

> 13000 Gal Day

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: 13-4268A

Date Received: 10/4/24

Receipt No: P001375

Claim Fee: \$25 By: mb

RECEIVED

OCT 04 2024

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/Preston

Please type or print clearly

- Name of claimant(s) Kade + Elise Cox Phone (208) 242-9474
Mailing address 8915 N Church St Clifton ID Zip 83228
Street or Box City State
Email address (optional) BarXhw@gmail.com
- Date of priority: (Only one per claim) July 10 1928 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other ☒ (a) Spring
which is tributary to (b) Sinks
- Location of point of diversion is: Township 13 S, Range 38 E, Section 28,
SE 1/4 of SW 1/4, or Govt. Lot 135 BM, County of Franklin;
Parcel no. See map
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Collection Box and underground pipe to house
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic purposes from Jan 1 to Dec 31 amount .1 cfs () or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .1 cfs () or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Home

9. Location of place of use is: Township 13 S, Range 38 E, Section 28,
SW 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. RP 03059.00
If different than shown in Item 4
for (check one) **Domestic** ☒ **Stock** ☐ **Domestic and Stock** ☐

Additional places of use, if any _____

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 the 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):
July 10 1928 is when water right agreement was made in
regards to water right #134268

14. Basis of claim (check one) **Beneficial Use** ☒ **Posted Notice** ☐ **License** ☐ **Permit** ☐ **Decree** ☐
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number 134268

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: 4

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: 10/3/2024
[Signature] Date: 10/3/2024

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:**

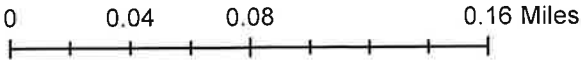
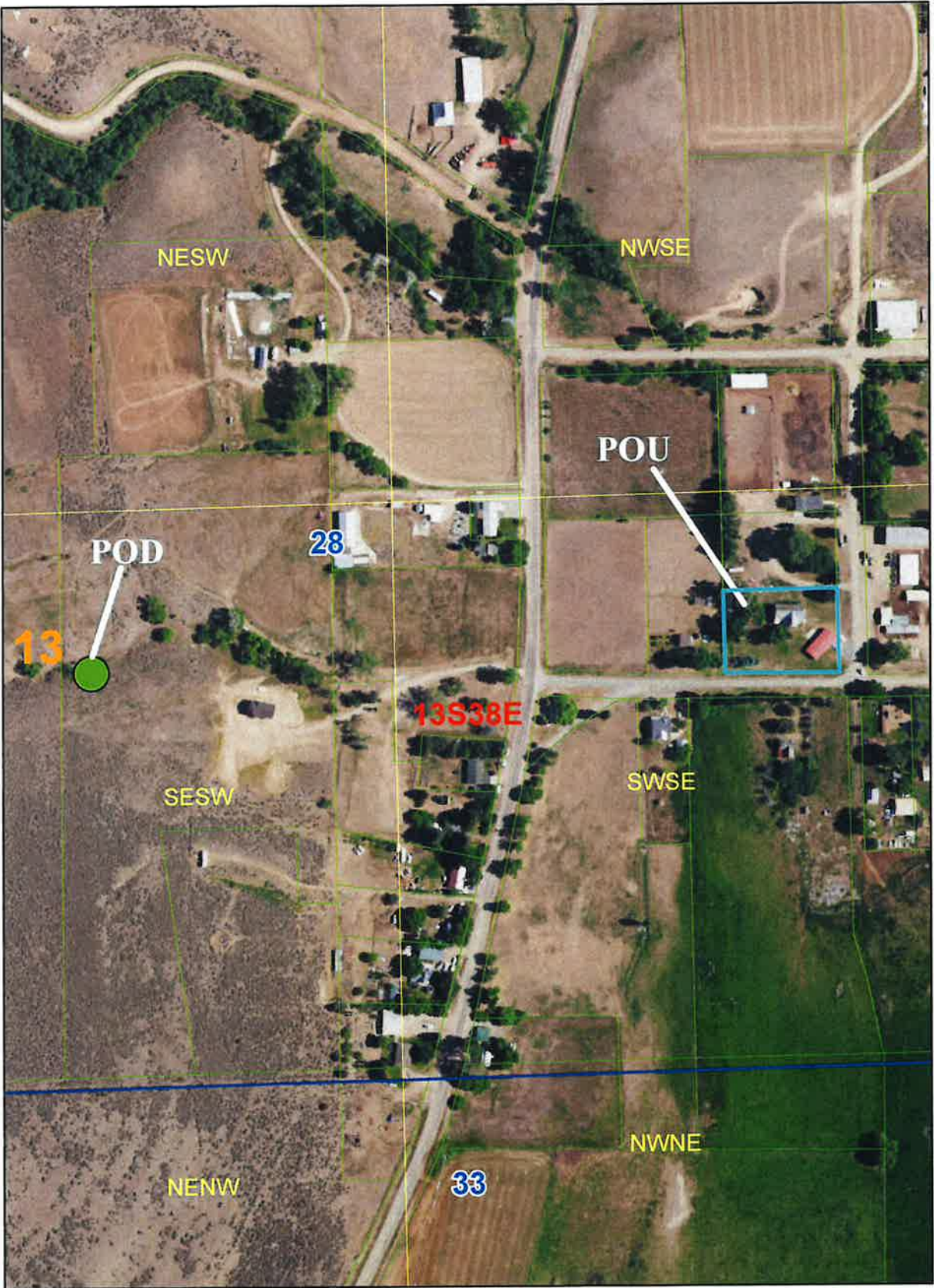
Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

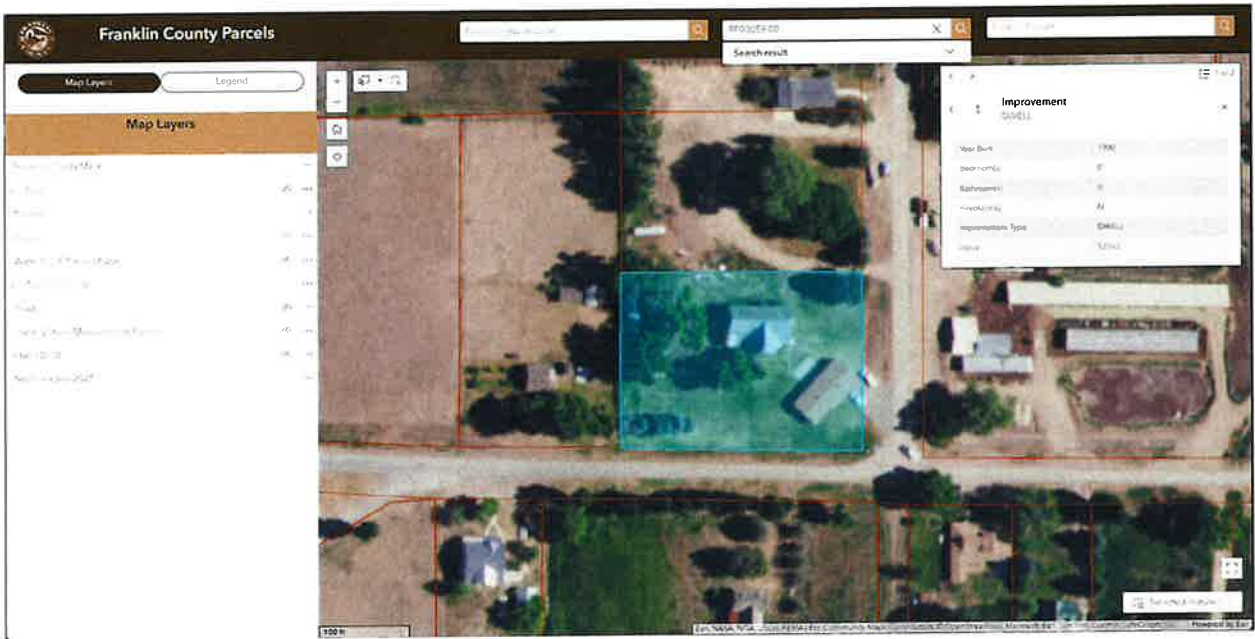
Address _____

Name of claimant(s) _____ Claim ID _____

Kade Cox Claim



Kade Cox's Proof of Priority Date



Franklin County Records

October 3, 2024

I, Wanda Cox remember the time when we purchased the Spring from the Church and School to provide water for our homes and for our barn to water our cattle.

Curtis and I moved into our home in 1956. We had a shallow well north of our home and it went dry. On April 10th 1967 we had the opportunity to buy the church and school spring water along with my brother Marion Olson and his wife Bessie. This opportunity was presented to us because Curtis and I bought the School house and property and Marion and Bessie bought the Church house and property. This purchase was done with Bishop Karl Reeder.

Wanda O. Cox
10-3-24

STATE OF IDAHO

County of Franklin--ss.

Recorded at the request of Star Company at 8:05 A.M., Sept. 18, 1967.

Fee: \$1.80

C.L. Swenson: Ex-Officio Recorder

By Manly Swenson Deputy

-- Compared --

Inst. No. 1214D4

SPECIAL WARRANTY DEED

OXFORD ECCLESIASTICAL WARD CORPORATION OF THE CHURCH OF JESUS CHRIST OF LATTER DAY-SAINTS, a corporation sole, Grantor, hereby CONVEYS and WARRANTS only against all acts of itself, its successors and assigns to CURTIS H. COX and MARION OLSEN, Grantees, of Franklin County, Idaho, for the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the following described tract of land situated in Franklin County, State of Idaho:

Lots 5 and 6, Block 6 of the Revised Townsite of Oxford, Franklin County, Idaho, and being in Section 28, Township 13 South, Range 38 East of the Boise Meridian, together with culinary and irrigation water thereunto belonging.

Subject to all easements, rights-of-way, covenants and restrictions of record.

(\$55 U.S.I.R. Stamps duly affixed and cancelled)

IN WITNESS WHEREOF, The said Grantor has hereto subscribed its name and affixed its corporate seal by its Corporation Sole this 10 day of April, A.D., 1967.

OXFORD ECCLESIASTICAL WARD CORPORATION OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Corporation sole

By Bishop Karl D. Reeder
Corporation Sole

STATE OF IDAHO) ss
COUNTY OF FRANKLIN)

On this 10 day of April, A.D., 1967, personally appeared before me Karl D Reeder, personally known to me to be the Bishop of the Oxford Ward of the Church of Jesus Christ of Latter-day Saints, who acknowledged to me that he signed the foregoing instrument as corporation sole of the Oxford Ecclesiastical Ward Corporation of the Church of Jesus Christ of Latter-day Saints, a corporation sole, and that the seal impressed on the within instrument is the seal of said corporation, and the said Karl D Reeder acknowledged to me that the said corporation executed the same.

My commission expires:

Feb 1968

Seal

STATE OF IDAHO

County of Franklin--ss.

Recorded at the request of Star Company at 4:00 P.M., Sept. 18, 1967.

Fee: \$1.80

C.L. Swenson: Ex-Officio Recorder

By Manly Swenson Deputy

-- Compared --

Inst. No. 121405

WARRANTY DEED

For Value Received

MARION OLSEN, also known as MARIAN OLSON, and BESSIE M. OLSON, husband and wife the grantor, do hereby grant, bargain, sell and convey unto CURTIS H. COX and WANDA O. COX, husband and wife the grantee, the following described premises, in Franklin County Idaho, to wit:

LOTS FIVE (5) AND SIX (6), in Block SIX (6), REVISED TOWNSITE OF OXFORD, Franklin County, Idaho, and being in Section 28, Township 13 South, Range 38 East, Boise Meridian, together with culinary and irrigation water thereunto belonging.

Subject to all easements, rights of way, covenants and restrictions of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 1967

Marion Olson

Bessie M. Olson

STATE OF IDAHO, COUNTY OF Franklin

On this 11th day of Sept., 1967, before me, a notary public in and for said State, personally

appeared MARION OLSON and BESSIE M. OLSON husband and wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Seal

Connie Westover
Notary Public

Residing at Preston, Idaho
Comm. Expires 7-1-70
STATE OF IDAHO
County of Franklin--ss.

Recorded at the request of Star Company at 4:00 P.M., Sept. 18, 1967.

Fee: \$1.80

C.L. Swenson: Ex-Officio Recorder
By Marilyn Swenson Deputy

Am
--Compared--

Inst. No. 121406

WARRANTY DEED

For Value Received

CURTIS H. COX and WANDA O. COX, husband and wife the grantors, do hereby grant, bargain, sell and convey unto MARION OLSEN, also known as MARION OLSON, and BESSIE M. OLSON, husband and wife the grantees, the following described premises, in Franklin County Idaho, to wit:

The South half of Lot Three (3), Block Five (5), of the Revised Townsite of Oxford, Franklin County, Idaho, and being in Section 28, Township 13 South, Range 38 East of the Boise Meridian, together with culinary and irrigation water thereunto belonging.

SUBJECT to all easements, rights of way, covenants and restrictions of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 1967

Curtis H. Cox
Wanda O. Cox

STATE OF IDAHO, COUNTY OF

On this 11th day of September, 1967, before me, a notary public in and for said State, personally appeared CURTIS H. COX and WANDA O. COX, husband and wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Seal

Connie Westover
Notary Public

Residing at Preston, Idaho
Comm. Expires 7-1-70
STATE OF IDAHO
County of Franklin--ss.

Recorded at the request of Star Company at 4:05 P.M., Sept. 18, 1967.

Fee: \$1.80

C.L. Swenson: Ex-Officio Recorder
By Marilyn Swenson Deputy

Am
--Compared--

Inst. No. 121410

WARRANTY DEED

For Value Received BERDELLA J. HAWKES, a widow, the grantor, does hereby grant, bargain, sell and convey unto STANTON M. HAWKES and VIRGINIA H. HAWKES, his wife, as joint tenants with full rights of survivorship, the grantees, the following described premises, in Franklin County Idaho, to wit:

West one-half of the Southeast quarter and the East one-half of the Southwest quarter of Section 13, Township 16 South, Range 39 East of Boise Meridian containing 160 acres.

Including the rights of the grantor in adjoining property used as a reservoir in connection with the above described property. (\$22.00 U.S.I.R. Stamps duly affixed and cancelled)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: September 11, 1967.

Berdella J. Hawkes

STATE OF Utah, COUNTY OF Salt Lake

On this 11th day of September, 1967, before me a notary public in and for said State, personally appeared BERDELLA J. HAWKES, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

6/10/2011

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3 title as OXFORD CORPORATION OF THE CHURCH OF JESUS CHRIST OF
4 LATTER-DAY SAINTS, a corporation sole, Grantor, hereby CONVEYS and
5 WARRANTS only against all acts of itself, its successors and assigns to
6 CURTIS H. COX and MARION OLSEN, Grantees, of Franklin County, Idaho,
7 for the sum of Ten (\$10.00) Dollars and other good and valuable consideration,
8 the following described tract of land situated in Franklin County, State of Idaho:

10 The South 1/2 of Lot 3, Block 5 of the Revised Townsite of
11 Oxford, Franklin County, Idaho, and being in Section 28,
12 Township 13 South, Range 38 East of the Boise Meridian,
together with culinary and irrigation water thereunto be-
longing.

13 Subject to all easements, rights-of-way, covenants and
14 restrictions of record.

15 IN WITNESS WHEREOF, the said Grantor has hereto subscribed its
16 name and affixed its corporate seal by its Corporation Sole this 10 day of
17 April, A.D., 1967.

18
19
20 OXFORD ECCLESIASTICAL WARD COR-
21 PORATION OF THE CHURCH OF JESUS
22 CHRIST OF LATTER-DAY SAINTS, a
corporation sole

23 By [Signature]
24 Corporation sole

25 STATE OF IDAHO)
26 : ss
27 COUNTY OF FRANKLIN)

28 On this 10 day of April, A.D., 1967, personally appeared before
29 me [Signature], personally known to me to be the Bishop
30 of the Oxford Ward of the Church of Jesus Christ of Latter-day Saints, who
31 acknowledged to me that he signed the foregoing instrument as corporation sole
32 of the Oxford Ecclesiastical Ward Corporation of the Church of Jesus Christ of
Latter-day Saints, a corporation sole, and that the seal impressed on the
within instrument is the seal of said corporation, and the said [Signature]
acknowledged to me that the said corporation executed
the same.

My commission expires: 30/1/68 Notary Public for the State of Idaho