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FEB 25 2005

DEPARTMENT OF
WATER RESOURCES

2005 FEB 24 AM 11:23

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

)
)
) **ORDER GRANTING MOTION TO FILE**
) **LATE NOTICE OF CLAIM**
) **For water right: 43-13363**
)
)

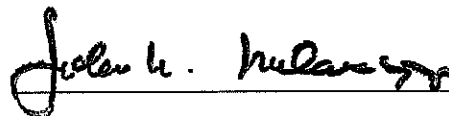
On November 10, 2004, Claimants Larry Henson and Jackie Henson filed a *Motion to File Late Notice of Claim* for the above water right. On February 22, 2005, a hearing was held on the *Motion*. Mr. Henson appeared to support the *Motion*.

Following questioning by the Court, the Court has concluded that the Claimant presented proper grounds for the *Motion to File Late Notice of Claim* to be granted.

Therefore, IT IS ORDERED, that the above water right is hereby **allowed** to proceed as a claim.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the I.D.W.R for further action.

Dated: February 25, 2005.



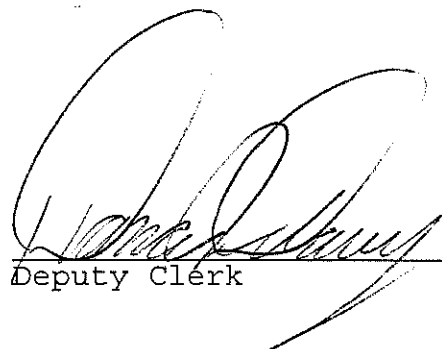
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 23, 2005, with sufficient first-class postage to the following:

JACKIE HENSON
LARRY HENSON
PO BOX 183
ALMO, ID 83312
Phone: 208-824-5543

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



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 43-13363
Date Received: 10/29/2004
Receipt No:
Received By: *CD 76932*
JM

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LARRY HENSON Phone: (208)824-5543

PO BOX 183
ALMO ID USA 83312

JACKIE HENSON Phone: (208)824-5543

PO BOX 183
ALMO ID USA 83312

2. Date of Priority: 12/31/1878

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15S	24E	22	NE NE SE	CASSIA	

5. Description of diverting works:

CURRENTLY WATER SPRINGS OUT OF THE GROUND AND IS COLLECT IN AN AGING CONCRETE STRUCTURE THAT SURROUNDS THE SPRING. STRUCTURE HAS HISTORICALLY BEEN USED AS POOL FOR SWIMMING AND BATHING. PRIOR TO CONSTRUCTION OF THE CONCRETE STRUCTURE UNDEVELOPED POND WAS USED FOR SAME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
RECREATION	01/01	12/31	0.63	

7. Total Quantity Appropriated is:
0.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	24E	22	NE	SE	RECREATION	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

SOURCE AKA BATH SPRING

15. Basis of Claim: Beneficial Use

16. Signature(s)

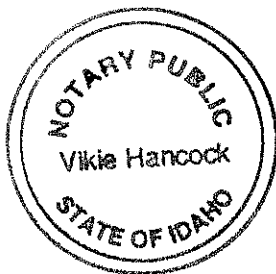
For Individuals:

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

Signature of Claimant(s): [Signature] Date: 10/29/2004
Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 29th day of October 2004



[Signature]
Notary Public

Residing at Adams Falls, Id
My commission Expires 5-7-2004

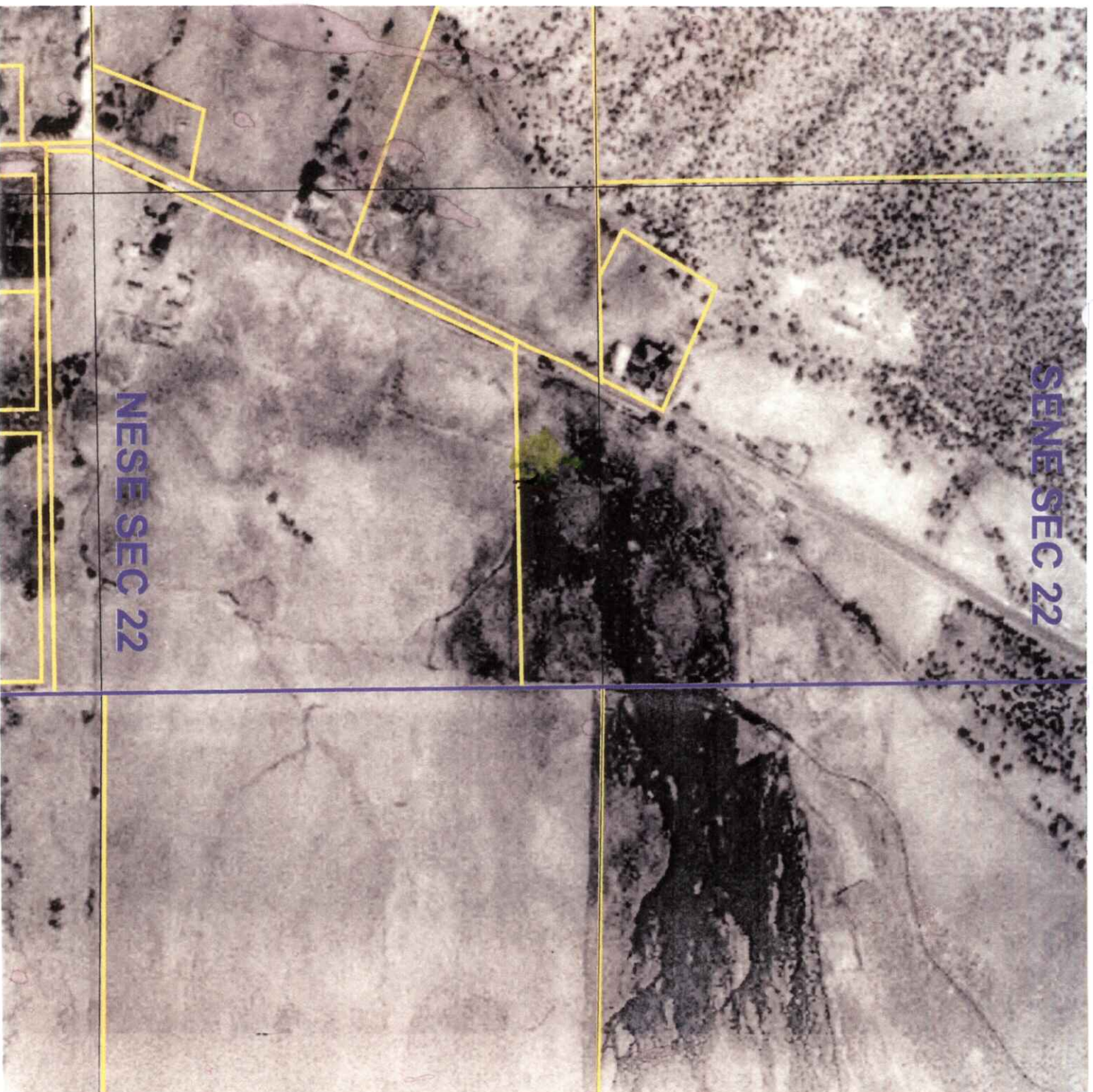
The Durfee Hot Springs was established in the early 1900's by Henry Miller Durfee

It started as a large hole with a log cabin placed over it and was used for bathing.

Later it was enlarged with cement walls and dressing rooms and opened to the public.

It was also used by the Almo L.D.S. Church for baptisms. It attracted people from all the surrounding communities. After my marriage to Harold Durfee (a grandson) I assisted his mother, Jeanette Durfee) in overseeing and maintaining the pool. It was closed in the late '50's or early '60's

Beatrice Durfee

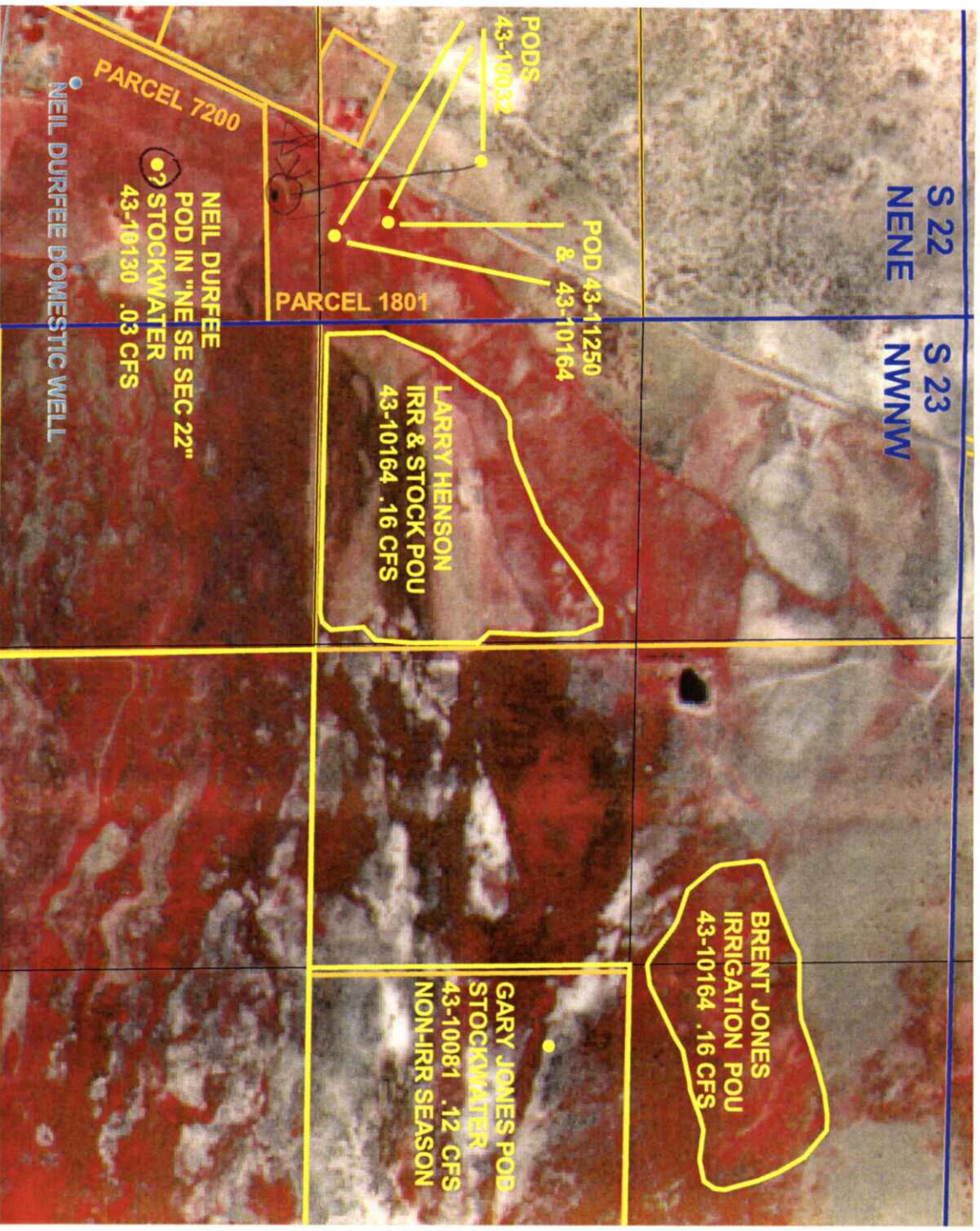


1992 AERIAL PHOTO



CASSIA COUNTY TAXLOTS

VHANCOCK
10/28/04



WATER RIGHTS FROM "WARM SPRING(S)" IN SENE AND NESE SECTION 22, T15S, R24E

- 43-11250 - LARRY HENSON, - 2 PODS IN SESENE SEC 22 - AKA NORTH AND MIDDLE SPRINGS
- 43-10164 - BRENT JONES - 2 PODS IN SESENE SEC 22 - AKA NORTH AND MIDDLE SPRINGS
- 43-10130 - NEIL DURFEE - 1 POD IN NESE SEC 22 - NO FURTHER IDENTIFICATION OF SPRING
- 43-10081 - GARY JONES - POD IN SWNE S23 FROM SPRING ORIGINATING IN SESENE S22
- 43-10032 - HAROLD DURFEE - THREE SPRINGS IN SENE SEC 22 NO ID OF SPRINGS