

RECEIVED

SEP 06 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern RegionName of Applicant Jimmie L. and/or Maria Elena Dowton Phone (208) 876-4264Post Office address HC 62, Box 2320, May, ID 83253

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant is consolidating his irrigation water delivery system for better efficiency.

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

1. Right Number 73-2170 Priority 02/04/1910 Amount (cfs/ac-ft) 1.6 cfs Nature of Use irrigation Period of Use 04/01 to 10/31
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 1.6 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Peterson Springs tributary to Patterson Creek
 _____ tributary to _____
 _____ tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	21	15N	21E	Custer Lemhi	P-8

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	16									39		23						62.0

Total Acres 62.0

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PART 1

6. General Information:

- a. Description of diversion system Water will be delivered in the "P-8" ditch, pumped from the ditch and delivered to the place of use by means of ditches and/or pipelines and a flume across the Pahsimeroi River.
- 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:
There is no change to the place of use.
- d. Remarks:
Peterson Springs has historically been delivered to the place of use under this right in a ditch that is approximately 2.3 miles in length running roughly parallel to Patterson Creek and the Pahsimeroi River. The applicant proposes allowing his water right in Peterson Springs to flow into Patterson Creek, hence into the Pahsimeroi River for delivery with his other water rights at "P-8".
Water will leave the Pahsimeroi River on the west side in the "P-8" ditch and then be flumed across the Pahsimeroi River to the existing place of use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

_____ for the Director

74097

page 3 of 5

74097

01/23/2007

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

RIGHT NUMBER: 73-2170

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

JIMMIE L DOWTON
HC 62 BOX 2320
MAY ID 83253

SOURCE: PETERSON SPRINGS

TRIBUTARY: PATTERSON CREEK

QUANTITY: 1.600 CFS

PRIORITY DATE: 02/10/1961

POINT OF
DIVERSION: T15N R21E S26 NESWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S16	NESW	39.00	T15N R21E S16	SWSW	23.00
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62 ACRES TOTAL

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

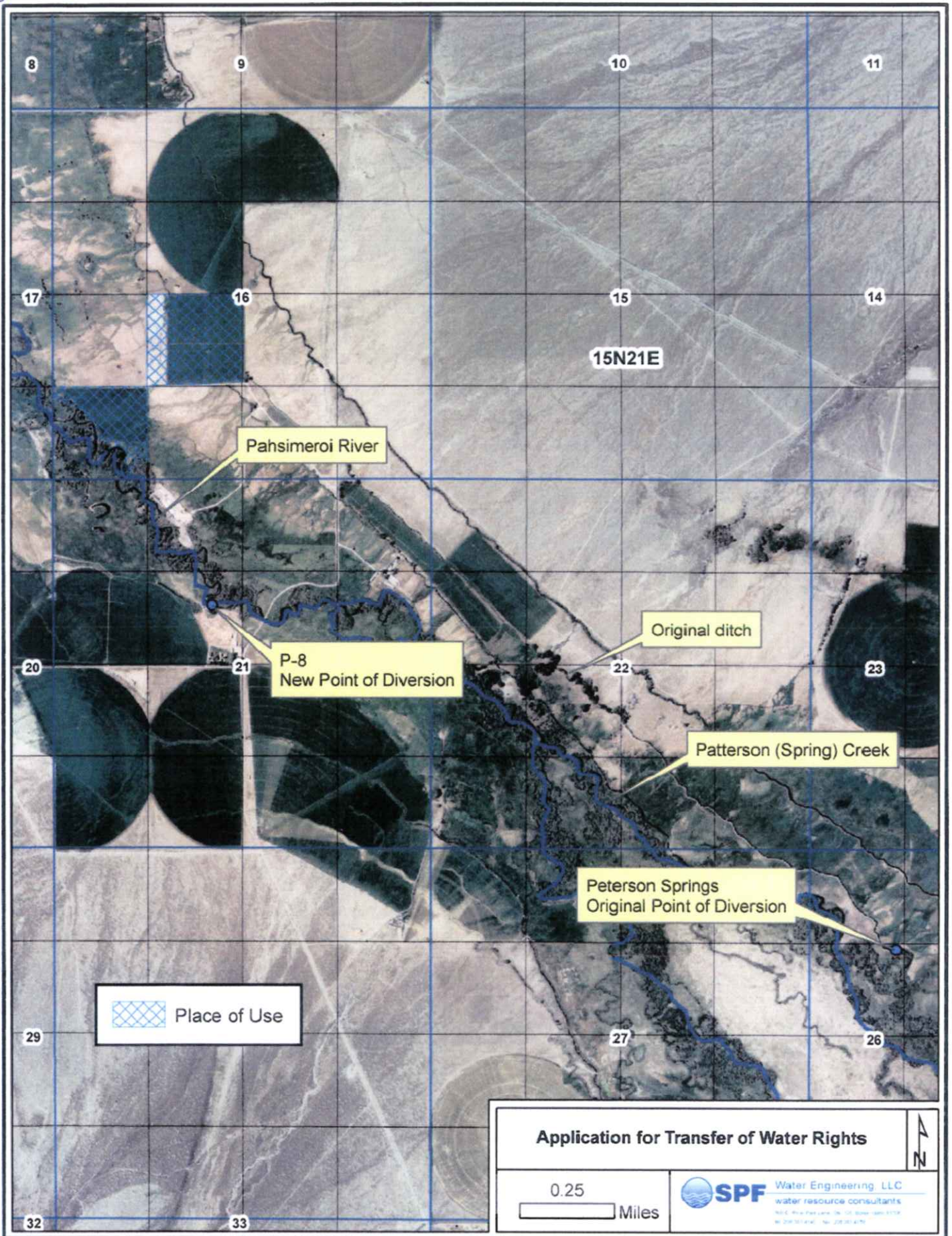
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Patterson Creek is locally known as Spring Creek.

74097



PART 3

B. CHANGES IN NATURE OF USE

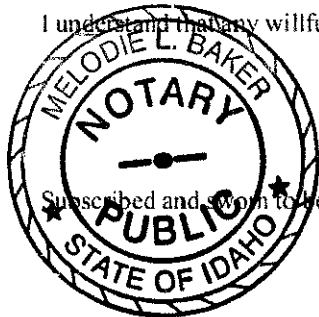
1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
				to
				to

Quantity and quality of return flows and location of discharge: _____

2. 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.



Jimmie S. Downton
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of August, 20 07.

Melodie L. Baker
(Notary Public)

My commission expires 12/11/12

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments

Received by _____ Date 9-6-07 Protest filed by _____

Prelim. Check by _____ Fee 290

Received by _____ Date 9-6-07 EB33327

Published in Challis Messenger Recorder Herald Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

74097

(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 GRANTOR(S)
 hereby CONVEYS, GRANTS and WARRANTS TO State of Idaho
 JIMMIE L. DOWTON and MARTA ELENA DOWTON, husband and wife,
 of May County of Lemhi GRANTEE(S)
 for the sum of FOUR HUNDRED FIFTY THOUSAND & NO/100- - - Dollars (\$450,000.00) State of Idaho
 the following described tract(s) of land in Lemhi and Custer County, State of Idaho:

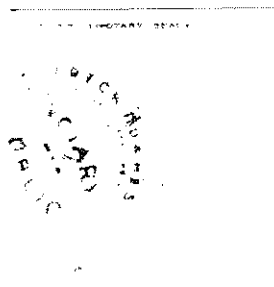
E $\frac{1}{2}$ SW $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{2}$, SE $\frac{1}{2}$ SE $\frac{1}{2}$, S. 17;
 N $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$, S. 20, T. 15 N., R. 21, E.B.M.;
 NW $\frac{1}{2}$ NW $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ SW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

225523
 Custer County Reg. CC T
 Time 2:50 P M Date 9-3-2002
 Ethel M. Peck, Clerk
 Deputy

State of Idaho) SS No.
 County of Lemhi)
 This instrument was filed for record at the request
 of Lemhi Title
 at 4:45 o'clock P M 9-6-2002
 and duly filed and indexed in the records of Lemhi
 County Terri J. Morton
 Ex-Officio Recorder
 By Jana Eagle Deputy
 Fee 3.
 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



State of Idaho } ss. On the 2nd day of May A.D. 1975
 County of Lemhi }
 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
 Residing at: Salmon, Idaho My Commission expires: 12-1-75

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name _____
 Address _____
 City & State _____

ATTACHMENT T 74097
 1 OF 1