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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69630

This is to certify that: SYDNEY L DOWTON AND/OR
KAREN A DOWTON
PO BOX 7
ELLIS ID 832350007
(208)876-4225

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
72-4069	WR/Decreed	06/01/1915	0.42 cfs		21.2	265.0	ELLIS CREEK
72-4228	WR/Decreed	06/01/1919	8.91 cfs		99.0	265.0	SALMON RIVER
72-7383	WR/Decreed	05/02/1980	2.35 cfs	410.6 af	117.3	265.0	SALMON RIVER
72-10171	WR/Decreed	06/01/1982	0.97 cfs		48.7	265.0	SALMON RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-4069	NO	NO	NO	YES	NO	NO
72-4228	NO	NO	NO	YES	NO	NO
72-7383	NO	NO	NO	YES	NO	NO
72-10171	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
72-4069	72-4069	0.42 cfs	87.0 af	21.2	265.0		N/A	N/A	N/A	N/A
72-4228	72-4228	8.91 cfs	353.2 af	99.0	265.0		N/A	N/A	N/A	N/A
72-7383	72-7383	2.35 cfs	410.6 af	117.3	265.0		N/A	N/A	N/A	N/A
72-10171	72-10171	0.97 cfs	170.4 af	48.7	265.0		N/A	N/A	N/A	N/A
TOTALS		11.68 cfs	947.0 af	265.0	265.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 8th day of April, 2002

L. Glen Sactor
Chief, Water Allocation Bureau

MICROFILMED

OCT 14 2002

WATER RIGHT NO. 72-4069
As Modified by Transfer No. 69630

In accordance with the approval of Transfer No. 69630, Water Right No. 72-4069 is now described as follows.

Right Holder: KAREN A DOWTON AND/OR
 SYDNEY L DOWTON
 PO BOX 7
 ELLIS ID 83235

Priority Date: 06/01/1915

Source: ELLIS CREEK
 * GROUND WATER

Tributary: SALMON RIVER
 ELLIS CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.42 CFS	74.2 AF
STOCKWATER	01/01 to	12/31	0.23 CFS	12.8 AF
			0.42 CFS	87.0 AF

LOCATION OF POINT(S) OF DIVERSION:

ELLIS CREEK SWSWNW Sec. 26 Twp 16N Rge 20E CUSTER County

* GROUND WATER Lot 9 SESWSW Sec. 26 Twp 16N Rge 20E 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	
16N 20E 25						7.8											7.8
						L2											
16N 20E 26	33.0	31.0	21.0				11.0	39.0	38.0	27.0	29.0	2.7		13.0			244.7
	L1		L3								L9	L7		L4			
16N 20E 34	9.1																9.1
	L1																
16N 20E 35						3.4											3.4
						L2											

Total Acres: 265

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 20E 25						X											
						L2											
16N 20E 26	X	X	X				X	X	X	X	X	X		X			
	L1		L3								L9	L7		L4			
16N 20E 34	X																
	L1																
16N 20E 35						X											
						L2											

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OCT 10 2002

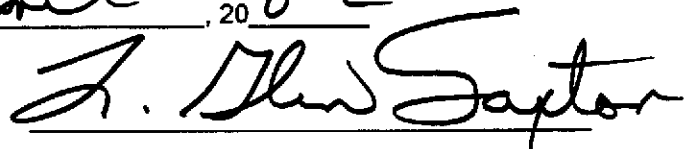
WATER RIGHT NO. 72-4069
As Modified by Transfer No. 69630

CONDITIONS OF APPROVAL

- *1. Diversion of ground water is limited to those times water is available for diversion under this right and priority from Ellis Creek at the point of diversion described above.
2. This right is limited to the irrigation of 21.2 acres within the place of use described above in a single irrigation season.
- *3. Rights 72-4069, 72-4228, 72-7383 and 72-10171 when combined shall not exceed a total diversion rate of 11.68 cfs from surface water diversions or 6.45 cfs from ground water diversion, a total annual maximum diversion volume of 947.0 af at the field headgate, for the irrigation of 265.0 acres and stockwater use.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. 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.
6. 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.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 8th day of April, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 04 2002

WATER RIGHT NO. 72-4228
As Modified by Transfer No. 69630

In accordance with the approval of Transfer No. 69630, Water Right No. 72-4228 is now described as follows.

Right Holder: KAREN A DOWTON AND/OR
 SYDNEY L DOWTON
 PO BOX 7
 ELLIS ID 83235

Priority Date: 06/01/1919

Source: SALMON RIVER
 * GROUND WATER

Tributary: SNAKE RIVER
 SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to 12/31		0.02 CFS	6.7 AF
IRRIGATION	04/01 to 10/31		8.91 CFS	346.5 AF
			8.91 CFS	353.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWNESE Sec. 34 Twp 16N Rge 20E CUSTER County

* GROUND WATER Lot 9 SESWSW Sec. 26 Twp 16N Rge 20E CUSTER County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N 20E 25						X L2											
16N 20E 26	X L1	X	X L3				X	X	X	X	X	X		X L4			
16N 20E 34	X L1																
16N 20E 35						X L2											

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	
16N 20E 25						7.8 L2											7.8
16N 20E 26	33.0 L1	31.0	21.0 L3				11.0	39.0	38.0	27.0	29.0 L9	2.7 L7		13.0 L4			244.7
16N 20E 34	9.1 L1																9.1
16N 20E 35						3.4 L2											3.4

Total Acres: 265

CONDITIONS OF APPROVAL

1. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the point of diversion described above.
2. This right is limited to the irrigation of 99.0 acres within the place of use described above in a single irrigation season.

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OCT 24 2002

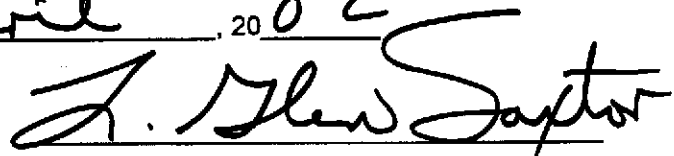
WATER RIGHT NO. 72-4228
As Modified by Transfer No. 69630

CONDITIONS OF APPROVAL

3. Right 72-10171 is an enlargement of Right 72-4228 pursuant to Section 42-1426, Idaho Code.
- *4. Rights 72-4228 and 72-10171 when combined shall not exceed a total diversion rate of 8.91 cfs from the Salmon River or 6.45 cfs from ground water.
- *5. Rights 72-4069, 72-4228, 72-7383 and 72-10171 when combined shall not exceed a total diversion rate of 11.68 cfs from surface water diversions or 6.45 cfs from ground water diversion, a total annual maximum diversion volume of 947.0 af at the field headgate, for the irrigation of 265.0 acres and stockwater use.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 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.
8. 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.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

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 8th day of April, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 04 2002

WATER RIGHT NO. 72-7383
As Modified by Transfer No. 69630

In accordance with the approval of Transfer No. 69630, Water Right No. 72-7383 is now described as follows.

Right Holder: KAREN A DOWTON AND/OR
 SYDNEY L DOWTON
 PO BOX 7
 ELLIS ID 83235

Priority Date: 05/02/1980

Source: SALMON RIVER
 * GROUND WATER

Tributary: SNAKE RIVER
 SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	2.35 CFS	410.6 AF
			2.35 CFS	410.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWNESE Sec. 34 Twp 16N Rge 20E CUSTER County

* GROUND WATER Lot 9 SESWSW Sec. 26 Twp 16N Rge 20E 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	
16N 20E 25						7.8 L2											7.8
16N 20E 26	33.0 L1	31.0	21.0 L3				11.0	39.0	38.0	27.0	29.0 L9	2.7 L7		13.0 L4			244.7
16N 20E 34	9.1 L1																9.1
16N 20E 35						3.4 L2											3.4
Total Acres: 265																	

CONDITIONS OF APPROVAL

- *1. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the point of diversion described above.
2. This right is limited to the irrigation of 117.3 acres within the place of use described above in a single irrigation season.
- *3. Rights 72-4069, 72-4228, 72-7383 and 72-10171 when combined shall not exceed a total diversion rate of 11.68 cfs from surface water diversions or 6.45 cfs from ground water diversion, a total annual maximum diversion volume of 947.0 af at the field headgate, for the irrigation of 265.0 acres and stockwater use.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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OCT 6 1992

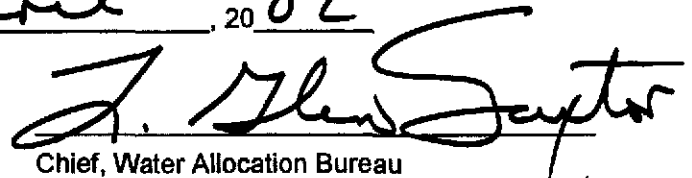
WATER RIGHT NO. 72-7383
As Modified by Transfer No. 69630

CONDITIONS OF APPROVAL

5. 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.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03-19-2001.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 8th day of April, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 04 2002

WATER RIGHT NO. 72-10171
As Modified by Transfer No. 69630

In accordance with the approval of Transfer No. 69630, Water Right No. 72-10171 is now described as follows.

Right Holder: KAREN A DOWTON AND/OR
 SYDNEY L DOWTON
 PO BOX 7
 ELLIS ID 83235

Priority Date: 06/01/1982

Source: SALMON RIVER
 * GROUND WATER

Tributary: SNAKE RIVER
 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	0.97 CFS	170.4 AF
			0.97 CFS	170.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWNESE Sec. 34 Twp 16N Rge 20E CUSTER County

* GROUND WATER Lot 9 SESWSW Sec. 26 Twp 16N Rge 20E 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	
16N 20E 25						7.8 L2											7.8
16N 20E 26	33.0 L1	31.0	21.0 L3				11.0	39.0	38.0	27.0	29.0 L9	2.7 L7		13.0 L4			244.7
16N 20E 34	9.1 L1																9.1
16N 20E 35						3.4 L2											3.4
Total Acres: 265																	

CONDITIONS OF APPROVAL

- *1. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Salmon River at the point of diversion described above.
2. This right is limited to the irrigation of 48.7 acres within the place of use described above in a single irrigation season.
3. Right 72-10171 is an enlargement of Right 72-4228 pursuant to Section 42-1426, Idaho Code.
- *4. Rights 72-4228 and 72-10171 when combined shall not exceed a total diversion rate of 8.91 cfs from the Salmon River or 6.45 cfs from ground water.
- *5. Rights 72-4069, 72-4228, 72-7383 and 72-10171 when combined shall not exceed a total diversion rate of 11.68 cfs from surface water diversions or 6.45 cfs from ground water diversion, a total annual maximum diversion volume of 947.0 af at the field headgate, for the irrigation of 265.0 acres and stockwater use.

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APR 9 1992

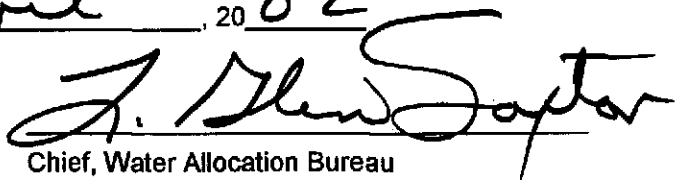
WATER RIGHT NO. 72-10171
As Modified by Transfer No. 69630

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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 8th day of April, 2002


Chief, Water Allocation Bureau

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OCT 04 2002

2001 FEB -1 PM 3: 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

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 72-04228
)
)
)

On December 29, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-04228 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

FEB - 1 2001

DATED _____.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

OCT 14 2002

2001 FEB 01 PM 02:00
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 72-04228

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-04228 was mailed
on February 01, 2001, with sufficient first-class postage prepaid
to the following:

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

KAREN A DOWTON
SYDNEY M DOWTON
Represented by:
WILLIAM G. MYERS III
PO BOX 2527
BOISE, ID 83701-2527
Phone: 208-342-5000

DIANA DELANEY
Chief Deputy Clerk

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OCT 04 2002

CERTIFICATE OF MAILING

PAGE 1
02/01/01

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 72-04228

2001 FEB -1 PM 3:22
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 8.91 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
DESCRIBED FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT
WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 72-10171 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.91 CFS.

PRIORITY DATE: 06/01/1919

POINT OF DIVERSION: T16N R20E S34 LOT 05 (NWNSE) Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	8.91 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T16N R20E S25 LOT 02 (NWNW) 7.8	
	S26 LOT 01 (NENE)33.0	NWNE 31.0
	LOT 03 (SWNE)21.0	SWNW 11.0
	SENW 39.0	NESW 38.0
	NWSW 27.0	LOT 09 (SWSW)29.0
	LOT 07 (SESW) 2.7	LOT 04 (NWSE)13.0
	S34 LOT 01 (NENE) 9.1	
	S35 LOT 02 (NWNW) 3.4	
	265.0 Acres Total	

Stockwater	Within Custer County
Same as Irrigation	

USE OF THIS RIGHT WITH RIGHTS 72-04069, 72-07383 AND 72-10171
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 265 ACRES
IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 99.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

MICROFILMED

OCT 8 4 2002

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED
OCT 04 2002

MEMORANDUM

Date: January 23, 2003

To: Transfer Nos. 69636 and 69630

From: Jeff Peppersack

Re: Proposed Diversion Construction – Jerry Foster

The attached is a diagram of plan for construction of diversion works for one or both of these transfers (details provided by Jerry Foster were limited). The transfers approved a change in points of diversion from the river to wells near the river. Apparently the wells are not working out due to poor production so the driller, Jerry Foster, has proposed excavation near the banks of the river as diagrammed.

I called Jerry Foster to let him know that the change would be ok regarding water right concerns as long as the locations are still consistent with the authorized water rights. I indicated that he should discuss the proposal with Rob Brochu with Army Corps prior to proceeding to discuss any 404 permit concerns.

MICROFILMED

MAR 20 2003

Attention : MARK SLIFKA

From : Jerry Foster - Driller
768 - 2677

Pages 2 including this.

RECEIVED

JAN 21 2003

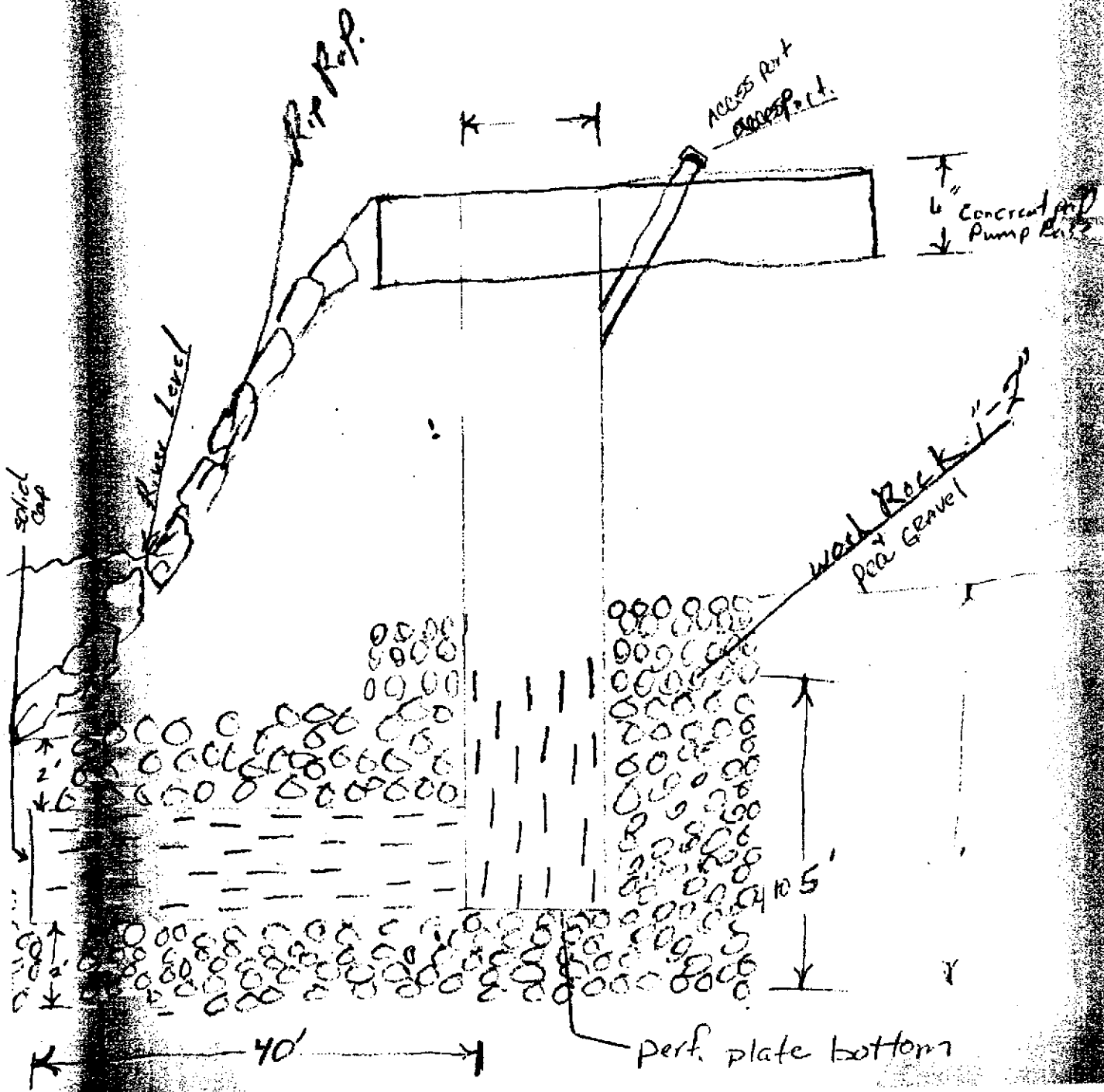
Department of Water Resources

MICROFILMED

MAR 20 2003



1- dug diversion
12"
1- dug diversion
16"



MICRO

MAR 20 2003

MEMORANDUM

TO: FILE 72-04228

FROM: VAULT

RE: TRANSFER # 69630

DATE: 3/22/02

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 72-04069

MICROFILMED

OCT 14 2002