

**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: 87-12314

Date Received: 7/29/2021

Receipt No: N037212

Claim Fee: By: NS

RECEIVED

JUL 29 2021

IDWR/NORTH

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

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 83872-9775
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) December 31, 1949 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) unnamed stream/springs
which is tributary to (b) West Fork Flannigan Creek
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 pond is on-stream with a dike that holds the water behind it.

6. Water is claimed for the following purposes:

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

For Wildlife to/from Storage purposes from 1/1 to 12/31 amount _____ or 0.1

For Stockwater to/from Storage purposes from 1/1 to 12/31 amount _____ or 0.1

For Aesthetic/Rec. to/from Storage purposes from 1/1 to 12/31 amount _____ or 0.1

For Fire Protection to/from Storage purposes from 1/1 to 12/31 amount _____ or 0.1

7. Total quantity claimed (a) _____ (cfs) and/or (b) 0.4 (for refill purposes) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Pond used for multiple wildlife, stock, aesthetic, recreation and fire protection.

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*							W										
40N	05W	3*							S										
40N	05W	3*							J/R										
40N	05W	3*							F										
40N	05W	3								F	F	F**							
40N	05W	4	*=	Gov.	Lot 5	F						**=	Gov.	Lot 6	F				

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.

_____ or None (✓)

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

This pond was excavated originally sometime prior to 1950 as noted by landowner. The pond has been maintained year-round for the above listed purposes. There is a dike that backs up the water on the unnamed stream. Attachments: aerial photo showing pond location, POU parcel map, prior owners' statement of pond construction date

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: 3

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.

