

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-07383

Date Received: 12/06/1989

Receipt No: E011592

Received By: [Signature]

JAN 10 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: SYDNEY M. DOWTON
Address: P.O. BOX 7
ELLIS, ID 83235

Name: KAREN A. DOWTON
Address: P.O. BOX 7
ELLIS, ID 83235

RECEIVED

JAN 12 1990

Department of Water Resources
Southern Region Office

2. Date of Priority: MAY 02, 1980

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	20E	34	NE	NE	SE		CUSTER

5. Description of diverting works:
HEADGATE, DITCH, PUMPS & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

7. Total Quantity Appropriated is:
2.440 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A72-07383

Page 1

Date: 12/06/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	25	NW	NW		IRR	1.0
					Section Acres		1.0
		26	NE	NE		IRR	25.0
			NW	NE		IRR	25.0
			SW	NW		IRR	2.0
			SE	NW		IRR	25.0
			NW	SW		IRR	20.0
			SW	SW		IRR	10.0
					Section Acres		107.0
		34	NE	NE		IRR	4.0
					Section Acres		4.0
		35	NW	NW		IRR	10.0
					Section Acres		10.0
					Total Acres		122.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

REINSTATED 11-12-1985.

THIS DIVERSION & USE WAS STARTED AS A BENEFICIAL USE IN APRIL OF 1971.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sydney M Dorton Date: 12-18-89
April A. Dorton Date: 12-18-89

State of Idaho)
County of LEMHI) SS.

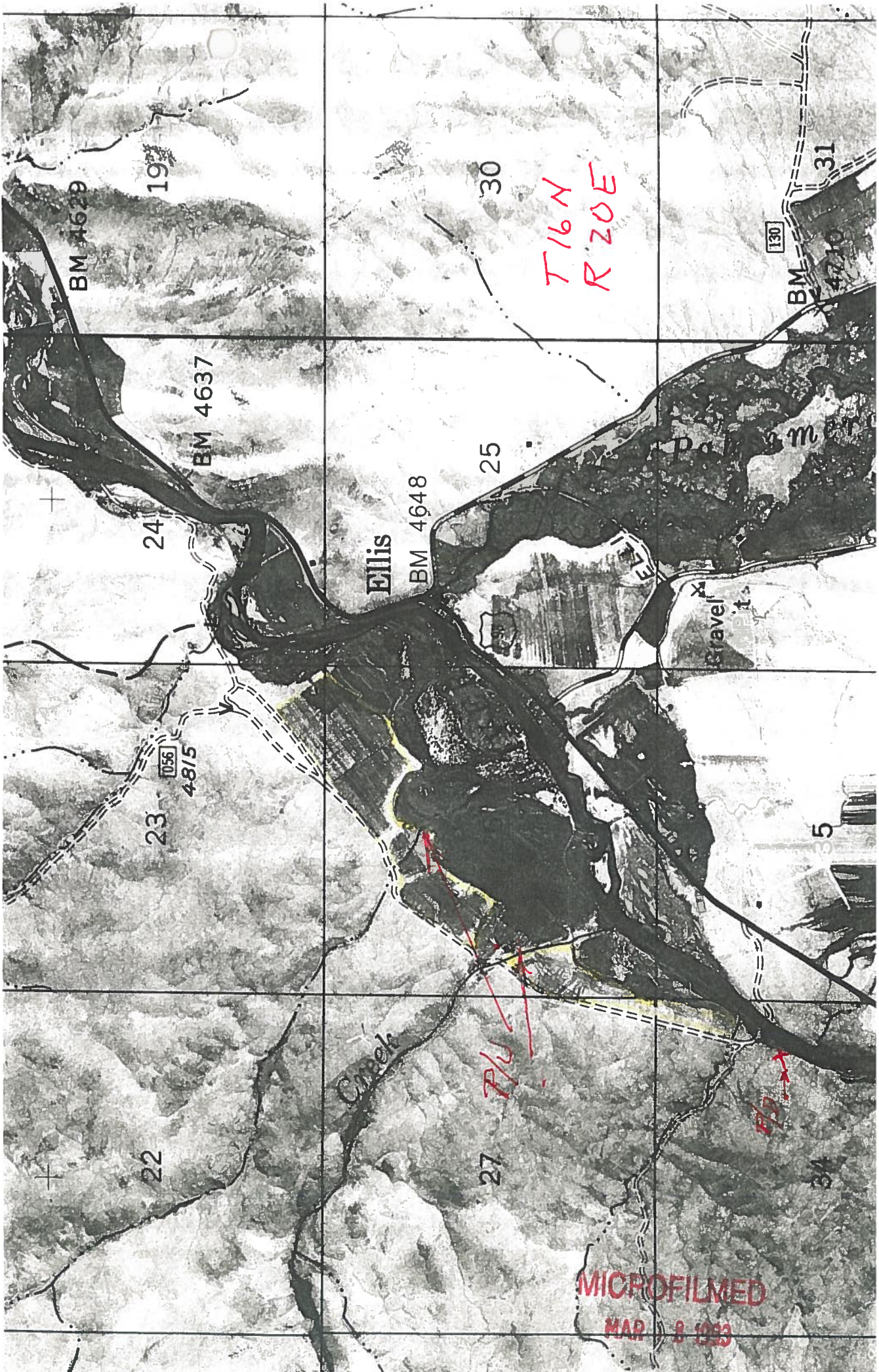
Subscribed and sworn (or affirmed) before me this 18th day
of December 19 89

Melissa J. Cole
Notary Public

Seal

Residing at Salmon, Id
My Commission Expires 3/7/94

A 72-07383



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 72-7387

1. Owner: Sidney Downton Phone No. 826-4225

Current Address: P.O. Box 7 Ellis, ID 83235

2. Accompanied by: Mr. Downton EXAM. DATE: 8/5/87

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Salmon River tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None 72-4228, 72-4069

☐ Copies Attached

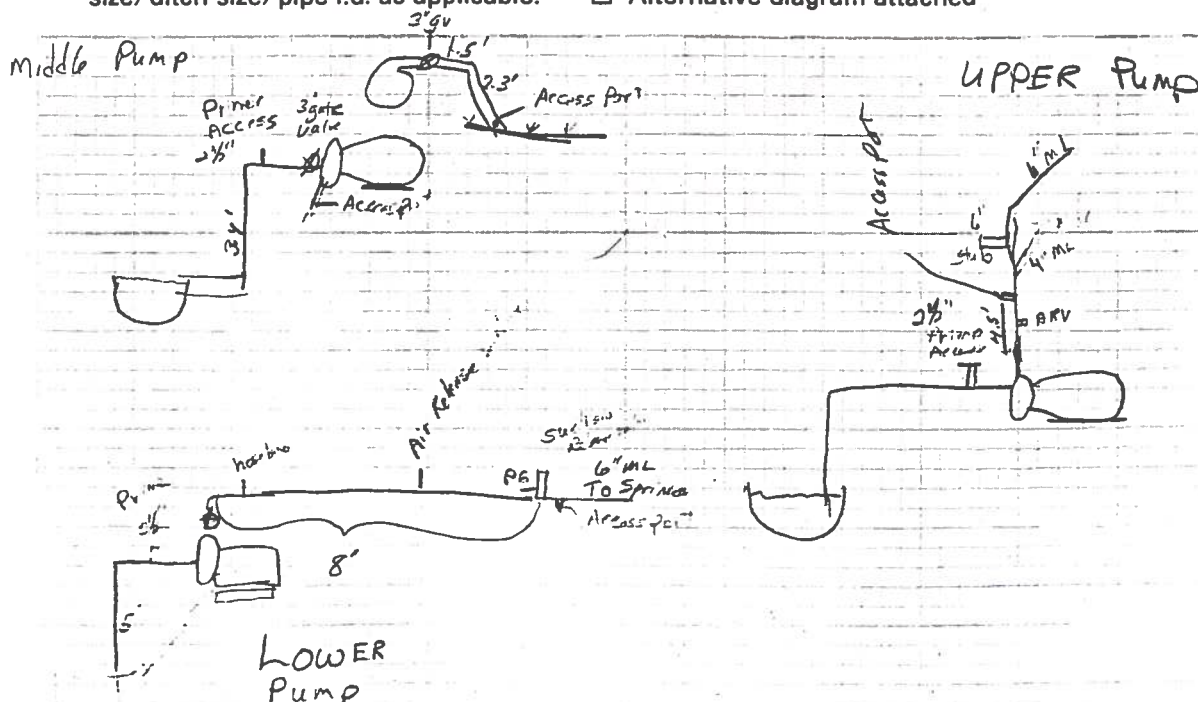
2. Other water rights with same point of diversion: 72-4228

☐ Copies Attached

☐ Copies of Field Exam's Attache

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate we size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Gravel wing dam and rock ditch to concrete headgate Earth ditch to 3 Centrifugal pumps which pressurize water for Sprinkler systems as shown on Aerial photo

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Lower Pump	UNIClosed	30	Model AR 419-01-171	TALUZZI	S=7 054336 M=30 EMS-T/F
Middle Pump	Gould	30	3P R/L-323051-01	Berkeley	Ser / mod RMP D19 7480998 832PL R"
Upper Pump	G.E.	30	5K 286 JL290A	Cornell	mod 3 R80-4 Ser 237851278

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2	SE	NE	SE	34	16N	20E	Custer	

5. Lands irrigated or place of use:

Twp.	Rge.	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	
16N	20E	25						27.2 1.4											1.4
		26	25.3	23.4	0.8		9.7		1.9	19		15	9						104.1
			171		173														
		27												0.2			0.4		0.6
														173			174		
		34	8.7																8.7
			171																
		35						2.5											2.5

172

Total acres 117.3

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Discharge 58 psi PWL 7

over Press-meas @ Lower ML 43 psi at E End 45 psi 36 psi @ upper END 53 nozzle 1/2 3/4 1/2 3/4

date E-HL 14 nozzle 54, 58, 60, 61-63 / WL 43 nozzle ML 44 N 35 psi EA / 20 N H L 44 psi ML - 40 psi End
Discharge P. 74 PWL 3.5'

per Discharge P. 60 psi Est Ave P 50 lbs 1/2 1/4 1/2 3/4

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

lower Q = .87 cfs mid Q = .89 cfs upper Q = 1.1 cfs Total 2.86 cfs.

Allow .02 cfs/gc x

117.3 2.35

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 58 psi x 2.31 = _____ ft (1); Dynamic pumping level: 7 ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 117.3 (3.5) = 410.6$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.44 (215) (1.9835) = 1041$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 410.6$

2. Volume Calculations for Other Uses: 410.6

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

System waters in additional 17.7 acres of PLM land in Sec. 23 & 24. owner will file a new application to cover these lands. P/U is all above the irrigation ditch. Lands below the ditch have been watered for many years by gravity irrigation. Old claim is for 500" from Salmon River, diversion rate did not change when the three pumps were put in the ditch in the early 1970s, according to Mr. Dowton. Not to exceed 10.0 cfs when combined with RT. 72-04228. About 3000" comes into the upper end of the diversion ditch, but only the 500" goes thru the headbox (according to owner). About 1 cfs goes out thru the fish bypass that was installed in 1990 (my visual estimate in July 1992-JS). A small amount of land above the ditch is watered from Ellis Creek.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	~~2.44~~ 2.35	~~360~~ 410.6
Totals:			2.35	410.6

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Cheryl Brockway for Terry Blum
 8/16/90
 CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAR 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 72-7506

1. Owner: Sidney M. & Karen D. Dowton

Phone No. 826-4225

Current Address: P.O. Box 7, Ellis, ID 83235

2. Accompanied by:

EXAM DATE :

Address:

Phone No.

