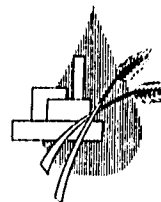


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

	(cfs, gpd, AFA)	(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 ¼ NE ¼, 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	46E	6		X															

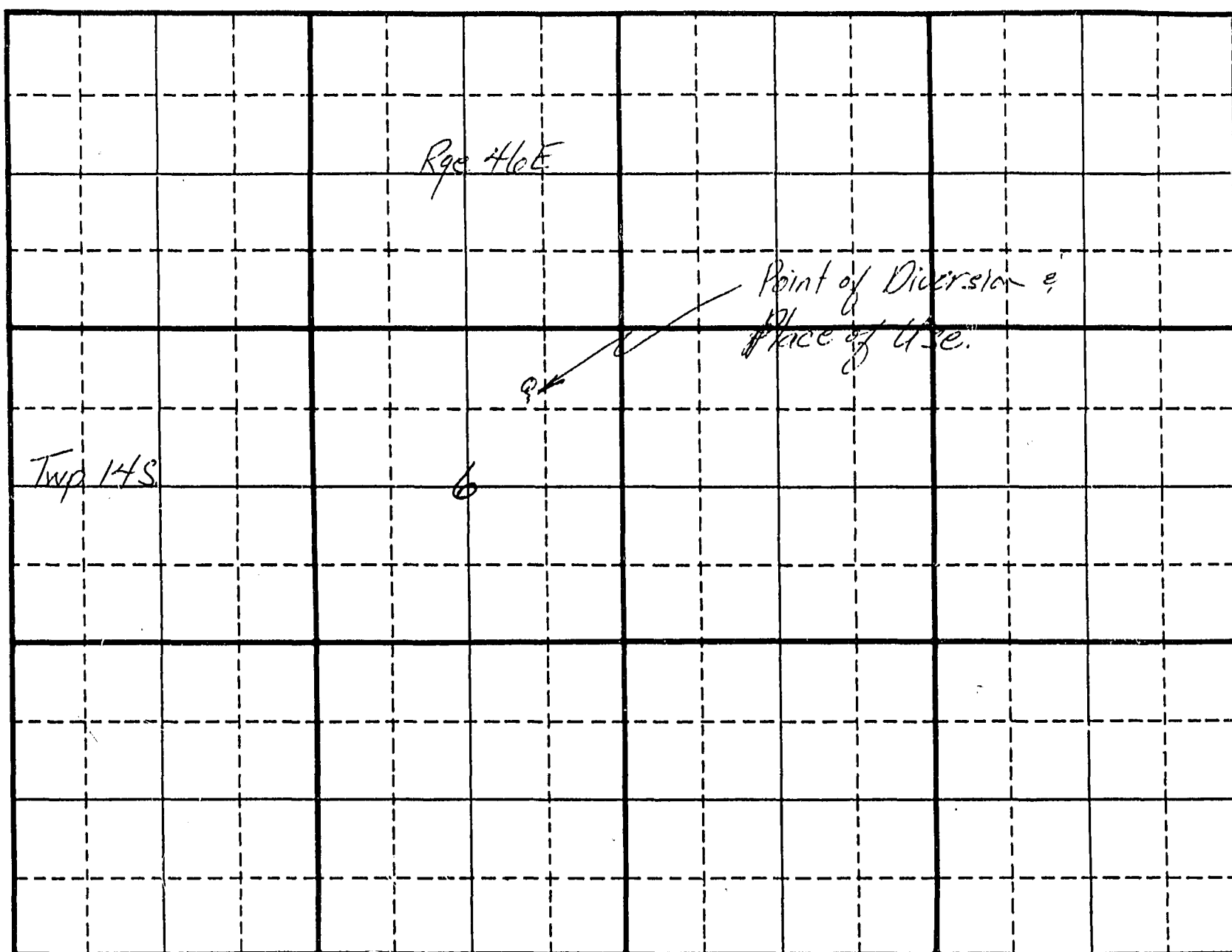
No. of acres

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

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

(8) Remarks Although spring has been used by claimant and his predecessor, it is located on open range land owned by Etchvery Brothers.



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 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.

Wm. D. Dwyer
(Claimant)

Sworn to before me this 18th day of August, 1981.

Gillian Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by <i>ENC</i>	Date <i>8/18/81</i>	Exception filed by:	Forwarded to	Date
Prelim. check by <i>Kaw</i>	Date <i>8-18-81</i>		claimant by:	
\$20.00 fee received by <i>C. W.</i>	Date <i>8-18-81</i>	# <i>19046</i>		
Published in <i>The Idaho Statesman</i>				
Dates <i>8-27 and 9-3</i>				

Nº 1762

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, 1981, and ending
with the issue of 9-3, 1981.

Fees, 1935 R. J. Spencer

Subscribed and sworn to before me this 3rd day
of Nov, 1981.

Notary Public
Notary Public, Residing at Montpelier, Idaho

My Commission Expires lifetime, 19.....

RECEIVED

NOV 3 1981

Department of Water Resources
Eastern District Office

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

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:

Any exception to 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.

11-4122

DAYTON, MILO

STAR ROUTE, MONTPELIER, ID 83254

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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

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.

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 Juni

Date 11/16/81

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 cu
For called
10/30/81*

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

Department of Water Resources