

**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: 87-12312

Date Received: 7/29/2021

Receipt No: N037212

Claim Fee: By: ND

RECEIVED

JUL 29 2021

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/NORTH

Please type or print clearly

1. Name of claimant(s) The Ruth A. Elliott 1992 Revocable Living Trust Phone (208) 882-4376
Mailing address 1050 Hall Rd. Viola ID Zip 83872-9775
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) April 17, 1905 (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 40N, Range 05W, Section 3,
SW 1/4 of NW 1/4, Govt. Lot 5, BM, County of Latah
Parcel no. RP40N05W033723A
Additional points of diversion, if any: _____
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.
The well was dug to serve the property prior to the 1967 new well; this is the only other well on the property and
it was the water source for the homestead. This well has continued to be used for various purposes around the
property.

6. Water is claimed for the following purposes:

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

For Domestic purposes from 1/1 to 12/31 amount 0.04 or _____

For Fire Protection purposes from 1/1 to 12/31 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (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.) Domestic use for various outside farm uses; fire protection to fill 1100 gallon tank.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
40N	05W	3*							D/F										
40N	05W	3								D/F	D/F								
40N	05W	3**										D/F							
40N	05W	4				D/F									D/F				
			*= Gov. Lot 5				**= Gov. Lot 6												

Parcel no(s). RP40N05W034883A & RP40N05W034903A Total number of acres irrigated _____

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 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.

There is a new well used for culinary and domestic purposes and outside irrigation. see 87-4154. or None ()

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

The United States' provided a homestead to Mr. Martin on 4/17/1905; the 1914 Standard Atlas of Latah County Idaho shows a home. As part of that first home, this well was dug and served the property until the replacement well was drilled in 1967. After the 1967 well was completed, this well was used for various domestic purposes around the property including to fill an 1100 gallon tank. Attachments: aerial photo of well location, POU parcel map, Land Patent Details document, 1 deed, 1914 Atlas Title Page, 1914 Atlas page of home

Name of claimant(s) The Ruth A. Elliott 1992 Revocable Living Trust

Claim ID _____

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: 6

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: _____

_____ 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 The Ruth A. Elliott 1992 Revocable Living 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 Jeanne D. Elliott, Trustee Date July 29, 2021

Printed Name of Authorized Agent Jeanne D. Elliott, Trustee

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) The Ruth A. Elliott 1992 Revocable Living Trust Claim ID _____

Claim Map

Place of Use & Point of Diversion Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

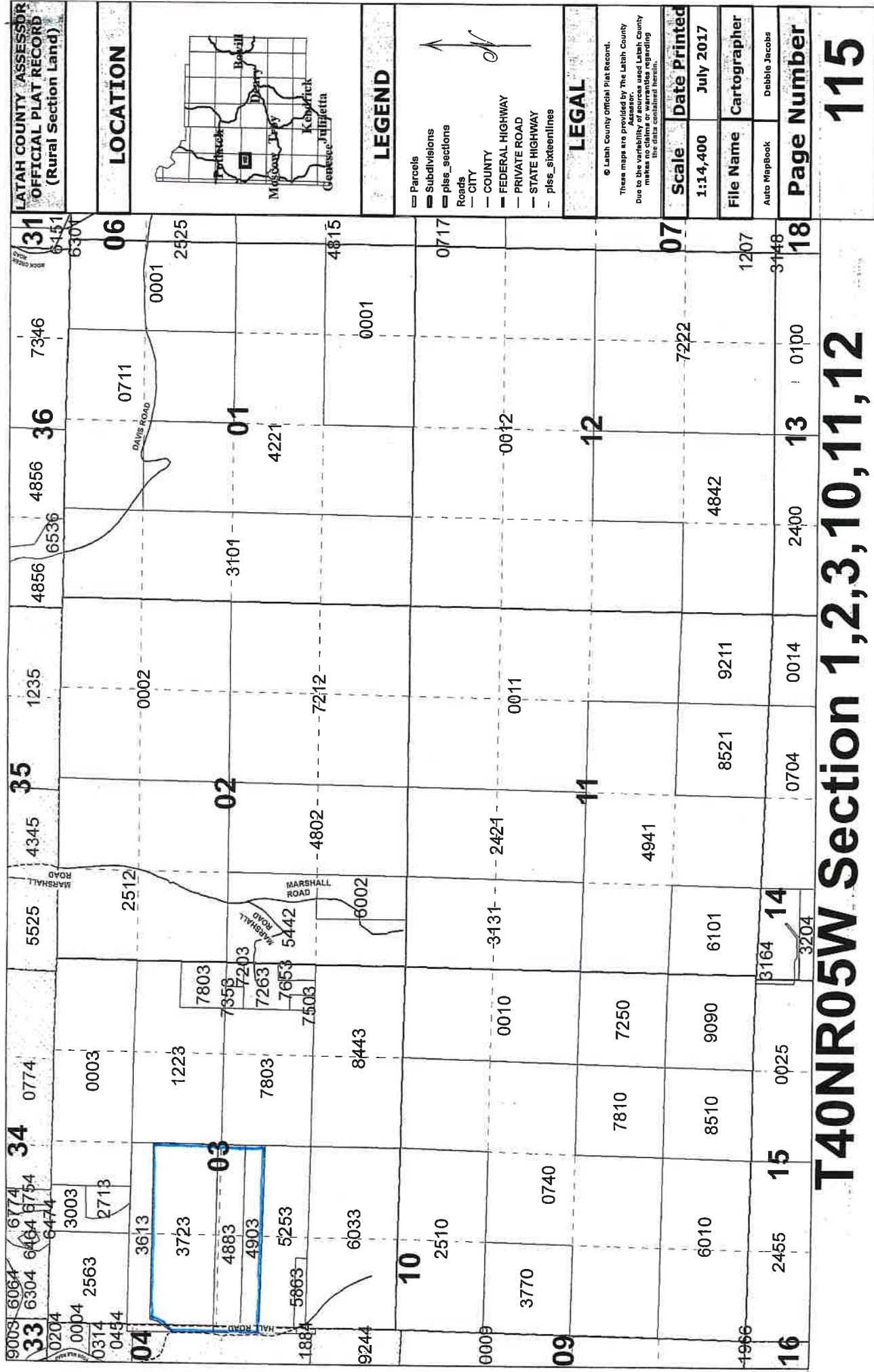
0 230 460 920 1,380 1,840 Feet



The Ruth A. Elliott 1992
Revocable Living Trust

Please draw in the location where water is diverted from the stream, the pond, and the irrigated acres. Add any information about the water delivery system you can provide.

Parcel Map Showing Place of Use



Land Patent Details

Accession Nr: ID0570__445 Document Type: State Volume Patent State: Idaho Issue Date: 4/17/1905 Cancelled: No

Names On Document

Miscellaneous Information

☒ MARTIN, ALFRED	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Land Office:</td><td>Lewiston</td></tr> <tr><td>US Reservations:</td><td>Yes</td></tr> <tr><td>Mineral Reservations:</td><td>No</td></tr> <tr><td>Tribe:</td><td>---</td></tr> <tr><td>Militia:</td><td>---</td></tr> <tr><td>State In Favor Of:</td><td>---</td></tr> <tr><td>Authority:</td><td>April 24, 1820: Sale-Cash Entry (3 Stat. 566)</td></tr> </table>	Land Office:	Lewiston	US Reservations:	Yes	Mineral Reservations:	No	Tribe:	---	Militia:	---	State In Favor Of:	---	Authority:	April 24, 1820: Sale-Cash Entry (3 Stat. 566)
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Document Numbers

Survey Information

Document Nr:	4757	Total Acres:	171.18
Misc. Doc. Nr:	---	Survey Date:	---
BLM Serial Nr:	IDIDAA 025655	Geographic Name:	---
Indian Allot. Nr:	---	Metes/Bounds:	No

Land Descriptions

State	Meridian	Twp - Rng	Aliquots	Section	Survey #	County
ID	Boise	040N - 005W	Lot/Trct 5	3		Latah
REMARKS: LOT 5 OR SWNW QUARTER						
ID	Boise	040N - 005W	Lot/Trct 6	3		Latah
REMARKS: LOT 6 OR NWSW QUARTER						
ID	Boise	040N - 005W	SE¼NW¼	3		Latah
ID	Boise	040N - 005W	NE¼SW¼	3		Latah

The Ruth A. Elliott 1992
Revocable Living Trust

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

CERTIFICATE }

No. 4757 }

Whereas Alfred Martin, of Latah County Idaho.

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at
 Lemington, Idaho.
 Alfred Martin

according to the provisions of the
 Act of Congress of the 25th of April, 1820, entitled "An Act making further provision for the sale of the Public
 Lands," and the acts supplemental thereto, for the Lots numbered five and six, the South
 East quarter of the North West quarter and the North East quarter
 of the South West quarter of Section three in Town
 thirty four north of Range five West of Boise Meridian
 in Idaho, containing one hundred and seventy one acres
 and eighteen hundredths of an acre.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor
 General, which said Tract has been purchased by the said Alfred Martin

Now know ye, That the United States of America, in consideration of the premises, and in conformity
 with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents
 DO GIVE AND GRANT unto the said Alfred Martin

and to his heirs, the said Tract above described: TO HAVE AND TO HOLD the same, together with all
 the rights, privileges, immunities, and appurtenances, of whatever nature, thereto belonging, unto the said Alfred
 Martin

and to his heirs and assigns forever; subject to any vested
 and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used
 in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts,
 and also subject to the right of the proprietors of a vein or lode to extract and remove his ore therefrom, should the same be
 found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands
 hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof I Theodore Roosevelt

President of the United States of America, have caused these letters to be made Patent, and the
 seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Ninth tenth
 day of April, in the year of our Lord one thousand
 eight hundred and nine, and of the Independence of the
 United States the one hundred and thirty-ninth.

By the President:

J. Roosevelt

J. M. McLean, Secretary.

C. H. Brush, Recorder of the General Land Office.



STANDARD ATLAS
OF

LATAH COUNTY

IDAHO

INCLUDING
A PLAT BOOK

OF THE

VILLAGES, CITIES AND TOWNSHIPS OF THE COUNTY.

~~MAP OF THE STATE, UNITED STATES AND WORLD.~~

Patrons Directory, Reference Business Directory and Departments
devoted to General Information.

ANALYSIS OF THE SYSTEM OF U.S. LAND SURVEYS, DIGEST OF THE
SYSTEM OF CIVIL GOVERNMENT, ETC. ETC.

Compiled and Published

BY

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PUBLISHERS & ENGRAVERS.

CHICAGO.

1914

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