

**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
RECEIVED**

SEP 11 2024

CIVIL CASE NUMBER: 79576

Claim ID: 13-7433

Date Received: 9/11/24

Receipt No: 7001280

Claim Fee: \$55 By: mb

IDWR/Preston

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

Please type or print clearly

1. Name of claimant(s) Mark F Cox & Dana B Cox Phone (208) 339-2638

Mailing address 5935 West Oxford Creek Rd Clifton ID Zip 83228
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) 5-29-1986 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (X) (a) Spring
which is tributary to (b) Sinks

4. a. Location of point of diversion is: Township 135, Range 38 E, Section 28

7 SE 1/4 of NW 1/4, Govt. Lot 0, BM, County of Franklin

Parcel no. RP00351.01

Additional points of diversion, if any: None

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.

Spring Box To Line To Tank To Water lawn & garden

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from April 1 to Nov 1 amount .02 or 8.5

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) 8.5 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>135</u>	<u>38E</u>	<u>28</u>			<u>3</u>					<u>2</u>									<u>5</u>

Parcel no(s). RP 00351-01 Total number of acres irrigated 5

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

11. 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.

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

13. Remarks (Include an explanation of the priority date selected):

Date Claimed is the date given on the license

Name of claimant(s) Clark & Dana Cox Claim ID _____

Claim 13-7433



0 0.02 0.04 0.08 Miles

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows, totaling 256 squares. The dashed lines are thin and light gray, contrasting with the white background of the squares.

14. Basis of claim (Check one) Beneficial Use () Posted Notice (X) License (X) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-7433

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (X) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David J. Cox Date: 5-10-24

Mama B Cox Date: 5-10-24

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

_____ of _____
Agent's 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 _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

When Recorded mail to:

CACHE MORTGAGE CORPORATION
33 NORTH MAIN, LOGAN, UT 84321

193328

RECORDED BY INSTRUMENT NO.
PRESTON LAND TITLE

1:05
APR 28 1995

WARRANTY DEED

V. ELLIOTT LARSEN, RECORDER

CARSON BRADLEY and MARGARET J. BRADLEY, husband and wife, Shauna Geddes Dep: FRANKLIN COUNTY, IDAHO

grantor(s) of Clifton County of FRANKLIN State of Idaho
hereby CONVEY(S) and WARRANT(S) to

CLARK F. COX; and DANA B. COX, Husband & Wife

grantee(s)

of 5935 WEST OXFORD CREEK
CLIFTON, ID 83228

County of FRANKLIN

for the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS *****

the following described tract(s) of land in FRANKLIN County, State of ID, to-wit:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 13 SOUTH, RANGE 38 EAST OF THE BOISE BASELINE AND MERIDIAN
IN FRANKLIN COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS :

BEGINNING AT A POINT THAT IS SOUTH 89°48'00" WEST 2,244.10 FEET ALONG
THE SECTION LINE AND SOUTH 2,195.37 FEET FROM THE NORTHEAST CORNER OF
SECTION 28, AND RUNNING THENCE SOUTH 70°18'56" WEST 132.23 FEET ALONG A
STEEL PIPE FENCE; THENCE NORTH 86°37'58" WEST 14.29 FEET TO THE CORNER OF
A BUILDING; THENCE SOUTH 75°55'47" WEST 70.90 FEET ALONG THE FRONT OF SOME
BUILDINGS; THENCE SOUTH 32°47'08" WEST 12.40 FEET ACROSS A GATE; THENCE
SOUTH 33°13'07" EAST 137.28 FEET ALONG A STEEL PIPE FENCE; THENCE
NORTH 75°24'12" EAST 56.21 FEET TO A POINT NEAR THE SOUTHEASTERLY CORNER
OF A GREENHOUSE; THENCE NORTH 13°57'14" WEST 29.01 FEET TO THE END OF A
CONCRETE RETAINING WALL; THENCE NORTH 75°30'34" EAST 82.25 FEET ALONG THE
RETAINING WALL TO A FENCE CORNER; THENCE SOUTH 51°59'55" EAST 63.05 FEET
ALONG A STEEL PIPE FENCE; THENCE SOUTH 44°13'58" EAST 6.52 FEET ALONG A
STEEL PIPE FENCE; THENCE NORTH 14°12'11" WEST 172.06 FEET TO THE POINT OF
BEGINNING.

TOGETHER WITH A RIGHT-OF-WAY FROM ABOVE-DESCRIBED PROPERTY RUNNING EAST TO
OXFORD LOOP ROAD.
TOGETHER WITH ALL RIGHTS AND TITLE AND INTEREST IN THE WELL LOCATED ON THE ABOVE DESCRIBED PROPERTY

WITNESS the hand(s) of said grantor(s), this 28TH day of APRIL 1995

Signed in the presence of

Carson Bradley
CARSON BRADLEY
Margaret J. Bradley
Margaret J. Bradley

STATE OF ~~UTAH~~ IDAHO

SS.

COUNTY OF FRANKLIN

On the 28TH of APRIL 1995 personally appeared before me
CARSON BRADLEY and MARGARET J. BRADLEY,
husband and wife,
the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.

Sharon Kay
Notary Public
Residing At: Swan Lake
My Commission Expires: 5/25/95

Done

Done

Water Right Report : 13-7433(License/Active)**Water Right Owners**

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BRADLEY, CARSON H	5935 W OXFORD CREEK	CLIFTON	ID	83228

Water Right Status

Priority Date : 5/29/1986
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SPRING			SINKS

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SPRING	13S	38E	28	0	NE	SE	NW	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.02 CFS	8.50 AFA
TOTAL			0.02 CFS	8.50 CFS

Places of Use

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
13S	38E	28		SW	NE	3	
13S	38E	28		SE	NW	2	

Irrigation Totals

Total Acres	Acre Limit
5.00	

Dates

Licensed Date : 11/2/1989
 Decreed Date :
 Permit Proof Due Date : 1/1/1988
 Permit Proof Made Date : 12/10/1987
 Permit Approved Date : 12/15/1986
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date: 5/29/1986
 Protest Deadline Date:

Other Information

State or Federal :
 Water District Number : TBD
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

5/10/2024