

12/14/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-96B

NAME AND ADDRESS: MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/10/1901

POINT OF
DIVERSION:

T15N R21E S35 NWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.400 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T15N R21E S17 NESW 1.00	T15N R21E S17 SESW	12.00
	T15N R21E S20 NENE 1.10	T15N R21E S20 NWNE	13.00
	T15N R21E S20 SWNE 1.10	T15N R21E S20 SENE	16.00
	T15N R21E S20 NENW 4.50	T15N R21E S20 NESE	1.00
	T15N R21E S21 SWNW 1.30	T15N R21E S21 NWSW	23.00
	T15N R21E S21 SWSW 8.90		

82.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 82.9 acres in a single irrigation season. Combined Right Nos.: 73-86C, 73-96B, 73-97A.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

10/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-96B

NAME AND ADDRESS: MARIA ELENE DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/10/1901

POINT OF DIVERSION:

T15N R21E S35 NWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T15N R21E S17	NESW	1.00	T15N R21E S17	SESW	12.00
T15N R21E S20	NENE	1.10	T15N R21E S20	NWNE	13.00
T15N R21E S20	SWNE	1.10	T15N R21E S20	SENE	16.00
T15N R21E S20	NENW	4.50	T15N R21E S20	NESE	1.00
T15N R21E S21	SWNW	1.30	T15N R21E S21	NWSW	23.00
T15N R21E S21	SWSW	8.90			

82.9 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/27/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-96B

NAME AND ADDRESS: MARIA ELENE DOWTON
HC 62 BOX 2320
MAY ID 83253

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.400 CFS

PRIORITY DATE: 05/10/1901

POINT OF DIVERSION:

T15N R21E S35 NWSE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.400 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T15N R21E S17	NESW	1.0	T15N R21E S17	SESW	12.0
T15N R21E S20	NENE	1.1	T15N R21E S20	NWNE	13.0
T15N R21E S20	SWNE	1.1	T15N R21E S20	SENE	16.0
T15N R21E S20	NENW	4.5	T15N R21E S20	NESE	1.0
T15N R21E S21	SWNW	1.3	T15N R21E S21	NWSW	23.0
T15N R21E S21	SWSW	8.9			

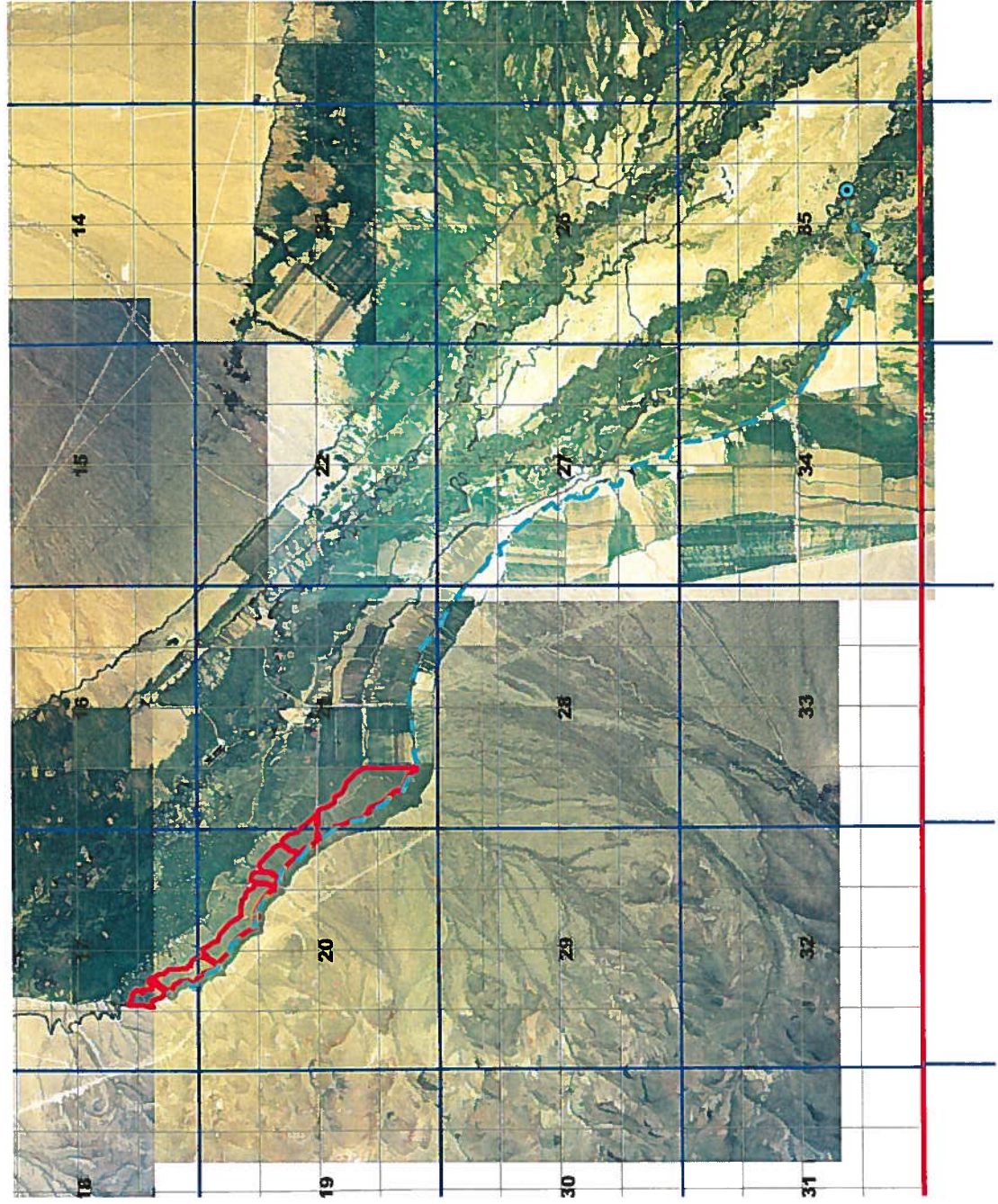
82.9 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL:

Idaho Dept. of Water Resources Water Right Nos. 73-86C, 73-96B, 73-97A



Point of Diversion (P-11)
Murphy ditch
Place of Use



GIS Presentation
Prepared by R. Brown
January 27, 2005
1988 Aerial Photography

2 Miles

1

0

1

WATER RIGHT NO. 73-96B
As Modified by Transfer No. 73707

In accordance with the approval of Transfer No. 73707, Water Right No. 73-96B is now described as follows.

Right Holder: MARIA ELENE DOWTON And/Or
 JIMMIE L DOWTON
 HC 62 BOX 2320
 MAY ID 83253

Priority Date: May 10, 1901

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	1.40 CFS	
			1.40 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SENW Sec. 21 Twp 15N Rge 21E 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 17									27.0			36.0		11.0	39.0	19.0	132.0
15N 21E 20	29.0	38.0	24.0	38.0	26.0								13.5				168.5
15N 21E 21						2.0	40.0	18.0		34.0	36.0						130.0

Total Acres: 430.5

CONDITIONS OF APPROVAL

1. Rights 73-86C, 73-96B and 73-97A when combined shall not exceed the irrigation of 82.9 acres. ✓
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. ~~At the time of this approval, this water right is within State Water District No. 73.~~ *As of Sept. 6, 2007,* ✓
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). ✓
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game. ✓
5. This right does not grant any right-of-way or easement across the land of another. ✓
6. Water is delivered through P-8. ✓

WATER RIGHT NO. 73-96B
As Modified by Transfer No. 73707

CONDITIONS OF APPROVAL

- GEN
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree. ✓
- EXP
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. ✓
- ETP
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval. *by Sept. 6, 2008.* AD. 73707 ✓
- PDKT
10. Rights 73-86C, 73-86D, 73-87, 73-96A, 73-96B, 73-97A and 73-10058 when combined shall not exceed the irrigation of 430.5 acres. ✓
- QTY
11. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above. ✓

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 6th day of September, 20 07



Administrator, Water Management Division