

06/05/2003

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

RIGHT NUMBER: 29-10461

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

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 3.080 CFS

The amount of water diverted under this water right may not exceed 2/5 of the stream flow of Station Creek at the point 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. 29-10462 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S2 SENESW 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	3.080 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S35	NENE	18.0	T11S R36E S35	NWNE	14.0
T11S R36E S35	SWNE	6.2	T11S R36E S35	SENE	18.0
T11S R36E S35	NESE	37.0	T11S R36E S35	NWSE	9.5
T11S R36E S35	SESE	19.0	T11S R36E S36	NENW	0.5
T11S R36E S36	NWNW	15.0	T11S R36E S36	SWNW	10.0
T11S R36E S36	SENW	1.1	T11S R36E S36	SWSW	5.9

154.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-10462 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

01/24/2003

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

RIGHT NUMBER: 29-10461

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

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 3.080 CFS

The amount of water diverted under this water right may not exceed two fifths (2/5) of Station Creek at any given time.

USE OF THIS RIGHT WITH RIGHT NO. 29-10462 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS.

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S2 SENESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

3.080 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S35	NENE	18.0	T11S R36E S35	NWNE	14.0
T11S R36E S35	SWNE	6.2	T11S R36E S35	SENE	18.0
T11S R36E S35	NESE	37.0	T11S R36E S35	NWSE	9.5
T11S R36E S35	SESE	19.0	T11S R36E S36	NENW	0.5
T11S R36E S36	NWNW	15.0	T11S R36E S36	SWNW	10.0
T11S R36E S36	SENW	1.1	T11S R36E S36	SWSW	5.9

154.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-10462 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

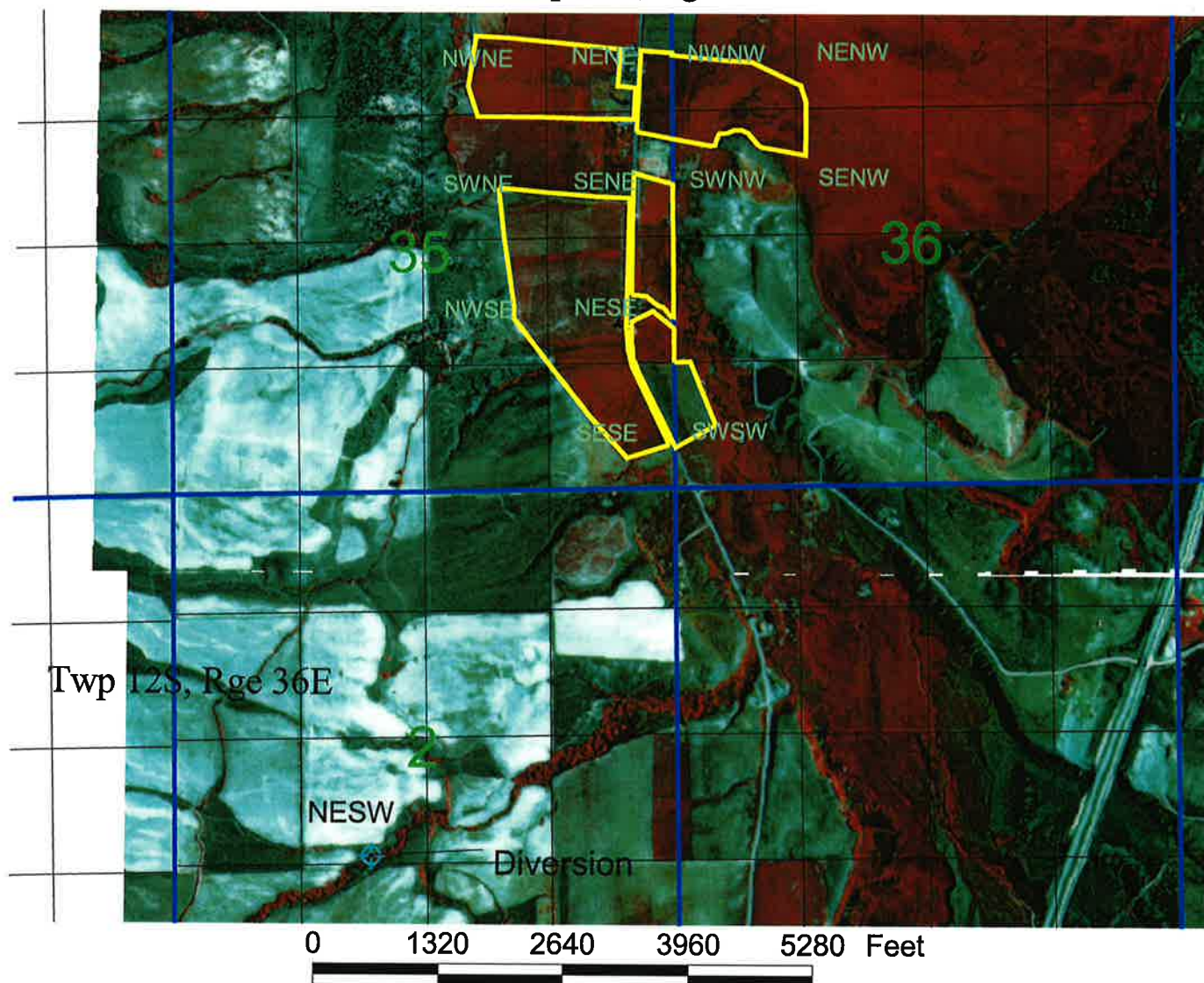
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



Department of Water Resources

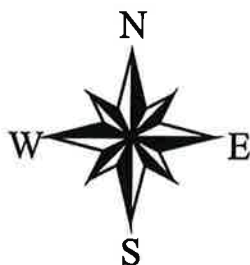
Claim No.: 29-10461

Twps 11S, Rge 36E



Irrigated Acres = 154.2

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



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

NOTICE OF ERROR
REPLY

02/18/2003

Ernie
RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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: 29-10461

LAZY VZ TRUST LAND & WATER
C/O LOUIS BLOXHAM
PO BOX 41
DOWNEY ID 83234
Telephone Number: (208)897-5362

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 positioned above 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.

Priority Date Data Entry Form

Claim Number: 29-10461
Water Right Priority Date: 6/9/1904 Water Right Basis: Decreed
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:

WARLEY VS WARLEY 6/9/1904
THIS IS A COMBINED RT OF 29-318 AND 29-331 ⇒ P15
PRIORITY DATE NOT SPECIFIED BY DECREE - USDD
DECREES DATE.

FE IS INDICATED

ALSO SEE 29-317, 330, 4206 & BU RTs from Springs
→ 29-10462

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 12S, R 36E, Sec. 2, SW, SE, NW. County: BANDSource: Station Ck Tributary: Birch Ck

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
<u>12S</u>	<u>36E</u>	<u>2</u>		<u>SENE SW.</u>		
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 GRAVITY PIPING SYSTEM

Transfers Changing POD CO3 - Accomplished change.Reviewer: EMCDate: 11/8/02

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 225²

Recommended Place of Use

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

Total Acres 154.2

Document how the POU was verified:

100% LAP w/ OTHER Pts Listed on FRONTE14- 241 29-10462, 29-10461, 29-4206

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>Drain</i>				

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<i>Drain</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:

SPECIFICS INCIDENTIAL STOCKWATER FOR 300 CATTLE

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

Overall Diversion Rate *4.5* Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Irrig.</i>	<i>4-1</i>	<i>10-31</i>	<i>3.08</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

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

COMBINED D from 29-318 and 331. Discusses
APPARENTLY DISCUSSES 1/5 FLOW OF EACH PT. FROM
STATION CROSS. FOR REMARKS WAHLOV VS WARLOV 1904

Reviewer: _____

Date: _____

Contacts Data Entry Form

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

Jan 23, 2003 - Met with Mark & Louis Bloxham.

Reviewer: _____

Date: _____

AJ5809NP
No. A29-10461

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/24/00
PAGE: 164

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAZY VZ TRUST LAND & WATER C/O LOUIS BLOXHAM PO BOX 41 DOWNEY ID 83234 (208) 897-5362	06/09/1904	IRRIGATION	04-01 11-01	4.500 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	4.500 CFS 562.50 AFA

Water Source: STATION CREEK

Tributary to: BIRCH CREEK

Stage: DECREED

Point(s) of Diversion: T12S R36E S02

SESENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
11S	36E	35	:	20		15		17		29			:					:					:		
11S	36E	36	:				15	:	02		28		20	:	05			:	15				12	:	
																							TOTAL ACRES		225.0

POU County: BANNOCK

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 300 HEAD OF RANGE CATTLE

Other Rights: 29-00317, 00330, 04206, & B.U. RTS. FROM SPRINGS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-12060 A29-12060

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00317 A29-00318 A29-00319 A29-00330C A29-00331 A29-04206 A29-10407 A29-10462 A29-10463 A29-10465
A29-11650 A29-11697 A29-11698 A29-11699 A29-11700

Remarks: GEN THIS NOTICE COMBINES DECREED RIGHTS 29-00218 AND 29-00331.
EACH RIGHT WAS DECREED 1/5 OF THE FLOW IN STATION CREEK. THE
DECREE ALSO DID NOT SPECIFY A PRIORITY DATE SO THE DATE THE
DECREE WAS SIGNED WAS USED AS THE PRIORITY DATE.
SEE TRANSFER 1717.

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

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: A29-10461
Date Received: 3/09/1990
Receipt No: E012279
Received By: E2V

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: STATION CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	36E	2	SE	SE	NW		BANNOCK

5. Description of diverting works:
WATER COLLECTED INTO GRAVITY FLOW PIPELINE TO SPRINKLERS.

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

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

A29-10461

Page 1

Date: 03/09/90

A2910461



MICROFILMED
NOV 16 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	36E	35	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:

29-00317, 00330, 04206, & B.U. RTS. FROM SPRINGS

14. Remarks:

THIS NOTICE COMBINES DECREED RIGHTS 29-⁰⁰³¹⁸~~00218~~ AND 29-00331.
EACH RIGHT WAS DECREED 1/5 OF THE FLOW IN STATION CREEK. THE
DECREE ALSO DID NOT SPECIFY A PRIORITY DATE SO THE DATE THE
DECREE WAS SIGNED WAS USED AS THE PRIORITY DATE.
SEE TRANSFER 1717.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/09/1904

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 x 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

LAZY VZ TRUST, LAND & WATER, that I have signed the foregoing Organization

document in the space below as MANAGER of Title

LAZY VZ TRUST, LAND & WATER and that the statements contained in the Organization

foregoing document are true and correct.

Louis Blayhane
Signature of Authorized Agent

MANAGER, LAZY 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 _____ day
of March 19 90

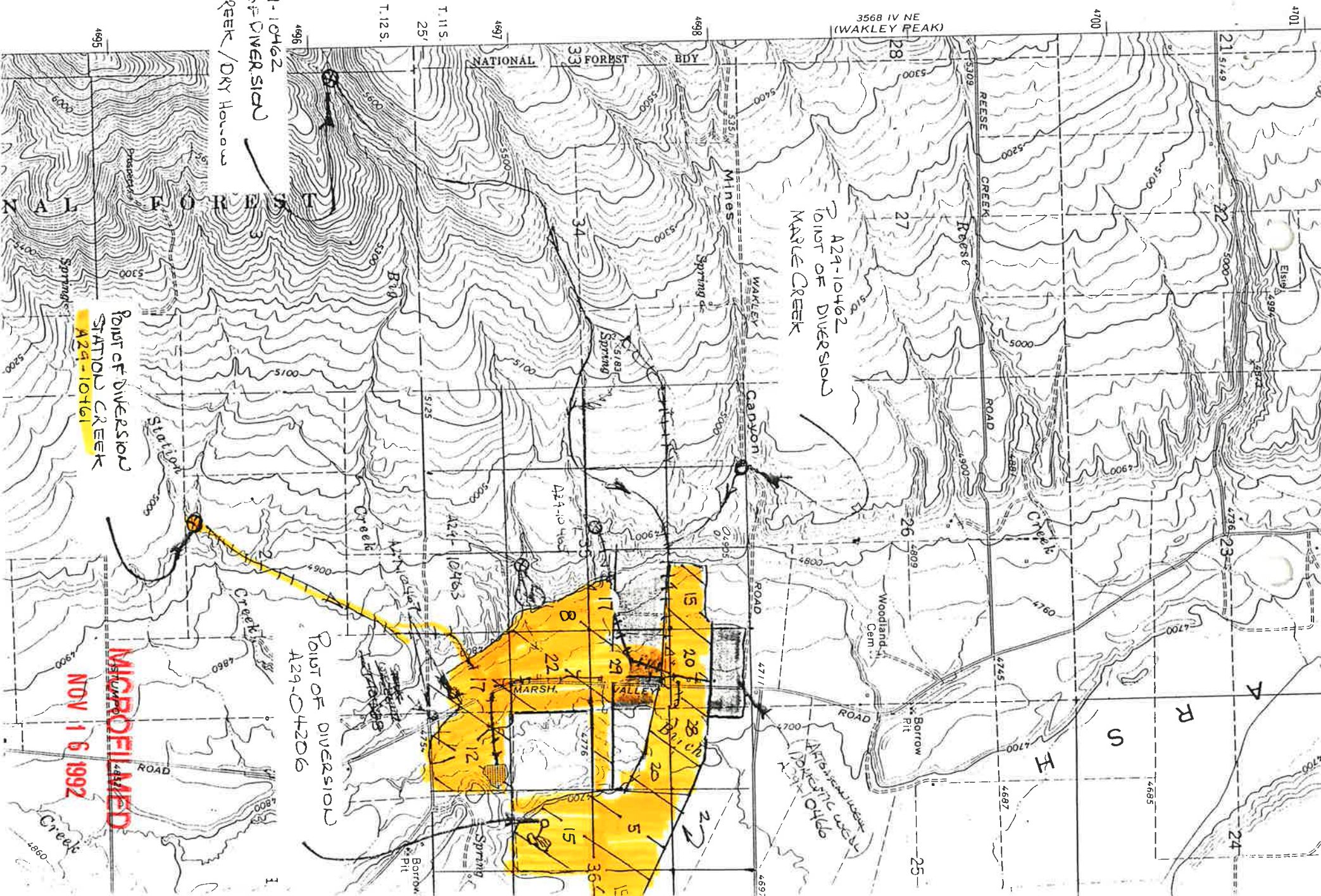
[Signature]
Notary Public

Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at _____

My Commission Expires _____



A29-10462
Pout of DIVERSIA
BIG CREEK / DRY Hollow

7 A29-10462
PORT OF DIVERSION
MARLE CREEK

POINT OF DIVERSION
STATION CREEK
A29-10461

POINT OF DIVERSION
A29-04206

STUMP 4852

NOV 16 1992

