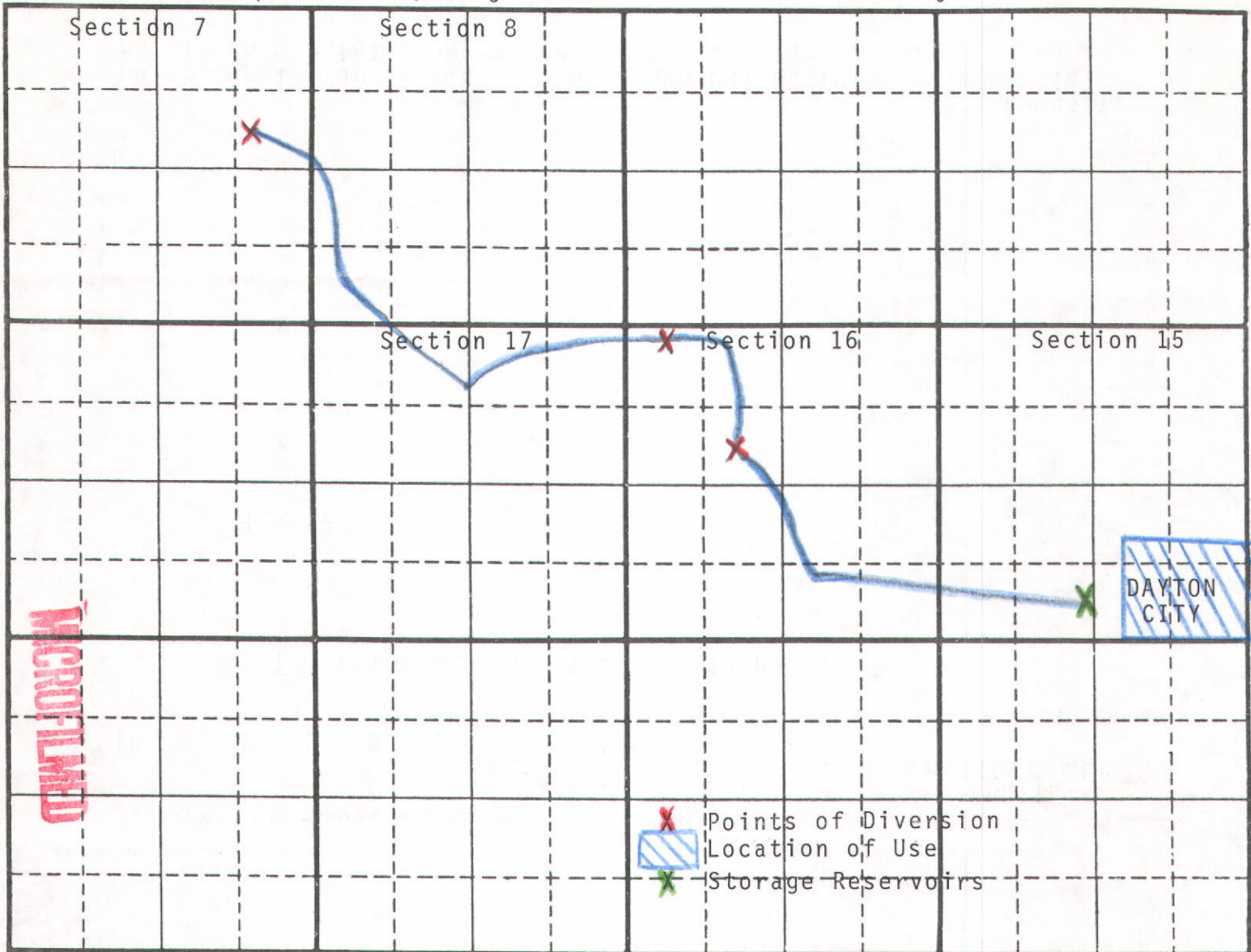


(8) Remarks _____

Township 15 South, Range 38 E.B.M. - Franklin County



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 Franklin) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they 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 30th day of June

Eugene H. Griffith
(Claimant)
19 83

Lawrence D. Gustafson
Notary Public
Residing at Boston, Id.

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by CW Date 7-6-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWT Date 9-12-83 claimant by: _____
\$30.00 fee received by CW Date 7-6-83
Published in Preston Citizen # 29290
Dates 10/6 - 10/13/83

STATE OF IDAHO
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 the City of Dayton, Idaho, a political subdivision
(Name of Claimant)
of the State of Idaho 83232 Telephone No. _____
(Mailing Address) (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) January 1, 1930

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)
Three springs - unnamed tributary to Bear River

(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>1 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u>1 cfs</u>	TOTAL QUANTITY USED.			

(4) 1 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 7 Twp. 15 So. Rge. 38 E.B.M., County of Franklin
Additional points of diversion: NW¼NW¼, Sec. 16, T. 15 S., R. 38 E.B.M., Franklin County;
SE¼NW¼, Sec. 16, T. 15 S., R. 38 E.B.M., Franklin County

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.

(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.

City of Dayton, Idaho 83232

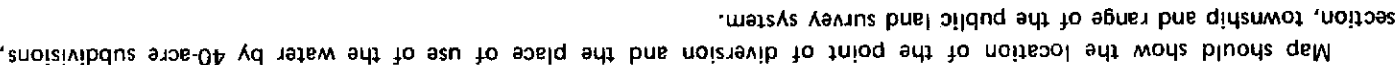
[illegible]

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic
water supply for City of Dayton. Approximately 150 residential
and 15 commercial hook-ups presently existing.

NOTE: Include here the type and number of stock watered: _____

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



section, township and range of the public land survey system.

55.

Franklin

attain's knowledge.

30th day of June

8/28/78 ID

Life time

Date

Date 1-0-00

Date 7-17-73

1-a-7

11/11/11

10/6 : 10/13/63

Date _____

#875

NO 1956

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Oct 6, 1983 and ending
with the issue of Oct 13, 1983.

Fee \$ 14.38

Subscribed and sworn to before me this 31st day
of Oct, 1983.

Ken D. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986NOTICE OF CLAIMS TO
WATER RIGHTS

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

13-4269

CITY OF DAYTON

DAYTON, ID 83232

Source: SPRINGS trib. to BEAR
RIVER

Priority Date: 01/01/1930

Diversion Pt: SENE Sec 07 T 15S R
38E NWNW SENW Sec 16 T 15S R 38E

Use: DOMESTIC (1.00 CFS)

Place of Use is within city limits of
Dayton

Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 10/6 & 10/13/83.

Legal No. 1956 -23L- Published
October 6, 13, 1983.

RECEIVED

NOV 4 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 24, 1983

CITY OF DAYTON
DAYTON

ID 83232

RE: Claim No. 13-4269

Dear Claimant:

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 that information or evidence added at any time. Please refer to the claim identification number when corresponding with this 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.

Yours truly,

RONALD O. CARLEON
Eastern Region Supervisor

Enclosure

October 3, 1983

RE: Claim to a Water Right No. 11-4285 SKINNER
11-4287 PRESTON-MONTPELIER IRRIG. CO.
13-4269 CITY OF DAYTON

Russell Stoker, Watermaster
Water District No. 11
279 East Third North
Soda Springs, ID 83276

Dear Mr. Stoker:

Enclosed, for your information only, is a copy of the above referenced claim to a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (3)

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 13 4209

Applicant City of Dayton

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 Ernest Wilson

Date Nov. 7, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC

Date 11-16-83

Oct 24, 1983

aw

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191

PRESTON, IDAHO 83263

J. DENNIS "J.D." WILLIAMS
LOWELL D. CASTLETON

JOHN TAFT BENSON
(MEMBER UTAH BAR ONLY)

July 5, 1983

TELEPHONE
(208) 852-2680

JUL 6 1983

Department of Water Resources
Eastern District Office

STATE OF IDAHO
Dept. of Water Resources
Eastern District Office
150 Shoup
Idaho Falls, Idaho 83401

Dear Sir:

Enclosed please find two (2) envelopes containing applications for water claims which we sent to you by the June 30, 1983, deadline.

These two envelopes were returned to us this morning because of an incorrect address. Therefore, we are sending them again to you unopened showing the postmarks on the envelopes and hoping you will still accept them.

We regret this error and now have your new correct address. Thank you for your consideration.

Yours very truly,

WILLIAMS & CASTLETON



LOWELL D. CASTLETON
Attorney at Law

LDC/bm

Enclosure

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191

PRESTON, IDAHO 83263

June 30, 1983

J. DENNIS "J.D." WILLIAMS
LOWELL D. CASTLETON

JOHN TAFT BENSON
(MEMBER UTAH BAR ONLY)

TELEPHONE
(208) 852-2660

JUL 6 1983

Department of Water Resources
State of Idaho
Eastern District Office
1515 Lincoln Rd.
Idaho Falls, ID 83401

Department of Water Resources
Eastern District Office

To Whom It May Concern:

Enclosed please find a Claim To A Water Right on behalf of
our client, Dayton City and the filing fee of \$30.00.

If there are any questions, please call.

Yours very truly,

WILLIAMS & CASTLETON


LOWELL D. CASTLETON
Attorney at Law

LDC/mt

Enclosures

WILLIAMS & CASTLETON

LAW OFFICES

24 NORTH STATE - P. O. BOX 191
PRESTON, IDAHO 83263



City of Layton

Department of Water Resources
State of Idaho
Eastern District Office
1515 Lincoln Rd.
Idaho Falls, ID 83401



FORWARDING ORDER EXPIRED

RECEIVED

Prossed
12-04-83
CW

13-4269

CITY OF DAYTON

DAYTON, ID 83232

Source: SPRINGS trib. to BEAR RIVER

Priority Date: 01/01/1930

Diversion Pt: SENE Sec 07 T 15S R 38E NWNW SENW Sec 16 T 15S R 38E

Use. DOMESTIC (1.00 CFS)

IN: