

06/27/2003

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

RIGHT NUMBER: 29-13432
NAME AND ADDRESS: MARY M COX
8615 HUDSON DR
SAN DIEGO CA 92119

THOMAS COX
8615 HUDSON DR
SAN DIEGO CA 92119

SOURCE: UNNAMED STREAM TRIBUTARY: PORTNEUF RIVER
QUANTITY: 0.055 CFS

THE AMOUNT OF TIME WATER IS DIVERTED UNDER THIS WATER RIGHT MAY
NOT EXCEED 24 HOURS OF A 168 HOUR ROTATION.

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION:

T09S R36E S12 NESWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.055 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S01 Lot 9 NWSW 0.4 T09S R36E S01 Lot 10 SWSW 2.5

2.9 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: Decreed

06/27/2003

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

THIS WATER RIGHT CAN NOT BE TRANSFERED.

THE DECREED SOURCE OF THE PARENT RIGHT IS SPRINGS. NO ACTUAL POINTS OF DIVERSION EXIST AS DESCRIBED BY THE DECREE. WATERS OF THE UNNAMED STREAM PRODUCED BY THE SPRINGS ARE DIVERTED INTO THE HALE-HARKNESS DITCH FOR DELIVERY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

06/27/2003

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

RIGHT NUMBER: 29-13432
NAME AND ADDRESS: MARY M COX
8615 HUDSON DR
SAN DIEGO CA 92119

THOMAS COX
8615 HUDSON DR
SAN DIEGO CA 92119

SOURCE: UNNAMED STREAM TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.055 CFS
THE AMOUNT OF TIME WATER IS DIVERTED UNDER THIS WATER RIGHT
MAY NOT EXCEED 24 HOURS OF A 168 HOUR ROTATION.

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION:
T09S R36E S12 NESWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.055 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within BANNOCK County
T09S R36E S01 Lot 9 NWSW 0.4 T09S R36E S01 Lot 10 SWSW 2.5

2.9 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: BASIS OF CLAIM - Decreed

THIS WATER RIGHT CAN NOT BE TRANSFERED.

THE DECREED SOURCE OF THE PARENT RIGHT IS SPRINGS. NO ACTUAL POINTS OF DIVERSION EXIST AS DESCRIBED BY THE DECREE. WATERS OF THE UNNAMED STREAM PRODUCED BY THE SPRINGS ARE DIVERTED INTO THE HALE-HARKNESS DITCH FOR DELIVERY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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

11/26/2002

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

RIGHT NUMBER: 29-13432

NAME AND ADDRESS: MARY M COX
1144 E MERRILL EXT
MC CAMMON ID 83250

THOMAS COX
1144 E MERRILL EXT
MC CAMMON ID 83250

SOURCE: UNNAMED STREAM

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION:

T09S R36E S12 NESWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.060 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S01 Lot 9 NWSW 0.4 T09S R36E S01 Lot 10 SWSW 2.6

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: Decreed

THE DECREED SOURCE OF THE PARENT RIGHT IS SPRINGS. NO ACTUAL POINTS OF DIVERSION EXIST AS DESCRIBED BY THE DECREE. WATERS OF THE UNNAMED STREAM PRODUCED BY THE SPRINGS ARE DIVERTED INTO THE HALE-HARKNESS DITCH FOR DELIVERY.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

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



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-13432

Place of Use: T9S, R36E
(parts of) Sec.1 SWSW (L 10),
NWSW (L 9)

Point(s) of Diversion: T9S, R36E
Sec. 12 NESWSE (unnamed stream)

Notes: Delivery is through
Hale-Harkness ditch.



LEGEND

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

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 Feet

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Bird
Date: June 2003



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
29-13432

Place of Use: T9S, R36E
(parts of) Sec.1 SWSW (L 10),
NWSW (L 9)

Point(s) of Diversion: T9S, R36E
Sec. 12 NESWSE (unnamed stream)

Notes: Delivery is through
Hale-Harkness ditch.



LEGEND

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

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 Feet

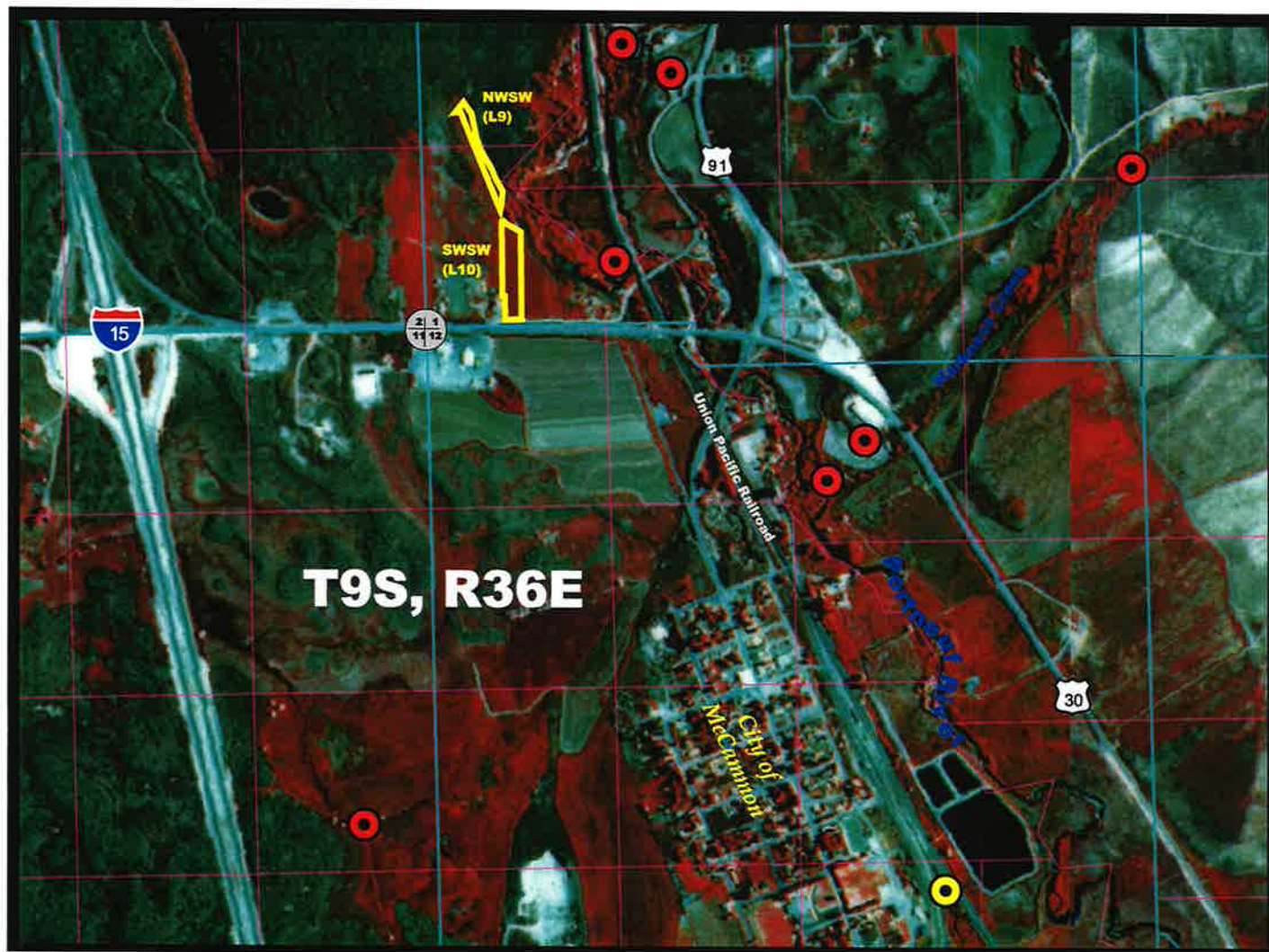
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Bird
Date: June 2003



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-13432

Place of Use: (parts of) T9S, R36E
Sec. 1 NWSW (L9), SWSW (L10)

Point(s) of Diversion: T9S, R36E
Sec. 12 NESWSE (unnamed stream)

Note: Delivery through
Hale-Harkness ditch



LEGEND

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

06/27/2003

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:

Water right number: 29-13432

MARY M COX
8615 HUDSON DR
SAN DIEGO CA 92119
Telephone Number: (208) 254-3541

THOMAS COX
8615 HUDSON DR
SAN DIEGO CA 92119
Telephone Number: (208) 254-3541

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: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

July 2, 2003

Thomas Cox
1144 Box 335
McCammon ID 83250

Re: Water Right No. 29-13432

Dear Mr. Cox

I am writing this letter to you as a courtesy to inform you that after the Idaho Department of Water Resources reviewed its preliminary recommendation for your water right, a quantity remark has been added and the number of acres for the place of use has been adjusted slightly downward.

You can expect the Department's Director's Report, which is to be filed with the SRBA Court sometime in the next couple of weeks, to reflect these changes. Please see the attached revised preliminary director's report for the description of your water right.

If you disagree with the recommendation for 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 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,

Candice M. McHugh
Deputy Attorney General, IDWR

Enclosure

cc: Allen Ruberry

02/08/2003

allen

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: 29-13432

MARY M COX
1144 E MERRILL EXT
MC CAMMON ID 83250
Telephone Number: (208) 254-3541

THOMAS COX
1144 E MERRILL EXT
MC CAMMON ID 83250
Telephone Number: (208) 254-3541

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:

RECEIVED

MAR 06 2003

Department of Water Resources
Boise, Idaho

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

Feb. 27, 2003

SIGNATURE:

Thomas R. Cox

Mary M. Cox

Please print your name:

THOMAS R. COX

Mary M. COX

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

See ADDITIONAL Docs in 29-62 FILE.



PHOTO SHOWS AN OLD DIVERSION FROM UNNAMED
STREAM (SPRING) TRIBUTARY TO PORTNEUE RIVER.
SEE ATTACHED GPS MAP W/ RED DOT (POD) AND
NOTATION.

T9S, R36E

NWSW (L9)
0.4

SWSW (L10)
2.6

← OLD UNUSED POD OFF
UNNAMED STREAM TRIB. TO
PORTNEUF RIVER. THIS USE
WAS NOT LIC OR DECREEED.

2	1
11	12

50. ORGILL, SAMUEL .40 c.f.s. Said water to be diverted through the said
 7-0062 1880 May 1 Hale-Harkness Ditch, last above described,
 POD: SEE NOTE BELOW for the irrigation of lands in Lot 10, Sec-
 tion 1; the South half of the Southeast
 quarter, and the Northwest quarter of the
 Southeast quarter, Section 2, Township 9
 South, Range 36 East.
- POU: LOT 10 SEC. 1,
 S²SE, NWSE SEC. 2 9536E
51. ROMRIELL, G. H. .40 c.f.s. Said Water to be diverted through a private
 7-0063 1906 May 1 ditch having its intake from the Portneuf
 River in Lot 3, Section 19, Township 9
 South, Range 37 East, for the irrigation of
 lands in Lots 1 and 2, the Northeast quar-
 ter of the Northeast quarter, Section 19,
 Lot 5, Section 18, all in Township 9 South,
 Range 37 East.

NOTE: POD DESCRIBED IN 29-00059 (DECREES) AS:

" TWO GROUPS OF SPRINGS FOR THE SOURCE OF THIS DITCH.
 ONE GROUP IS LOCATED N 61° E, 2700'; OTHER GROUP IS
 LOCATED S 57° W, 21900', FROM THE NE CORNER OF THE
 SOUTHEAST QUARTER OF SEC. 13, 9536E. (SEE GPS).

