

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

RECEIVED**JUN 25 2001**

Department of Water Resources
 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
_____	43-2058	_____	_____	43-2560	_____
_____	43-2214	_____	_____	43-4018	_____
_____	43-148	_____	_____	43-10014	_____
_____	43-2051	_____	_____	_____	_____
_____	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) Kent Durfee
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 175
- City, State and ZIP Code Almo ID 83312
- New Telephone Number () _____
5. Date you acquired the property APPROX 1990

0115K

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.

NOTE: ALL OF 43-2058 & 43-2215 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 <u>43-148, -2051, -2552 - 2560</u>		
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		<u>Per meeting with V. Hancock</u> <u>6-8-2001</u>
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		

7.

Signature of New Owner(s) or Claimant(s) Kent R. Duffer
(include title if applicable)

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 _____

QUITCLAIM DEED

THIS INDENTURE, made this 12 day of April, 1990, between E. BRUCE DURFEE and KAY H. DURFEE, husband and wife, of Almo, Idaho 83312, herein called the "Grantor", and KENT R. DURFEE and JANIS C. 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 16 SOUTH, RANGE 24 EAST, BOISE
MERIDIAN, CASSIA COUNTY, IDAHO

Section 12: S1/2NE1/4SW1/4.

Section 14: NW1/4SE1/4.

TOGETHER with the well and pumps in the NW1/4SE1/4, Section 14, Township 16 South, Range 24 East, Boise Meridian, and two deep irrigation wells and pumps and stock well in SW1/4 of Section 12, Township 16 South, Range 24 E.B.M.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in

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LAWYERS
BURLEY, IDAHO

1 anywise appertaining, the reversion and reversions, remainder
2 and remainders, rents, issues, and profits thereof. To have and
3 to hold all and singular the said premises, together with the
4 appurtenances, unto the Grantee, and to the heirs and assigns of
5 Grantee forever.

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

8 E. Bruce Durfee
9 Kay H. Durfee

10
11
12 STATE OF IDAHO)
13 County of Cassia) ss

14 On this 12 day of April, in the year 1990, before
15 me, the undersigned, a Notary Public in and for said State,
16 personally appeared E. BRUCE DURFEE and KAY H. DURFEE, husband
17 and wife, known or identified to me to be the persons whose
18 names are subscribed to the within instrument, and acknowledged
19 to me that they executed the same.

20
21
22 E. Bruce Durfee
23 Notary Public for Idaho
24 Residing at Idaho
25 My commission expires on 5-10-93
26

MODIFICATION OF CONTRACTS OF SALE OF
REAL AND PERSONAL PROPERTY

AGREEMENT, made this 12 day of April, 1990, between ELBERT L. DURFEE, a/k/a ELBERT DURFEE and GRACE A. DURFEE, husband and wife, of Almo, Idaho, 83312 ("E. Durfee") and E. BRUCE DURFEE and KAY H. DURFEE, husband and wife, of Almo, Idaho, 83312 ("B. Durfee") and KENT R. DURFEE and JANIS C. DURFEE, husband and wife, of Almo, Idaho, 83312 ("K. Durfee").

1. RECITALS: The parties recite and declare:

1.1. On March 19, 1975, E. Durfee entered into two contracts of sale of real estate and personal property, one with K. Durfee and one with B. Durfee. The contracts with supporting documents are in escrow at D. L. Evans Bank, Albion, Idaho.

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

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

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

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

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

2. EXCHANGE BY K. DURFEE TO B. DURFEE: K. Durfee shall exchange to B. Durfee the following described real estate

1 in Cassia County, Idaho:

2 TOWNSHIP 15 SOUTH, RANGE 24 EAST, BOISE
3 MERIDIAN

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

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

6 TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE
7 MERIDIAN

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

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

10 AND TOGETHER with four (4) shares of water in the Almo Water
11 Company and a certain well and pump in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 23,
12 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.

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

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

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

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

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

25 4. DOCUMENTS: B. Durfee and K. Durfee will execute
26 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 a
4 default under either or both of the contracts that the exchanged
5 lands, cattle, and irrigation equipment will be enforced under
6 the respective contract with E. Durfee, K. Durfee and/or B.
7 Durfee as though the same had been within the respective
8 contracts from the inception and as though no exchange had taken
9 place.

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

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

20 8. NON-WAIVER: The execution of this agreement by E.
21 Durfee shall not be construed as a waiver of any rights under
22 the respective contracts with K. Durfee and B. Durfee. The
23 contracts shall remain separate and independent and shall in no
24 way be altered except as to the exchange of properties. All
25 other terms and conditions of the contracts of all of the
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) ss
18 County of Cassia)

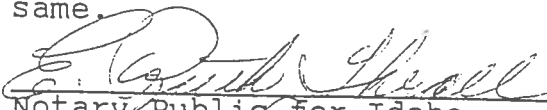
19 On this 12 day of April, in the year 1990, before
20 me, the undersigned, a Notary Public in and for said State,
21 personally appeared ELBERT L. DURFEE, a/k/a ELBERT DURFEE, and
22 GRACE A. DURFEE, husband and wife, known or identified to me to
23 be the persons whose names are subscribed to the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

25 E. Bruce Durfee
26 Notary Public for Idaho
Residing at Boise
My commission expires on 5-10-93

27 STATE OF IDAHO)
28) ss
29 County of Cassia)

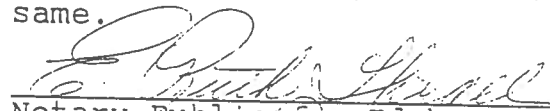
30 On this 12 day of April, in the year 1990, before
31 me, the undersigned, a Notary Public in and for said State,
32 personally appeared E. BRUCE DURFEE and KAY H. DURFEE, husband
and wife, known or identified to me to be the persons whose

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


Notary Public for Idaho
Residing at Boise
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.


