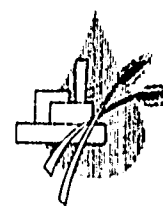


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Jay Taylor Cox or Ila K. Cox
(Name of Claimant)

Rt. 3, Box 266 Preston, ID 83263 Telephone No. 852-0702
(Mailing Address) (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) Jan. 31, 1922

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)

Spring tributary to sinks

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.04</u>		Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
Quantity <u>.02</u>		Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	

(4) .06 TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 NE 1/4, Sec. 30 Twp. 15S Rge. 39E B.M., County of Franklin

Additional points of diversion: _____

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. Applicant has a one inch pipeline.

(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	
15S	39E	19																X	

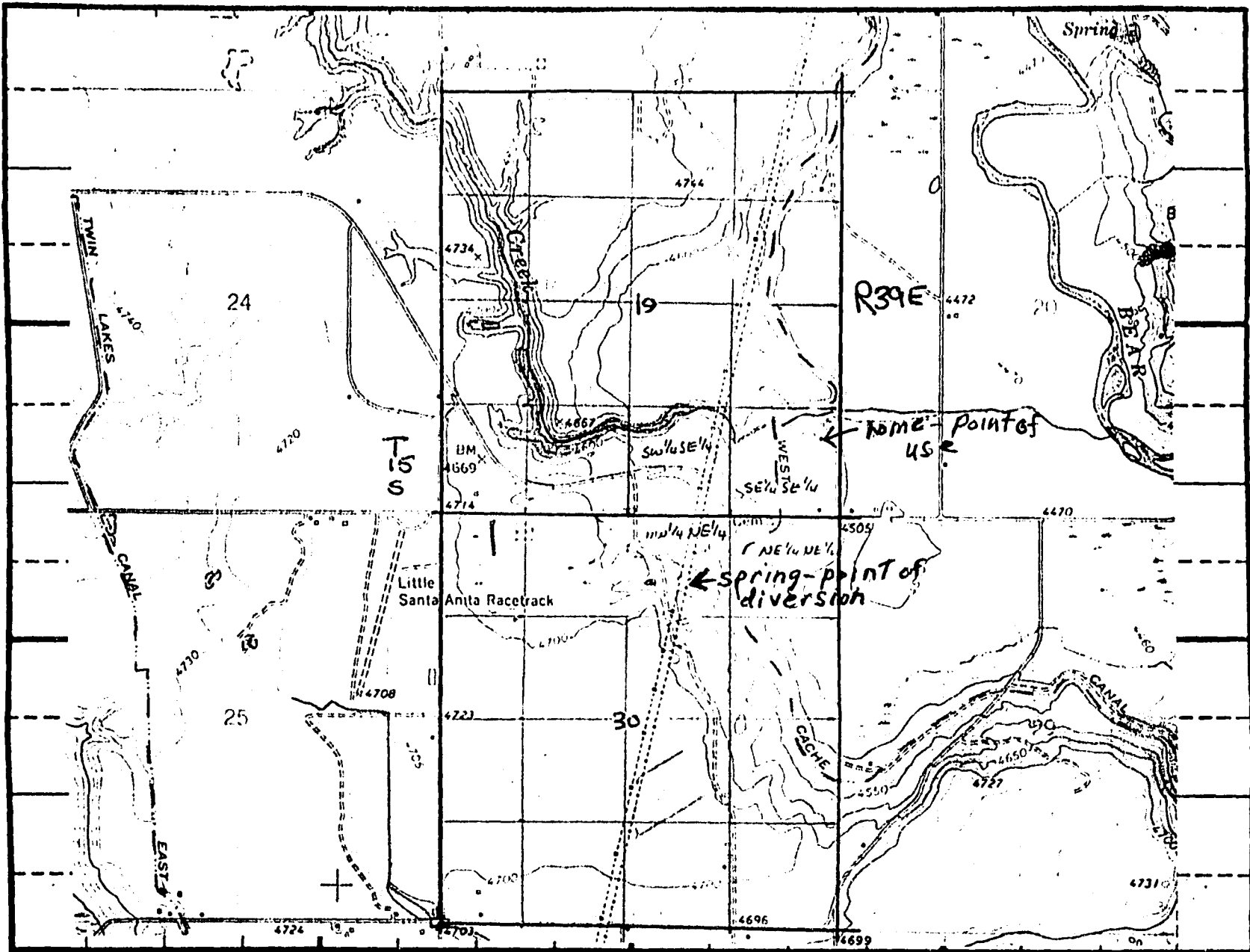
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for 2 homes.

NOTE: Include here the type and number of stock watered: 3 range cattle, and 35 sheep.

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.
1:24000

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 Franklin) 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.

She Y. Cox

(Claimant)

Sworn to before me this 16 day of Aug, 1983.

Lynola Christman

Notary Public

Residing at Preston, Idaho

My commission expires 8-8-84

FOR DEPARTMENT USE ONLY			
Received by <u>CW</u>	Date <u>1-01-83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>Raw</u>	Date <u>8-29-83</u>		claimant by:
\$30.00 fee received by <u>CW</u>	Date <u>8/22/83</u>		
Published in <u>Preston City rep</u>			
Dates <u>9/8 - 9/15/83</u>			

#875
SEP 15 1983

No 1943

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

Sept. 8, 1983, and ending
with the issue of Sept. 15, 1983.

Fee \$ 13.13

Subscribed and sworn to before me this 30th day
of Sept, 1983.

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

13-4257

COX, JAY TAYLOR &/or ILA K.
RT. 3, BOX 266, PRESTON, ID 83263

Source: SPRING trib. to SINKS

Priority Date: 01/31/1922

Diversion Pt: NWNE Sec 30 T 15S R
39E

Use: STOCKWATER (0.02 CFS)

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 19 T 15S R 39E

Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402.

Published 9/8 & 9/15/83.

Legal No. 1943 -21L- Published
September 8, 15, 1983.

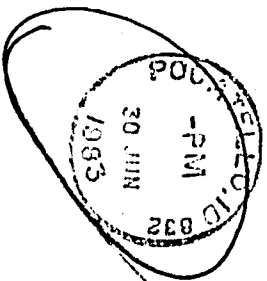
RECEIVED

OCT 5 1983

Department of Water Resources
Eastern District Office

Mrs. Jay Taylor Cop
Rt 3 Box 666
Preston, Idaho 83363

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



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

Notice is hereby given that Jay Saylor Cot and Ila K. Cot
(Name of Claimant)
Route #3 Box 266 Preston, Idaho 83263 Telephone No. 852 0702
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) in the 1940's

- (1) Date of priority: (When was the water first applied to a beneficial use) in the 1940's

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)

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: Spring (1/4 interest) tributary to —

		(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
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
Quantity	Use	Period of Use From	To

- (4) _____ TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 30 Twp. 1540. Rge. 39E B.M., County of Franklin
 Additional points of diversion:

- 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. Applicant has a one inch pipeline

- (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.

[illegible]

No. of acres _____

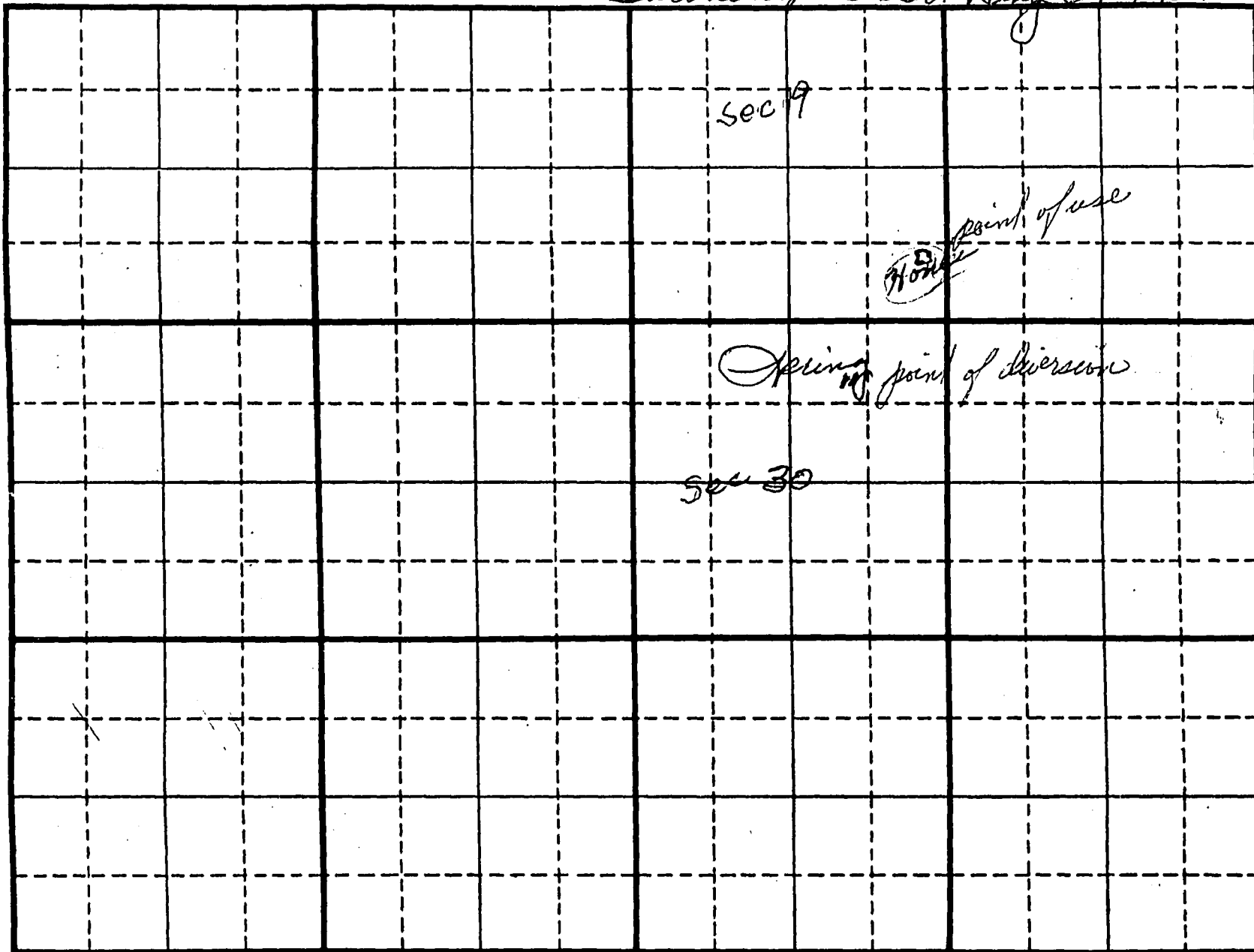
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Applicant claims 1/4 interest in Springs developed and used for domestic and stock use. Their predecessors helped develop the Springs and piped them to their place of use and 60 years ago.

NOTE: Include here the type and number of stock watered: 3 calves - 35 sheep

- (7) If you are claiming water as a member of an organization, list name of organization: no

(8) Remarks They use water for domestic use
and also to water livestock.

Township 15 So. Range 39 E B.M.



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 Franklin) 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 30th day of June, 1983.
Ida T. Cox
(Claimant)

Larae E. Johnson
Notary Public
Residing at Custon, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>OW</u>	Date <u>7-01-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$20.00 fee received by <u>OW</u>	Date			
Published in				
Dates				

13-425Z

COX. JAY TAYLOR &/or ILA K.

RT. 3. BOX 266. PRESTON. ID 83263

Source: SPRING trib. to SINKS

Priority Date: 01/31/1922

Diversion Pt: NWNE Sec 30 T 155 R 39E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: SESE Sec 19 T 155 R 39E

Proofed
9/6/83 BP



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

July 8, 1983

J. Taylor Cox or Ila K. Cox
Rt. 3, Box 266
Preston, ID 83263

RECEIVED
AUG 22 1983
Department of Water Resources
Eastern District Office

Dear Claimant:

This office is in receipt of a Claim to a Water Right filed in your name. Please be advised that the claim cannot be formally receipted until the following information is provided:

- _____ Complete name.
- _____ Complete mailing address.
- ✓ Date of priority (month, day, and year).
- ✓ Source of water. what is spring tributary to Snake?
- ✓ Quantity claimed to have been used. for domestic and for stockwater
item # 3 total item # 4
- _____ Nature of use and period of use.
- _____ Location of point(s) of diversion.
- ✓ Location of place of use (acres irrigated if water is claimed for irrigation). Give T155 R39E Sec 19 then
quarter quarter
- _____ Filing Fee (Amount \$ _____).
- _____ Signature.
- _____ Notarization of signature.
- Other: Complete map showing point of diversion and
place of use (typed claim)
Item 6 B specify number of horses for which the claim is
filed

TYPED
CLAIM

Please note that your claim has been stamped and initialed as received. If you amend this claim by adding the needed information and return the claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Enclosure: Check #92-171 for \$30

Sincerely,

Keith C. Cullen

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson
Right Number _____ Applicant Jay Taylor Cox or
Ila K. 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.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

Sept. 26, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

Postmark 6/30/83 ok

By Ernest Carlson Date Oct 11, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jaw Date 11-1-83

RECEIVED
OCT 14 1983

Department of Water Resources

W



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

September 27, 1983

RE: Claim to a Water Right No. 13-4254 69 FARMS, INC.
13-4255 "
13-4256 "
13-4257 COX

Preston Citizen
P.O. Box 472
Preston, ID 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 September 8 and 15, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

October 3, 1983

RE: Claim to a Water Right No. 13-4257 COX

Carlene Frew
Rt. #3, Box 263
Preston, Idaho 83263

Dear Ms. Frew:

We are returning your letter which expresses opposition to claim to a water right No. 13-4257 in the name of Jay Taylor and Ila K. Cox.

If you disagree with the information as set forth on the claim, then you need to file an exception which must be notarized. The exception can be submitted at any time and should clearly state the reason(s) why you feel the claim is incorrect. For your convenience, the enclosed affidavit form can be used for this purpose.

If you have any questions concerning the above matter, please feel free to contact this office.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 26, 1983

JAY TAYLOR COX
ILA K. COX
RT. 3, BOX 266
PRESTON

ID 83263

RE: Claim No. 13-4257

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
Eastern Region Supervisor

Enclosure

13-4230

Lark, Paul

Dept of Geolog, Idaho State University, Pocatello

Source Spring Out to Bear River

Priority Date: 01/31/1922

Diversion P/T NW NE Sec 30 T 15S R 39E

Use Domestic (0.04 CFS)

In SESE Sec 9-T 15S R 39E

6/23 6/30/83

OCT 1 1983

Department of Water Resources
Eastern District Office

Idaho, 161, -30L- Published
April 15, 22, 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.

13-4199

PRESTON, CARLENE
PRESTON, ID 83263

Source: SPRINGS tributary to
SINKS

Priority Date: 06/01/1944

Amount: 0.04 CFS

Diversion Point: NWNE Sec 30 T 15S
R 39E, FRANKLIN Co.

Use: STOCKWATER (0.02 CFS) from
01/01 to 12/31

Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31

Place of Use: SWSW Sec 30 T 15S R
39E

Diversion Means: SPRING &
PIPELINE

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department of
Water Resources, 150 Shoup Ave.,
Idaho Falls, Idaho 83402.

A. KENNETH DUNN
DIRECTOR

Published 4/15 & 4/22/82.

Legal No. 1609 -30L- Published
April 15, 22, 1982.

Notice

diversion and beneficial use:

13-4257

COX, JAY TAYLOR &/or ILA K.
RT. 3, BOX 266, PRESTON, ID 83263

Source: SPRING trib. to SINKS

Priority Date: 01/31/1922

Diversion Pt: NWNE Sec 30 T 15S R

39E

Use: STOCKWATER (0.02 CFS)

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 19 T 15S R 39E

Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402.

Published 9/8 & 9/15/83.

Legal No. 1943 -21L- Published
September 8, 15, 1983.

IN THE DISTRICT COURT OF THE
SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE
COUNTY OF FRANKLIN

MARK ALLEN SPERRY,

Plaintiff,

CASE NO.

IN THE MATTER OF:
CLAIM TO WATER RIGHT
NO. 13-4257 COX

AFFIDAVIT

RECEIVED
OCT 17 1983
Department of Water Resources
Eastern District Office

State of Idaho
County of FRANKLIN

CARLENE FREW being first duly sworn,
deposes and says: I wish to protest application and
claim for water rights for domestic and stock water of Claim
No 13-4257, of Jay Taylor Cox and Ila K. Cox, Route #3, Box 266,
Preston, Idaho, 83263.

I claim one-half interest in the spring, pipeline and water
resources. My predecessors helped as a fifty-fifty partner in
the development and laying of pipeline and construction of the
water facilities.

I also protest application made by Paul Link on the same
spring, Route #3, Preston, Idaho, for the same reasons.

C. Carlene Frew
(Signature)

Subscribed and sworn to before me this 7th day of October, 1983.

Gay H. Smith
(Notary Public)

Residing at Preston, Idaho
My Commission Expires Lifetime

October 18, 1983

RE: Claim to a Water Right No. 13-4257

Jay or Ila K. Cox
Rt. #3, Box 266
Preston, Idaho 83263

Dear Claimants:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

13-4230

October 18, 1983

Paul Link
Dept. of Geology
Idaho State University
Pocatello, ID 83209

Dear Mr. Link:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections,-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

October 18, 1983

RE: Claims to Water Rights No. 13-4257 COX
13-4230 LINK

Carlene Frew
Rt. #3, Box 263
Preston, ID 83263

Dear Ms. Frew:

We have received the exception dated October 7, 1983, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.----

.....
.At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw