

10/05/2006

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

RIGHT NUMBER: 22-35

NAME AND ADDRESS: OREN C FURNISS
67 S 500 W
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 5.800 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T04N R44E S1 NESWSE Within TETON County

T05N R45E S31 NWNWSW Lot 3 Within TETON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	5.800 CFS
PLACE OF USE:	<u>IRRIGATION Within TETON County</u>		
	T05N R45E S31 NESW 40.00	T05N R45E S31 Lot 3 NWSW	34.00
	T05N R45E S31 NWSE 37.00	T05N R45E S31 SWSE	34.00
	145 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



22-35
(Irrigation)



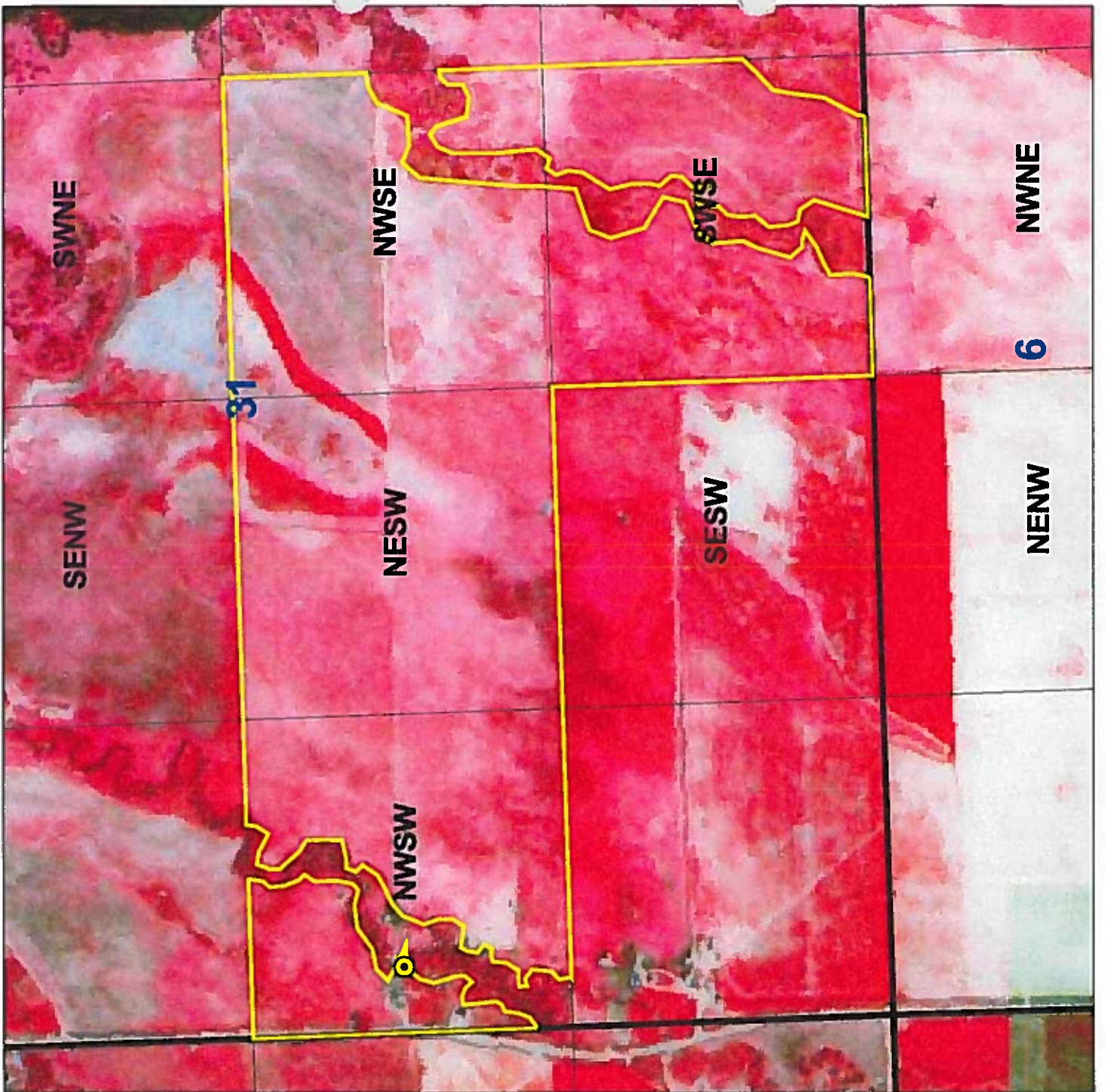
Legend

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

Teton County
IDWR Basin 22

Prepared by T. Galbraith
On Thursday, October 5, 2006
1987/88 Aerial Photography

22-35



10/05/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-35

OREN C FURNISS
67 S 500 W
DRIGGS ID 83422
Telephone Number: (208)354-8274

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-4-06 SIGNATURE: Oren C. Furniss
Please print your name: Oren C. Furniss

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Contacts Data Entry Form

2200035

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

Current Owner: _____

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

Current Owner: _____

Current Owner: OREN. C 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:

DACREED UNDER F. C. GILLETTE VS W. CRANDALL 5-DEC 1939FROM DACREED A2200035PRIORITY DATE JAN 22nd 19126.4 CFS or 320"OTHER WATER RIGHTS USED A22-12003 14 CFSCFS. Photo is in Claim A2200151BFID. POD/PO4 CONDUIT SYSTEM -

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

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

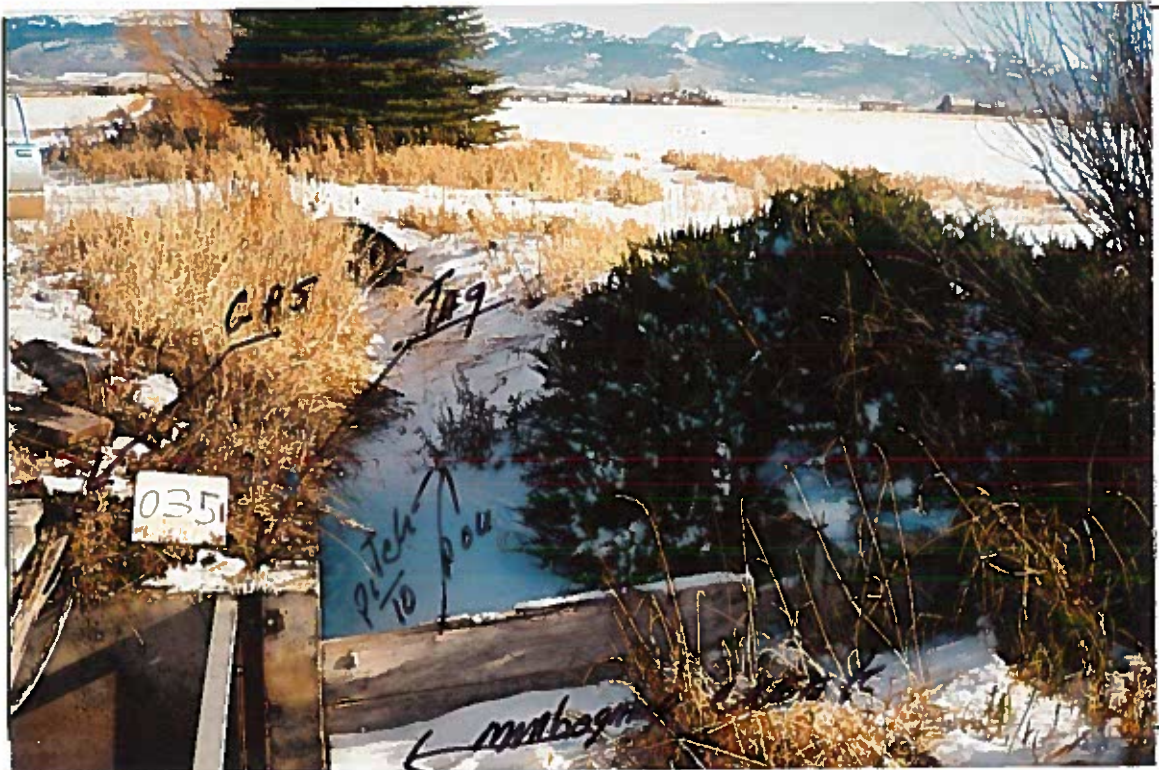
Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

NATCHES DACREED

Reviewer: _____

Date: _____

Water Right No(s). _____



Tag # A0013801 Location: on Concrete Structure

Well Data:

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

LEAVES MAHOGANY CREEK and into Irrigation
Ditch TO POU. photo taken in EAST direction
property is Flood Irrigated

Field Exam Date: 11-21-05 Agent: Nick Olson

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 44E, Sec. 1,____, SW, SE, County: TETONSource: Mahogany Creek Tributary: TETON RIVER

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

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Tw	R	S	G	L	Q	Q	C	S
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:

Claim + Mahogany Creek SW 1/4 SE 1/4 ? this one is right

Disputed Mahogany Creek SW 1/4 SW 1/4 ?

(Which is Right.)

Transfers Changing POD _____

Reviewer: NuhDate: 11-21-05

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
5N	45E	31	NE	SW	Teton		40	Irrigation
			NW	SW	"		40	"
			NW	SE	"		40	"
			SW	SE	"		40	"

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

WATER IS DIVERTED FROM MORGAN CREEK INTO IRRIGATION DITCH TO P.O.U. THE GROUND IS FLOOD IRRIGATED + SOME SUB IRRIGATION. THE GROUND FALL TO THE NORTH + EAST: AND IS IRRIGATED IN A NORTH DIRECTION SOME IS SUB IRRIGATED ALONG A HIGH RIDGE AND THERE ARE SOME SUB. AREAS.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number: _____

_____ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

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		

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:

STATE SOW 4/15 10/31

Reviewer: _____

Date: _____

Claim No.: _____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. A small, dark speck is located near the top center of the page. The paper appears slightly aged or off-white.

Reviewer _____ Date _____

This image shows a single page 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.

22 0035 26. That the plaintiff, George 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 XXIX of the Findings of Fact.

22 0036 27. That the plaintiff, Charles Groschlose, is awarded the right to the use of .8 cubic foot per second or 10 miners inches of the waters of Mahogany Creek, with priority date of January 22nd XXIX.

22-0035
That the plaintiff, George Furnace, is 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

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 fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

XXX.

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 6 in township 4 north, range 45 E.B.M.,

and is the owner of a ditch through which he conveys water from

4210

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: A22-00035
Date Received: 9/29/1988
Receipt No: E002731
Received By: TD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OREN C. FURNISS 208-354-8274
Address: 67 S. 500 W.
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	SW	SE			TETON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.400		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	45E	31	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NW	SE		IRR	40.0

A22-00035

Page 1

Date: 09/29/88



MICROFILMED
NOV 04 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	45E	31	SW SE		IRR	40.0
Section Acres						160.0
Total Acres						160.0

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:
A22-12003.

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 0035
Case Number:
Court :
Decree date:

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 _____ 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): Oren C. Furniss Date: 9/29/88

Date: _____

State of Idaho)
County of Bonneville) SS.

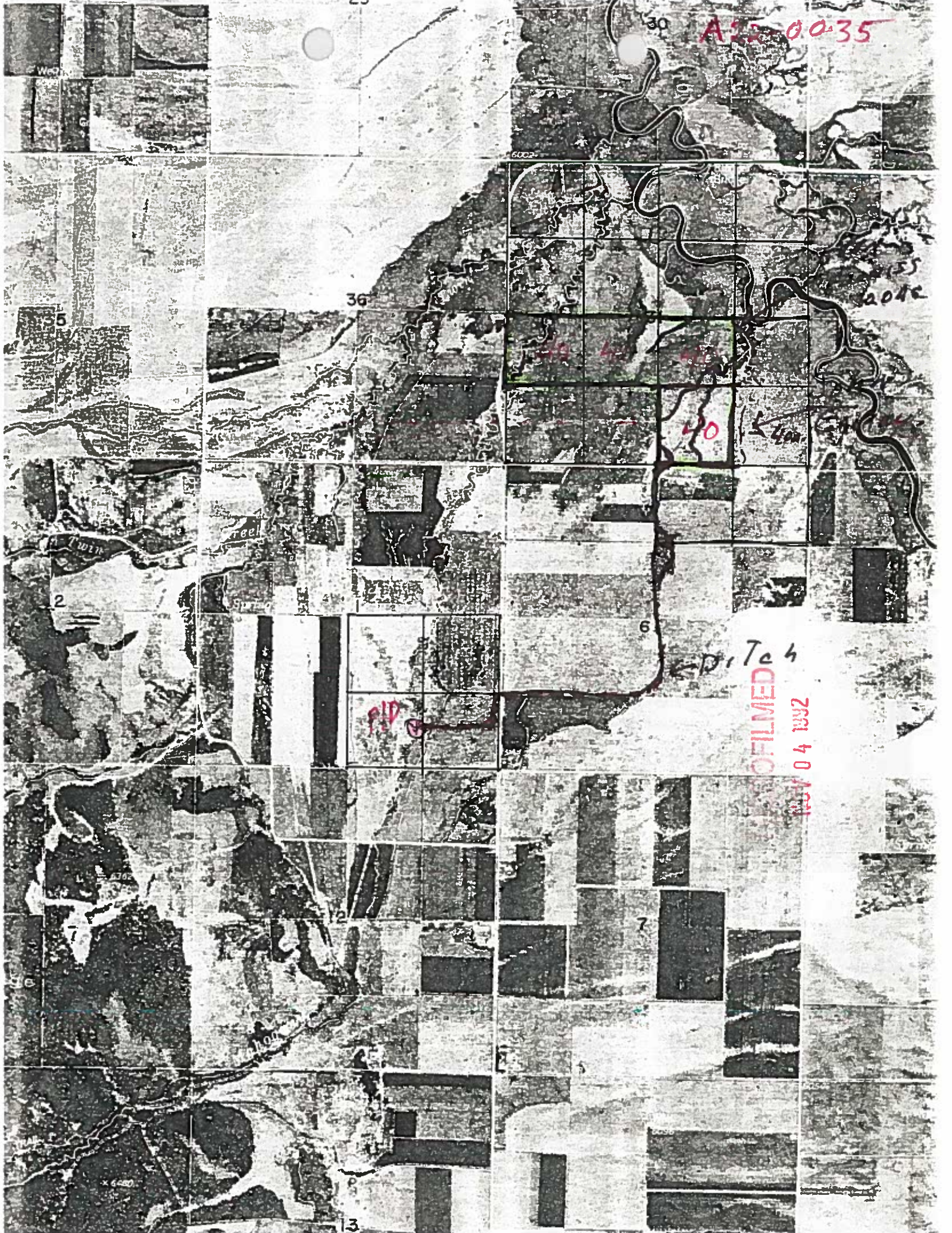
Subscribed and sworn (or affirmed) before me this 29th day
of September 19 88

Anthony S. Olenick
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994





A22-00-35

36

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D. Tch

P.D.

RECEIVED

MAY 4 1952