Relationship to Permit Holder:

3. Source: Salmon River

tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use:

2. Other water rights with the same point of diversion: 72-7383, 72-4228, 73-7120

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

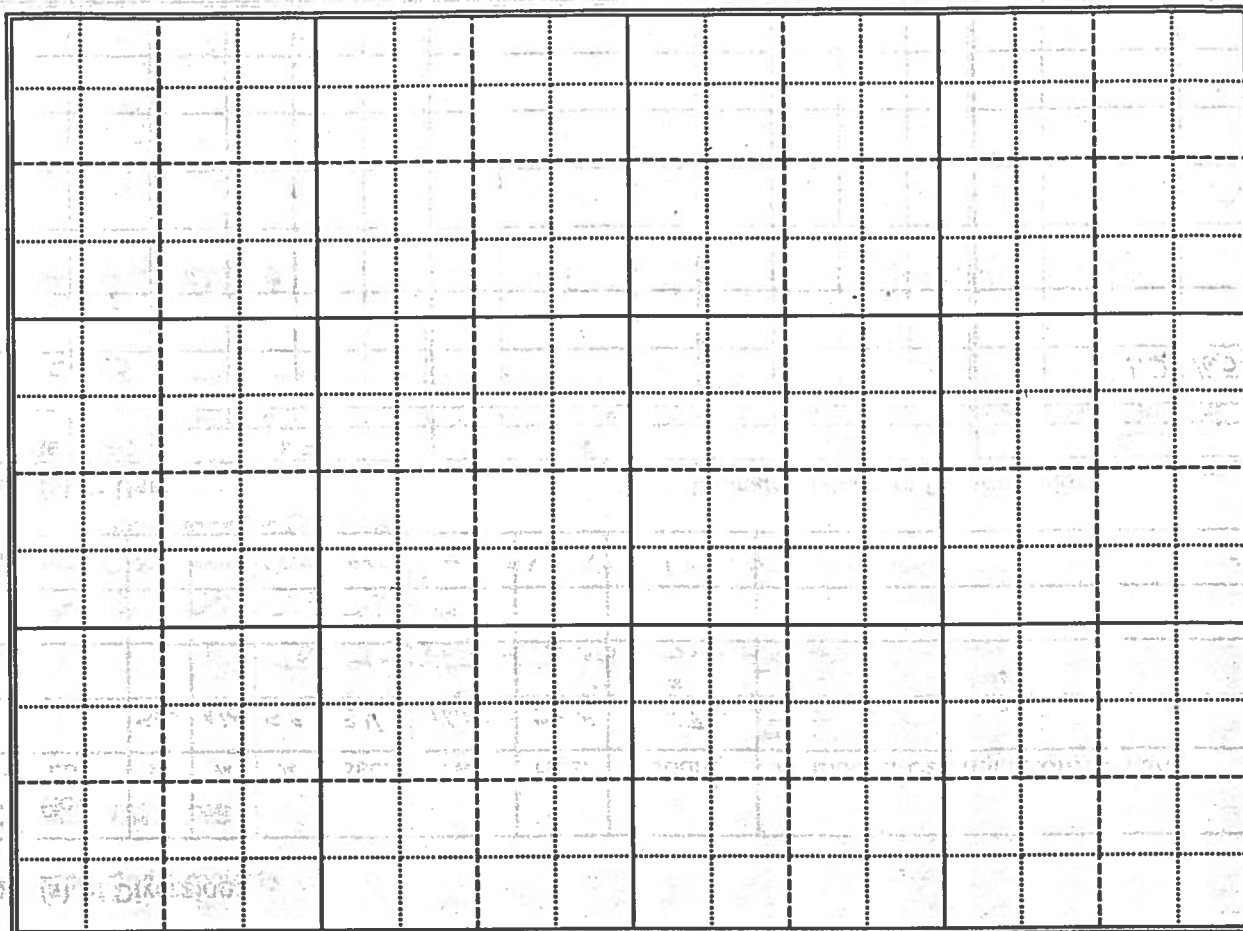
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.D. as applicable. *See attached.*



Scale: 1" = _____

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4. *Other equipment used in the system:*

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>Lower Pump</i>	<i>Uniclosed</i>	<i>30</i>	<i>model RR-419-01-171</i>	<i>Jacuzzi</i>	<i>7054336</i>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1. *See attached ... Annubar Measurement.*

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

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E. NARRATIVE/REMARKS/COMMENTS

This permit covers land irrigated with an existing system that has been in place since the 1970's but the land was not covered under permit 72-7383. The land is owned by the BLM and leased to the Downtons. It is irrigated with a sprinkler system from a mainline that receives water from a 30 Hp centrifugal pump. The pump draws water from a private ditch that receives water from a diversion works on the Salmon River about 2 miles from the pump site. This pump location is referred to as the "lower pump". Permit 72-7383 was examined and measured in August 1987 (See attached) and the entire system and P/U reexamined in July 1992. As a result of the 1992 exam an application for permit was filed in August to cover the 17.7 acres omitted in 72-7383. The exam and measurements from 1987 are still pertinent but the current diversion rate for the "lower pump" has changed as follows for overlap purposes:

old rate: $47.5 \text{ acres} \times .02 = .95 \text{ cfs} = .95" / \text{acre}$
 current rate: $.87 \text{ cfs} \div 65.2 \text{ acre} = .0133 \text{ cfs/acre} = .67" / \text{acre}$
 recommended diversion rate: $17.7 \text{ acres} \times .0133 = .24 \text{ cfs}$.

The combined diversion from the 30 Hp pump located in SE SW NE, S26, 16N, 20E is 1.19 cfs but the capacity is .87 cfs. A condition should be imposed to reflect the capacity limitation of .87 cfs.

72-4228 is a statutory claim for 99 acres and 100 cfs from the same P/D and private ditch but uses a different delivery system. The combination of all rights is limited to 10 cfs - the estimated capacity of the ditch. Overflow from the ditch returns to the Salmon River.

We should request that proof be filed when the permit is issued so that this permit can be processed with permit 72-7383. 73-7120 is a fish diversion permit from same P/D as this permit - no effect.

Have conditions of permit approval been met? ☒ yes ☐ no

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X Additional Computation Sheets Attached

See attached

$$\frac{30 \times 8.8 \times 0.8}{(58 \times 2.31) + 10} = 1.10 \text{ cfs.}$$

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 17.7 \times 3.5 = 62 \text{ ofa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .24 \times 184 \times 1.9835 = 87.6$$

$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = \underline{62 \text{ ofa}}$

2. Volume Calculations for Other Uses:

System drive capacity = $87 \times 184 \times 1.9835 = 317.5$

allotted as follows:

$$72-7383 - 47,5 \times 3,5 = 166,3$$

$$72-7506 - 17.7 \times 3.5 = 62$$

228.3

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>4-15</u>	<u>10-15</u>	<u>.24 cfs</u>	<u>62 afa</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>.24 cfs</u>	<u>62 afa</u>

2. Recommended Amendments

Change P.D. as reflected above Add P.D. as reflected above ☒ None
Change P.U. as reflected above Add P.U. as reflected above Other

Field Examiner's Name Mel Schulte Date 1-4-93

Reviewer _____ Date _____

SEAL

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22/23
27/26

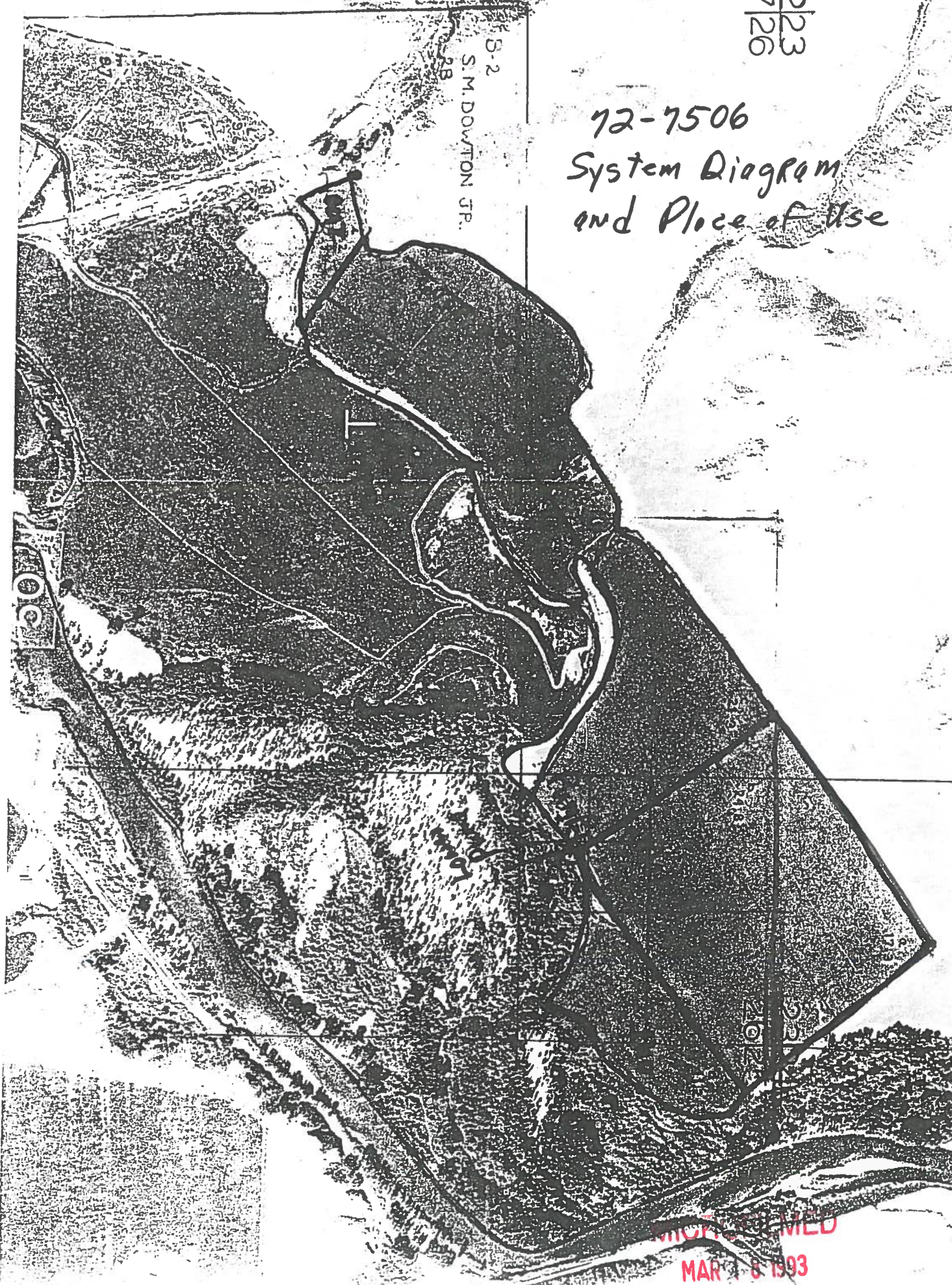
72-7506
System Diagram
and Place of Use

B-2

S.M. DOWTON JR.

28

27



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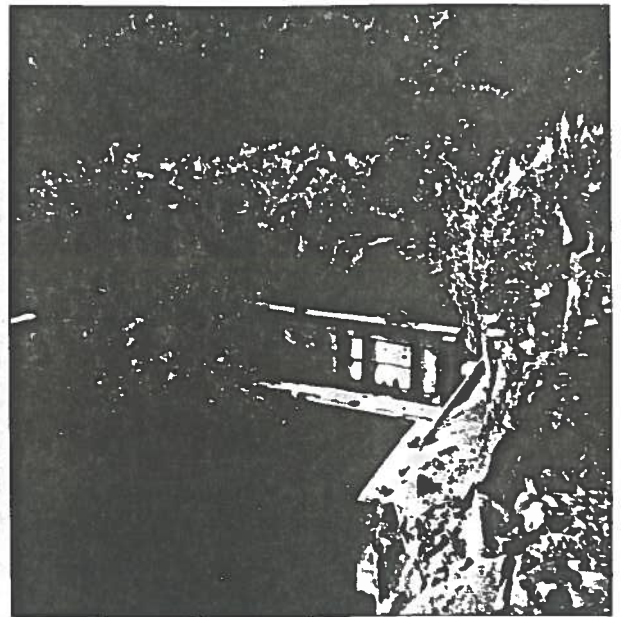
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~~72-7383~~

72-7506



Diversion Ditch



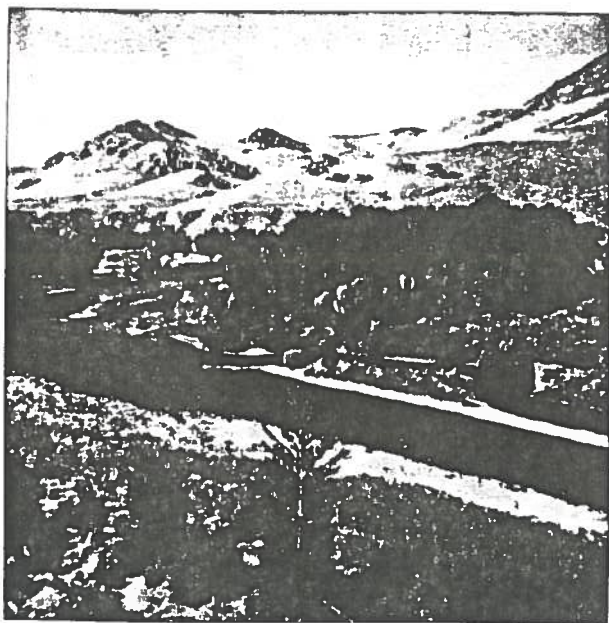
Shedbox

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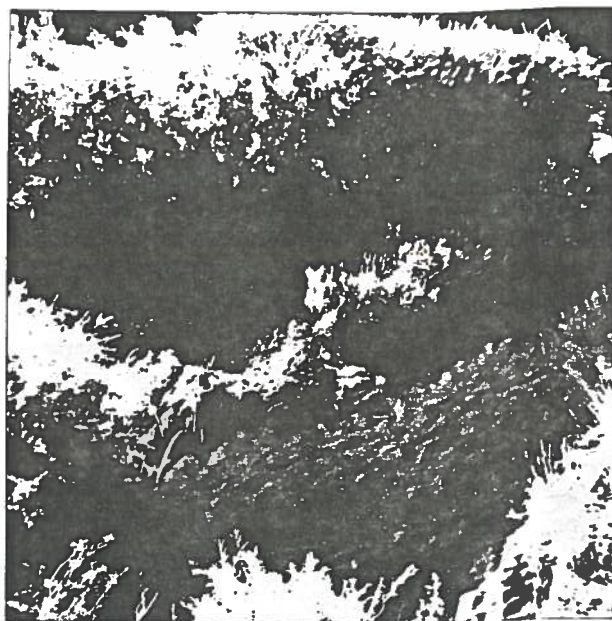
MAR 18 1993

