

12/07/2006

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

RIGHT NUMBER: 22-2113A

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: 1.650 CFS

PRIORITY DATE: 07/31/1924

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	1.650 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

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 - License

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

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: 22-2113A

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:
The name should be in the name of 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, by

Please print your name: Kerry Buxton

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

*12/18/06
Done
KAN*



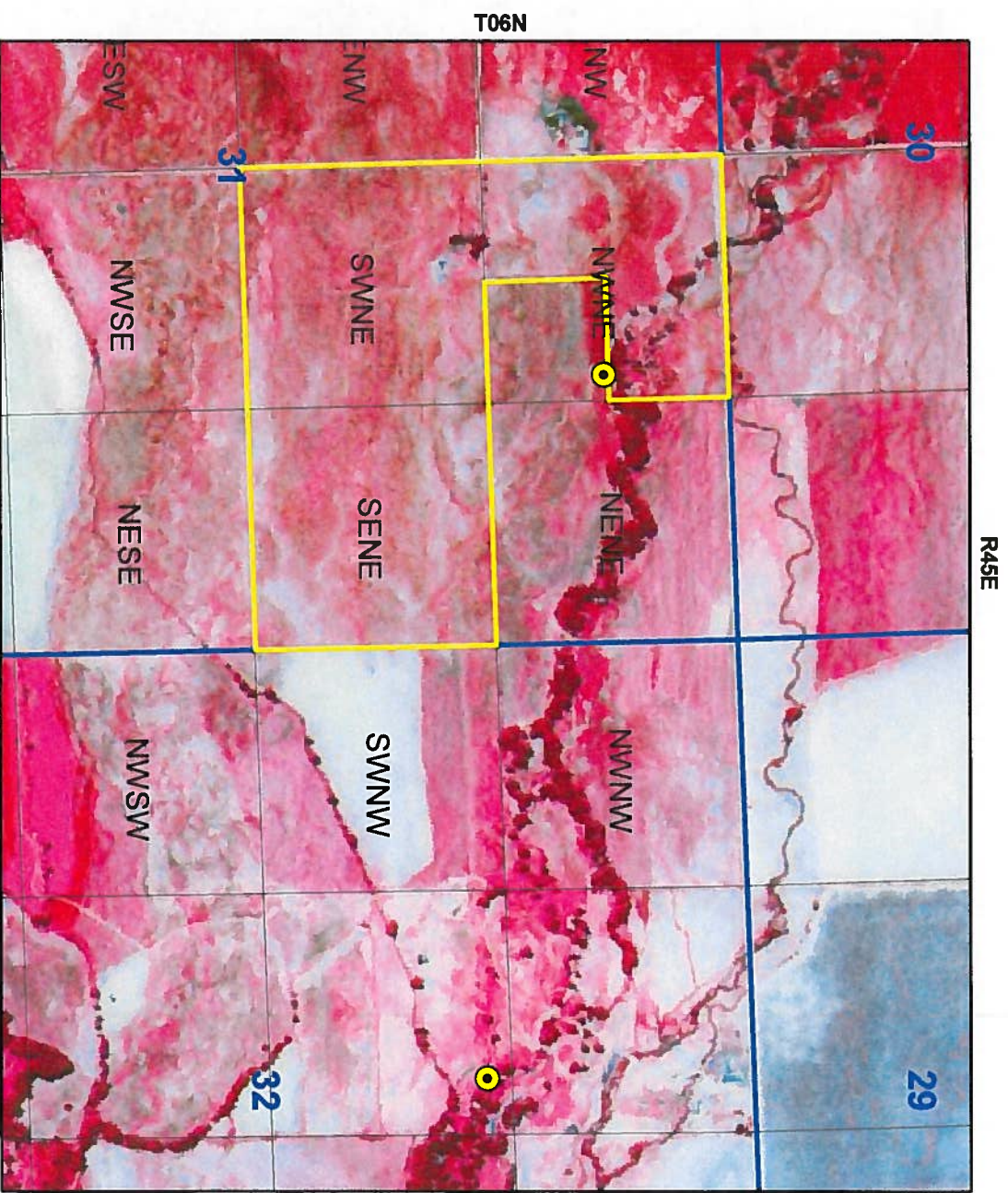
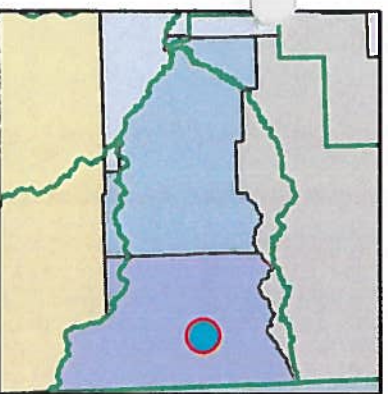
Idaho Department of Water Resources

