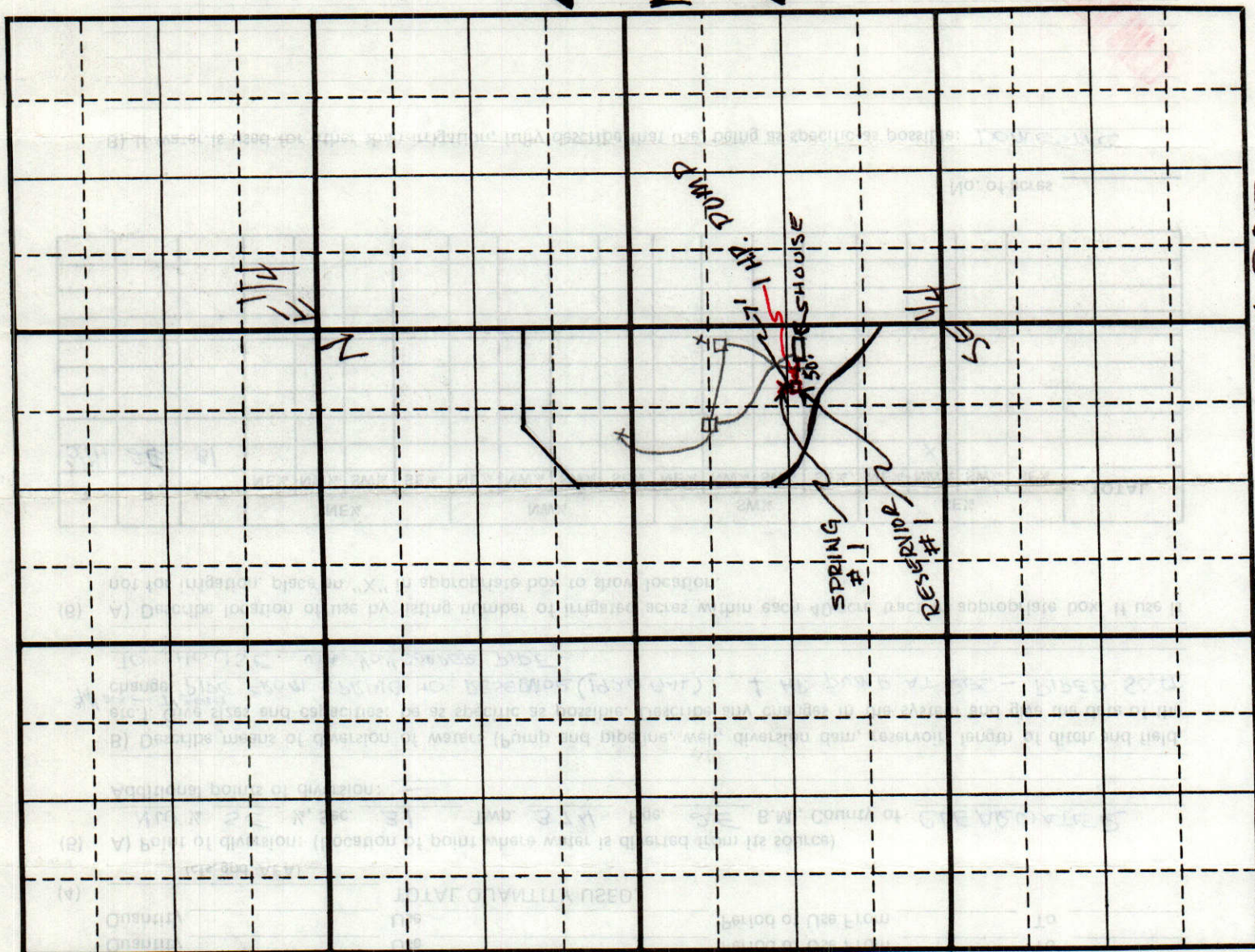


(8) Remarks _____



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 Clearwater) 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.

Charles M. Dayton
(Claimant)

Sworn to before me this 31 day of January, 1980.

Frances Philpot, Clerk of the District Court,
Orofino, Idaho

Notary Public

Residing at

By: Sup. Cooper Deputy

My commission expires N/A

FOR DEPARTMENT USE ONLY

Received by

Date

2/4/80

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

2/14/80

claimant by:

\$20.00 fee received by

Date

2/15/80 (16829)

Published in

Dates

Clearwater Tribune

2/28 + 3/6/80

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 CHARLES M. DAYTON AND/OR DOROTHY P. DAYTON
(Name of Claimant)
RT 3, Box 128 ORFENO, IDAHO 83544 Telephone No. 476-5495
(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) 12-30-1905 (SEE ATTACHED)

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)
UNNAMED SPRING #1 tributary to —

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>15 gpd</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>DEC 31</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) — TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 31 Twp. 374 Rge. 2E B.M., County of CLEARWATER
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. 3/4" dia. - 7' long change. PIPE FROM SPRING TO RESERVOIR (1920 GAL), 1 HP. PUMP AT RES. - PIPED 50 FT TO HOUSE. VIA 1/2" COPPER PIPE.

(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.

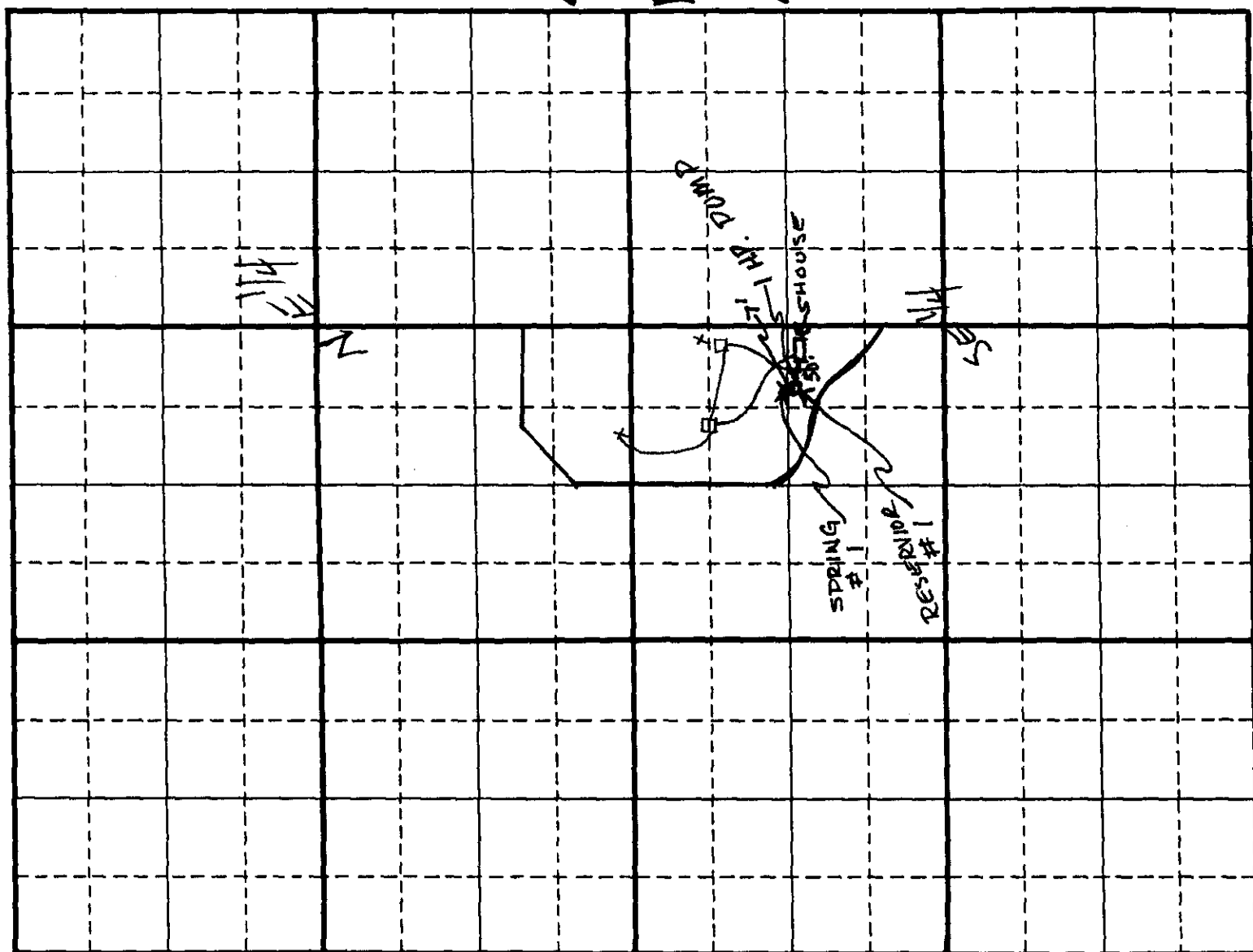
T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>374</u>	<u>2E</u>	<u>31</u>														<u>X</u>			

No. of acres —

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC

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: —



SEC 31, TWP 37N, R2E

State of Idaho)
) ss.
County of Clearwater)

Charles M. Dayton
(Claimant)

Frances Philpot, Clerk of the District Court,
Orofino, Idaho

My commission expires N/A

FOR DEPARTMENT USE ONLY

Received by <u> <i>JD</i> </u>	Date <u> 2/14/80 </u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u> <i>JK</i> </u>	Date <u> 2/14/80 </u>		claimant by: _____	
\$20.00 fee received by <u> <i>JD</i> </u>	Date <u> 2/12/80 </u> (16829)			
Published in <u> <i>Columbian Tribune</i> </u>				
Dates <u> 2/28 - 3/6/80 </u>				

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 11551
Application 6342

To All to Whom these Presents Shall Come—Greeting:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Lewiston, Idaho, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homestead to Actual Settlers on the Public Domain," and the Acts supplemental thereto, the claim of

William C. King
has been established and duly consummated, in conformity to law, for the

North West quarter of the South West quarter, the West half of the North East quarter, and the Northeast of the North East quarter of section 11, Township thirty seven North Range Two East of Boise Meridian, in Idaho containing 160 acres of land.

according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General;

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said

William C. King
TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof unto the said *William C. King* and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes and rights of way and easements used in connection with such water rights as may be recognized and acknowledged by the land owners, laws and customs of the County, and also subject to the rights of the proprietor of the 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 authority of the United States.

IN TESTIMONY WHEREOF, I, *Benjamin Harrison*, 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 *11th* day of

March 190*2*.
In the year of our Lord one thousand nine hundred and
the one hundred and

(11551)

RECORDED
11551
MAR 11 1902

the north west quarter of the south east
quarter, the south half of the north east
quarter, and the north west quarter of the
the north east quarter of section 17, T. 1 N.
R. 10 E. S. 12 E. in Township Twenty seven North
Range Two East of Boise Meridian, in
Idaho, containing one hundred and
fifty acres.

according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General;

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said William B. King the tract of land above described:

TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof unto the said William B. King and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agriculture, 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 rights of the proprietor of the 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 authority of the United States.

IN TESTIMONY WHEREOF, I, William McKinley 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 twentieth day of December, in the year of our Lord one thousand nine hundred and four and of the Independence of the United States the one hundred and thirtyth.

BY THE PRESIDENT,

By William B. King Secretary.

Recorded, Idaho Vol. 161 Page 36 W. B. King, Recorder of the General Land Office.

Recorded at the request of W. B. King
on the 1 day of May, A. D. 1904 at 7:30 o'clock A., M.
County Recorder.
By W. B. King Deputy.
Recorded in Patent record 37, page 282, Nez Perce County records.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claims to Water
Rights

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 23th day of February, 19 80, and ending on the 6th day of March, 19 80

Subscribed and sworn to before me this 7th day of March, 19 80

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

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:

83-4009

Dayton, Charles M. &/ or
Dorothy P.

Rt. 3 Box 128, Orofino, ID
83544

Source: Spring

Priority Date: 12/30/1905

Amount: 0.01 CFS

Diversion Point: NWSE Sec
31 T 37N R 02E, Clearwater
Co.

Use: Domestic (0.01 CFS)
from 01/01 to 12/31

Place of Use: NWSE Sec 31
T 37N R 02E

Diversion Means: Pipeline,
Reservoir and Pump.

83-4010

Dayton, Charles M. &/or
Dorothy P.

Rt. 3 Box 128, Orofino, ID
83544

Source: Spring

Priority Date: 12/30/1905

Amount: 0.01 CFS

Diversion Point: SWNE Sec
31 T 37N R 02E, Clearwater
Co.

Use: Domestic (0.01 CFS)
from 01/01 to 12/31

Place of Use: NWSE Sec 31
T 37N R 02E

Diversion Means: Pipeline
and Reservoir

83-4011

Dayton, Charles M. &/or
Dorothy P.

Rt. 3 Box 128, Orofino, ID
83544

Source: Spring

Priority Date: 12/30/1905

Amount: 0.01 CFS

Diversion Point: NWSE Sec
31 T 37N R 02E, Clearwater
Co.

Use: Irrigation (0.01 CFS)
from 01/01 to 12/31

Place of Use: NWSE Sec 31
T 37N R 02E For 1 Acres

Diversion Means: Pipeline
and Reservoir.

Any exception to any claim
of water right may be filed
with the Director of the Idaho
Department of Water Resources,
4055 Gov't Way, Coeur
d'Alene, ID 83814.

C. STEPHEN ALLRED

Director
2-28;3;6c

RECEIVED

Department of
Northern District Office

MICROFILMED

ACT
ION

N OWNER LAST NAME - DAYTON
N OWNER LAST NAME - DAYTON
N ADDRESS LINE 1 - RT. 3 BOX 128
N CITY - ORDFING STATE - ID ZIP CODE - 83544
N SOURCE - SPRING TRIBUTARY OF - SINKS
N STAGE - STARY CLM
N DIVERSION POINT - NWSE 31 37N 02E
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC PLACE OF USE - TWN 37N RNG 02E SEC 31 TRACT NWSE
N DIVERSION MEANS - PIPELINE, RES. & PUMP.

FIRST NAME - CHARLES M.
FIRST NAME - DOROTHY P.
CITY - ORDFING STATE - ID ZIP CODE - 83544
PRIORITY - 12-30-1905 COUNTY - CLEARWATER TOTAL DIV. RATE - .01000CFS
USE DIV. RATE - .01000CFS
PLACE OF USE - TWN 37N RNG 02E SEC 31 TRACT NWSE

IDENT. NO. 83-4007

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 83-1009 Applicant 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 pmo Date 3/13/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 3/20/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

MARCH 17, 1980

CHARLES M. DAYTON
DOROTHY P. DAYTON
RT. 3 BOX 128
OROFINO

ID 83544

RE: Claim No. 83-4009

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,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

MICROFILMED

83-4009-

DAYTON, CHARLES M. &/or DOROTHY P.

RT. 3 BOX 128, OROFINO, ID 83544

Source: SPRING

Priority Date: 12/30/1905

Amount: 0.01 CFS

Diversion Point: NWSE Sec 31 T 37N R 02E, CLEARWATER Co.

Use: DOMESTIC (0.01 CFS) from 01/01 to 12/31

Place of Use: NWSE Sec 31 T 37N R 02E

Diversion Means: PIPELINE, RESERVOIR AND PUMP.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
STEPHEN ALLRED
Director

4055 Government Bldg.
Coeur d'Alene, ID 83814
(208) 667-5484

February 22, 1980

Mr. Charles H. Dayton
P.O. Box 128
Oronogo, Idaho 83544

RE. 83-4008, 83-4010 & 83-4011

Dear Mr. Dayton:

Enclosed is Receipt No. 16829 in the amount of \$60.00 which was received by this office for the filing fee on the above-referenced items.

Sincerely,

Patricia M. Styrre

PMS

Enclosure

MICROFILMED