



Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

being first duly sworn, on oath, deposes and says:

That he is the printer of The IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

May 17, 24, 1990

the same being the dates designated for the publication of said notice.

Theresa Myers

Subscribed and sworn to before

me this 29 day of May

19 90

Chris Anderson

Notary Public,
residing at Moscow, Idaho
My commission expires: 6-16-93

NOTICE OF CLAIMS TO WATER RIGHT

The Following claim(s) have been filed on water rights created by diversion and beneficial use:

87-04173

TORBECK, NANCY ANN

2497 SCHULTZ RD.

MOSCOW, ID 83843

Source: UNNAMED STREAMS

Tributary: POND

Diversion Pt: SESE Sec 21 T 40N

R 05W

Use:

STOCKWATER STORAGE (10.00 AF)

DOMESTIC STORAGE (10.00 AF)

Total Diversion: (10.00 AF)

PRIORITY DATE: 6/21/1960

In: T40N R05W S21 SESE

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON, Director
May 17, 24, 1990

RECEIVED

MAY 31 1990

NORTHERN REGION
IDWR

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JUN 29 1990

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APR 25 1990

Claim No. 82-4173

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Nancy Ann Torbeck

(Name of Claimant)

2497 Schultz Rd., Moscow, Id 83843

(Mailing Address)

Telephone No. (208) 882-7671

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Summer, 1960 (when pond was built)

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground water from runoff from surrounding fields

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
					(Mo., Day)	(Mo., Day)
Quantity	<u>10 acre feet</u>	Use	<u>Watering stock</u>	Period of Use From	<u>1/1</u>	To <u>12/31</u>
Quantity		Use	<u>Domestic watering</u>	Period of Use From	<u>4/1</u>	To <u>10/31</u>
Quantity		Use		Period of Use From		To
Quantity		Use		Period of Use From		To
Quantity		Use		Period of Use From		To

- (4) 10 acre feet TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 21 Twp. 40N Rge. 5W B.M., County of Latah

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Water from ground and runoff from surrounding fields is collected in a pond, the dam for which was built with the help of the Soil Conservation Service in the summer of 1960

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>40N</u>	<u>5W</u>	<u>21</u>																<u>X</u>	

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water is used year round for watering cows and horses on my land. From April to October it is also used to keep trees, shrubs and grass alive around my home. This water is crucial for maintaining the farm since I only have a shallow well across the road in a neighbor's field for drinking water/home needs. I cannot use this water for stock/yard.

NOTE: Include here the type and number of stock watered: 5-10 cows, 2-3 horses

- (7) If you are claiming water as a member of an organization, list name of organization:

JUN 29 1990

388.82 FEET, ALONG THE 1/16 LINE, BEGINNING.

THENCE S 54° 27' 00" W, 888.14
THENCE S 46° 38' 00" W, 879.71
THENCE N 00° 48' 35" E, 769.0
THENCE N 89° 32' 10" E, 987.9

TO THE TRUE POINT OF BEGINNING.

