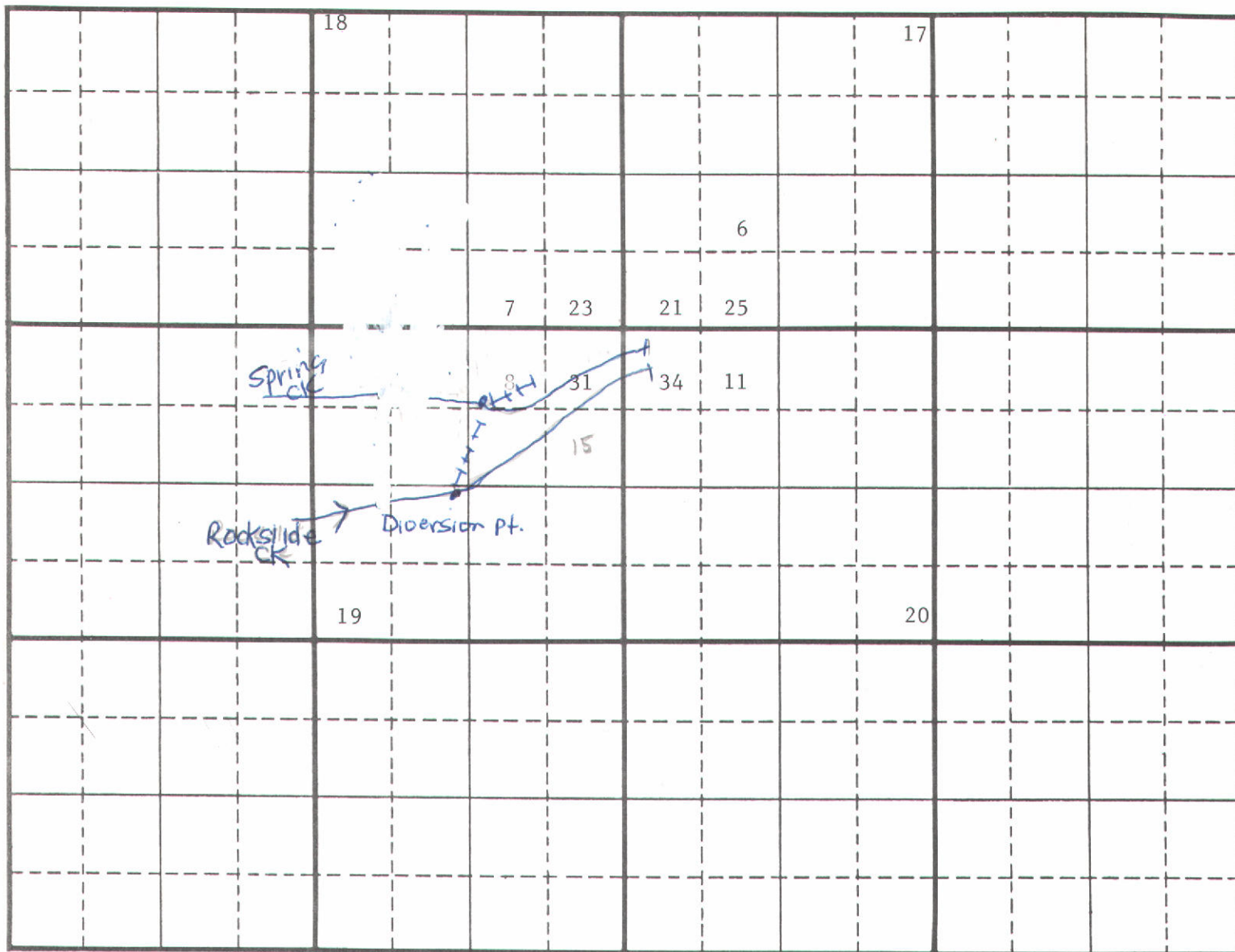


(8) Remarks Historically the lands were flood irrigated. Also creek was at one
time known as Barges Canyon Creek, presently known as Landslide Canyon Creek.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20th day of February, 19 80.

