERALS AND HYDROCARBON SUBSTANCES AND ASSIGNMENTS OF LEASES, COVENANTS, AGREEMENTS AND ASSIGNMENTS OF AGREEMENTS, MORTGAGES AND ASSIGNMENTS OF MORTGAGES, CONVEYANCES IN TRUST TO SECURE INDEBTEDNESS OR OTHER OBLIGATIONS, AND ASSIGN THE BENEFICIAL INTEREST THEREUNDER, SUBORDINATIONS OF LIENS OR ENCUMBRANCES, BILLS OF LADING, BILLS, BONDS, NOTES, RECEIPTS, EVIDENCES OF DEBT, RELEASES AND SATISFACTIONS OF MORTGAGES, REQUEST TO RECONVEY DEEDS OF TRUST, PARTIAL OR FULL, JUDGEMENTS AND OTHER DEBTS, WATER RIGHTS AND OTHER INSTRUMENTS IN WRITING OF WHATEVER KIND AND NATURE, ALL UPON SUCH TERMS AND CONDITIONS AND UNDER SUCH COVENANTS AS SAID ATTORNEY SHALL APPROVE.

GIVING AND GRANTING unto his said attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary, or appropriate to be done in and about the premises as fully to all intents and purposes as he (they) might or could do if personally present, hereby ratifying all that his (their) said attorney shall lawfully do or cause to be done by virtue of these presents.

Wherever the context so requires, the masculine gender includes the feminine gender and/or neuter, and the singular number includes the plural.

WITNESS his hand this 23 day of September, 2006.

[Signature]

Nelda Burnside

Margie Hansen

[Signature]
Jim Furniss
Gary Furniss

Marilyn Marshall

STATE OF IDAHO
COUNTY OF BANNOCK

On the 23 day of September, in the year 2006, before me, a Notary Public, in and for said County, personally appeared,

Don Furniss, Margie Hansen, Jim Furniss, Nelda Burnside, Marilyn Marshall and Gary Furniss

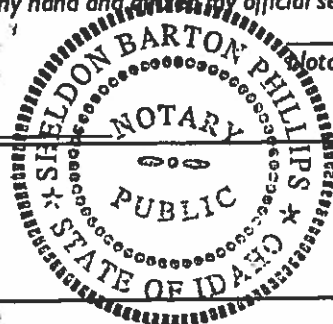
known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (they) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public

Residing in: Pocatello Idaho

My commission expires 10-11-2011



RECEIVED

155346 WARRANTY DEED

GIFT DEED

JUN 12 2003

For Value Received

CLERK RECORDER JOSEPH ERWIN FURNISS AND LOLA M. FURNISS, HUSBAND AND WIFE

the grantor, do hereby grant, bargain, sell and convey unto DON E. FURNISS, MARGIE MAE HANSEN, JAMES E. FURNISS, NEIL J. FURNISS, MARILYN JUNE FURNISS, GARY DEAN FURNISS
FOR LOVE AND AFFECTION NELDA KAY BURNSIDE

the grantee's, whose current address is 171 MAPLEWOOD, POCATELLO, ID. 83204

the following described premises, in TETON County Idaho, to-wit:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, THEIR heirs and assigns forever. And the said GrantorS do hereby covenant to and with the said GranteeS, that They ARE the owner S in fee simple of said premises; that they are free from all incumbrances

and that They will warrant and defend the same from all lawful claims whatsoever.

Dated:

Joseph Erwin Furniss
JOSEPH ERWIN FURNISS

Lola M. Furniss
LOLA M. FURNISS

STATE OF IDAHO, COUNTY OF

On this 31 day of August, 1993, before me, a notary public in and for the said State, personally appeared

JOSEPH ERWIN FURNISS AND LOLA M. FURNISS

known to me to be the personS whose name S ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.

Notary Public Seal
Notary Public
Residing at *Idaho*, Idaho
Comm. Expires 10-6-99

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at this minutes past o'clock M.,
day of

in my office, and duly recorded in Book

Instrument # 155346

DRIGGS, TETON, IDAHO

2003-06-12 11:18:48 No. of Pages: 2

Recorded for: NEIL FURNISS Ex-Officio Recorder

NOLAN G. BOYLE Fee: 6.00

Ex-Officio Recorder Deputy *N. Burnside*

By *NEIL FURNISS* DEED WARRANTY Deputy.

Fees \$

Mail to:

155346

Attachment A:

Legal Description of Gifted Property
By Erwin and Lola Furniss

Beginning at the NE corner of the NW $\frac{1}{4}$ of Section 1, Township 4 North, Range 44 E.B.M., and running thence south 57 and $\frac{2}{10}$ (57.2) rods, west 160 rods more or less; north 57.2 rods, east 160 rods more or less to the place of beginning, containing 57.2 acres more or less, less the road right of way.

Plus: Beginning at a point 57.2 rods South and 30.64 rods West from the NE corner of the NW section corner of Sec 1 T4N R44E, BM, TC, Idaho, and running thence South 55.7 rods; thence West 30.64 rods; thence North 55.7 rods; thence 30.64 rods to the point of beginning containing 10.9 acres more or less.

Less: Beginning at the NE corner of the NW $\frac{1}{4}$ of Sec 1 T4N R44E, BM, TC, Idaho, and running thence South 57.2 rods, thence West 30.64 rods; thence North 57.2 rods; thence East 30.64 rods to the point of beginning containing 10.9 acres more or less, less the road right of way.

Less: Beginning at the NW Corner of the NW $\frac{1}{4}$ of Section 1, Township 4 North, Range 44 East, Boise Meridian, Teton County, Idaho and running thence South 57.2 rods; thence East 67.13 rods; thence North 57.2 rods; thence West 67.13 rods to the place of beginning: Containing 24 acres more or less, less the road right of way.

Barry H. H.

70
Original
P.O. #
Now owned
by Sherrill

↑
Oxidant
Hemite

17 June 1961

Contacts Data Entry Form

22 000 3413

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner J ERWIN + LOLA M FURNISS

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

DACKED under F C GILLETTE VS W CRANDALL 5 DEC 1939
DACKED under 2200034 To William FURNACE.

MISSING 4.9 CFS WATER FROM THIS DACKIE
WHERE. IS IT.

FID POD/POU COVERAGE SYSTEM.

Reviewer: _____

Date: _____

651
5 11
25
25

Not claimed at this time

A 0200034 William Furniss
(6.4 CFS) 320 in. Priority 1-22-1966

P.O.D. SE 1/4 SW 1/4 Sec 1.

POU lot 344 S 1/2 NW 1/4 Sec 1

A 0200034B JERWIN FURNISS
(1.5 CFS) 75"

P.O.D. NE SW SE

POU lot # ?

Priority Date Data Entry Form

Claim Number: 2200034 B

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JAN 22 1916 Claimed Basis: DACREEDRecommended Priority Date: JAN 22 1916 Recommended Basis: DACREED☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Matches Dacreed

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 4N, R 4NE, Sec. 1, NE, SW, SE. County: TETONSource: MOHOGANY CREEK Tributary: TETON RIVER.

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? CPS. Tag # A0013801

Document how the POD and Source were verified and/or Pump and Motor data:

CLAIMS / MOHOGANY CREEK. NE 1/4 SW 1/4 SE 1/4 ?
DACRED / MOHOGANY CREEK SE 1/4 SW 1/4 ?
(which is. Right)

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
4N	4NE	1	NE	NW	Teton	3	20	Irrigation

Total Acres 20

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Claim. 20 AC. NE 1/4 NW 1/4 ?
 Dacre 5 1/2 NW 1/4 ?
 where IS Right.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
irrigation	4/15	10/15	1.5	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

DACKEE NO 504
IDWR. STD 4/15 To 10/31

Reviewer: _____

Date: _____

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

115

67 1/2

67 1/2

45

Boos

160

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer _____ Date _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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.,

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.

22 0034 25. That the plaintiff, William Furnace, is awarded the right to the use of 6.4 cubic feet per second or 320 miners inches of the waters of Mahogany Creek, with priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXVIII of the Findings of Fact.

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: A22-00034B
Date Received: 5/19/1988
Receipt No: 6000230

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. ERWIN FURNISS 208-354-2513
Address: 577 WEST 100 SOUTH
DRIGGS, ID 83422

AND/OR

Name: LOLA M. FURNISS 208-354-2513
Address: 577 WEST 100 SOUTH
DRIGGS, ID 83422

2. Date of Priority: JAN 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
04N	44E	1	NE	SW	SE		TETON

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.500		

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00034B

Page 1

Date: 05/19/88

MICROFILMED
NOV 04 1992

A2200034B



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	44E	1	NE NW	3	IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:
NONE

14. Remarks:
P.O.D. INCORRECT IN DECREE. J. ERWIN INGERITED THIS PORTION
OF RIGHT FROM FATHER.

15. Basis of Claim: DECREED
Water Right Number: 220034
Case Number:
Court :
Decree date: 12/07/1938

F. C. GILLETTE
Decree Plaintiff

vs

LYNN CRANDALL, W. M.
Decree Defendant

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 _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 02

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): J. Edwin Furness Date: 5.19-88

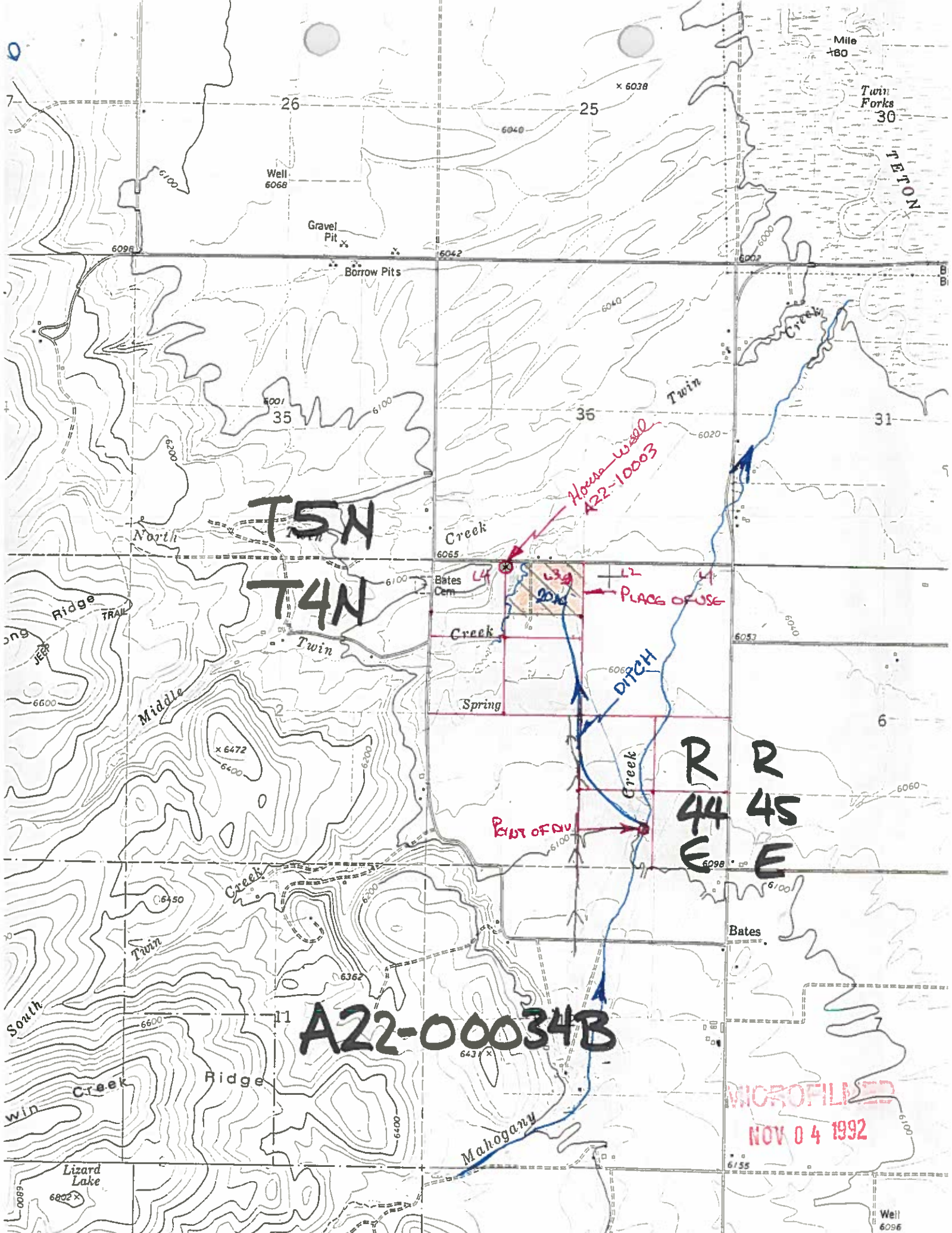
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of May 19 88 Daleen W. Kraf
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991



T5N
T4N

R 44 E
R 45 E

A22-00034B

House wall
A22-10003

PLACE OF USE

POINT OF DIV

DITCH

MICROFILMED
NOV 04 1992

Well
6096

of section 17 in township 4 north, range 44 N.B.M., and the plaintiff, on and after the 22nd day of January, 1916, has so diverted 5.4 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 fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

FOURTH.

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

Lots 3 & 4, SW¹/₄ of section 1, in township 4 north, range 44 N.B.M.,

and is the owner of a ditch through which he conveys water from Mangany Creek, with the point of diversion located in the SE¹/₄SW¹/₄ of section 1, in township 4 north, range 44 N.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 5.4 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 fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

FIFTH.

That the plaintiff, George Furnace, is the owner of or has

MICROFILMED

NOV 04 1992