

08/04/2006

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

RIGHT NUMBER: 22-162A

NAME AND ADDRESS: MAHOGANY CREEK ENTERPRISES LLC
C/O FARRELL BUXTON
MANAGING MEMBER
332 S 500 W
DRIGGS ID 83422

SOURCE: MAHOGANY CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 2.100 CFS

PRIORITY DATE: 05/03/1889

POINT OF DIVERSION:

T04N R44E S14 NWNE Lot 2 Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.100 CFS

PLACE OF USE: IRRIGATION Within TETON County

T04N R44E S13	NENE	19.00	T04N R44E S13	NWNE	6.30
T04N R44E S13	SWNE	34.00	T04N R44E S13	SENE	38.00
T04N R44E S13	SENE	1.70	T04N R44E S13	NESW	30.00
T04N R44E S13	NESE	39.00	T04N R44E S13	NWSE	40.00
T04N R44E S13	SESE	19.00			

227 ACRES TOTAL

This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

220

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-162A, 22-256B.

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 place of use pursuant to Section 42-1425, Idaho Code.

227
24

251

08/04/2006

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: 22-162A

MAHOGANY CREEK ENTERPRISES LLC

C/O FARRELL BUXTON

MANAGING MEMBER

332 S 500 W

DRIGGS ID 83422

Telephone Number: (208)354-2486

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: 6 Dec 06

SIGNATURE: Farrell Buxton

Please print your name:

Farrell Buxton for Mahogany Creek LLC

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



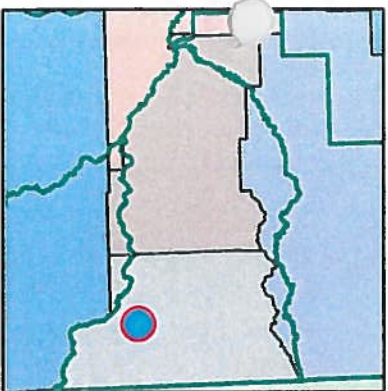
Idaho Department of Water Resources

Adjudication Claim:

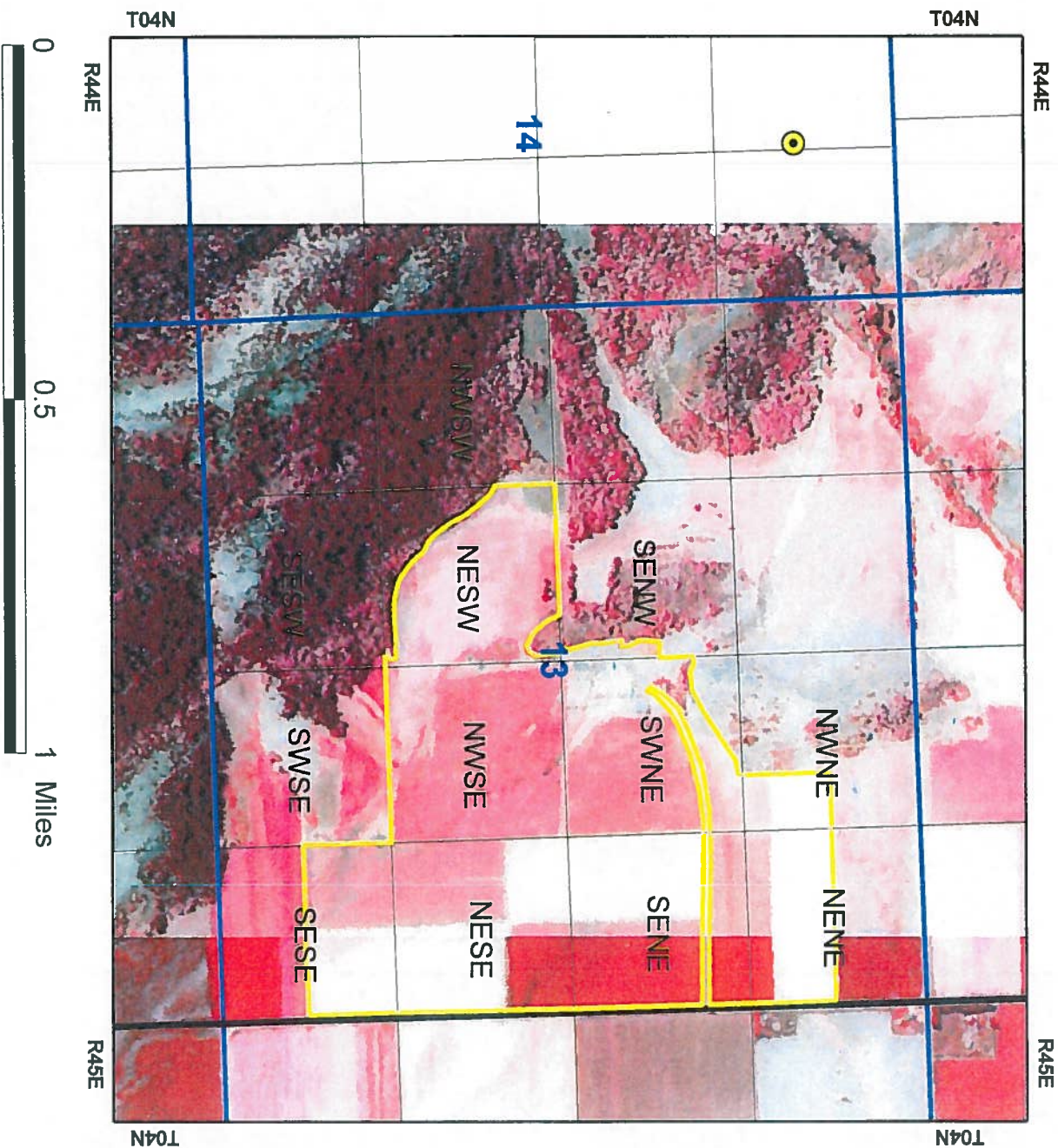
22-162A

Legend

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

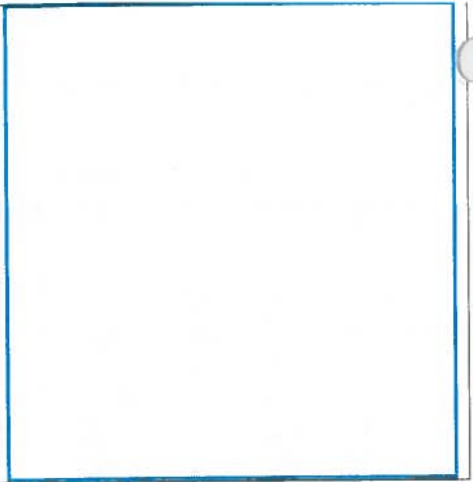
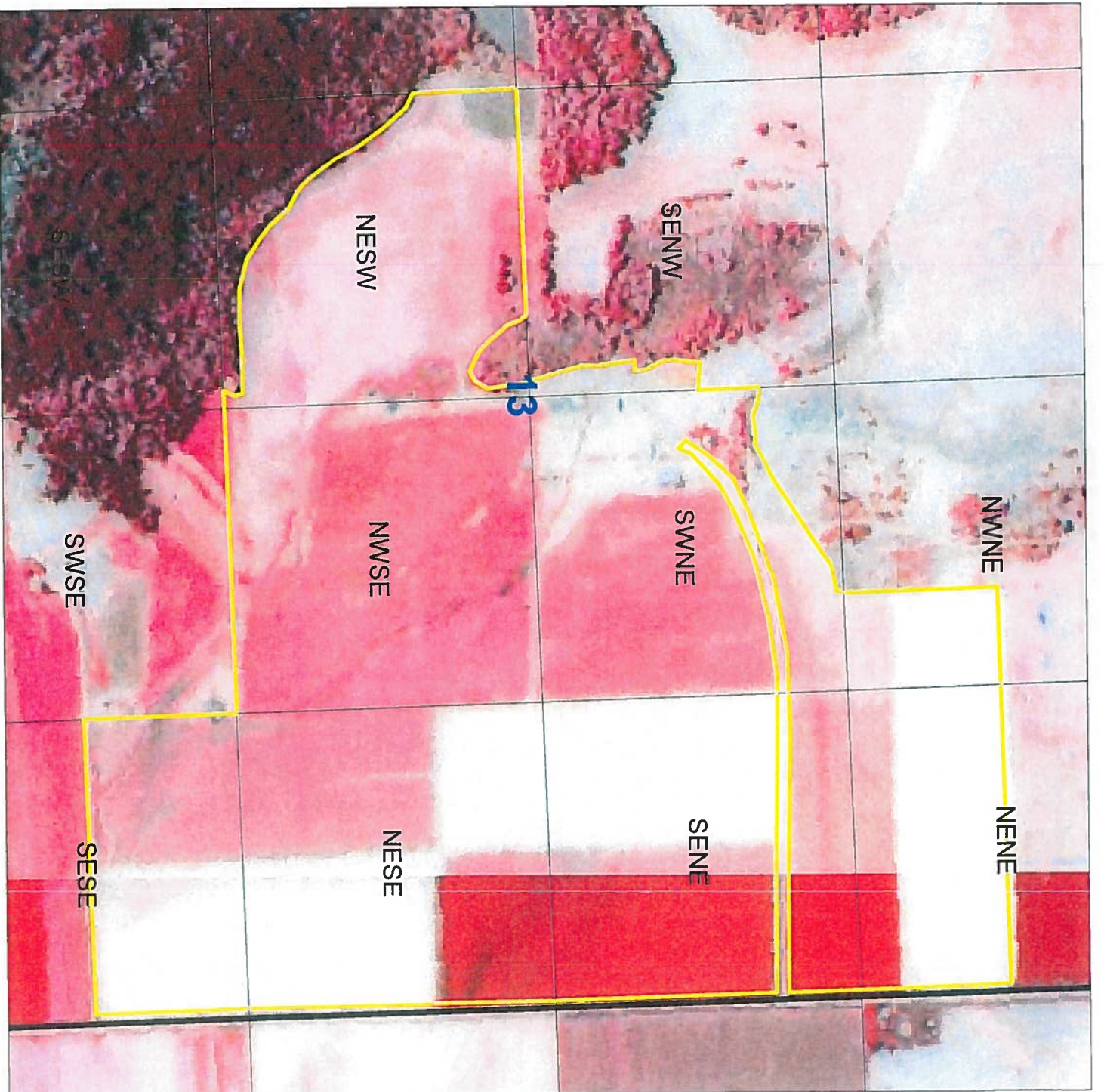


Teton County
IDWR Basin 22



Prepared by D. Carlson
On Friday, August 4, 2006
1987/88 Aerial Photography

22-162A





State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-162,
22-256B,
22-13222

SCANNED
JUL 22 2005

Point(s) of Diversion:
T4N, R44E
Sec. 14 NENENE (L1)

Place of Use: (parts of)
T4N, R44E
Sec. 13 NE, SENW,
NESW, N2SE, SESE

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: July 2005

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

Department of Water Resources
 Eastern Region

RECEIVED

JUL 18 2005

OK
 JC
 9-2-05

ABR

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
S&B Deeds IN	22-162				
	22-256B				
	22-13222				

NO SPLITS

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**.

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)

Farrell Buxton

4. New Owner/Claimant(s)

332 South 500 West, Driggs, ID 83422

Mahogany Creek Enterprises, LLC, % Farrell Buxton, Managing Member

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

332 South 500 West

City, State and ZIP Code

Driggs, ID 83422

New Telephone Number

208 354-2486

5. Date you acquired the property

*Kerry Buxton
 354-2710*

2,800

150

NE 1/4 13

*done!
 Kait
 9/16/05*

0000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Mahogany Creek Enterprises, LLC
by Laurel Baxter managing member

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

129160
WARRANTY DEED

RECEIVED

DEC 5 1997
TETON CO., ID
CLERK RECORDER

We, FARRELL BUXTON and JEANNE BUXTON, trustees, under the F.J. BUXTON FAMILY LIVING TRUST dated June 11, 1997, GRANTORS, of TETON County, State of IDAHO, for in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to MAHOGANY CREEK ENTERPRISES, Limited Liability Company, GRANTEES, whose address is 332 South 500 West, Driggs, Idaho 83422, the following described real property, situated in the County of TETON, State of IDAHO, to-wit:

W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4 of Sec. 12, Twp. 4 N., R. 44 E., Boise Meridian.

Together with all water and ditch rights thereunto appertaining including but not limited to a decreed right to 80 miner's inches in Mahogany Creek with priority date of January 22, 1916.

Together with the interest hereafter described in a buried sprinkler mainline and full title to approximately one-fourth mile of portable mainline, pump and one lateral line.

The joint interest in the sprinkler mainline is under a Teton County Soil Conservation District project called "Mahogany Creek Group" with parties of the first part having one lateral, Jaydell Buxton and D. C. Buxton having four laterals and Ernest G. Bates having one lateral, all working from the jointly owned mainline.

