

FROM: JIMMIE L. DOWTON
MARIA ELENA DOWTON
HC 62 BOX 2320
MAY, ID 83253
(208-876-4264)
AUG. 24, 2004

SENT IN TO

ROXANNE BROWN

Aug 26-2004

TO: IDAHO DEPT. WATER RESOURCE
ROXANNE BROWN
SR. WATER RESOURCE AGENT
P.O. BOX 83720
BOISE, ID 8307

RECEIVED

AUG 30 2004

DEPARTMENT OF
WATER RESOURCES

WATER RIGHT NUMBER- 73-4007B
ORIGINAL OWNER- HARROLD SWEENEY
SYDNEY M. DOWTON

PRIORITY DATE- 05/01/1925
BASIS: STATUTORY CLAIM
STATUS: ACTIVE
SOURCE:
MUD CREEK

TRIBUTARY
PAHSIMEROI RIVER

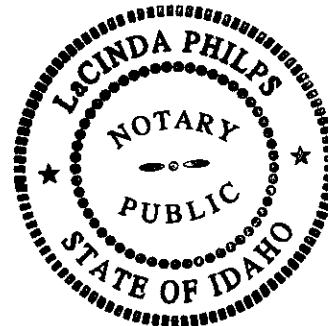
BENEFICIAL USE
IRRIGATION

DIVERSION RATE
1.200 CFS

THIS WATER WAS PUT INTO USE WHEN LYNN WILSON & SYDNEY M. DOWTON SR. BUILT THE MUD CREEK DITCH IN 1925. THE DITCH HAS BEEN IN CONTINUOUS USE SINCE THAT TIME. THIS DITCH HAS BEEN USED BY THIS RANCH BEFORE I WAS BORN IN 1939. MY FATHER SYDNEY M. DOWTON WAS ONE OF THE ORIGINAL BUILDERS OF MUD CREEK DITCH. A FISH SCREEN WAS PUT IN PLACE ABOUT 30 YEARS AGO BY THE FISH AND GAME.

SIGNED BY: Jimmie L. Dowton JIMMIE L. DOWTON- DATE Aug 25-2004
Maria Elena Dowton MARIA ELENA DOWTON -DATE- Aug 25-2004

NOTORIZED BY--- Lacinda Phelps
Challis, ID
Com. Exp: 3/19/07



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-4007B

WATER RIGHT NUMBER: 73-4007B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HARROLD SWEENEY , ID
Current Owner	MARIA ELENE DOWTON HC 62 BOX 2320 MAY, ID 83253 (208)876-4264
Current Owner	JIMMIE L DOWTON HC 62 BOX 2320 MAY, ID 83253 (208)876-4264
Original Owner	SYNDEY M DOWTON MAY, ID

Priority Date: 05/01/1925

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
MUD CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

MUD CREEK	SE1/4NW1/4	Sec. 27, Twp 15N, Rge 21E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	21						3.0	16.0	28.0									47.0

Total Acres: 47

Conditions of Approval:Remarks:

203—WARRANTY DEED

Printed and for sale by Syms-York Company, Boise, Idaho

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

S. M. DOWTON and CLARA E. DOWTON, husband and wife,
of Salmon County of Lemhi
hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
State of Idaho

JIMMIE L. DOWTON and MARIA ELENA DOWTON, husband and wife,

GRANTEE(S)
State of Idaho

of May County of Lemhi
for the sum of

- - - Dollars

the following described tract(s) of land in Lemhi and Custer

County, State of Idaho:

600 Acres E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, S. 17;
N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S. 20, T. 15 N., R. 21, E.B.M.;
NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 21, T. 15 N., R. 21,
E.B.M.;
120 acres approved by B.L.M.: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
S. 20, T. 15 N., R. 21, E.B.M.;
6.7 acres: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S. 21, T. 15 N., R. 21, E.B.M.,
(South of Pahsimeroi River); SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 16, T. 15
N., R. 21, E.B.M.

Together with all water and water rights, ditch and ditch
rights, improvements and range privileges used in connection

#

0225523

Custer County Reg. of

CCT

Time 2:50 P.M. Date 9-3-2002

Ethel M. Peck, Clerk
Lura Laughlin \$3.00
DeputyState of Idaho
County of Lemhi

SS No.

This instrument was filed for record at the request
of Lemhi Title
at 4:45 o'clock P.m. 9-6-2002and duly filed and indexed in the records of Lemhi
County

Terri J. Morton

Ex-Officio Recorder

By Jana Pay Deputy

Fee 3.00

Return to Lemhi Title

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

7th

day of April, A.D. 19

S.M. Dowton
Clara E. Dowton

(NOTARY SEAL)

State of Idaho
County of Lemhi

} ss. On the 2nd day of May A.D. 1975

personally appeared before me S. M. Dowton and Clara E. Dowton,
husband and wife,the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.S. M. Dowton
Clara E. Dowton
(NOTARY PUBLIC)

Residing at: Salmon, Idaho

My Commission expires: 10-1-75

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name

Address

City & State

Zip

WARRANTY OF TITLE.

coverage of this policy shall continue in force as
Policy in favor of an insured only so long as the

authorized by the Company, up to the time of payment or
tender of payment and which the Company is obligated to
pay.

Upon the exercise by the Company of this option, all

ON SETTLEMENT.

(a) The Company's Right of Subrogation.

Whenever the Company shall have settled and paid a
claim under this policy, all right of subrogation shall vest in

SCHEDULE A

Order No. 10726

Policy No. J.950056

Amount of Insurance: \$1,542.50

Premium

Date of Policy: September 27, 2002 10 :25 A.M.

1. Name of Insured:

JIMMIE LEE DOWTON, also known as JIMMIE L. DOWTON AND MARIA ELENA DOWTON,
also known as MARIA E. DOWTON, husband and wife

2. The estate or interest in the land which is covered by this policy is:

A FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

JIMMIE LEE DOWTON, also known as JIMMIE L. DOWTON AND MARIA ELENA DOWTON,
also known as MARIA E. DOWTON, husband and wife

4. The land referred to in this policy is described as follows:

See attached Schedule C

SCHEDULE C

Order No. 10726

Policy No. J 950056

The land referred to in this policy is situated in the State of Idaho, County of Custer and is described as follows:

Township 15 North, Range 21 East, Boise Meridian, Custer County, Idaho

Section 16: ~~SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ Lying South and West of the Pahsimeroi River

Section 17: ~~E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$~~ Lying South and West of the Pahsimeroi River

Section 20: ~~NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$~~

Section 21: ~~NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ Lying South and West of the Pahsimeroi River, ~~NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$~~ , that portion of the ~~NE $\frac{1}{4}$ NW $\frac{1}{4}$~~ described as follows:

Beginning at the Southwest corner of the said ~~NE $\frac{1}{4}$ NW $\frac{1}{4}$~~ of Section 21, run thence North 0°03' West, 1005.0 feet to a point in the center of the Pahsimeroi River; thence meandering the center of the Pahsimeroi River in the Southerly direction as follows; South 37°00' East, 128.0 feet; South 3°38' West, 209.0 feet; South 23°47' East 292.0 feet; South 1°26' East, 172.0 feet; South 36°07" West, 146.0 feet; South 39°28" East, 89.0 feet; North 42°21' East, 209.0 feet; North 86°02' East, 330.0 feet; thence North 20°13' West, 20.0 feet to a point on the Northeasterly bank of the Pahsimeroi River; thence North 71°15' East, 166.6 feet; thence South 29°14' East, 362.6 feet to a point on the South boundary of the ~~NE $\frac{1}{4}$ NW $\frac{1}{4}$~~ of Section 21; thence South 89°53' West along South boundary 953.4 feet to the POINT OF BEGINNING.