~~72-7583~~

72-7506



Head of Diversion Ditch



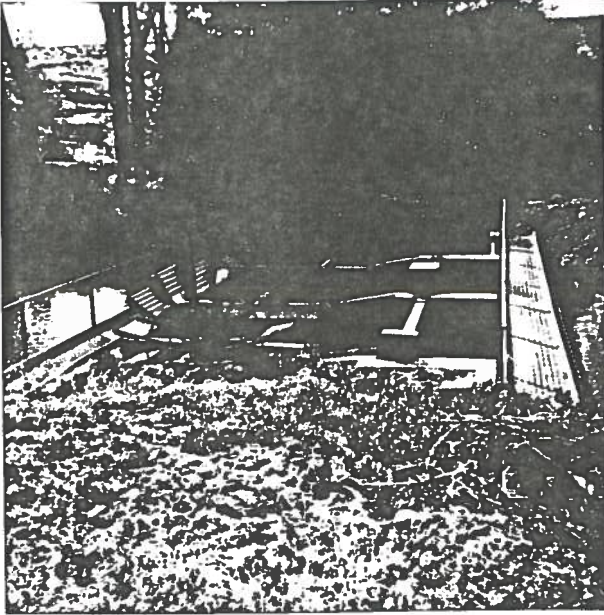
Overflow Above Hettier

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~~72-7383~~

72-7506



Fish Bypass In Ditch



P/A

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~~72-7083~~

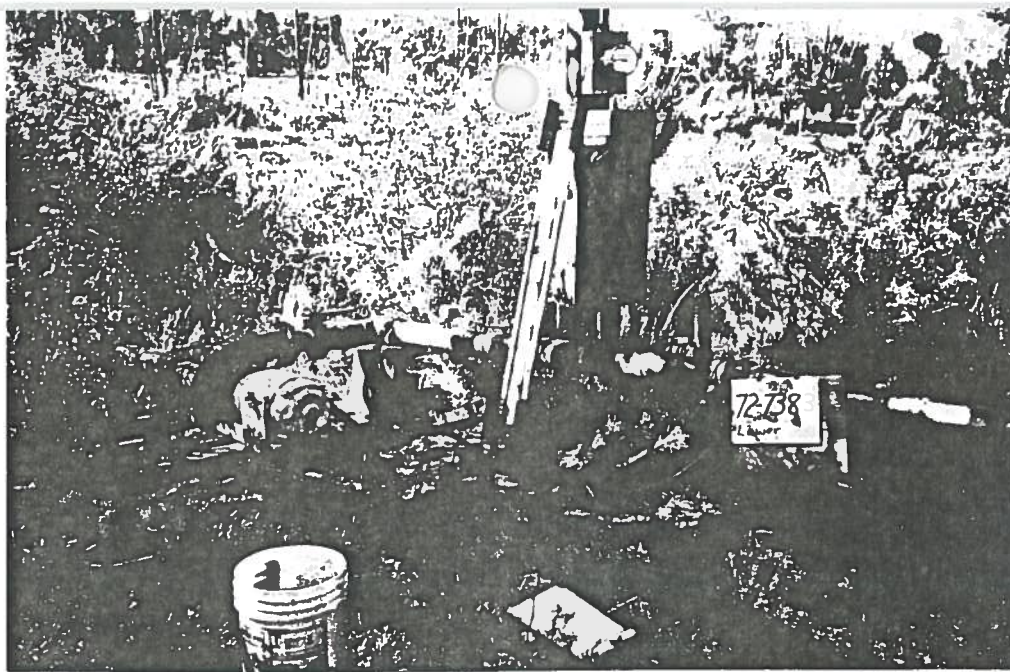
72-7506



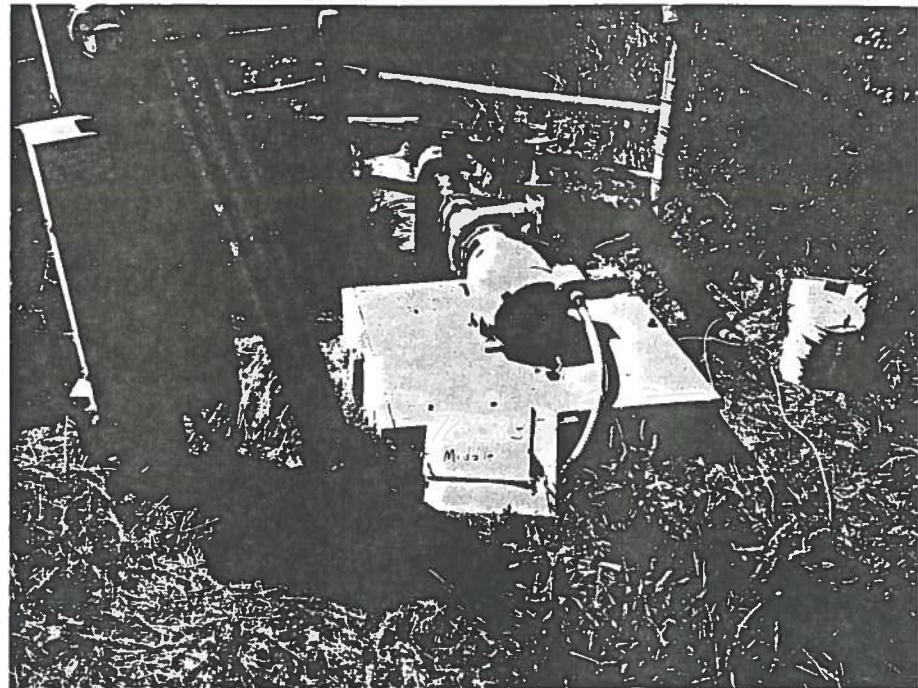
P/U - Partial Views

MICROFILMED

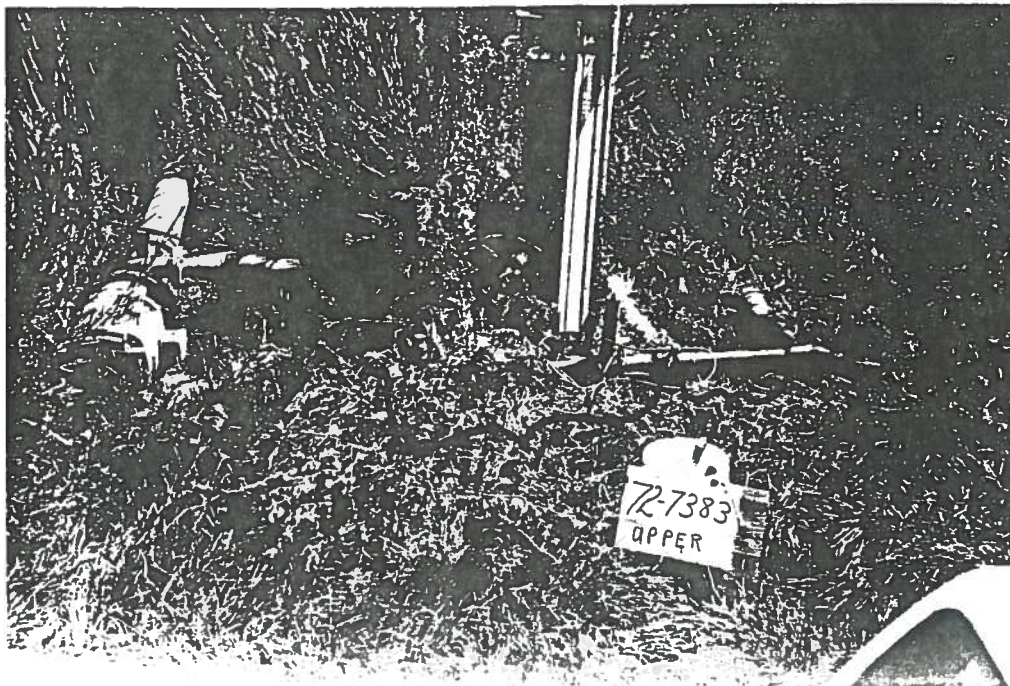
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72-7506
Lower pump out
of ditch



middle
pump



upper pump

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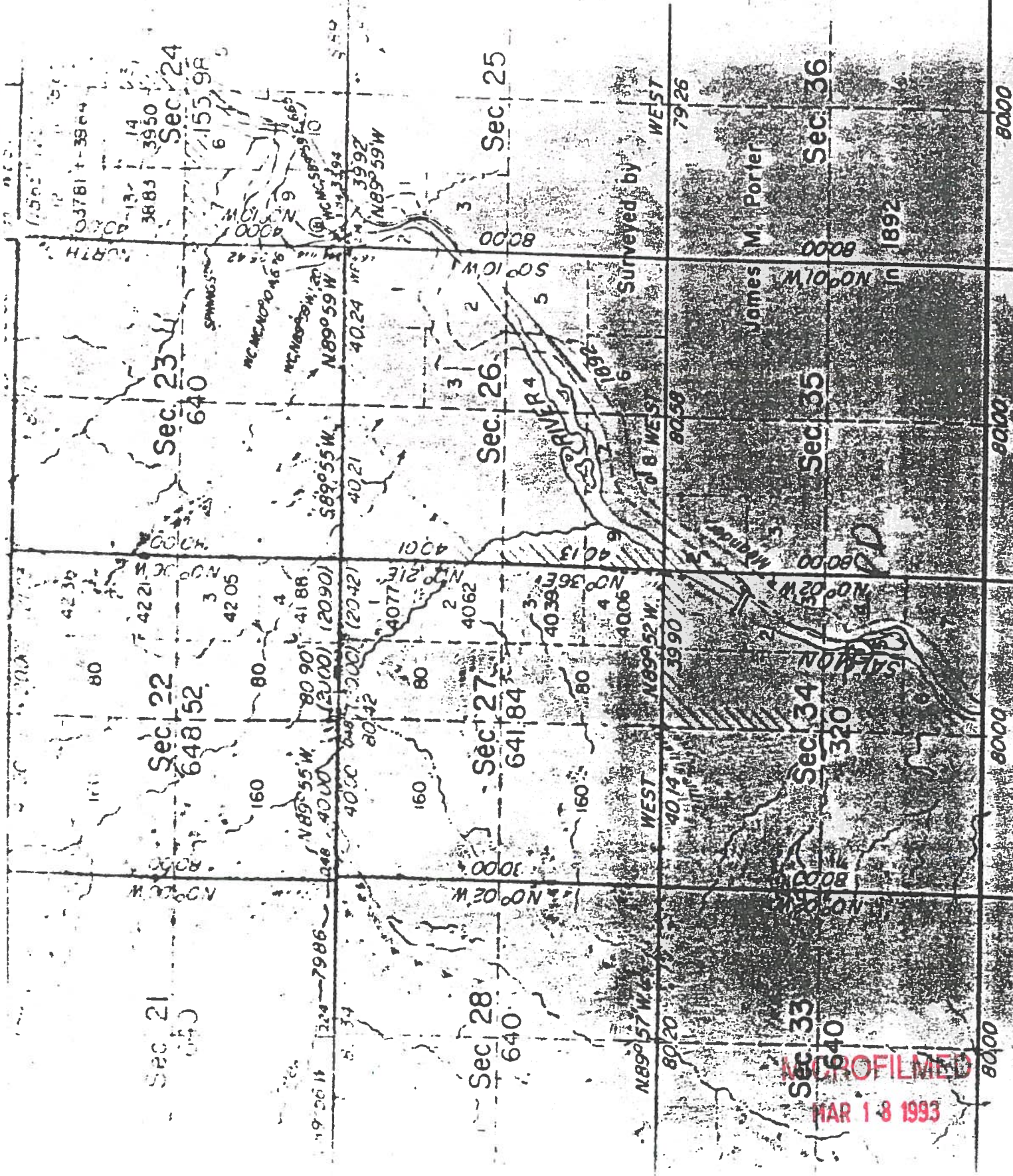
MAR 18 1993

PERMIT 72-7506 INIT
 T. R. S. Q/Q Lt 2
 P/D 16N 20E 34 SWNESE
 SCALE _____
 PHOTO ID. _____

80

NORTH

Latitude 44°
 Longitude 113°



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 MAR 18 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: TERRY BLAN
Owner: Syd Downton

Date 8/5/87
Permit No. 72-7383 (72-7506)

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____
T = Pipe Thickness in Inches = _____
ID = 2 [(0.1592 X CIR) - T] = _____

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test _____
State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.87

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 30.5 30.4 35.0 34.9 42.6 42.4
Low Reading = 20.6 20.5 19.8 19.9 19.4 19.2
High - Low = H = _____

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(5.75)^2 (\sqrt{9.9}) (3.75)}{448.8} = .87 \text{ cfs lower}$$