The decreed water right is utilized through the joint system in accordance with the Operation and Maintenance Plan of the Mahogany Creek Group.

Together with United States Forest Service grazing rights appurtenant thereto.

Together with all and singular the tenements, hereditaments and other appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits, and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

The Northeast Quarter of the Southwest Quarter, the North half of the Southeast Quarter, the North half of the Southeast Quarter of the Southeast Quarter, and beginning at a point 40 rods South of the Northeast corner of the Northeast Quarter, and running thence West 107 rods, thence South 45 rods, thence West 53 rods, thence South 75 rods, thence East 160 rods, thence North 120 rods to the point of beginning all in Section 13, Township 4 North, Range 44 EBM with all growing crops thereon and all machinery and equipment of the Sellers thrown in, and also an undivided one-half interest in and to a potato cellar located upon a Railroad Lease in Driggs, Teton County, State of Idaho and Sellers agree to have the leasehold interest assigned to the Buyers.

129180

Together with all and singular the tenements, hereditaments and other appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

WITNESS our hands on this 30th day of December, 1997

Farrell Buxton
Farrell Buxton, Trustee

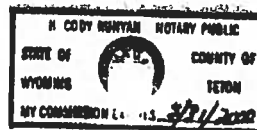
Jeanne Buxton
Jeanne Buxton, Trustee

STATE OF WYOMING)
COUNTY OF TETON) ss.

On this 30th day of December, 1997, before me personally appeared Farrell Buxton and Jeanne Buxton, trustees of the F J. Buxton Family Living Trust, dated June 11, 1997, known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed for the purposes and consideration herein contained.

Witness my hand and official seal.

H. Cody Runyan
H. Cody Runyan, Notary Public
My commission expires: May 31, 2000



129180

FILED

AT THE REQUEST OF

Cody Runyan
AT 25 MINUTES PAST 12 P.M.
DATE Dec. 30, 1997
Dea J. Drake
by Neta Rigby ✓

129161
WARRANTY DEED

RECEIVED

DEC 31 1997

TETON CO., ID
CLERK RECORDER

We, FARRELL BUXTON and JEANNE BUXTON, Trustees, under the F.J. BUXTON FAMILY LIVING TRUST dated June 11, 1997, GRANTORS, of TETON County, State of IDAHO, for in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to MAHOGANY CREEK ENTERPRISES, Limited Liability Company, GRANTEES, whose address is 332 South 500 West, Driggs, Idaho 83422, the following described real property, situated in the County of Teton, State of IDAHO, to-wit:

SE1/4NE1/4 and SW1/4NE1/4 of Sec. 31, Twp. 6 N., R. 45, E B M., the said SW1/4NE1/4 being vacated Blocks 9, 10, 15, and 16, of the Townsite of Haden, and that part of the vacated streets in the Townsite of Haden lying within the boundaries of the said SW1/4NE1/4. Also, beginning at the SW corner of the NW1/4NE1/4 of Sec. 31, Twp. 6 N., R. 45, E B M., and running thence North along the West line of the said NW1/4NE1/4 to the NW corner thereof; thence East along the North line of said NW1/4NE1/4 to the NE corner thereof; thence South along the East line of the said NW1/4NE1/4 a distance of 660 feet, to the center of the East line of the said NW1/4NE1/4; thence West and parallel with the North line of the said NW1/4NE1/4 a distance of 660 feet to the center of the NW1/4NE1/4; thence South to a point in the center of the South line of the NW1/4NE1/4; thence West to the point of beginning, the same comprising vacated Blocks 1, 2, and 7, and that part of the vacated streets of the Townsite of Haden, included within said boundaries. Also, the NW1/4SW1/4 and SW1/4NW1/4 of Sec. 31, Twp. 6 N., R. 45, E B M., a portion of said premises also being described as lots 3 and 4, in vacated Block 7 of the Townsite of Haden, together with that part of the vacated streets lying between the North and South lines of said lots extended, together with all water rights belonging to said property.

\$16.50 in Revenue Stamps affixed and canceled.

Together with all and singular the tenements, hereditaments and other appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

WITNESS our hands on this 30th day of December, 1997.

Farrell Buxton
Farrell Buxton, Trustee

Jeanne Buxton
Jeanne Buxton, Trustee

STATE OF Idaho)
COUNTY OF TETON)

129161

FILED

AT THE REQUEST OF

Cody Ramsey

A: 12 MINUTES PAST 12:00

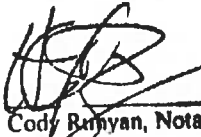
DATE Dec. 30, 1997

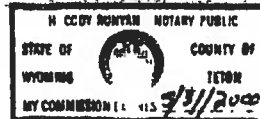
Chas. J. Drake

129161

On this 30th day of December, 1997, before me personally appeared Farrell Buxton and Jeanne Buxton, trustees of the F.J. Buxton Family Living Trust, dated June 11, 1997, known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed for the purposes and consideration herein contained.

Witness my hand and official seal.


Cody Bryan, Notary Public



My commission expires: May 31, 2000

129161

OPERATING AGREEMENT

OF

MAHOGANY CREEK ENTERPRISES, LIMITED LIABILITY COMPANY

AGREEMENT, made December __, 1997, among F. J. Buxton Family Living Trust, dated June 11, 1997 (hereinafter referred to as "Members"), and Farrell Buxton and Kerry Buxton (hereinafter referred to as Managers).

WITNESSETH:

WHEREAS, the parties hereto desire to form a limited liability company pursuant to the laws of the State of Idaho for the purposes hereinafter set forth, and to establish their respective rights and obligations in connection with the limited liability company;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and other valuable consideration, the receipt and sufficiency of which hereby is acknowledged, the Members agree as follows:

1. Formation

The parties hereby confirm that they have formed a limited liability company (the "Limited Liability Company") pursuant to the provisions of the Idaho Code Sections 53-601 to 53-672, for the purposes and the period and upon the terms and conditions hereinafter set forth. The parties have caused to be filed the Articles Of Organization of the Limited Liability Company, and agree to execute, acknowledge, swear to and file any other documents required under applicable law.

2. Name

The name of the Limited Liability Company shall be Mahogany Creek Enterprises, Limited Liability Company, and all business of the Limited Liability Company shall be conducted under said name, or such other name as the Members from time to time may determine.

97 DEC 15 44
ARTICLES OF ORGANIZATION
OF
MAHOGANY CREEK ENTERPRISES, LIMITED LIABILITY COMPANY
SECRETARY OF STATE
IDAHO

The undersigned, being the Managing Members and Organizers of the Limited Liability Company hereby being formed under the Idaho Code Sections 53-601 to 53-672, do hereby adopt the following Articles Of Organization for the Limited Liability Company:

FIRST: The name of the Limited Liability Company is:

Mahogany Creek Enterprises, Limited Liability Company

SECOND: The latest date on which the Limited Liability Company is to dissolve is to be determined by the unanimous vote of the Managing Members.

THIRD: The Limited Liability Company is organized to engage in and do any lawful act concerning any lawful business, other than banking and insurance, for which a limited liability company may be organized in accordance with the Idaho Code Sections 53-601 to 53-672, including all powers and purposes now and hereafter permitted by law to a limited liability company.

FOURTH: The street address of the initial registered office of the Limited Liability Company in Idaho is 332 S. 500 West, Driggs, ID 83422, and the name of the initial registered agent of the Limited Liability Company in Idaho at that address is Farrell Buxton.

FIFTH: The principal place of business of the Limited Liability Company is 332 S. 500 West, Driggs, ID 83422.

SIXTH: The Limited Liability Company is to be managed by the Managing Members. The names and addresses of the initial Managing Members are: Farrell Buxton, having an address at 332 S. 500 West, Driggs, ID 83422 and Kerry Buxton, having an address at 540 W 300 South, Driggs, ID 83422.

SEVENTH: The membership interests of the Members are evidenced by Certificates of Membership.

EIGHTH: The existing Members shall have the right to admit additional Members to the Limited Liability Company, by the unanimous vote or consent of the Members, in accordance with the terms and conditions of the Operating Agreement of the Limited Liability Company.

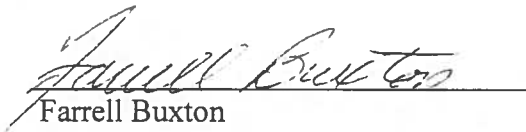
NINTH: The remaining Members of the Limited Liability Company, by the affirmative vote or consent of Members holding a majority of the Members' Percentage Interests (other than the Member who caused the Withdrawal Event), may continue the Limited Liability Company upon the death, retirement, resignation, expulsion, bankruptcy or dissolution of a Member or the

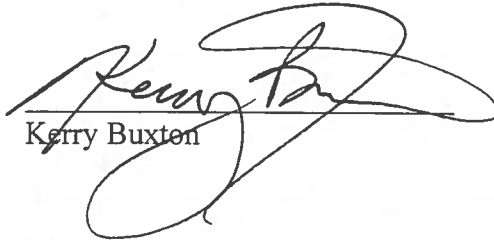
occurrence of any other event which terminates the continued membership of a Member in the Limited Liability Company.

TENTH: None of the Members of the Limited Liability Company are liable for payment of any debt, obligation or other liability of the Limited Liability Company.

IN WITNESS WHEREOF, the Members have executed and acknowledged these Articles Of Organization on December 10th, 1997.

In the presence of:

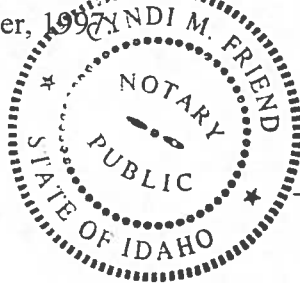

Farrell Buxton

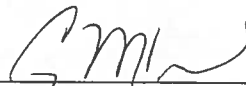

Kerry Buxton

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

On this 10th day of December, 1997, before me, Cyndi Friend, the undersigned notary public, personally appeared Farrell Buxton, known to me to be the person who executed the foregoing Articles Of Organization, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I hereunto set my hand and affixed my official seal this 10th day of December, 1997.





Notary Public

My commission expires on January 13, 2003

STATE OF IDAHO)
) ss.
COUNTY OF TETON)

On this 10th day of December, 1997, before me, Cyndi Friend, the undersigned notary public, personally appeared Kerry Buxton, known to me to be the person who executed the foregoing Articles Of Organization, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I hereunto set my hand and affixed my official seal this 10th day of December, 1997.





Notary Public

My commission expires on January 13, 2003

DOE MAP Construction

7/13/05 ABR

Fairfield Buryton

Poe



04/27/2005

**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: 22-162

FARRELL BUXTON
332 S 500 W
DRIGGS ID 83422
Telephone Number: (208)354-2486

JEANNE BUXTON
332 S 500 W
DRIGGS ID 83422
Telephone Number: (208)354-2486

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

There are areas we water that were omitted

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

included the omitted areas

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: 23 June 05

SIGNATURE:

Farrell Buxton - Jeanne Buxton

Please print your name:

Farrell Buxton - Jeanne Buxton

IDWR Regional Office,

205-22-256B NOB

Fixed 7/22/05

AM

PROFILED

**SCANNED
JUL 22 2005**

Water Right and SRBA Split History Analysis

22-162

22-162

Thomas Bates
POD Mahogany Creek
POU: T04N R44E Sec 13
NENE, NWNE, SWNE,
SENE
150 acrs 2.8 cfs

22-162

Farrell + Jeanne Buxton
POD: Mahogany Creek
POU: T04N R44E Sec 13 NENE, NWNE,
SWNE, SENE, SWNW, SENE, NESE, NWSE,
SESE
249 acrs 2.8 cfs

2.1

22-162 B

Stewin Bates
POD: Mahogany Creek
POU: T04N R44E Sec. 13 NENE, NWNE,
NWNW, NENW, SWNW, SENW,
90.0 acrs .80 cfs

0.70

* overlain Transfer #2170 states that Farrell Buxton only gets 2.0 cfs

2.1 cfs

Reviewer: _____
mydoc/fieldexamforms/splithistory

Date: _____

PROFILED

SCANNED
MAY 13 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

☐ Not Deliverable As Addressed
☒ Unable to Forward
☐ Insufficient Address
☐ Moved Left No Address
☐ Unclaimed Left No Address
☐ Attention - Not Known
☐ No Such Street
☐ Vacant
☐ No Mail Facility
☐ Box Closed
☐ Returner For Better Address
☐ Postage Due

JEANNE BUXTON

FARRELL BUXTON

PO BOX 1244
DRIGGS ID 83422

22-162
 22-11678
 22-13222
 22-2113A
 22-233A
 22-256B
 22-324C
 22-334B
 22-41
 22-4162

Not Closed



1050 U.S. POSTAGE
 8916 \$00.370 MAR 02 2004
 1242 MAILED FROM ZIP CODE 83402

SCANNED
 MAY 13 2004

PROFILED

Water Right No(s). A22-00162



GPS DATA:

Tag # A0013801 Location: ON CONCRETE STRUCTURE

Well Data:

MOTOR

Make: gravity Model: Flow. Hp:
SN:

PUMP

Make: Model: Disch:
SN:

NOTES:

WATER DIVERTED OUT OF MAHOGANY CREEK INTO DITCH
TO A PIPE OR MAIN LINE. TO POU. THEN INTO
SPRINKLING SYSTEM.

Field Exam Date: 6-8-04 Agent: NICK @ 1500

PROFILED

SCANNED

MAY 13 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

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

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.*Split of 22-140. Deeded right. See Transfer #2970*

Reviewer: _____ Date: _____

PROFILE

SCANNED

MAY 13 2005

Priority Date Data Entry Form

Claim Number: 22-162

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: May 3, 1889 Recommended Basis: Desert

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

Matches desert

Reviewer: _____

PROF

SCANNED
MAY 13 2005

Date: _____

02/26/2004

IDWR Field Exam Form

Point of Diversion and Source Data Entry Form

Claim Number: 22-162Water Right Point(s) of diversion and Source:

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source:

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
04N	44E	13		NENE	Teton	Mahogany	Teton River

Recommended Point(s) of Diversion and Source:

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
04N	44E	13		NENE	Teton	Mahogany	Teton River

Other rights from this POD? 22-2566, 22-13222

Transfers Pending or approved: _____

Document how the POD and Source were verified:Field exam

Reviewer: _____ Date: _____

PROFILED

SCANNED

MAY 13 2005

Place Of Use Data Entry Form

Claim Number: 22-162

Claimed Place Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
04N	44E	13	NENE		Teton	20.0		Irrigation
"	"	"	NWNE		"	12.0		"
"	"	"	SWNE		"	35.0		"
"	"	"	SENE		"	40.0		"
"	"	"	SENE		"	3.0		"
"	"	"	NESW		"	35.0		"
"	"	"	NWSW		"	4.0		"
"	"	"	NESE		"			"
						Total acres		<u>249.0</u>

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
04N	44E	13	NENE		Teton		20.0	Irrigation
"	"	"	NWNE		Teton		6.2	Irrigation
"	"	"	SWNE		Teton		33.0	Irrigation
"	"	"	SENE		Teton		38.0	Irrigation
"	"	"	SENE		Teton		3.2	Irrigation
"	"	"	NESW		Teton		29.0	Irrigation
"	"	"	NWSW		Teton		0.3	Irrigation
						Total acres		<u>229.7</u>

Pending or approved Transfers: _____

Overlapping rights: 22-256B

Document how the POU was verified:

Field exam + GTS.

SCANNED

Reviewer: _____ Date: _____

PROFILED

MAY 13 2005

Season of Use and Quantity Data Entry Form

Claim Number: 22-256BWater 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	2.8	

Overall Diversion Rate 2.8 cfs

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	2.0	

Overall Diversion Rate 2.0

Overall Diversion Volume _____

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

Transfer #2970 only gives Farrell Burton 2.0 cfs, not 2.8 cfs!
 Sou changed to IDWR Sou standards

TX #2970 CORRECT DENIES ERROR OF FOU FROM SOC. 24 to
 SOC. 13, BUT ACKNOWLEDGES SPLIT OF WR AS BURTON 100"
 Bates - 40" → 140" → 2.80 cfs

Reviewer: _____

Date: _____

PROFILED

SCANNED

MAY 13 2005

162B claims
 0.80 cfs
 GOTS 0.70 cfs

Claim No. 22-162

Document Checklist

☒ Copy License/Decree

☒ Copy Transfer

2970

☐ Copy Licensing Field Exam

N/A

☒ Check if Ownership/Address Change is Required

yes needed

☐ Generate, mail and file "Evidence of Priority" letter

N/A

☒ Generate Arcview Map

SCANNED

MAY 13 2005

PROFILED

35 Seymour, E. B.; June 1, 1886; Spring Creek	8,000
35 Nave, Martin L.; June 1, 1886; Moody Creek	300
To be reduced to 25 inches after June 20th of each year	50
33 Nave, Martin L.; June 1, 1886; Teton River	25
42 Breckenridge, David; June 1, 1887; North Leigh Creek; also Swamp Creek for a late right	25
42 Borrowman, John; June 1, 1887; Wood Creek and Springs	260
42 Jepson, Hans J.; June 1, 1887; Bigler Slough	60
45 Hegsted, Victor; Sept. 1, 1887; Horse Shoe Creek	80
49 Hegsted, Victor; June 1, 1888; Horse Shoe Creek	30
49 North Salem Agricultural & Milling Canal Co.; Teton River	290
As a high water right until July 1st of each year	1,325
48 Walters, William; June 1, 1888; Teton River. (Stewart & Walters Ditch.) Joint appropriation with Mons H. Anderson)	160
49 Woods, William S.; June 1, 1888; Twin Creeks	168
56 Woodmansee, Charles H.; Mar. 15, 1889; Moody Creek To be reduced to 80 inches after June 20th of each year	200
57 Curtis, Owen; Apr. 1, 1889; Trail Creek	80
57 Little, Zina W.; Apr. 1, 1889; South Leigh Creek	160
58 Hill, William; Apr. 5, 1889; Pack Saddle Creek	120
62 Morlensen, Christian; May 1, 1889; Teton River. (Through the Nelson-Jacobs Ditch)	280
63 Bales, Thomas; May 3, 1889; Mahogany Creek	112
67 Beezley, Ebenezer, and J.; June 1, 1889; Fox Creek	140
67 Drake, Fred J.; June 1, 1889; John Creek	80
67 Blanchard, John; June 1, 1889; Warm Creek	150
67 Bowles, H. C.; June 1, 1889; Spring Creek	40
67 Drake, William; June 1, 1889; Spring Creek	140
67 Lund, William P.; June 1, 1889; Mahogany Creek	10
67 Hubbard, Frank, and wife; June 1, 1889; North Leigh Creek	160
67 Swanner, Samuel; June 1, 1889; South Leigh Creek	150
62 Walton, D. O.; June 1, 1889; Darby Creek	40
67 Jones, Benjamin; June 1, 1889; Trail Creek	20
69 McPherson, Abner; June 10, 1889; North Leigh Creek	20
71 Parsons, F. W.; June 15, 1889; Trail Creek	160
74 Tunks, George M.; July 5, 1889; Trail Creek	160
74 Tunks, George M.; July 15, 1889; Fox Creek	95
76 Kirsley, Mary E.; Sept. 1, 1889; Warm Creek, Spring Creek and Deep Creek	55
78 Woodmansee-Johnson Ditch; Oct. 1, 1889; Teton River	80
78 Rexburg Milling Co.; Oct. 1, 1889; Teton River. (Woodmansee-Johnson Ditch.) For power purposes only, and subject to rights of users for agricultural purposes of water through same ditch	620
79 Teton Irrigation & Manufacturing Co.; Oct. 2, 1889; Teton River. (To be diverted at the Bird head-gate near the Teton Mill)	3,000
82 Kirsley, Mary E.; Apr. 1, 1890; Warm Creek; Spring Creek and Deep Creek	500
82 Sinclair, D. R., Adminr. Estate of Fred Sinclair (deceased); April 1, 1890; Trail Creek	80
82 Wolf Ditch Co.; Apr. 1, 1890; Teton River	115
82 Robertson, A. I.; Apr. 1, 1890; Trail Creek	2,335
	87

82 Rice, Ed.; Apr. 1, 1890; Trail Creek	87
82 Curry, Nahum; Apr. 1, 1890; Trail Creek	
82 Blanchard, John; Apr. 1, 1890; Trail Creek	
82 Lyon, John; Apr. 1, 1890; Trail Creek	
85 Paul, John; June 1, 1890; Springs on land	
85 Paul, William H.; June 1, 1890; Little Springs and Deep Creek	
85 Jenkins, William; June 1, 1890; Fox Creek	
85 Kimball, R. C., and A. L.; June 1, 1890; Fox Creek	
85 Lawson, B. G.; June 1, 1890; Spring Creek	
85 Murphy, G. M.; June 1, 1890; Darby Creek	
85 Smith, C. M.; Jan. 1, 1890; Darby Creek	
85 Walton, D. O.; June 1, 1890; Darby Creek	
85 Shaw, O. W.; June 1, 1890; North Leigh Creek or Spring Creek	
85 Yearsley, H. C.; June 1, 1890; Spring Creek	
85 Drake, Richard; June 1, 1890; Patterson Creek	
85 Chelsey, John P.; June 1, 1890; Paul Spring Creek, Grove Creek, Deep Creek and Little Spring Creek	
85 Byrnie, Michael; June 1, 1890; Fox Creek	
85 Buxton, Mary A.; June 1, 1890; Sloughs from Twin Creeks	
85 Beezley, Ebenezer, and J.; June 1, 1890; Fox Creek	
85 Andrews, L. W.; June 1, 1890; Grove Creek	
85 Dunney, P. S.; June 1, 1900; Trail Creek	
85 Foote, Arthur L.; June 1, 1890; Mahogany Creek	
85 Ferguson, John; June 1, 1890; Grove Creek and Willow Spring Creek	
85 Eames, William; June 1, 1890; Spring Creek	
85 Edelfson, E. B.; June 1, 1890; Leigh Creek	
85 Drake, Lavina; June 1, 1890; Boquat Creek and Drake Creek	
88 Drake, William; July 1, 1890; Mahogany Creek	
90 Tunks, William H.; July 15, 1890; Trail Creek	
92 Curtis, Clarissa A.; Sept. 1, 1891; Trail Creek	
96 Rice, A. L.; Jan. 1, 1891; Patterson Creek	
98 O'Brien, James A.; June 1, 1891; North Leigh Creek	
98 Siddoway-Briggs Co.; June 1, 1891; Teton River. (For power purposes)	
98 Sinclair, D. R.; Adminr. Estate of Fred Sinclair (deceased); June 1, 1891; Eynon Ditch	
98 Smith, Ellington; June 1, 1891; Spring Creek, Darby Creek and Crandall Springs	
98 Shaw, L. C.; June 1, 1891; Ragder Creek and water from springs on T. A. Phillips land	
98 Swanner, Samuel; June 1, 1891; South Leigh Creek	
98 Hubbard, Susan; June 1, 1891; North Leigh Creek and Middle Leigh Creek	
98 Harrop, Samuel; June 1, 1891; Leigh Creek	
98 Hill, Mary Ann; June 1, 1891; Pack Saddle Creek	
98 Clark & Houghton; June 1, 1891; Teton River	
98 Dewey, George A.; June 1, 1891; Fox Creek	
98 Barney, Walter; June 1, 1891; South Leigh Creek	
98 Bowles, Sarah; June 1, 1891; Spring Creek	
98 Blamires, Robert, and C. J. Burton, W. S. Burton and Thomas H. Phillips; June 1, 1891; Badger Creek and springs on land of T. A. Phillips	
98 Edelfson, Noah C.; June 1, 1891; Leigh Creek	
100 Siddoway Irrigation & Manufacturing Co.; July 1, 1891; Teton River	

PROTECTED

37
SCANNED
MAY 13 2005

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)

[] Water Right Number(s): A 22-11658 - A 22 00233A
A 22 11658 - A 22 000 41 - A 22-11678
A 22 11678 - A 22 000 41 A 22 00233A
A 22 00162 - A 22 00 A 22 13222256B

[] Name(s): Farrell - Kerry Buxton Mgrs.
Mahogany Creek Enterprises, LLC

[] Old Mailing Address: _____

[] New Mailing Address: 332 So. 500 W
Driggs, Idaho

Telephone Number: (208) 354 - 2486 or 354 - 2710

[] Signature(s) of Owner(s) Farrell Buxton

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

Date: _____

SCANNED
MAY 13 2005

PROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant a. J. Farrell Buxton and Helen Jean Buxton b. Stephen L. Bates and Mary Bates Phone 354-2486
354-8258
Post Office address a. Route 2, Box 1244, Driggs, ID 83422; b. Route 2, Driggs, ID 83422

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 22-0162 Decreed to Thomas G. Bates (Name)
in case of Rexburg Irrigation Company, et al vs Teton Irrigation Canal Company, et al
dated in December 16, 1910 in 6th Judicial District county of Fremont
(Name of court)
b. License No. _____ issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant a. By deed from O. J. Buxton; b. By deed from family members.

3. Source of water Mahogany Creek tributary to Snake River

4. Date of priority May 3, 1889

5. Water is used for the following purposes:

amount 2.8 c.f.s. for irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.8 c.f.s. cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NOT SHOWN IN DECREE % of Section _____
Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4 N	44 E	24	40	40	40	40													160

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D, REMARKS.

omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 2.8 c.f.s. &/or _____ acre feet
- b. Description of diverting works Cement receptacle and headgate with water emptying into a metal pipeline and sprinkler system, gravity powered
- c. Describe the reasons for the proposed changes The Rexburg decree, in error, decreed this water rights to the NE¼ of Section 24, Twp 4 N, Rge 44 EBM. The owners of that property have conveyed the water right to applicants for use upon NE¼ of Section 13, Twp 4 N, Rge 44 EBM, where in fact it has always been used continuously since the date of priority.

2. Change in point of diversion

Point of diversion NE ¼ NE ¼, Section 14 Township 4 North
Range 44 East, B.M., Teton County
Additional points None

3. Change in place of use

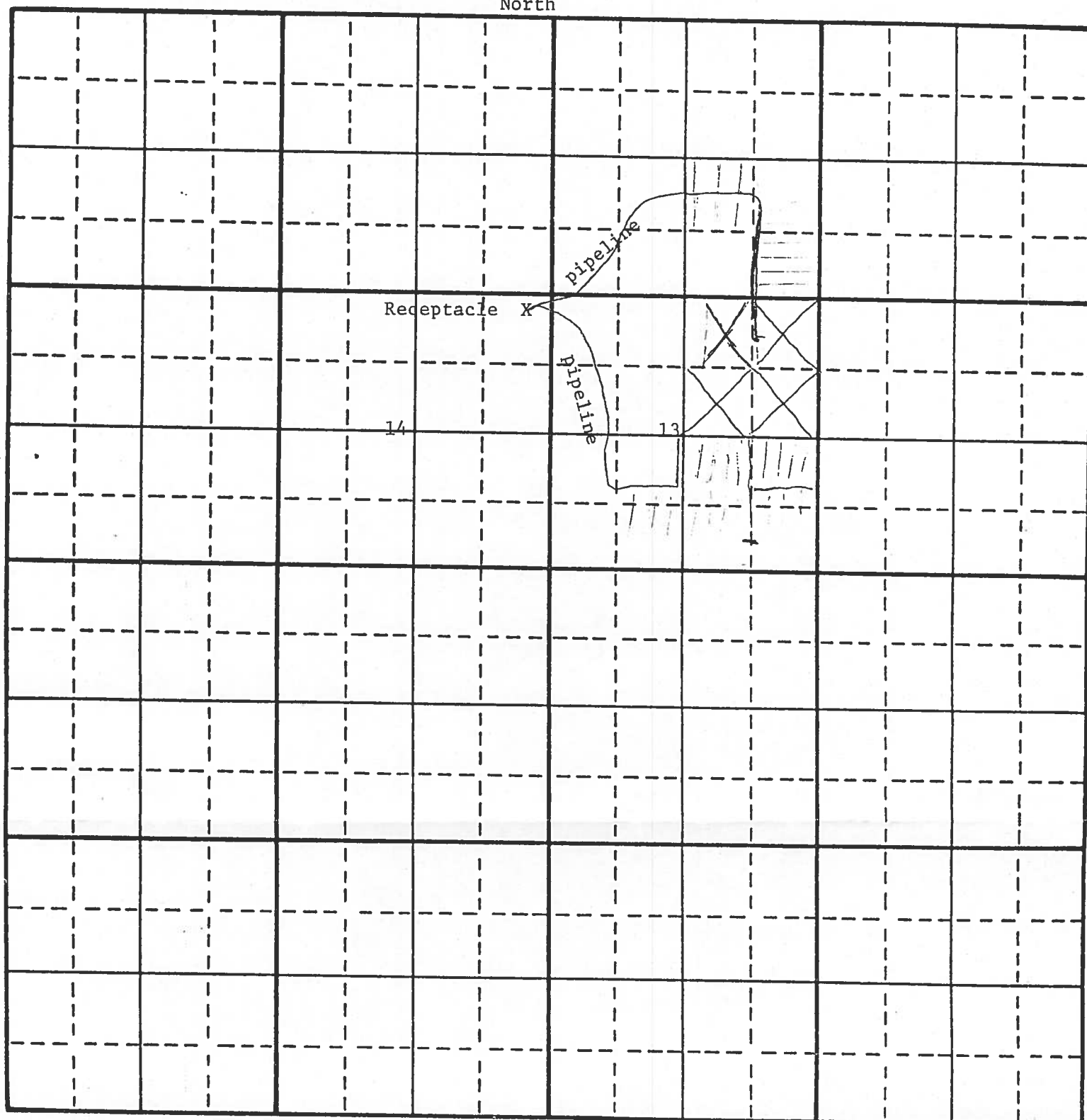
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The place of use is the same. Only the record water right is being changed.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 N	44 E	13	40	30	40	40													150

Total number of acres to be irrigated 150

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

North



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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 22-162A
Date Received: 9/27/1988
Receipt No:
Received By:

Renumbered From 22-162

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MAHOGANY CREEK ENTERPRISES LLC Phone: (208)354-2486
C/O FARRELL BUXTON
MANAGING MEMBER
332 S 500 W
DRIGGS ID USA 83422

2. Date of Priority: 05/03/1889

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	14	NE NE	TETON	

5. Description of diverting works:

GRAVITY SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	2.8	

7. Total Quantity Appropriated is:
2.8 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	13	NE	NE		IRRIGATION	20
			NW	NE		IRRIGATION	12
			SW	NE		IRRIGATION	35
			SE	NE		IRRIGATION	40
			SE	NW		IRRIGATION	3
			SW	NW		IRRIGATION	1
			NE	SW		IRRIGATION	35
			NW	SW		IRRIGATION	4
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	39
			SE	SE		IRRIGATION	20
Section Acres							249
Total Acres							249

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

TRANS. #2970.

This right is renumbered from former right 22-162 .

This right was renumbered to right 22-162A.

