

**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 PALOUSE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 59576

Claim ID: ~~87-11276~~ 87-4173

Date Received: 6-27-10

Receipt No: N035118

Claim Fee: \$250 By: [Signature]

RECEIVED

JUN 27 2019

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 / NORTH

Please type or print clearly

1. Name of claimant(s) LARRY TODD AND/OR CHRISTINA TODD Phone (208) 596-5171
- Mailing address 1010 SCHULTZ RD MOSCOW ID 83843
Street or Box City State Zip
- Email address (optional) _____
2. Date of priority: (Only one per claim) 8/15/1960 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) POND
which is tributary to (b) _____
4. Location of point of diversion is: Township 40N, Range 05W, Section 21,
SE 1/4 of SE 1/4, or Govt. Lot _____ BM, County of LATAH
Parcel no. RP40N05W219501A
Additional points of diversion, if any: _____
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.
POND IS FILLED BY RAIN RUN-OFF AND SNOW MELT IN THE SPRING, HORSES DRINK FROM THE
POND
6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
- | | Month/Day | Month/Day | cfs (✓) or AFY () |
|---|-----------|-----------|--------------------|
| For <u>STOCKWATER</u> purposes from <u>1/1</u> to <u>12/31</u> amount <u>0.02</u> | | | |
| For _____ purposes from _____ to _____ amount _____ | | | |
7. Total quantity claimed 0.02 cfs (✓) or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
STOCKWATER USE FOR UP TO 25 HORSES

SCANNED
AUG 05 2019

9. Location of place of use is: Township 40N, Range 05W, Section 21,
SE 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. SAME
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? LATAH

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.
DOMESTIC AND STOCKWATER USE FROM WELL or None ()

13. Remarks (include an explanation of the priority date selected):
APPROXIMATE DATE POND WAS CONSTRUCTED TO RETAIN THE RUN-OFF

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 _____

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 Palouse 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: 1

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)  Date: 5/16/2019

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

Agent's title (Please print) _____ of _____
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) LARRY TODD Claim ID _____

SCANNED
AUG 05 2019

DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

In Re: NANCY TORBECK,
water right

Petitioner,

AFFIDAVIT OF
FRANKLIN A. SCHOEFFLER

STATE OF IDAHO)
) ss.
County of Latah)

Franklin A. Schoeffler, being first duly sworn, states of his personal knowledge as follows:

1. I am a resident of Moscow, Latah County, Idaho.
2. I worked for the Soil Conservation Service in 1960.
3. During the summer of 1960, as part of my duties for the Soil Conservation Service, I helped build a farm pond on the property of Fred Schultz, located on Schultz Road, Latah County, Idaho, which property is now owned by Nancy Torbeck.

DATED this 17 day of April, 1990.

Franklin A. Schoeffler
Franklin A. Schoeffler

SUBSCRIBED AND SWORN to before me this 17 day of Jul, 1990.

Bruce Fredrickson
NOTARY PUBLIC in and for the State
of Idaho, residing at Moscow, Idaho.
My commission expires: 7-20-94