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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 10 2009

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Water Right Nos.: 73-00049,
) 73-00155A and 73-10061
) (Dowton)
)
) ORDER OF PARTIAL DECREES
)

On January 25, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 73, Part 1, Reporting Area 23, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On June 18, 2008, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a substitution of party in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED

June 10, 2009

J. M. Melanson
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-00155A

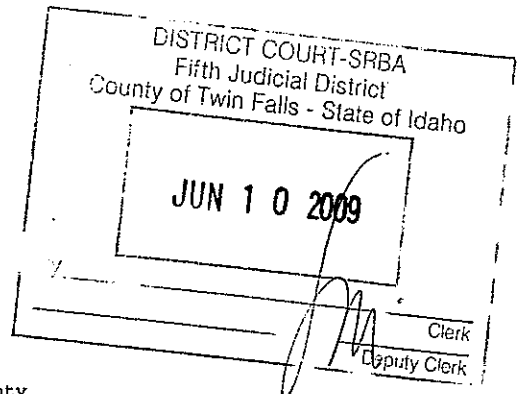
NAME AND ADDRESS: KAREN A DOWTON
SYDNEY M DOWTON
PO BOX 7
ELLIS, ID 83235

SOURCE: FALLS CREEK TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.23 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S01 NWSESE Within Lemhi County



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.23 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R22E S15	SWNW 21.0 NESW 33.0
	S16	NENE 40.0 SWNE 14.0
		SENW 40.0 NWNE 40.0 SENE 12.0
	200.0 Acres Total	

Right Nos. 73-49 and 73-155A are limited to the irrigation of a combined total of 200 acres in a single irrigation season.

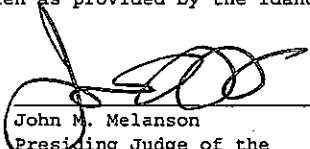
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Patterson Creek (also known as Spring Creek) and Falls Creek are independent of each other and appropriations of water from one of said streams in no way affects the appropriations from the other that neither of said streams is a tributary of the other.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-10061

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

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 4.00 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S35 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.00 CFS

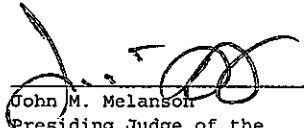
PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R22E S16	NWSE 2.7
		NESE 20.0
		SESE 25.0
	S21	NENE 25.0
	72.7 Acres Total	

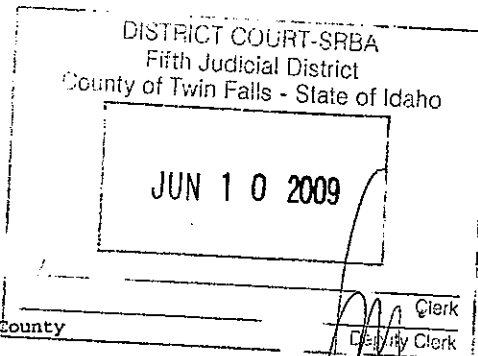
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 10, 2009, with sufficient first-class postage to the following:

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

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

ORDER

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Deputy Clerk