

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: A63-31011
Date Received: 11/13/1998
Receipt No: W024586
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CLAUDE H COX 208-467-2369
Address: 1923 S ELDER ST
NAMPA ID 83686

AND/OR

Name: GLORIA COX 208-467-2369
Address: 1923 S ELDER ST
NAMPA ID 83686

2. Date of Priority: DEC 31, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	34	NE	SW	SE		CANYON

5. Description of diverting works:
WELL FOR IN HOUSE & IRRIGATION OF LAWN & GARDEN UNDER 1/2 ACRE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME, LAWN IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	34	SW SE		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Identification No. A63-31011

Date Received _____

Receipt Number W 024580

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

NOV 13 1998

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CLAUDE H ANDOR Gloria Cox Phone (208) 4672369

Mailing Address 1923 S ELDER ST. Nampa Id Zip 83686

2. Date of Priority (Only one per claim) 1975 12-31-75 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3 N Range 2 W

Section 34 . NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.,

County of Canyon

Additional points of diversion if any: n/a

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. HAVE WELL for IN HOUSE AND IRRIGATION of LAWN
AND garden UNDER 1/2 ACRE

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from _____ Month/Day _____ to _____ Month/Day _____ (cfs) amount .04

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Home AND irrigate yard.

3N 2W S-34
SWSE per map.

10. Place of use is: Township: 3N Range 2W
Section 34 NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number NA

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Claude H. Cox Date 11-13-98
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day of Nov 19 98

NOTARIZATION REQUIRED FOR EACH CLAIM

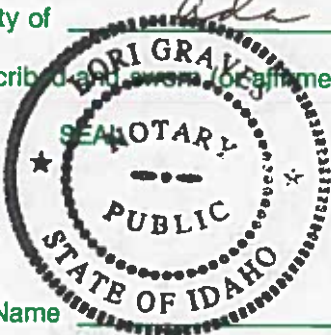
Notary Public Cori Graven

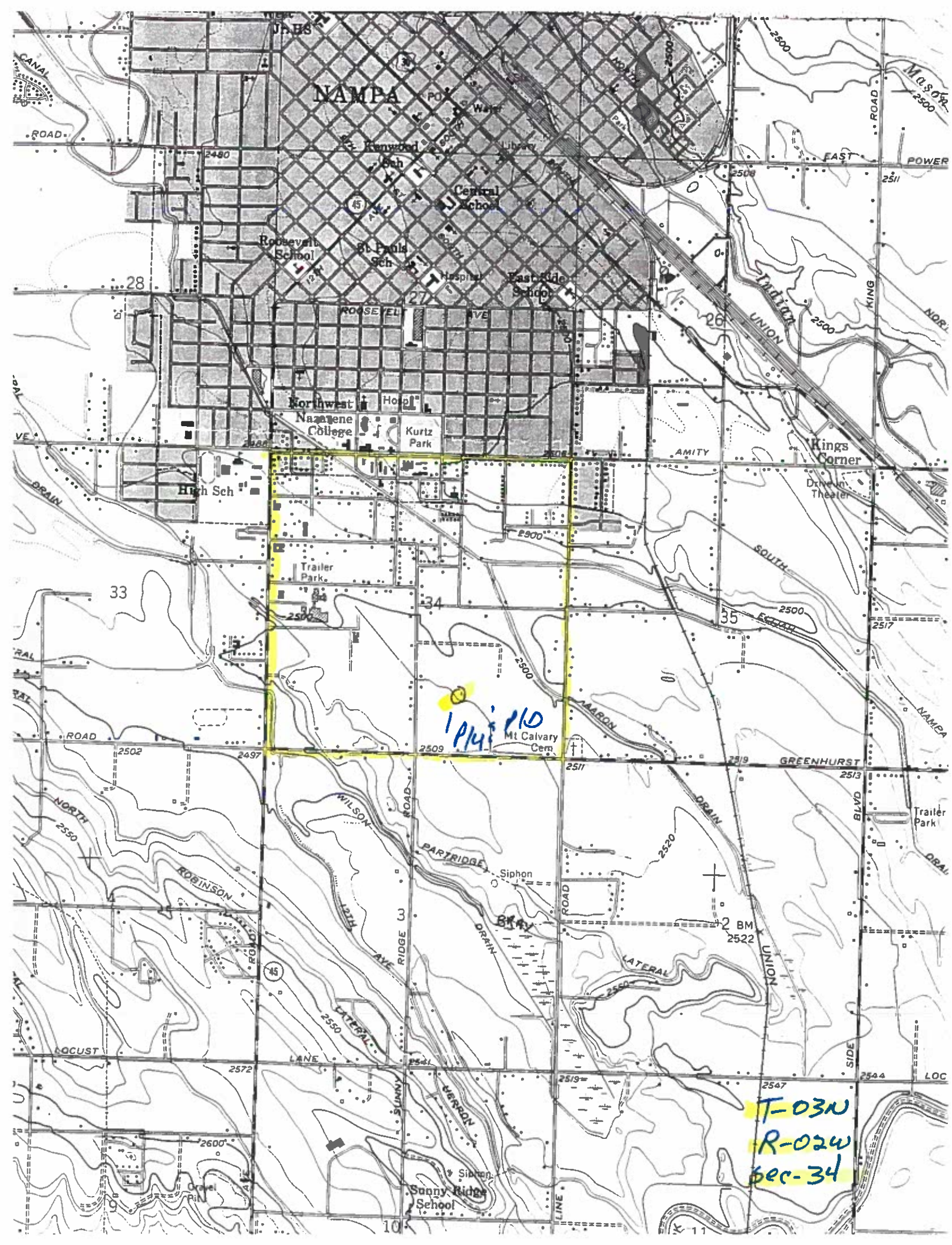
Residing at Boise

My Commission Expires 6/18/2004

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant





COPY

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W024586

Date: 11/16/1998
Time: 11:13:01

Received
From: COX, CLAUDE H. OR GLORIA

Type of Payment		Program A cct		Amount
ADJUDICATION CLAIM FEE	41503	337	1155	25.00

CHECK 8491

Total \$ 25.00

A63-31011 - Water Right Numbers -

Region: WESTERN

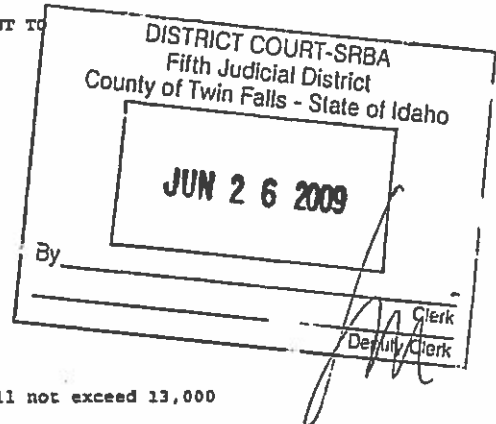
Signature: JB - added claim #.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-31011



NAME AND ADDRESS: CLAUDE H COX
GLORIA COX
1923 S ELDER ST
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 12/31/1975

POINT OF DIVERSION: T03N R02W S34 NESWSE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE:	Domestic	Within Canyon County
	T03N R02W S34	SWSE

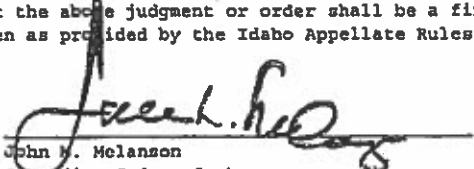
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John V. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUN 29 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 26 2009

By _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
) ORDER OF AMENDED PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR: I.R.C.P. 60(a)

)
) For water right: 63-31011
)

A *Partial Decree* was issued for the above-captioned water right on April 29, 2009. The Court has received correspondence from the Idaho Department of Water Resources indicating an error on the *Partial Decree*. It appears that the county on the Place of Use element of the right is incorrect. The county should read, "Canyon County." The Court finds this is due to a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 27-07302 is hereby amended and decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated June 26, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on June 26, 2009, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLAUDE H COX
GLORIA COX
1923 S ELDER ST
NAMPA, ID 83686
Phone: 208-467-2369

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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

RIGHT NUMBER: 63-31011

NAME AND ADDRESS: GLORIA COX
1923 S ELDER ST
NAMPA ID 83686

CLAUDE H COX
1923 S ELDER ST
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1975

POINT OF DIVERSION:

T03N R02W S34 NESWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in CANYON County

T03N R02W S34 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Property is also known as Lot 2, Blk 2, P & F Thompson Sub.

REAL PROPERTY INQUIRY

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+++++
01 6R25212-000- -0 002-00 SCH131+ 20 23,800 .37
+++++
COX CLAUDE H +
COX GLORIA J H/W +
+
+
+
1923 ELDER ST +
NAMPA ID 83686 +
+++++
34-3N-2W SE P & F THOMPSON SUB 6870 + TOTAL 95,300
LOT 2 BLK 2 ++++++
+ SURVEY INST 9839454
+ DRAIN DR VALUE APPR DDS
+ CLASS 2 REAP 04 MAN 03 UNIT 1
1923 ELDER ST, NA Pg 115F + PARCEL 6R068700020020 H/O Y C/B P
+ PRIOR ACCOUNT 5R25212-000- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

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MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R25212000 0 UNIT 001 TOTAL UNITS 1

SITE 1923 ELDER ST NA SEC/TWN/RNG 34-3N-2W

ASSESSED VALUE 95,300 ACREAGE .00

SUB/PARK NAME P & F THOMPSON SUB YEAR/MAKE

CLASS 2 OWNER / OCCUPIED HOUSE CLASS ' 2 ' SPACE LOT BLOCK

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+++++
YR BUILT 1975 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING ELEC BASEBOARD CARPORT SQ FT
FIRST SQ FT 1496 EXTERIOR HARDBOARD DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 1.75 % BSMT FIN LOT SIZE 127 x 128
FRPLC 1 GARAGE A1 NEIGHBORHOOD 0
GARAGE SQ FT 300

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+++++
COMMENTS STG:7X9/STG:12X28/STG:8X12 MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 16, 1998

Claude H Cox
Gloria Cox
1923 S Elder St
Nampa ID 83686

Dear Mr. & Mrs. Cox:

We have processed your Notice of Claim to a Water Right filed in the Snake River Basin Adjudication. In the initial review of this claim, we found it necessary to either complete or change an item or items on your claim form. A copy of the computer generated copy with these changes and the receipt for the filing fee submitted are enclosed. **ONLY ITEMS LISTED BELOW HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM. IF AN ITEM IS NOT LISTED, IT IS NOT PERTINENT TO THIS CLAIM.**

Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you had listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section, township and range on this item.

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

DB:d