

12/07/2006

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

RIGHT NUMBER: 22-324C

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

SOURCE: SPRING CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 06/02/1898

POINT OF DIVERSION:

T06N R45E S31 NWNE Within TETON County
T06N R45E S32 SENW 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	0.600 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>		
	T06N R45E S31 NWNE 30.00	T06N R45E S31 SWNE	39.00
	T06N R45E S31 SENE 40.00		

109 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 109 acres in a single irrigation season. Combined Right Nos.: 22-324C, 22-334B, 22-2113A

This right is limited to the irrigation of 30 acres within the place of use described above in a single irrigation season.

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

Water is delivered through Buxton Ditch and or Breckenridge 2 Ditch.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

09/12/2006

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: 22-324C

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

FARRELL 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):

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

*Change name to Mahogany Creek
Enterprises, LLC.*

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:

12/6/06

SIGNATURE:

Mahogany Creek Enterprises, LLC
Kerry Buxton

Please print your name:

Kerry Buxton

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

*12/6/06
Done
KMB*



Idaho Department of Water Resources

Adjudication Claim:

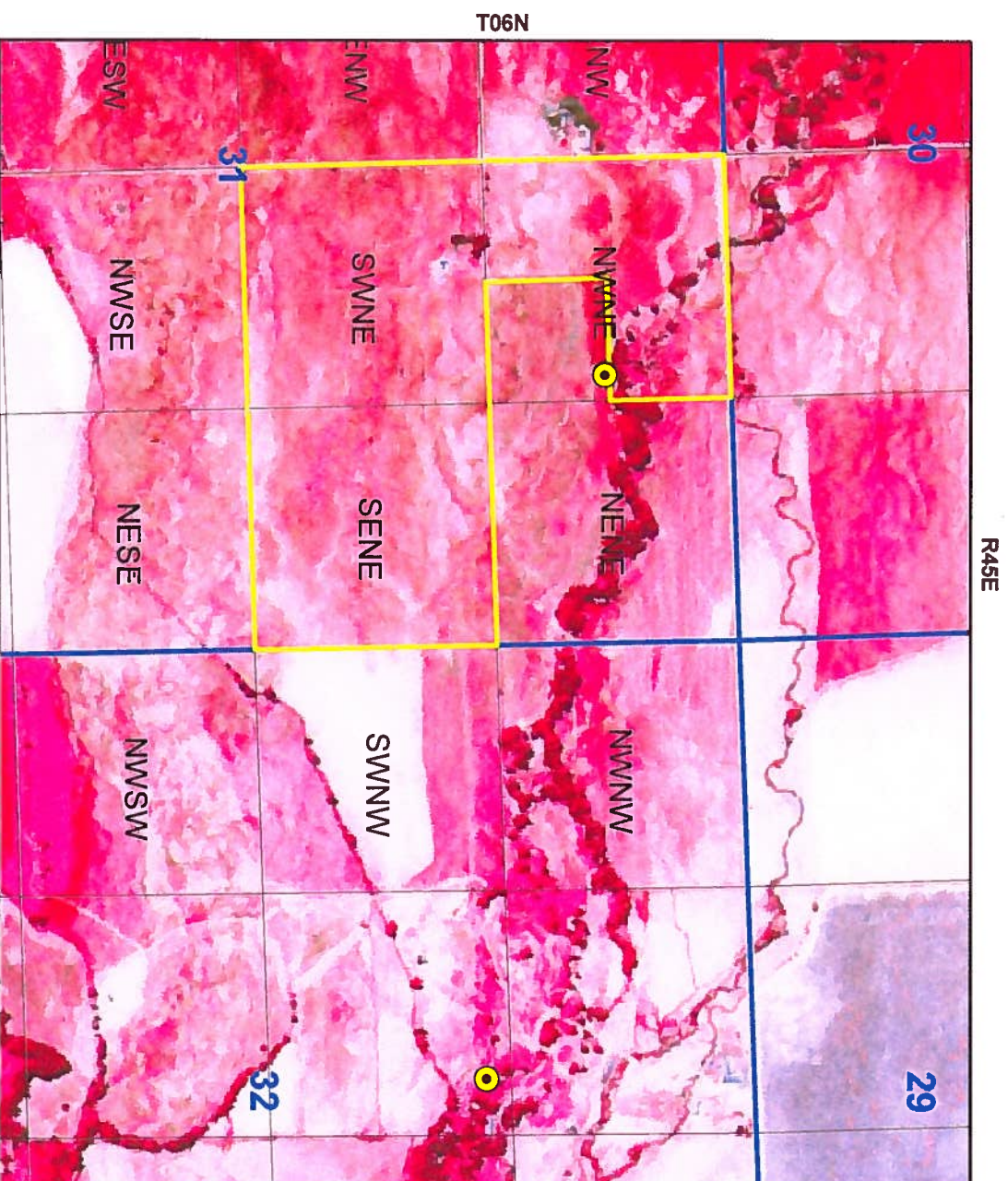
22-324C

Legend

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

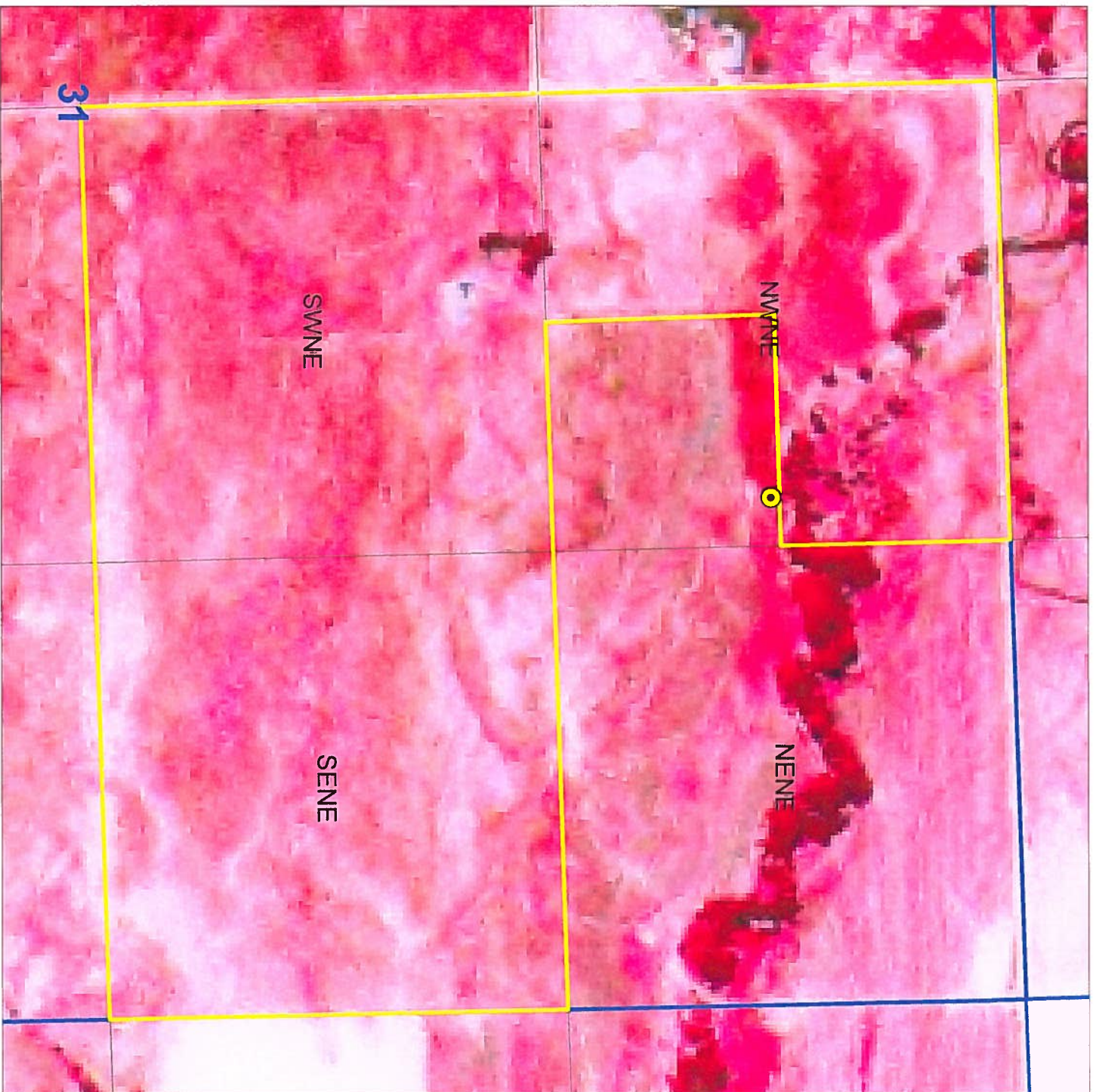


Teton County
IDWR Basin 22

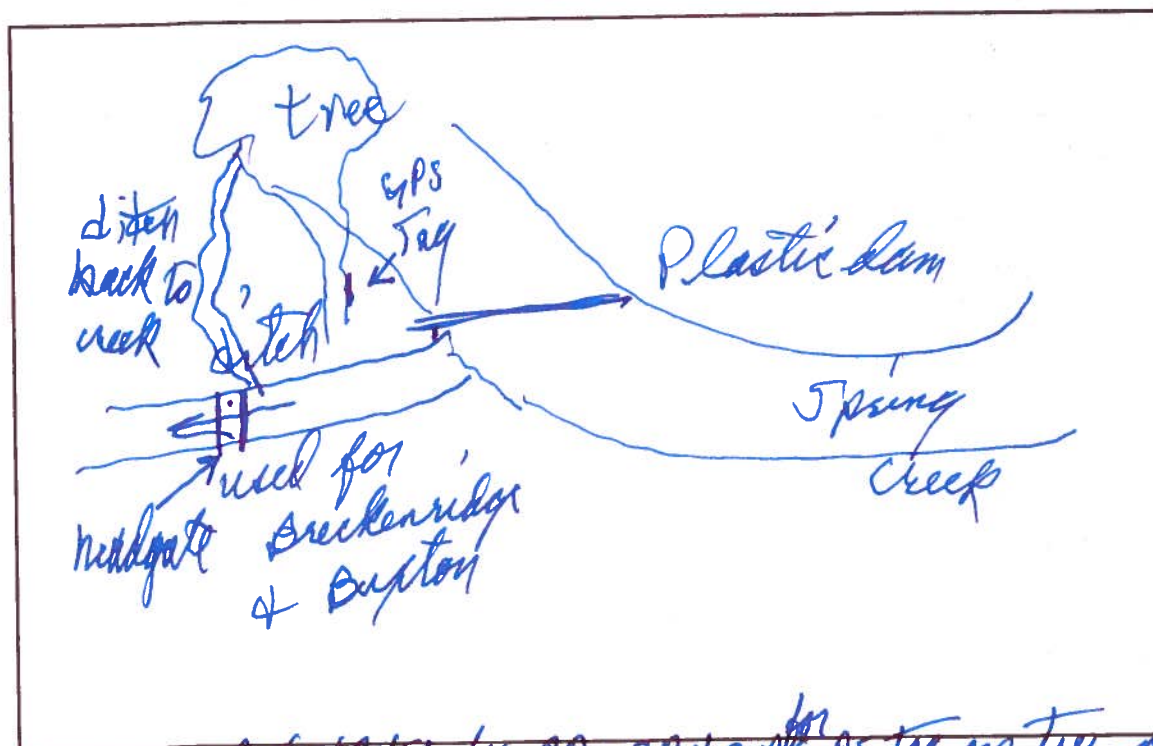


Prepared by D. Carlson
On Tuesday, September 12, 2006
1987/88 Aerial Photography

22-324C



Water Right No(s). _____



GPS DATA:

Tag # ADP 14242

Location: ADP 14245 - for 22-324 C.A. GPS tag on tree near POD - just east
tag is on a cottonwood tree just west of diversion dam.

Diversion Data:

Source: ADP 14214 - Spring Creek Trib to: Headgate Teton River

MOTOR

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

PUMP

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

NOTES:

There is no headgate to regulate at POD. There is a diversion dam. A short distance down the ditch there is a headgate that has been tagged.

Field Exam Date: 4/16/04 Agent: DD



5/7/05 Buxton diversion ditch out of Spring Creek,
DO There is no headgate or device to regulate
this diversion

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water 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

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

4/16/05
DO

Field exam
Main POD is GPS tag A0014248. There is no headgate to regulate - just a cut in the creek bank and a diversion ditch.
It appears that a lower diversion (tag # A0914242) can be used to irrigate NWN 1/4 of Sec 3.

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

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

Total acres _____

Recommended Place of Use

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

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

4/16/09
DO
Field exam showed ground is irrigated by system of ditches and dams.

Reviewer: _____ Date: _____

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
☒ Insufficient Address
☐ Unable to Forward
☐ Mailed Left No Address
☐ Incorrectly Labeled
☐ Attention - Not Known
☐ No Such Street
☐ Vacant
☐ No Mail Recipient
☐ 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
 22-334C
 22-334B
 22-41
 22-4162

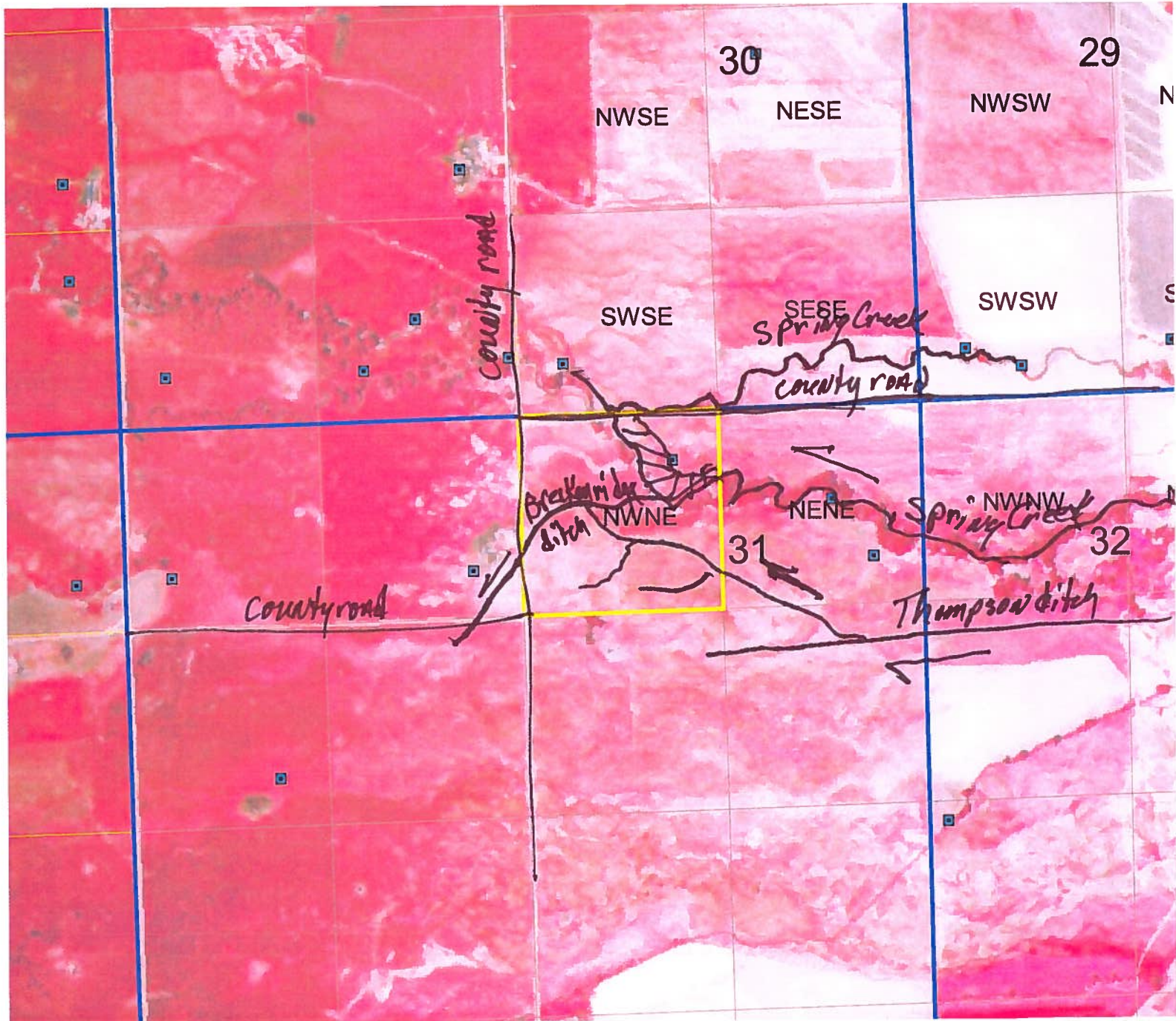
Delivered



1050
 8916\$00.370 MAR 02 2004
 1242 MAILED FROM ZIP CODE 83402

22-324C

7/15/04



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: **A22-00324C**
Date Received: 9/27/1988
Receipt No: M001431
Received By: _____

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

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

2. Date of Priority: JUN 2, 1898

3. Source: SPRING CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	32		SE	NW		TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.600		

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

A.F.A.

MICROFILMED

8. Total consumptive use is 60.0 Acre Feet Per Annum.

NOV 06 1990

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	45E	31	NW	NE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
					Total Acres	30.0

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:
A22-11692

14. Remarks:
THIS RIGHT IS A PORTION OF WR# 22-00324.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO.
vs 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: _____

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): _____ Date: MICROFILMED

Date: NOV 06 1996

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

A22-00 324C

Ident. Number: A22-11694

Date Received: 9/20/1988

Receipt No: 1001431

Received By: P

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

OR

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

2. Date of Priority: JUN 02, 1898

3. Source: SPRING CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	45E	32	SE	SE	NW		TETON

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.600		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A2200324C



MICROFILMED

NOV 06 1990

MICROFILMED

NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	45E	31	NW NE		IRR	30.0
Section Acres						30.0
Total Acres						30.0

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:
A22-11692

14. Remarks:
THIS RIGHT IS A PORTION OF WR# 22-00324.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRR. CANAL CO.
Decree Defendant

MICROFILMED
NOV 06 1988

~~MICROFILMED~~
~~NOV 06 1988~~

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
Jeanne Buxton Date: 27 Sept 88

State of Idaho)
County of Teton) SS.