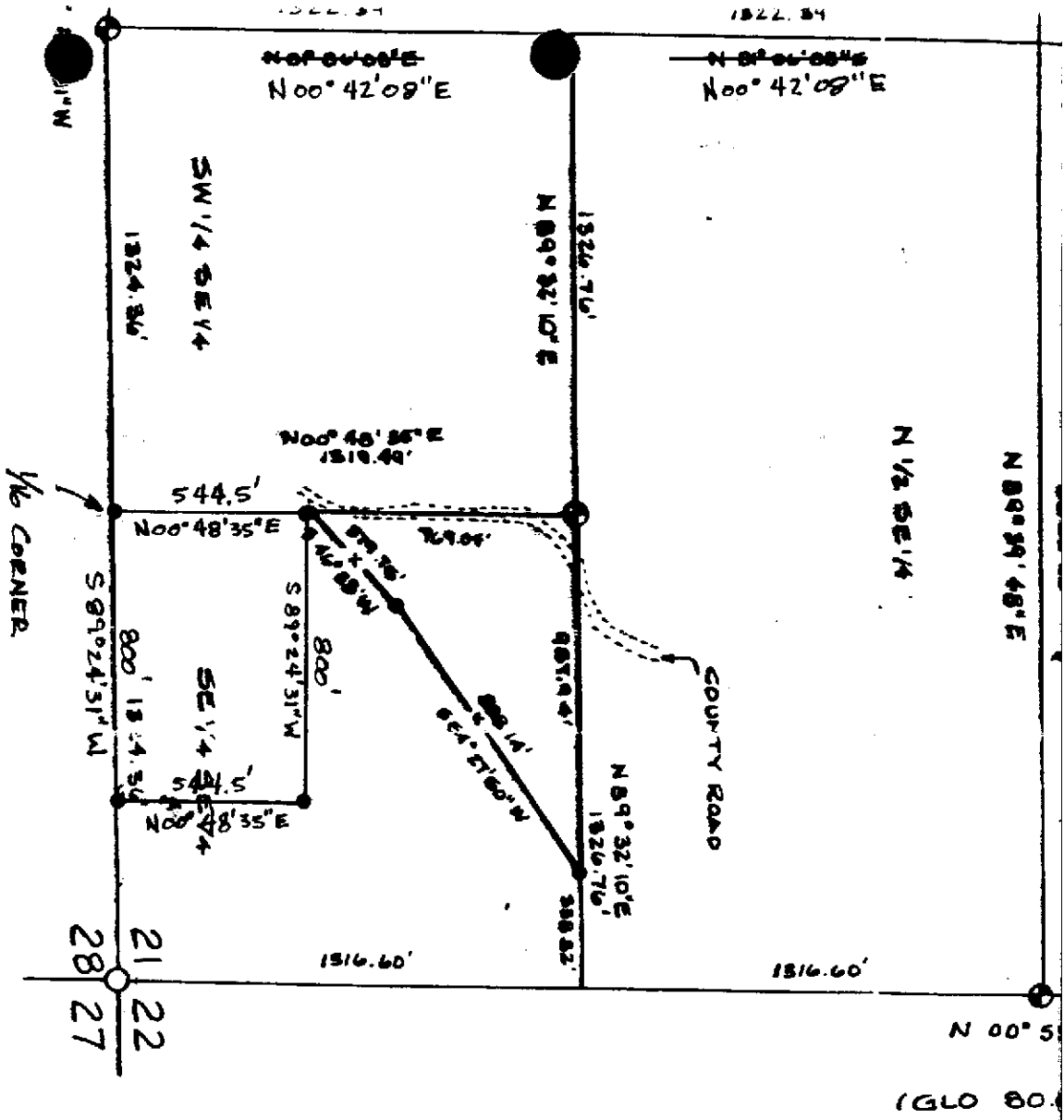
SAID PARCEL CONTAINS 8.19 ACRES

SURVEYOR'S CERTIFICATE

I, LARRY J. HODGE, PE/LS NO. 3003, CERTIFY THAT THE SURVEY REPRESENTED HEREON WAS PERFORMED BY ME OR UNDER MY SUPERVISION WITH THE LANDS OF THE STATE OF IDAHO AT THE REQUEST OF GENE MAYER.

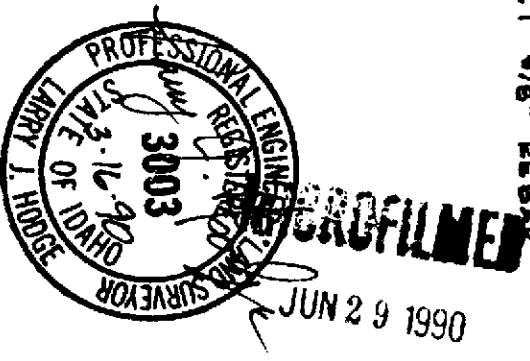
LEGEND

- FOUND LATAM COUNTY BRASS CAP
- SET LATAM COUNTY BRASS CAP
- SET 5/8" REBAR



80.30 CM)

RESURVEY FOR NANCY FOREBECK
2497 Schultz Rd.
● - SET 5/8" x 30" REBAR



42

on

Slide
37-32
1988

F34
T805
Lee Hawley

CRR
89-245

44.5
9

Idler's Road

F37
T810
John Drew

66.8
3

22

D

44.1
6

F304
T804-162F
A...

23.1
3

F7542

GARY
Presol

151

38.1
5

8

Schultz Road

RECEIVED
JUN 29 1990

F37 F367
226F

pond

Idler's Road

On maps at
ACSC as of
4-14-90

Affidavit of Publication

STATE OF IDAHO
County of Latah

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[Signature]

Notary Public,

residing at Moscow, Idaho

My commission expires: 12-12-93

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Use:

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DOMESTIC STORAGE (10.00 AF)

Total Diversion: (10.00 AF)

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In: T40N R05W S21 SESE

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

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R. KEITH HIGGINSON, Director

May 17, 24, 1990

RECEIVED

MAY 31 1990

NORTHERN REGION
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JUN 29 1990

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: TBK

Right Number 87-4173 Applicant Torbeck

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By [Signature] Date 6/21/90

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 6/25/90

RECEIVED
JUN 25 1990
Department of Water Resources

87-04173

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MOSCOW, ID 83843

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DOMESTIC STORAGE	(10.00 AF)
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In: T40N R05W S21 SESE

RECORDED

JUN 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region
1910 Northwest Blvd., Suite 210

Coeur d'Alene, Idaho 83814
(208) 765-4639

June 4, 1990

NANCY ANN TORBECK
2497 SCHULTZ RD.
MOSCOW, ID 83843

Re: Claim No. 87-04173

Dear Claimants(s):

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have the information or evidence added at any time. Please refer to the claim identification number when corresponding with the office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P. E.
Manager, Northern Regional Office

RGH:pms

Enclosure

MICROFILMED

JUN 29 1990