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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 Milo Dayton

(Name of Claimant)

Star Route, Montpelier, Idaho 83254

(Mailing Address)

Telephone No. 847-0050

(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) Sept. 1, 1961

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)
spring tributary to sinks

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02</u>		Use <u>stockwater</u>		Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 0.02 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6 Twp. 14S Rge. 46E B.M., County of Bear Lake

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.
spring box, with 100 ft. of 1" diameter pipe & stock trough

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	46E	6		X															

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
to provide drinking water for stock

NOTE: Include here the type and number of stock watered: 20 head beef cattle, 100 sheep

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

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(8)

Although spring has been used by claimant and his predecessor, it is

EDUCATION

Point of Diversion

Place of Use

Rte 40E

Twp 14S

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,

State of Idaho

State of Idaho)
County of Bonneville) 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.

affiant's knowledge.

Sworn to before me this 18th day of August

Notary Public

Residing at Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by	8/18/81	Date	Exception filed by:	8/18/81	Date	Forwarded to	8/18/81	Date
Prelim. check by	8/18/81	Date		8/18/81	Date		8/18/81	Date
\$20.00 fee received by	8/18/81	Date		8/18/81	Date		8/18/81	Date
Published in	8/18/81	Date		8/18/81	Date		8/18/81	Date
	8/18/81	Date		8/18/81	Date		8/18/81	Date

RECEIVED

NOV 5 1961

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

R. J. Spencer

being duly sworn,

deposes and says:

That he is the *Publisher* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; 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 and 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

8-27

19 *81*, and ending

with the issue of *9-3*, 19 *81*

Fees, *1938 R J Spencer*

Subscribed and sworn to before me this *3rd* day

of *Nov*, 19 *81*

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *lifetime*, 19.....

LEGAL NO. 1762

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

11-4122

DAYTON, MILO

STAR ROUTE, MONTPELIER, ID
83254

Source: SPRING tributary to SINKS

Priority Date: 09-01-1961

Amount: 0.02 CFS

Diversion Point: NWNE Sec 06 T 14S
R 46E, BEAR LAKE Co.

Use: STOCKWATER (0.02 CFS)
from 01-01 to 12-31

Place of Use: NWNE Sec 06 T 14S R
46E

Diversion Means: SPRING BOX,
PIPELINE, AND STOCK TROUGH

Any exception of any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published 8-27 & 9-03-81.

8-27, 9-3
31 LINES

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CW

01 WATER RIGHT NUMBER - 11-4122 02 OLD (CD) NUMBER -

03001 - DAYTON LAST NAME 04001 - MILD FIRST NAME 05001 - C ORIG. OWNER

06 ADD LINE 1 - STAR ROUTE 07 ADD LINE 2 -

08 ADD LINE 3 - 09 CITY - MONTPELIER 10 STATE - ID 11 ZIP - 83254

12 STAGE - S STATUTORY CLAIM 13 STATUS -

14001 - SPRING SOURCE 15001 - SINKS TRIBUTARY OF

16 DIVERSION MEANS - SPRING BOX, PIPELINE, AND STOCK TROUGH 17 COUNTY - 07 BEAR LAKE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .020 20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT SEC TWN RNG LOT DIVERSION POINTS RFLG STREAM INDEX FIELDS

22001 - NWNE 23001 - 06 24001 - 14S 25001 - 46E 26001 - 27001 - 28001 - 0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

29 NON-IRRIGATION USE -

USE CODE / USE TWN RNG PLACE OF USE SEC TRACT ACRES LOT

30001 - 04 STOCKWATER 31001 - 14S 32001 - 46E 33001 - 06 34001 - NWNE 35001 - 36001 - TOTAL ACRES: 0

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME

37001 - 0101 38001 - 1231 39001 - 04 STOCKWATER 40001 - 0.020 41001 - 0.00

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 - STOCKWATER FOR 20 HEAD BEEF CATTLE, 100 SHEEP

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - DATES - 1-SEP-1961 55 LICENSE - DATES - 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 DLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -
52 HEARING - 60 ORDER SHOW CAUSE -
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 24-AUG-1981 62 DATE_2 -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 14, 1981

MILO DAYTON
STAR ROUTE
MONTPELIER

ID 83254

RE: Claim No. 11-4122

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 D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
NOV 16 1981

RECEIVED
NOV 16 1981

Department of Water Resources

September 14, 1981

RE: Claim to a Water Right No. 11-4122 DAYTON

News-Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on August 27 and September 3, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

*Called
9/24/81/cw
Re-called
10/30/81*

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

11 4122

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

Applicant

Milo 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.

9-14-81

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson

Date Nov. 13, 81

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By [Signature]

Date 11/16/81

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 19, 1981

The News-Examiner
P. O. Box 278
Montpelier, Idaho 83254

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 14, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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11-4122

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UNRECORDED

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A. KENNETH DUNN

Director

Published 8/27 & 9/03/81.

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