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-162

WATER RIGHT NUMBER: 22-162

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FARRELL BUXTON 332 S 500 W DRIGGS, ID 83422 (208)354-2486
Original Owner	JEANNE BUXTON 332 S 500 W DRIGGS, ID 83422 (208)354-2486
Current Owner	MAHOGANY CREEK ENTERPRISES LLC C/O FARRELL BUXTON MANAGING MEMBER 332 S 500 W DRIGGS, ID 83422 (208)354-2486
Original Owner	THOMAS BATES , ZZ

Priority Date: 05/03/1889

Basis: Decreed

Status: Active

<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	2.800 CFS	
	<u>Total Diversion:</u>	2.800 CFS	

Location of Point(s) of Diversion

MAHOGANY CREEK	NE1/4NE1/4	Sec. 14, Twp 04N, Rge 44E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	44E	13	20.0	12.0	35.0	40.0			1.0	3.0	35.0	4.0			40.0	39.0		20.0	249.0

Total Acres: 249

Conditions of Approval:

1. TRANS. #2970.

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: A22-00162
Date Received: 6/08/1988
Receipt No: M001431
Received By: P

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARRELL BUXTON 208-354-2486
Address: RT2, BOX 1244
DRIGGS, ID 83422
OR
Name: JEANNE BUXTON 208-354-2486
Address: RT2, BOX 1244
DRIGGS, ID 83422

A2200162



2. Date of Priority: MAY 03, 1889

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	14	NE	NE			TETON

5. Description of diverting works:
GRAVITY SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

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

8. Total consumptive use is 498.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A22-00162

Page

1

Date: 09/20/88

PROFILED

SCANNED
MAY 13 2005

MICROFILMED
NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	44E	13	NE		NE		IRR	20.0
			NW		NE		IRR	12.0
			SW		NE		IRR	35.0
			SE		NE		IRR	40.0
			SW		NW		IRR	1.0
			SE		NW		IRR	3.0
			NE		SW		IRR	35.0
			NW		SW		IRR	4.0
			NE		SE		IRR	40.0
			NW		SE		IRR	39.0
			SE		SE		IRR	20.0
							Section Acres	249.0
							Total Acres	249.0

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:
A22-00256B

14. Remarks:
TRANS. #2970.

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

REXBURG IRR. CO. ET AL.
Decree Plaintiff

TETON IRR. CANAL CO.
Decree Defendant

vs

PROFILED

SCANNED
MAY 13 2005

MICROFILMED
NOV 04 1992

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: _____

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): Lawell Buxton Date: 27 Sep '88
Jeannette Buxton Date: 27 Sep '88

State of Idaho)
County of Teton) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Sept. 19 88

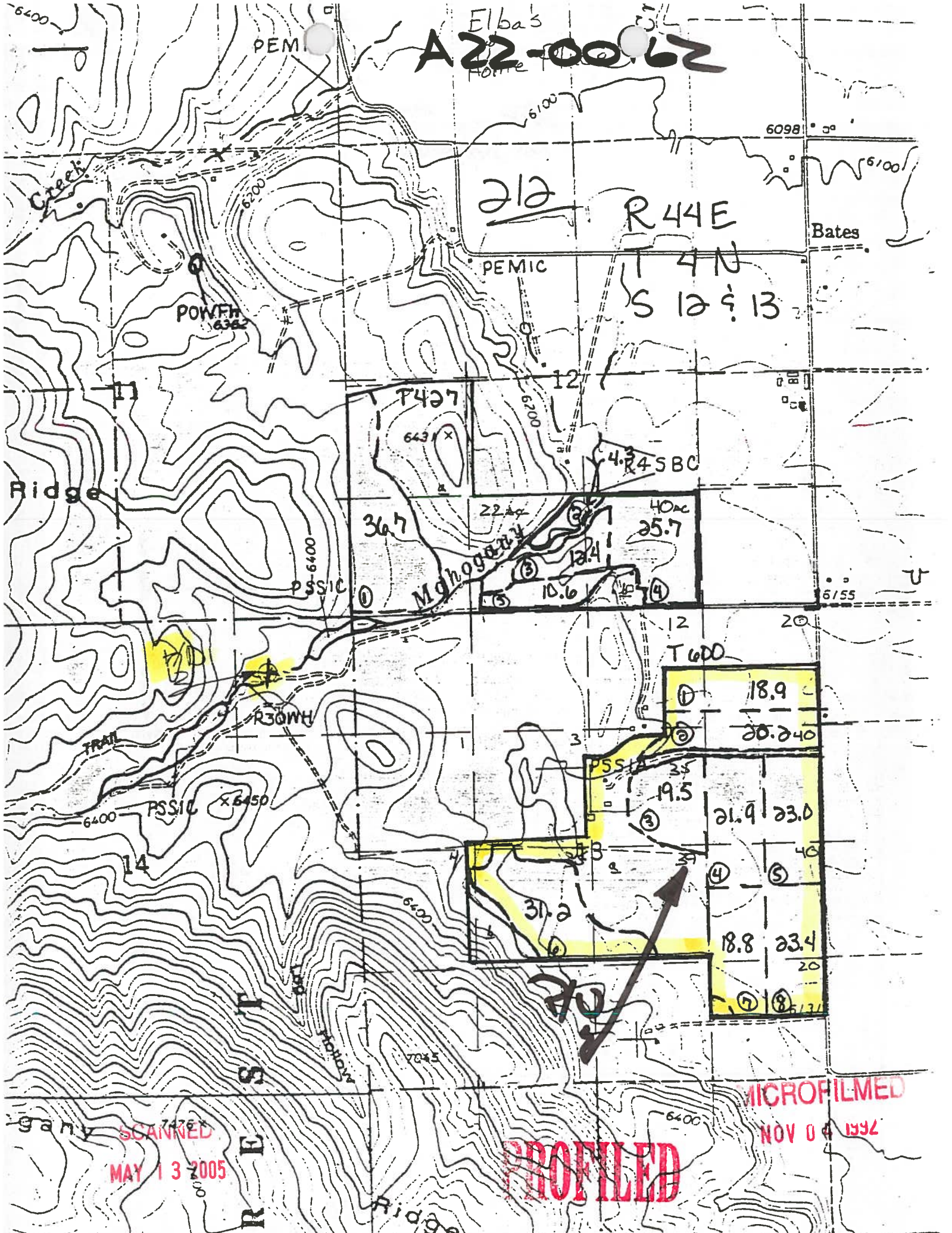
John Dale Parker
Notary Public

Seal

Residing at Boise Id

My Commission Expires 6/2/98

Elba's
A 22-00-62



SCANNED
MAY 13 2005

PROFILED

MICROFILMED
NOV 04 1992

D. REMARKS

Applicants agree that said 2.8 c.f.s. of water would be owned 100 miners inches thereof by Applicant J. Farrell Buxton and wife and 40 miners inches thereof would be owned by Stephen L. Bates and his wife.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Applicant

(Signature of Applicant)

Subscribed and sworn to before me this 29th day of June, 19 83

(Notary Public)

My commission expires 12-2-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-0162 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 6th day of March, 19 84

Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>6-30-83</u>	Protest filed by _____
Prelim. check by <u>JP</u>	Fee <u>50.00</u>	_____
Receipted by <u>BP</u>	Date <u>11/15/83 #29734</u>	_____
Published in <u>Teton Valley News</u>	Copies of protest forwarded by _____	
Pub. dates <u>12/8 : 12/15/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for approval denial	
_____ rec'd. _____	by _____	