

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-14173Date Received: 4-16-10Receipt No: N024098AReceived By: for

RECEIVED

APR 16 2010

DWR/North

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

1. Name of Claimant(s) John L. Toedter Estate Phone (406-252-4259)Robert Toedter, P.R.Mailing Address 727 Starlight Dr. Billings MT Zip 59101
Street or Box City State2. Date of Priority (Only one per claim) 1906
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (X) (a) Springwhich is tributary to (b) a swamp in the upper end of Mica Bay4. Location of Point of Diversion is: Township 49N, Range 04W, Section 17NE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of KootenaiParcel (PIN) no. 49N 04W 17-2200Additional points of diversion if any: There are two points of diversion; one for domestic and another for livestock use.

If available, GPS coordinates: _____

5. 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.

Both sources have a 6 ft. dia. concrete spring box 5 ft. deep and pipelines connecting one to the house and the other to the barn.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 1-1 to 12-31 amount 0.04 cfs () or AFY ()
Month/Day Month/DayFor _____ purposes from 1-1 to 12-31 amount 0.027. Total Quantity claimed 0.06 cfs () or AFY ()

8. Non-irrigation uses Describe fully. (eg Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Domestic, 1 home; Stockwater, 20 head cattle.

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9. Location of Place of Use is Township 49N, Range 04W, Section 17,
NE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4

for (Check One) Domestic () Stock () Domestic and Stock (X)

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes () No (X)

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 (X)

13. Remarks:
I am the Personal Representative for the Estate
of John L. Toedter.

14. Basis of Claim (Check One) Beneficial Use (X) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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 Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do (X) do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: None

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) Robert J. Toedter Date: 4/13/10

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Title _____ of _____ Organization _____

that I have signed the foregoing document in the space below as

Title _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____

Last Name Toedter Identification No. _____

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