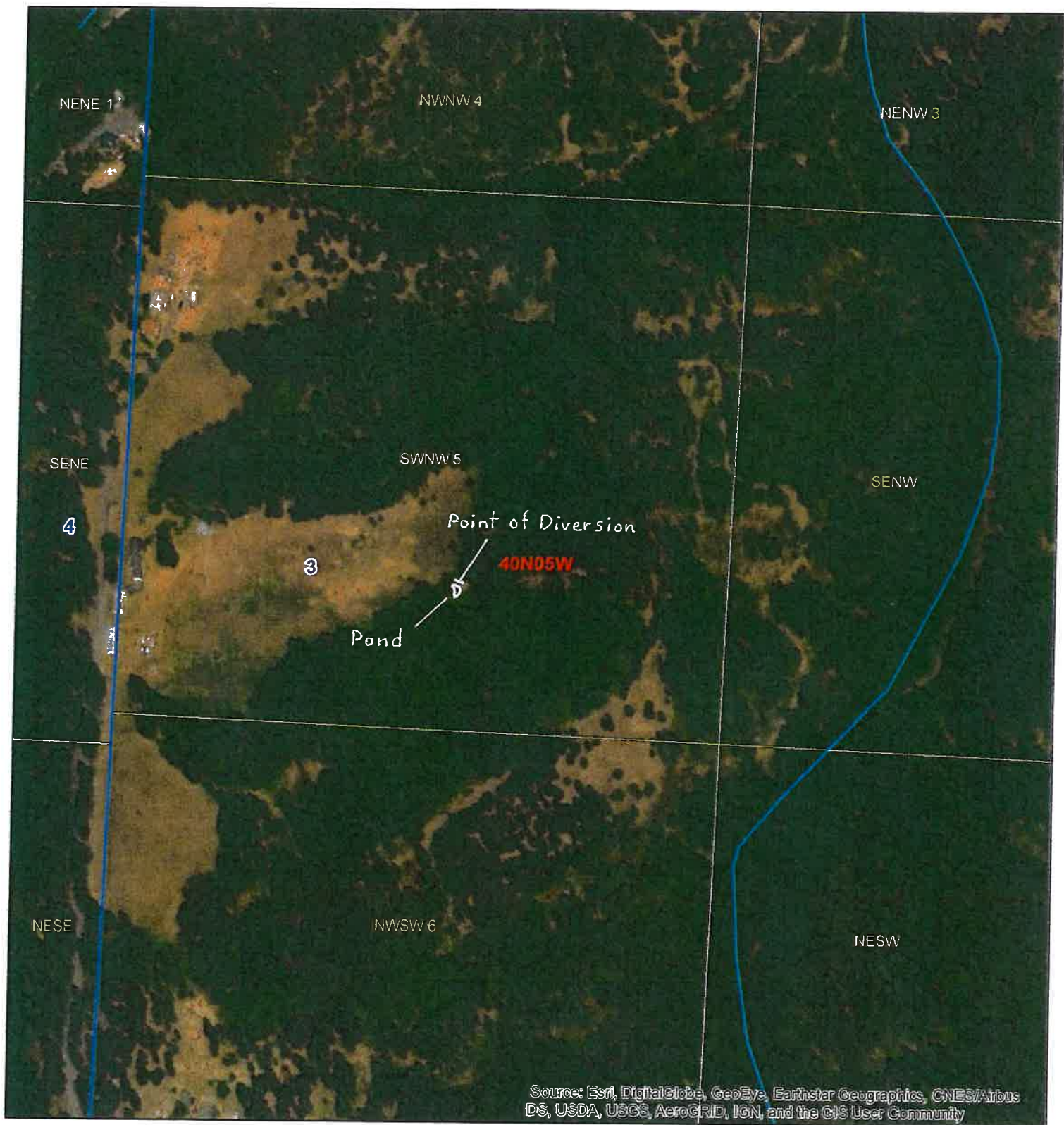
Signature _____ Date _____

Address _____

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

Claim Map

Place of Use & Point of Diversion Map

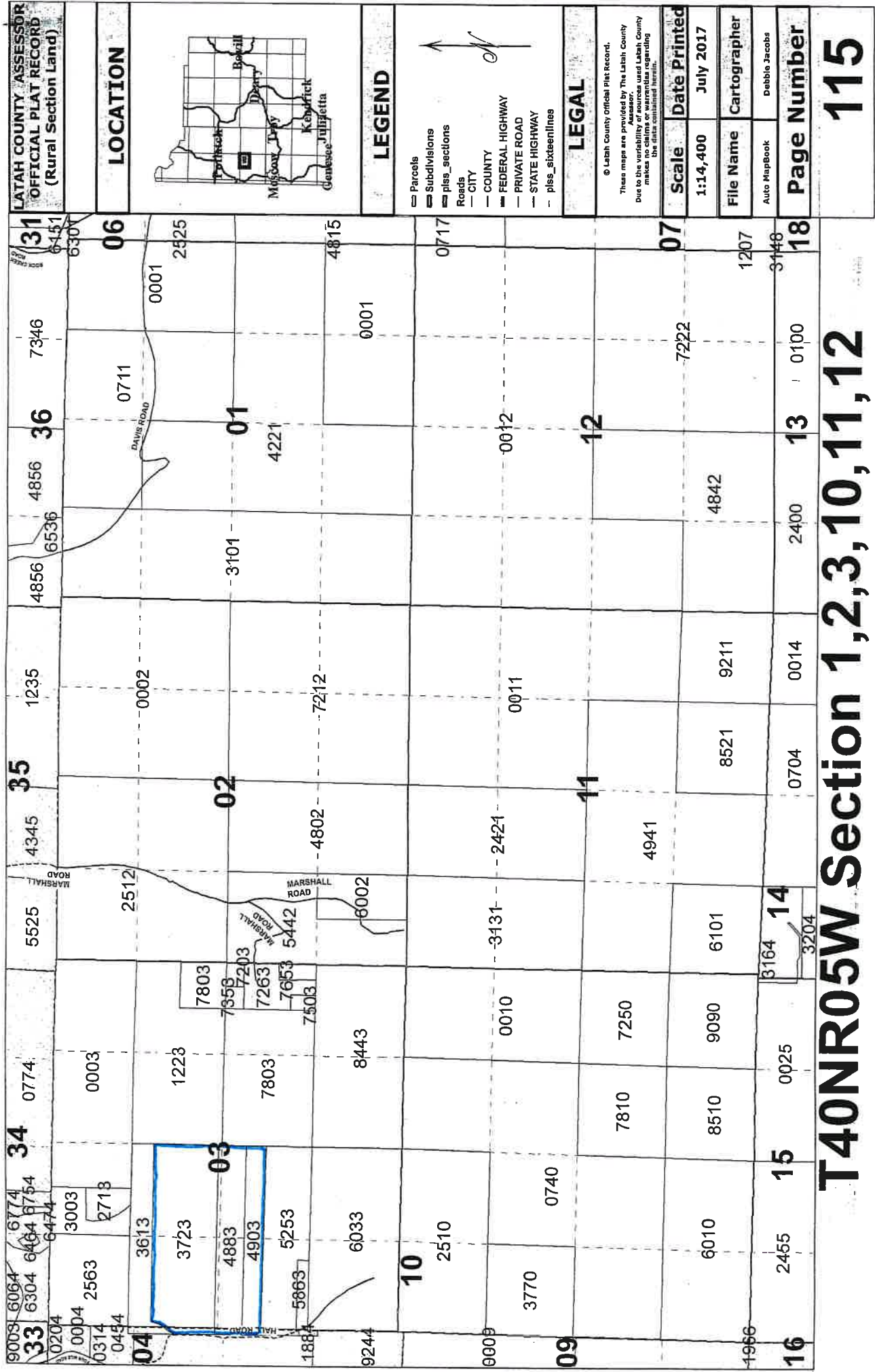


The Ruth A. Elliott 1992
Revocable Living Trust

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.

