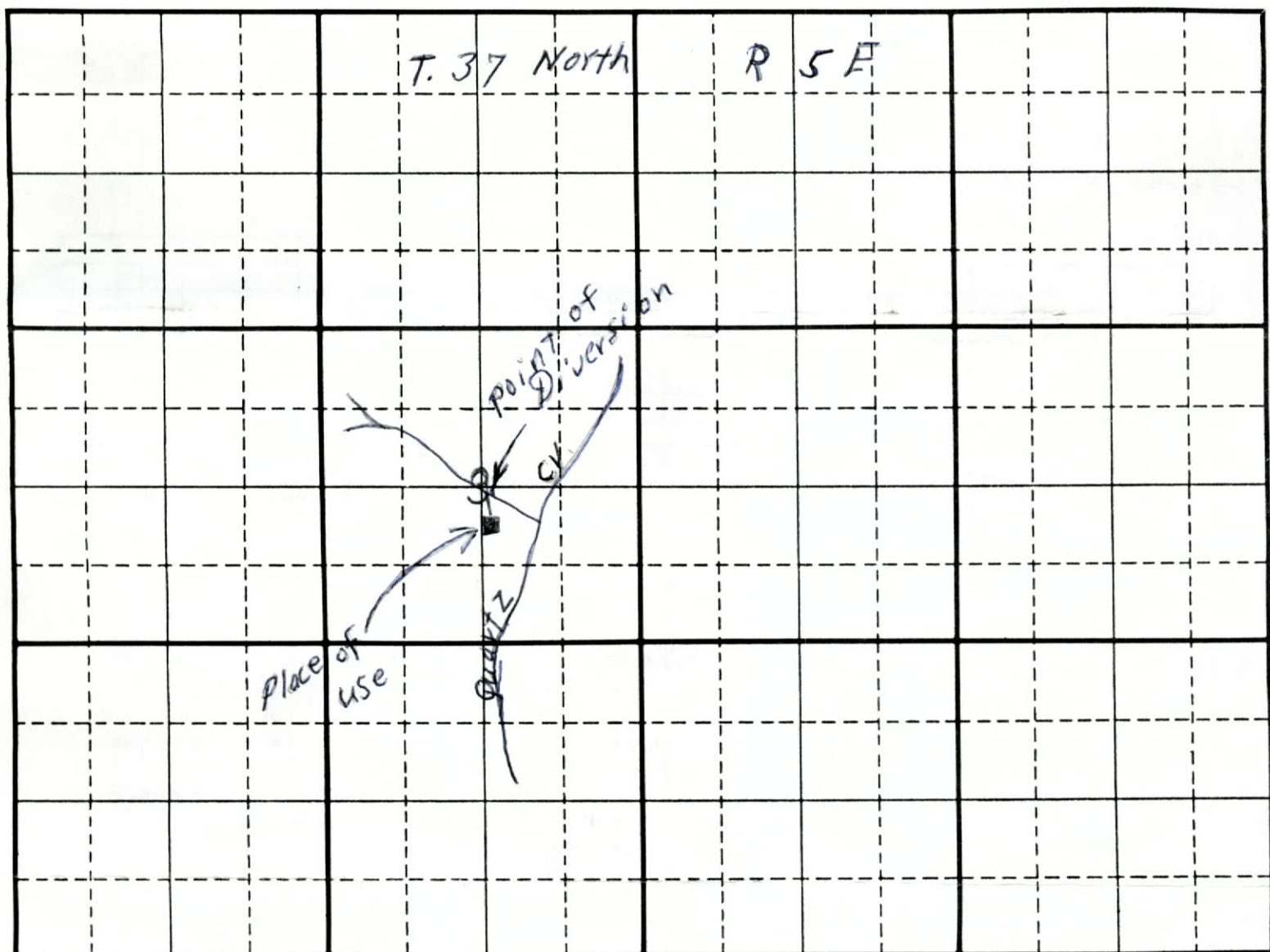


(8) Remarks Three houses are served by this water supply



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.

James R. Rayton
(Claimant)

Sworn to before me this 4th day of June, 19 79.

Doris M. Nelson
Notary Public
Residing at Pierce, Idaho

My commission expires 8/1/82

FOR DEPARTMENT USE ONLY

Received by KIC Date 6/22/79 Exception filed by: _____ Date _____
Prelim. check by KIC Date 6/22/79 Forwarded to claimant by: _____
\$20.00 fee received by pro Date 7/3/79 (14077) _____
Published in Clearwater Tribune _____
Dates 7/2 & 19/79 _____

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 James R. Payton
(Name of Claimant)
Star Route Pierce Idaho 83546 Telephone No. 464-2408
(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) Nov, 1965

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)
un Known ~~area~~ Stream tributary to ~~Star Route Pierce~~ Quartz Creek

(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>0.08 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</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.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 3 Twp. 37N Rge. 5 E 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. Small reservoir at Point of Diversion 1 1/2" Pipe to point of use

(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>37N</u>	<u>SE</u>	<u>3</u>														<u>X</u>			

No. of acres Domestic

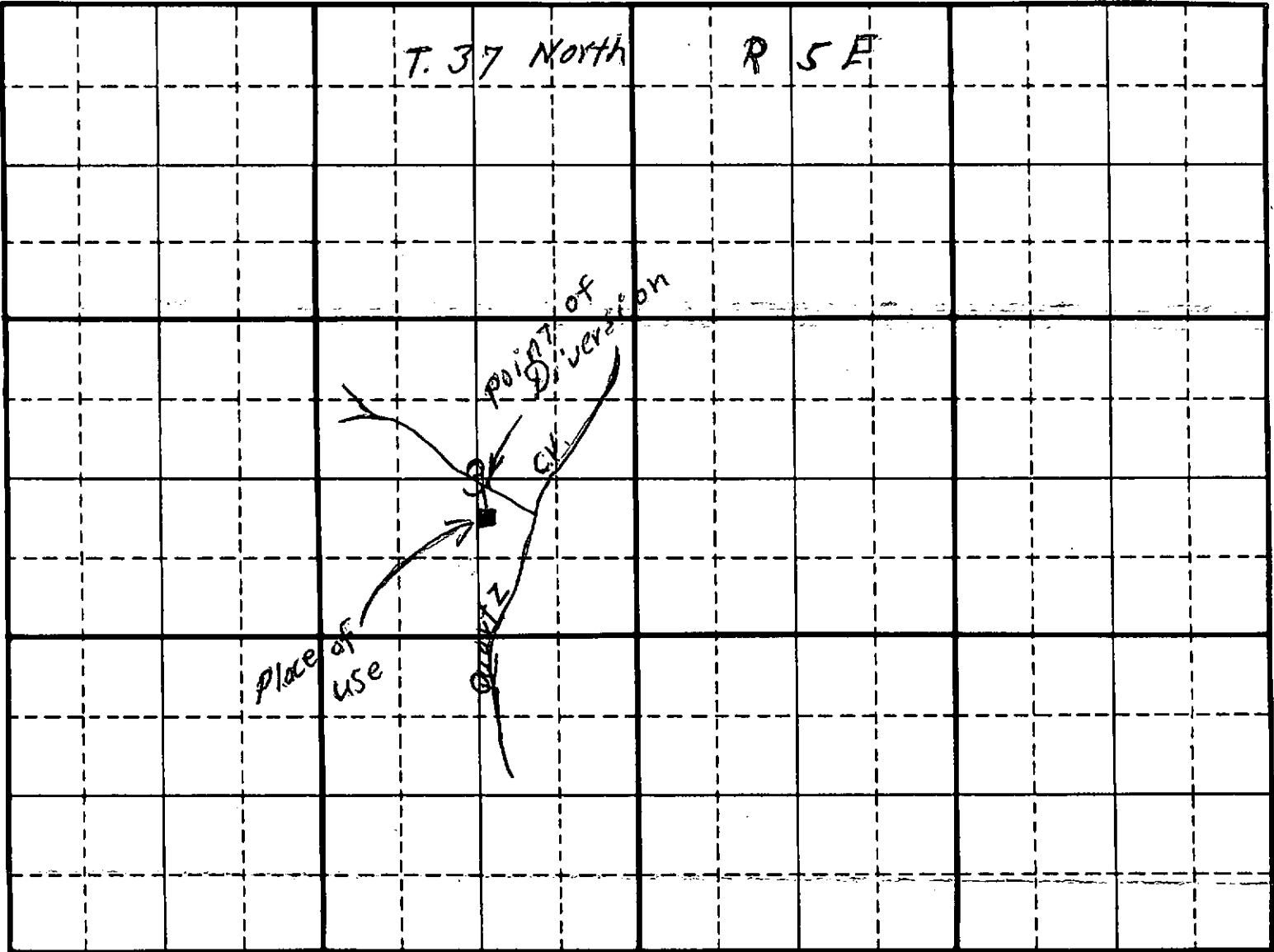
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: SEE ITEM (8) WX

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: _____

RECORDED

(8) Remarks Three houses are served by this water supply



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.

James R. Rayton
(Claimant)

Sworn to before me this 4th day of June, 19 79

Doris M. Nelson
Notary Public
Residing at Pierce, Idaho

My commission expires 8/1/82

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 4/3/79 Exception filed by: _____ Date _____
Prelim. check by KIC Date 6/22/79 claimant by: _____
\$20.00 fee received by [Signature] Date 7/3/79 (1-1077)
Published in Clearwater Tribune
Dates 7/12 & 19/79

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 Claim to Water Right

No. 34-4063 & 34-4064

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 12th day of July, 1979, and ending on the 19th day of July, 1979.

Nancy Noble

Subscribed and sworn to before me this 23rd day of July, 1979.

Charles J. Gillette

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:

84-4063

Payton, James R.
Star Rt., Pierce, Id. 83546
Source: Unnamed Stream
tributary to Quartz Creek
Priority Date: 11/01/1965
Amount: 0.08 CFS
Diversion Point: NWSE Sec
03 T 37N R 05E, Clearwater
Co.

Use: Domestic (0.08 CFS)
from 01/01 to 12/31
Place of Use: NWSE Sec 03
T 37N R 05E

Diversion Means: Reservoir
With Pipeline

84-4064
Hollibaugh, Everett L. &/or
Mary C.
Rt. 3 Box 33, Orofino, Id
83544

Source: Clearwater River
tributary to Snake River
Priority Date: 04/01/1951
Amount: 0.45 CFS

Diversion Point: Lot 10 Sec
02 T 35N R 02E, Clearwater
Co.

Use: Irrigation (0.45 CFS)
from 04/01 to 11/01.

Fire Protection (0.45 CFS)
from 01/01 to 12/31

Place of Use: SWSW Sec 02
T 35N R 02E Lot 10 (SESE)
Sec 03 T 35N R 02E For 7 Acres

Diversion Means: Dry Well,
Pump & Pipe

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

7-12, 19c

RECORDED
INDEXED

84-4063

June 18, 1979

Mr. James R. Payton
Star Route
Pierce, Idaho 83546

Dear Mr. Payton:

We are returning your claim to a water right and Check No. 92-123 in the amount of \$20.00.

In reviewing your claim, we find that the map and the place of use described in Item 6a of the application do not correspond. I would assume that the map is correct and the place of use is in the same 40-acre tract as the point of diversion.

I have placed a pencil "X" in the appropriate square. If this is correct, please go over the "X" with an ink pen. Also, in Item 8b it would be good to indicate how many houses are served by your system.

I apologize for any inconvenience that may be caused by the fact that these items were not caught and mentioned when we returned your claim the first time. A stamped, self-addressed envelope is enclosed for your convenience.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Check
Claim
Envelope

June 8, 1979

Idaho Dept of Water Resources
Coeur d'Alene Idaho

Dear Sir:

I am enclosing my twenty dollar
check which I forgot to enclose
with our claim of water rights

I am sorry it slipped my mind
when I mailed the papers.

James R. Payton

Star Route

Pierre Idaho 83546

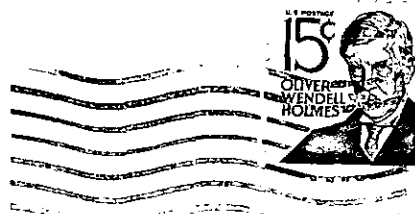
RECEIVED
JUN 11 1979

Department of Water Resources
Northern District Office

Claim -
check -
last Monday
last Friday

called the Payton -
they will take
claim when expected -
she wants to hold check.
6/11

James R. Payton
Star Route
Pierce Idaho
83546



Idaho Dept. of Water Resources
Rte 5 Box 203 Suite 1
Conner d'Alene Idaho

83 MICROFILMED

May 8, 1979

Idaho Dept. of Water Resources

Coeur d'Alene Idaho

Dear Sir:

Would you please send us
an application for Water
Rights Claim.

Thank you

Raymond J. Payton, Sr.

Star Route

Pierre, Idaho 83546

lowing

you
filing

of water

RECEIVED

MAY 9 1979

Department of Water Resources
Northern District Office

RECEIVED

Let
Ch...
5/10/79

ACT
ION

N OWNER LAST NAME - PAYTON

FIRST NAME - JAMES R.

N ADDRESS LINE 1 - STAR RT.

N

N SOURCE - UNNAMED STREAM

CITY - PIERCE

STATE - ID ZIP CODE - 83546

N STAGE - STATUTORY CLAIM

TRIBUTARY OF - QUARTZ CREEK

N DIVERSION POINT - NWSE 03 37N 05E

PRIORITY - 11-01-1965 COUNTY - CLEARWATER TOTAL DIV. RATE - .0800CFS

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0800CFS

N USE - DOMESTIC

PLACE OF USE - TWN 37N RNG 05E SEC 03 TRACT NWSE

N NON IRRIG USE - D/ 3 HOUSES

N DIVERSION MEANS - RESERVOIR WITH PIPELINE

5
BN

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]

The Clearwater Tribune

"Voice of the Idaho Pine"

John M. and Clo Ann McNall, Publishers

Phone 476-4571

P. O. Box 71

OROFINO, IDAHO 83544

July 27, 1979

State Dept. of Water Resources
4055 Gov't Way
Coeur d'Alene, Idaho 83814

TERMS: 30 DAYS NET

DEBIT

BALANCE AS PER STATEMENT RENDERED

Publication of Notice of Claims to Water Rights

Payton & Hollibaugh 6" July 12 & 19

84-4063

84-4064

RECEIVED

JUL 20 1979

Department of Water Resources
Northern District Office

Kpm

\$18.90

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KK

Right Number 84-406.3 Applicant Payton

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 ms Date 7/31/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jan Date 10/26/79

RECEIVED

84-4063

PAYTON, JAMES R.

STAR RT., PIERCE, ID 83546

Source: UNNAMED STREAM tributary to QUARTZ CREEK

Priority Date: 11/01/1965

Amount: 0.08 CFS

Diversion Point: NWSE Sec 03 T 37N R 05E, CLEARWATER Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: NWSE Sec 03 T 37N R 05E

Diversion Means: RESERVOIR WITH PIPELINE

RECEIVED

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

JULY 30, 1979

JAMES R. PAYTON
STAR RT.
PIERCE

ID 83546

RE: Claim No. 84-4063

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

MAILED
JUL 31 1979
IDAHO DEPT. OF WATER RESOURCES

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

July 6, 1979

Mr. James R. Payton
Star Route
Pierce, Idaho 83546

RE: 84-4063

Dear Mr. Payton:

Enclosed is Receipt No. 14077 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Stypa

PMS

Enclosure

7/10/79
ALLRED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 18, 1979

Mr. James R. Payton
Star Route
Pierce, Idaho 83546

Dear Mr. Payton:

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Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Check
Claim
Envelope

7 JUN 21 1979
ATTORNEY GENERAL'S OFFICE
IDAHO