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

John Dale Carlson
Notary Public

Seal

Residing at Boise ID

My Commission Expires 6/2/94

MICROFILMED
NOV 06 1990

~~MICROFILMED~~
~~NOV 06 1992~~

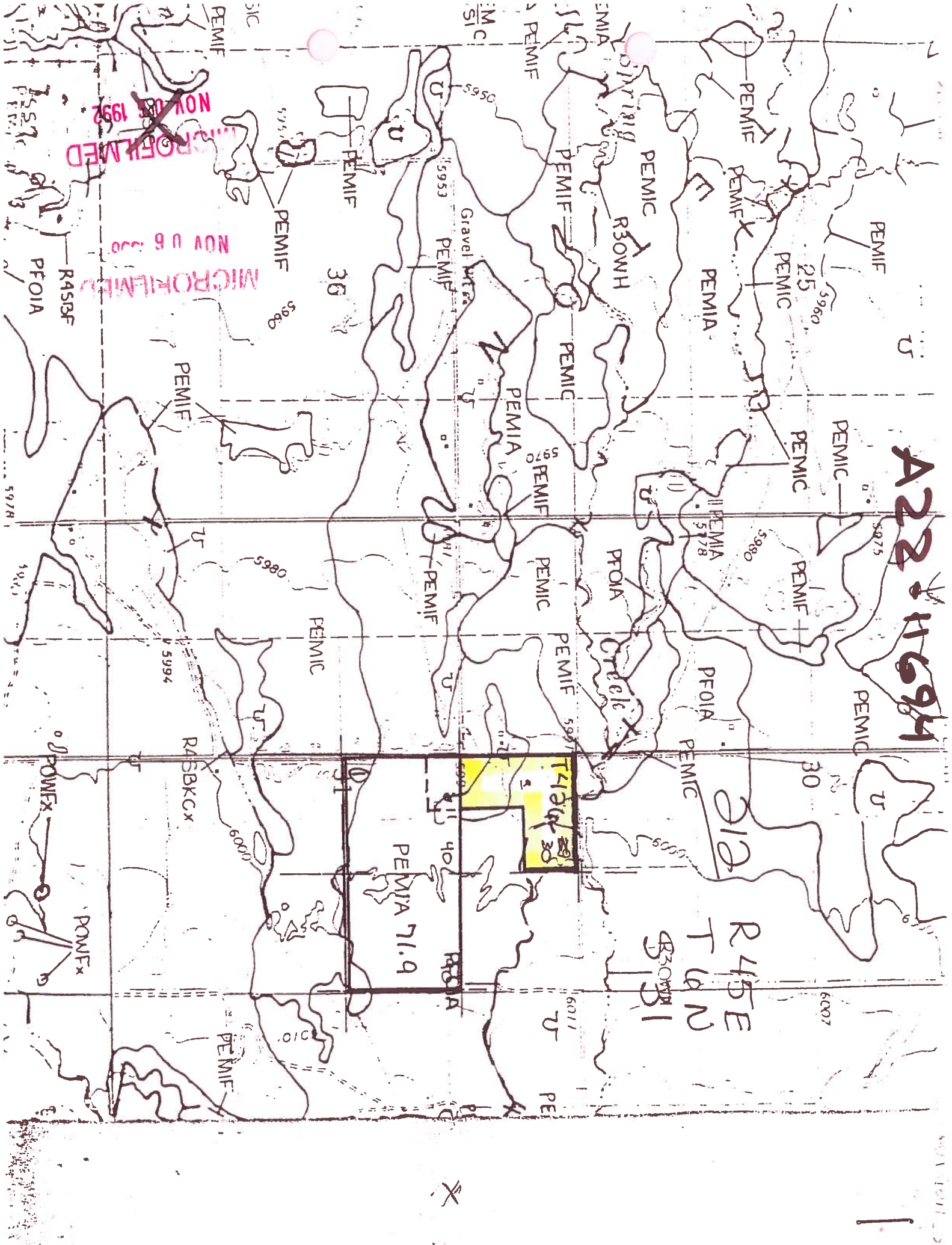
A22 H694

312

R45E
T6N
S30W
S1

T424/30

PEMIA 71.4



A22-11694

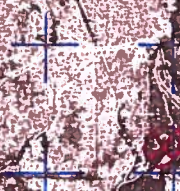
1-100
RUSE

NOTED
NOV 0 6 1992

NOTED
NOV 0 6 1992

Well

30



1-100

Creek

NOV