

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**

CIVIL CASE NUMBER: 79576

Claim ID: 13-7180
Date Received: 9/11/24
Receipt No: P001280
Claim Fee: \$5.00 By: MB

RECEIVED

SEP 11 2024

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Clark & Dana Cox Phone (208) 339-3564
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) 5-5-1977 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

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

4. a. Location of point of diversion is: Township 13 So, Range 38 E, Section 17,
SE 1/4 of SE 1/4, Govt. Lot _____, BM, County of Franklin-Bannock
Parcel no. RPR 4643013400 RP00315.00
Additional points of diversion, if any: 1/4 13 So Rng 38 E Sec 20 SWNW, SWNW.
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.

3 Well Supply water to 156.6 acres Farm Ground

6. Water is claimed for the following purposes:

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

For Irrigation purposes from April to Oct 31 amount 2.56 or 548

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.56 (cfs) and/or (b) 548 (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	
135	38E	16											40						40
135	38E	17															38.5		38.50
135	38E	20		145				28	355										78

Parcel no(s). RPR 4643013400, RP00315.00 Total number of acres irrigated 156.50

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

11. Do you own the property listed above as place of use? Yes (X) 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.
13-2218-, And other Beneficial use water rights that we will be claiming or None ()

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

Priority Date is given with the license

Name of claimant(s) _____ Claim ID _____

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. The overall pattern is a uniform, repeating grid of crosshairs.

Name of claimant(s) _____ Claim ID _____

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-7180

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 () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 8

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) [Signature] Date: 9-11-24
[Signature] Date: 9-11-24

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:**

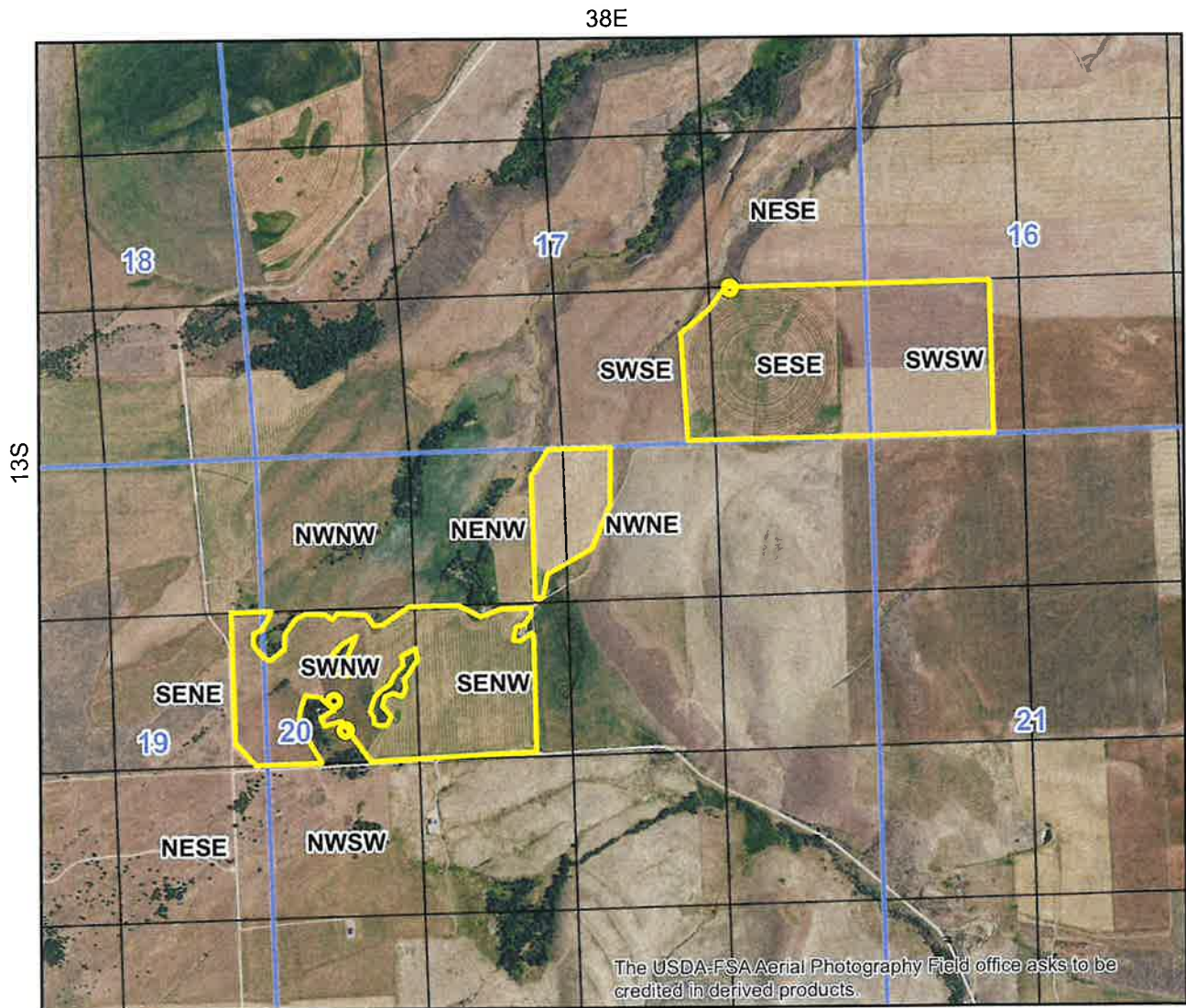
Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

State of Idaho
Department of Water Resources
Water Right
13-7180



0 0.175 0.35 0.7 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- State Outline



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 13-07180

Priority: May 05, 1977

Maximum Diversion Rate: 2.56 CFS
Maximum Diversion Volume: 548.0 AF

It is hereby certified that CLARK COX
5935 W OXFORD CREEK RD
CLIFTON ID 83228 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated May 05, 1977; and has submitted Proof of
Beneficial Use on August 28, 1981; and a water right has been established as follows:

SOURCE

GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	2.56 CFS	548.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 20	Twp 13S	Rge 38E, B.M.	FRANKLIN County
GROUND WATER	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 17	Twp 13S	Rge 38E, B.M.	FRANKLIN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 38E 16												40.0					40.0
13S 38E 17																38.5	38.5
13S 38E 20			16.0				26.0	36.0									78.0

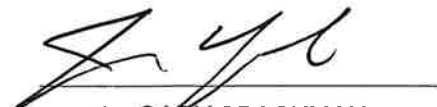
Total Acres: 156.5

CONDITIONS OF APPROVAL

1. Rights 13-7180 and 13-2218 when combined shall not exceed a total annual maximum diversion volume of 548.0 af at the field headgate, and the irrigation of 156.5 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. This right is used in combination with water from Oxford Creek and Rockslide Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 20th day of September, 2013.


for GARY SPACKMAN
Director

09/2010

Drilling Permit No. D0065848

Drilling Permit I.D. Tag No. _____

Water Right Permit No. 13-2218 13-7180

Injection Permit No. _____

Transfer 79192

State of Idaho

Department of Water Resources

APPLICATION FOR DRILLING PERMIT

(FOR THE CONSTRUCTION OF A WELL)

1. Property Owner (please print): Clark Coy2. Current Mailing Address: 5935 W. Oxford Creek RdCity: CliftonState: IDZip Code: 83228Telephone (208) 747-35643. Proposed Well Location: Twp. 13S Rge. 38E Sec. 20 1/4 SW 1/4 NW 1/4Gov't Lot No. _____ County Franklin Lat. 42.2795 (10) Long. 112.0492 (40) (160)

Street Address of Well Location _____

Give at least name of road + Distance to Nearest Road or Landmark

City Clifton

Lot, block and subdivision _____

4. Proposed Use of Well: (Note: Any well drilled for a Public Water Supply requires prior DEQ approval.)

☐ DOMESTIC (42-111a): The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd.☐ DOMESTIC (42-111b): Any other use if the diversion rate does not exceed 0.04 cfs (18 gpm) and a diversion volume of 2500 gpd.

NON-DOMESTIC:

☒ Irrigation☐ Commercial☐ Municipal☐ Other _____☐ Industrial☐ Public Water Supply

(Describe)

☐ INJECTION☐ MONITORING: A well bore schematic and map is required. No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Deepening ☐ Replace Previous Well # _____B. Proposed Casing Diameter 16" Proposed Maximum Depth 300'

C. Anticipated bottom hole temperature:

☒ 85°F or less
(Cold Water Well)☐ 85°F to 212°F
(Low Temp. Geo. Well)☐ 212°F or more
(Geothermal Well)6. Construction Start Date: Nov 137. Drilling Company Name: mt west drilling Driller's Lic. No. _____

NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature: Clark Coy Date: 11-13-14

Title: _____

Address (if different than owner): _____

City: _____ State: _____ Zip Code: _____ Telephone: _____

Idaho Department of Water Resources Receipt

Receipt ID: E040402

Payment Amount \$200.00 Date Received 11/13/2014 8:15 AM Region EASTERN
Payment Type Check Check Number 9113
Payer Cox Land & Livestock Inc
Comments D0065848

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$200.00	DRILLING PERMITS	63134	0229	21		1205



Signature Line (Department Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 18, 2014

CLARK COX
5935 WEST OXFORD CREEK ROAD
CLIFTON, ID 83228

Re: Transfer No: 79192
Water Right No(s): 13-2218, 13-7180
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)525-7161.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JC', is positioned above the printed name.

James Cefalo
Water Resources Program Manager

Enclosure

JC:sc

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79192
Water Right No(s): 13-2218, 13-7180

CLARK COX
5935 WEST OXFORD CREEK ROAD
CLIFTON, ID 83228



Sharla Cox
Administrative Assistant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79192

This is to certify that: CLARK COX
5935 WEST OXFORD CREEK ROAD
CLIFTON, ID 83228

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
13-2218	WR/LICENSE	8/23/1960	0.570 cfs	242.0 af	N/A	100.0	GROUND WATER
13-7180	WR/LICENSE	5/5/1977	2.560 cfs	548.0 af	N/A	156.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-2218	NO	YES	YES	YES	NO	NO
13-7180	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
13-2218	13-2218	0.570 cfs	242.0 af	100.0	156.5	N/A	N/A	N/A	N/A	N/A
13-7180	13-7180	2.560 cfs	548.0 af	N/A	156.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.130 cfs	548.0 af	N/A	156.5		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of April, 2014.


for _____
Chief, Water Allocation Bureau

Transfer No. 79192

WaterRightPods: 13-7180

WaterRightNumber	13-7180
BasinNumber	13
SequenceNumber	7,180
SplitSuffix	
VersionNumber	0
Status	Active
Basis	License
PriorityDate	5/5/1977 1:00 AM
Owner	CLARK COX
OverallMaxDiversionRate	2.56
Source	GROUND WATER
SourceQualifier	
TributaryOf	
TributaryOfQualifier	
WaterDistrictNumber	11
DiversionName	
DataSource	Digitized
MetalTagNumber	
DiversionType	
RightID	666,769
PointOfDiversionID	865,976
WRReport	More info
WRDocs	More info
WRMap	More info
SpatialDataID	490,146
TrustOrNonTrust	
Use	IRRIGATION
OverallMaxDiversionVolume	548.00

WaterRightPods: 13-7180

WaterRightNumber	13-7180
BasinNumber	13
SequenceNumber	7,180
SplitSuffix	
VersionNumber	0
Status	Active
Basis	License
PriorityDate	5/5/1977 1:00 AM
Owner	CLARK COX
OverallMaxDiversionRate	2.56
Source	GROUND WATER
SourceQualifier	
TributaryOf	
TributaryOfQualifier	
WaterDistrictNumber	11
DiversionName	
DataSource	GPS - Downloaded
MetalTagNumber	A0010949
DiversionType	
RightID	666,769
PointOfDiversionID	865,974
WRReport	More info
WRDocs	More info
WRMap	More info
SpatialDataID	250,815
TrustOrNonTrust	
Use	IRRIGATION
OverallMaxDiversionVolume	548.00