

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-4099
Date Received: 2/12/2024
Receipt No: 7000743
Claim Fee: \$91
Received By: MB

RECEIVED

FEB 12 2024

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

IDWR/Preston

1. Name of Claimant(s)

S LAZY S PROPERTIES LLC
3347 EAST RIVERDALE RD
PRESTON ID 83263

Phone: (208) 339-2111

2. Date of Priority: 3/10/1882

3. Source:
STATION CREEK

Trib. to:
BEAR RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
14S	40E	27	NW NE		FRANKLIN	

5. Description of diverting works:

The property was originally homesteaded on. The homesteader built a canal to the property for irrigation. Later the canal company created a deal to deliver the water in exchange for using the homesteader's canal as part of their system. There is a weir at the creek for measuring the water. Originally everything was flood irrigated. After my father bought the property we experimented with sprinklers and eventually converted the system to a sprinkler system. Today we use two pivots, a wheel line and some hand lines that we water the fields with. We did increase our acreage and will be filing a second claim for the additional acreage.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	4/20	11/15	0.96		
STOCKWATER	04/20	11/15	0.07		

7. Total Quantity Appropriated is:

1.03 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

300 head of cattle and 6 horses.

9. Place of use:

IRRIGATION within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	21	SW		SW		10
14S	40E	21	SE		SW		4.3
14S	40E	21	SW		SE		10
14S	40E	28	NW		NE		6.1
14S	40E	28	NE		NW		2.1
14S	40E	28	NW		NW		1.3

Total Acres = 33.8

STOCKWATER within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
14S	40E	21	SW		SW		
14S	40E	21	SE		SW		
14S	40E	21	SW		SE		
14S	40E	28	NE		NE		
14S	40E	28	NW		NE		
14S	40E	28	NE		NW		
14S	40E	28	NW		NW		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

13-917

12. Remarks:

Priority Date Explanation:

The water right was originally posted on this date. Copy of the posted notice is included with the claim. Water right was originally claimed as a statutory claim. Posted notice was found later and priority date has been claimed based on the posted notice for this water right.

13. Basis of Claim: Statutory Claim

14. 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 BEAR 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: _____ 3 _____

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am, and I have signed the foregoing document in the space below as the

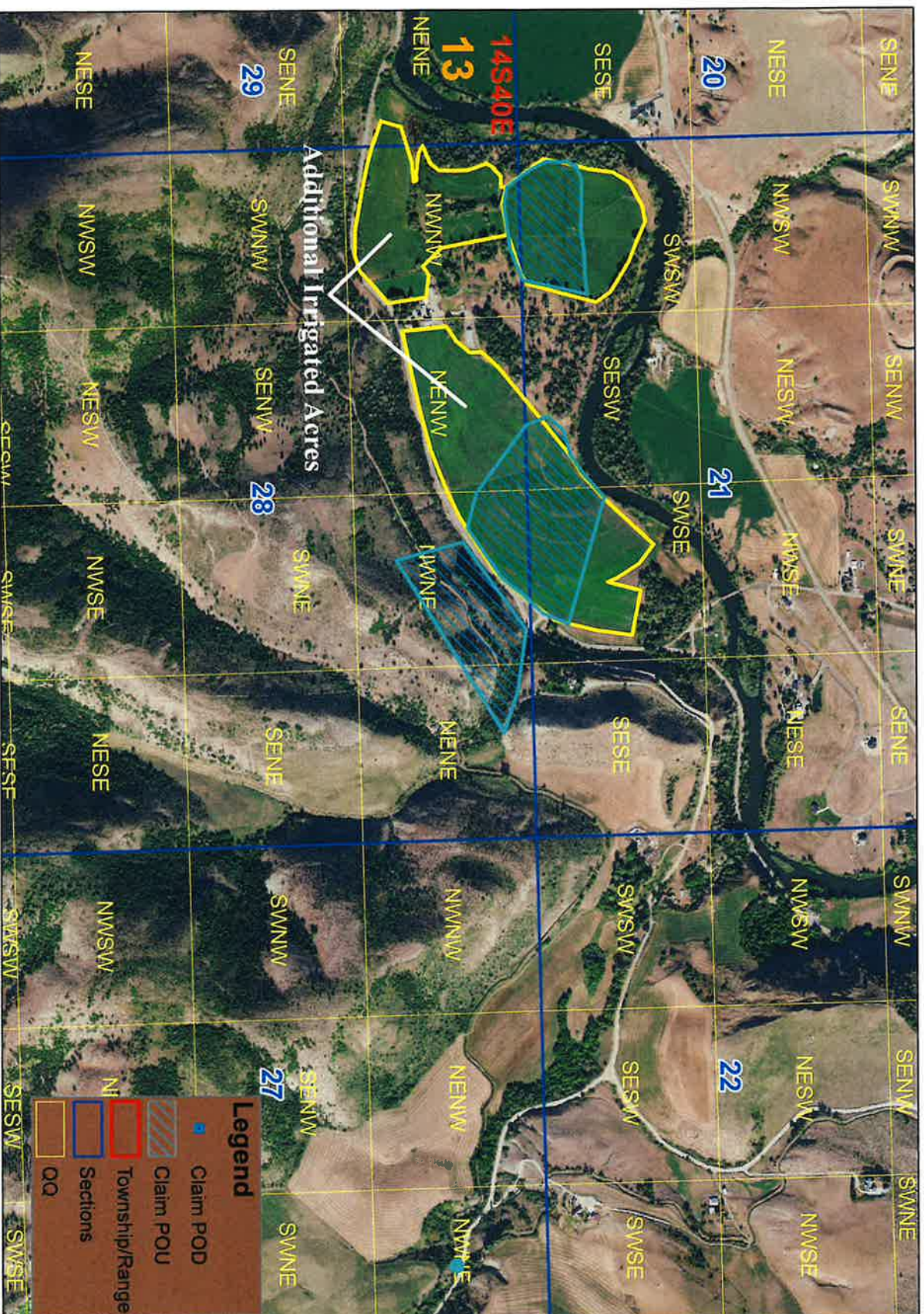
Owner _____ of S Lazy's Properties LLC
Agents Title (please print) Name of Organization (please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date Feb 12 - 2024

Printed Name of Authorized Agent SAMUEL L. SMITH

Claim 13-4099



AGREEMENT AND CONTRACT

This agreement, made the 25th day of January in the year of our Lord 1896, between the Preston Riverdale and Mink Creek Canal Company whose place of business is at Preston, Oneida County, State of Idaho. The party of the first part and David P. Evans of Mink Creek Precinct, County of Oneida and State of Idaho. The party of the second part: Witnesseth that the said party of the first part, in consideration of the covenants and agreements, on the part of the said party of the second part, here' in after contained hereby covenants with the said party of the second part, that the said party of the first part will deliver to the said party of the second part so many inches of water as shall flow into said canal from Station Creek throughout the entire irrigating season in each and every year that said canal is in working order and has a legal existence at his ranch (the same being situated and lying at the foot of what is known as Davis Dugway) And the said party of the second part, in consideration of the said covenants on the part of the said party of the first part herein before contained agrees to and with the said party of the first part, that is said party of the second part will give and bequeath to the said party of the first part his right of way and private ditch (the same having been constructed to carry water from Station Creek to his ranch. The same being situated and lying at the foot of what is known as Davis Dugway.)

The witness whereof, the said parties of the first part Directors of said Canal have hereunto set their hands and seals, the day and year first above written

John Larsen
Thos Greaves
Joseph Davis
O O Crockett

In witness whereof the said party of the second part has hereunto set his hand and seal the day and year first above written.

E. F. Evans

(This is a Copy of original contract)

Signed, Sealed and delivered
in the presence of:

Instrument No. 18620
Recorded at request of David Evans
May 20, 1911
At 20 minutes past 9 A.M.
In Book 7 of Deeds
Page 419 Records of the County, of Oneida.

John A. Woolf
David C. Eames

John J. Evans
County Recorder,

PUBLIC NOTICE

Notice is hereby given that I, George Davis of Franklin Precinct Oneida County Idaho Territory have on this the 11th day of March A.D. 1882 appropriated all the waters of Station Creek which is situated in the county of Oneida Territory of Idaho to be taken out of said Station Creek about one half mile from where said creek empties into Bear River and at the point and monument where this notice is posted said water is to be used for agricultural and irrigating purposes and is conducted by means of a ditch which is three feet wide ~~max~~ on the bottom five feet wide on the top and about two feet deep (said ditch being about one and one quarter miles long.) to and on the SW/4 of the SE/4 and SE/4 of SW/4 of Sec 21 and NE/4 of NW/4 and NW/4 of NE/4 of section No 28 in township 14 South of range 40 East

Dated this 19th day of } George Davis
March A.D. 1882

Copy of original contract

Recorded at the request of
George Davis this 16th
Day of March A.D. 1882 in
Book "A" of of Misc.
page 162

Col. Recorder
By A. R. Evans
Dept.