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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69518

This is to certify that: E BRUCE DURFEE

PO BOX 187
 ALMO ID 83312
 (208)824-5566

And/Or

KAY DURFEE
 PO BOX 187
 ALMO ID 83312
 (208)824-5566

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-13047	WR/Decreed	09/19/1962	2.87 cfs	853 af	244.0	332.0	GROUND WATER
43-13049	WR/Decreed	01/04/1963	3.98 cfs	853 af	244.0	332.0	GROUND WATER
43-13051	WR/Decreed	04/01/1963	1.2 cfs	240 af	60.0	332.0	GROUND WATER
43-13053	WR/Decreed	03/15/1978	0.56 cfs	112 af	28.0	332.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13047	NO	YES	NO	NO	NO	NO
43-13049	NO	YES	NO	NO	NO	NO
43-13051	NO	YES	NO	NO	NO	NO
43-13053	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-13047	43-13047	2.87 cfs	853 af	244.0	332.0		N/A	N/A	N/A	N/A
43-13049	43-13049	3.98 cfs	853 af	244.0	332.0		N/A	N/A	N/A	N/A
43-13051	43-13051	1.2 cfs	240 af	60.0	332.0		N/A	N/A	N/A	N/A
43-13053	43-13053	0.56 cfs	112 af	28.0	332.0		N/A	N/A	N/A	N/A
TOTALS		5.65 cfs	1205 af	332	332		N/A	N/A	N/A	N/A

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69518

Detailed Water Right Description(s) attached

Dated this 11th day of September, 2002
[Signature]
Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13047
As Modified by Transfer No. 69518

In accordance with the approval of Transfer No. 69518, Water Right No. 43-13047 is now described as follows.

Right Holder: KAY DURFEE
PO BOX 187
ALMO ID 83312

And/Or

E BRUCE DURFEE
PO BOX 187
ALMO ID 83312

Priority Date: 09/19/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.87 CFS	853.0 AF
			2.87 CFS	853.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 23 Twp 16S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 24E 12					33.0	32.0	39.0	36.0	19.0	27.0			33.0	40.0	40.0	33.0	332.0

Total Acres: 332

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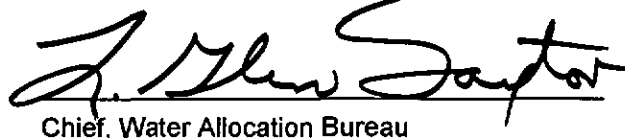
WATER RIGHT NO. 43-13047
As Modified by Transfer No. 69518

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Right No. 43-13053 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. Rights 43-337, 43-2200, 43-13043, 43-13045, 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed the irrigation of 349 acres.
5. Rights 43-13047 and 43-13049 when combined shall not exceed a total diversion rate of 4.87 cfs, a total annual maximum diversion volume of 853 af at the field headgate, and the irrigation of 244 acres.
6. Rights 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed a total diversion rate of 5.65 cfs, a total annual maximum diversion volume of 1205 af at the field headgate, and the irrigation of 332 acres.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. This right is limited to the irrigation of 244 acres within the place of use described above in a single irrigation season.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13049
As Modified by Transfer No. 69518

In accordance with the approval of Transfer No. 69518, Water Right No. 43-13049 is now described as follows.

Right Holder: KAY DURFEE
PO BOX 187
ALMO ID 83312

And/Or

E BRUCE DURFEE
PO BOX 187
ALMO ID 83312

Priority Date: 01/04/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.98 CFS	853.0 AF
			3.98 CFS	853.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 23 Twp 16S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals		
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
16S 24E 12					33.0	32.0	39.0	36.0	19.0	27.0					33.0	40.0	40.0	33.0	332.0

Total Acres: 332

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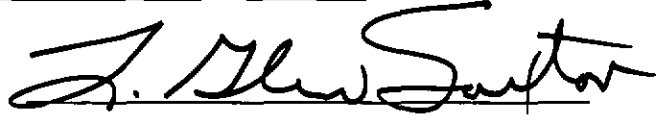
WATER RIGHT NO. 43-13049
As Modified by Transfer No. 69518

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Rights 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed a total diversion rate of 5.65 cfs, a total annual maximum diversion volume of 1205 af at the field headgate, and the irrigation of 332 acres.
4. Rights 43-337, 43-2200, 43-13043, 43-13045, 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed the irrigation of 349 acres.
5. Right No. 43-13053 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. Rights 43-13047 and 43-13049 when combined shall not exceed a total diversion rate of 4.87 cfs, a total annual maximum diversion volume of 853 af at the field headgate, and the irrigation of 244 acres.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. This right is limited to the irrigation of 244 acres within the place of use described above in a single irrigation season.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13051
As Modified by Transfer No. 69518

In accordance with the approval of Transfer No. 69518, Water Right No. 43-13051 is now described as follows.

Right Holder: KAY DURFEE
PO BOX 187
ALMO ID 83312

And/Or

E BRUCE DURFEE
PO BOX 187
ALMO ID 83312

Priority Date: 04/01/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.20 CFS	240.0 AF
			1.20 CFS	240.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 23 Twp 16S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S 24E 12					33.0	32.0	39.0	36.0	19.0	27.0			33.0	40.0	40.0	33.0	332.0

Total Acres: 332

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WATER RIGHT NO. 43-13051
As Modified by Transfer No. 69518

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Rights 43-337, 43-2200, 43-13043, 43-13045, 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed the irrigation of 349 acres.
4. Rights 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed a total diversion rate of 5.65 cfs, a total annual maximum diversion volume of 1205 af at the field headgate, and the irrigation of 332 acres.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13053
As Modified by Transfer No. 69518

In accordance with the approval of Transfer No. 69518, Water Right No. 43-13053 is now described as follows.

Right Holder: KAY DURFEE
PO BOX 187
ALMO ID 83312

And/Or

E BRUCE DURFEE
PO BOX 187
ALMO ID 83312

Priority Date: 03/15/1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.56 CFS	112.0 AF
			0.56 CFS	112.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESWNW Sec. 23 Twp 16S Rge 24E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S 24E 12					33.0	32.0	39.0	36.0	19.0	27.0			33.0	40.0	40.0	33.0	332.0

Total Acres: 332

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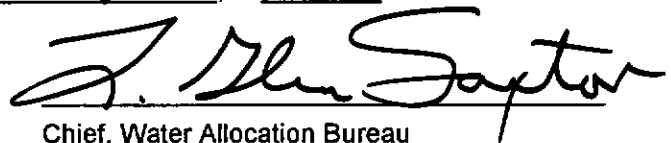
WATER RIGHT NO. 43-13053
As Modified by Transfer No. 69518

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. Rights 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed a total diversion rate of 5.65 cfs, a total annual maximum diversion volume of 1205 af at the field headgate, and the irrigation of 332 acres.
4. Rights 43-337, 43-2200, 43-13043, 43-13045, 43-13047, 43-13049, 43-13051 and 43-13053 when combined shall not exceed the irrigation of 349 acres.
5. Rights 43-13047, 43-13049 and 43-13053 when combined shall not exceed a total diversion rate of 4.87 cfs.
6. Right No. 43-13053 is an enlargement of rights 43-13047 and 43-13049 pursuant to Section 42-1426, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. This right is limited to the irrigation of 28 acres within the place of use described above in a single irrigation season.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 2002


Chief, Water Allocation Bureau

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-13053

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

SOURCE: GROUND WATER

QUANTITY: 0.56 CFS
112.00 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.87 CFS. COMBINED RIGHT NOS.:
43-13047 AND 43-13049.

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: 03/15/1978

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.56 CFS 112.00 APY

PLACE OF USE:	Irrigation	Within Cassia County
T16S R24E S12	NENW 33.0 SWNW 39.0 NESW 19.0 NESE 33.0 SWSE 40.0	NWNW 32.0 SENW 36.0 NWSW 27.0 NWSE 40.0 SESE 33.0
	332.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 28 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 349 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-337, 43-2200, 43-13043, 43-13045,
43-13047, 43-13049, 43-13051, 43-13053.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS.
43-13047 AND 43-13049 PURSUANT TO SECTION 42-1426, IDAHO CODE.
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. I.C. SECTION 42-1412(6).

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RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SEP 11 2002

MEMORANDUM

TO: **FILE** 43-13053

FROM: **VAULT**

RE: **TRANSFER #** 69518

DATE: 9-10-02

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 43-13047

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