

11/15/2006

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

RIGHT NUMBER: 22-34C

NAME AND ADDRESS: NEIL FURNISS
PO BOX 1020
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.900 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	1.900 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R44E S01 Lot 4 NWNW	9.20	T04N R44E S01 SWNW 11.00
	T04N R44E S01 SENW	3.10	
	23.3 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:

22-34C
(Irrigation)

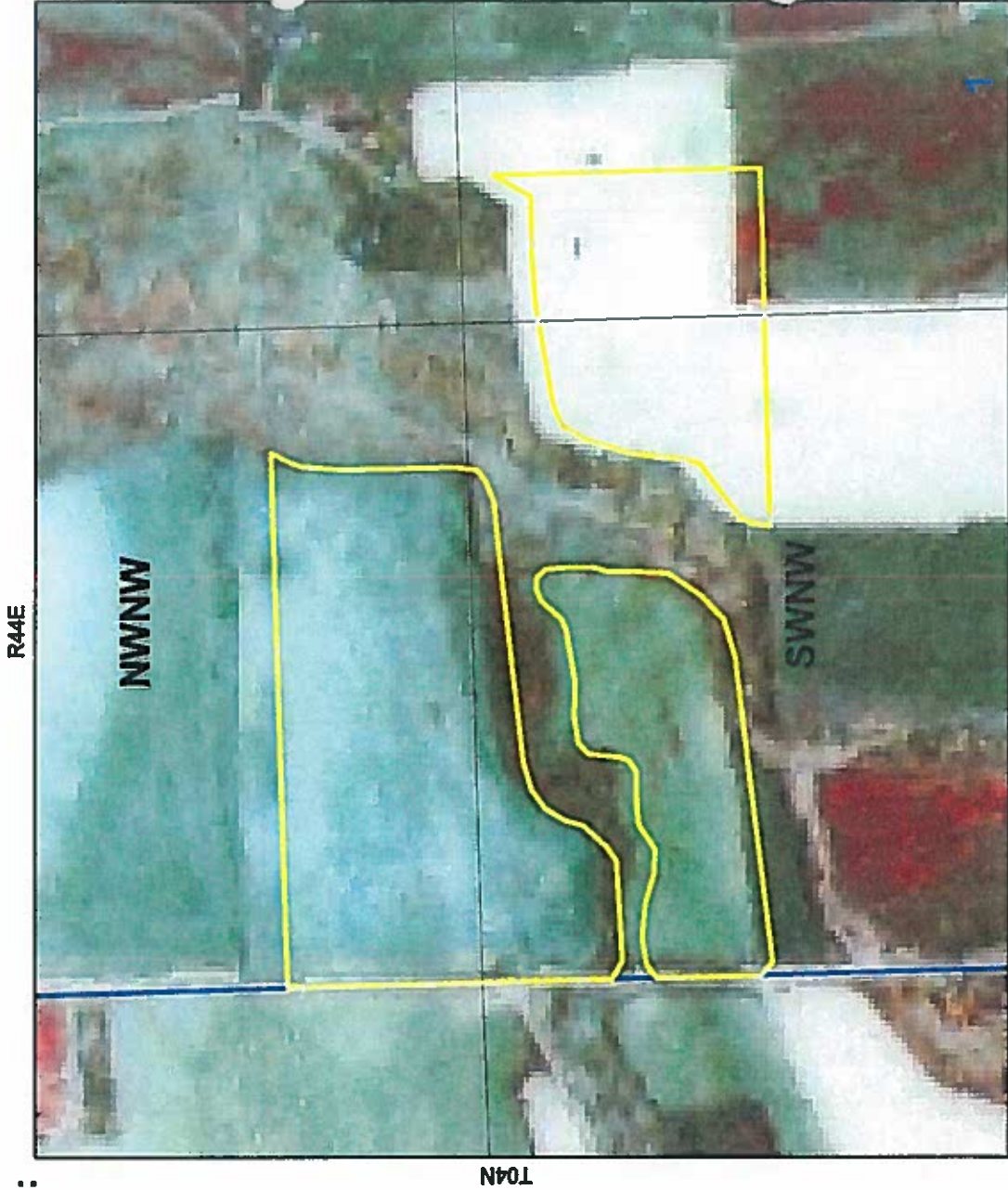
Legend

	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



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.

Sec 1

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

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

Handled by CFS
for only 80 Acres

22-0035

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 22-34C
Date Received: 3/2/2004
Receipt No: E032272
Received By: MHOLLIDAY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEIL FURNISS Phone: (208)354-3565
P O BOX 1020
DRIGGS ID USA 83422

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	1	SW NW SE	TETON	

5. Description of diverting works:

CREEK TO DITCH 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	1.48	

7. Total Quantity Appropriated is:
1.48 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	NW NW	IRRIGATION	12
			NE NW	IRRIGATION	2.6
			SW NW	IRRIGATION	18
			SE NW	IRRIGATION	4.1

Section Acres 36.7
Total Acres 36.7

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:

AWAITING PAYMENT AND SIGNATURE OF CLAIMANT.

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

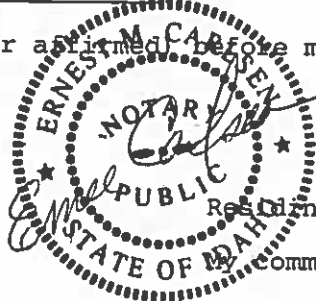
Signature of Claimant(s): Neil J. Turners Date: 9/29/06

_____ Date:

State of Idaho

County of Bannock)
SS.

Subscribed and sworn (or affirmed) before me this 29th of September, 2006
of _____ 20__ Ernest M. Olsen



Notary Public

Residing at Idaho Falls ID

Commission Expires 8-14-2009