

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: 13-4124BDate Received: 10/3/24Receipt No: P001373Claim Fee: \$548 By: MB

RECEIVED

OCT 03 2024

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Wanda O Cox Family Trust for Clark F 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) July 7, 1900 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (X) (a) Rock Side Canyon Creek / Spring Creek
which is tributary to (b) Sinks
4. a. Location of point of diversion is: Township 13 S, Range 38 E, Section 19,
NW 1/4 of SW 1/4, Govt. Lot 3, BM, County of Franklin
Parcel no. RP00309.00 Second Diversion Point RP00306.00
Additional points of diversion, if any: 13 S 38 E Sec 19 NENW
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.
Water diverted from Landslide Creek / Rockside / Barger Canon by pipeline to Spring Creek
to an instream pond. Water into gravity sprinkler system

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 5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5 (cfs) and/or (b) _____ (acre-feet)

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

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>See</u>	<u>map</u>													<u>498</u>

Parcel no(s). RPR464301600 RPR4643013100 RPR4643013300 Total number of acres irrigated 498
RPR4643013400 RPR4643012600 RP00307.00 RP00311.00 RP00316.00 RP00315.00

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.
13-1218 13-7180 or None ()

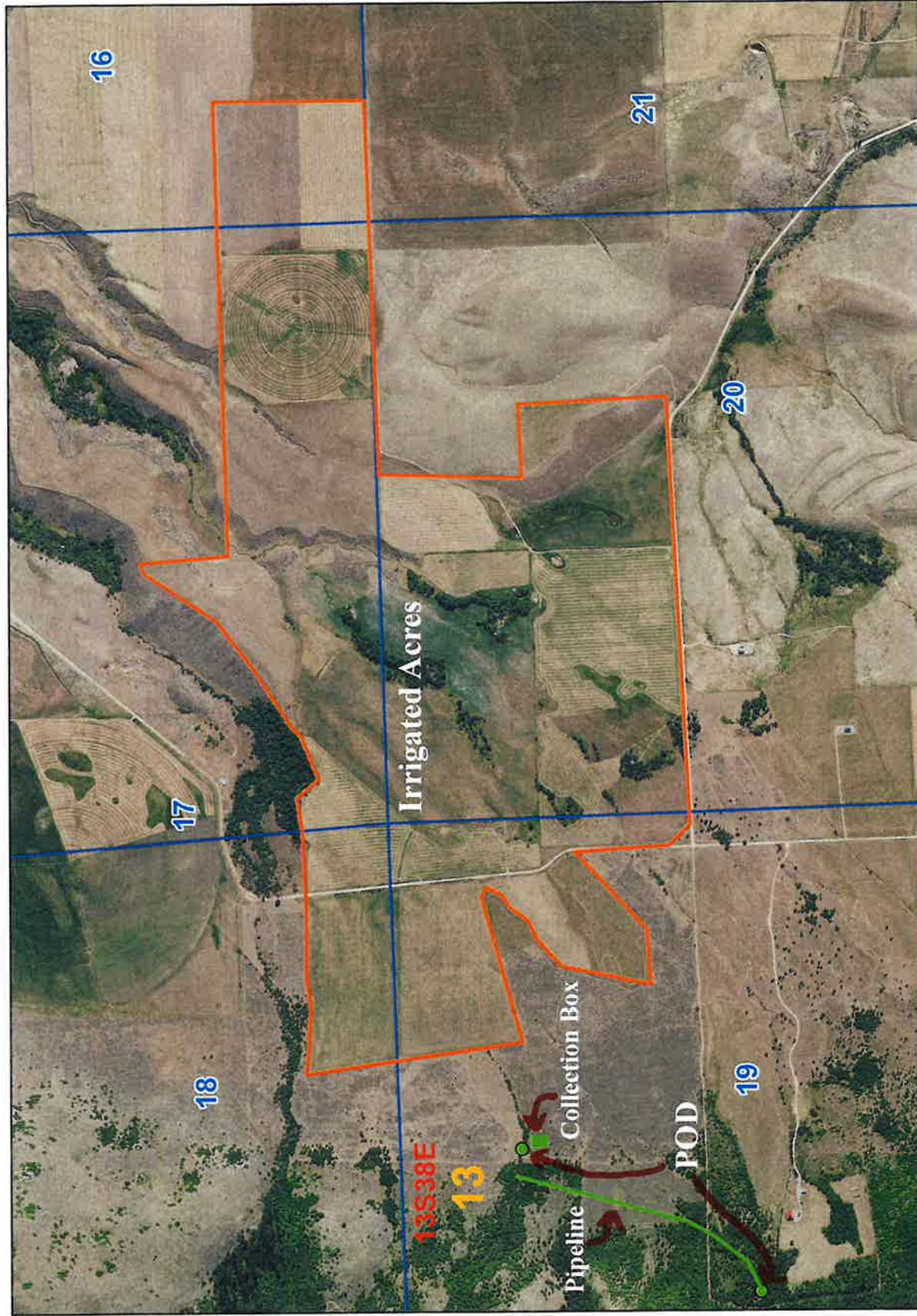
13. Remarks (Include an explanation of the priority date selected):

Passed off Posted Notice July 7, 1900 - attached

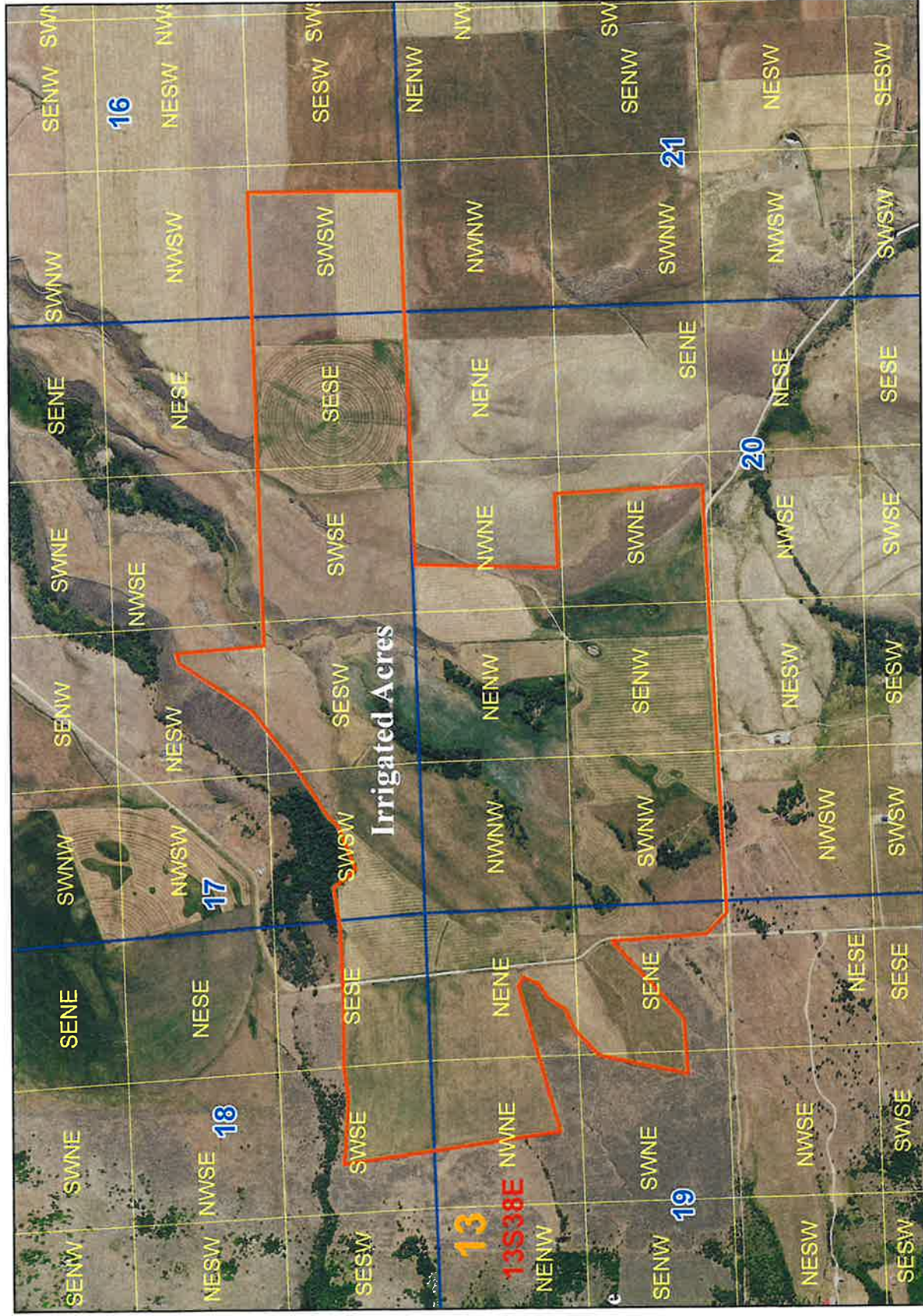
Source Also known as Barges Canyon Crk. - Rockslide, aka BearHollow
We are entitled to 5/6 of the flow of Land Slide creek
We are entitled to the full flow of Spring creek.

Upon Wanda's Death all land & water rights are given to Clark Cox
her son,

Claim 13-4124

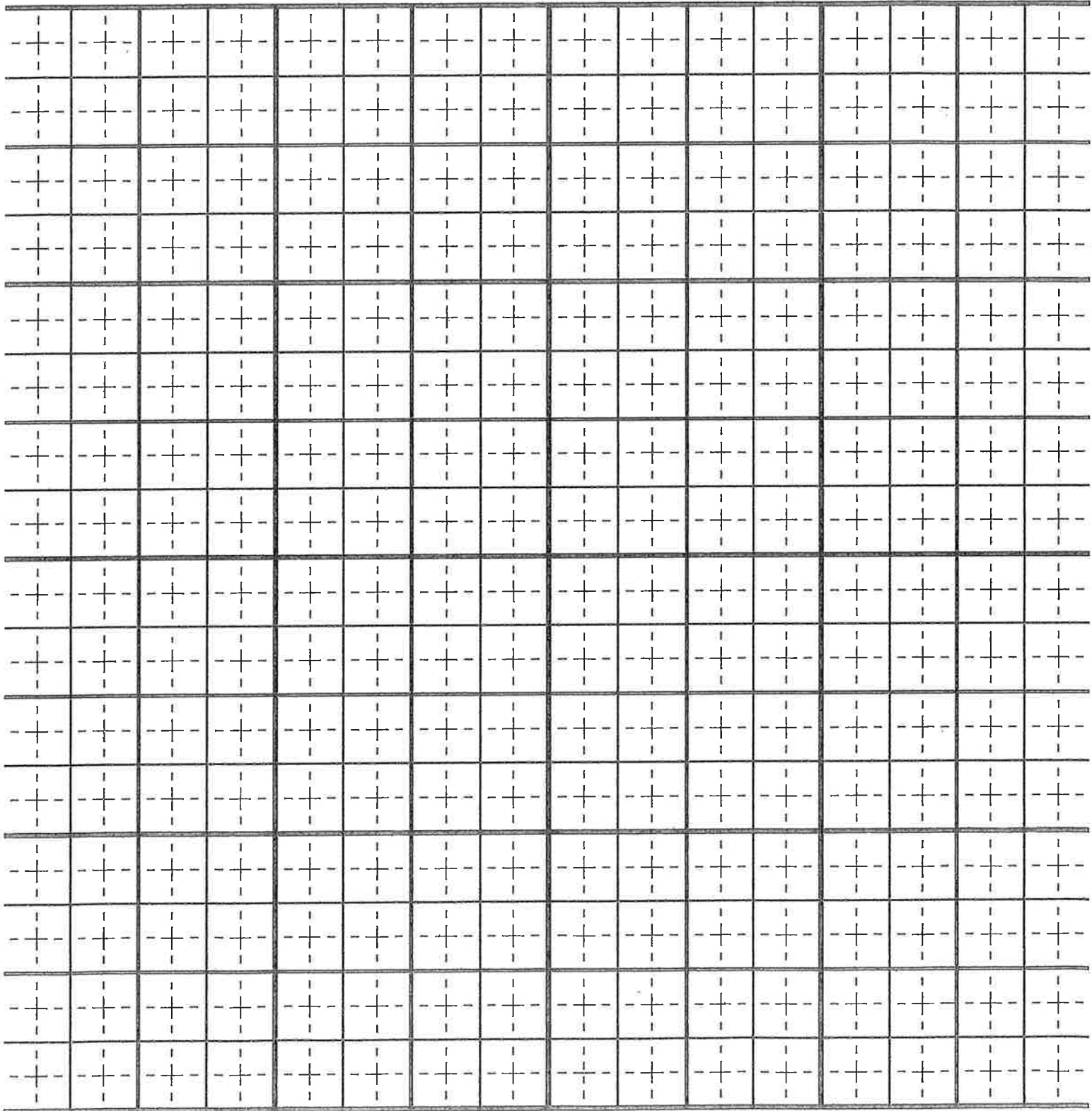


Claim 13-4124



Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) _____ Claim ID _____

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-4124

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: _____

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) Dan F. Cox Date: 10-3-24

Date: _____

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

Trustee of Wanda O Cox Family Trust
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 Dan F. Cox Date 9-11-24

Printed Name of Authorized Agent Clark F Cox

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 _____

WATER APPROPRIATION.

Claimants, --

W. F. Fisher and Ernest A. Fisher, heirs to the estate of Thomas F. Fisher (deceased), Thomas Crowshaw, Rose B. Fisher, W. H. Homer.

Date, --

July 7, 1900.

Recorded, --

February 25, 1901, 9:10 A. M. in Book "2" of Water Locations, at page 90 of the Records of Bannock County, State of Idaho.

Subscribed and
Sworn to, --

Before William F. Fisher (by Ernest A. Fisher)
a Notary Public in and for Bannock County,
State of Idaho, July 9, 1900. (Seal)

Know all men by these Presents: That we the undersigned citizens and tax payers of the County of Bannock, and State of Idaho, having used all the waters of a certain spring or group of springs and all the mountain water that flows through Barger Canon said Canon being located between Oxford Canon and Goose berry Creek Canon and the said group of springs are known as the old Barger Springs for the past eighteen years for irrigating and domestic purposes we now claim and appropriate all the said waters where they are diverted and where this notice is posted to the extent of five cubic feet per second or as much thereof as will flow through a ditch three feet wide on top eighteen inches wide on the bottom and eighteen inches deep water to be measured by a four inch pressure. The purpose for which the water is claimed and appropriated is for irrigating the following described land and for domestic purposes viz: the east half of the Northwest quarter, the southwest quarter of the Northwest quarter, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20, Tp. 13 S. R. 38 E.B.M. containing 160 acres of land being the estate of Thomas F. Fisher deceased also the ranch adjoining the property of Thomas Crowshaw containing 160 acres and the ranches adjoining of Rose B. Fisher and W. H. Homer in all four hundred and eighty acres. Rose B. Fisher and W. H. Homer claim each one sixth of said water, estate of Thomas F. Fisher, deceased, one third and Thomas Crowshaw one third.

Personally appeared before me William F. Fisher a Notary Public in and for Bannock County, State of Idaho, Ernest A. Fisher who being first duly sworn according to law says the above and foregoing is a true and correct copy of a Notice posted by me on the 7th day of July A.D. 1900 at a point where the above described water is diverted from the main Barger Canon near Oxford, Bannock County, State of Idaho.
Ernest A. Fisher.