Notary Public for Idaho
Residing at Boise
My commission expires on 5-10-93

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

PARSONS, SMITH & PEDERSEN
LAWYERS
BURLEY, IDAHO

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 as ELBERT DURFEE, and GRACE A. DURFEE, husband and wife, of Almo,
6 Idaho, herein called the "Seller", and KENT R. DURFEE and JANIS
7 C. DURFEE, husband and wife, of Almo, Idaho, herein called the
8 "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 15 SOUTH, RANGE 24 EAST BOISE MERIDIAN,
17 Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$
18 Section 16: NE $\frac{1}{2}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

19 TOWNSHIP 16 SOUTH, RANGE 24 EAST BOISE MERIDIAN
20 Section 12: S $\frac{1}{2}$ S $\frac{1}{2}$
21 Section 14: E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$
22 Section 21: E $\frac{1}{2}$

23 together with all and singular the tenements, hereditaments,
24 and appurtenances thereunto belonging and all water rights appurten-
25 ant, and the following personal property:

26 75 head of cattle branded Y Right hip
27 Miscellaneous farm machinery
28 Four shares water rights in the Almo Water Company
29 and an undivided one-third (1/3) interest in certain pump rights
30 in Township 16 South, Range 24 East Boise Meridian, which undiv-
31 ided one-third interest is with E. Bruce Durfee.

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

(a) Twenty Thousand Dollars (\$20,000.00) upon

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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 23. LIFE ESTATE: Located on the North Half of the
9 Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 15, Township 15 South,
10 Range 24 East Boise Meridian is a home and outbuildings occupied
11 by the Seller. Either or both of the Sellers shall be entitled
12 to a life estate in such home so long as they shall live and
13 so long as either or both shall reside in the home for at least
14 four months each year. Failure to occupy the home for four
15 months each year shall constitute abandonment and the life
16 estate shall be deemed to have terminated. So long as either
17 live there they will maintain the premises in as good a condition
18 as they now are, including, but not limited to painting, repairs,
19 yard upkeep, and so on. The Seller agrees to maintain a policy
20 of fire insurance on the premises with the proceeds payable
21 to the Buyer as the interest of the Buyer appears. In the
22 event of casualty and in the event that the premises are not
23 rebuilt the Buyer shall be entitled to the proceeds of the fire
24 insurance policy. The parties agree that for the purpose of
25 title clearance, this life estate shall not be placed upon the
26 deed, however, in the event the Seller deems it necessary the
27 Seller may record this contract to give notice to the world that
28 the Seller has a life estate in the particular property herein
29 described.

30 IN WITNESS WHEREOF, the parties have executed this
31 Agreement.
32

E. Albert L. Douglas

Grace A. Durfee
Kent R. Durfee
James C. Durfee

STATE OF IDAHO)
) ss
County of Cassia)

On this 19th day of March, 1975, before me,
the undersigned, a Notary Public in and for said State, personally
appeared ELBERT L. DURFEE and GRACE A. 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

STATE OF IDAHO)
) ss
County of Cassia)

affixed my official seal, the day and
first above written.

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

Provided, however, that you are authorized to receive any or all such payments or any part thereof any time after the above dates specified therefor (hereinafter referred to as the due dates) and prior to delivery of said documents and property to Grantor as hereinafter provided, with like effect as if paid on or before said due date.

If, however, at any time prior to full payment of all principal and interest above specified, Grantor delivers to you at the office above specified, written demand for the delivery of such documents and property to him, specifying in detail as grounds therefor, either:

(a) That all or any part of any payment of principal or interest above specified remains unpaid and that the due date therefor has passed; or

(b) That Grantee has failed to perform any specified term or condition, other than payment of principal and interest, incumbent on him to be performed, under that certain contract dated March 19 1975, made by and between Grantor herein as one party and Grantee herein as the other party, copy of which is deposited with you herewith for purposes of identification, then in such event or events, hereinafter called defaults, you shall promptly deliver to Grantee personally, or at your option deposit in the United States mail, postage prepaid, addressed to Grantee at Almo, Idaho

or at such other address as he may have directed by writing previously delivered to you at the branch above designated, copy of such demand. If it appears by your records that all payments of principal or interest designated in said demand and for which the due date

has actually arrived are fully paid, or if not, then if the same be paid before the expiration of 30 days after said copy of demand is so delivered or mailed to Grantee, and within the same time Grantee also proves to your satisfaction that none of the other defaults, if any, specified in said demand existed at the time said demand was made, or if they did that they do so no longer, Grantor's said demand shall be disregarded and you shall continue to hold said documents and property under the terms hereof and to receive the payments as above specified at the times and on the same conditions and to the same effect as if no such demand had been made; otherwise all said documents and property then held by you shall be delivered to Grantor; provided, however, that you may at your option at any time without liability to anyone, withhold delivery of all said documents and property and decline to receive further payments hereunder until your rights, powers and duties hereunder in any respect requested by you have been settled acceptably to yourselves by further written instructions of the undersigned or finally determined by judicial action.

It is further agreed that this instrument contains the entire agreement between you and the undersigned, or any of them, and that you are not a party to or bound by the contract referred to in paragraph designated (b) above, or any provision thereof, nor by any instrument or agreement other than this, whether between or among the undersigned themselves, or otherwise; that you shall not be required to take notice of any default or any other matter, nor bound by nor required to give any notice or demand, nor require to take any action whatever except as herein expressly provided; and you shall not be liable for any loss or damage not caused by your own negligence or willful misconduct.

