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JUN 10 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 9 2009	
By _____	Clerk Deputy Clerk

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

)
) Water Right Nos.: 73-12047,
) 73-12103 and 73-12104
) (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 September 4, 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 change in the point of diversion element 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)*.

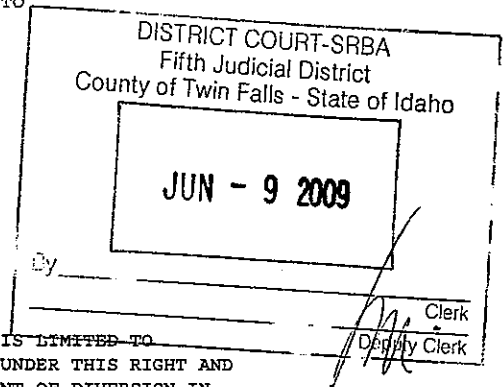
DATED June 9, 2009


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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-12047



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

SOURCE: PASHIMEROI RIVER TRIBUTARY: SALMON RIVER

DIVERSION OF WATER FROM THE PASHIMEROI RIVER IS LIMITED TO
THOSE TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND
PRIORITY FROM DUCK SPRING AT THE ORIGINAL POINT OF DIVERSION IN
THE SESW, S26, T15N, R21E, AND TO THE AMOUNT OF WATER THAT
ACTUALLY REACHES THE PASHIMEROI RIVER AND TO THOSE TIMES WATER IS
AVAILABLE FOR DIVERSION UNDER THIS RIGHT AND PRIORITY FROM
PATTERSON CREEK AT THE ORIGINAL POINT OF DIVERSION IN THE SWSE,
S26, T15N, R21E, AND TO THE AMOUNT OF WATER THAT ACTUALLY REACHES
THE PASHIMEROI RIVER.

QUANTITY: 0.35 CFS

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.

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION: T15N R21E S08 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.35 CFS

PLACE OF USE: Irrigation Within Custer County
T15N R21E S07 SENE 6.6
6.6 Acres Total

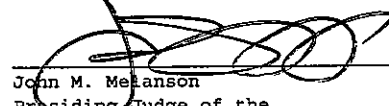
Right Nos. 73-12047, 73-12103, and 73-12104 are limited to the
irrigation of a combined total of 6.6 acres in a single
irrigation season.

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

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.



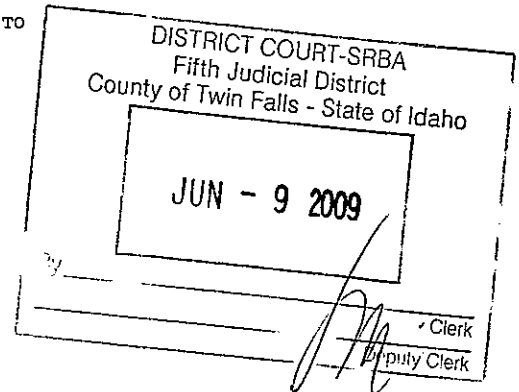
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 73-12103



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

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.20 CFS

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.

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION: T15N R21E S08 SESW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS

PLACE OF USE: Irrigation Within Custer County
T15N R21E S07 SENE 6.6
6.6 Acres Total

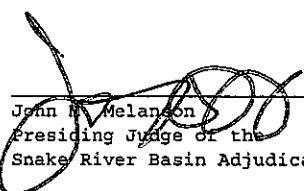
Right Nos. 73-12047, 73-12103 and 73-12104 are limited to the
irrigation of a combined total of 6.6 acres in a single
irrigation season.

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

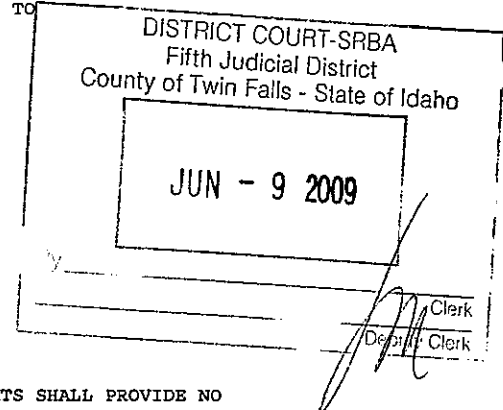
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 73-12104



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

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.20 CFS

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.

PRIORITY DATE: 02/18/1926

POINT OF DIVERSION: T15N R21E S08 SESW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS

PLACE OF USE: Irrigation Within Custer County
T15N R21E S07 SENE 6.6
6.6 Acres Total

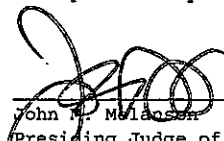
Right Nos. 73-12047, 73-12103, and 73-12104 are limited to the
irrigation of a combined total of 6.6 acres in a single
irrigation season.

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
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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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 09, 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

Page 1 6/09/09

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Deputy Clerk


Julie Murphy