

06/04/2003

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

RIGHT NUMBER: 29-10462

NAME AND ADDRESS: LAZY VZ TRUST LAND & WATER
C/O LOUIS BLOXHAM
PO BOX 41
DOWNEY ID 83234

SOURCE: BIG CREEK
MAPLE CREEK

TRIBUTARY: BIRCH CREEK
TRIBUTARY: BIRCH CREEK

QUANTITY: 1.230 CFS

The amount of water diverted under this water right may not exceed 1/2 of the stream flow of Big Creek and Maple Creek at the points of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHT NO. 29-10461 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T11S R36E S35 NENWNW Within BANNOCK County
T12S R36E S4 NWSENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.230 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S35	NENE	18.0	T11S R36E S35	NWNE	14.0
T11S R36E S35	SWNE	0.6	T11S R36E S35	SENE	3.7
T11S R36E S36	NWNW	4.2	T11S R36E S36	SWNW	0.8

41.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-10461 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 154.2 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-4206, 29-10461 AND 29-10462

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: Decreed

01/25/2003

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

RIGHT NUMBER: 29-10462

NAME AND ADDRESS: LAZY VZ TRUST LAND & WATER
C/O LOUIS BLOXHAM
PO BOX 41
DOWNEY ID 83234

SOURCE: BIG CREEK
MAPLE CREEK

TRIBUTARY: BIRCH CREEK
TRIBUTARY: BIRCH CREEK

QUANTITY: 1.230 CFS

The amount of water diverted under this right may not exceed one half (1/2) the flow of Big Creek (Dry Hollow) and Maple Creek (Mines Canyon) at any given time.

USE OF THIS RIGHT WITH RIGHT NO. 29-10461 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T11S R36E S35 NENWNW Within BANNOCK County

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PERIOD OF USE:

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EXPLANATORY MATERIAL: Decreed

SCANNED

MAY 31 2001

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: A29-10462
Date Received: 3/09/1990
Receipt No: 5012279
Received By: SP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAZY VZ TRUST, LAND & WATER 208-897-5362
Address: C/O LOUIS BLOXHAM
P.O. BOX 41
DOWNEY, ID 83234

2. Date of Priority: JUN 09, 1904

3. Source: MINES CANYON Trib. to: SINKS
BIG CREEK SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
11S	36E	35	NW		NE		NW		BANNOCK
12S	36E	3	SW		NW		NW		BANNOCK

5. Description of diverting works:
DIVERSION DITCHES DELIVER WATER TO COMMON GRAVITY PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.500		

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

8. Total consumptive use is 562.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 300 HEAD OF RANGE CATTLE

A2910462



MICROFILMED
NOV 16 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	36E	35	NE		NE		IRR	20.0
			NW		NE		IRR	15.0
			SW		NE		IRR	17.0
			SE		NE		IRR	29.0
			NE		SE		IRR	22.0
			NW		SE		IRR	8.0
			SE		SE		IRR	17.0
Section Acres								128.0
		36	SW		NE		IRR	15.0
			NE		NW		IRR	2.0
			NW		NW		IRR	28.0
			SW		NW		IRR	20.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			SW		SW		IRR	12.0
Section Acres								97.0
Total Acres								225.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

29-04206, 00318, 00331 & B.U. RTS. FROM SPRINGS

14. Remarks:

THIS RIGHT COMBINES DECREE RIGHTS 29-00317 AND 29-00330. EACH RIGHT WAS DECREED 1/4 OF THE FLOW OF MAPLE CREEK AND BIG CREEK (DRY HOLLOW) FOR A TOTAL THEN OF 1/2 THE FLOW. THE DECREE DID NOT INDICATE A PRIORITY DATE SO THE DAY THE DECREE WAS SIGNED WAS USED. SEE TRANSFER 3032.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/09/1904

*1/4 Flow of Maple Ch
1/4 Flow of Big Ch*

HENRY WAKLEY

Decree Plaintiff

vs

GEORGE WAKLEY

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: 2

For Organizations:

I do solemnly swear or affirm that I am Manager of _____ Title

Nazy VZ Trust Land & Water that I have signed the foregoing Organization document in the space below as Manager of Title

Nazy VZ Trust Land & Water and that the statements contained in the Organization foregoing document are true and correct.

Louis Blotman
Signature of Authorized Agent

Manager, Nazy VZ Trust Land & Water
Title and Organization

3-9-90
Date

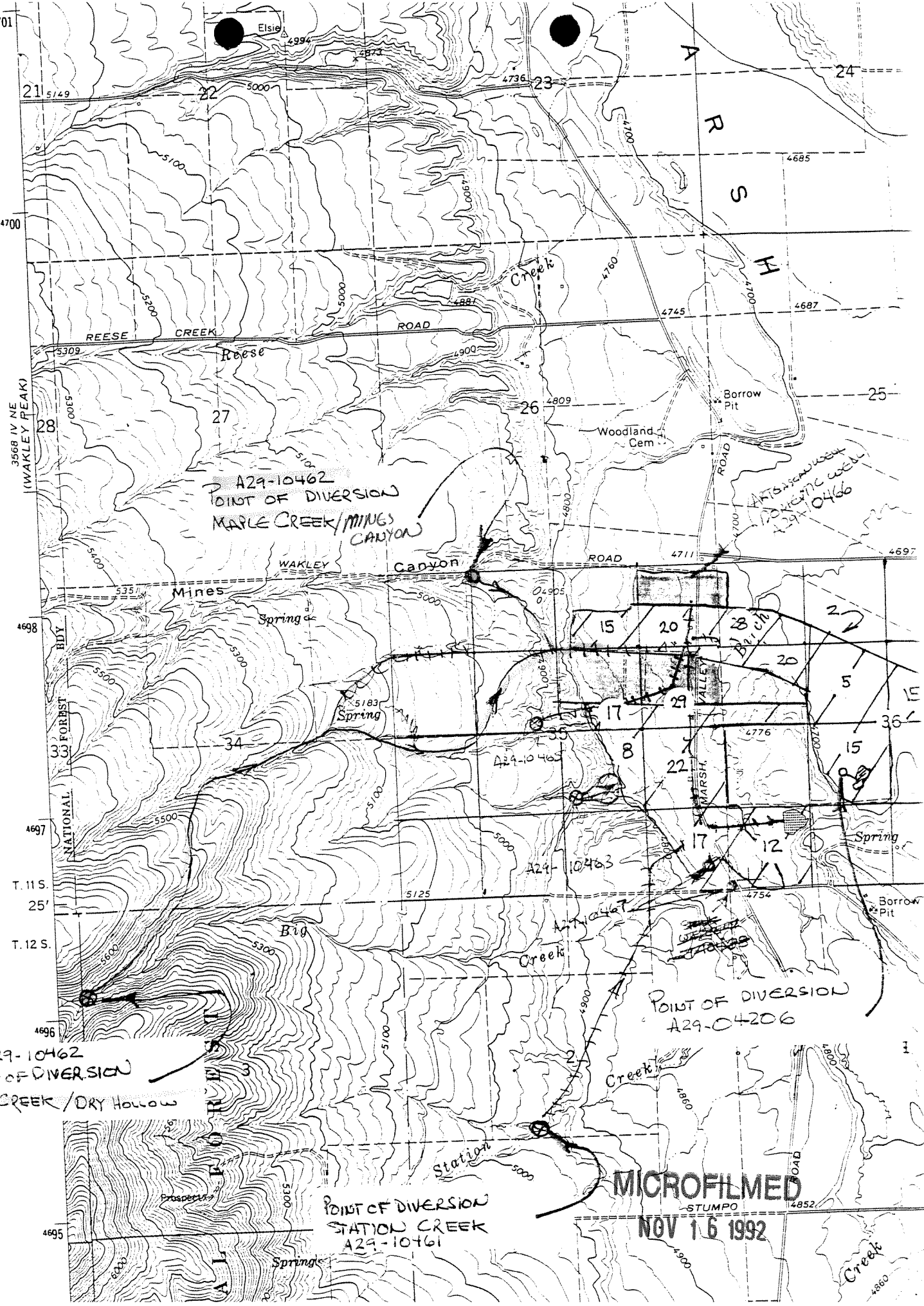
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at _____
My Commission Expires _____
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994



A29-10462
POINT OF DIVERSION
BIG CREEK / DRY Hollow

A29-10462
POINT OF DIVERSION
MAPLE CREEK/MINGS CANYON

POINT OF DIVERSION
A29-04206

POINT OF DIVERSION
STATION CREEK
A29-10461

MICROFILMED
NOV 16 1992

02/18/2003

Ernie

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: April 21, 2003

Water right number: 29-10462

LAZY VZ TRUST LAND & WATER

C/O LOUIS BLOXHAM

PO BOX 41

DOWNEY ID 83234

Telephone Number: (208) 897-5362

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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: 4-21-03

SIGNATURE:

Mark Bloxham

Please print your name:

Mark Bloxham (trustee)

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



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

June 4, 2003

TO: Basin 29 Surface Water User

I am writing this letter to you as a courtesy to inform you that after review of the Department of Water Resource's preliminary recommendation for your water right(s), a quantity remark has been added. The quantity remark will reflect how your water right(s) was historically decreed in a prior decree. The prior decree recognized the quantity for your water right(s) as a fractional amount of the stream flow listed from the source on your water right. You can expect the Department's Director's Report, which is to be filed with the SRBA Court sometime in July, to include a quantity remark as follows:

The amount of water diverted under this water right may not exceed *(decreed percent or fraction)* of the stream flow of *(decreed source)* at the point of diversion described above at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

The information in parentheses and italics will reflect whatever fraction and source is correct for your water right(s).

If you disagree with the inclusion of this quantity remark in your water right, you will be able to file an objection with the SRBA Court. A Notice of Filing Director's Report will be mailed to you along with the Director's Report for your water right(s) sometime in July. This Notice will outline the deadlines and process for filing an objection to your water right(s).

If you have any further questions regarding this matter, you can contact me at 208-327-7900.

Very truly yours,

A handwritten signature in cursive script, reading "Candice M. McHugh", is written over the typed name.

Candice M. McHugh
Deputy Attorney General, IDWR

cc: Allen Ruberry
CMM/pm

Claim No.	Claimant	Fract.	Q by Rec	Acres	Stream	Remarks
Phillips vs Edwards Decree, 1924..... Rowley Creek						
29-11242	Wm Phillips	1/2	1.50	75.0	Rowley Ck	
29-12020	P Fergus	1/4	2.02	100.8	Rowley Ck	
29-13469	K Williams	1/4	2.52	126.0	Rowley Ck	

Claimed in-full

Wakley vs Wakley, 1904..... Station Creek

29-00321	Vaughan, et al	1/5	3.91		Station Ck	
29-00326	F Winward	1/5	1.92	96.0	Station Ck	
29-10461	Lazy VZ Trust	2/5	3.08		Station Ck	
29-11699	P Adams	1/5	5.64	282.2	Station Ck	

Decreed right(s) claimed in-full

29-13476 TJL Properties 0.065 Station Ck Recommended as BU, Priority 6/10/1904

Wakley vs Wakley, 1904.....Dry Hollow (Big Ck) and Maple Ck (Mines Canyon)

29-00317A	Vaughan, et al	4/4 0/0	3.91		Big Ck/Maple Ck	DISALLOWED-ownership not proven
29-00320	Vaughan, et al	1/4	3.91		Big Ck/Maple Ck	
29-10462	Lazy VZ Trust	4/4 1/2	1.23		Big Ck/Maple Ck	Recommended as 1/2 flow **
29-11698	P Adams	1/4	5.64	282.2	Big Ck/Maple Ck	

Claimed in-full

29-11700 P Adams XX 0.36 282.2 Unnamed Strm Beneficial Use
 29-10407 TJL Properties XX 0.07 Big Ck/Maple Ck Recommended as BU, Priority 6/10/1904

Daniels vs Woodland, 1878..... Birch Creek

29-13103 Malad Valley Irr 3/4 6.20 Lg POU Birch Ck
 Marsh Creek side (B29) users got 1/4 of the flow of Birch Creek as shown below.

Wakley vs Wakley, 1904..... Birch Creek

29-00322	Vaughan, et al	4/24	3.91	195.3	Birch Ck	
29-00327	Marler/Gardner	2/24	2.54	128.0	Birch Ck	
29-00328A	K Williams	1/24	2.52	126.0	Birch Ck	
29-00328B	P Fergus	5/24	2.02	100.8	Birch Ck	
29-00328C	F Winward	2/24	1.92	96.0	Birch Ck	
29-00329	F Winward	2/24	0.80	40.0	Birch Ck	
29-11241	Wm Phillips	2/24	1.50	75.0	Birch Ck	
29-11650	TJL Properties	2/24	1.76	88.0	Birch Ck	
29-11697	P Adams	4/24	5.64	282.2	Birch Ck	

Claimed in-full

Notes:

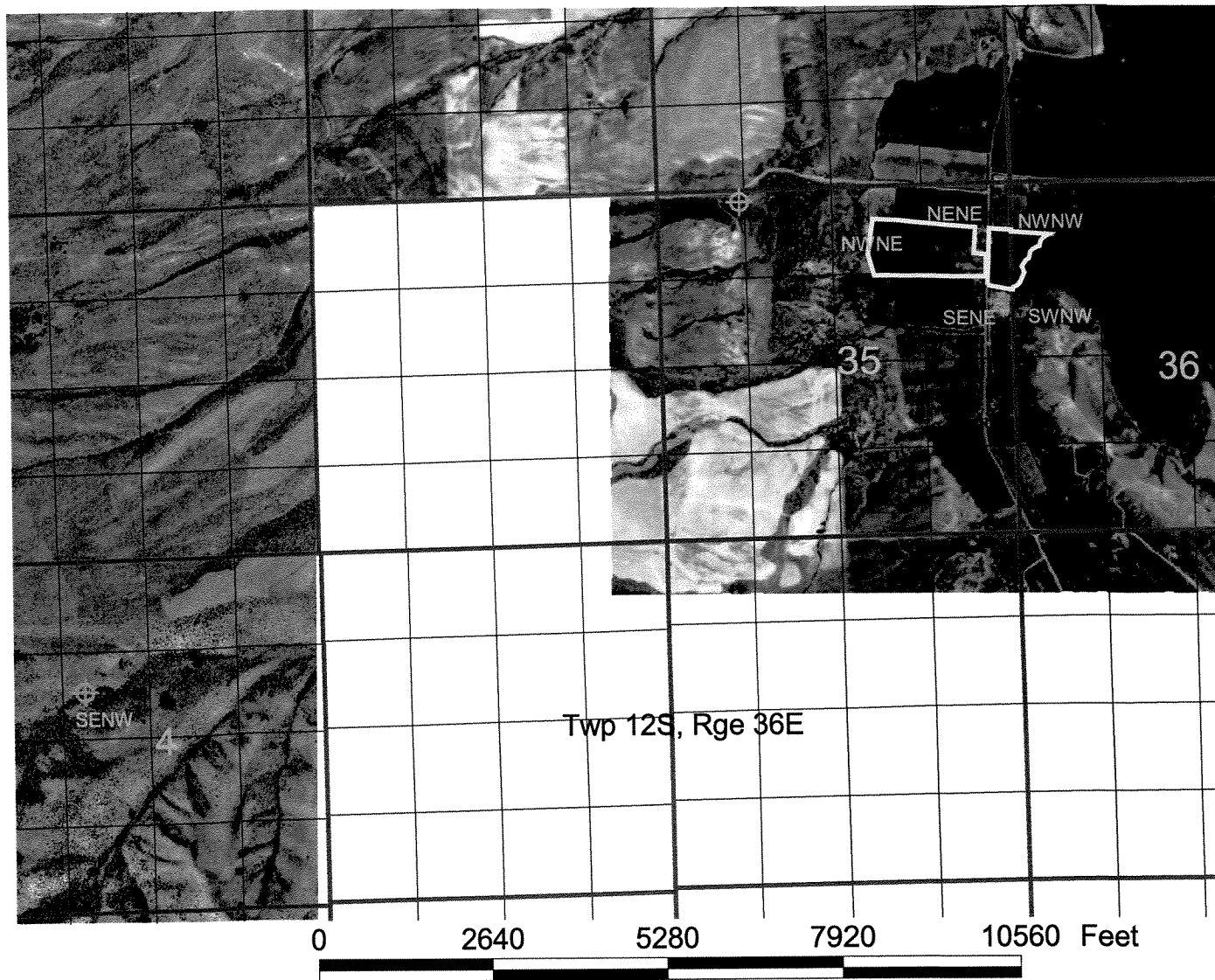
** Re; 29-10462 see Transfer #3032 Claim combines 29-317 and 29-330C (which recombines A & B)
 The Decree of Davis vs Treasure only involves Birch Creek water.



Department of Water Resources

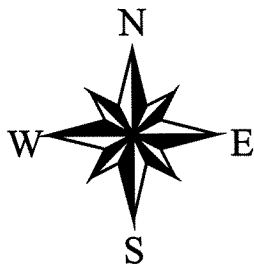
Claim No.: 29-10462

Twp 11S, Rge 36E



Irrigated Acres = 41.3

- Place of use.shp
- Diversion.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2003

Priority Date Data Entry Form

Claim Number: 29-10462Water Right Priority Date: 6/9/1904 Water Right Basis: DECADOD

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☐ 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:

WAKLOV VS WAKLOV 6/9/1904THIS CLAIM COMBINES 29-317 AND 330 ⇒ P15*
PRIORITY DATE NOT SPECIFIED BY DECADOD - 1/500 DECADOD
DATEAlso SUB 4206, 318, 331 & BURTS from Spgs→ 29-10461

* 29-317 - ^(BIG CK) 1/4 FLOW OF DRY HOLLOW AND MAPLE CKs.
29-330 - ^(BIG CK) 1/4 FLOW OF DRY HOLLOW AND MAPLE CKs. → 29-10462
= 1/2 FLOW

Reviewer: _____

Date: _____

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____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

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

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
115	366	35		NNNENW		Minos ch
GPS Coordinates: _____						
125	366	3		SWNNWN		Dog ch
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

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

POD to common Gravity Pipeline

Transfers Changing POD _____

Reviewer: _____

Date: _____

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
115	36E	35					128	
		36					97	

Total Acres 225⁰

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

PER INDICATED

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
<i>Drainage</i>			<i>?</i>	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<i>Drainage</i>			<i>225</i>	

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
<i>Trailing</i>	<i>4/1</i>	<i>11/01</i>	<i>4.5</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Trailing</i>	<i>4/1</i>			

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Also SPECIFICALLY Stockwater for 300 Cattle.

Reviewer: _____

Date: _____

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	LAZY VE Trust					
Name connector: and	_____, or _____, and/or _____					
Current Owner	LOUIS BLOKHAN					
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:

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. The paper appears to be a standard notebook page.

Reviewer: _____

Date: _____

SCANNED
MAY 31 2001

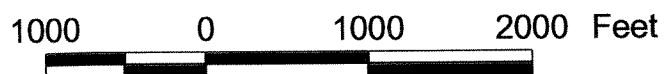
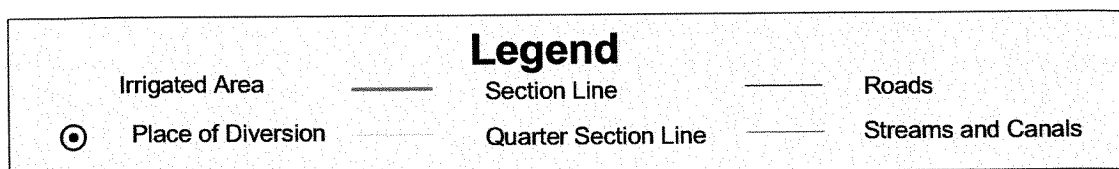
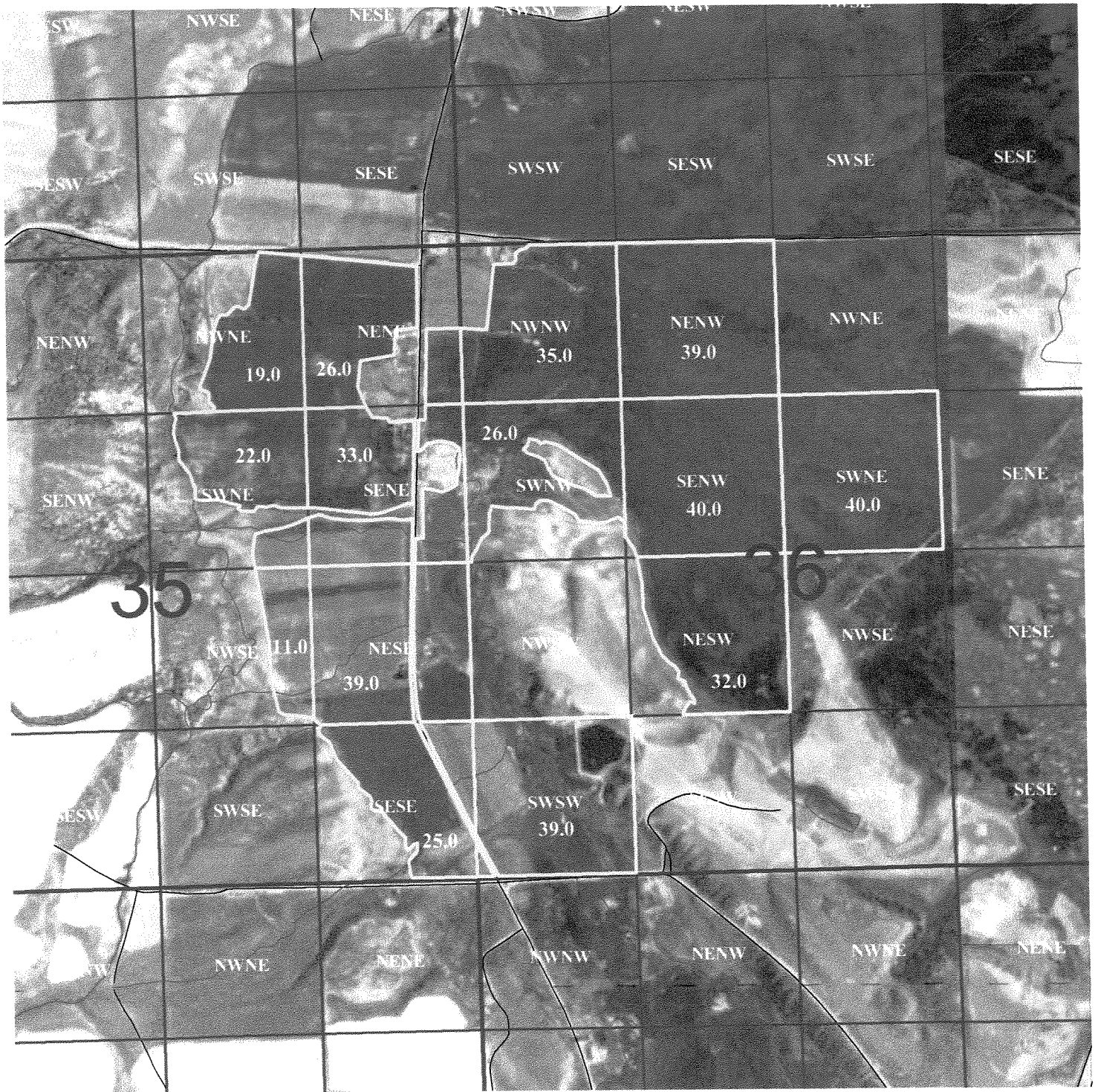
Log for claim A29-10462

Spatial Dynamics TWB

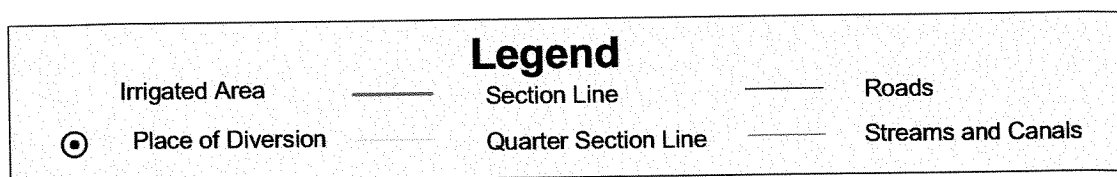
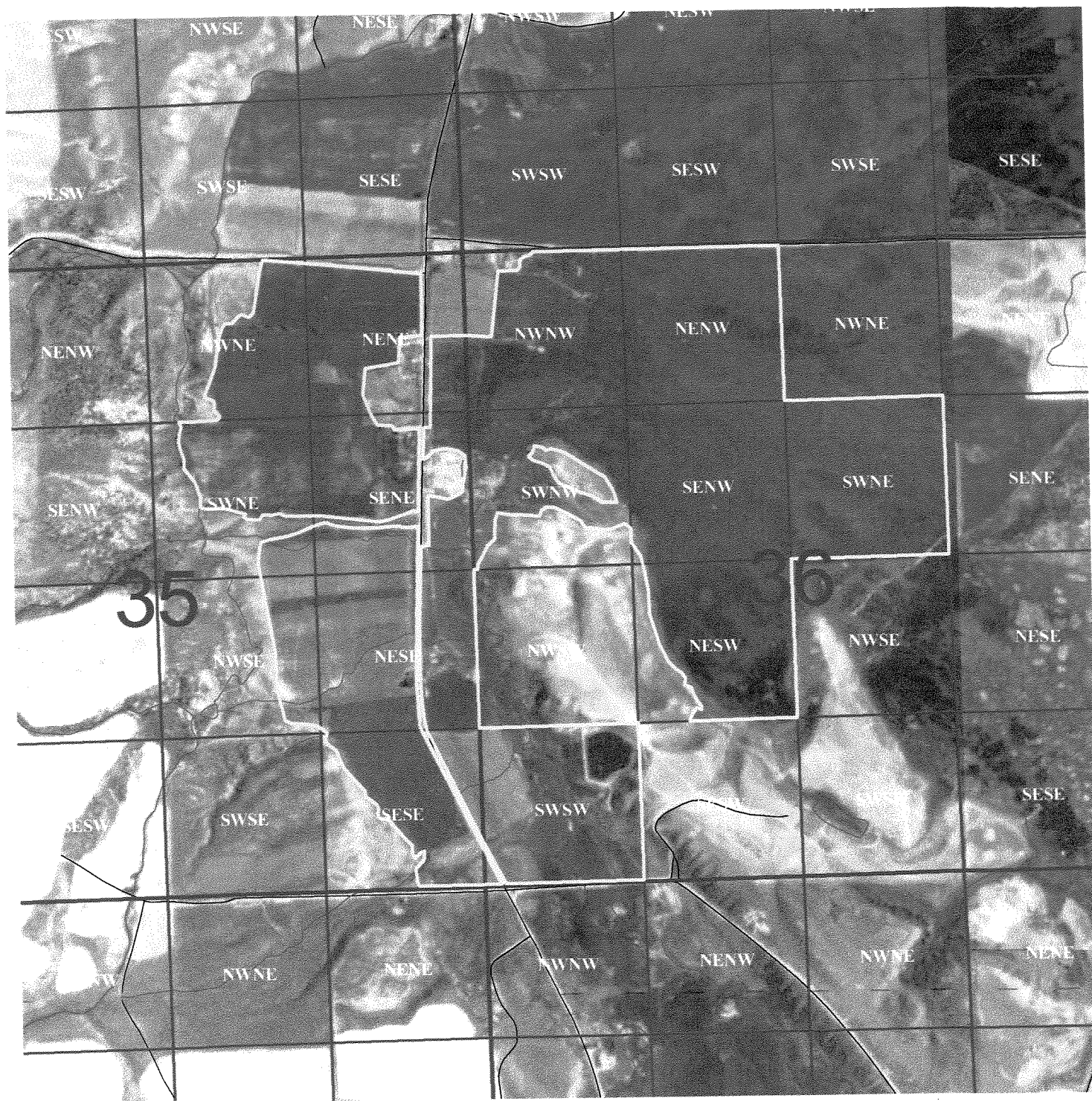
6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s36e	0		0	0	swnwnw in database should be swswnw for pod pla
11s36e	35	NENE	20	26	
11s36e	35	NWNE	15	19	
11s36e	35	SWNE	17	22	
11s36e	35	SENE	29	33	
11s36e	35	NESE	22	39	Permissible place of use?
11s36e	35	NWSE	8	11	
11s36e	35	SESE	17	25	
11s36e	36	SWSW	12	39	Permissible place of use?
11s36e	36	SWNE	15	40	Permissible place of use?
11s36e	36	NENW	2	39	Permissible place of use?
11s36e	36	NWNW	28	35	
11s36e	36	SWNW	20	26	
11s36e	36	SENW	5	40	Permissible place of use?
11s36e	36	NESW	15	32	
Totals:			225	426	

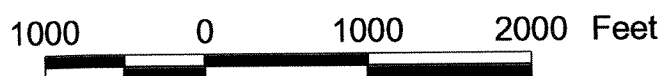
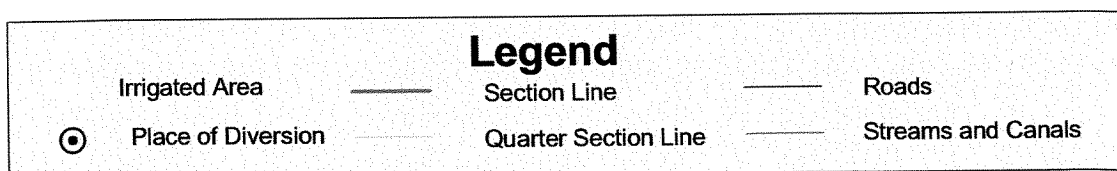
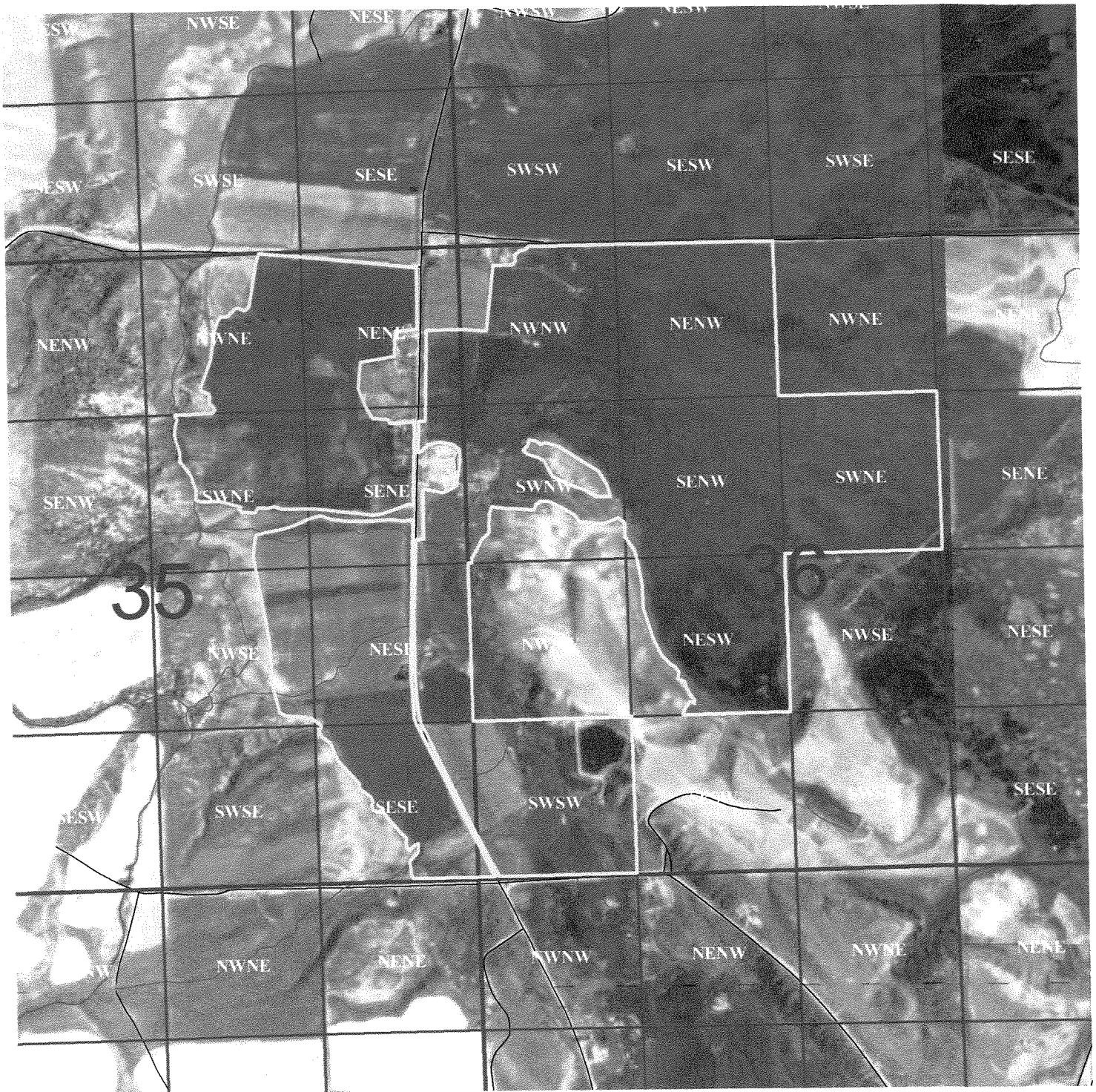
Township , 11S36E



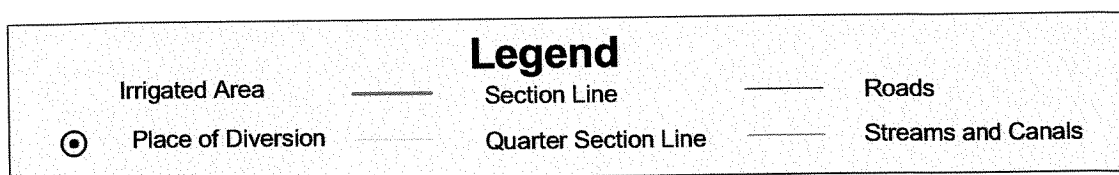
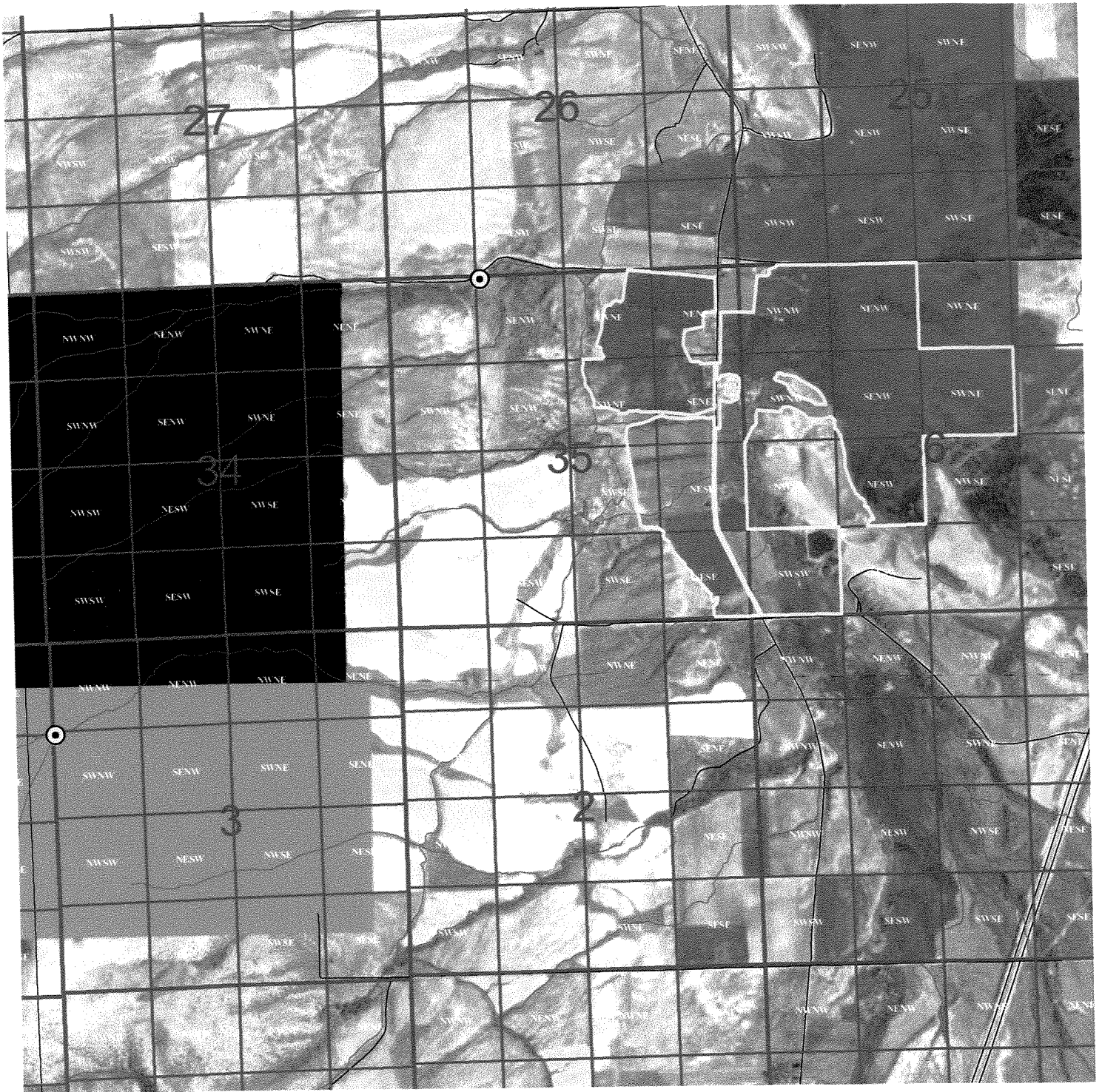
Township , 11S36E



Township , 11S36E



Township , 11S36E



Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
	Presumption Flag:	D	
Audit:	03/09/90 VERNER	08/03/94 THOMPSON	03/29/95 POST-STD