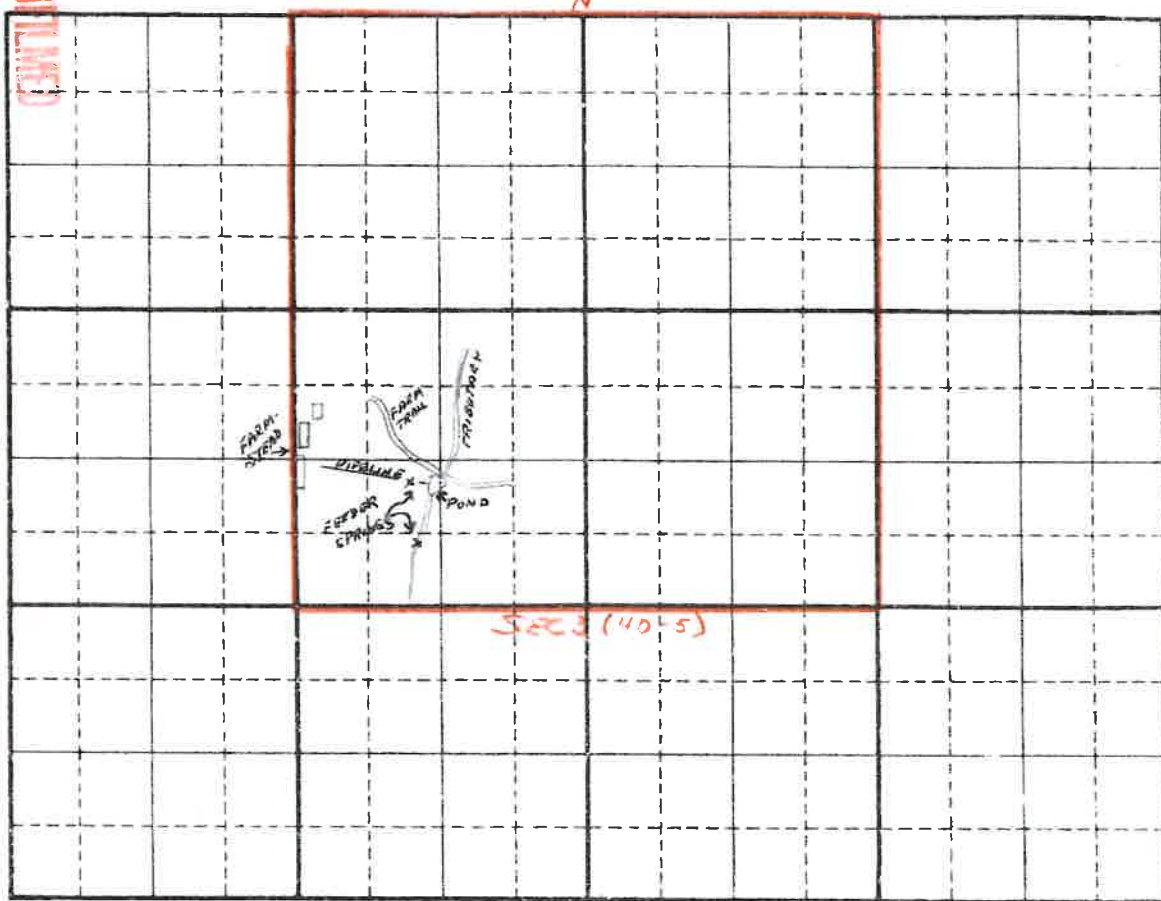


Parcel Map Showing Place of Use



MICROFILMED

(8) Remarks Attached is aerial photo (dated 1965 in Assessor's file) showing location of pond in relation to farmstead. IT IS TO BE NOTED THAT, AS FAR AS CAN BE DETERMINED, POND WAS CONSTRUCTED BY A PREVIOUS OWNER SOMETIME PRIOR TO 1950.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system

State of Idaho

County of Latah

ss.

Be it known that the undersigned, being duly sworn, deposes and says that ~~he~~ she subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 29th day of June

Ruth A. Elliott
Ruth A. Elliott
(Claimant)

1983

Judy A. Mohr
Notary Public
Residing at Moscow, Idaho

My commission expires

"For Life"

Received by

Prelim. check by

\$30.00 fee received by

Published in

Dates

7/1/83 FOR DEPARTMENT USE ONLY

Date

Date

Date

Date

Date

6/30/83

7/1/83

8/1/83

8/2/83

8/2/83

Exception filed by:

Forwarded to

claimant by:

Date

The Ruth A. Elliott 1992
Revocable Living Trust