EXCERPT FROM UNION GRAIN
 AND ELEVATOR vs McCAMMON
 CANAL Co., AUGUST 6, 1932
 (FINAL AMENDMENT)

DELOG AR
7/9/01

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-00062		?			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Jeffrey Harris
McCammon ID 83250

4. New Owner/Claimant(s)

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

* Thomas R & Mary M. Cox

City, State and ZIP Code

1144 E Merrill Ext McCammon, ID 83250

New Telephone Number

(208) 254 3541

5. Date you acquired the property

May 1995

95006622

EXHIBIT "A"

PARCEL 1:

A tract of land in Lot 10, Section 1, Township 9 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows:

Commencing at the Southwest Corner of said Section 1, and running thence North 0°16' West 70.6 feet to the North right of way line of Highway U.S. 30 North; thence South 88°13' East along said right of way, 340.20 feet, thence North 80°28'02.00 feet; thence South 89°10' East 91.5 feet to the TRUE POINT OF BEGINNING, thence continuing South 89°10' East along said right of way 159.25 feet to the Southwest Corner of the Tract in Warranty Deed shown as Instrument No. 94015482; thence due North 587.4 feet, thence North 35°34' West 181.28 feet; thence North 22°05' West 141.5 feet; thence due South 863.67 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

All of Gov. Lots 9 and 10, Section 1, Township 9 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO,

EXCEPTING THEREFROM:

A tract of land in Lot 10, Section 1, Township 9 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO, described as follows:

Beginning at the point of intersection of the South line of said Section 1 with the Westerly right of way line of Old Oregon Trail Highway, which point is 1357.57 feet Easterly from the Southwest corner of said Section 1; thence Northeasterly along said right of way line on a curve to the right having a radius of 364.3 feet for a distance of 109.7 feet to the TRUE POINT OF BEGINNING; thence North 19°17' West 86.4 feet; thence North 54°47' West 81.1 feet, thence North 51°43' East 124.0 feet, more or less, to a point which is 6.0 feet Westerly from the Westerly bank of the old channel of Portneuf River; thence following courses which are 6.0 feet Westerly from, and parallel to said Westerly bank of Portneuf River as follows: North 37°40' West 227.5 feet; thence North 4°00' East 199.2 feet; thence North 65°50' East 52.2 feet; thence North 47°35' East 146.5 feet; thence North 67°38' East 269.3 feet, more or less, to a point on the South 1/16 line of said Section 1, thence Easterly along said South 1/16 line 7.5 feet, more or less, to a point on the edge of the Westerly bank of the Old Channel of Portneuf River; thence following the Westerly bank of said Old Channel as follows: South 67°38' West 269.3 feet; thence South 47°35' West 146.5 feet; thence South 65°50' West 52.2 feet; thence South 4°00' West 199.2 feet; thence South 37°40' East 227.5 feet; thence South 75°18' East 309.2 feet; thence South 57°27' East 83.2 feet; thence South 31°15' East 238.0 feet; thence South 84°55' East 189.0 feet, more or less, to the Westerly boundary of the right of way of the Oregon Short Line Railroad; thence along said right of way boundary South 25°28' East 93.2 feet, more or less, to the Northwesterly boundary of the right of way of Old Oregon Trail Highway; thence Southwesterly along said right of way boundary, on a curve to the left having a radius of 364.3 feet, for a distance of 244.58 feet, more or less, to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A tract of land in Lot 10, Section 1, Township 9 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO, described as follows:

Beginning at a point of intersection of the South line of said Section 1, with the Easterly right of way boundary of Old Oregon Trail Highway, which point is 1441.37 feet, Easterly from the Southwest Corner of said Section 1; thence Northeasterly along said right of way boundary on a curve to the right having a radius of 284.3 feet, 259.1 feet, more or less, to the Westerly boundary of the right of way of the Oregon Short Line Railroad, which boundary is 50 feet perpendicularly distance from the center line of double tract of said Railroad; thence along said right of way boundary South 25°28' East 256.04 feet, more or less, to the South line of said Section 1; thence North 89°58' West along said South line 206.32 feet, more or less, to the POINT OF BEGINNING. EXCEPT THEREFROM that portion conveyed to the State of Idaho by Deed recorded March 14, 1962, in Book 167, as filing No. 378004, records of BANNOCK COUNTY, IDAHO.

ALSO EXCEPTING THEREFROM:

Commencing at the Southwest Corner of Section 1, Township 9 South, Range 36 East, Boise Meridian; thence North 0°16' West, 70.6 feet to the North right of way line of State Highway (formerly Merrill Road); thence South 88°13' East along said right of way 336.4 feet; thence North 80°28' East, 102.0 feet; thence South 89°10' East, 549.5 feet to the POINT OF BEGINNING; thence North 6°34' West 214.5 feet thence North 35°34' West 350 feet; thence South 54°47' East, 650 feet, more or less, to a point that is North 19°17' West 86.4 feet, from a point on the Westerly right of way of Old Oregon Trail, said point being Northeasterly along a curve to the right having a radius of 364.3 feet a distance of 109.7 feet from the intersection of South line of Section 1 and the Westerly right of way of Old Oregon Trail; thence South 19°17' East 86.4 feet; thence South along a curve to the left with a radius of 364.3 feet a distance of 39.1 feet, more or less to the North boundary line of State Highway (formerly Merrill Road); thence North 89°10' West along said North line along Merrill Road, 369.67 feet, more or less to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A tract of land in Lot 9 and Lot 10, Section 1, Township 9 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO, more particularly described as follows:

Commencing at the Southwest Corner of Section 1, Township 9 South, Range 36 East, Boise Meridian, thence North 0°16' West, 70.6 feet to the North right of way line of U.S. Highway 30 North; thence South 88°13' East along said right of way line, a distance of 72.60 feet to a 5/8" iron pin and the TRUE POINT OF BEGINNING of Highway U.S. North; thence South 88°13' East along said right of way, 267.60 feet; thence North 80°20' East 102.00 feet; thence South 89°10' East 546 feet; thence North 06°32' West 214.5 feet; thence North 35°34' West 646.7 feet; thence North 22°05' West 309.08 feet; thence due North 351.61 feet; thence North 89°10' West 353.2 feet, thence South 40°03'33" West 83.89 feet to a 5/8" iron pin; thence due South, 1348.91 feet to a 5/8" iron pin; thence Southeasterly along a 35.41 degree curve to the right, having a central angle of 43°20'48" and a radius of 161.83 feet, and a chord bearing of South 32°22'49" East, an arc distance of 122.43 feet to the TRUE POINT OF BEGINNING.

95006622

NO. 95006622
FIRST AMERICAN TITLE

95 MAY 12 P2:34

OFFICE
BANK
LAW
EEBOOK NO.
IDAHO
ORDER
1

WARRANTY DEED

95006622

For Value Received JEFFREY F. HARRIS AND KATHLEEN M. HARRIS, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ACCEPTED & APPROVED BY

THOMAS R. COX and MARY M. COX, husband and wife

whose address is: 8615 HUDSON DRIVE SAN DIEGO, CA 92119-1933

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

T. Cox 254-3541

TOGETHER WITH Water Rights of 24 hours a week on Ajudication No. A-2900062-HALE HARKNESS

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 25, 1995

Jeffrey F. Harris
JEFFREY F. HARRIS

Kathleen M. Harris
KATHLEEN M. HARRIS

STATE OF IDAHO)

COUNTY OF BANNOCK)

On This 11th day of MAY, in the year 1995, before me, a Notary Public in and for said State, personally appeared JEFFREY F. HARRIS AND KATHLEEN M. HARRIS, known or identified to me to be the person(s) whose name(s) I have subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

STATE OF IDAHO, COUNTY OF Bannock

On this 12th day of May, 1995, before me a notary public in and for said State, personally appeared

Jeffrey F. Harris

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Sheila Thompson
Notary Public of Idaho
Residing at INKOM
Commission Expires: 8-9-99

Residing at Inkom

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 29-13432
Date Received: 11/26/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARY M COX Phone: (208) 254-3541

1144 E MERRILL EXT
MC CAMMON ID USA 83250

THOMAS COX Phone: (208) 254-3541

1144 E MERRILL EXT
MC CAMMON ID USA 83250

2. Date of Priority: 05/01/1880

3. Source: SPRINGS , SPRINGS Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	36E	13	NW SE	BANNOCK	
09S	37E	18	SW NW	BANNOCK	

5. Description of diverting works:

HALE HARKNESS DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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	
09S	36E	1	NW	SW	9	IRRIGATION	1
			SW	SW	10	IRRIGATION	2
					Section Acres	3	
					Total Acres	3	

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-62.

15. Basis of Claim: Decreed

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____