Burt H. Cox
(Claimant)

Calvin Wray
Notary Public
Residing at Idaho Falls, Id.

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by BR Date 2/20/80 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by JC Date 2/21/80 claimant by: _____
\$20.00 fee received by aw Date 2-20-80
Published in Preston Citizen # 15600
Dates 4/03 & 4/10/1980 7/31 & 8/7/80

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once

a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 31

, 1980, and ending

with the issue of Aug 7, 1980

J. Walter Ross

Fee \$ 1550

Subscribed and sworn to before me this 7th day

of Aug, 1980

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim (s) to water right(s) have been established by diversion and application to beneficial use:

13-4124

COX, CURTIS H.
OXFORD, ID 83228
Source: ROCKSLIDE and SPRING CREEKS tributary to SINKS
Priority Date: 07-07-1900
Amount: 5.00 CFS
Diversion Point: NESW NWNE Sec 19 T 13S R 38E, FRANKLIN Co.
Use: IRRIGATION (5.00 CFS) from 04-01 to 11-01
Place of Use: NESW SWSW SESW Sec. 17 T 13S R 38E SWSE SESE Sec. 18 T 13S R 38E NENE NWNE SENE Sec. 19 T 13S R 38E NENW NWNW Sec. 20 T 13S R 38E FOR 181 ACRES
Diversion Means: CEMENT LINE, GRAVITY SPRINKLER SYSTEM.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Legal No. 1166 - 31L - Pub. July 31 and August 7, 1980.

RECEIVED

AUG 11 1980

Department of Water Resources
Eastern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Curtis H. Cox

(Name of Claimant)

Oxford, ID 83228

(Mailing Address)

Telephone No. 747-3758

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 7, 1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Rockslide Creek/Spring Creek tributary to sinks/Swan Lake

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>5.0 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 5.0 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 SW 1/4, Sec. 19 Twp. 13S Rge. 38E B.M., County of Franklin

Additional points of diversion: NW 1/4 NE 1/4 Sec. 19, T. 13S, R. 38E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Buried 8" cement line to Spring Creek then from Spring Creek to gravity sprinkler system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13S	38E	17									6		21	25					52
		18															7	23	30
		19	31	8		15													54
		20					11	34											45

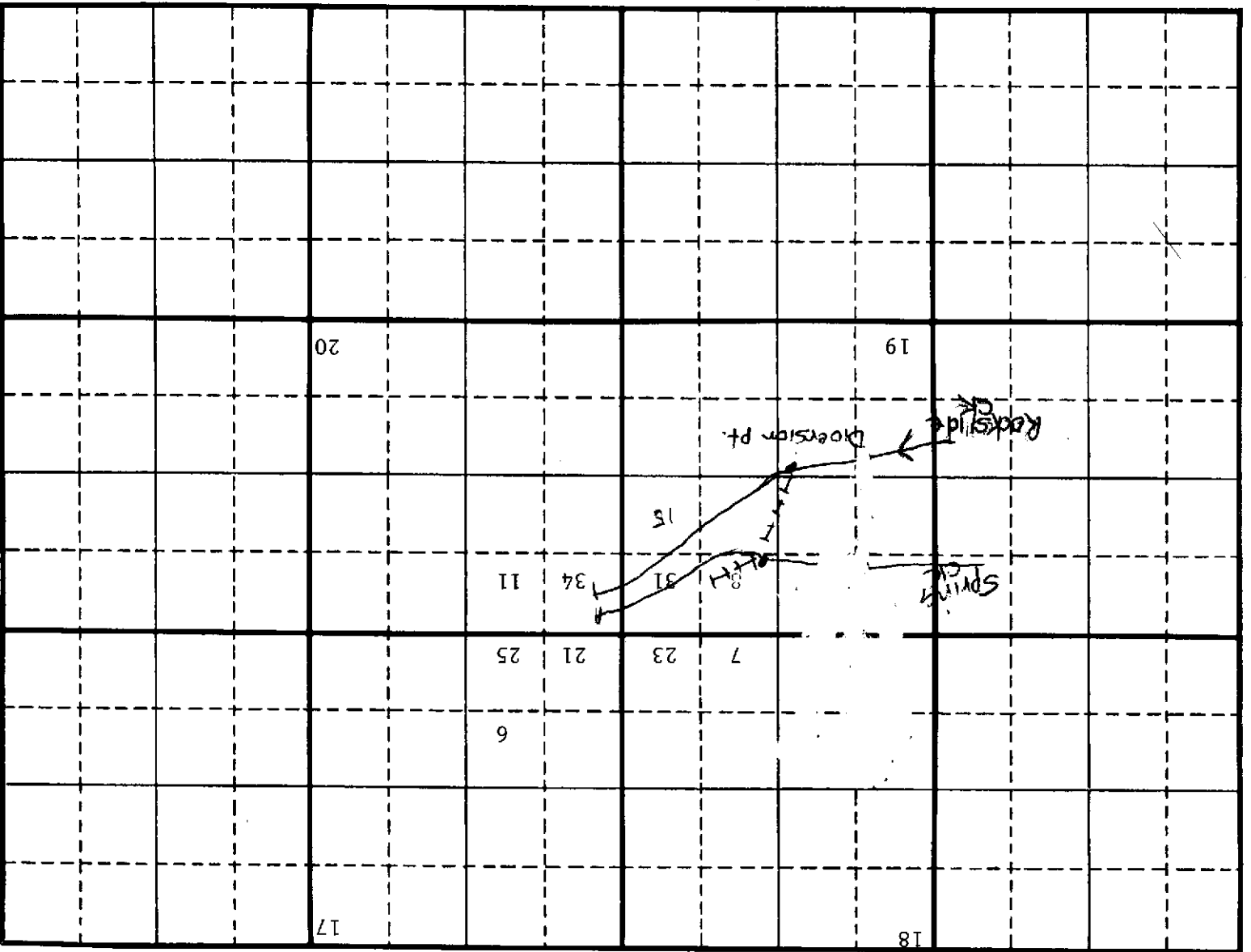
No. of acres 181

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: none

NOTE: Include here the type and number of stock watered: none

If you are claiming water as a member of an organization, list name of organization: n/a

(8) Remarks Historically the lands were flood irrigated. Also creek was at one time known as Barges Canyon Creek, presently known as Landslide Canyon Creek.



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
County of Bonneville
ss. _____
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20th day of February, 1980.
(Claimant) Frank R. Borge
Notary Public Charles Wiley
Residing at Shoshone Falls, Id.
My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by BR Date 2/20/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by OC Date 2/21/80
\$20.00 fee received by OC Date 2-20-80
Published in Preston Citizen # 15600
Dates 4/03 & 4/10/1980 1/31 & 2/7/80

No 1166

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with July 31, 1980, and ending with the issue of Aug 7, 1980.

Fee \$ 15.50

Subscribed and sworn to before me this 7th day of Aug, 1980.

Kevin D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1982

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim (s) have been established by application to beneficial use.

13-4122

COX, CURTIS E.
OXFORD, ID 83228
Source: ROCKSLIDE and SPRING CREEKS tributary to SINKS
Priority Date: 01-07-1960
Amount: 5.00 CFS
Diversion Point: NESW NWNE Sec 19 T 13S R 33E, FRANKLIN Co.
Use: IRRIGATION (5.00 CFS) from 04-01-1961-01
Place of Use: NESW SWSW SESE Sec 17 T 13S R 33E SESE Sec 18 T 13S R 33E NENE NWNE SESE Sec 19 T 13S R 33E NENW NWNE Sec 20 T 13S R 33E FOR 161 ACRES
Diversion Means: CEMENT LINE, GRAVITY SPRINKLER SYSTEM.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLEN
Director

Legal No. 1166 - 31L - Pub. July 31 and August 7, 1980.

RECEIVED

AUG 11 1980

Department of Water Resources
Eastern District Office

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JC

Right Number 13-4124 Applicant Cox

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period. 4/21 8/18
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 8-12-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 8/14/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

~~APRIL 24, 1980~~

August 12

CURTIS H. COX
OXFORD

ID 83228

RE: Claim No. 13-4124

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Ronald D. Carlson
RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECORDED
INDEXED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

JULY 25, 1980

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 18, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 7/31 & 8/07/80.

MICROFILMED

13-4124_

COX, CURTIS H.

OXFORD, ID 83228

Source: ROCKSLIDE & SPRING CREEKS tributary to SINKS

Priority Date: 07/07/1900

Amount: 5.00 CFS

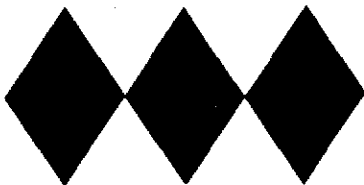
Diversion Point: NESW NWNE Sec 19 T 13S R 38E, FRANKLIN Co.

Use: IRRIGATION (5.00 CFS) from 04/01 to 11/01

Place of Use: NESW SWSW SESW Sec 17 T 13S R 38E SWSE SESE Sec 18 T 13S R 38E
NENE NWNE SENE Sec 19 T 13S R 38E NENW NWNW Sec 20 T 13S R 38E
FOR 181 ACRES

Diversion Means: CEMENT LINE, GRAVITY SPRINKLER SYSTEM.

MICROFILMED



Citizen Publishing Company, Inc.

77 SOUTH STATE
PRESTON, IDAHO

RECEIVED
P.O. BOX 472
PHONE 852-0155
AREA CODE 208

JUL 1
Department of Water Resources
Eastern District Office

July 17, 1980

RE: Claim to a Water Right No. 13-4124 COX

State of Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

We are very sorry but for some unknown reason the above mentioned claim to a water right was not published. All affidavit of publication and certified bills are sent out the 1st of the following month of the last day of insertion. If you do not receive a affidavit of publication at that time you should classify the claim as a "no run" and take proper action. Inorder to run this legal we will need new information. Sorry for the problem.

Very truly yours,

Kevin D. Allen
Kevin D. Allen
Bookkeeping

MICROFILMED

Preston Citizen, Preston, Idaho — News Examiner, Montpelier, Idaho — Leader-Garland Times, Tremonton, Utah
— Grace Citizen, Grace, Idaho — Cache Citizen, Smithfield, Utah — Cache Register, Logan, Utah — Scene
(Combined Advertising)

July 16, 1980

RE: Claim to a Water Right No. 13-4124 COX

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 3 and 10, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

MICROFILMED

May 20, 1980

RE: Claim to a Water Right No. 13-4124 COX

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 3 and 10 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

MICROFILMED

April 23, 1980

RE: Claim to a Water Right No. 13-4124 COX

Preston Citizen
Box 472
Preston, Idaho 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on April 3 and 10, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

MEMO

To: Claims to Water Rights and Application for Permit for Curtis Cox

From: Ernie *EMC*

In drafting the claims and application for Mr. Cox it was decided to consider Rockslide and Spring Creeks as a single source of water. This decision was based on the practice, started in 1900, of diverting the entire flow from Rockslide Creek into Spring Creek, and then diverting the comingled water into a gravity flow sprinkler system. Diversion of water into this system is conducted without regards to the quantity of water taken from each creek, since the entire combined flow is normally diverted during the irrigation season.

Furthermore all of the water users on both streams receive their water through this system on a time rotation schedule.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

MARCH 27, 1980

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 21, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOT RECORDED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 4/03 & 4/10/80.

MICROFILMED