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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69519

This is to certify that: KENT DURFEE
 PO BOX 175
 ALMO ID 83312
 (208)824-5536

And/Or

JANIS DURFEE
 PO BOX 175
 ALMO ID 83312
 (208)824-5536

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>
43-13048	WR/Decreed	09/19/1962	0.73 cfs	218 af	62.0	85.0	GROUND WATER
43-13050	WR/Decreed	01/04/1963	1.02 cfs	218 af	62.0	85.0	GROUND WATER
43-13052	WR/Decreed	04/01/1963	0.32 cfs	64 af	16.0	85.0	GROUND WATER
43-13054	WR/Decreed	03/15/1978	0.14 cfs	28 af	7.0	85.0	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>
43-13048	NO	YES	NO	NO	NO	NO
43-13050	NO	YES	NO	NO	NO	NO
43-13052	NO	YES	NO	NO	NO	NO
43-13054	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>
43-13048	43-13048	0.73 cfs	218 af	62.0	85.0		N/A	N/A	N/A	N/A
43-13050	43-13050	1.02 cfs	218 af	62.0	85.0		N/A	N/A	N/A	N/A
43-13052	43-13052	0.32 cfs	64 af	16.0	85.0		N/A	N/A	N/A	N/A
43-13054	43-13054	0.14 cfs	28 af	7.0	85.0		N/A	N/A	N/A	N/A
TOTALS		1.25 cfs	310 af	85	85		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. 69519

Detailed Water Right Description(s) attached

Dated this 11th day of September, 2002
L. Glen Saylor
Chief, Water Allocation Bureau

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WATER RIGHT NO. 43-13048
As Modified by Transfer No. 69519

In accordance with the approval of Transfer No. 69519, Water Right No. 43-13048 is now described as follows.

Right Holder: JANIS DURFEE
PO BOX 175
ALMO ID 83312

And/Or

KENT DURFEE
PO BOX 175
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	0.73 CFS	218.0 AF
		0.73 CFS	218.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 12 Twp 16S Rge 24E CASSIA County

GROUND WATER NESWSW Sec. 12 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									20.0		25.0	40.0					85.0

Total Acres: 85

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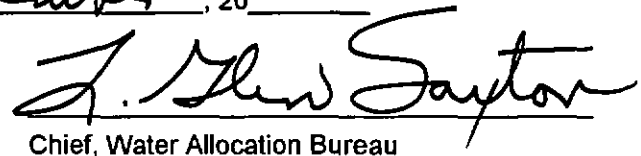
WATER RIGHT NO. 43-13048
As Modified by Transfer No. 69519

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 62 acres within the place of use described above in a single irrigation season.
2. Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
3. Rights 43-13048, 43-13050, 43-13052 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs, a total annual maximum diversion volume of 310 af at the field headgate, and the irrigation of 85 acres.
4. Rights 43-2058, 43-2214, 43-13044, 43-13046, 43-13048, 43-13050, 43-13052, and 43-13054 when combined shall not exceed the irrigation of 85 acres.
5. Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
6. 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.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 43-13050
As Modified by Transfer No. 69519

In accordance with the approval of Transfer No. 69519, Water Right No. 43-13050 is now described as follows.

Right Holder: JANIS DURFEE
PO BOX 175
ALMO ID 83312

And/Or

KENT DURFEE
PO BOX 175
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	10/31	1.02 CFS	218.0 AF
			1.02 CFS	218.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 12 Twp 16S Rge 24E CASSIA County

GROUND WATER NESWSW Sec. 12 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										20.0		25.0	40.0					85.0

Total Acres: 85

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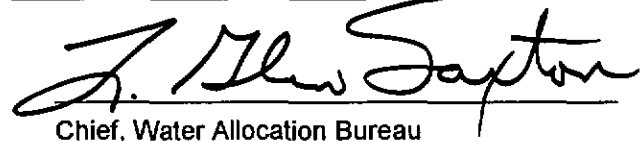
WATER RIGHT NO. 43-13050
As Modified by Transfer No. 69519

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 62 acres within the place of use described above in a single irrigation season.
2. Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
3. Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
4. Rights 43-2058, 43-2214, 43-13044, 43-13046, 43-13048, 43-13050, 43-13052, and 43-13054 when combined shall not exceed the irrigation of 85 acres.
5. Rights 43-13048, 43-13050, 43-13052 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs, a total annual maximum diversion volume of 310 af at the field headgate, and the irrigation of 85 acres.
6. 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.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 43-13052
As Modified by Transfer No. 69519

In accordance with the approval of Transfer No. 69519, Water Right No. 43-13052 is now described as follows.

Right Holder: JANIS DURFEE
PO BOX 175
ALMO ID 83312

And/Or

KENT DURFEE
PO BOX 175
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	0.32 CFS	64.0 AF
			0.32 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 12 Twp 16S Rge 24E CASSIA County

GROUND WATER NESWSW Sec. 12 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									20.0		25.0	40.0					85.0

Total Acres: 85

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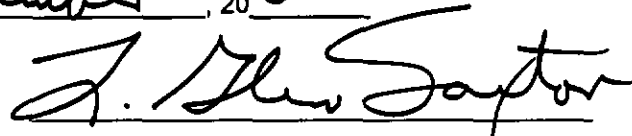
WATER RIGHT NO. 43-13052
As Modified by Transfer No. 69519

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
2. Rights 43-13048, 43-13050, 43-13052 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs, a total annual maximum diversion volume of 310 af at the field headgate, and the irrigation of 85 acres.
3. Rights 43-2058, 43-2214, 43-13044, 43-13046, 43-13048, 43-13050, 43-13052, and 43-13054 when combined shall not exceed the irrigation of 85 acres.
4. 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.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 43-13054
As Modified by Transfer No. 69519

In accordance with the approval of Transfer No. 69519, Water Right No. 43-13054 is now described as follows.

Right Holder: JANIS DURFEE
 PO BOX 175
 ALMO ID 83312

And/Or

KENT DURFEE
 PO BOX 175
 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	0.14 CFS	28.0 AF
		0.14 CFS	28.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWSW Sec. 12 Twp 16S Rge 24E CASSIA County

GROUND WATER NESWSW Sec. 12 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									20.0		25.0	40.0					85.0

Total Acres: 85

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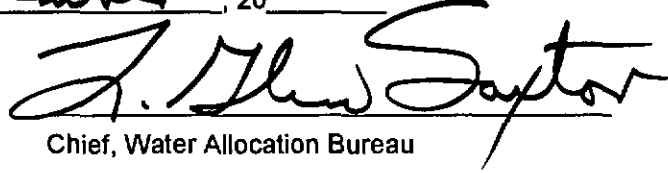
WATER RIGHT NO. 43-13054
As Modified by Transfer No. 69519

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.
2. Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
3. Rights 43-13048, 43-13050, 43-13052 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs, a total annual maximum diversion volume of 310 af at the field headgate, and the irrigation of 85 acres.
4. Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
5. Rights 43-2058, 43-2214, 43-13044, 43-13046, 43-13048, 43-13050, 43-13052, and 43-13054 when combined shall not exceed the irrigation of 85 acres.
6. 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.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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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JUN-25-2002

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

MEMORANDUM

TO: **FILE** 43-13050

FROM: **VAULT**

RE: **TRANSFER #** 69519

DATE: 9-19-02

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

FILE # 43-13048

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