

State of Idaho
Department of Water Resources

RECEIVED

DEC 18 1973

WATER RIGHT LICENSE

License of Water Right No. 36-7387 Priority October 27, 1973 Amount 0.88 cfs
(late proof) Department of Water Resources
Southern District Office

THIS IS TO CERTIFY, that JAMES M. DURFEE
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7387 issued pursuant to Application for Permit dated October 11, 1973,
and has submitted proof to the Department of Water Resources on November 17, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.38 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.88</u> cfs and	<u>427</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.88 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
427 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, Twp. 8S,
Rge. 14E, B.M. in the County of Gooding

Description and location of 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 $\frac{1}{4}$	
8S	14E	25	35	37	33	35													140

Total number of acres irrigated 140

CONDITION:

The maximum volume of water diverted under this license when combined
with License No. 36-2312 shall not exceed 588 acre feet per annum.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 79.


Director

36-7387

Log for claim 36-07387A

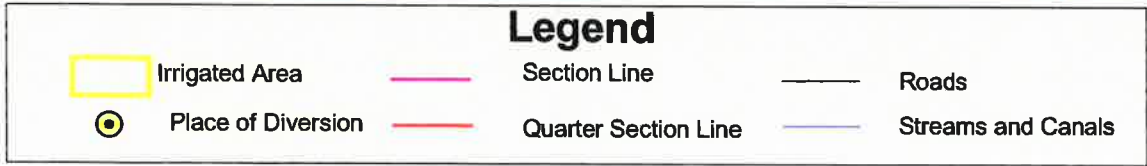
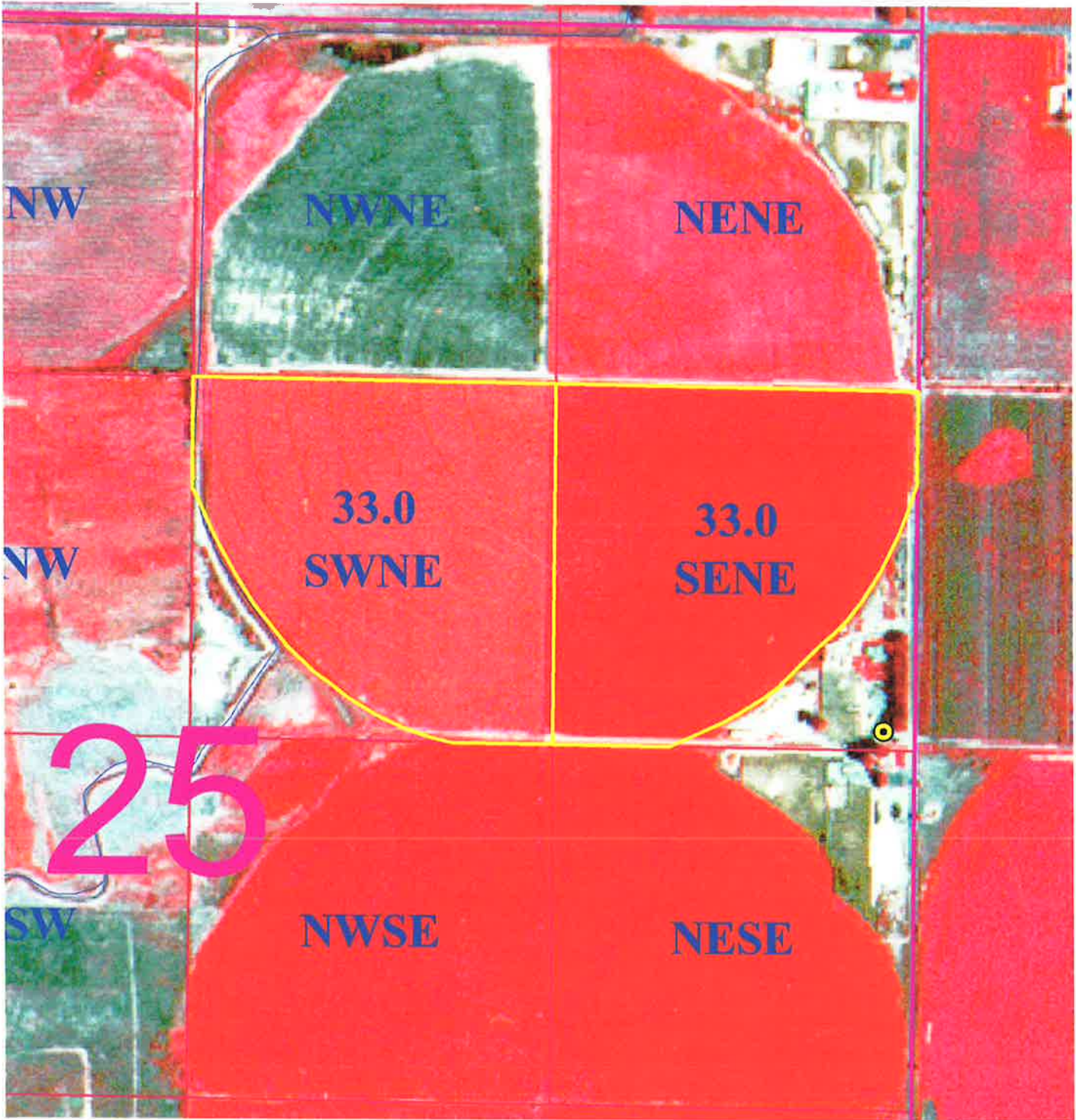
Spatial Dynamics LTD

11/26/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
08s14e	25	SWNE	33	33	
08s14e	25	SENE	33	33	
Totals:			66	66	

Water Right Number 36-07387A
Townships , 8S14E, 8S15E

11/26/2001



COPY

1999 DEC 22 AM 11:38

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 36-02312A and 36-07387A

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 36-02312A and 36-07387A

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
12/2/1999

36-02312A AND 36-07387A

PAGE 1

From (Claimant/Seller):

Name of Claimant: JAMES M DURFEE
Address: 37 SUNNYSIDE DR
JEROME ID 83338-5973
Phone: (208) 324-9660

Name of Claimant: DEWEY D DURFEE
Address: RT 1
WENDELL ID 83355
Phone: (208) 536-2643

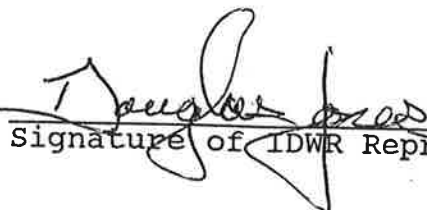
To (Claimant/Purchaser):

Name of Claimant: DEWEY DURFEE
YNES DURFEE
Address: 3443 S 1700 E
WENDELL ID 83355
Phone: (208) 536-5643

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 12/17/99



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
12/2/1999

36-02312A AND 36-07387A

PAGE 2

COBY

CERTIFICATE OF MAILING

I certify that on 12/22/1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JAMES M DURFEE
37 SUNNYSIDE DR
JEROME ID 83338-5973

DEWEY D DURFEE
RT 1
WENDELL ID 83355
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DEWEY DURFEE
YNES DURFEE
3443 S 1700 E
WENDELL ID 83355
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
12/2/1999

36-02312A AND 36-07387A

PAGE 3

AJ5856NP

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

DATE: DEC-21-1999
PAGE: A-7

RIGHT NUMBER: 36-02312A

NAME & ADDRESS: DEWEY DURFEE
YNES DURFEE
3443 S 1700 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.75 CFS
264.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-07387A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.19 CFS AND A
TOTAL ANNUAL DIVERSION VOLUME OF 264 AF.

PRIORITY DATE: 11/26/1956

POINT OF DIVERSION: T08S R14E S25 SESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.75 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T08S R14E S25 SWNE 33 SENE 33
66 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 36-07387A AND 36-07641 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A
SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02312B, 36-07387A,
36-07387B AND 36-07641.

AJ5856NP

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

DATE: DEC-21-1999

PAGE: A-12

RIGHT NUMBER: 36-07387A

NAME & ADDRESS: DEWEY DURFEE
YNES DURFEE
3443 S 1700 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.44 CFS
264.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.19 CFS AND A
TOTAL ANNUAL DIVERSION VOLUME OF 264 AF.

PRIORITY DATE: 10/27/1973

POINT OF DIVERSION: T08S R14E S25 SESENE

Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15

QUANTITY
0.44 CFS

PLACE OF USE:

IRRIGATION
T08S R14E S25
66 ACRES TOTAL

Within GOODING County
SWNE 33

SENE 33

USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A
SINGLE IRRIGATION SEASON.

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02312A, 36-02312B,
36-07387B AND 36-07641.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

December 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEWEY DURFEE
YNES DURFEE
3443 S 1700 E
WENDELL ID 83355

RE: SRBA Claim(s) 36-02312A, 36-07387A

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: James Durfee

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

RECEIVED
 NOV 29 1999
 Department of Water Resources

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): 36-023127 36-073877
 Adjudication Claim No(s): _____

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 claim(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 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 Dewey Durfee 34435 1700E Wendell Id
James Durfee 37 Sunnyside Dr Jerome Id

4. New Owner/Claimant(s) Dewey Durfee 34435 1700E Wendell Id
 New Mailing Address or James Durfee
 City, State and ZIP Code 83355
 New Telephone Number (208) 536-2643

5. Date you acquired the property Jan 18 1994

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) Dewey Durfee
 or Claimant(s) _____

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.

WARRANTY DEED

For Value Received

JMD

J. *BFD*
JAMES M. DURFEE and BRENDA DURFEE, Husband and Wife,
Wendell, Idaho

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

DD D. DEWEY DURFEE and V. YNES DURFEE, Husband and Wife
Wendell, Idaho *J. B. S.*

Hereinafter called the Grantee, the following described premises situated in Gooding

County, Idaho, to-wit:

3443 S 1700 E Wendell

THE S½NE½, Section 25, Township 8 South, Range 14,
E.B.M.

Together with all appurtenances including the water right
evidenced by State of Idaho water license number 26622.
No. 36-2312 for 1.5 c.f.s. priority date, november 26, 1956.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And 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: this 11th day of October, 1979.

James M. Durfee
James M. Durfee

Brenda J. Durfee
Brenda J. Durfee

STATE OF IDAHO, COUNTY OF Gooding

On this 11th day of October 1979
before me, a Notary Public in and for said State, personally appeared

JAMES M. DURFEE and BRENDA J. DURFEE

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

William H. Lucke
Notary Public
Residing at Gooding Idaho.

STATE OF IDAHO, COUNTY OF Gooding

I hereby certify that this instrument was filed for record
at the request of *D. Durfee*
at 55 minutes past 2 o'clock P.M.,
this 18 day of Jan
1979, in my office, and duly recorded in Book
of Deeds at page

