

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: A43-02560
Date Received: 2/28/1989
Receipt No: S006400
Received By: SCC

SPLIT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELBERT L. DURFEE 208-824-5566
Address: P.O. BOX 187
ALMO, ID 83312
OR
Name: E. BRUCE DURFEE 208-824-5566
Address: P.O. BOX 187
ALMO, ID 83312
OR
Name: KENT DURFEE 208-824-5536
Address: P.O. BOX 175
ALMO, ID 83312

2. Date of Priority: JAN 04, 1963

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		NW	SW		CASSIA
				SW	SW		CASSIA
		23		SW	NW		CASSIA

5. Description of diverting works:
THREE WELLS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.520		930.00

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

A.F.A.

8. Total consumptive use is 765.0 Acre Feet Per Annum.

A43-02560

Page 1

Date: 02/28/89

SPLIT

MICROFILMED

MAR 03 1993

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16S	24E	12	NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			SW		NW		IRR	40.0
			SE		NW		IRR	30.0
			NE		SW		IRR	32.0
			NW		SW		IRR	17.0
			SW		SW		IRR	15.0
			SE		SW		IRR	29.0
			NE		SE		IRR	5.0
			NW		SE		IRR	30.0
			SW		SE		IRR	34.0
			SE		SE		IRR	14.0
Section Acres								306.0
Total Acres								306.0

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:
A43-10014, A43-02552, APPLICATION 43-0791, A43-04018

14. Remarks:
TRANS. 2851. DIV. RATE FOR THIS RT. ORIGINALLY 5.0 CFS - REDUCED
AS A RESULT OF TRANS. 2712 WHICH COMBINED THIS RT. & RT. 43-2552
FOR A TOTAL DIV. RATE OF 6.12 CFS (43-2552 - 3.6 CFS, 43-2560 -
2.52 CFS).
WHEN COMBINED WITH ALL OTHER WR NOT TO EXCEED THE 6.12 CFS.
WATER TO REPLACE REED SPRING IS EQUAL TO 0.80 CFS PER WATERMASTER
DIST. 34-B. IT IS PART OF THE 6.12 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 30874

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

Signature of Claimant(s): Kent R. Duffee Date: 2/28/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of February 19 89

Steve Bell
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

06/14/2001

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: 43-13049

E BRUCE DURFEE

PO BOX 187

ALMO ID 83312

Telephone Number: (208)824-5566

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:

RECEIVED
JUL 24 2001
Department of Water Resources
Southern Region

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

DATE: 7-18-01 SIGNATURE: E. Bruce Durfee

Please print your name: E Bruce Durfee

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

06/12/2001

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

RIGHT NUMBER: 43-13049
NAME AND ADDRESS: E BRUCE DURFEE
PO BOX 187
ALMO, ID 83312
SOURCE: GROUND WATER
QUANTITY: 3.98 CFS
853 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-13047 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 853 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 43-13047 AND 43-13053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.9 CFS. COMBINED RIGHT NOS.: 43-7140, 43-13047, 43-13048, 43-13049, 43-13050, 43-13051, 43-13052, 43-13053, 43-13054.

PRIORITY DATE: 01/04/1963

POINT OF DIVERSION:	T16S R24E S12	SENWSW	Within CASSIA County
	T16S R24E S12	NESWSW	Within CASSIA County
	T16S R24E S23	SESWNW	Within CASSIA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.98 CFS 853.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T16S R24E S12	NENW	33	T16S R24E S12	NWNW	32
T16S R24E S12	SWNW	39	T16S R24E S12	SENW	36
T16S R24E S12	NESW	19	T16S R24E S12	NWSW	27
T16S R24E S12	NESE	33	T16S R24E S12	NWSE	40
T16S R24E S12	SWSE	40	T16S R24E S12	SESE	33

332 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 244 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-13047 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 349 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-337, 43-2200, 43-13043, 43-13045, 43-13047, 43-13049, 43-13051, 43-13053.

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

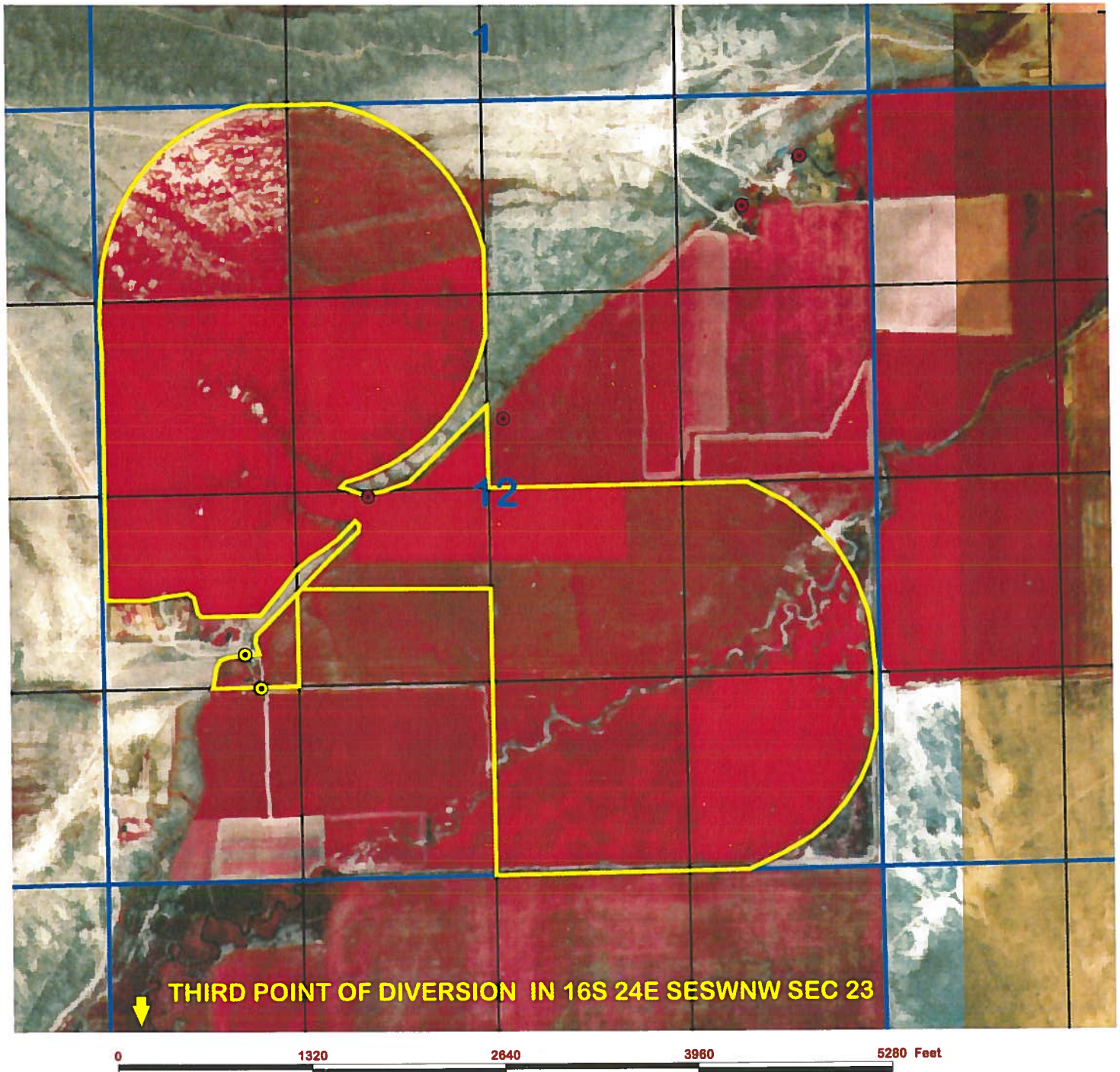
RIGHT NO. 43-13053 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.
THIS RIGHT IS A PORTION OF 43-2560

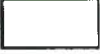
Idaho Department of Water Resources

**RIGHTS: 43-13047, 43-13049, 43-13051,
43-13053**

**RECOMMENDED PLACE OF USE
TWP 16S, RNG 24E,
Data entry on June 11, 2001**

SOURCE: GROUND WATER



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK**

Split Rights

GW Claims

DPA
6-8-01

Bruce Durfee, Kent Durfee

$$85/415 = 20.4\% K$$

$$330/415 = 79.6\% B$$

$$\begin{array}{r} 6.12 \\ 1.52 \\ \hline 7.64 \text{ cfs} \end{array} \quad \begin{array}{l} 43-2552, -2560, -10014 \\ 43-4018 \end{array}$$

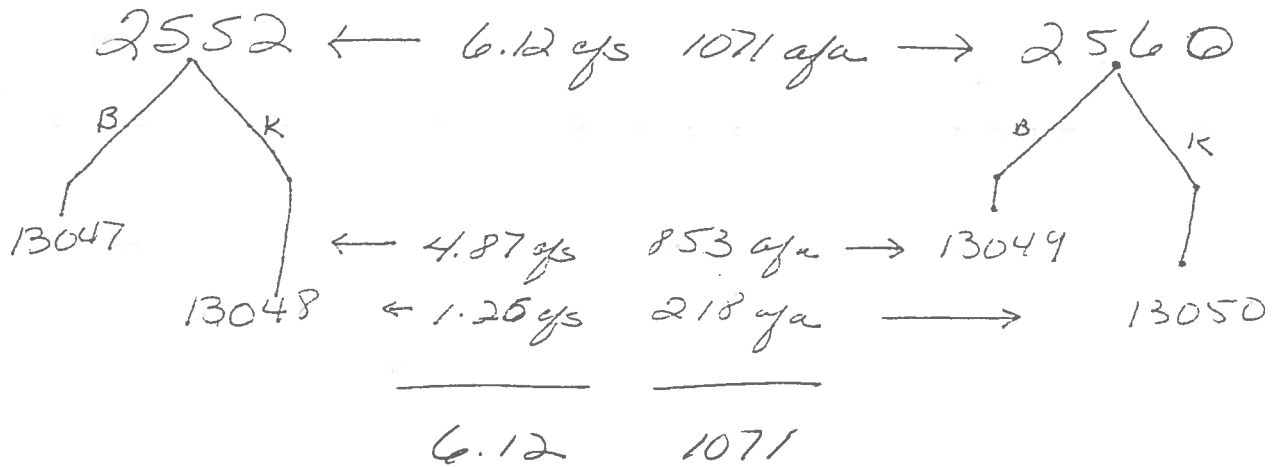
$$7.64 \times .204 = 1.55 K$$

$$7.64 \times .796 = 6.08 B$$

↑ OK'd by B & K Durfee 6-8-01

B-	43-		cfs	afa	ac
2552	13047 B		2.87	853	244
	13048 K		.73	218	62
		comb 1.25		4.87	
2560	13049 B		3.98	853	244
	13050 K		1.02	218	62
4018	13051 B		1.20	240	60
	13052 K		.32	64	16
10014	13053 B		.56	112	28
	13054 K		.14	28	7

Comb Limits



0

DAK
6-8-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**JUN 19 2001**

Department of Water Resource
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	43-387			43-25160	-
	43-2200			43-4018	-
	43-148	-		43-10014	-
	43-2081	-			
	43-2552	-			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Bruce & Kent Durfee

4. New Owner/Claimant(s)

Bruce Durfee

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 187

City, State and ZIP Code

Almo, ID 83812

New Telephone Number

() _____

5. Date you acquired the property

Approx 1990

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

ALL OF 43-387 & 43-2200 plus

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
A PORTION OF Water Right and/or Adjudication Claim Number <i>43-148 - 2051, 2552, - 3860</i>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		<i>Per meeting with V Hancock</i>
Domestic		<i>6-8-2001</i>
Other		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

X 7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

E Bruce Duffie

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED

JUN 19 2001

Department of Water Resources
Southern Region

1 CONTRACT OF SALE OF REAL ESTATE
2 AND PERSONAL PROPERTY

3 THIS AGREEMENT, made and entered into this 19th day
4 of March, 1975, between ELBERT L. DURFEE, also known
5 and ELBERT DURFEE, and GRACE A. DURFEE, husband and wife, of
6 Almo, Idaho, herein called the "Seller", and E. BRUCE DURFEE
7 and KAY H. DURFEE, husband and wife, of Almo, Idaho, herein called
8 the "Buyer".

9 W I T N E S S E T H:

10 In consideration of the mutual covenants, conditions,
11 and agreements herein contained, the parties mutually agree as
12 follows:

13 1. SALE: The Seller agrees to sell and convey to the
14 Buyer and the Buyer agrees to buy the following described real
15 estate in the County of Cassia, State of Idaho, to-wit:

16 TOWNSHIP 16 SOUTH, RANGE 24 EAST OF THE BOISE
17 MERIDIAN, CASSIA COUNTY, IDAHO

18 Section 10: E $\frac{1}{2}$ E $\frac{1}{2}$
19 Section 12: S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$
20 Section 14: E $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$;
21 Section 15: NW $\frac{1}{4}$; NE $\frac{1}{2}$ NE $\frac{1}{4}$
22 Section 22: SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{2}$ SE $\frac{1}{4}$
23 Section 23: W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{2}$ NE $\frac{1}{4}$
24 Section 27: NW $\frac{1}{2}$ NW $\frac{1}{4}$
25 Section 2: Lot 2

26 together with all and singular the tenements, hereditaments,
27 and appurtenances thereunto belonging and all water rights appurten-
28 ant, and the following personal property:

29 Miscellaneous farm machinery
30 75 head of cattle branded Y Right hip

31 and an undivided two - thirds (2/3) interest in and to certain
32 pump and water rights in Township 16 South, Range 24 East Boise
Meridian, which undivided interest is with Kent Durfee.

29 2. PURCHASE PRICE: The Buyer agrees to pay to the
30 Seller for the real estate and personal property the sum of
31 Eighty Thousand Dollars (\$80,000.00), in lawful money of the
32 United States of America, in the manner following:

PARSONS, SMITH & PEDERSEN
LAWYERS
BURLEY, IDAHO

1 22. SECURITY INTEREST. The Seller does not reserve
2 a security interest in the personal property and title is passing
3 upon the execution of this agreement, however, the Buyer agrees,
4 as elsewhere provided in the contract, to maintain the premises
5 and to maintain the same as principally a cattle operation.
6 Other material change in use of the premises shall be with the
7 consent of the Seller.

8 IN WITNESS WHEREOF, the parties have executed this
9 Agreement.

10 Elbert L. Durfee
11 Grace A. Durfee
12 E. Bruce Durfee
13 Kay H. Durfee

14 STATE OF IDAHO)
15) ss
16 County of Cassia)

17 On this 19th day of March, 1975, before me,
18 the undersigned, a Notary Public in and for said State, personally
19 appeared ELBERT L. DURFEE and GRACE A. DURFEE, husband and wife,
20 known to me to be the persons whose names are subscribed to the
21 within instrument, and acknowledged to me that they executed
22 the same.

23 IN WITNESS WHEREOF, I have hereunto set my hand and
24 affixed my official seal, the day and year in this certificate
25 first above written.

26 William A. Parsons
27 Notary Public for Idaho
28 Residing at Burley, Idaho

29 STATE OF IDAHO)
30) ss
31 County of Cassia)

32 On this 22^d day of March, 1975, before me,
the undersigned, a Notary Public in and for said State, personally
appeared E. BRUCE DURFEE and KAY H. DURFEE, husband and wife,
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.

William A. Parsons
Notary Public for Idaho
Residing at Burley, Idaho

236449

QUITCLAIM DEED

THIS INDENTURE, made this 12 day of April, 1990, between KENT R. DURFEE and JANIS C. DURFEE, husband and wife of Almo, Idaho 83312, herein called the "Grantor", and E. BRUCE DURFEE and KAY H. DURFEE, husband and wife, of Almo, Idaho, 83312, herein called the "Grantee".

W I T N E S S E T H:

The said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee and to the heirs and assigns of the Grantee, all of the interest of the Grantor in that certain lot, piece or parcel of land situated, lying and being in the County of Cassia, State of Idaho, bounded and particularly described as follows, to-wit:

TOWNSHIP 15 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN

Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 16: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.

TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE MERIDIAN

Section 12: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 21: E $\frac{1}{2}$.

Appurtenant water rights in Raft River and four shares of Almo Water Company stock, together with a well and pump in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 23, Township 16 South, Range 24 East, Boise Meridian and pressure

pumps located in SW $\frac{1}{4}$, Section 12, Township
16, Range 24 E.B.M.

TOGETHER with all and singular the tenements,
hereditaments, and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder
and remainders, rents, issues, and profits thereof. To have and
to hold all and singular the said premises, together with the
appurtenances, unto the Grantee, and to the heirs and assigns of
Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this
Quitclaim Deed.

Kent R. Durfee
Janis C. Durfee

STATE OF IDAHO)
County of Cassia) ss

On this 12 day of April, in the year 1990, before
me, the undersigned, a Notary Public in and for said State,
personally appeared KENT R. DURFEE and JANIS C. DURFEE, husband
and wife, known or identified to me to be the persons whose
names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

E. Brock Shattell
Notary Public for Idaho
Residing at Burley, Idaho
My commission expires on 5-11-93

1 MODIFICATION OF CONTRACTS OF SALE OF
2 REAL AND PERSONAL PROPERTY

3 AGREEMENT, made this 12 day of April, 1990, betwe
4 ELBERT L. DURFEE, a/k/a ELBERT DURFEE and GRACE A. DURFE
5 husband and wife, of Almo, Idaho, 83312 ("E. Durfee") and
6 BRUCE DURFEE and KAY H. DURFEE, husband and wife, of Alm
7 Idaho, 83312 ("B. Durfee") and KENT R. DURFEE and JANIS
8 DURFEE, husband and wife, of Almo, Idaho, 83312 ("K. Durfee").

9 1. RECITALS: The parties recite and declare:

10 1.1. On March 19, 1975, E. Durfee entered into t
11 contracts of sale of real estate and personal property, one wi
12 K. Durfee and one with B. Durfee. The contracts with supportin
13 documents are in escrow at D. L. Evans Bank, Albion, Idaho.

14 1.2. K. Durfee and B. Durfee desire to exchange
15 certain lands in their respective contracts to each other alor
16 with certain cattle, water rights and irrigation equipment.

17 1.3. E. Durfee is willing to allow the exchange
18 subject to the terms and conditions hereof.

19 1.4. There is currently owed to E. Durfee by B. Durfe
20 \$38,193.90, as of March 8, 1990.

21 1.5. There is currently owned to E. Durfee by K
22 Durfee \$38,218.22 as of March 8, 1990.

23 NOW, THEREFORE, in consideration of recitals and th
24 terms and conditions hereof the parties agree:

25 2. EXCHANGE BY K. DURFEE TO B. DURFEE: K. Durfe
26 shall exchange to B. Durfee the following described real estat

in Cassia County, Idaho:

TOWNSHIP 15 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN

Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 16: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.

TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN

Section 12: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 21: E $\frac{1}{2}$

AND TOGETHER with four (4) shares of water in the Almo Water Company and a certain well and pump in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 23, Township 16 South, Range 24 East, Boise Meridian, and the pressure pumps located in the SW $\frac{1}{4}$, Section 12, Township 16 South, Range 24 East, Boise Meridian, TOGETHER with all water rights in Raft River and 180 head of beef cattle branded Y on the right hip.

3. EXCHANGE B. DURFEE TO K. DURFEE: B. Durfee shall exchange to K. Durfee the following real estate in Cassia County, Idaho, to-wit:

TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 12: S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 14: NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOGETHER with the well and pumps in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 16 South, Range 24 East, Boise Meridian, and 100 head of dairy and holstein cattle branded Y on the right hip, two deep irrigation wells and pumps and stock well in SW $\frac{1}{4}$ of Section 12, Township 16 South Range 24 E. B.M.

4. DOCUMENTS: B. Durfee and K. Durfee will execute appropriate Quitclaim Deeds to the real estate and Bills of Sale to the respective chattels and place them in the escrows of the respective contracts with E. Durfee at D. L. Evans Bank so that upon full payment and performance the Deeds shall be delivered along with the Bills of Sale together with the E. Durfee Deed

1 for the completion of the chain of title.

2 5. CONSENT BY E. DURFEE: E. Durfee consents to the
3 exchange with the express understanding that in the event of
4 default under either or both of the contracts that the exchange
5 lands, cattle, and irrigation equipment will be enforced on
6 the respective contract with E. Durfee, K. Durfee and/or
7 Durfee as though the same had been within the respective
8 contracts from the inception and as though no exchange had
9 place.

10 6. ESCROW: An appropriate executed copy of
11 agreement shall be placed in each escrow at D. L. Evans &
12 the respective parties along with the appropriate qu
13 Deeds and Bills of Sale.

14 7. COOPERATION: Each of the parties a
15 cooperate with the other in implementing this exch
16 particularly the execution of any changes in water ri
17 the Department of Water Resources for compliance with
18 laws of the State of Idaho and the current water ad
19 case now pending in Idaho.

20 8. NON-WAIVER: The execution of this agre
21 Durfee shall not be construed as a waiver of any
22 the respective contracts with K. Durfee and B. I
23 contracts shall remain separate and independent an
24 way be altered except as to the exchange of prop
25 other terms and conditions of the contracts
26 parties remain in full force and effect.

1 IN WITNESS WHEREOF, the parties have executed this
2 modification agreement the day and year first above written.

3 Elbert L. Durfee
4 Elbert L. Durfee, a/k/a
5 Elbert Durfee

6 Grace A. Durfee
7 Grace A. Durfee

8 E. Bruce Durfee
9 E. Bruce Durfee

10 Kay H. Durfee
11 Kay H. Durfee

12 Kent R. Durfee
13 Kent R. Durfee

14 Janis C. Durfee
15 Janis C. Durfee

16 STATE OF IDAHO)
17 County of Cassia) ss

18 On this 12 day of April, in the year 1990, before
19 me, the undersigned, a Notary Public in and for said State,
20 personally appeared ELBERT L. DURFEE, a/k/a ELBERT DURFEE, and
21 GRACE A. DURFEE, husband and wife, known or identified to me to
22 be the persons whose names are subscribed to the within
23 instrument, and acknowledged to me that they executed the same.

24 E. Bruce Durfee
25 Notary Public for Idaho
26 Residing at Burley
My commission expires on 5-11-93

27 STATE OF IDAHO)
28 County of Cassia) ss

29 On this 12 day of April, in the year 1990, before
30 me, the undersigned, a Notary Public in and for said State,
31 personally appeared E. BRUCE DURFEE and KAY H. DURFEE, husband
32 and wife, known or identified to me to be the persons whose

names are subscribed to the within instrument, and acknowledged to me that they executed the same.

E. Paul Hall
Notary Public for Idaho
Residing at Burley
My commission expires on 5-10-93

STATE OF IDAHO)
County of Cassia) ss

On this 12 day of April, in the year 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT R. DURFEE and JANIS C. DURFEE, husband and wife,, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

E. Paul Hall
Notary Public for Idaho
Residing at Burley
My commission expires on 5-10-93

RECORDED AT THE REQUEST OF
E. Paul Hall
265
1995 MAY -3 PM 2:14
236449
2700 SEP 11 11

236446

WARRANTY DEED

THIS INDENTURE, made this 25 day of Feb,
1985, between ELBERT L. DURFEE, also known as ELBERT DURFEE and
GRACE A. DURFEE, husband and wife, of Almo, Idaho, hereinafter
called the "Grantor", and E. BRUCE DURFEE and KAY H. DURFEE,
husband and wife, whose address is Almo, Idaho, 83312, hereinafter
called the "Grantee".

W I T N E S S E T H:

That the Grantor for and in consideration of the sum of
Ten Dollars (\$10.00), lawful money of the United States of America,
and other good and valuable consideration, to the Grantor in hand
paid by the Grantee, the receipt whereof is hereby acknowledged,
has granted, bargained and sold and by these presents does grant,
bargain and sell, convey and confirm unto the Grantee, and to the
heirs and assigns of Grantee, forever, all of the following
described real estate situated in the County of Cassia, State of
Idaho, to-wit:

TOWNSHIP 16 SOUTH, RANGE 24 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 10: $E\frac{1}{2}E\frac{1}{2}$
Section 12: $S\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}$
Section 14: $N\frac{1}{2}SE\frac{1}{4}$; $E\frac{1}{2}NE\frac{1}{4}$
Section 15: $NW\frac{1}{4}$; $NE\frac{1}{4}NE\frac{1}{4}$
Section 22: $SW\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SW\frac{1}{4}SE\frac{1}{4}$
Section 23: $W\frac{1}{2}NW\frac{1}{4}$
Section 27: $NW\frac{1}{4}NW\frac{1}{4}$

SUBJECT TO:

1985 and subsequent years taxes, levies and
assessments; Agreement for Easement and Right
of Way per instrument number 181075 in Book
8 of Bills of Sale and Agreement at page 327,
records of Cassia County, Idaho (affects

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

property located in Sections 14, 15 and 23, Township 16 South, Range 24 East Boise Meridian; Agreement for Purchase of power with Raft River Rural Electric per instrument No. 12314 on Film No. 24, Cassia County, Idaho, as affects SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 16 South, Range 24 East Boise Meridian; Right of Way contained in Warranty Deed recorded as Instrument Number 31368 on Film 43, records of Cassia County, Idaho; Agreement for purchase of power recorded as Instrument number 36574 on Film 51, records of Cassia County, Idaho and Geothermal Lease and Agreement with Raft River Rural Electric recorded as Instrument number 64034, on Film 77, records of Cassia County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of the Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

Eliot R. Burpee
Grace A. Burpee

1 STATE OF IDAHO)
2 County of Blaine) ss

3 On this 28 day of July in the year 1985, before me,
4 the undersigned, a Notary Public in and for said State, personally
5 appeared ELBERT L. DURFEE, also known as ELBERT DURFEE and
6 GRACE A. DURFEE, husband and wife, known or identified to me to
7 be the persons whose names are subscribed to the within instrument,
8 and acknowledged to me that they executed the same.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Notary Public for Idaho
Residing at Blaine

900
LC: Box 205
Blaine, ID

RECORDED AT THE REQUEST OF:
Elbert L. Durfee
265
JUL 31 1985
236446

02/01/2001

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

RIGHT NUMBER: 43-2560

NAME AND ADDRESS: KENT DURFEE
PO BOX 175
ALMO, ID 83312

E BRUCE DURFEE
PO BOX 187
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 5 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.9 CFS. COMBINED RIGHT NOS.: 43-2552, 43-2560, 43-4018, 43-7140, 43-10014.

USE OF THIS RIGHT WITH RIGHT NOS. 43-2552 AND 43-10014 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.12 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 43-2552 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1071 AF.

~~WHEN COMBINED, RIGHT NOS. 43-148, 43-337, 43-2051, 43-2058, 43-2200, 43-2214, 43-2552, 43-2560, 43-4018, 43-10014 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.~~

PRIORITY DATE: 01/04/1963

POINT OF DIVERSION:	T16S R24E S12	SENWSW	Within CASSIA County
	T16S R24E S12	NESWSW	Within CASSIA County
	T16S R24E S23	SESWNW	Within CASSIA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	5.00 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T16S R24E S12	NENW	33	T16S R24E S12	NWNW	32
T16S R24E S12	SWNW	39	T16S R24E S12	SENW	36
T16S R24E S12	NESW	39	T16S R24E S12	NWSW	25
T16S R24E S12	SWSW	25	T16S R24E S12	SESW	40
T16S R24E S12	NESE	33	T16S R24E S12	NWSE	40
T16S R24E S12	SWSE	40	T16S R24E S12	SESE	33

415 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 306 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-2552 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 306 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-148, 43-337, 43-2051, 43-2058, 43-2200, 43-2214, 43-2552, 43-2560, 43-4018, 43-10014.

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

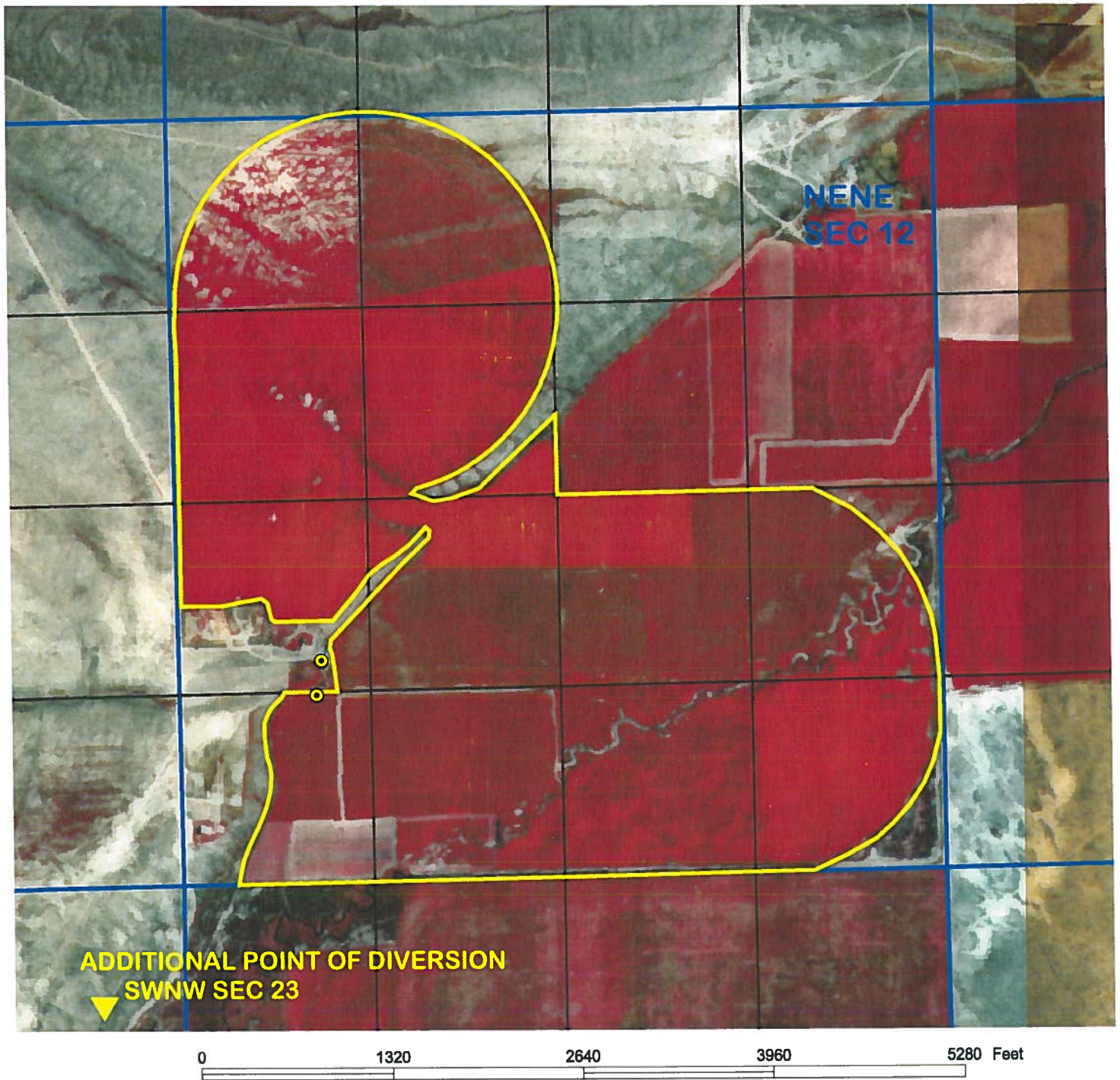
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 43-10014 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

RIGHTS: 43-02552, 43-02560
43-04018, 43-10014

RECOMMENDED PLACE OF USE
TWP 16S, RNG 24E, SEC 12
Data entry on June 28, 2000



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



Split 6-8-01

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

DATE: 06/27/00
PAGE: 1

DIVERSION
VOLUME

930.00 AFA

~~765.00 AFA~~

CASSIA County
CASSIA County

7

306.0

30602

8/25/19

CHRONOLOGY OF EVENTS
GROUND WATER RIGHTS OF ELBERT, BRUCE AND KENT DURFEE

1968 - Licenses 43-2552 and 43-2560 issued for a combined total of 306 acres and 8.6 cfs. 43-2552 = 298 ac, 3.6 cfs. 43-2560 = 266 ac, 5.0 cfs. Field exam indicates total capacity of 5 wells is 8.73 cfs.

1970 - Statutory claim 43-4018 filed for 2 cfs on 320 acres priority date 1942 which is date first well was dug in NWSW Sec 12 per affidavit. POU is S ½ section 12. This claim is filed in response to claimed shortage in acres licensed to right holder in 1968.

1975 - T1935. First transfer moves 103 acres from Sec 14 to Sec 12. Combined limits are included in transfer, limiting diversion rate to 6.12 cfs for 306 acres.

1979 - Application for permit filed for 135 acres and 2 cfs in Section 14 with POD of well in Section 14. License 43-7140 is issued in 1989. Capacity of this well measured 2.10 cfs.

1982 - T2712. Second transfer filed to accurately show wells combined into one system. 1 well located in Sec 23, 1 well in Sec 14, 3 wells in section 12. No change in POU. Diversion rate for 43-2552 remains at 3.6 cfs. Diversion rate for 43-2560 now reduced to 2.52 cfs with combined limits remark.

1985 - T2851. Third transfer moves 40 acres from Sec 23 to Sec 12. POD in section 14 deleted from this system. Wells in system identified as 1 well in Sec 23, 2 wells in Sec 12. No change in diversion rate, acres remain at 306. *Memos outlining possible errors in licensed acres and combined diversion limit are added to the file.*

1987 - SRBA ground water claims filed include licensed rights 43-2552 & 43-2560 as transferred, Stat claim 43-4018, and an expansion claim 43-10014, all appurtenant to section 12. Also Licensed right 43-7140 for section 14.

2000 - SRBA review reveals errors in the numbers of acres licensed in 1968. The number of acres irrigated in Section 12 were shorted by approximately 76 acres. The number of acres and the combined

diversion rate for the two licenses 43-2552 and 43-2560 should properly have been 382 acres and 7.64 cfs. It appears, at this time, that the clearest way to rectify the error is by recommending the additional 76 acres and 1.5 cfs as beneficial use claim 43-4018 using the priority date of the junior license, 1-4-1963.

Enlargement claim 43-10014 is also found to be necessary for 35 acres that were developed in the late 1970s due to the addition of pivot sprinklers and the resulting increased efficiency of ground water usage.

RECOMMENDATION

Due to the co-mingling of groundwater rights into a common sprinkler system prior to commencement of the adjudication, the four rights involved should be recommended as a permissible place of use of 417 acres, broken down as follows:

43-2552 3.60 cfs for the irrigation of a certain 306 acres when combined with claim 43-2560, in a permissible place of use of 417 acres. Combined diversion rate with 43-02560 of 6.12 cfs.

43-2560 5.0 cfs for the irrigation of a certain 306 acres when combined with claim 43-2552, in a permissible place of use of 417 acres. Combined diversion rate with 43-2552 of 6.12 cfs.

43-4018 1.50 cfs for the irrigation of 76 acres within a permissible place of use of 417 acres.

43-10014 No additional diversion rate for the irrigation of 35 acres within a permissible place of use of 417 acres.

43-7140 - 2.0 cfs for the irrigation of 132 acres in Section 14. This well is a separate system from that in Section 12.

Combined limits for the wells associated with the rights listed above is 8.9 cfs, which includes the original licensed diversion rates of 3.6 and 5.0 cfs with an additional 0.3 cfs measured from the well in section 14 during the licensing exam for 43-7140.

Subsequent to the father Elbert Durfee's death in 1995, there has been a division in ownership of the property, and a split of the four rights between Kent and Bruce will be necessary. Groundwater rights are also subject to diversion rate limits when combined with surface water.

RECEIVED
JUN 22 2000
Department of Water Resources
Snake River Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
 Adjudication Claim No(s): A43 02552 A43 10014 A43 02560
A43-00148, -00337, -02058, -02200, -02214, -02051
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant
Elbert L. Durfee
Alma ID. 83312
4. New Owner/Claimant(s)
E. Bruce or Kent R. Durfee
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 187 or P.O. Box 175
 City, State and ZIP Code Alma ID. 83312
 New Telephone Number (208) 824-5566 824-5536
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s)
or Claimant(s)

E. Bruce Durfee
Kent R. Durfee

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

For the Snake River Basin Adjudication Claims

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: NOVEMBER 13, 1995

STATE FILE NUMBER: 95-06803

DECEDENT: ELBERT LORENZO DURFEE

DATE OF DEATH: NOV. 06, 1995 PLACE OF DEATH: ALMO, IDAHO

DATE OF BIRTH: FEB. 12, 1906 PLACE OF BIRTH: IDAHO

AGE: 89 YEARS SEX: MALE VETERAN? NO

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): GRACE AFTON ROOKER

SOCIAL SECURITY NUMBER: ~~513 427 6619~~ RESIDENCE: ALMO, IDAHOFATHER: LORENZO DURFEE
FATHERS BIRTHPLACE: UTAH
MOTHER (MAIDEN): ANNA ABBY BRUESCH
MOTHERS BIRTHPLACE: NEW MEXICOMORTUARY: PAYNE MORTUARY
MORTICIAN: JOSEPH W. LARSENBURLEY, IDAHO
DISPOSITION: BURIAL

CERTIFYING CORONER: PAUL B. YOUNG

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

METASTATIC CANCER OF THE COLON

5 MONTHS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MANNER OF DEATH: NATURAL

I certify that this is a true and correct reproduction or abstract of an official
record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

NOVEMBER 14, 1995

DATE ISSUED: _____

JANE S. SMITH
State Registrar

AMENDED

Transfer No. 2851

Water Right No. 43-2552
43-2560
Trans. 2712

RECEIVED
AUG 10 1985
Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Elbert L. &/or Elbert Bruce Durfee Phone 824-5525
824-5566
Post Office address Almo, Idaho, 83312

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
b. License No. 43-2552 & 43-2560 issued by the Idaho Department of Water Resources
Trans 2712
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Original holder of licenses and transfers.

3. Source of water Groundwater tributary to _____
4. Date of priority 43-2552 ----- 9/19/1962
43-2560 ----- 1/4/1963 * When combined under Trans. 2712
5. Water is used for the following purposes.

amount 6.12 cfs * for Irrigation purposes from April 1 to Oct. 31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.12 * cubic feet per second
&/or
b. 1071 acre feet per annum
7. Location of original point of diversion is SW % of NW % of Section 23

Township 16S Range 24E, B.M., in Cassia County

Additional points of diversion, if any NW 1/4 Sec. 14; (3 pts) NW 1/4 Sec. 12, all in T16S,
R24E, B.M.

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16S	24E	12					40		40	23	32	4	15	29	5	30	34	14	266
		23					15	25											40

Total number of acres to be irrigated 306

9. Describe any other water rights used for the same purpose as described above 43-4018

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years

NO

If yes, describe in item D. REMARKS

TTL 2851

43-2552
43-2560
TTL 2712

✓

B. DESCRIPTION OF RIGHT OR PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

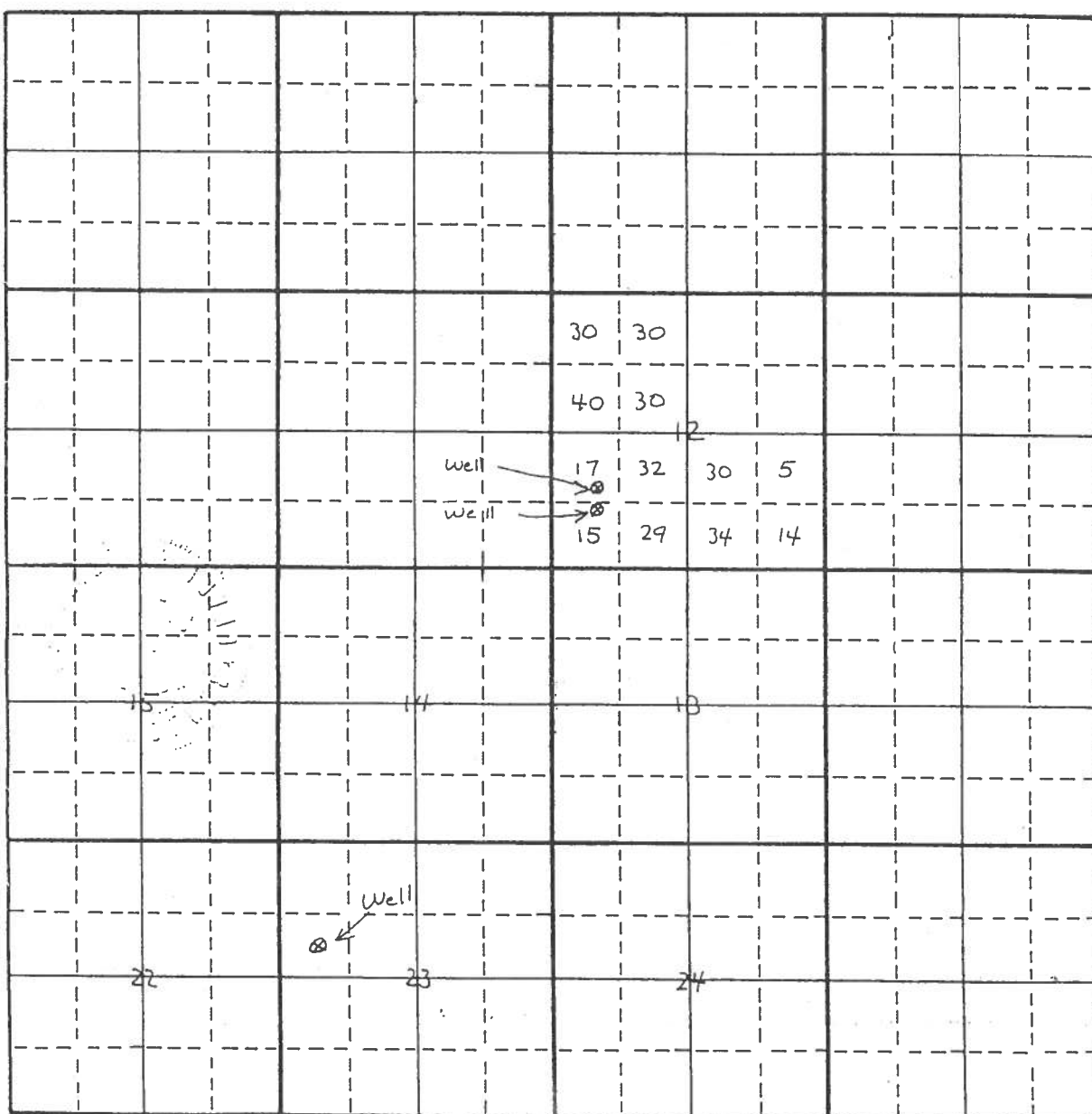
C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
 - a. Amount of water to be diverted 6.12 * 1071 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Three wells & pumps to sprinkler system
 - c. Describe the reasons for the proposed changes To properly locate wells presently used on lands in Section 12 and also allow for irrigation of land in section 12 not now covered in exchange for abandonment of irrigation of land in section 23.
2. Change in point of diversion

Point of diversion SW 1/4 NW 1/4, Section 23 Township 16S
Range 24E, B.M., Cassia County
Additional points NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 12, T16S, R24E, B.M.
(Note that both of the wells in Sec. 12 have been recorded as being in the NW 1/4 SW 1/4 however one of these is actually in the SW 1/4 SW 1/4 of that Section.)
3. Change in place of use
 - a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The land in Section 23 will no longer be irrigated.

[illegible]

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

~~License 43-2552 was originally licensed for 3.60 cfs and license 43-2560 was licensed for 5.00 cfs but when these licenses are combined in a common system the max. rate of diversion was limited by trans 2712 to be 6.12 cfs or 1"/acre. Presently due to errors in licensing of the original rights the Department is considering increasing the number of acres under these rights and the max. allowable rate will be increased accordingly.~~

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 willfull misrepresentations made in this application may result in voiding its approval.

Edbert L. Purfee
(Signature of Applicant)

Subscribed and sworn to before me this 25 day of April, 19 85.

Loren O. Palmer
(Notary Public)

My commission expires 6/6

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2552/2560 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 13th day of August, 19 85

J. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADM Date 4/25/85 Protest filed by None
Prelim. check by JD Fee 20⁰⁰ Amending
Receipted by ADM Date 4/25/85 # 35335
Published in Sanctis & Press Copies of protest forwarded by _____
Pub. dates 5/7 & 5/16/85 Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for approval denial _____
_____ rec'd. _____ by ADM Jim

RECEIVED

Transfer No. 2712

APPROVED

DEC 20 1982

STATE OF IDAHO

Department of Water Resources
DEPARTMENT OF WATER RESOURCES
Northern District Office

Water Right No. _____

L.C. # (A) 43-2552

(B) 43-2560

T 1935

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Elbert L. Durfee Phone 824-5525Post Office address Almo, Idaho, 83312

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in (A) 43-2552 in T 1935 (Name of court) county of _____b. License No. (B) 43-2560 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____4. Date of priority (A) 9-19-62 (B) 1-4-63

5. Water is used for the following purposes:

amount (A) 3.6 cfs for Irrigation purposes from April 1 to Oct 31amount (B) 5.0 cfs for Irrigation purposes from April 1 to Oct 31

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. (B) 5.0 cubic feet per second
&/or
b. (A) 1082 acre feet per annum
(B) 9307. Location of original point of diversion is SW 1/4 of NW 1/4 of Section 23
Township 16S Range 24E, B.M., in Cassia CountyAdditional points of diversion, if any (B) NWSE, Sec. 14, Twp. 16S, Rge. 24E
3 points in the NWSE Sec. 12 Twp. 16S Rge. 24E8. Lands irrigated or place of use: As transferred T 1935

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16S	24E	12					40		40	23	32	4	15	29	5	30	34	14	266
		23					15	25											40

Total number of acres to be irrigated 3069. Describe any other water rights used for the same purpose as described above 43 401810. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D. REMARKS

T 2712

43-2552
43-2560
T-1935

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted (A) 3.60 cfs (A) 1082
(B) 5.0 cfs c.f.s. &/or (B) 930 acre feet
- b. Description of diverting works Wells, pumps, meters, pipeline & ditches to pond and sprinkler system
- c. Describe the reasons for the proposed changes To allow pumping from the ponds if necessary. Shows the amounts actually being pumped

2. Change in point of diversion

Point of diversion SW ¼ NW ¼, Section 23 Township 16S
Range 24E, B.M., Cass, A County

Additional points NWSE Sec. 14; 3 pts. in the NWSE Sec. 12, Twp 16S, Rge 24E.

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No ☒ If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
- None

D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Albert L. Curfee
(Signature of Applicant)

Subscribed and sworn to before me this 8th day of July, 19 82

[Signature]
(Notary Public)

My commission expires 7/1

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2552 and 43-2560 and said application is hereby APPROVED, subject to the following limitations and conditions:
1. The maximum rate of diversion shall not exceed 6.12 cfs from the four ponds.

Witness my hand this 30th day of November, 19 82

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by T.G.B. Date 7-8-82 Protest filed by _____

Prelim. check by _____ Fee \$50⁰⁰

Receipted by T.G.B. Date 7-8-82 # 20863

Published in South Idaho News Copies of protest forwarded by _____

Pub. dates 7/22 + 7/29/82 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. by Joni DRT

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 1035
Application No. _____
License No.'s (A) 43-2552
(B) 43-2560

FEB 2 1963 APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Department of Water Resources
Southern District Office

Name of applicant Elbert L. Durfee Phone 824-2051

Post office address Almo, Idaho 83312

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to _____ (Name) _____
in case of _____ vs _____
dated _____ in _____ county of _____
(A) 43-2552 3.60 cfs (Name of court) _____
b. License No. (B) 43-2560 5.0 cfs issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority (A) 9-19-62; (B) 1-4-63

5. Water is used for the following purposes:

amount (A) 3.60 cfs for Irrigation purposes from April 1 to October 31
amount (B) 5.0 cfs for Irrigation purposes from April 1 to October 31
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. (A) 3.60 cfs
(B) 5.0 cfs cubic feet per second
(A) 1,082 &/or
(B) 930 acre feet per annum (when combined not to exceed)

7. Location of original point of diversion is (A) SW 1/4 of NW 1/4 of Section 23
Township 16S Range 24E, B.M., in Cassia County
Additional points of diversion, if any (B) NW 1/4 SE 1/4, Sec. 14, Twp. 16S, Rge. 24E, B.M.;
3 points in the NW 1/4 SW 1/4, Sec. 12, Twp. 16S, Rge. 24E, B.M.

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
(A) 16S	24E	12									32	4	15	29	5	30	34	14	163
		14	5	20	27		20			23									95
		23						15	25										40

43-2560

(B) See Attached

Total number of acres to be irrigated 298

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
b. _____ &/or
acre feet per annum
2. Point of diversion _____
Range _____, B.M., _____, Section _____ Township _____
County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted (A) 3.60 cfs (B) 5.0 cfs c.f.s. &/or (A) 1,082 (B) 930 acre feet
- b. Point(s) of diversion (A) SW 1/4 NW 1/4, Section 23 Township 16S Range 24E, B.M., Cassia County
Additional points (B) NW 1/4 SE 1/4, Sec. 14, Twp. 16S, Rge. 24E, B.M.;
3 points in the NW 1/4 SW 1/4, Sec. 12, Twp. 16S, Rge. 24E, B.M.
- c. Description of diverting works wells, motors, pumps, pond & sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion No change of points of diversion.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16S	24E	12					40		40	23	32	4	15	29	5	30	34	14	266
		23					15	25											40

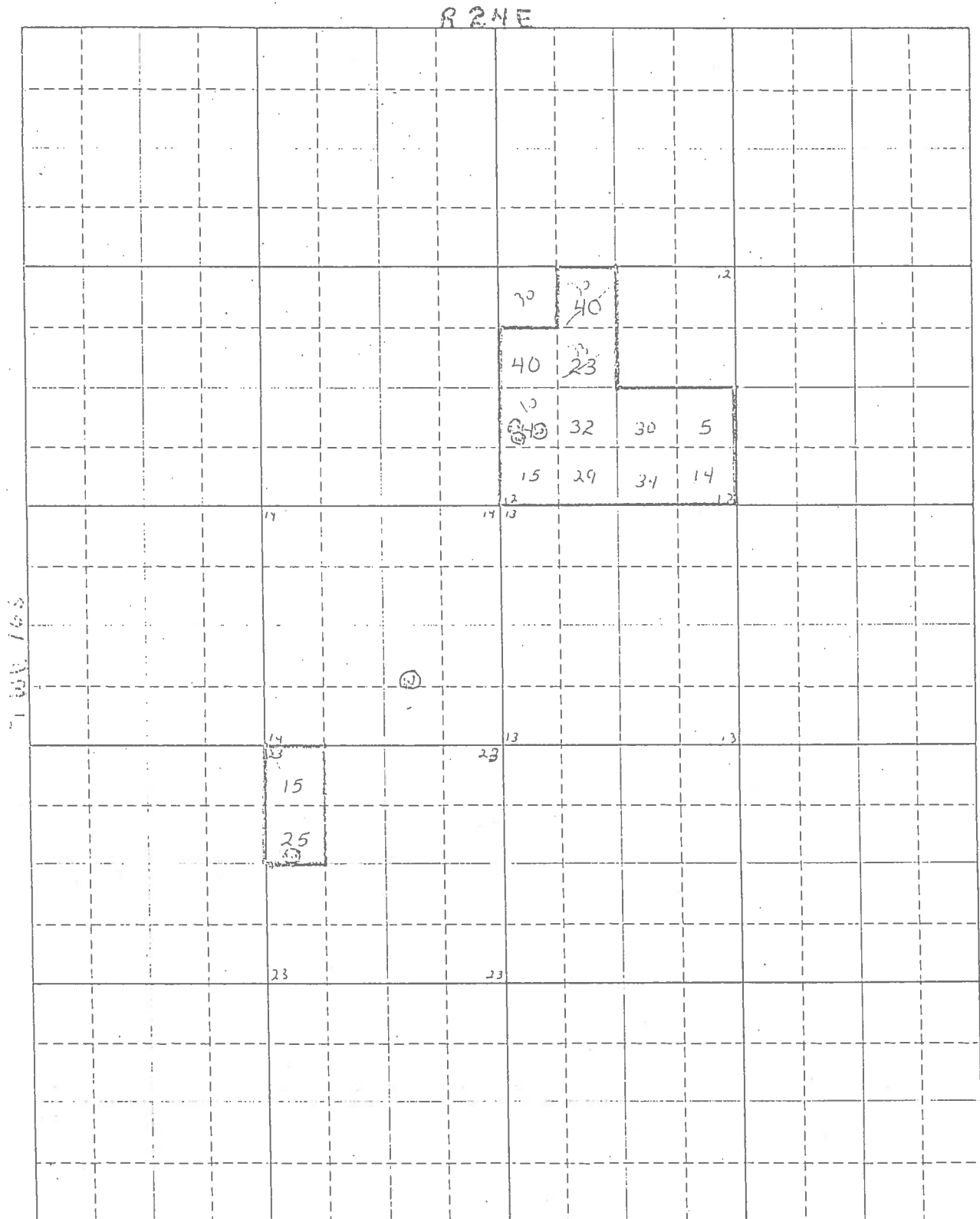
(B)

30874 - 43-2560

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16S	24E	12									32	4	15	29	5	30	34	14	163
		14	5	20	27		20	3	5	23									103

Total number of acres to be irrigated 266

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



3. Remarks There is a Claim To A Water Right No. 43-4018 and also a surface water right to Raft River, which is not used because it only allows water over a certain amount late in the year and those conditions are seldom if ever met, which also are appurtenant to these lands.

I hereby assert that no one will be injured by such change and 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.

Robert L. Parker
(Signature of applicant)

Subscribed and sworn to before me this 17th day of December, 19 75

Carol E. Clough
(Notary public)

My commission expires 8-12-79

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 1935/43-2552/43-2560 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

Maximum rate of diversion shall not exceed 6.12 from the four ponds.

2. Denial of said application is for the following reasons: _____

Witness my hand this 20 day of February, 19 76

R. Keith Higgins

FOR DEPARTMENT USE ONLY

Received by J. A. B. Date 12-17-75

Prelim. check by CE Fee 30.00

Received by CE Date 12-17-75

Published in South Idaho Press

Pub. dates 12-30-75 & 1-6-76

Watermaster recommendation requested on _____
rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial
by Michael H. Stuck DEC

CASSIA County
CASSIA County

Field Inspection Flag:
Presumption Flag:

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30874

REPORT ON PROOF OF Completion of Works & Beneficial Use

11
 92
 48
 55
 266

5
 30
 32
 34
 36
 38

5
 12
 20
 28
 36

11/65

2-24-2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30874

This proof is for C/W & B/U In Water District No. _____

1. Name of applicant Elbert L. Durfee

2. Source of water supply: subterranean
3 - NW 1/4 Sec 14 and 1 - NW 1/4 Sec 14

3. Location of point of diversion: Is in the sec. 14 of Section 23

T. 16 S. R. 24 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same:

PD² (NW 1/4 Sec 14) 50 HP elec motor # 105944, 115 VTP, # 20248, 8" discharge 2' into concrete diversion works - through empty ditch.
PD¹ (NW 1/4 Sec 12) 10 HP elec motor, Johnson VTP. 4" discharge 20' into pond.
PD³ (NW 1/4 Sec 12) 30 HP cc elec motor # 1259085, Johnson VTP, 8" discharge 35' into pond.
PD⁴ (NW 1/4 Sec 12) not equipped at time of inspection, (16" well 300' - discharges into pond)

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S 1/2, Sec. 12; N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4, Sec. 14, T. 16 S, R. 24 E, B. M.

EXAMINERS

the location of
and accurately

beneficial use,
the number of
d in each forty
ame.

ing the correct
and ditches,
nds, and any
ndmarks, such
e streams and

itions are dis-
statement of

er, if possible,
le ground with
port only upon
and conditions.
istics of soils,
s raised.

Elbert L. Durfee
Almo, Idaho

Permit No. G-30874

Examination for C/W & B/U

County Cassia

Quantity: 5.0 c.f.s.
Sec. 28 T. 16S R. 24E

Source: subterranean

3 well in NW 1/4 SW 1/4 Sec. 12, 1 well in NW 1/4 SE 1/4 Sec. 14
P.D.: NE 1/4, Sec. 23, T. 16S, R. 24E, B.M.
T. 16S, R. 24E. (adventured)

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: 80" - Right River

Filed: 1-4-63

Due: 1-8-68

Made: 9-11-67

Revised: 1-4-63

pond, concrete box
private ditch
4 wells

- 1. 100' - 10" - 40
- 2. 180' - 18" - Sec. 14
- 3. 200' - 18" - 70"
- 4. 300' - 16" - NOT

40
70
70
50
252

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 030874

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Elbert L

Durfee, abmo, Ida - Rancher

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G 30874

4 Jan, 1963

Ques. 4. State source of water supply: Cased wells
Give location of point of diversion, showing subdivision, section, township and range

3 in NW 1/4 SW 1/4 Sec 12 1 in NW 1/4 SE 1/4 Sec 14 T16S R24E D1/4

Ques. 5. Describe your works of diversion: a pond a concrete box

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 238.5 inches; Give name of canal or ditch

or other works by which water is conducted to such place of use: Private ditch + pond

_____ ; if a well, state depth of well: 180' 18" depth and size of
3 200' 18"
4 300' 18"
4 7' + 11' 12" . 12' minimum required

RECEIVED
SEP 13 1967

State nature of all improvements which have been made as a direct result of said use:

desert ground has been irrigated and reclaimed.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
no 3 - Arlo Lloyd drilled well no 3 Elbert L. Curper
the well - Garnett Benson drilled well no 4 Arlo Lloyd
no 4 - Walter Benson drilled well no 4 Arlo Lloyd
Ques. 7. If for other than irrigation purposes, show full legal description of place

of use and state purpose for which water is used:

ADJUTANT TO GOVERNOR

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Ques. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Wells 1 & 2 1953 - Time used since first use: every year
well 3 1967 1 month
well 4 1966 2 months

Ques. 10. Describe all other water rights appurtenant to same place of use: 80 inches
of decreed water from Salt River (SR) also water
from well under permit no G30732

(sign) Elbert L. Curper

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. STEED HEARING

A43-02560

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 8, 1997 1:34pm

NAME:
OLEN WARD-UPPER RAFT RIVER

RE:
RECORDS FOR USAGES RELATED
STEED/REEDSPRINGS-HEARING.

WALK-IN AT 9:20-CW-WANTED ALL USAGES "LICENSES" FOR BRUCE DURFEE, KENT DURFEE, BRENT JONES AND BILL JONES.

DISCUSSED HIS PROTEST RE: STEED USAGES AND FLOWS FROM THE STEED ACRES.

REVIEWED BASIN 43 SEL/ALPHA CLAIMS RECORDS FOR UPPER RAFT RIVER CLAIMS ASSIGNED TO FH AND DID AN AJS58 QUERY FOR THE CLAIMS OF THE NOTED PEOPLE. COLLATED BY NUMBER AND PUT COPIES OF THE NAME LISTS USED WITH EACH SET.

WARD CALLED BACK AT 11:42 TO CONFIRM THE JONES CLAIMS BEING PULLED. HE STOPPED IN SHORTLY AFTER NOON TO PICK UP THE PROOFS LEFT FOR HIM AT THE FRONT DESK.