

11/15/2006

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

RIGHT NUMBER: 22-34D

NAME AND ADDRESS: BUD M FURNISS
RT 3 BOX 227
RUPERT ID 83350

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.200 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	1.200 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T04N R44E S01 SWNW 7.50	T04N R44E S01 SENW 7.20	
	14.7 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED

JAN 22 2007

Department of Water Resources
Eastern Region

[] Water Right Number(s): 22 - 340

[] Name(s): _____

[] Old Mailing Address: Bud M Furniss

1100 N 550 E

Rupert Ida 83350

[] New Mailing Address: 550 E 1100 N

Rupert Ida 83350

*NCAP already
done*

*1-8-07
gc*

Telephone Number: (208) 531 - 5306

[] Signature(s) of Owner(s) Bud M Furniss

(Include your title if on behalf of company or organization)

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

January 16, 2007

C. L. "BUTCH" OTTER
Governor

KARL J. DREHER
Director

BUD M FURNISS
550 E 1100 N
RUPERT ID 83350

RE: CHANGE OF ADDRESS FOR 22-34D

Dear Mr. Furniss:

Please fill out the enclosed change of address form and mail back to me. We need signed permission to update your address in our database.

Sincerely,


Jennifer Crabtree
Technical Records Specialist

Enclosure

POST OFFICE
EASTERN REGIONAL OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

550 E. 1100 N.

 RETURNED FOR
BETTER ADDRESS

BUD M FURNISS
RT 3 BOX 227
RUPERT ID 83350

★ ★ ★
★ ★ ★
PITNEY BOWES
U.S. POSTAGE
1111
8952 00.630 JAN 05 20
7984 MAILED FROM ZIP CODE 834

 RETURNED FOR
BETTER ADDRESS

22-34D
D.R.

RECEIVED
JAN 09 2007
Department of Water Resources
Eastern Region



Idaho Department of Water Resources

SRBA Recommendation:

22-34D

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22

Prepared by C. Moore
On Tuesday, November 14, 2006
1987/88 Aerial Photography

R44E



T04N

0 0.2 0.4 Miles

Owner: Bud M 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

ILVJ

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 earlier 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.



NW NW

SE NW

SW NW

NW NW

T 4N R 44E

MAP "A"

Ditch came
into property
here

Oil
House
site

N



22-3413
-1-0E

P.O.U.

26J

11-10-2006



All fields, looking South



Old House - looking South



Claim no. _____

Claimant Contact Log

Date Remarks Agent initials

Randy Burnside 4541 2005 Drigs 83401

~~305-335-0985~~ 354-8159

Neil Furniss 354 3565 + 35647

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 ARLINGTON 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 OF
NEIL 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

Tag # 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 Pond
Ditch Down to Pond where they flood Irrigation
claim area To be Amended Has Claimed
Wrong P.D. NOT ALL THE ACRES + NOT ALL
THE WATER CONTACT NEIL FURNISS

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



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 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

Handwritten 6.4 cfs
to owner 80 of the
160 Acres
108 per acre
for 200

22-0035

#12940 Bud

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 22-34D
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)

BUD M FURNISS Phone: (208)531-5306
RT 3 BOX 227
RUPERT ID USA 83350

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	0.6	

7. Total Quantity Appropriated is:

0.6 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	SW NW	IRRIGATION	7.5
			SE NW	IRRIGATION	7.2
				Section Acres	14.7

Total Acres 14.7

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

Number of attachments: NONE

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): Bud M. Furniss Date: 12-2-04

_____ Date:

State of Idaho _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this
of Dec 2004

Bud M. Furniss

Lilly Haux
Notary Public

Residing at Rupert

My commission Expires 8-14-2010