SKETCH (If not shown on Field Report)

$$Q = \frac{(5.25)^2 \sqrt{15.1} (3.75)}{448.8} = .89 \text{ cfs middle}$$

$$Q = \frac{(5.25)^2 \sqrt{23.2} (3.75)}{448.8} = 1.1 \text{ cfs upper}$$

2.86 cfs total

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Salmon River Electric Coop
Power meter Readings

Rev	N	T	Sec	Kh	#	Ta
10	5	54	576	61	781	30
10	5	19	28.7	59	480	15
5	20	28.8	59	486	29.2	15

470
Low
Mid
Upper

08/10/2000

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

RIGHT NUMBER: 72-7383

NAME AND ADDRESS: SYDNEY M DOWTON
KAREN A DOWTON
PO BOX 7
ELLIS, ID 83235

SOURCE: SALMON RIVER TRIBUTARY: Snake River

QUANTITY: 2.35 CFS
410.6 AFY

PRIORITY DATE: 05/02/1980

POINT OF DIVERSION: T16N R20E S34 LOT 5 NE ~~NW~~NESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-15	2.35 CFS 410.6 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE:

IRRIGATION Within CUSTER County

T16N R20E S25	LOT 2	NWNW	~~1.4~~ 7.8	T16N R20E S26		NWNE	~~23.4~~ 31
T16N R20E S26		SWNW	~~8.1~~ 11	T16N R20E S26		SENE	~~19~~ 39
T16N R20E S26		NWSW	~~14~~ 27	T16N R20E S26		NESW	38
T16N R20E S26	LOT 1	NENE	~~25.3~~ 33	T16N R20E S26	LOT 3	SWNE	~~0.8~~ 21
<u>T16N R20E S26</u>	<u>LOT 4</u>	<u>NESE</u>	<u>13</u>	<u>T16N R20E S26</u>	<u>LOT 7</u>	<u>SESW</u>	<u>2.7</u>
T16N R20E S26	LOT 9	SWSW	~~9.4~~ 29	T16N R20E S34	LOT 1	NENE	~~8.7~~ 9.1
T16N R20E S35	LOT 2	NWNW	~~2.5~~ 3.4	T16N R20E S26		NENW	~~4.5~~
~~T16N R20E S27~~	~~LOT 4~~	~~SESE~~	~~0.2~~				
117.3 265 ACRES TOTAL							

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 117.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 265.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-04228, 72-04069 & 72-10171.

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 - License

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

08/09/2000

RIGHT NUMBER: 72-4069

NAME AND ADDRESS: KAREN A DOWTON
SYDNEY M DOWTON
PO BOX 7
ELLIS, ID 83235

also affects: 72-4228
72-7383
72-10171

SOURCE: ELLIS CREEK TRIBUTARY: Salmon River

QUANTITY: 0.42 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED, SO LONG AS THE QUANTITY DIVERTED AT THE POINT OF DIVERSION DOES NOT CONSTITUTE UNREASONABLE WASTE.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1915

POINT OF DIVERSION: T16N R20E S26 LOT 0 SWSWNW Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.23 CFS
IRRIGATION	04-01 10-31	0.42 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County

T16N R20E S25 • LOT 2	NE NWNW	7.8	T16N R20E S26	NWNE	31
T16N R20E S26	SWNW	11	T16N R20E S26	SENE	39
T16N R20E S26	NWSW	27	T16N R20E S26	NESW	38
T16N R20E S26 LOT 1	NENE	33	T16N R20E S26 • LOT 3	SE SENE	21
T16N R20E S26 • LOT 4	NE NWSE	13	T16N R20E S26 LOT 7	SESW	2.7
T16N R20E S26 LOT 9	SWSW	29	T16N R20E S34 LOT 1	NENE	9.1
T16N R20E S35 • LOT 2	NE NWNW	3.4			

265 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 21.2 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 265.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-04228, 72-07383 & 72-10171.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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 - Beneficial Use

*GIS
auto fill on
PLS incorrectly
describes these lots*

*10/2/00
SCC*

LARRY A. BROWN
SPECIAL ATTORNEY, USDOJ - ENRD
380 PARK CENTER BLVD. #330
BOISE, ID 83706
Ph: (208) 331-5941 FAX: (208) 387-0842

FAX COVER SHEET

September 28, 2000

FROM: FRED PRICE - BLM

TO: STEVE CLELLAND - IDWR SOUTHERN REGION

FAX NO.: (208) 736-3037

RE: MAP PERTAINING TO DOWTON CLAIMS

SUBCASE NUMBER(S): 72-04069, 72-07383, 72-04228 & 72-10171

CLAIMANT(S): SYDNEY & KAREN DOWTON

PAGES TRANSMITTED (including cover sheet): 2

REMARKS:

DEAR MR. CLELLAND,

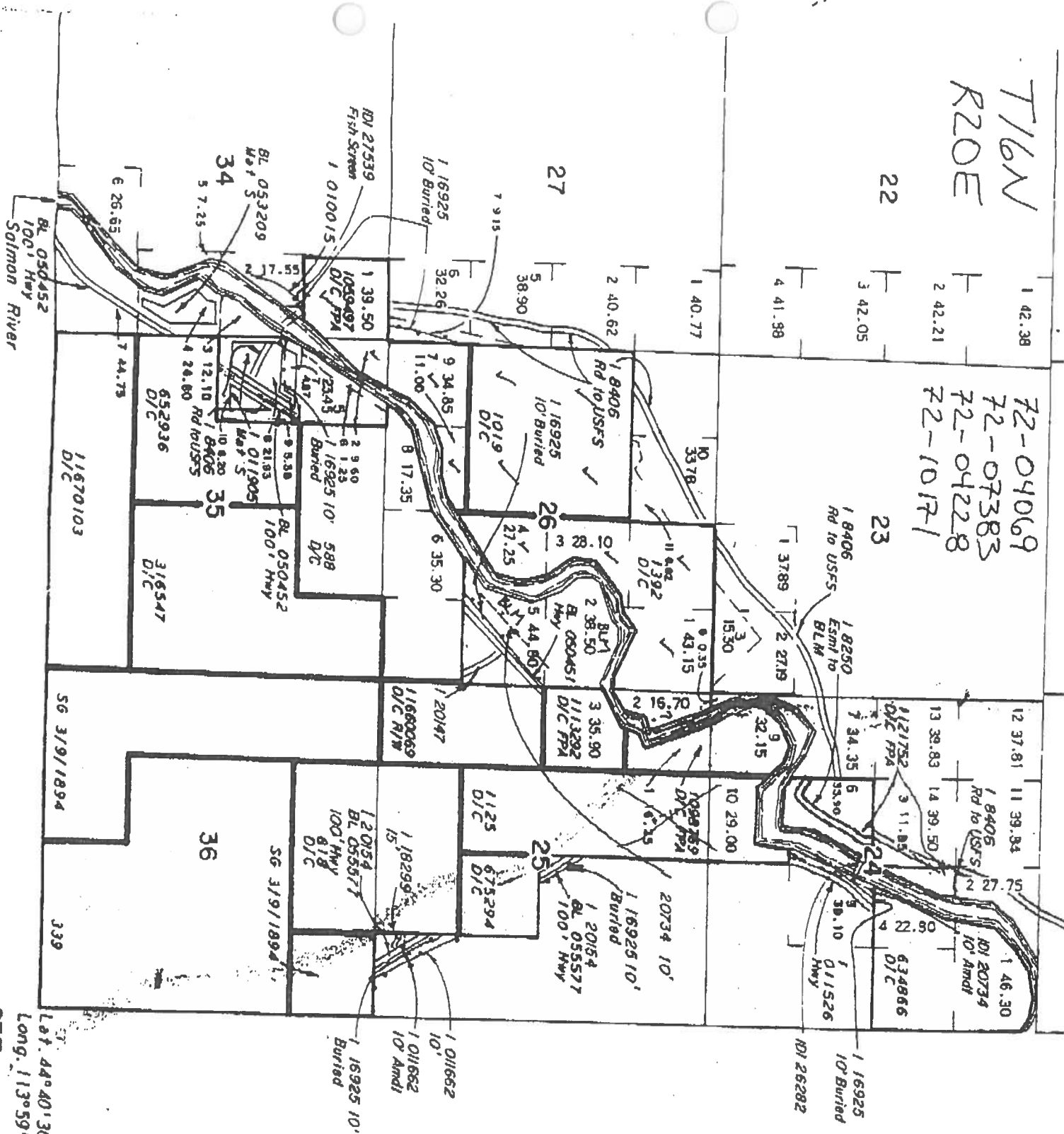
PLEASE REVIEW THIS MAP ASAP AND CALL FRED WITH RESOLUTIONS YOU COME UP WITH. WE WOULD LIKE TO GET THIS CORRECTED AND FILED WITH THE COURT BY 9/29/00, TO VACATE IT FROM THE SRBA CALENDAR. THEY ARE SET FOR HRG. 10/2/00. YOU CNA CONTACT FRED TODAY @ (208) 331-5945.

THANK YOU.

SINCERELY,
JANET ARNEL
LEGAL ASSISTANT
(208) 331-5945

T/6N
R2OE

72-04069
72-07383
72-04228
72-10171



Lat. 44° 40' 30" N
Long. 113° 59' 00" W

037

50 12/14/1926

Sec 13: 5/5/57

Sec 23: FIFTEEN

Sec 24: Lots 5, 8

Sec 34; Lots 2, 5

ID1 2874 ILM CCI M

Custer County, South Dakota

1A, 8 PS

Further Segr from Appr

Mike Ellis Bridge Rec.S

Sec 34: Lots 3, 4

Sec 35 : Lot 1

[illegible]

101 30285 H/W Water

Sec 24: LO13

2000

101 32367 R/W Esmt 10

SEC 34: FOREIGN LO

[illegible]

Journal of Management Education 36(7) 809-826

FOR ORDERS EFFECTIVE

UNIDENTIFIED LANDS

MISCELLANEOUS DOCU

CURRENT TO

FEB - 7 2000

100

SE PLATS:

259

AJ5856NP

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

DATE: SEP-26-2000
PAGE: A-3

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-07383

NAME & ADDRESS: KAREN A DOWTON
SYDNEY M DOWTON
PO BOX 7
ELLIS ID 83235

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.35 CFS
410.6 AFY

PRIORITY DATE: 05/02/1980

POINT OF DIVERSION: T16M R20E S34 LOT 5 (NE/NESE)

Within CUSTER County

PURPOSE AND PERIOD OF USE: IRRIGATION
PURPOSE OF USE: IRRIGATION
PERIOD OF USE: 04-15 10-15
QUANTITY: 2.35 CFS
410.6 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION

Within CUSTER County

T16M R20E S25 Lot 2 (N/NE) 1.4
S26 Lot 1 (NE/NESE) 2.3

S27 Lot 4 (SE/SE) 0.2
S34 Lot 1 (NE/NE) 0.7
S35 Lot 2 (N/NE) 2.5

112.3 ACRES TOTAL
NE 7.8
SE 2.1
NE 3.4

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

S. 26 NESE 13

NE SW 38

47 SE SW 2.1

SE 26 SW 2.1

all remaining
C18
etc.

08/10/2000

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

RIGHT NUMBER: 72-7383

NAME AND ADDRESS: SYDNEY M DOWTON
KAREN A DOWTON
PO BOX 7
ELLIS, ID 83235

SOURCE: SALMON RIVER TRIBUTARY: Snake River

QUANTITY: 2.35 CFS
410.6 AFY

PRIORITY DATE: 05/02/1980

POINT OF DIVERSION: T16N R20E S34 LOT 5 NWNESE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 10-15	2.35 CFS 410.6 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE:

IRRIGATION Within CUSTER County

T16N R20E S25	LOT 2	NENW	7.8	T16N R20E S26		NWNE	31
T16N R20E S26		SWNW	11	T16N R20E S26		SENE	39
T16N R20E S26		NWSW	27	T16N R20E S26		NESW	38
T16N R20E S26	LOT 1	NENE	33	T16N R20E S26	LOT 3	SENE	21
T16N R20E S26	LOT 4	NESE	13	T16N R20E S26	LOT 7	SESW	2.7
T16N R20E S26	LOT 9	SWSW	29	T16N R20E S34	LOT 1	NENE	9.1
T16N R20E S35	LOT 2	NENW	3.4				

265 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 117.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 265.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-04228, 72-04069 & 72-10171.

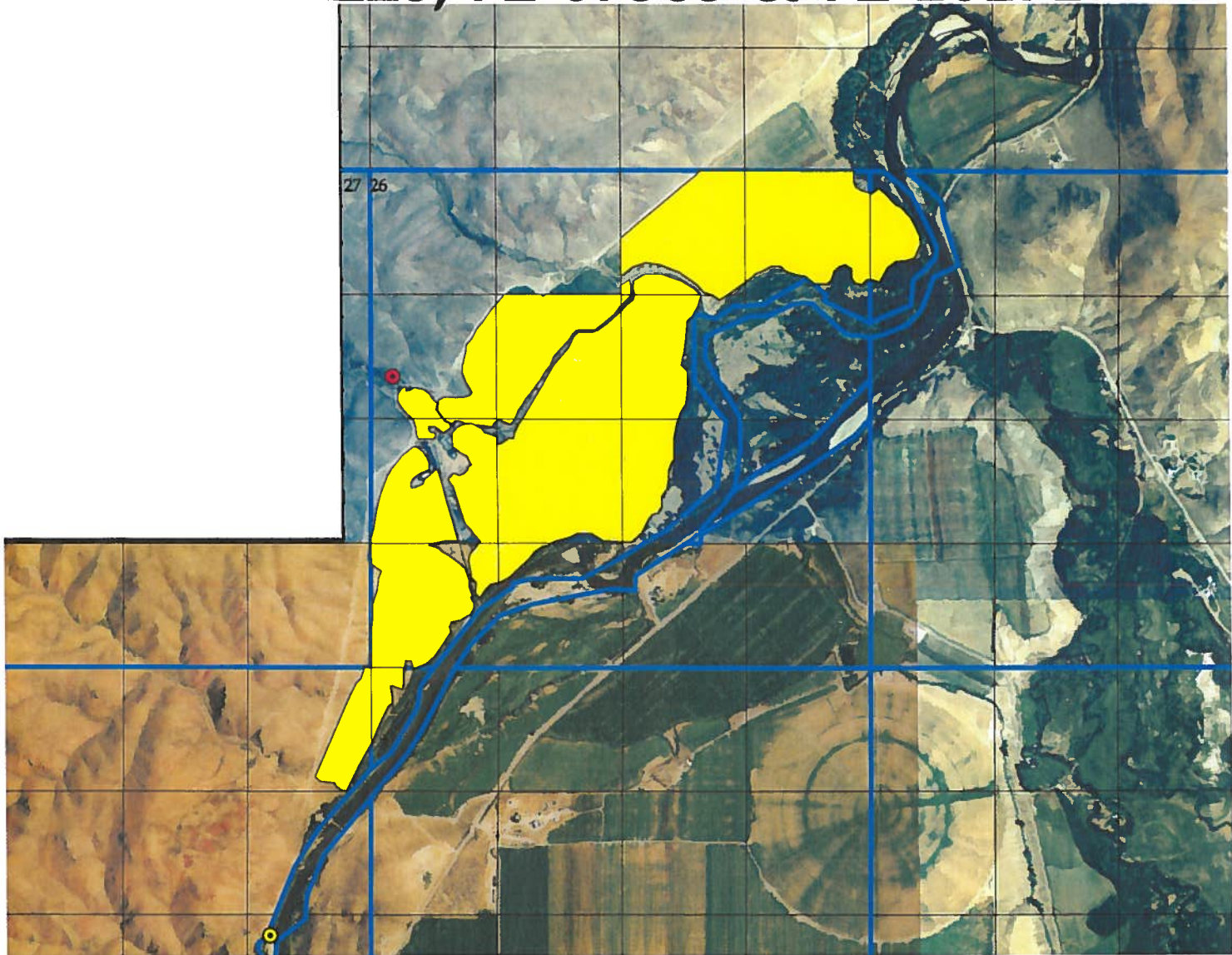
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 - License

IDAHO DEPARTMENT OF WATER RESOURCES

72-04228, 72-07383 & 72-10171

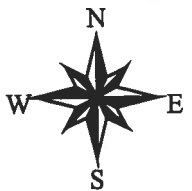


660 0 660 1320 Feet



-  **RECOMMENDED PLACE OF USE**
-  **RECOMMENDED POINT OF DIVERSION**
-  **SECTION LINES**
-  **QUARTER-QUARTER LINES**
-  **STREAMS & DITCH CHANNELS**

TWN: 16N
RNG: 20E
SEC: 25, 34, 35 & 26



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND
DATE: August 10, 2000
*** Revised *** PPU



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 29, 2000

DIRK KEMPTHORNI
GOVERNOR

KARL J. DREHER
DIRECTOR

SYDNEY M & KAREN DOWTON
PO BOX 7
ELLIS ID 83235

RE: Transfer Application for 72-07383 & 72-10171 (72-04228)

Dear Mr. & Mrs. Dowton,

Enclosed is the Application for Transfer for the above listed rights along with your check #2917 for the fees due. I discussed this Transfer with an agent here in our office who processes the applications and after reviewing the details it appears the situation can be resolved in the SRBA recommendation. I have also discussed the proposal at length with our staff attorney and we agree a SF5 should resolve all issues.

I can recommend all three claims as used within a Permissible Place of Use (PPU). This PPU will allow you to use the rights anywhere within the farming area as designated by the GIS shapes. It will not result in any less water being recommended. This was the end result of the transfer process but this is quicker and cheaper for everyone.

I will be calling Bill Myers to tell him of the change in the resolution of the Objections. If you have further questions on your water right then please feel free to call me.

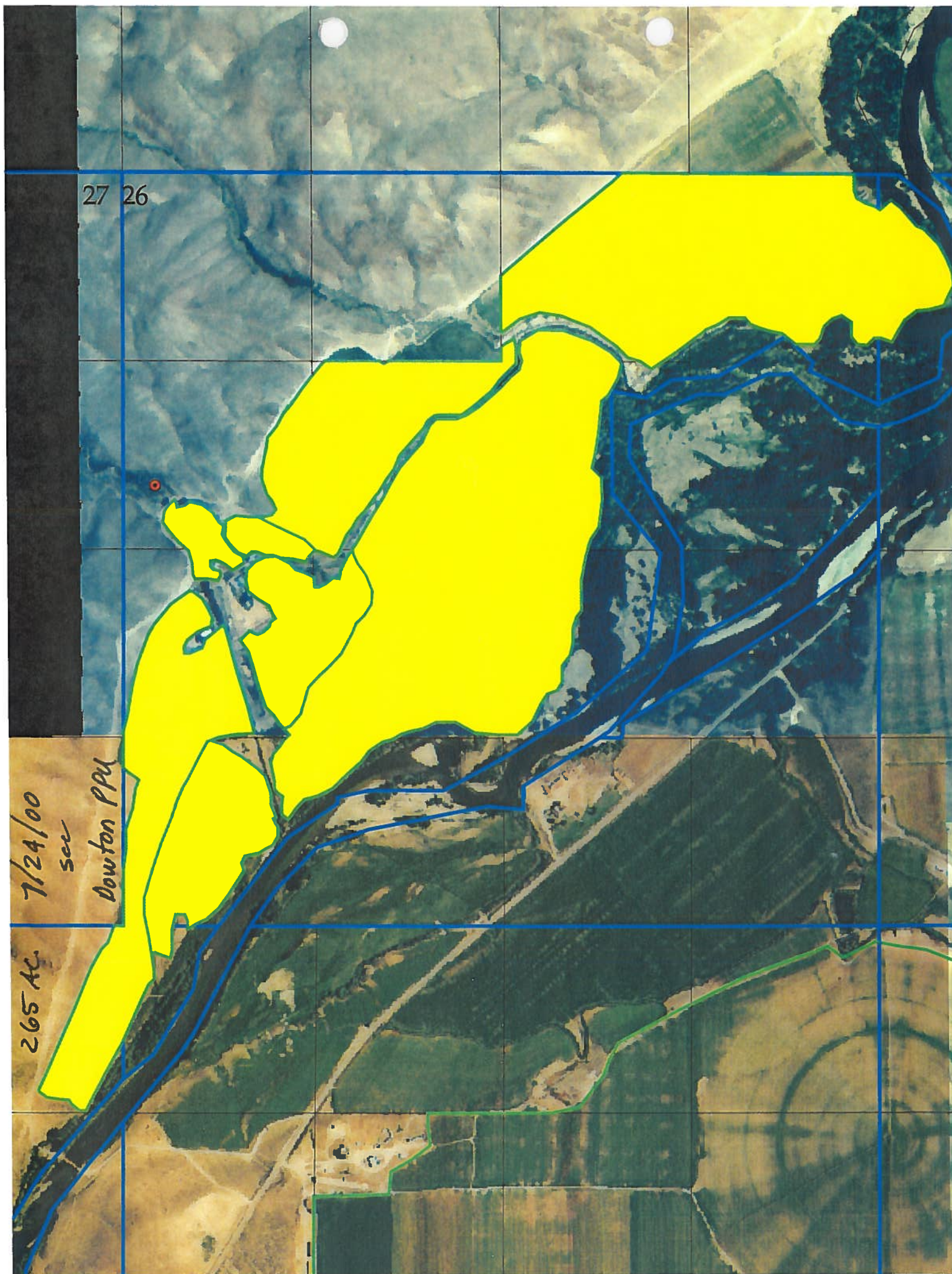
Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

Enc:

27 26

265 AC.
7/24/00
see
Downton PPA





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 29, 2000

DIRK KEMPTHORNI
GOVERNOR

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I will be calling Bill Myers to tell him of the change in the resolution of the Objections. If you have further questions on your water right then please feel free to call me.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

Enc:

7/24/00
SCC

Downton

- 4228

cfs
8.91

ACRES
99 AC

- 10171 (EXP)

0.97 ($.02 \text{ cfs/22}$)

48.7 AC

GEN: K02
EXP: K09

- 7383 (L)

2.35

117.3 AC

(-7506 (P)) .35 cfs 17.7 AC

265 AC

ELLIS CR.

- 4069

0.42

+

21.2 AC

update notes:
8/4/00 SCC

286.2

= 265 AC

Remarks

POU: K06
E14

* POD of Ditch system:

T16N R20E S34

L4S NE NE SE

HOLLAND & HART LLP

ATTORNEYS AT LAW



PARTNERING LAW AND TECHNOLOGY TO MEET YOUR NEEDS
 SUITE 1400, 101 SOUTH CAPITOL BOULEVARD, BOISE, ID 83702-7714

Tuesday, June 20, 2000

To: Steve Clelland
 Idaho Department of Water Resources

Fax: 208-736-3033
 Phone:

From: Bill Myers

Fax: (208) 343-8869
 Phone: 208-342-5000

RECEIVED

JUN 20 2000

Department of Water Resources

Message:

Steve:

Attached is the draft application for transfer of water rights in regard to the Dowtons. Note under Part 2, B(1) and C(1), I have not designated amount of water. This needs to be done.

Please contact me upon your receipt and review. I also need to know if I can sign the application for the Dowtons, as their attorney of record in the SRBA.

Thank you.

Bill Myers

Billing: 42226.0002

☒ Original will NOT follow.

Number of pages including cover sheet: ~~10~~ 9

Note: If this fax is illegible or incomplete please call us. This fax may contain confidential information protected by the attorney-client privilege. If you are not the named recipient, you may not use, distribute or otherwise disclose this information without our consent. Instead, please call (208) 342-5000; we will arrange for its destruction or return.

Attorney	0998	Client/Matter Number:	42226.0002	Time Deadline:	NA
Operator Initials:	Tammy Killian, Certified PLS	Date Transmitted:	6/20/00	Time:	2:01 PM

(Internet)

STATE OF IDAHO

Transfer No. _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

me of applicant Sydney M. and Karen A. Dowton Phone 208-876-4225

st Office address P.O. Box 7, Ellis, ID 83235

PURPOSE OF TRANSFER

 Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☒ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes 10.3 acres of the place of use for the Dowton's water right license 72-7383 are on BLM land. Dowtons agree to delete these acres from the license.
Simultaneously, Dowtons want to transfer 10.3 acres from water right 72-10171 to license
72-7383.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
72-07383	5-2-1980	2.35 cfs/ 410.6 AF	Irrigation	4/15	to 10/15
					to
72-10171	6-1-1982	5.94 cfs	Irrigation	4/01	to 10/31
					to

. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

Source of water Salmon River tributary to Snake River

Point(s) of Diversion:

[illegible]

1. Funds indicated or place of use: (72-07383)

[illegible]

PART 1**General Information:**

a. Description of diversion system Eight foot wide concrete headgate with two gate valves and approximately 1,500 foot rock wing dam for diversion of water.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The lands now irrigated are BLM lands. The effect will be to render the BLM lands dry, unimproved range land.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

DESCRIPTION OF RIGHT AS RECORDED

Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-10171 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

Source of water Salmon River tributary to Snake River

Date or priority 6-1-82

Water is used for the following purpose:

amount 1 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

Amount of water under right 8.91 cubic feet per second and/or _____ acre-feet per annum.

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5	NW	NE	SE	34	16N	20E	Custer	

Lands irrigated or place of use:

Twp.	Rge.	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	
16N	20E	25						6.9											6.9
		26	7.7	4.6	11.2			1	3	4	10.7	0.8							43.0

Total acres 49.9

Describe any other water rights used for the same purpose as described above This right is based upon
an enlargement of right no. 72-04228.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5	NW	NE	SE	34	16N	20E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
16N	20E	26									10.3								10.3

Total acres 10.3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

amount _____ for irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5	NW	NE	SE	34	16N	20E	Custer	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
16N	20E	25							6.9										6.9
		26	7.7	4.6	11.2				1	3	4	0.4	0.8						33.7

Total acres 39.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number. (See attached)

6 of 6

Transfer No. _____

PART 3**CHANGES IN NATURE OF USE**

<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
Not applicable			to _____
			to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Sydney M. and Karen A. Dowton, by William G. Myers III)

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

PARCEL NO: RP16N20E260001A
YEAR 999 -2 6895
BILL# 1015.82
TAX 1015.82
I A X P E R I N D E S *
CUSTER COUNTY TAX COLLECTOR
P.O. BOX 350
CHALLIS, IDAHO 83226
DATE PRINTED: 5/10/2000

=====
TOTAL DUE: 1015.82 VALID THROUGH: 6/20/2000
=====

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

LOT 3 17324779
NW4ME4, S2NW4, M2SW4
SEC 26 T16N R20E

ID 83235

DOWTON S M JR
PO BOX 7
CHALLIS

PARCEL NO: RP16N20E253010A
YEAR 999 -2 6856
BILL# 13.19
TAX 13.19
I A X P E R I N D E S *
CUSTER COUNTY TAX COLLECTOR
P.O. BOX 350
CHALLIS, IDAHO 83226
DATE PRINTED: 5/10/2000

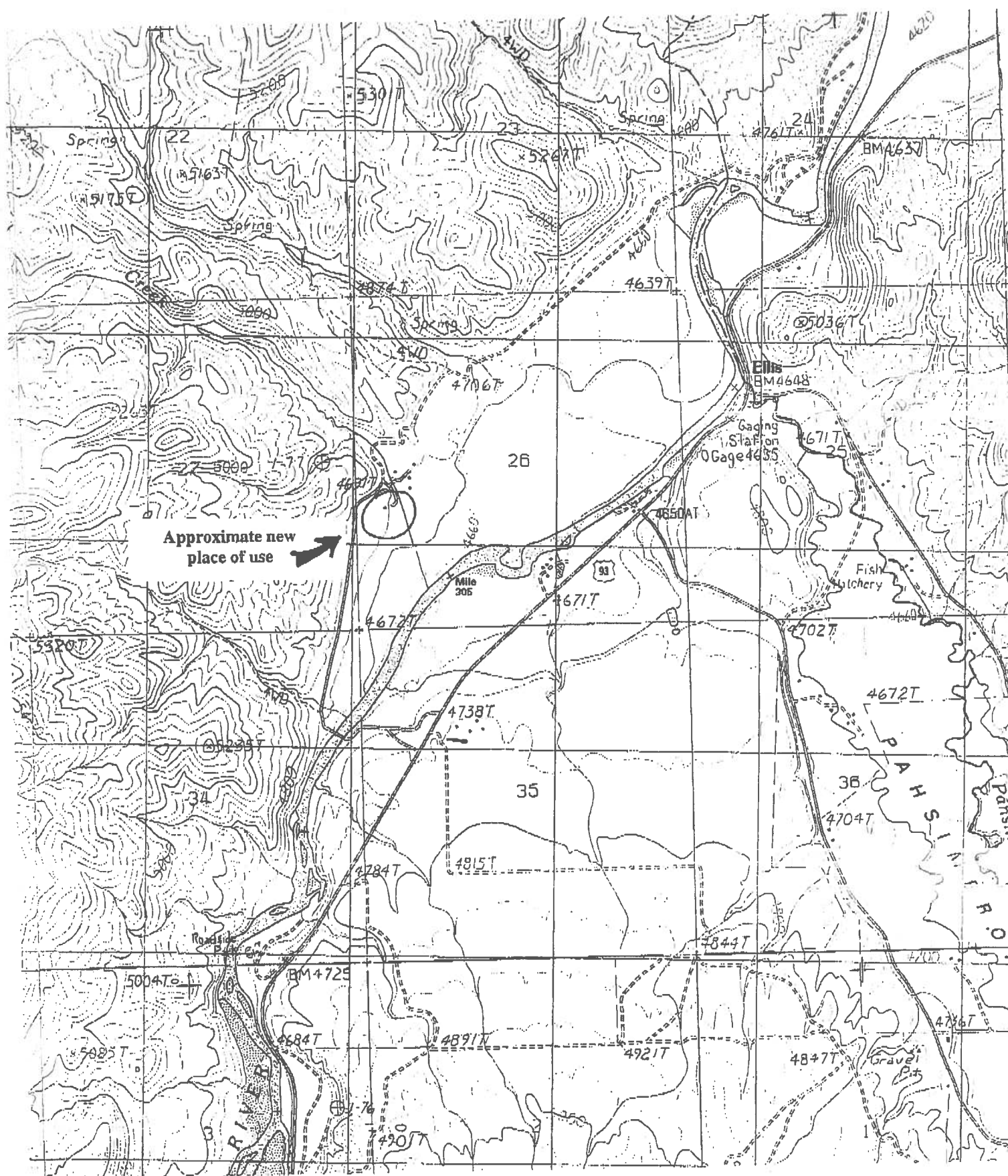
=====
TOTAL DUE: 13.19 VALID THROUGH: 6/20/2000
=====

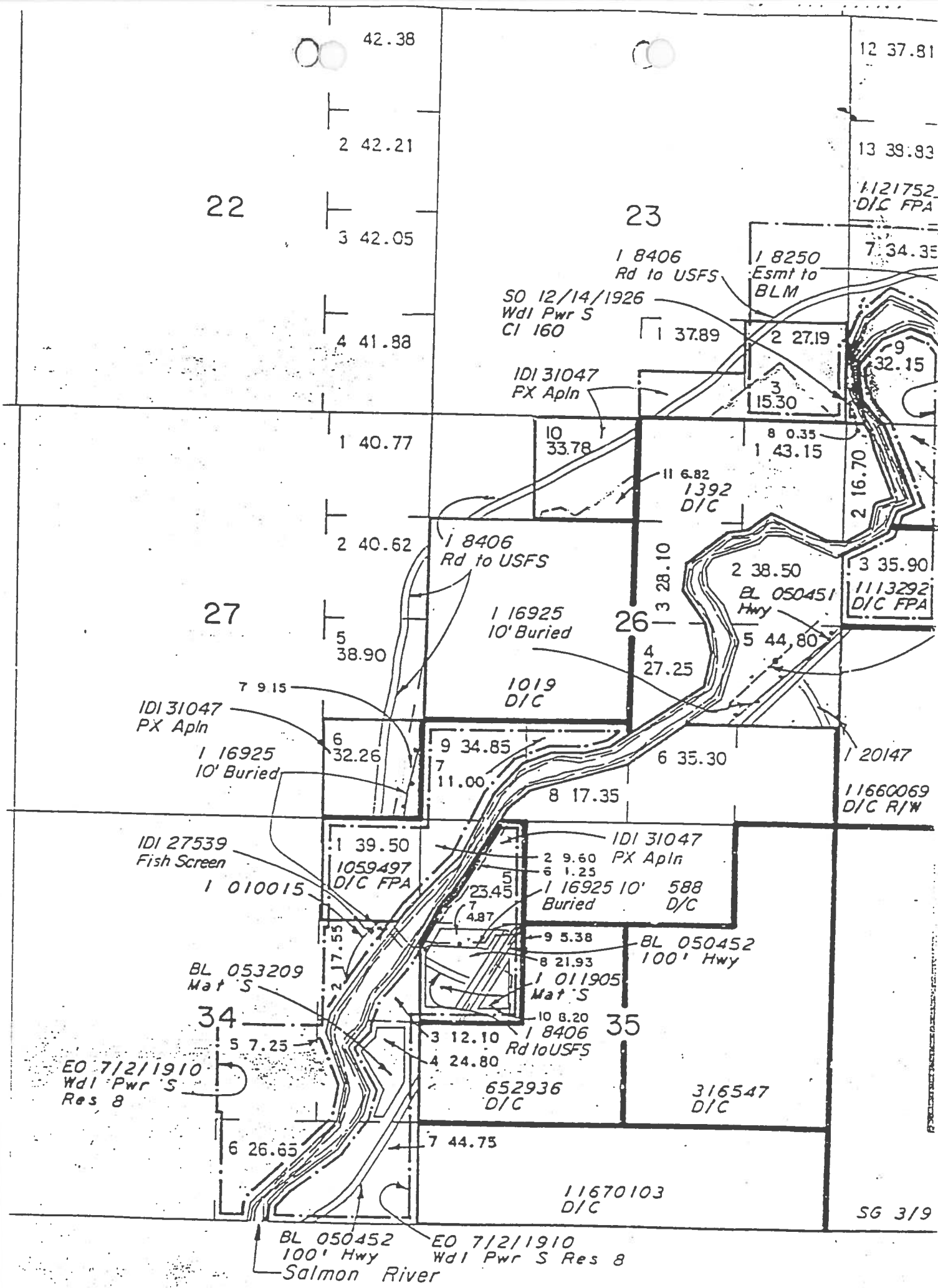
RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

