

06/05/2003

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

RIGHT NUMBER: 29-13476

NAME AND ADDRESS: TJL PROPERTIES
56 E 100 N
MALAD ID 83252

SOURCE: STATION CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.065 CFS
This water right is deliverable only when water rights 29-321, 29-326,
29-10461, and 29-11699 are first satisfied.

PRIORITY DATE: 06/10/1904

POINT OF DIVERSION:
T12S R36E S3 SESESE 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	0.065 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T11S R36E S25 SWSW 3.3

3.3 ACRES TOTAL

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: Beneficial Use

6/05/03 This VERSION ADDS DELIVERY LANGUAGE.

01/22/2003

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56 E 100 N
MALAD ID 83252

SOURCE: STATION CREEK

TRIBUTARY: BIRCH CREEK

QUANTITY: 0.065 CFS

PRIORITY DATE: 06/09/1904

POINT OF DIVERSION:

T12S R36E S3 SESESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.065 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T11S R36E S25 SWSW 3.3

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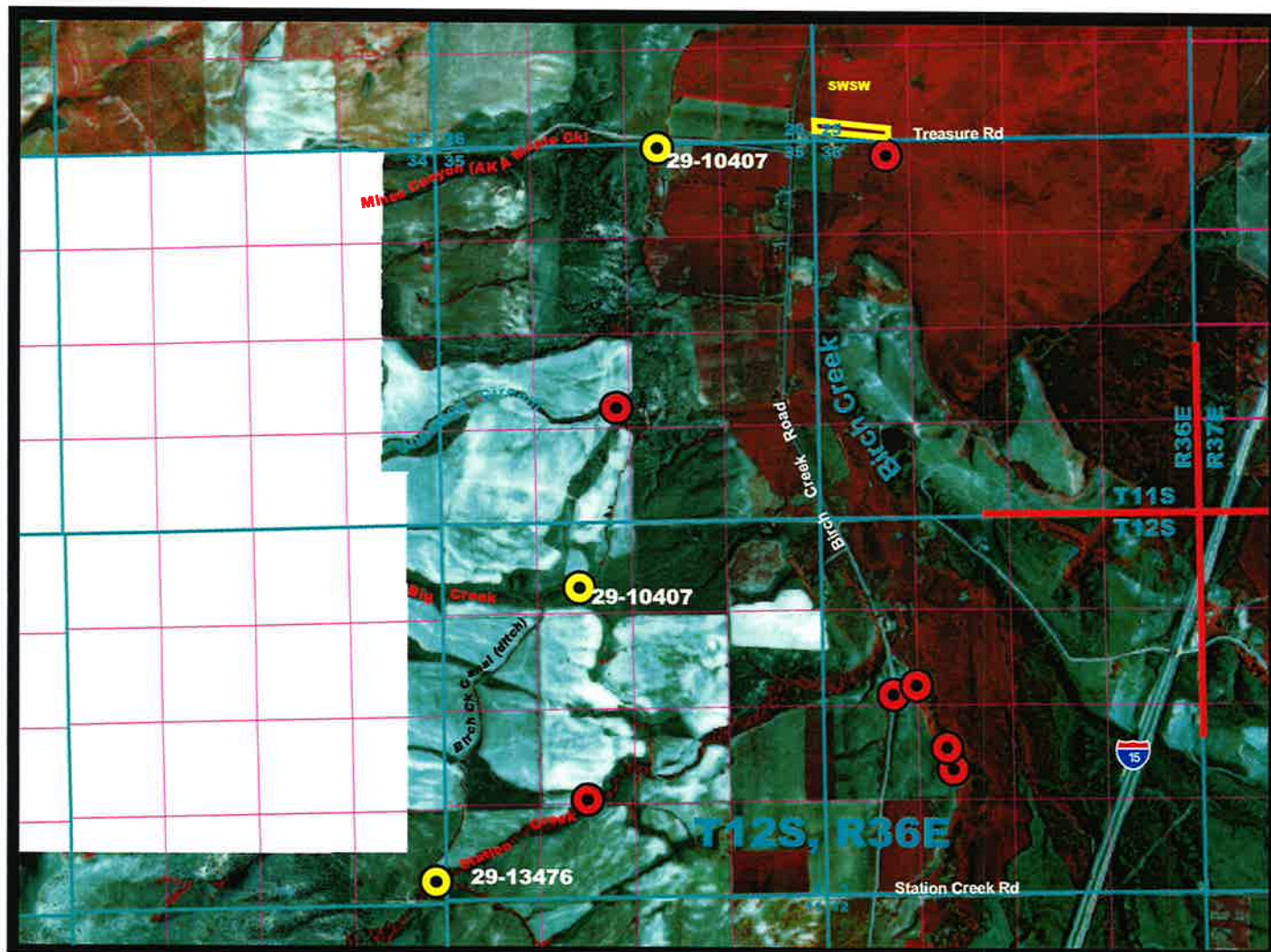
EXPLANATORY MATERIAL: ~~Decreed~~ Bu



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-10407, 29-13476

Place of Use: (part of): T11S, R36E
Sec. 25 SWSW

Point(s) of Diversion: T11S, R36E
Sec. 35 NWNWNE (Maple Ck)
T12S, R36E
Sec. 2 SWNENW (Big Ck)
Sec. 3 SESESE (Station Ck)

Note: Delivery through Birch Creek
Canal (ditch)



LEGEND

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

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 11000 12000 13000 14000 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2003

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	
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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.

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 29-13476
Date Received: 1/21/2003
Receipt No:
Received By: *E028445*
1/21/03 ABR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TJL PROPERTIES Phone: (208) 766-4141

56 E 100 N
MALAD ID USA 83252

2. Date of Priority: 06/09/1904

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	Type
12S	36E	3	SE SE SE	BANNOCK	

5. Description of diverting works:

DIVERSION TO BIRCH CREEK CANAL (DITCH)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.065	

7. Total Quantity Appropriated is:
0.065 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
11S	36E	~~26~~ 25 <i>ABR</i>	SW SW	IRRIGATION	3.26
				Section Acres	3.26

2913476



Total Acres 3.26

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:

14. Remarks:

15. Basis of Claim:

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 Organizations:

I do solemnly swear or affirm that I am P. Resident of _____ Title

TJL Propontis L.C. Organization, that I have signed the foregoing

document in the space below as President of _____ Title

TJL Propontis L.C. Organization and that the statements contained in the foregoing document are true and correct.

[Signature] Signature of Authorized Agent

President Title and Organization

1-21-03 Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21ST
of January 20 03

A. B. Ruberry

Notary Public

Residing at Edna Pauls Lane

My commission Expires 9/23/03