The undersigned agree to pay you as compensation for your services hereunder an initial fee of \$ _____

and an additional fee of one-tenth of one per cent. (but not less than _____ cents on each collection) of all funds received by you hereunder, together with all actual and necessary expenses and liabilities you may incur hereunder, for all which you are granted a first lien on all the above described property and documents and all funds coming into your hands hereunder, and you shall be under no obligation to deliver any of said documents, property, or funds until such lien is discharged, anything herein contained to the contrary notwithstanding.

The words "Grantor" and "Grantee", and the language of this instrument, where there is more than one grantor or grantee, shall be construed as plural and be binding equally on all such grantors and/or grantees, and in cases where one or more are females, the masculine shall include the feminine. The word "undersigned" as hereinbefore used, refers to the grantors and/or grantees, and not to you.

IN WITNESS WHEREOF, the parties have executed this instrument, in triplicate, this 19 day of March, 19 75, at Burley, Idaho

s/ Kent R. Durfee

s/ Elbert L. Durfee

s/ Janis C. Durfee

s/ Grace A. Durfee

GRANTEES

GRANTORS

STATE OF IDAHO }
County of CASSIA } ss.

On this 19 & 22 day of March, in the year 19 75, before me, the undersigned, a Notary Public in and for said state, personally appeared ELBERT L. DURFEE and GRACE A. DURFEE, husband and wife, and KENT R. DURFEE and JANIS C. DURFEE, husband and wife, known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument, and acknowledged to me that (t)he(y) executed the same.

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

s/ William A. Parsons

Notary Public for Idaho

Residing at Burley, Idaho

The undersigned bank hereby acknowledges receipt of the documents and property described in the foregoing agreement, and agrees to hold and dispose of the same in accordance with the instructions and upon the terms and conditions above set forth.

Dated at Albion, Idaho this 25 day of March, 19 75.

D. L. EVANS BANK

By [Signature]

ESCROW AGREEMENT

To D. L. EVANS BANK
Albion, Idaho

(Address)

The undersigned, ELBERT L. DURFEE and GRACE A. DURFEE, husband and wife,

hereinafter called "Grantor," and KENT R. DURFEE and JANIS C. DURFEE, husband and wife,

hereinafter called "Grantee," herewith deliver to you in escrow the documents and property hereinafter described, to be held and disposed of by you in accordance with the instructions and upon the terms herein set forth, and not otherwise, to all of which the undersigned hereby agree. Said documents and property are described as follows:

1. Contract of Sale dated March 19th, 1975
2. Warranty Deed dated March 19th, 1975
3. Escrow Agreement

You are hereby authorized and directed to deliver the above described documents and property to Grantee upon payment to you, at the address above specified, for the Grantor of the total sum of \$ 60,000.00, principal and interest on the unpaid balance thereof at 5 per cent. per annum from March 1, 1975, to be paid as follows:

(Specify date and amount of each payment of principal and dates of interest payments)

(a) Twenty Thousand Dollars (\$20,000.00) upon the execution and delivery of this contract, the receipt whereof is hereby acknowledged.

(b) Sixty Thousand Dollars (\$60,000.00) in annual installment payment of Four Thousand Twelve Dollars and Fifty Cents (\$4,012.50), including interest on the unpaid balance at the rate of five percent (5%) per annum. The first annual installment shall be due on March 1, 1976, and annually on the first day of March thereafter until all principal and interest shall have been paid. Interest on the first installment shall be computed from March 1, 1975, and thereafter interest shall be computed from the date of the last principal payment. Notwithstanding the foregoing all payments of principal and interest, unless sooner prepaid shall be due and payable on March 1, 1996.

(c) The Buyer has the privilege to prepay any and all of the unpaid balance at any time so long as all interest is paid to the date of such prepayment.

(d) Any escrow charges attributed to the Buyer shall be in addition to the regular installment payments of principal and interest.

Grantor Social Sec. No. 518-42-6679
Grantee Social Sec. No. 519-72-5868

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: 43-13050

KENT DURFEE

PO BOX 175

ALMO ID 83312

Telephone Number: (208)824-5536

RECEIVED

JUL - 2 2001

Department of Water Resources
Southern Region

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: 6/29/01

SIGNATURE: Kent R. Durfee

Please print your name: Kent R. Durfee

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

06/12/2001

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

RIGHT NUMBER: 43-13050
NAME AND ADDRESS: KENT DURFEE
PO BOX 175
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 1.02 CFS
218 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-13048 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 218 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 43-13048 AND 43-13054 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.25 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	1.02 CFS 218.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T16S R24E S12	NESW	20	T16S R24E S12 SWSW 25
T16S R24E S12	SESW	40	

85 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-13048 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 62 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 85 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2058, 43-2214, 43-13044, 43-13046, 43-13048, 43-13050, 43-13052, 43-13054.

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

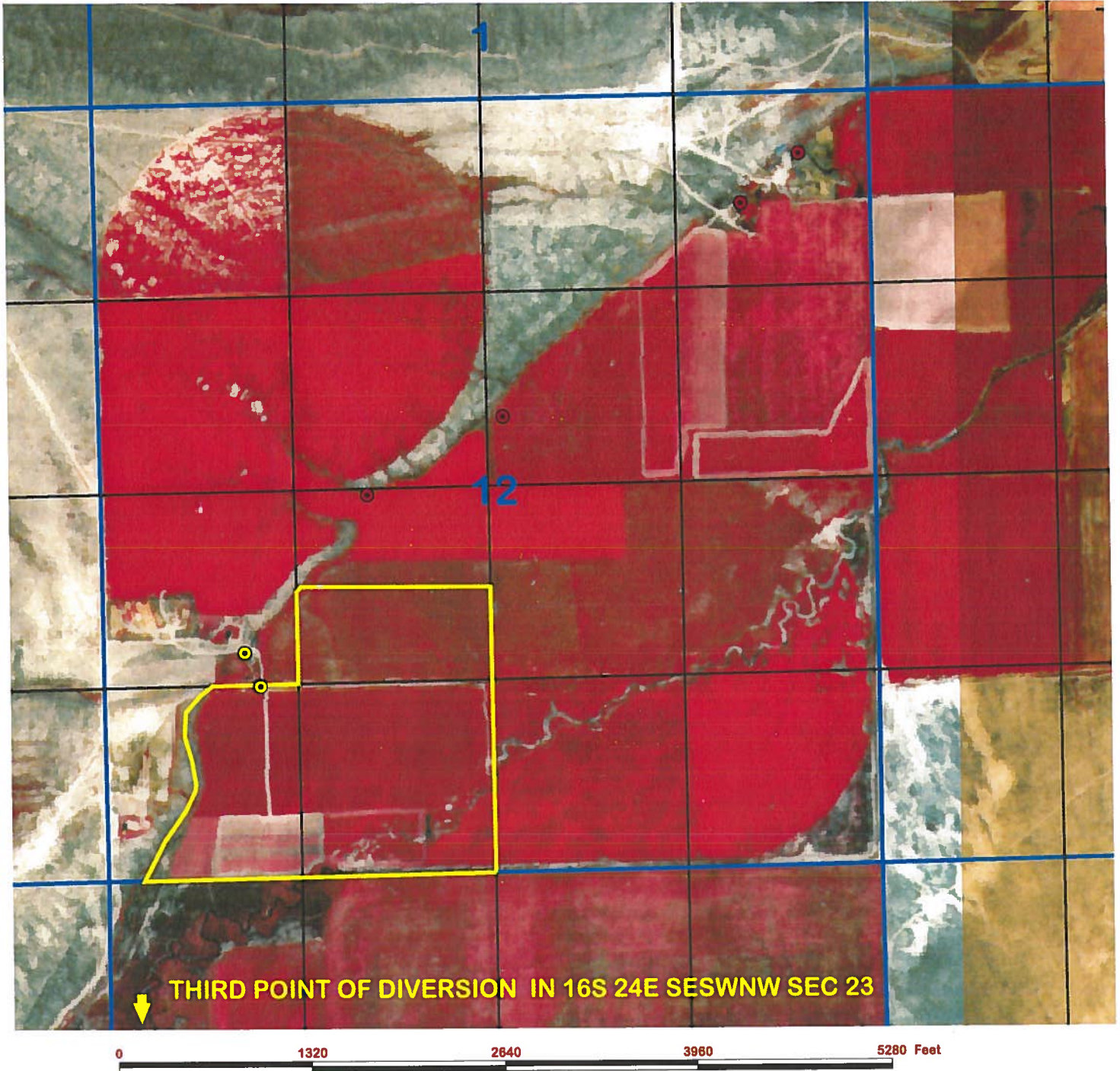
RIGHT NO. 43-13054 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.
THIS RIGHT IS A PORTION OF 43-2560

Idaho Department of Water Resources

**RIGHTS: 43-13048, 43-13050, 43-13052,
43-13054**

**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**

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

02/01/2001

RIGHT NUMBER:

43-2560

B 43-13049
K 43-13050

NAME AND ADDRESS:

KENT DUFEE
PO BOX 175
ALMO, ID 83312

E BRUCE DUFEE
PO BOX 187
ALMO, ID 83312

SOURCE:

GROUND WATER

B 3.98

QUANTITY:

5 CFS

1071

K 1.02

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
T16S R24E S12
T16S R24E S23

SENWSW
NESWSW
SESWNW

Within CASSIA County
Within CASSIA County
Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
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.

Water Right 43-2560

ALSO SEE 43-13049

Limits
B 244 ac
K 62 ac

split

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.

Split Rights

GW Claims

DA
6-8-01

Bruce Durfee, Kent Durfee

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

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

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

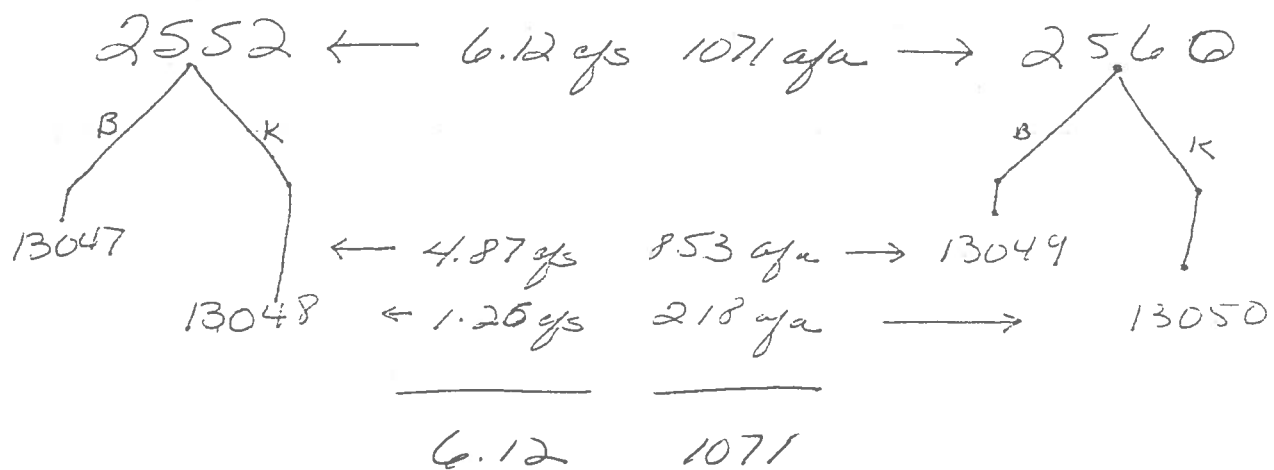
$$7.64 \times .204 = 1.55 K$$

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

↑ OK'd by B & K Durfee 6-8-01

B-	43-		cfs	aga	ac
2552	13047 B	COMB 1.25	2.87	853	244
	13048 K		.73	218	62
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

DA
6-8-01

AJ5809NP
No. A43-02560

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/27/00
PAGE: 1

OWNER
CODE NAME & ADDRESS

C ELBERT L DUFFEE
C E BRUCE DUFFEE
PO BOX 187
ALMO ID 83312
(208) 824-5566

C KENT DUFFEE
PO BOX 175
ALMO ID 83312
(208) 824-5536

Water Source: GROUNDWATER

Point(s) of Diversion:

Place of use Legal Description for

T R S : Lt Ac Lt Ac Lt Ac Lt
NE
16S 24E 12 :

POU County: CASSIA

Other Rights: A43-10014, A43-025

Remarks: GEN TRANS. 28;
AS A RESUL
FOR A TOT.
2.52 CFS)

WHEN COMBINED WITH ALL OTHERS
WATER TO REPLACE REED SPRING IS EQUAL TO 0.80 CFS PER WATERMASTER
DIST. 34-8. IT IS PART OF THE 6.12 CFS.

Dates: Exam Made Date:
Misc: Water District Number:

Verified Date: 11/07/1985
Field Inspection Flag: E
Presumption Flag: E

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

01/04/1963 IRRIGATION

04-01 10-31

2.520 CFS

930,000 AFA

Recommend as lic

5.0 cfs on 306

combined limits with

2552 6.12 cfs
10014

(well in 14 cap in 68 1.8
" " " 89 2.1

Comb limits per system
capacity

2552, 2560, 4018, 7140
8.9 cfs (orig lic capacity
plus add cap of .3 w/ 8 in 14)

11/19/00
306 ac
10/11
10/11
10/11

Dist Combined
Don Limits 800 &
500 417 PAC
and 834 cfs
E 28

809

10014

Int 1001 7140, 4018, 2552 limited to 89 cfs
Don 1001 2552 to 6.12 cfs & 2552 cfs & 306 ac

1001

1001

1001

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

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.

CERTIFICATION OF VITAL RECORD

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: ~~518-42-5679~~

RESIDENCE: ALMO, IDAHO

FATHER: LORENZO DURFEE

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): ANNA ABBY BRUESCH

MOTHERS BIRTHPLACE: NEW MEXICO

MORTUARY: PAYNE MORTUARY

MORTICIAN: JOSEPH W. LARSEN

BURLEY, 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:

John J. Smith



A43 - 4018

A43-02552

A43 - 2560

165 24E12
SE NSW

Kent Durfee

LD10 A43 - 10014

NORMAL

LD10

No.10

L

OG NAME: KENT12N

START : 06-02 12:05

END : 06-02 12:15

INTERVAL: 00:01:00

06-02 12:12:00

+3.661E+0 ft/s

+3.025E+2 gal/m

+TOTAL 0003268 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:13:00

+0.000E+0 ft/s

+0.000E+0 gal/m

+TOTAL 0003303 gal

-TOTAL 0000060 gal

NORMAL

06-02 12:05:00

+4.331E+0 ft/s

+3.578E+2 gal/m

+TOTAL 0000723 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:06:00

+4.340E+0 ft/s

+3.586E+2 gal/m

+TOTAL 0001082 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:07:00

+4.353E+0 ft/s

+3.597E+2 gal/m

+TOTAL 0001441 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:08:00

+4.326E+0 ft/s

+3.575E+2 gal/m

+TOTAL 0001800 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:09:00

+4.316E+0 ft/s

+3.567E+2 gal/m

+TOTAL 0002157 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:10:00

+4.340E+0 ft/s

+3.586E+2 gal/m

+TOTAL 0002515 gal

-TOTAL 0000055 gal

NORMAL

06-02 12:11:00

+5.214E+0 ft/s

+4.308E+2 gal/m

+TOTAL 0002912 gal

-TOTAL 0000055 gal

Avg = 3588 gm
= 0.80 cfs
Max ≈ 430 gm

A43-4018

-255
-2566
-1001416524E12
NESWSW

Kent Durfee

L00000000LD07

LD07

LD07

No.07

L

OG NAME:KENT12S

START :06-02 11:35

END :06-02 11:50

INTERVAL:00:01:00

06-02 11:35:00

+5.207E+0 ft/s

+4.273E+2 gal/m

+TOTAL 0002572 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:36:00

+5.132E+0 ft/s

+4.211E+2 gal/m

+TOTAL 0002997 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:37:00

+4.986E+0 ft/s

+4.091E+2 gal/m

+TOTAL 0003413 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:38:00

+4.834E+0 ft/s

+3.967E+2 gal/m

+TOTAL 0003816 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:39:00

+4.680E+0 ft/s

+3.841E+2 gal/m

+TOTAL 0004208 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:40:00

+4.583E+0 ft/s

+3.761E+2 gal/m

+TOTAL 0004589 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:41:00

+4.385E+0 ft/s

+3.599E+2 gal/m

+TOTAL 0004960 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:42:00

+4.396E+0 ft/s

+3.607E+2 gal/m

+TOTAL 0005310 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:43:00

+4.854E+0 ft/s

+3.983E+2 gal/m

+TOTAL 0005703 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:44:00

+4.803E+0 ft/s

+3.942E+2 gal/m

+TOTAL 0006100 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:45:00

+4.776E+0 ft/s

+3.919E+2 gal/m

+TOTAL 0006494 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:46:00

+4.755E+0 ft/s

+3.903E+2 gal/m

+TOTAL 0006887 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:47:00

+4.715E+0 ft/s

+3.869E+2 gal/m

+TOTAL 0007276 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:48:00

+4.698E+0 ft/s

+3.855E+2 gal/m

+TOTAL 0007663 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:49:00

+4.720E+0 ft/s

+3.873E+2 gal/m

+TOTAL 0008050 gal

-TOTAL 0000055 gal

NORMAL

06-02 11:50:00

+4.437E+0 ft/s

+3.642E+2 gal/m

+TOTAL 0008429 gal

-TOTAL 0000055 gal

NORMAL

Aug = 3858m
= 0.86cfs

MAX ≈ 430 gpm

AMENDED

Water Right No. 43-2552
43-2560
Trans. 2712STATE 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 _____
43-2552 & 43-2560 (Name of court)
b. License No. Trans 2712 issued by the Idaho Department of Water Resources
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 $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23
Township 16S Range 24E, B.M., in Cassia County
Additional points of diversion, if any NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14; (3 pts) NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, all in T16S,
R24E, B.M.
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
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

B. DESCRIPTION OF RIGHT OR PORTION OF RIGHT OWNED BY APPLICANT (If the 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

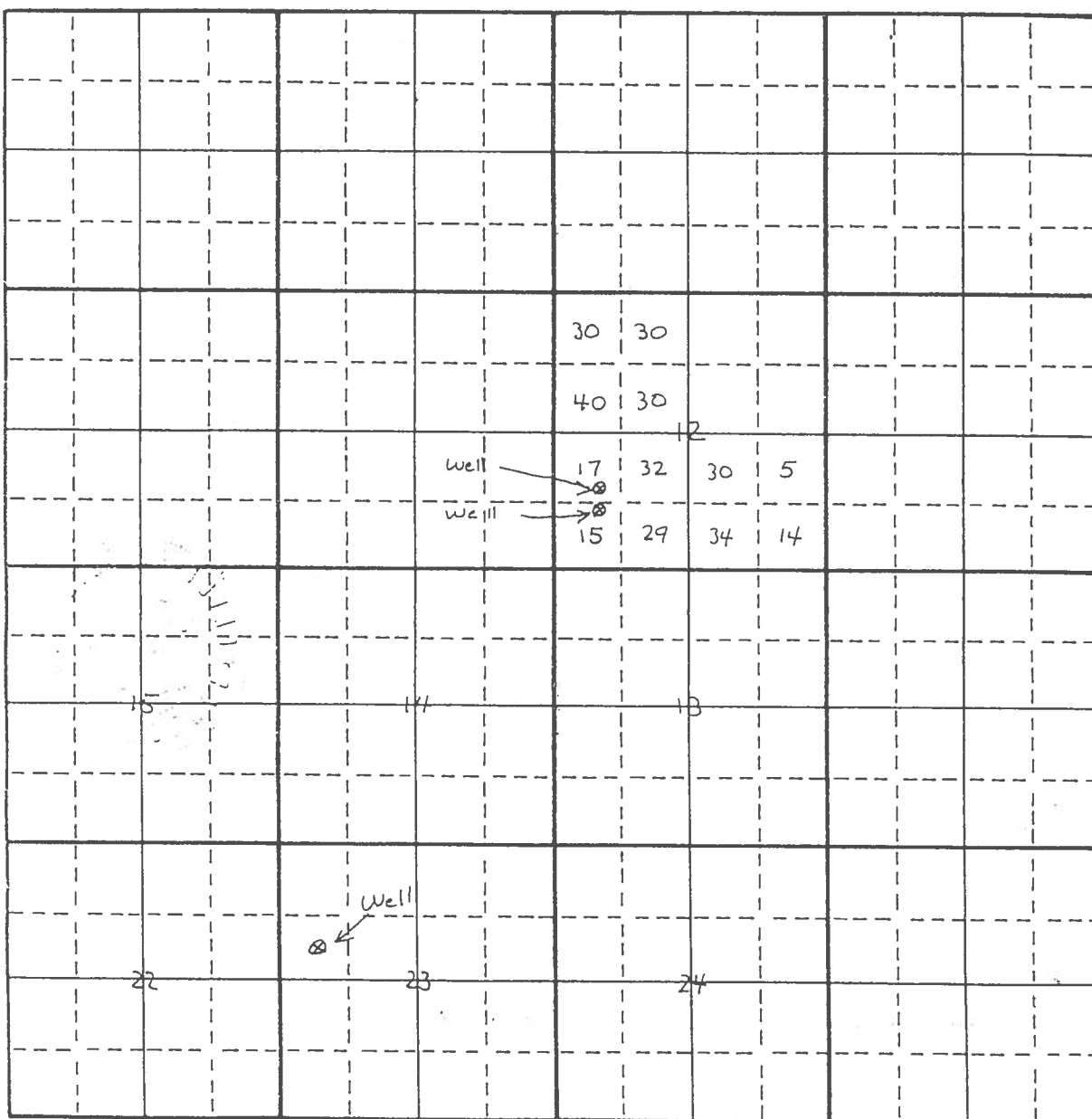
Point of diversion SW 1/4 NW 1/4, Section 23 Township 16S
Range 24E, B.M., Cassia County
Additional points NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 12, T16S, R24E, B.M.
(Note that both of the wells in Sec. 12 have been recorded as being in the NW 1/4 SW 1/4 however one of these is actually in the 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.

c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	24E	12					30	30	40	30	32	17	15	29	5	30	34	14	306

Total number of acres to be irrigated 306

4. Describe any other water rights used for the same purpose as described above. 43-4018
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. Purlee
(Signature of Applicant)

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

Loren O. Halmer
(Notary Public)

My commission expires 6/1

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2552/2560 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 Saxton
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 South LA Press Copies of protest forwarded by _____
Pub. dates 5/7 & 5/14/85 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

Water Right No. 1.6.11- (A) 43-2552(B) 43-2560
T 1935

STATE OF IDAHO

Department of Water Resources
District Office

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. (A) 3.6 cubic feet per second
(B) 5.0 &/or
(A) 1082
(B) 930 acre feet per annum7. Location of original point of diversion is SW 1/4 of NW 1/4 of Section 23Township 16S Range 24E, B.M., in CASSIA CountyAdditional points of diversion, if any (B) NWSE Sec 14, Twp 16S Rge 24E3 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 43-4012

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

T 2712

13-2552
13-2560
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 (B) 5.0 cfs c.f.s. &/or (A) 1082 (B) 930 acre feet
 - b. Description of diverting works 1 1/2" pipe, pumps, meters, pipe line & ditch to pond and gravel system
 - c. Describe the reasons for the proposed changes To allow pump from the pond of the gravel system. The concrete ditch, being pump out

2. Change in point of diversion

Point of diversion SW ¼ NW ¼, Section 23 Township 16S
Range 24E, B.M., Cassia County
Additional points NW ¼ Sec 14, 3 pt. with NW ¼ Sec 12, Twp 16S Rge 24E.

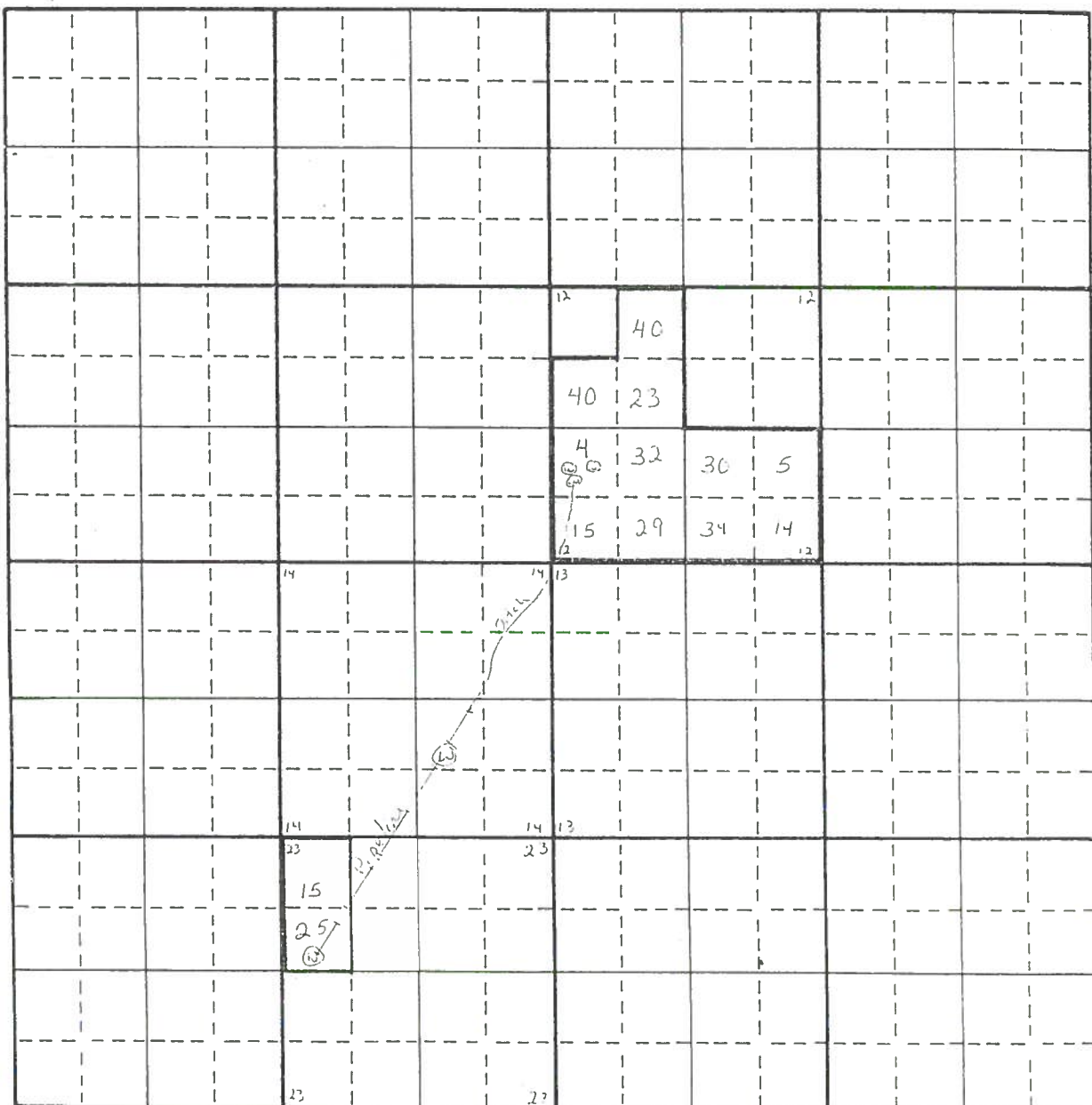
3. Change in place of use

- 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

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 4/2 4015
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

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.

Ellert L. Durfee
(Signature of Applicant)

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

[Signature]
(Notary Public)

My commission expires 1/1

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 Sayton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

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

Prelim. check by _____ Fee \$50⁰⁰

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

Published in South Idaho Press 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 Juan 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 APPLICATION FOR TRANSFER OF WATER RIGHT

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

Department of Water Resources
Southern District Office

APPROVED

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. (B) 930 acre feet per annum (when combined)

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. 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
&/or
b. _____ acre feet per annum
2. Point of diversion _____
Range _____, B.M., _____ Township
Additional points _____ County

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) 3.60 cfs
a. Amount of water to be diverted (B) 5.0 cfs c.f.s. &/or (A) 1,082
b. Point(s) of diversion (A) SW 1/4 NW 1/4 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 & 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	
		23						15	25										266
																			40

(3)

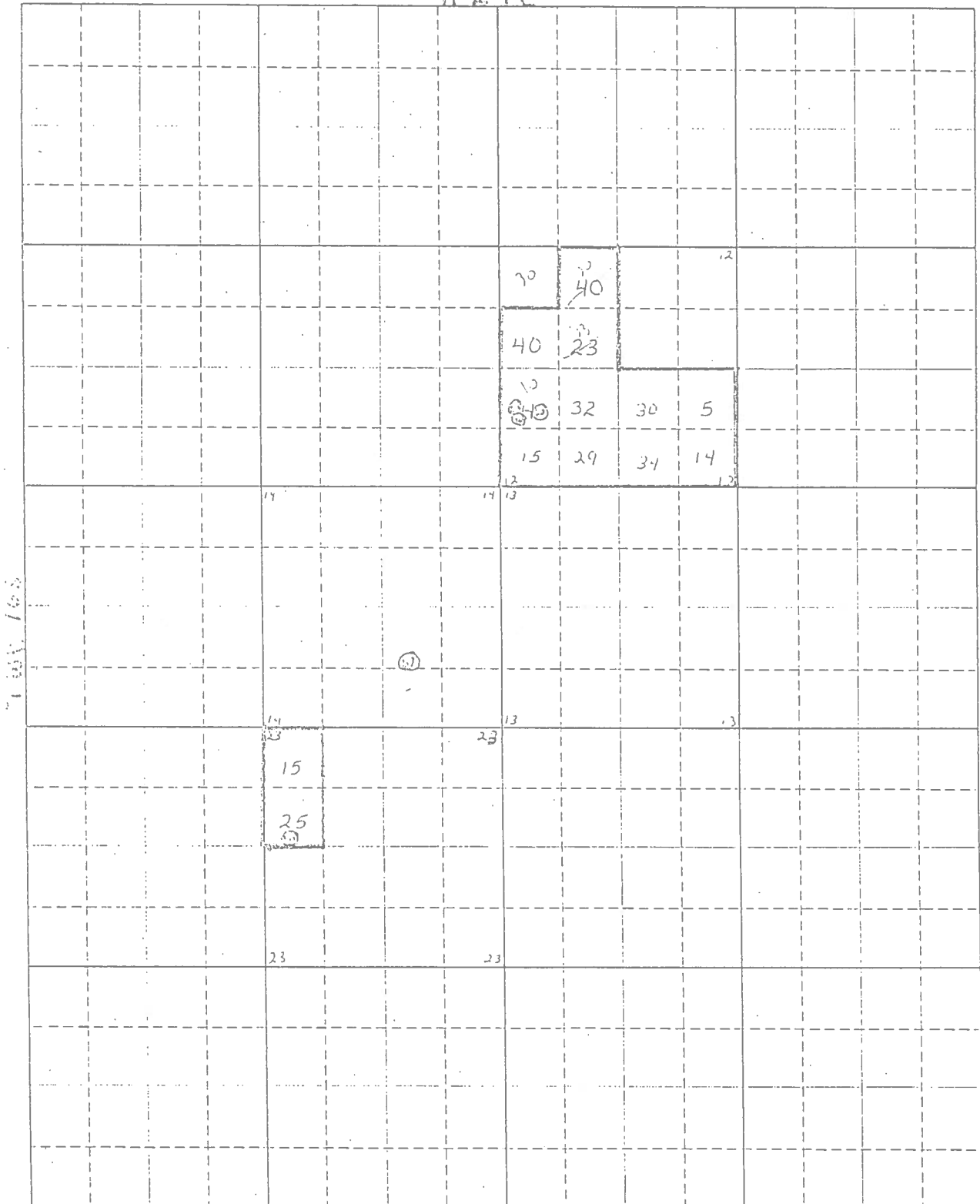
30874 - 43-2560

TWP.	RANGE	SEC.	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	
16S	24E	12									32	4	15	29	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.

R 24 E



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

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. Purser
(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. Frank Higgins

FOR DEPARTMENT USE ONLY

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

Prelim. check by CE Fee 30.150

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 J. Stuck DCR

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELBERT L DUFFEE	01/04/1963	IRRIGATION	04-01 10-31	2.52 CFS	930.00 AFA
C	E BRUCE DUFFEE					
TOTAL DIVERSION:					2.52 CFS	
CONSUMPTIVE USE:						765.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T16S R24E S12 S23 NWSW SWSW CASSIA County CASSIA County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NE NE SENE	NEW NW NW SENE	NESE NW NW SENE	NESE NW NW SENE	
16S 24E 12	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: SUM
	: 30	: 30	: 32	: 17	: 15
					: 29
					: 05
					: 30
					: 34
					: 14
					: 306.0
					: 306.0
					: 306.0

POU County: CASSIA

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

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.

Dates: Exam Made Date: 11/07/1985
Verified Date:
Misc: Water District Number: Field Inspection Flag: E
Presumption Flag: