

07/30/2001

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

RIGHT NUMBER:

43-10096

NAME AND ADDRESS:

BRUCE DURFEE
PO BOX 187
ALMO, ID 83312

SOURCE:

GROUND WATER

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE:

06/30/1978

POINT OF DIVERSION:

T14S R25E S28

SESENW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
1-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County
T14S R25E S28 SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP14S25E282400 STOCKWATER, 100 RANGE CATTLE

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: 43-10096

BRUCE DURFEE

PO BOX 187

ALMO ID 83312

Telephone Number: (208)824-5566

RECEIVED

JUL 24 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):

Explanatory material

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

it should read stockwater 100 Range

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: 7-7-01

SIGNATURE: E. Bruce Durfee

Please print your name: E Bruce Durfee

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

*Parcel # RP 14S2SE282400
Stockwater, 100 Range*

06/08/2001

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

RIGHT NUMBER: 43-10096

NAME AND ADDRESS: BRUCE DURFEE
PO BOX 187
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 06/30/1978

POINT OF DIVERSION: T14S R25E S28 SESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County
T14S R25E S28 SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP14S25E282400 STOCKWATER, 50 RANGE

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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
	43-10096				
	43-10108				

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) Lamo Ellison
4. New Owner/Claimant(s) E. Bruce Durtée
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 187
- City, State and ZIP Code Almo Idaho 83312
- New Telephone Number 208 824 5566
5. Date you acquired the property 1984

WARRANTY DEED

For Value Received LANO A. ELISON, also known as Lano Elison, and
LOIS Z. ELISON, also known as Lois Elison, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

E. BRUCE DURFEE and KAY H. DURFEE, husband and wife

Address: P. O. Box 187

Almo, Idaho 83312

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: $W\frac{1}{2}$

Section 32: $SE\frac{1}{4}SE\frac{1}{4}$

Section 33: $SW\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used
thereon or appurtenant thereto.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1994 and subsequent years.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: June 28, 1994

Lano A. Elison
Lano A. Elison, aka Lano Elison

Lois Z. Elison
Lois Z. Elison, aka Lois Elison

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997

PAGE: A-39

RIGHT NUMBER: 43-10096

NAME & ADDRESS: LOIS ELISON
LANO ELISON
HC 72 BOX 2176
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/30/1978

POINT OF DIVERSION: T14S R25E S28 SESENW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER		01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T14S R25E S28 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP14S25E282400
STOCKWATER, 50 RANGE

Claim proofread by: KT

Date: 9-4

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-8-1997

PAGE: A-43

RIGHT NUMBER: 43-10096

NAME & ADDRESS: LOIS ELISON
LANO ELISON
HC 72 BOX 2176
MALTA ID 83342

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/30/1978

POINT OF DIVERSION: T14S R25E S28 SESENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 50 RANGE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T14S R25E S28 SENW

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

PARCEL NO. RP14S25E282400

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KS T

Date: 8/13/97

Data entry verified by: [Signature]

Date: 8-15-97

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: A43-10096
Date Received: 4/19/1989
Receipt No: S006905
Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LANO ELISON 208-645-2537
Address: HC 72 BOX 2176
MALTA, ID 83342

OR
Name: LOIS ELISON 208-645-2537
Address: HC 72 BOX 2176
MALTA, ID 83342

2. Date of Priority: JUN 30, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	25E	28	SE	SE	NW		CASSIA

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	25E	28	SE NW		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Lano Olson Date: 4-19-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of April 19 89

Shirley J. [Signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

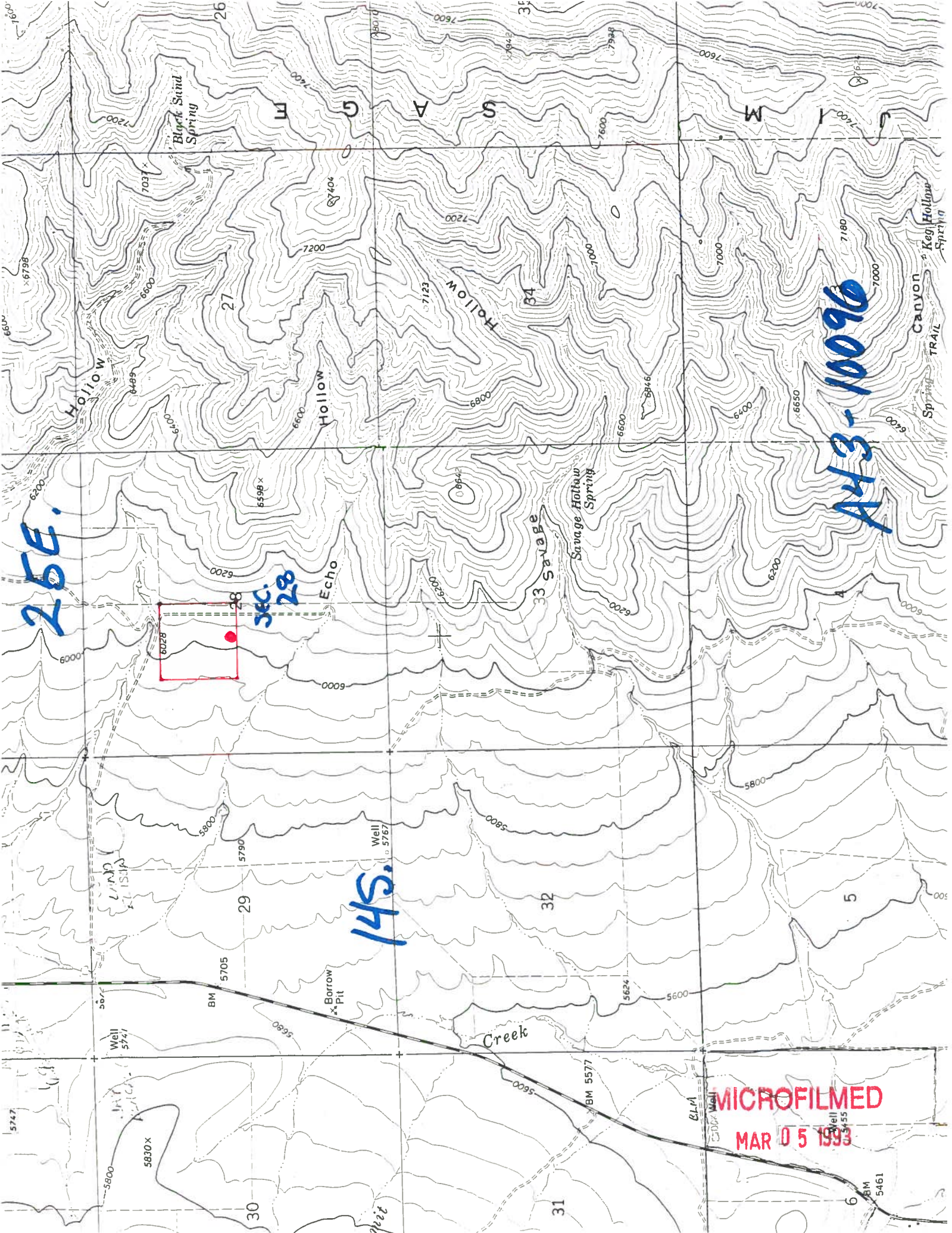
25E.

36C. 28

14S.

A43-10090

MICROFILMED
MAR 05 1993



PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A43-10096

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - - - AUDIT FIELDS - 04/19/89 CLELLAND

- - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	04/19/1989	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PAID MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	S006905	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	JR			

RP14S25E28 2400

DATA ENTRY

ENTERED 4-20-91 *and*
CHECKED 6/15/92 *AK*

Verified By
Tono Map/Ortho PQ
ASCS Map
Watermaster Records
NAEP Files
Field Exp. (Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED
OCT 17 1991
WATER EXAMINER

VERIFIED
OCT 17 1991