LOT 2
SEC 25 T16N R20E

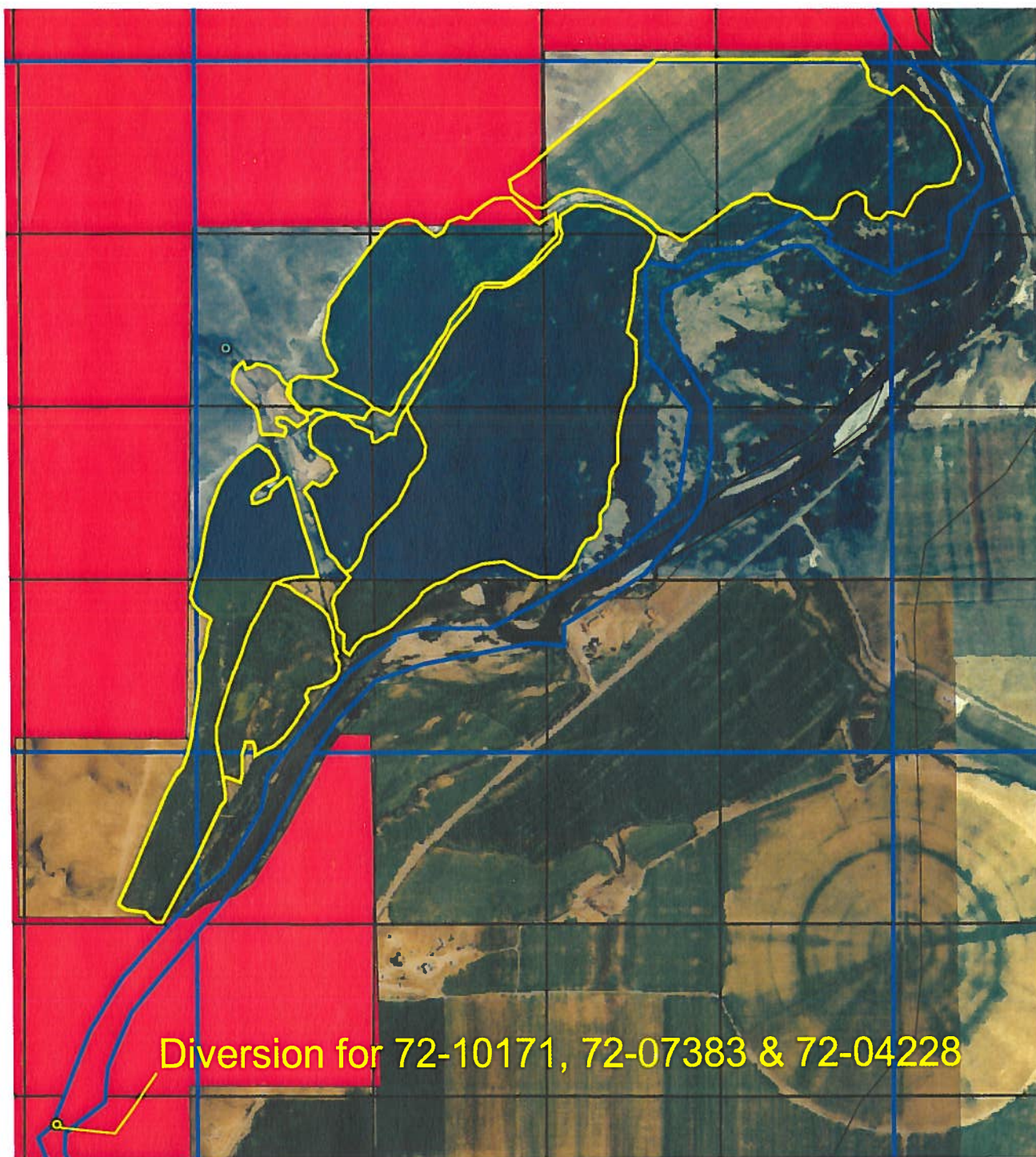
ID 83235

DOWTON S M JR
PO BOX 7
CHALLIS





Downton



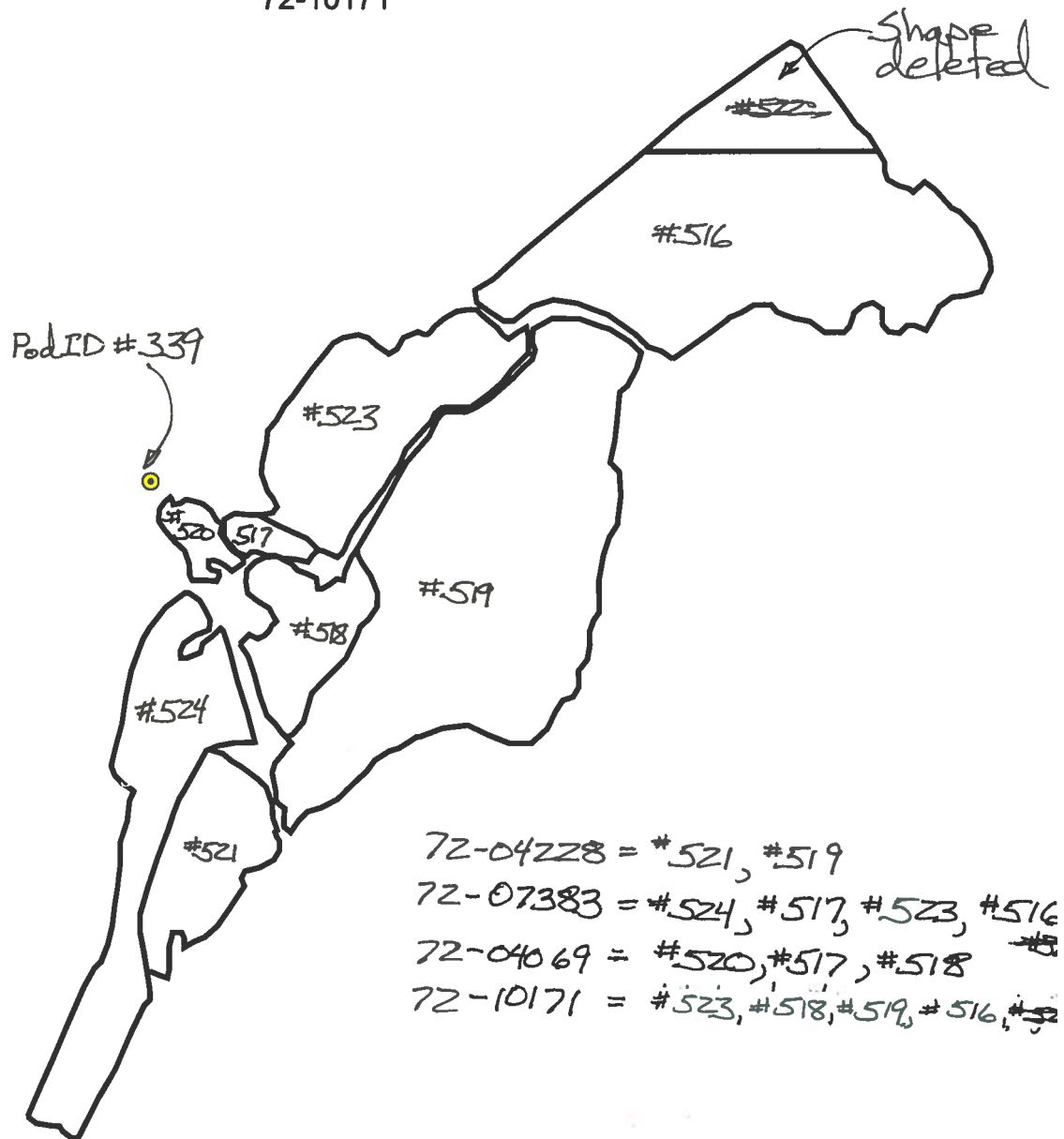
Diversion for 72-10171, 72-07383 & 72-04228

-  Section Lines
-  Quarter/Quarter Lines
-  Recommended Place of Use
-  Recommended Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1988 BLM
Layout Developed: 4/2000
By: D. Jones

DOWTON
72-04228, 72-04069, 72-07383,
72-10171



72-04228 = #521, #519
72-07383 = #524, #517, #523, #516
72-04069 = #520, #517, #518
72-10171 = #523, #518, #519, #516, #521

PodID #338

1320 0 1320 2640 Feet

- Subject Property
- Point(s) of Diversion
- Section Lines
- Quarter/Quarter Lines



Jones, Doug

To: wmyers@hollandhart.com
Subject: Dowton

Mr Myers,

I sent those off real quick without examining the information, sorry for the confusion. To answer your question, the bull's eye dots represent points of diversion. We try to highlight the diversion in question in yellow so it can be picked out of the constellation of dots. The dot in the layouts I sent does not represent the diversion for the rights you inquired about, it is from Ellis Cr for some minor acres within their farm not at issue with BLM.

I have attached another layout with the Dowton place in general shown, including the Salmon River diversion. I have tailored the picture to show the "non-private" land in red. The data is not quite rectified to the section/qq-tract data because it is from a different reference grid (it needs a very slight rotation to coincide). However, if you mentally do the rotation so the corners of the red line up with section/qq-tract (we call it GCDB - geographic coordinate data base), then you can discern the overlap of the water right and the non-private land (BLM in this case).

Sooo, now I may have addressed your original inquiry better. Please drop me a line (phone or email) if you have further questions or need other assistance.

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit



downton 4-00.jpg

RECEIVED

DEC 10 1999

Department of Water Resources

1999 DEC 08 PM 01:22
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) NOTICE SETTING STATUS
) CONFERENCE

) SUBCASE NOS: 72-04069 72-04228
72-07383 72-10171

— DOWTON —

Please be advised that Special Master THOMAS R CUSHMAN
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, MAY 19, 2000 at 02:30 PM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Dated: DECEMBER 08, 1999

/S/ TERI HRANAC
Deputy Clerk
Snake River Basin Adjudication

COPY

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 12/08/99

DATE: 01/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KAREN A DOWNTON	05/02/1980	IRRIGATION	04-15 10-15	2.350 CFS	410.60 AFA
C	SYDNEY M DOWNTON					
	PO BOX 7					
	ELLIS ID 83235					
				TOTAL DIVERSION:	2.350 CFS	410.60 AFA

Stage: LICENSE

CUSTER County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
16N	20E	25	---	---	---	---	---	02-01	---	---	---	---	---	---	---	---	---	---	1.4
16N	20E	26	01-25	23	03-	8	04	---	08	19	---	14	09-09	---	---	---	---	---	104.5
16N	20E	27	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	0.2
16N	20E	34	01-08	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	8.7
16N	20E	35	---	---	---	---	02-02	---	---	---	---	---	---	---	---	---	---	---	2.5
															TOTAL ACRES			117.3	

POU county: CUSTER

Other Rights: 72-04228 & 72-10171

Conditions of Approval:

- 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.

Remarks: USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS RIGHT IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED REMARK OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Dates:	Exam Made Date:	Verified Date:	01/11/2000	objection Filed Date:	05/21/1999
--------	-----------------	----------------	------------	-----------------------	------------

Misc: **Water District Number:**

Field Inspection Flag:
Presumption Flag:

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

She wants to meet with me to resolve the issues surrounding their claims... I agreed and told her I was currently reviewing their files to sort out what we discussed in Challis earlier. I welcome the chance to review this with them again to be sure I get the details accurate. We set an appt. for 1/11/00 at 8:30 am.

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

October 4, 1999

Regarding:

Sidney Dowton Claims Basin 72

Customer:

Gloria Romero
BLM

[illegible]

Gloria Romero, of the BLM, called to get information on some BLM land in Basin 72 that she believed was being irrigated by Sidney Dowton. They had served Mr. Dowton with a notice of trespass, and he was appealing. I found several claims in Mr. Dowton's name in the area that Ms. Romero was inquiring about, including a license issued by the Department in 1994. I sent her profile reports of the following AJ claims: 72-04069, 72-04228, 72-07383, 72-10171 as well as WR 72-07506. She said that the BLM thought that there was an irrigation well on BLM land that was supplying water to a pivot. I told her that all the claims we had in the area she identified as being close to the well claimed the Salmon River as source. She thought then that maybe what they were seeing was a pump, but not a well. I told her that Steve Clelland, of this office, had reviewed the claims and that if she had more questions about the system, he may be able to help her.

Jones, Doug

Subject: downton
Entry Type: Meeting 

Start: Wed 5/5/99 9:00 AM
End: Wed 5/5/99 1:30 PM
Duration: 4.5 hours

Claimants came in to talk to Steve about the recommendations for 72-04228, 72-04069, 72-10171, and 72-07383. They were referred to me.

We began by reviewing each right with regard to elements and possible problems. Each right appeared to have a concern with acreage and/or acre distribution. They also expressed some concern with priorities and point of diversion description.

I showed them where we had recommended the Salmon River PoD, since their layout did not show it. They described the point as where the headgate and side-channel spill are located. The recommended PoD appears to represent that point. The ditch ~~which~~ was extended upriver from the gate in the 70's or 80's to eliminate a check structure across the river. They were concerned about whether the gate or the ditch entrance was the "point of diversion". I had Allen Merritt consult with them on the matter. The Downton's were concerned that work on the entrance of the ditch was not protected under IDWR rules governing the Stream Channel Alteration program. Allen provided a memo dated 1/14/1999 explaining that work in the ditch and entrance to the ditch appears to be exempt from SCA permit requirements. The Downton's preference is that the PoD remain at the control structure so that the exorbitant losses between the ditch entrance and the control structure are not part of their right.

The priority date questions were apparently answered to their satisfaction except for the enlargement right - 72-10171. This right they feel may have partially been completed before the 1971 mandatory permit dates. I explained their burden to provide evidence of priority, etc. I suggested that they do their homework and at the first settlement conference indicate to us how they want their right(s) described.

The biggest area at issue is the number and distribution of acres in each 40-acre tract and under which right. I developed an alternative set of GIS polygons to describe their place. I attempted to isolate areas by delivery mechanism (flood vs sprinkler) and source. I believe they concur with the overall place of use included and boundaries for the polygons. We did not calculate acres per 40 yet. The layout is attached to file 72-04228.

The Downtons wanted me to complete their objections for them. I explained the limitations I have in doing something like that and we talked about the form in general. I encouraged them to object to all the recommendations so that the whole picture could be fitted together. Some areas will be adjusted claim-to-claim so each is a contested matter.

Stage: LICENSE

CUSTER County

SE

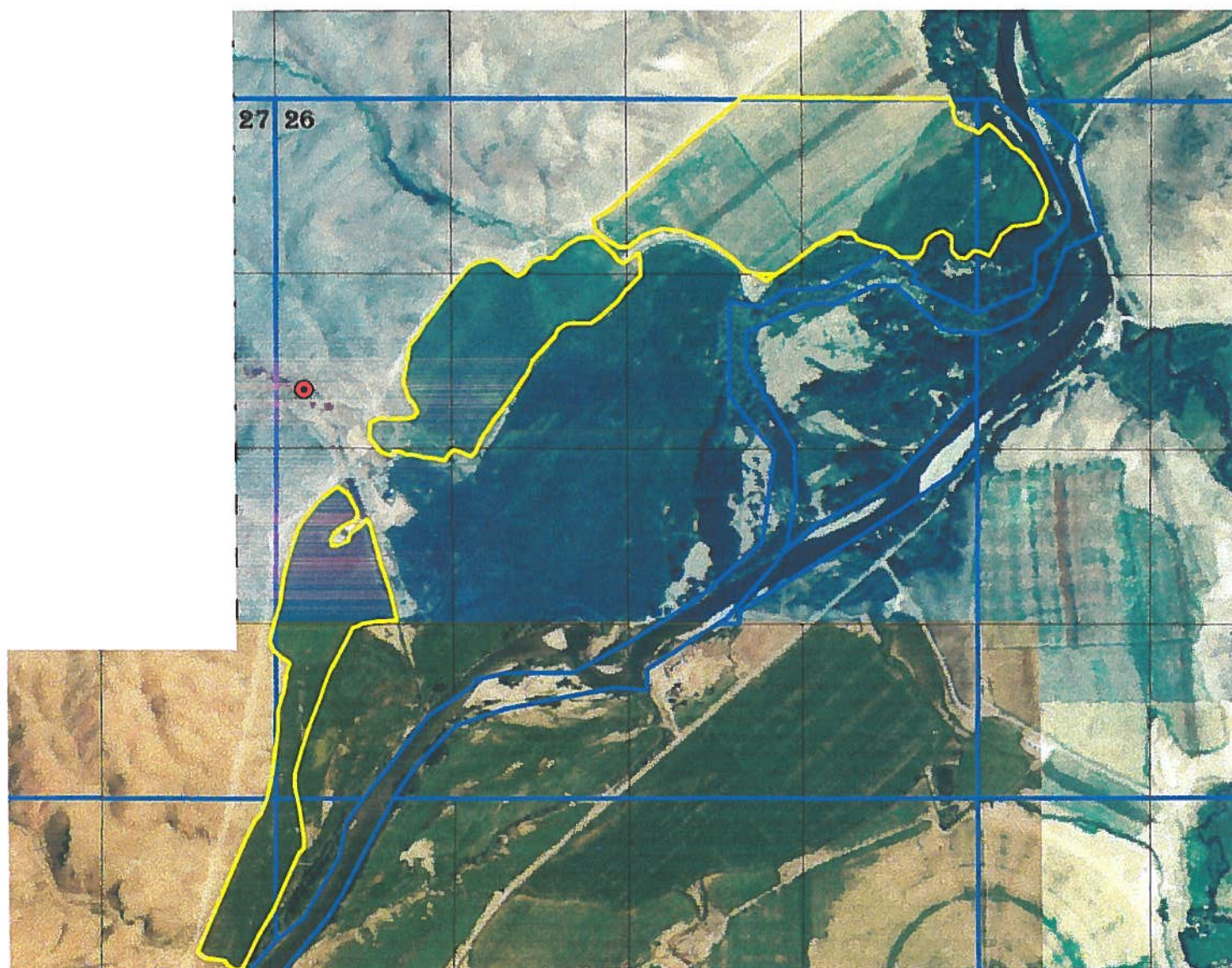
Other Rights: 72-04228 & 72-10171

THE USER WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES

72-07383

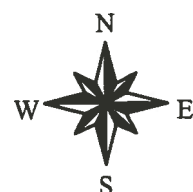


660 0 660 1320 1980 2640 FEET



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 16N
RNG: 20E
SEC: 26



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: JAN. 12, 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SYDNEY M DOWTON
KAREN A DOWTON
PO BOX 7
ELLIS ID 83235

RE: Notice of Error/Objection for SRBA claims 72-04228, 72-04069, 72-07383 & 72-10171

Dear Mr. & Mrs. Hansen,

This letter is in response to the Notice(s) of Error (NOE) and the Director's recommendation of the claim(s) listed above. As I said during our phone conversation on 3/26/99 that due to the limited response time, you and I were unable to coordinate a resolution of your concerns before the Director's Report was filed with the SRBA court.

The recommended place of use (POU) was determined from aerial photos, field examinations and documents relating to your water right. I am still willing to review the details of the recommendation of your water rights whenever you and I can schedule another appointment.

If you still disagree with IDWR's recommendations, you should file an Objection to the Director's Report with the court. This Objection form is enclosed for your use. IDWR will work with you to resolve these disputed issues, including efforts to obtain additional data or information.

Please feel free to contact me at our office if you need further information.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

COMMUNICATION DOCUMENTATION

Claim No. see below

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

3/26/99 4:45 AM

NAME:

RE:

KAREN DOWTON

CALLIN

APPT. FOR OBJECTION

She called to ask about the right listed from Ellis Creek... I told her how the rights were based on the claim and the field exam for statutory claims and how the recommendation can be objected to by her and her husband. She told me they are coming to TF on Monday and would like to meet and resolve these water rights; she says others are wrong also. I told her that would be the best way to discuss the claims and I am willing to review all the information they have to offer. I apologized for the short time available for responses in the NOE process but offered to meet with them and resolve the rights in the Objection phase. Claims: 72-04228, 72-04069, 72-07383 & 72-10171.

USE PERIOD	DIVERSION	DIVERSION
FROM	RATE	VOLUME
TO		
04-15	2.35 CFS	410.60 AFA
10-15		
	2.35 CFS	410.60 AFA
		294.00 AFA
TOTAL DIVERSION:		
CONSUMPTIVE USE:		

Tributary to: SNAKE RIVER

Stage: LICENSE

T16N R20E S34 Lot02(NENESE)

CUSTER County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: CUSTER

Non-Irrigation Uses: NONE.

Other Rights: NONE.

Other Water Rights Listing Overlapping Place(s) of Use:

A72-04069	A72-04228	A72-07383	A72-10171	R72-04069	R72-04228	R72-10171
-----------	-----------	-----------	-----------	-----------	-----------	-----------

Dates: **Exam Made Date:** **Verified Date:**

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/14/1995 User-ID: DSHAFF Subject: COPIED FROM REMARKS
REINSTATED 11-12-1985.

THIS DIVERSION & USE WAS STARTED AS A BENEFICIAL USE IN APRIL OF 1971.

Date: 07/14/1995 User-ID: DSHAFF Subject: DATA ENTRY

AJ0749NP
No. R72-07383

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/14/95
PAGE: 2

Comments:

Date: 07/14/1995 User-ID: DSHAFF Subject: DATA ENTRY
LICENSE ISSUED 4/20/93 WAS USED SAVE CONS. USE AMOUNT. FINAL
DATA ENTRY LEFT TO REVIEWER OF OVERLAPPING RIGHTS STILL IN
CLAIM REVIEW.

Audit: 07/14/95 DSHAFF

8-11-93

Albert Miller - F&G screen tender

- met @ S-20; says the ditch is way down in flow, due to cool, wet spring. He says work needs done to the wing dam in the Salmon River but it probably won't occur this year - too late in season to justify the expense.

* No measurement taken by IDWR.

Flow appears to be 6 inches below the "normal" high water line in the ditch.

1/12/99
Ser

IDFG meas.:

5/24/93	12.0	cfs
7/7/93	12.9	cfs

DATE OF PRESENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	UPDATER DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
QUANTITY AMOUNT CBS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

VERIFIED BY CODES

- TOPO MAP/ORTHO-PH = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

CLAIM NUMBER: 872-07383

OWNER
COTR

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

INTERESTION
DATE

INTERESTION
UNLIM

C SYDNEY M. TOLSON
C KAREN A. TOLSON
P.O. BOX 7
FITS ID 82235

05/02/1980

IRRIGATION

04-01 11-01

2.44 AFS

TOTAL DIVERSION:

2.44 AFS

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

State: VERMONT

Point(s) of diversion:

TIGR K20E S34

NEWSP

CUSTER County

Name of use legal description for: IRRIGATION

	NW				SW				SE				SUM
	NPNE	NUNE	SNNE	SENE	NPSE	NUSE	SSNE	SENE	NPSE	NUSE	SSSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N 20E 25													1.0
16N 20E 26													107.0
16N 20E 34													4.0
16N 20E 35													10.0
TOTAL ACRES													122.0

POU County: CUSTER

Non-Irrigation Uses: NONE.

Other Rights: NONE.

Non-Irrigation Use: NONE.

Conditions of Approval:

- A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Remarks: REINSTATED 11-12-1985.

THIS DIVERSION & USE WAS STARTED AS A BENEFICIAL USE IN APRIL OF 1971.

Date: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

LAST: TOWTON
ADDRESS: P.O. BOX 7
CITY: ELLIS
PHONE NUMBER: 208-000-0000
OWNER CODE: C
FIRST: SYDNEY M.
STATE: ID ZIP: 83235

LAST: TOWTON
ADDRESS: P.O. BOX 7
CITY: ELLIS
PHONE NUMBER: 208-000-0000
OWNER CODE: C
FIRST: KAREN A.
STATE: ID ZIP: 83235

FIELD EXAM REQUIRED?
UPPERIZATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: REINSTATED 11-12-1985.
1 THIS DIVERSION & USE WAS STARTED AS A BENEFICIAL USE IN APRIL OF 1971.
DATABASE
FIELD EXAMINER

A. AT CLAIM: # 472-07383 PRIORITY DATE: 05-02-1980 STAGE: P
B. WP RECORD: # 72-07383 PRIORITY DATE: 05-02-1980 STAGE: P

C. FIELD EXAM REQUESTED? FIELD EXAMINER
TRUE TO PRIORITY DATE DISCREPANCY? (Y/N) N DATABASE

ADD THESE OUTSTANDING REASONS TO QUESTION THE PRIORITY DATE CLAIM? (Y) N/)
IF YES EXPLAIN:

REMARKS:

===== RECOMMENDED PRIORITY DATE:
05-02-1980

DPURHPT PY

DATP

A. AT CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07283	14N	20E	34	NE	NE	SE		CUSTER

STUDY AT CLAIMS WITH CAMP AT POB
 A PREFIX R PREFIX
 NONE NONE 72-04228

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07383	16N	20E	34		NE	SE		CUSTER

OTHER WR RECORDS WITH SAME WR POB
 A1 CLAIMS IN SAME 40 ACRES TRACT
 A PREFIX R PREFIX

72-04228 NONE NONE

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIREMENTS

DUE TO POB DISCREPANCY? (Y/N)
 DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
 Y
 N

FIELD
 EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TRIP: RGE. SEC. 1/4 1/4 10T COUNTY

SOURCE: SALMON RIVER

TRIP: SNAKE RIVER

REVIEWED BY:

DATE:

A. ROOT WATER RIGHT NUMBERS: 472-07383

B. POU LISTING

TRUP	POU	SFC	1/A	1/A	TOT	NAME	A1 #/ADDRESS	UP #/ADDRESS	LANDSAT DATA	PFTM PYAM	WFOOM ACRES
16N	20E	25	NU	NU	2	TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 1.0 472-04228 / 6.0 472-10171 /	72-07383 / 1.0 72-04228 / 6.0 -			
16N	20E	26	NE	NE	1	TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 25.0 472-04228 / 5.0 472-10171 / 18.0	72-07383 / 25.0 72-04228 / 5.0 -			
16N	20E	26	NU	NE		TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 25.0 472-04228 / 6.0 472-10171 / 5.0	72-07383 / 25.0 72-04228 / 6.0 -			31.0
16N	20E	26	NU	NU		TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 2.0 472-04069 / 4.0	72-07383 / 2.0 72-04069 / 4.0			6.0
16N	20E	26	SE	NU		TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 25.0 472-04069 / 3.0 472-04228 / 12.0 472-10171 / 17.0	72-07383 / 25.0 72-04069 / 3.0 72-04228 / 12.0 -			38.0
16N	20E	26	NU	CU		TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 20.0 472-04069 / 19.0 472-04228 / 1.0 472-10171 / 10.0 472-10234 /	72-07383 / 20.0 72-04069 / 19.0 72-04228 / 1.0 -			26.0
16N	20E	26	CU	CU	9	TOULTON ; SYDNEY M. FOGGERMAN ; WORTH TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 10.0 472-10638 / 3.0 472-04228 / 19.0 472-10171 / 472-04009 / 3.0	72-07383 / 10.0 - 72-04228 / 19.0 72-04009 / 3.0			
16N	20E	34	NE	NE		TOULTON ; SYDNEY M.	472-07383 / 4.0	72-07383 / 4.0			
16N	20E	35	NU	NU	2	TOULTON ; SYDNEY M. FOGGERMAN ; WORTH TOULTON ; SYDNEY M. TOULTON ; SYDNEY M.	472-07383 / 10.0 472-10638 / 10.0 472-04228 / 2.0 472-10171 / 2.0 472-04009 / 10.0	72-07383 / 10.0 - 72-04228 / 2.0 - 72-04009 / 10.0			
TOTAL ACRES							122.00	122.00			101.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRE? FIELD EXAMINER
DOES TO YOU DISCREPANCY? (Y/N) DATABASE Y
COUNTY: CLUSTER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

PUTTERED BY:

DATE:

A. AS CLAIMED USES:

PURPOSES
472-07282 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

IRRIGATION QUANTITY
2.440 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.440 CFS

B. WR RECORDED USES:

PURPOSES
72-07282 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
2.440 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.440 CFS

RESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DIPS DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y () N ()

AT TOTAL CLAIMED DIVERSION RATE: 2.440 CFS
WR POINT RIGHT TOTAL DIVERSION RATE: 2.440 CFS

444 TO NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. 444
44 IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS 44
44 CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. 44

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD
DATABASE EXAMINER

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y () N () IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DTU, RATE	DTU, RATE/ACRE	DTU, UOI	DTU, UOI/ACRE
A72-07993	SALMON RIVER	TOWNTON, SYDNEY M.	2.440	0.020		
A72-04069	FLITE CREEK	TOWNTON, SYDNEY M.	1.150	0.039		
A72-04228	SALMON RIVER	TOWNTON, SYDNEY M.	10.000	0.101		
A72-10171	SALMON RIVER	TOWNTON, SYDNEY M.	10.000	0.036		
A72-04009	PAHSIMEROI RIVER	TOWNTON, SYDNEY M.	9.200	0.044		
A72-10038	PAHSIMEROI RIVER	POGGEFMAN, WORTH	9.200	0.044		

NOT ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-04228	STOCKWATER	TOWNTON, SYDNEY M.	FROM 01-01 TO 12-31	.120 CFS	

II

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

$\times 0.02 \text{ CFS/ACRE} =$
(Taken from p/u review)

CFS

1b. CALCULATIONS

Does amount claimed exceed 0.02 CFS/ACRE?

Y () N ()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N () ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE =

AE/A

ACRES $\times$ CONSUMPTIVE VOL. AF/A FOR AREA

=

TOTAL CONSUMPTIVE USE AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

AE/A

ACRES $\times$ DIVERSION VOL. AF/A FOR AREA

=

TOTAL DIVERSION VOLUME AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

=====

RECOMMENDATIONS:

=====

REC:
PURPOSES

REC: PERIOD
FROM TO

REC: ITU
RATE CES

REC: ITU
UNIT: A5/A

REC: CONS.
ISSR

INVESTIGATION

04-01

11-01

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

2.440

0.0

PREPARED BY:

DATE:

=====

A. CHECK ONLY THE FOLLOWING THAT APPLY:

MEMBERSHIP
PROPERTY/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
APPLIC
REFUSED
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-07383

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.440

EXAMINER

OPS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

72-07383

2.440

-

72-07383

2.440

TOTAL CFS

2.440

2.440

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE: