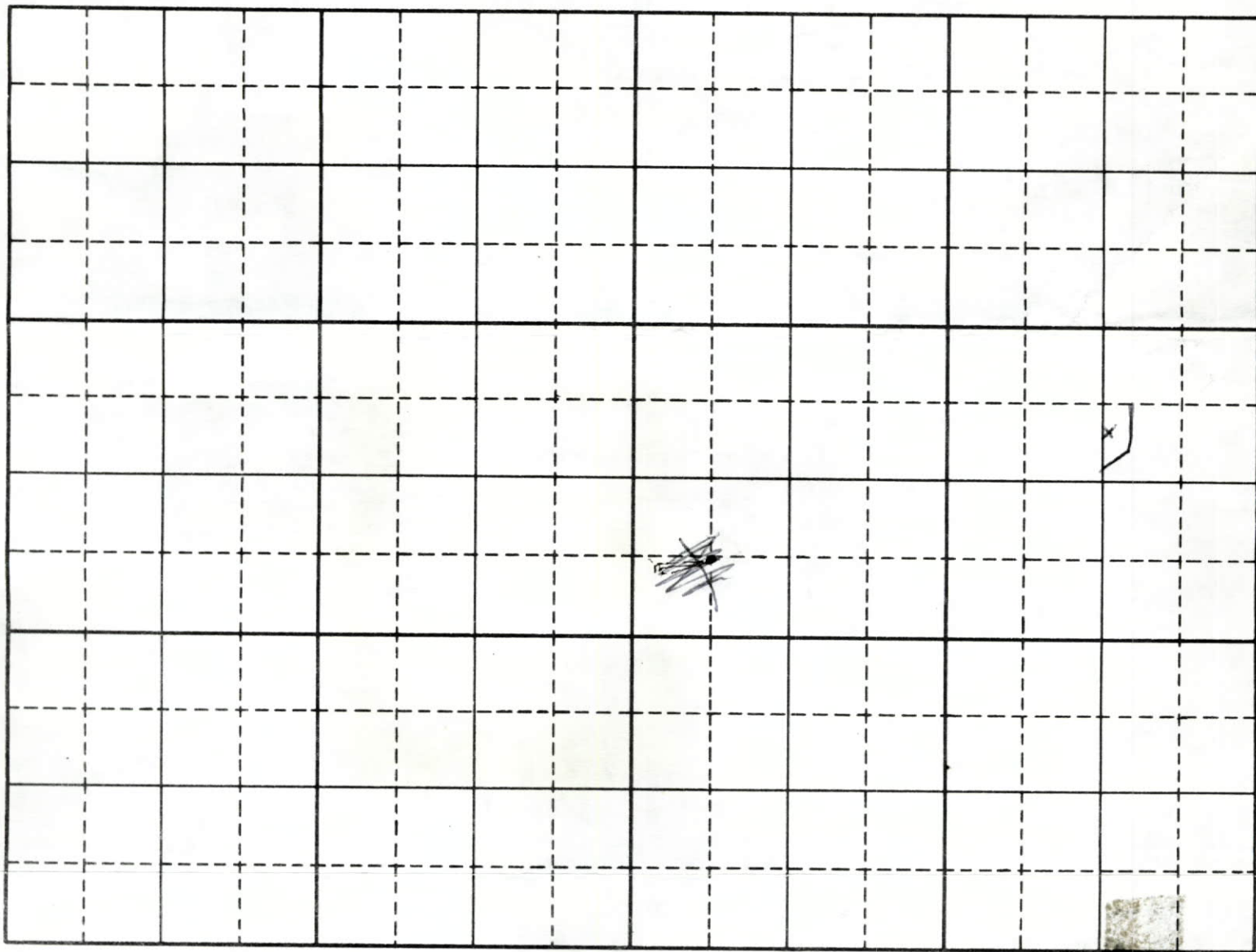


(8) Remarks Section 28 Township 37N - R2E B.M.
N. 198' of S.W.N.E. North of Road
5 1/2 acres



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)
) ss.
County of Clearwater)

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 affiants knowledge.

Sworn to before me this 8th day of

Mrs Nell Byington
(Claimant)
June, 19 78.

Dorothy Hunter
Notary Public

Residing at Proffins Idaho

My commission expires 12-1-78

Received by MLW Date 6-9-78 (For Department Use Only)
Prelim. check by KK Date 6-2-78 (no fee)
\$10.00 fee received by B Date 6-12-78
Approved for publication by B Date 6-12-78 (10945)
Published in North Idaho Press
Dates 6-22-78 6-29-78
6-12-78 7-10-78

Affidavit of Publication

STATE OF IDAHO }
County of Latah } ss.

A. J. Marneau

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

That he is the printer of The DAILY 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:

June 22

29 1978

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

Marneau

Subscribed and sworn to before

me this 28th day of June

19 78

Carol Fleener

Notary Public,

residing at Moscow, Idaho

NOTICE OF CLAIM TO A WATER RIGHT NO. 84-4051

Notice is hereby given that Dell & Ellen M Byington Rt 3 Box 96B, Orofino, Id has filed a claim to a water right established by diversion and application to beneficial use of 25 gallons per minute of water from a groundwater source with point of diversion in the SW¹/₄NE¹/₄ Sec 28, T37N, R2E, B.M. Clearwater County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority of July 1, 1974; the place of use is within the SW¹/₄NE¹/₄ Sec 28, T37N, R2E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.

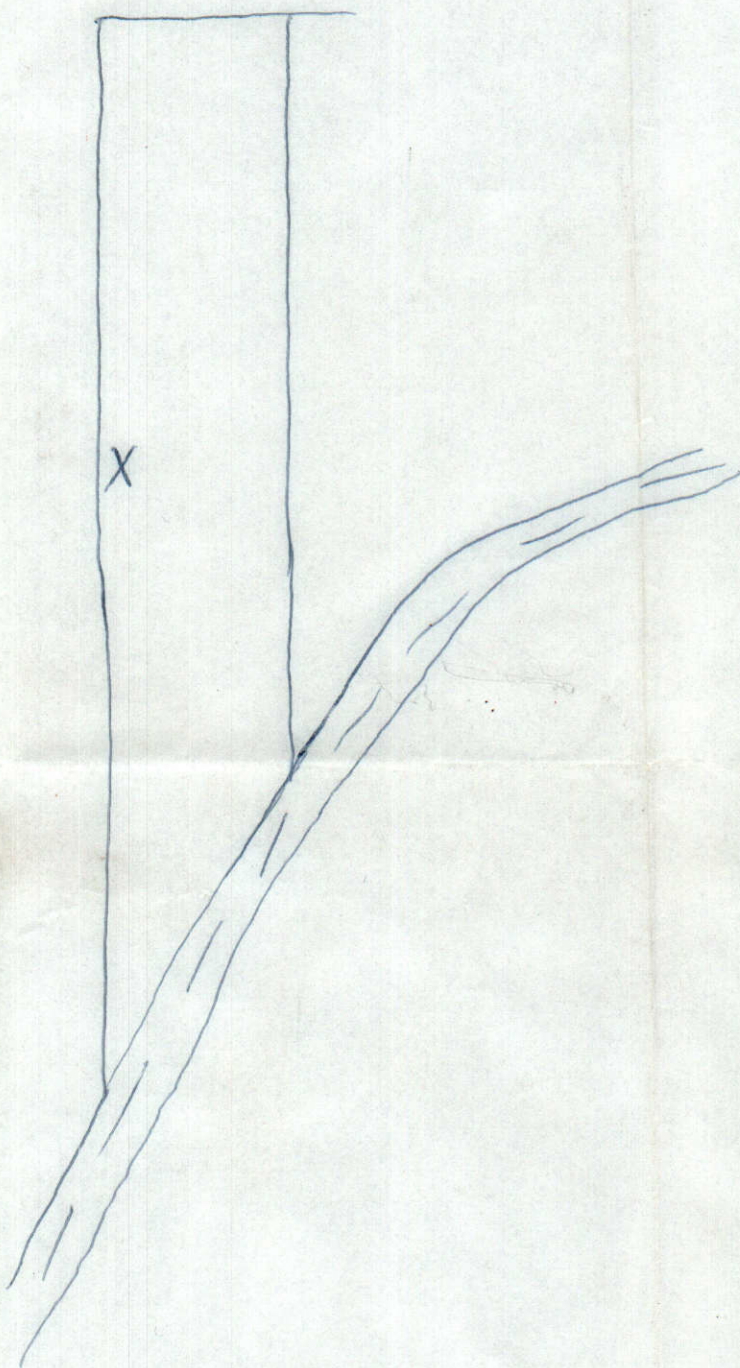
C. STEPHEN ALLRED

Director

June 22, 29, 1978

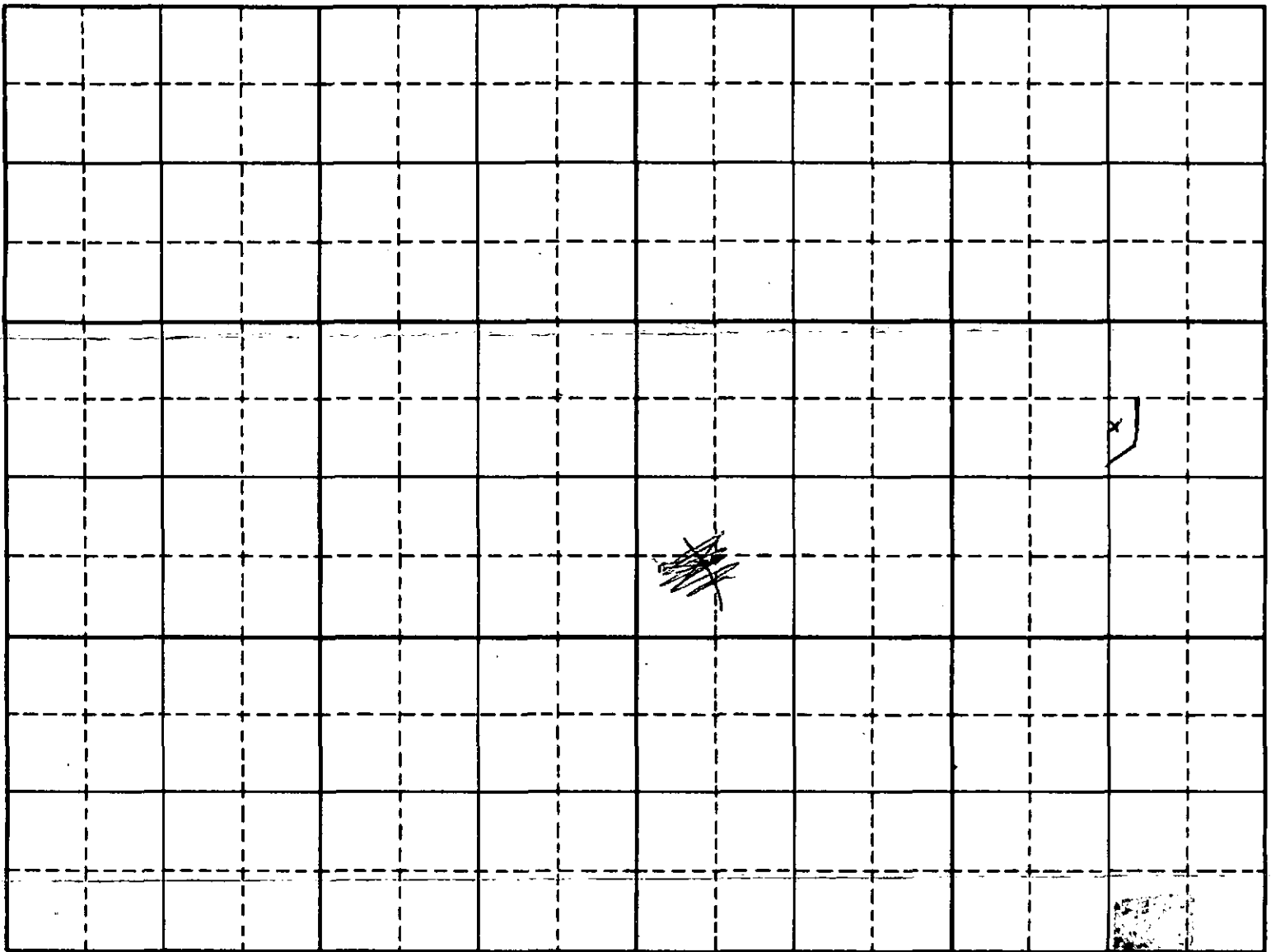
OK
7-10-78
B

RECEIVED



Microfilm

(8) Remarks Section 28 Township 37N - R2E BM.
N. 198' of S.W.N.E. North of Road
5 1/2 acres



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)
) ss.
County of Chesawater)

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 affiants knowledge.

Sworn to before me this 8th day of

Mrs Nell Byington
(Claimant)

June, 19 78

Dorothy Hunter
Notary Public

Residing at Proffins Idaho

My commission expires 12-1-78

Received by MLW Date 6-9-78 (For Department Use Only)
Prelim. check by KK Date 6-12-78 Exception filed by: Forwarded to Date
\$10.00 fee received by B Date 6-12-78 (12945) claimant by:
Approved for publication by _____
Published in Proffins Idaho _____
Dates 6-22-78 6-29-78 _____
6-10-78

Affidavit of Publication

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County of Latah

ss.

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

Marneau
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June

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Carol Fleener

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The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority of July 1, 1974; the place of use is within the SW 1/4 NE 1/4 Sec 28, T37N, R2E, B.M.

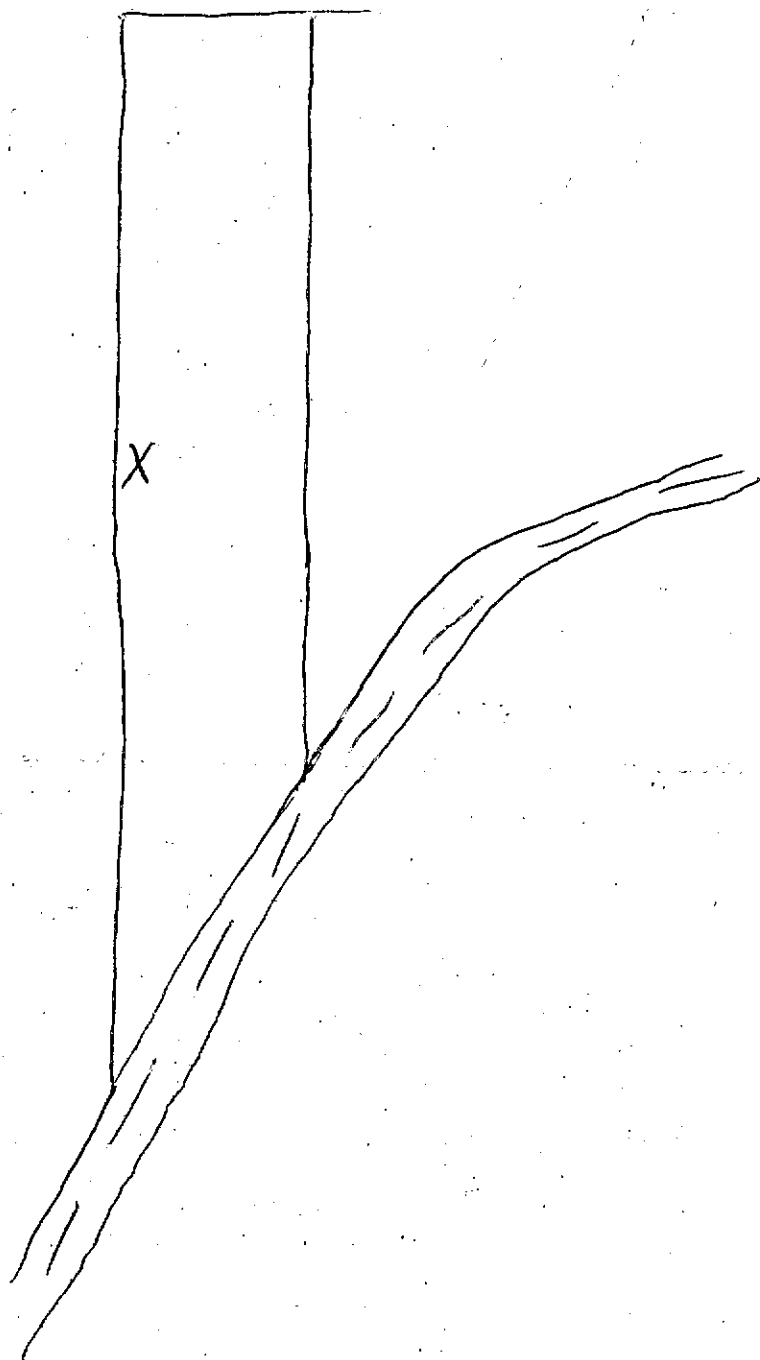
Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.

C. STEPHEN ALLRED
Director

June 22, 29, 1978

OK
7.10.78
B

MICROFILMED



ACT
ION

N OWNER LAST NAME - BYINGTON
N OWNER LAST NAME - BYINGTON
N ADDRESS LINE 1 - RT. 3 BOX 96B

FIRST NAME - DELL
FIRST NAME - ELLEN M.

CITY - OROFINO

STATE - ID ZIP CODE - 83544

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 07-01-1974 COUNTY - CLEARWATER TOTAL DIV. RATE - .0600CFS

N DIVERSION POINT - SWNE 28 37N 02E

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

USE DIV. RATE - .0600CFS

N USE - DOMESTIC

PLACE OF USE - TWN 37N RNG 02E SEC 28 TRACT SWNE

IDENT. NO. 84-4051

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 84-4051
Old No. New No.

Record

1. Original Owner: Dell & Ellen M. Byington

Present Owner: _____

2. Address: Rt. 3 Box 96 B3. City: Deepeno State: ID Zip: 835444. A. Source of Water: GW

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 7-1-1974D. County: 35E. Total Diversion Rate: .06

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWNE</u>	<u>28</u>	<u>37N</u>	<u>2E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for D purposes. Amount .06
(cfs or ~~AC-FT~~/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: D

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
37N	2E	28			D														

- 9. A. Decree Name:
- B. Decree Date:

- 10. Remarks: A.
- B.
- C.
- D.
- E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

- 13. A. Proof Due Date:
- B. Date Permit Approved or Denied:
- C. Protested Date:
- D. Hearing Date:
- E. Old Number:
- F. Proof Made (P or blank):
- G. Field Exam Made (P,R,F or blank):
- H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

July 11, 1978

RE: Claim No. 84-4051

Dell & Ellen M Byington
Rt 3 Box 96B
Orofino, Id 83544

Dear Mr & Mrs Byington,

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, reading "Robert G. Haynes", is written over the typed name.

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

MICROFILMED



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 15, 1978

RE: Claim No. 84-4051
Application No. 86-7085

Daily Idahonian
Box 399
Moscow, Id 83843
Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

MICROFILMED

Bill Meunier
7-10-78

NOTICE OF CLAIM TO A WATER RIGHT

NO. ~~84-4051~~

Notice is hereby given that ~~Dell & Ellen M Byington~~
~~Rt 3 Box 96B, Orofino, Id~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~25~~ cubic feet per second ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ gallons per minute
of water from ~~a groundwater source~~
with point of diversion in the ~~SW 1/4 NE 1/4 Sec 28, T37N, R2E, B.M.~~
~~Clearwater County~~

The water is claimed to be used from _____
~~Jan 1 to Dec 31 for domestic purposes~~
with a priority of ~~July 1, 1974~~;
the place of use is within the ~~SW 1/4 NE 1/4 Sec 28, T37N, R2E, B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

MICROFILMED

Published in the ~~Daily Idahonian, Moscow, Id~~
on ~~June 22~~ and ~~June 29, 1978~~



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 12, 1978

RE: Claim No. 84-4051

Dell & Ellen M Byington
Rt 3 Box 96B
Orfino, Id 83544

Dear Mr & Mrs Byington,

Attached is your receipt No. 10045 in the amount of \$ 10.00 for the
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito
Secretary

AB

Attachment

MICROFILMED

June 2, 1978

Dell & Ellen M Byington
Rt 3 Box 96B
Orofino, Id 83544

Dear Mr & Mrs Byington,

To be of benefit to you a claim should be as complete as possible and your signature must be notarized. I am returning your claim form for these purposes.

To complete the form, fill in items 5B, 6A, & 8&& have your signature notarized. Return the claim form and a \$10.00 filing fee to this office prior to July 1, 1978. To aid you in completing these items, I am enclosing a "sample sheet" as a guideline.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK:ab

Enclosure

MINNESOTA