Adjudication Claim:

22-2113A

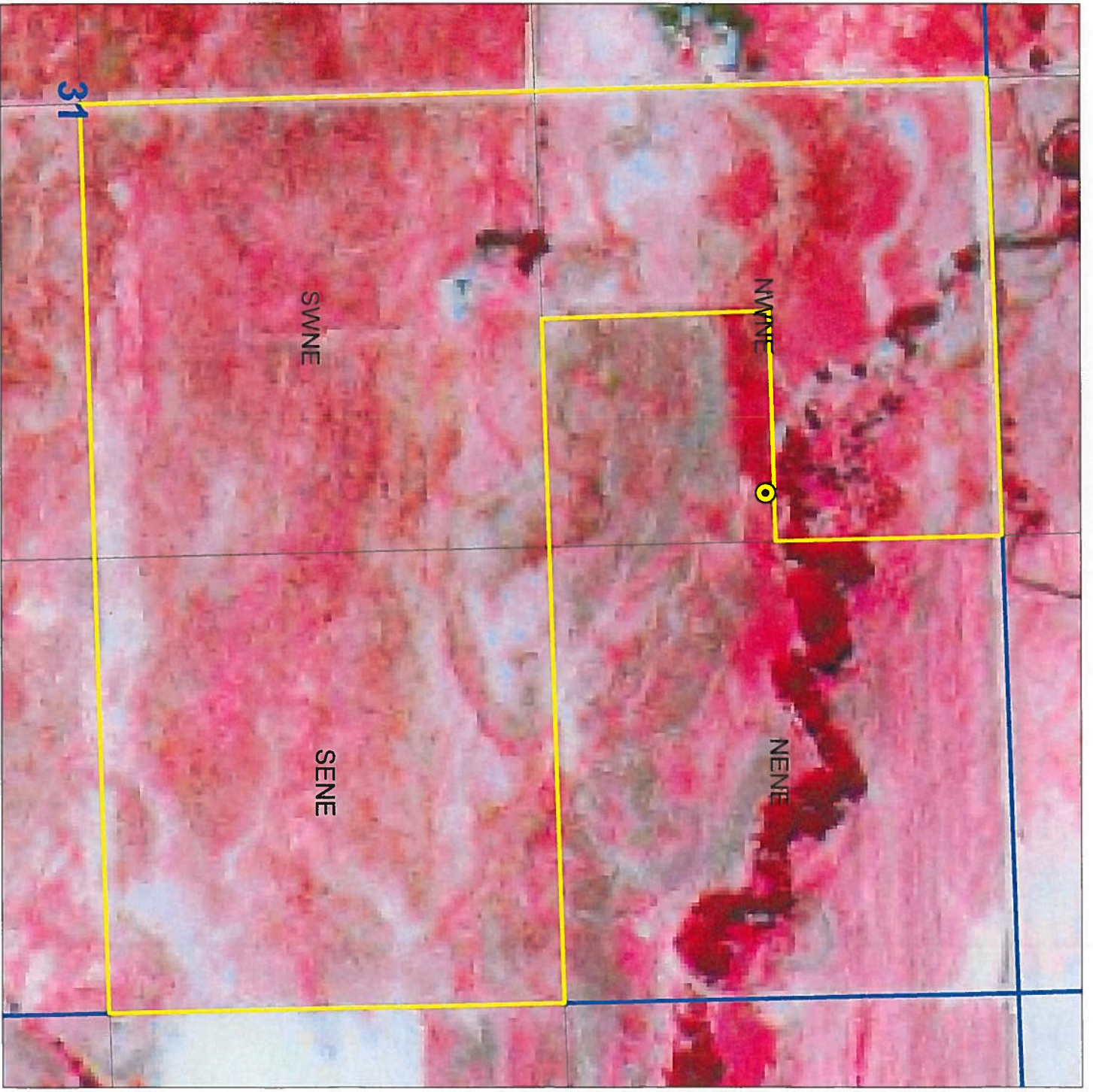
Legend

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



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

22-2113A



31

Contacts Data Entry Form

A2202113A

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

Current Owner JEANNE OR FARRELL BuxTON

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

Current Owner _____

Current Owner _____

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:

LICENSES TO H.R. WADE. FOR (2.4 CFS) 100"
CLAIM. POD. SPRING CREEK SEV. NADY 4 T 6 N
R. 45 E SEC. 32 TRIB. TO TETON RIVER
PORTION OF LICENSE NOT CLAIMED.
DOMESTIC. CLAIMED ON ORIGINAL. LICENSE BUT
NOT ON THIS CLAIM.
OTHER WATER RIGHTS USED A22-71693, A22-11694

FC POD. / POD. CONVEYANCE / SYSTEM

Reviewer: _____

Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-2113

WATER RIGHT NUMBER: 22-2113

Owner Type Name and Address
 Current Owner H R WADE
 TETONIA, ID 83452

Priority Date: 07/31/1924

Basis: License

Status: Active

Source Tributary
 SPRINGS CREEK TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.400 CFS	
DOMESTIC	1/01 to 12/31		
<u>Total Diversion:</u>		2.400 CFS	

Location of Point(s) of Diversion

SPRINGS CREEK NW1/4NE1/4 Sec. 32, Twp 06N, Rge 45E, B.M.
 TETON County

Place of UseIRRIGATION Within TETON County

T06N R45E S31	NENE	40.0	T06N R45E S31	NWNE	40.0
T06N R45E S31	SWNE	40.0	T06N R45E S31	SENE	40.0

Total Acres: 160

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

A 2202113A
 82.5" (1,65 CFS)
 Priority 31 July 1924
 POD. SE 1/4 NW 1/4 T6N R45E SEC 32
 SPRING CREEK, Trib TETON RIVER
 POD T6N R. 45E SEC. 31 NW 1/4 30 AC
 T6N R. 45E SEC 31 SW 1/4 40 AC
 " " " " SE 1/4 40 AC
 Total 110 AC

A 22002113
 120" (2,40 CFS)
 Priority 31 July 1924
 POD SE 1/4 NW 1/4 T6N
 R 45E Sec. 32 SPRING CREEK
 Trib TETON RIVER.

NOT CLAIMED AT THIS TIME

POU. T6N R45E S31 NENE 40 AC 175 AC
 " " " SWNE 40 AC.
 " " " NWNE 40 AC.
 " " " SESE 40 AC
 Total. 160 AC

SEC

SEC

SEC

POINT OF VIEW FOR
SUTTER CREEK

SEC

SEC

T. O. N. 48 E. 1. 1.

W. 1. 1. 1.

SEC

SEC

SEC

16071

Priority Date Data Entry Form

Claim Number: A2202113A

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 31 July 1924 Claimed Basis: LICENCERecommended Priority Date: 31 July 1924 Recommended Basis: LICENCE☐ 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:

Matches licence.

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: A 220 21134

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

Source: _____ Tributary: _____

Claimed Point of Diversion: T 64, R 45E, Sec. 32,____,____,____,____. County: TetonSource: Spring Creek Tributary: Teton River

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

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twps	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? CPS Tag #

Document how the POD and Source were verified and/or Pump and Motor data:

Claim, POD same as licensee.
Field exam showed POD in Sec. 32. There is no headgate at POD. There is a ditch cut into creek. The ditch is approx 2 ft higher than creek bottom, as level of creek falls the ditch gets less water, but a headgate is definitely needed.

Transfers Changing POD _____

Reviewer: _____

Date: _____

4/16/05
DO

Place Of Use Data Entry Form

Claim Number: A220 2113 A.☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6N	45E	31	NWNE		Teton		30	Irrigation
"	"	"	NWNE		"		40	"
"	"	"	SE SE		"		40	"

Total Acres 110

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

4/16/05 Field exam shows claim is irrigated by a series of ditches and dams.

This claim is co-mingled with South Leigh water - Claim A2200334B.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: A 22021134☐ 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
		10/31		

Overall Diversion Rate _____ Overall Diversion Volume _____

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

SOU To Dept. STD 4/15 To 10/31
\$ 42-202, 42-220 I.C. Status 0.02 cfs/ac.

Reviewer: _____

Date: _____

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: **A22-02113A**
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: JUL 31, 1924

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	1.650		

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

8. Total consumptive use is 220.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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

MICROFILMED
NOV 06 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	31	SW	NE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							110.0
Total Acres							110.0

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:
A22-11693, 11694

14. Remarks:
THIS RIGHT IS A PORTION OF WR# 22-02113.

15. Basis of Claim: DECREED

Water Right Number: 16074

Case Number:

Court :

Decree date: / /

Decree Plaintiff

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: _____

MICROFILMED
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

Renumbered 922-02113A

Ident. Number: A22-11692

Date Received: 9/20/1988

Receipt No: MOO1431

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

2. Date of Priority: JUL 31, 1924

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	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	1.650		

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

8. Total consumptive use is 220.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

NOV 08 1988

A22-11692

Page 1

Date: 09/20/88

MICROFILMED

NOV 08 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	45E	31	NW	NE		IRR	30.0
			SW	NE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	110.0
						Total Acres	110.0

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:
A22-11693, 11694

14. Remarks:
THIS RIGHT IS A PORTION OF WR# 22-02113.

15. Basis of Claim: LICENSE
Water Right Number: 16074

MICROFILMED
NOV 08 1992

~~MICROFILMED~~
~~NOV 08 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
Jeannie 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 1988

~~MICROFILMED~~
NOV 06 1992

NOV 11 1962

A22-11692