JOHN A. MYERS

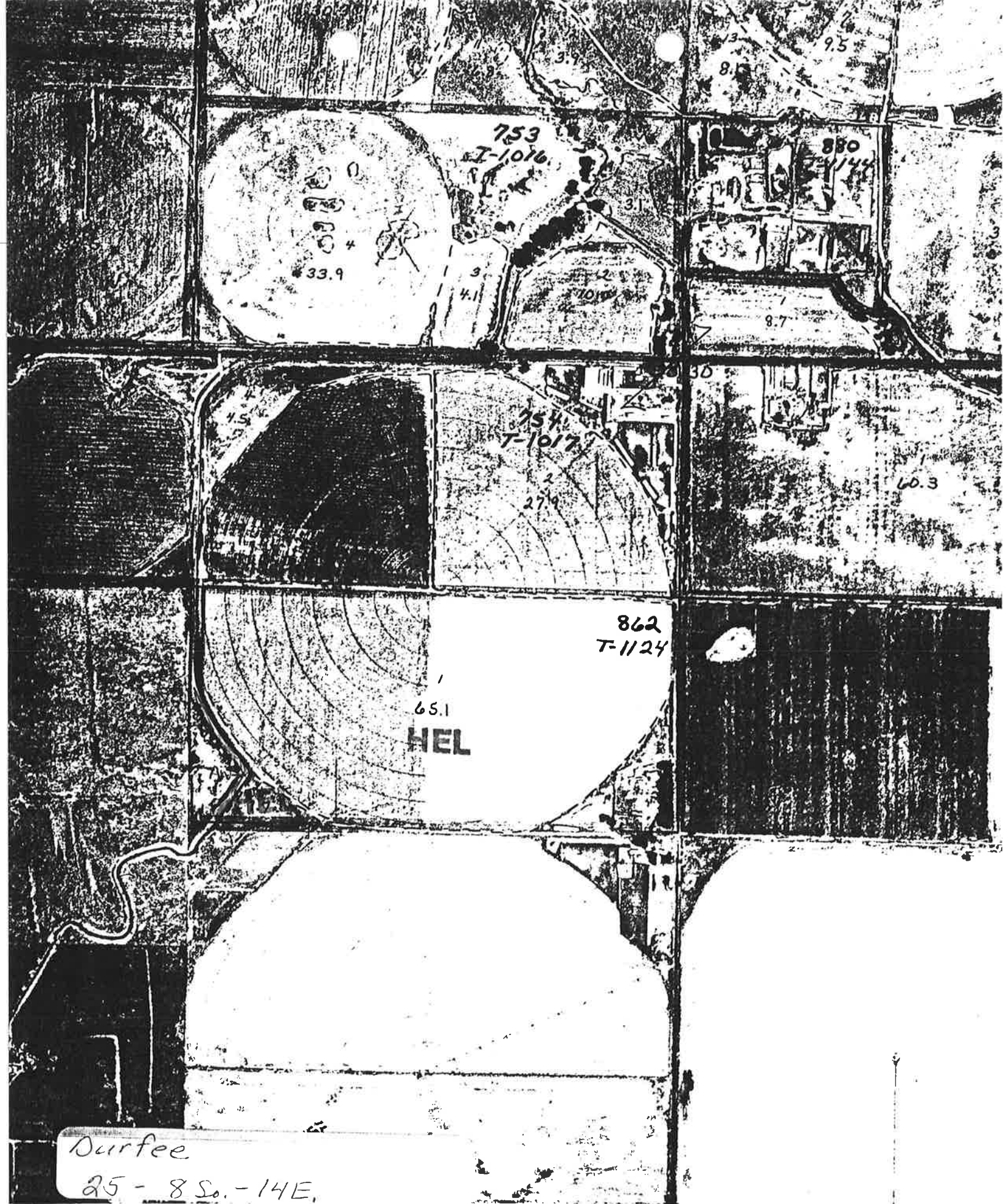
Ex-Officio Recorder

By *Adriana Sells*
Deputy.

Fees \$ 3.00
Mail to:

155482

Instrument No.



Durfee

25 - 8 So. - 14E.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/27/97 14:54:24

Page 1

Water Right Number - R36-07387A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DURFEE

JAMES M

1 - RT 1 BOX 301

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2058

DURFEE

DEWEY D

1 - RT 1

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-2643

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/27/1973 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 14E 25 SE SE NE (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.440

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.440 264.00 198.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 14E 25 SW NE 33.0 01 IRRIGATION (47) GOODING
08S 14E 25 SE NE 33.0 01 IRRIGATION (47) GOODING

Total Acres: 66.0

+ - - Diversion Means - 12" X 98' WELL, 100 HP MOTOR, PIVOT SPRINKLER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS & CONDITIONS

+ - - - - Remarks - - - - - +

QNT USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.19 CFS AND A
TOTAL ANNUAL DIVERSION VOLUME OF 264 AF.

"DO NOT FILM"

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/27/97 14:54:25

Page 2

Water right number - R36-07387A

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A
SINGLE IRRIGATION SEASON.

CON USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME
OF 198 AF.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02312A, 36-02312B,
36-07387B AND 36-07641.

+ - - - - Old Water Right Numbers - - - - - +

3607387

+ - - - - Conditions of Approval - - - - - +

S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

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

00/00/0000

+ - - - - Comments - - - - - +

Date: 03/27/1997 User Id: TFAWCETT Subject: SPLIT RIGHT
RIGHT WAS SPLIT FROM 36-07387 PURSUANT TO 66 ACRES BEING SOLD TO THE AARDEMA-HEIDA DAIRY.

+ - - Audit Fields - - +

03/27/97 TFAWCETT

+ - - - - 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	- 06/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

"DO NOT FILM"



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES M DURFEE
3403 S 1700 E
WENDELL ID 83355

RE: SRBA Claim(s) 36-02312, 36-07387

Dear Mr. Durfee:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

In order for your name to be removed from the above claims, please complete the enclosed Notice of Change of Water Right Ownership form (both claims can be listed on the same form) and return it to me in the enclosed self-addressed envelope. Both you and your brother will need to sign the completed form.

If you have any questions regarding the notice or the administrative process or need assistance in completing the ownership change form, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Dewey Durfee

COPY

1997 APR 25 PM 2:02

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-07387

IDWR has completed the following Administrative proceeding: SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Dewey D Durfee
Rt 1
Wendell ID 83355
Phone: 536-2643

James M Durfee
Rt 1 Box 301
Wendell ID 83355
Phone: 536-2058

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Dewey D Durfee
Rt 1
Wendell ID 83355
Phone: 536-2643

James M Durfee
Rt 1 Box 301
Wendell ID 83355
Phone: 536-2058

Frans and Cornelia Aardema
Thomas and Mary Jane Heida
dba Aardema-Heida Dairy
PO Box 140
Wendell ID 83355
Phone: 536-2928

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4/22/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-25, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Dewey D Durfee
3443 S 1700 E
Wendell ID 83355
James M Durfee
3403 S 1700 E
Wendell ID 83355
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Michael Harland Felton
Felton & Felton Attorneys
PO Box 589
Buhl ID 83316
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Abresha Iswath

Signature of person or attorney mailing the form

AJ5859NP

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

DATE: MAR-31-1997
PAGE: A-2

RIGHT NUMBER: 36-07387

SPLIT RIGHT: SEE RIGHT NOS. 36-07387A AND 36-07387B.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07387A

NAME & ADDRESS: DEWEY D DURFEE
RT 1
WENDELL ID 83355JAMES M DURFEE
RT 1 BOX 301
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.44 CFS
264.0 AFYUSE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.19 CFS AND A
TOTAL ANNUAL DIVERSION VOLUME OF 264 AF.

PRIORITY DATE: 10/27/1973

POINT OF DIVERSION: T08S R14E S25 SESENE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.44 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County
	T08S R14E S25	SWNE 33.0 SENE 33.0
	66.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A
SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE: 198.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-02312A AND 36-07641 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME
OF 198 AF.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
NORTH SIDE CANAL CO. LTD.

AJ5856NP

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

DATE: MAR-28-1997
PAGE: A-11

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07387A (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02312A, 36-02312B,
36-07387B AND 36-07641.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07387B

NAME & ADDRESS: FRANS AARDEMA
CORNELIA AARDEMA
THOMAS HEIDA
MARY JANE HEIDA
DBA AARDEMA HEIDA DAIRY
PO BOX 140
WENDELL ID 83355-0140

SOURCE: GROUNDWATER

QUANTITY: 0.44 CFS
264.0 AFYUSE OF THIS RIGHT WITH RIGHT NO. 36-02312B IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.19 CFS AND A
TOTAL ANNUAL DIVERSION VOLUME OF 264 AF.

PRIORITY DATE: 10/27/1973

POINT OF DIVERSION: T08S R14E S25 SESENE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.44 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County	
	T08S R14E S25	NENE 33.0	NWNE 33.0
	66.0 ACRES TOTAL		

USE OF THIS RIGHT WITH RIGHT NO. 36-02312B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A SINGLE IRRIGATION
SEASON.

CONSUMPTIVE USE: 198.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02312B IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 198 AF.EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
NORTH SIDE CANAL CO. LTD.

AJ5856NP

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

DATE: MAR-28-1997

PAGE: A-13

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07387B (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02312A, 36-02312B,
36-07387A AND 36-07641.

Form 42-246(2-1-89) 1/87

REC VED

REC VED

MAR 26 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

FEB 24 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease 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): 26-622; 36-2312; 36-07387
Adjudication Claim No(s): _____
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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: James & Brenda Durfee
Rt 1, Box 301
Wendell, ID 83355
4. New Owner/Claimant(s): Frans & Cornelia Aardema and Tom H. Heida and
Mary Jane Heida d/b/a Aardema-Heida Dairy
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: P O Box 140
City, State and ZIP Code: Wendell, ID 83355
New Telephone Number: (208) 536-2928
5. Date you acquired the property: February 20, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 66 Diversion rate in CFS 1.19
 Number and type of stock n/a Number of homes 1 Other uses _____
 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.
7. Signature of New Owner/Claimant(s): Tom H. Heida
Frans Aardema Cornelia Aardema
(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..

WARRANTY DEED

FOR VALUABLE Consideration, receipt of which is hereby acknowledged, JAMES DURFEE and BRENDA DURFEE, husband and wife, of Wendell, County of Gooding, State of Idaho, the Grantor, does hereby grant and convey unto the Grantees, FRANS AARDEMA and CORNELIA AARDEMA, husband and wife, of Wendell, County of Gooding, State of Idaho, and TOM H. HEIDA and MARY JANE HEIDA, husband and wife, of Wendell, County of Gooding, State of Idaho, d/b/a AARDEMA-HEIDA DAIRY, whose current mailing address is: P O Box 140, Wendell, Idaho 83355, the following described premises in Gooding County, Idaho, to wit:

Township 8 South, Range 14 East of the Boise Meridian
Section 25: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 8 South, Range 15 East of the Boise Meridian
Section 19: Lot 4, EXCEPT that part lying North of the "S-22"
Canal of the North Side Canal Company System.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including, but not limited to shares of the capital stock of the North Side Canal Company; also water and ditch rights under American Falls Reservoir District.

Subject to reservations in U.S. Patent recorded July 12, 1955, in Book 1 Page 379, records of Gooding County, Idaho. "There is also reserved a right-of-way for a Federal Aid Highway under the Act of November 9, 1921 (42 Stat. 212). Subject to such rights for transmission line purposes as the Mountain States Telephone and Telegraph Company may have under the Act of March 4, 1911 (36 Stat. 1253).

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors does hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that it is free and clear from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: February 20, 1997.



JAMES DURFEE

Brenda Durfee
BRENDA DURFEE

1 STATE OF IDAHO)
2 : ss
3 County of Gooding)

4 On this 20th day of February, 1997, before me, the undersigned, a Notary
5 Public in and for said State, personally appeared JAMES DURFEE and BRENDA
6 DURFEE, husband and wife, known to me to be the persons whose names are
7 subscribed to the foregoing instrument, and acknowledged to me that they executed
8 the same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
10 seal the day and year last above written.

Shelley McInnis
Notary Public for State of Idaho
Residing at: Gooding, Idaho
My Commission Expires: 05/16/02

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169696

STATE OF IDAHO COUNTY OF GOODING
FIRST AMERICAN TITLE

Filed for record at the request of

02 min. past 4 o'clock P.m. this 20th

of February, 1997 6.00

By Penny Watson Deputy

WARRANTY DEED