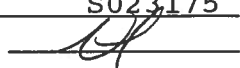


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A43-07180
Date Received: 6/22/2000
Receipt No: S023175
Received By: 

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KENT R DURFEE
Address: PO BOX 175
ALMO ID

208-824-5536

83312

2. Date of Priority: JUL 8, 1982

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	24E	12		SW	SW		CASSIA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		4.70
COMMERCIAL	01/01	12/31	0.090		0.80
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or)

5.50 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16S	24E	12	SW	SW		STOCK	
			SW	SW		COMMER	
			SW	SW		DOMEST	

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:

Commercial use is for a dairy barn.

DOMESTIC USE ADDED TO LICENSE WITH NO INCREASE IN TOTAL DIVERSION
RATE.

15. Basis of Claim: LICENSE

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:

Ident. Number

Date Received

Receipt Number

39576
A43-07180

6-22-00

5023175

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 22 2000
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Kent R. Durfee Phone (208) 824-5536Mailing Address P.O. Box 175 Almo Id. 8 Zip 833122. Date of Priority (Only one (1) per claim) 7/8/823. Source of water supply (a) well
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 16 S Range 24 E Section 12,
SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. well with pump and pipelineTo Dairy Barn All equipment was installed in 1976.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stock Water purposes from Jan 1 to Dec 31 amount .07 or 4.7

For Commercial purposes from Jan 1 to Dec 31 amount .09 or .80

For Domestic purposes from Jan 1 to Dec 31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .09 (cfs) and/or (b) 5.5 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) One Household + Lawn - Stockwater for 150 Animals - Dairy Barn

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>16S</u>	<u>24E</u>	<u>12</u>											<u>C.D.</u>						

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: I have 80 cows in the milking herd and
40 Heifers + Steers One year and older - Another 30 calves
under one year old

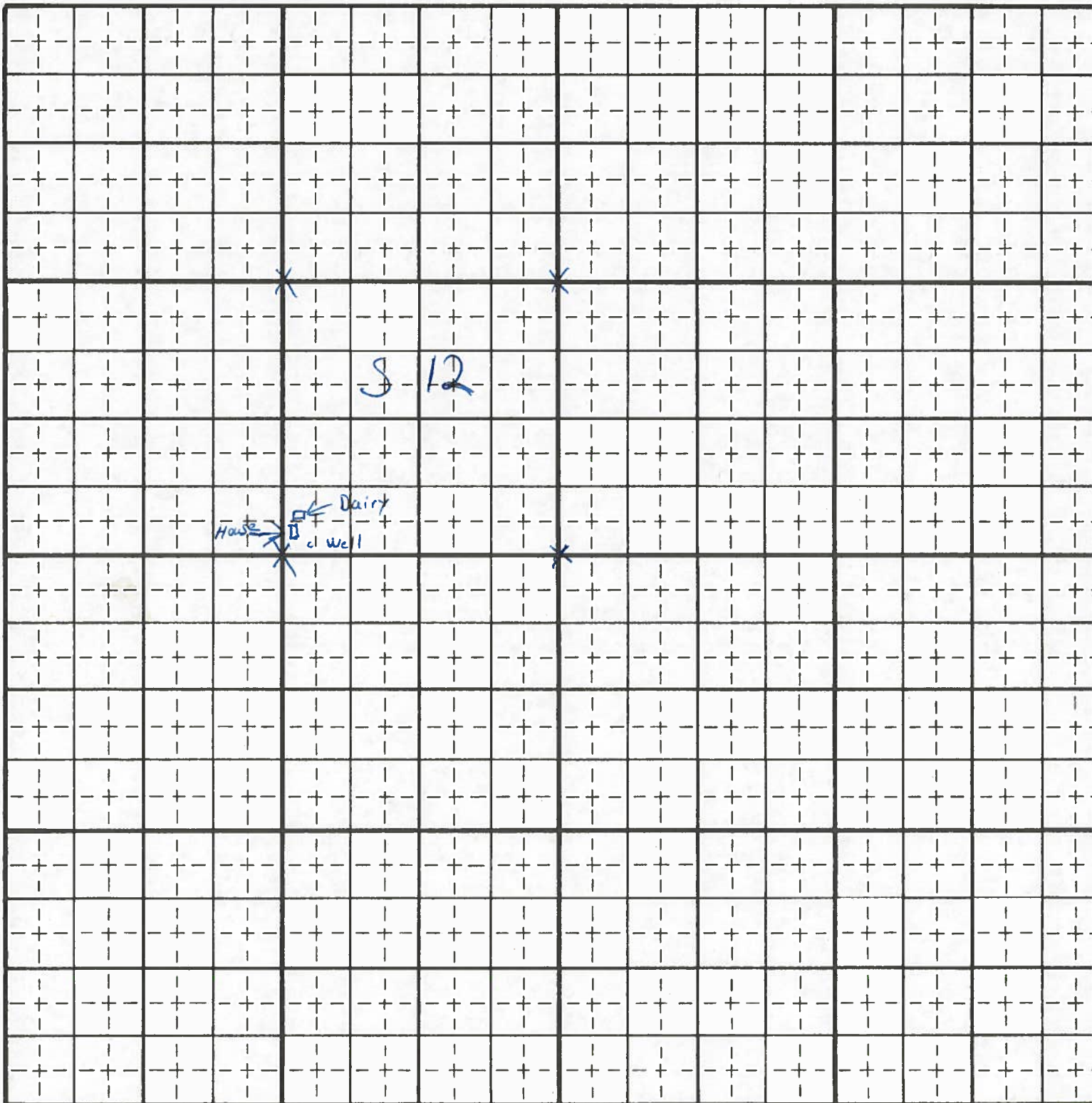
Last Name Dunfee, K Ident No. A43-07180

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 16S R. 24E Sec. 12



Last Name

Darlee, K

Ident No.

A43-07180

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Kent R Dunfee Date 6/22/2000

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

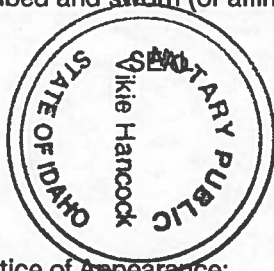
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of June 2000



Notary Public Vickie Hancock

Residing at Buhl, Idaho

My Commission Expires 5-7-2003

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Dunfee, K Ident. Number A43-07180

Copies White-State, Yellow-Claimant

Water Right Number - 43-07180

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
DURFEE

ELBERT L.

1 - P.O. BOX 187
2 -
3 -

City- ALMO
Phone -

State- ID Zip- 833120000

Priority Date - +
07/08/1982

Region - +
17 SOUTHERN

Stage - +
L - LICENSE

Status - +

Source - +
GROUNDWATER

Tributary - +

Tw	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
----	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

16S	24E	12	SW SW			(31) CASSIA				
Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume				
04 - STOCKWATER		01/01	12/31		0.070	4.70				
10 - COMMERCIAL		01/01	12/31		0.090	0.80				

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.090 5.50 0.090 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
----	-----	-----	-------	-----	-------	------	--------------	-------------	--------

16S	24E	12	SW SW			04	STOCKWATER		(31) CASSIA
+ - - Diversion Means -									
+ - - Non-Irrigation Use -									
+ - - Other Rights for Same Use -									
+ - - Remarks -									

GEN Commercial use is for a dairy barn.

+ - - Old Water Right Numbers -
No Old Water Right Numbers found.

+ - - Conditions of Approval -
No Conditions of Approval found.

+ - - Decree Plaintiff - + - - Decree Defendant - - - + - - Decree Date - +

Prefix Translation: WATER RIGHT

No Comments Found

+ - - - Audit Fields - 09/30/87 05/28/88 CONVERT 11/06/89 REVU 01/10/90 CURTIS

Water Rights Dates and Flags Area

Proof Due Date	- 08/01/1987	Field Exam Made	- 09/04/1987	Field Exam Fee	- R
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Shan Falls	- Z
Proof Made Date	- 07/15/1987	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 02/23/1990	Appl Received	- 07/08/1982	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
RRBA Decreed Flag	-				

05/09/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-7180

KENT DURFEE

PO BOX 175

ALMO ID 83312

Telephone Number: (208)824-5536

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6/8/01 SIGNATURE: Kent R Durfee
Please print your name: Kent R. Durfee

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

11/17/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-7180
NAME AND ADDRESS: KENT R DURFEE
PO BOX 175
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS
5.5 AFY

PRIORITY DATE: 07/08/1982

POINT OF DIVERSION: T16S R24E S12 NWSWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01-01 12-31	0.09 CFS
		0.8 AFY
STOCKWATER	01-01 12-31	0.07 CFS
		4.7 AFY

PLACE OF USE:

COMMERCIAL Within CASSIA County
T16S R24E S12 SWSW
STOCKWATER Within CASSIA County
T16S R24E S12 SWSW

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

Page 1

Old (D) Number -

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| Address | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Point
County
CASSIA
(31)

Volu
4.70
0.80

	+	-	Total Consumptive Use	+	-	KW Usage
			0.0			

(31)	CASSIA
(31)	CASSIA
(31)	CASSIA

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Prefix Translation: ADJUDICATION CLAIM

GEN Commercial use is for a dairy barn.
DOMESTIC USE ADDED TO LICENSE WITH NO INCREASE IN TOTAL DIVERSION
RATE.

Receipt Number	- S023175	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-	Presumption Flag	-

- Presumption Flag
- Notice of Error Flag

DATE: 11/17/00
PAGE: 1

DIVERSION
VOLUME

0.130 CFS
0.040 CFS

Stage: DECREED

CASSIA County

NE-

	Place of use Legal Description for:												
	NE				NW		SW		SE				
NENE	MNNE	SNNE	SENE	:	NNNN	NNNW	NNWS	:	NESE	MNSE	SNSE	SESE	:
T R S :	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:
16S 24E 12 :				:				:	D				:

Other Rights: NONE

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Presumption Flag:

AJ5809NP
No. 43-10017

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/17/00
PAGE: 2

Comments:

Date: 04/14/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
WELL IS SHARED BY TWO HOUSES, OTHER HOUSE CLAIMED ON A43-10015.
WATER ORIGINALLY CLAIMED UNDER APPLIC. FOR PERMIT #43-7180 AND
PROOF WAS WITHDRAWN BY CLAIMANT.

Audit:

04/14/92 SMITH 03/30/95 POST-STD 09/05/97 KCHRISTE 09/11/97 AJU3-DJO
03/04/98 CPDSHAFF 03/04/98 ADT-DSHA 08/07/98 ADT-DSHA

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07180

Priority: July 8, 1982

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.09 CFS
5.5 AF

This is to certify, that ELBERT L. DURFEE

P.O. BOX 187

ALMO, ID 833120000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 8, 1982; and has submitted Proof of Beneficial Use on July 15, 1987. An examination indicates that the works have a diversion capacity of .090 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.07 CFS	4.7 AF
COMMERCIAL	01/01 to 12/31	0.09 CFS	0.8 AF
	Totals	0.09 CFS	5.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 12, Township 16S, Range 24E
CASSIA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

16S 24E 12

SWSW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a dairy barn.

RECEIVED

FEB 27 1990

Department of Water Resources
Southern Region Office

43-7180

PAGE 2

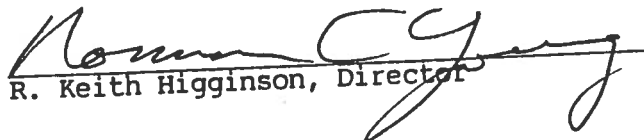
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 43-07180

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23RD
day of FEBRUARY, 19 90.

Acting for


R. Keith Higginson, Director