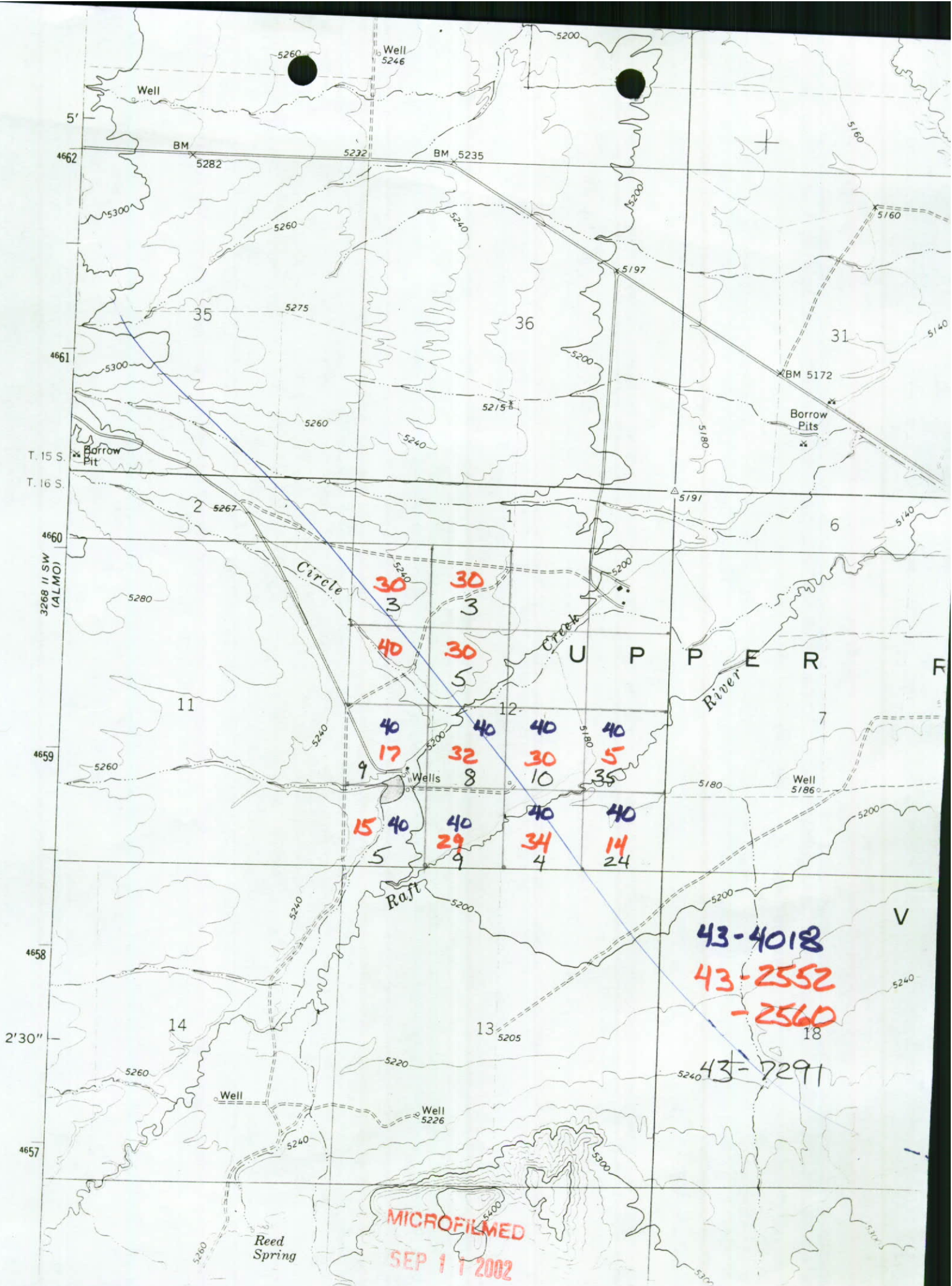


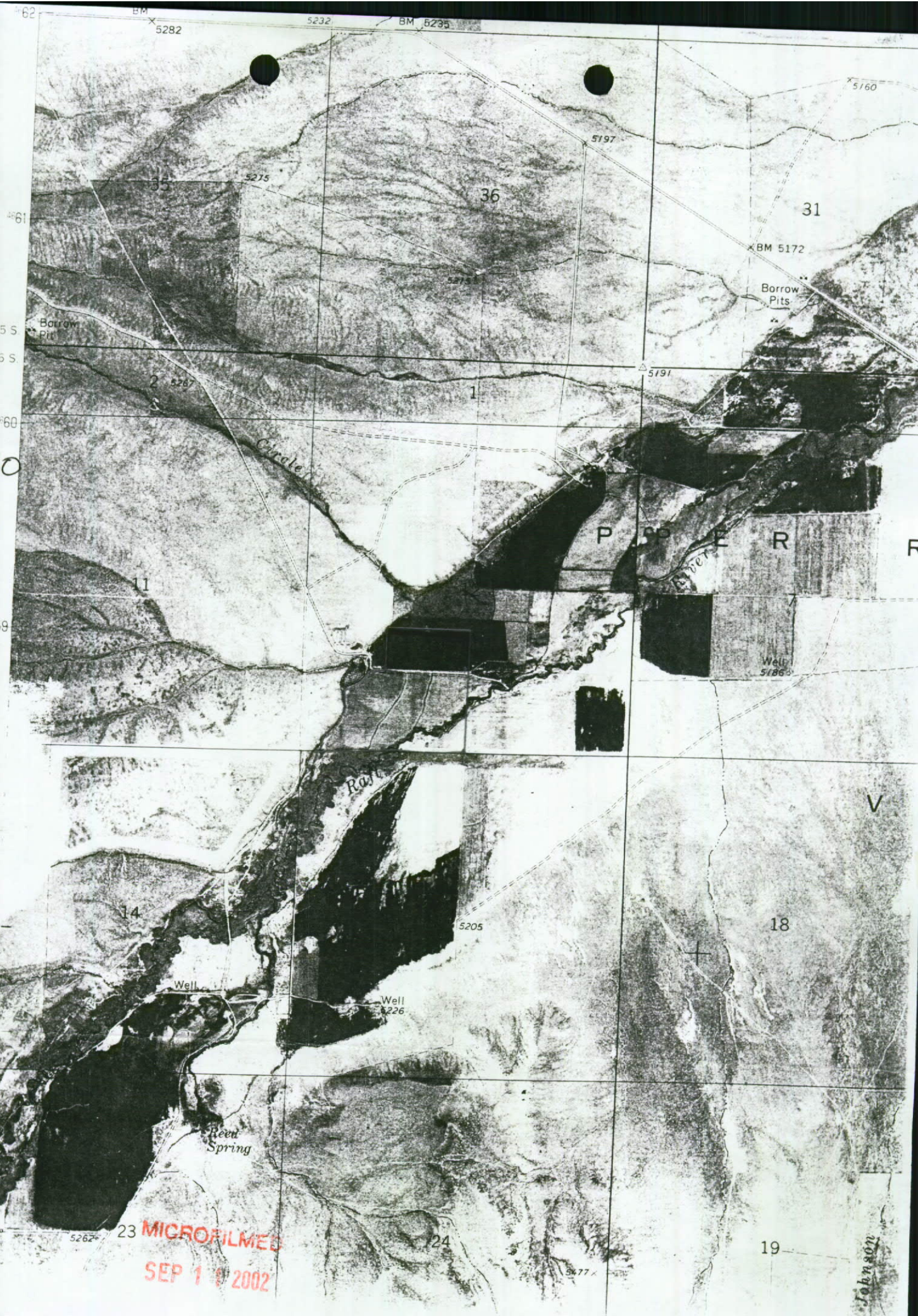


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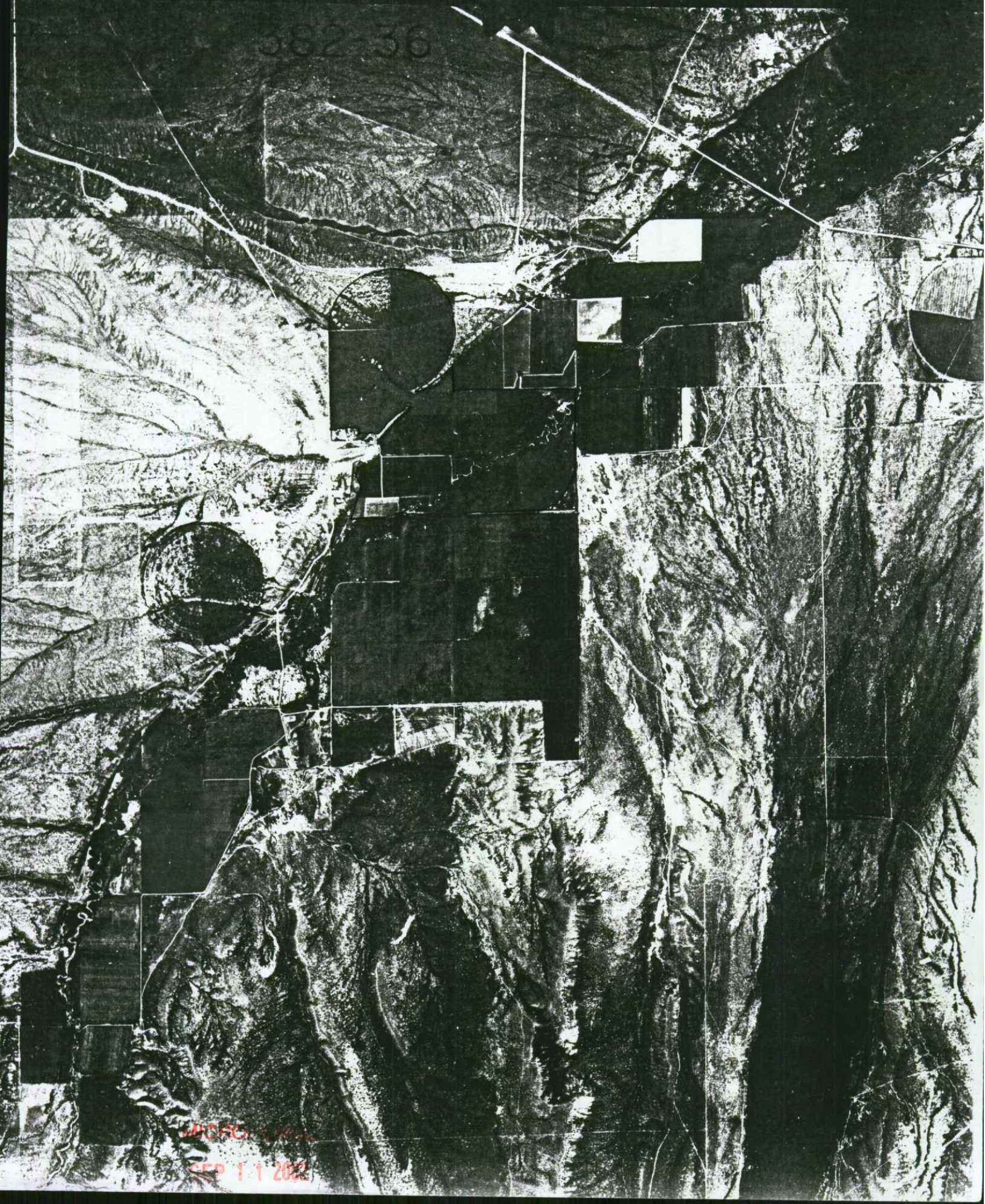
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UNCLASSIFIED

SEP 11 2022

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 3, 2001 and ending with the issue dated December 10, 2001.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 10th day of December in the year of 2001 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho

Residing at: Burley, Idaho

My commission expires: 9-14-2007

Cost of Publication 54.34
Affidavit Fee 5.00
Total Cost 59.34

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DEC 13 2001
Department of Water Resources
Southern Region

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01-501

Notice is hereby given that two applications have been filed with the Department of Water Resources for the purpose of accurately recording the split of water rights and delivery system within Cassia County per Agreement between the applicants dated 10/31/2001 as described below:

Transfer No. 69518 filed by E. BRUCE DUFFEE, PO BOX 187; ALMO ID 83312 on 01/16/1992 proposes to divert a combined total of 5.65 cfs from an existing well within SESWNW, S23, T16S, R24E used for irrigation of 332 acres within S12, T16S, R24E (located 5 miles South and 1 mile East of Almo, ID).

Transfer No. 69519 filed by KENT R. &/OR JANIS DUFFEE, PO BOX 175; ALMO ID 83312 on 01/16/1992 proposes to divert a combined total of 1.25 cfs from two existing wells within SENWSW & NESWSW for irrigation of 85 acres, all S12, T16S, R24E (located 3 miles South and 2 miles East of ALMO, ID).

Protests may be submitted on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before December 21, 2001. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on December 3 and 10, 2001.

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

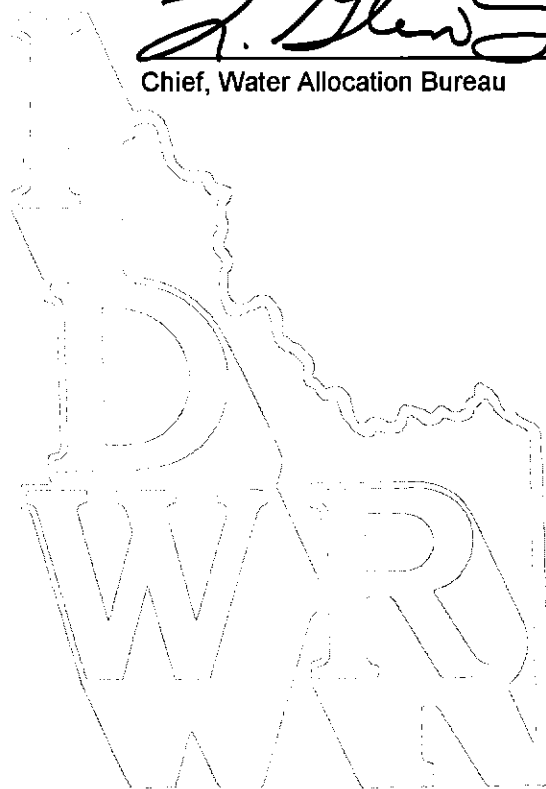
11th

day of

September, 2002

J. Glen Saylor

Chief, Water Allocation Bureau



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SEP 11 2002

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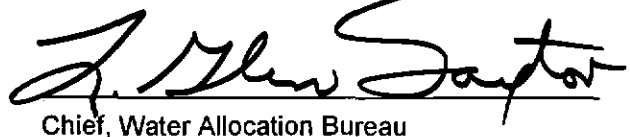
WATER RIGHT NO. 43-13047
As Modified by Transfer No. 69518

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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SEP 11 2002

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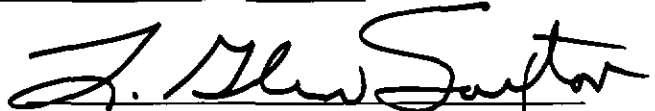
WATER RIGHT NO. 43-13049
As Modified by Transfer No. 69518

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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SEP 11 2002

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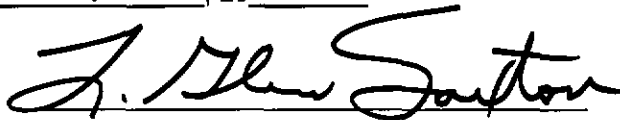
WATER RIGHT NO. 43-13051
As Modified by Transfer No. 69518

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, 20 02



Chief, Water Allocation Bureau

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SEP 11 2002

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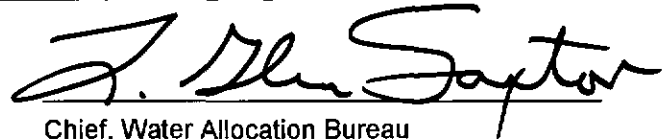
WATER RIGHT NO. 43-13053
As Modified by Transfer No. 69518

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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Department of Water Resources

Page 1

Transfer No. 69518

Receipt No. S014071

Amended

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information 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

Will this transfer result in an ownership change? ☐ Yes ☐ No**2. Current Water Right****Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
43-13051	AJC/Beneficial Use	1.20 cfs	240.0 af	332.0	60.0	GROUND WATER
43-13047	AJC/License	2.87 cfs	853.0 af	332.0	244.0	GROUND WATER
43-13049	AJC/License	3.98 cfs	853.0 af	332.0	244.0	GROUND WATER
43-13053	AJC/Beneficial Use	0.56 cfs	112.0 af	332.0	28.0	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-13051	NO	YES	NO	NO	NO	NO
43-13047	NO	YES	NO	NO	NO	NO
43-13049	NO	YES	NO	NO	NO	NO
43-13053	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Delivery system has been split. This transfer will associate the well on my property with my water rights. It also splits the water according to the capacity of the wells being retained.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

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5. Total Amounts Transferred

	Rate	Acres	Total	Volume
43-13051	1.20 cfs	60.0	332.0	240.0 af
43-13047	2.87 cfs	244.0	332.0	853.0 af
43-13049	3.98 cfs	244.0	332.0	853.0 af
43-13053	0.56 cfs	28.0	332.0	112.0 af
TOTAL	5.65 cfs	332.0	332.0	1,205.0 af

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Transfer No. 69518
Receipt No. S014071

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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 willful misrepresentations made in this application may result in voiding its approval.

Bruce Durfee

(Signature of Applicant)

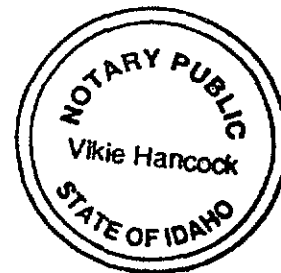
(Title or Office)

Subscribed and sworn to before me this 31 day of October, 2001.

Vikie Hancock

(Notary Public)

My commission expires 5-7-2003



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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-13051

Priority Date: 04/01/1963
Origin: Adjudication Claim
Basis: Beneficial Use
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.20 CFS	240.0 AFA	
Total Diversion		1.20 CFS	240.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	12	SENWSW		CASSIA
GROUND WATER	16S	24E	12	NESWSW		CASSIA
GROUND WATER	16S	24E	23	SESWNW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
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

Conditions/Remarks:

1. 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.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.

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4. 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

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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SEP 11 2002

Transfer No. 69518
Receipt No. S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 43-13047

Priority Date: 09/19/1962
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	2.87 CFS	853.0 AFA	
	Total Diversion	2.87 CFS	853.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	12	SENWSW		CASSIA
GROUND WATER	16S	24E	12	NESWSW		CASSIA
GROUND WATER	16S	24E	23	SESWNW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
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

Conditions/Remarks:

1. 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.
2. USE OF THIS RIGHT WITH RIGHT NO. 43-13049 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 853 AF.

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3. USE OF THIS RIGHT WITH RIGHT NOS. 43-13049 AND 43-13053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 244 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 43-13053 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. USE OF THIS RIGHT WITH RIGHT NO. 43-13049 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON.
7. 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
8. 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.

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 69518
 Receipt No. S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 43-13049

Priority Date: 01/04/1963
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.98 CFS	853.0 AFA	
Total Diversion		3.98 CFS	853.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	12	SENWSW		CASSIA
GROUND WATER	16S	24E	12	NESWSW		CASSIA
GROUND WATER	16S	24E	23	SESWNW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp Rge Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
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

Conditions/Remarks:

1. 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.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 244 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 43-13047 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON.

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4. RIGHT NO. 43-13053 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. USE OF THIS RIGHT WITH RIGHT NO. 43-13047 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 853 AF.
6. USE OF THIS RIGHT WITH RIGHT NOS. 43-13047 AND 43-13053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.87 CFS.
7. 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.
8. 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.

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 69518
 Receipt No. S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 43-13053

Priority Date: 03/15/1978
Origin: Adjudication Claim
Basis: Beneficial Use
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.56 CFS	112.0 AFA	
Total Diversion		0.56 CFS	112.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	12	SENWSW		CASSIA
GROUND WATER	16S	24E	12	NESWSW		CASSIA
GROUND WATER	16S	24E	23	SESWNW		CASSIA

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
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

Conditions/Remarks:

1. 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.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 28 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.

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4. 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.
5. 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.
6. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 43-13047 AND 43-13049 PURSUANT TO SECTION 42-1426, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

N/A

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 69518
 Receipt No. S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13051

Priority Date: 04/01/1963
 Origin: Adjudication Claim
 Basis: Beneficial Use
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.20 CFS	240.0 AFA	
	Total Diversion	1.20 CFS	240.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	23	SESWNW		CASSIA

Describe the proposed diversion system

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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Transfer No. 69518
 Receipt No.S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13047

Priority Date: 09/19/1962

Origin: Adjudication Claim

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	2.87 CFS	853.0 AFA	
	Total Diversion	2.87 CFS	853.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	23	SESWNW		CASSIA

Describe the proposed diversion system

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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Transfer No. 69518
 Receipt No. S014071

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13049

Priority Date: 01/04/1963
 Origin: Adjudication Claim
 Basis: Beneficial Use
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.98 CFS	853.0 AFA	
	Total Diversion	3.98 CFS	853.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	16S	24E	23	SESWNW		CASSIA

Describe the proposed diversion system

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
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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2552 has 6.12 of
2560

306 ac as
recommended

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Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant E. Bruce Durfee Phone 824-5566Post Office address Box A/mo, ID 83312

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes System is being split into 2 separate systems

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>43-02552</u>	<u>9-19-1962</u>	<u>3.6</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>43-02560</u>	<u>1-4-1963</u>	<u>1.46</u>	<u>"</u>	<u>"</u> to <u>"</u>
		<u>5.94</u>		to

2. Total amount of water being transferred 5.06 cubic feet per second and/or 885.5 acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	23	16S	24E	Cassia	

5. Lands irrigated or place of use:

Twp.	Rge.	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					30	30	40	30	20	20			5	30	34	14	253
															20	35	38	34	297

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Total acres 253 297

PART 1

6. General Information:

a. Description of diversion system *Existing well, pump, mainline, sprinklers*

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will continue to be irrigated under claim A37-04018.

d. Remarks:

System also serves additional land under claim A43-10019.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-02552 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2712, 2851 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 9-19-1962

5. Water is used for the following purpose:

amount 3.6 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right * 3.6 cubic feet per second and/or 1071 acre-feet per annum.

7. Point(s) of Diversion: * Not to exceed 6.12 cfs when combined with Lic. 43-2560

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	12	16S	24E	Cassia	
		SW	SW	"	"	"	"	
		SW	NW	23	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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					30	30	40	30	32	17	15	29	5	30	34	14	306

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Total acres 306

9. Describe any other water rights used for the same purpose as described above 43-2560, 40/8

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

No If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- | 1. amount | | 2. Point(s) of Diversion: | |
|---------------|--------------------|---------------------------|--------------------|
| for | amount (cfs/ac-ft) | for | amount (cfs/ac-ft) |
| purposes from | to | purposes from | to |
| for | amount (cfs/ac-ft) | for | amount (cfs/ac-ft) |
| purposes from | to | purposes from | to |
| for | amount (cfs/ac-ft) | for | amount (cfs/ac-ft) |
| purposes from | to | purposes from | to |

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

[illegible]**Total acres**

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- | | | | | |
|----|-----------------------|-----|---------------|----|
| 1. | amount
(cfs/ac-ft) | for | purposes from | to |
| | amount
(cfs/ac-ft) | for | purposes from | to |
| | amount
(cfs/ac-ft) | for | purposes from | to |
| | amount
(cfs/ac-ft) | for | purposes from | to |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]**Total acres**

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 43-02560 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2712, 2851 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 1-4-1963

5. Water is used for the following purpose:

amount 2.52 cfs for Irrig. purposes from 4-1 to 10-31
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 2.52 cubic feet per second and/or 1071 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	12	16S	24E	Cassia	
		SW	SW	"	"	"	"	
		SW	NW	23	"	"	"	

8. Lands irrigated or place of use:

Twp.	Rge.	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					30	30	40	30	32	17	15	29	5	30	34	14	306

Total acres 306

9. Describe any other water rights used for the same purpose as described above 43-2552, 4018

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) amount (cts/ac-ft) amount (cts/ac-ft)
2. Point(s) of Diversion: _____
 for _____ purposes from _____ to _____
 (cts/ac-ft) amount (cts/ac-ft) amount (cts/ac-ft)

Lot	%	%	Sec.	Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
						NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
Local name for diversion																						
County																						
Rge.																						
Twp.																						
Sec.																						
Lands irrigated or place of use:																						

Lot	%	%	Sec.	Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
						NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
Local name for diversion																						
County																						
Rge.																						
Twp.																						
Sec.																						
Lands irrigated or place of use:																						

1. amount _____ for _____ purposes from _____ to _____
 (cts/ac-ft) amount (cts/ac-ft) amount (cts/ac-ft)
2. Point(s) of Diversion: _____
 for _____ purposes from _____ to _____
 (cts/ac-ft) amount (cts/ac-ft) amount (cts/ac-ft)

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

Lot	%	%	Sec.	Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
						NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
Local name for diversion																						
County																						
Rge.																						
Twp.																						
Sec.																						
Lands irrigated or place of use:																						

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
Lands irrigated or place of use:																			
County																			
Rge.																			
Twp.																			
Sec.																			
Lands irrigated or place of use:																			

Total acres _____

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

E. Bruce Duffer
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of January, 19 92

Mary A. Baldener
(Notary Public)

My commission expires 10/16/1992

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachmentsReceived by J. E. Stanton Date 1-16-92

Protest filed by _____

Prelim. check by JS, DJ Fee \$50, \$014071Receipted by JS Date 1-16-92Published in So. Id. Press

Copies of protest forwarded by _____

Pub. dates 12/3 + 12/10/01

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☐ approval ☐ denial

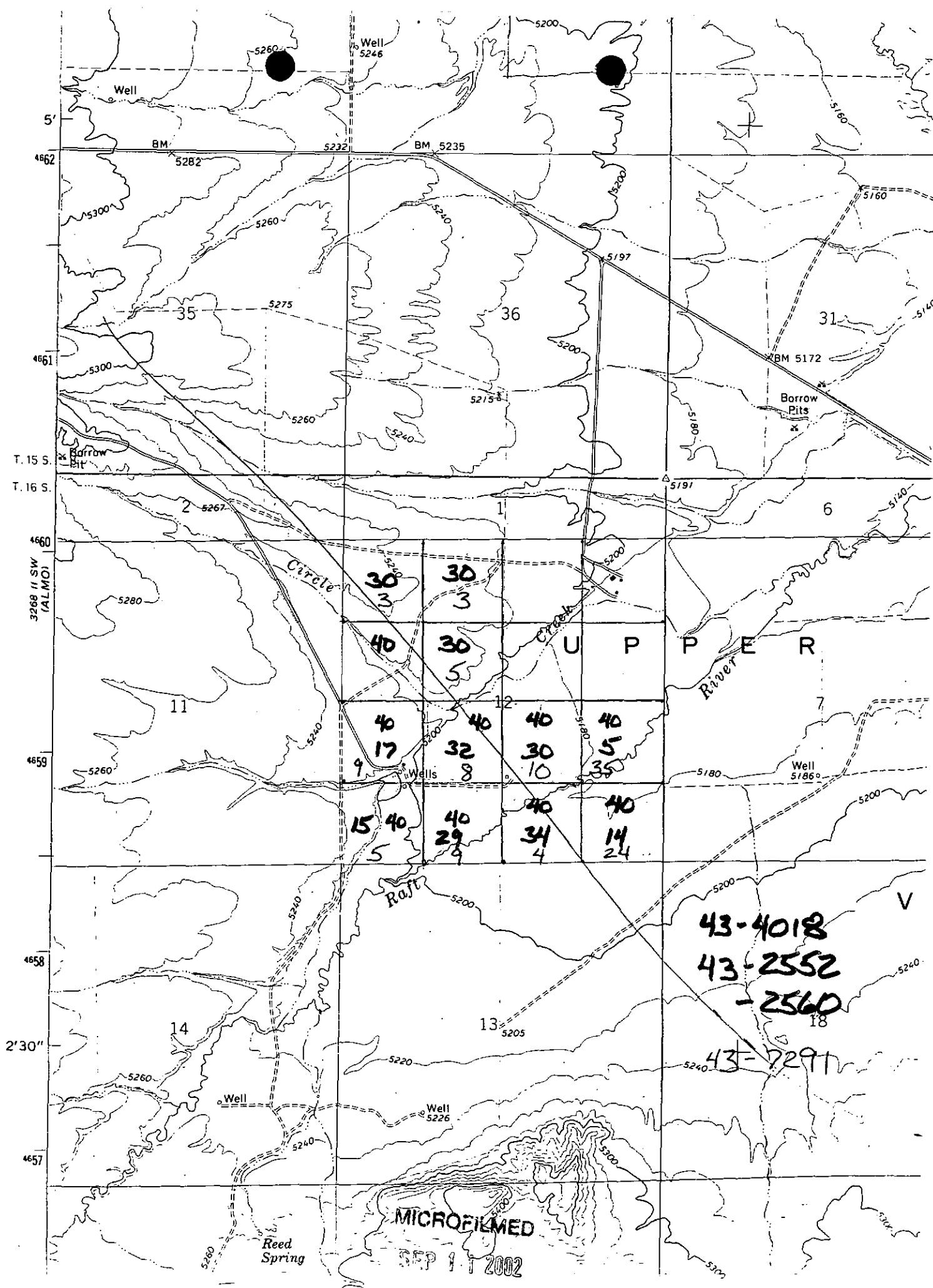
_____ rec'd. _____

by _____

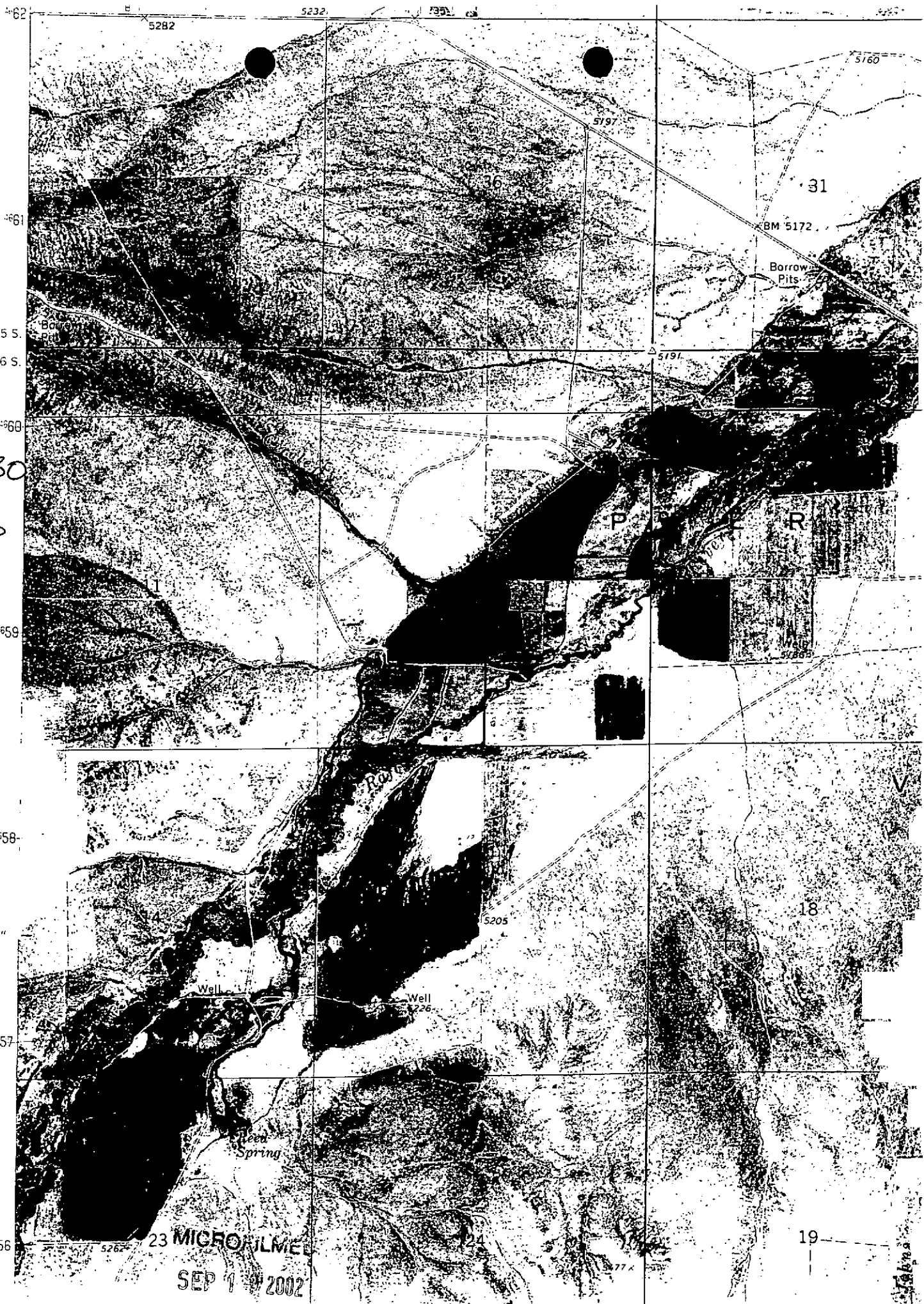
Copy of transfer sent to lien holder _____

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T#69518



DD80
1976
photo
DFQ

23 MICROFILMED
SEP 1 2002

T#69518

T#69518

DD80

7/31/87 photo



185 lots

$$\frac{185 \times 10}{2.1^2} = 419 \text{ ac}$$

AGREEMENT

E. BRUCE DURFEE and KENT DURFEE agree that in the process of changing the points of diversion for the Water Rights listed below, the combined limit of instantaneous diversion of 8.9 cfs will be split between them in the following amounts:

E. Bruce Durfee - 5.65 cfs for Water Right numbers 43-13047, 43-13049, 43-13051, 43-13053

Kent Durfee - 3.25 cfs for Water Right numbers 43-7140, 43-13048, 43-13050, 43-13052, 43-13054

AND that this agreement is binding on their successors and assigns.

Signed this 31st day of October, 2001

Kent R Durfee
Kent Durfee

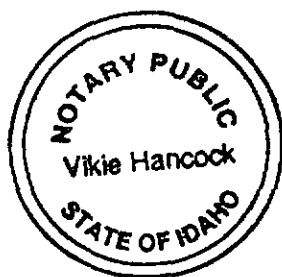
E. Bruce Durfee
E. Bruce Durfee

State of Idaho
County of Twin Falls

Subscribed and sworn before me this 31 day of October, 2001

Notary Public [Signature]

Residing at Buhl, Idaho
My Commission expires 5-7-2003



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Agreement[†]

PAGE 1
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 12, 2002

E BRUCE DURFEE
KAY DURFEE
PO BOX 187
ALMO ID 83312

RE: Transfer No.:69518 - Water Rights 43-13047, 43-13053, 43-13049, 43-13051
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Sharla Curtis
for Jeff Peppersack, Manager
Water Rights Permits Section

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JP:klt

Enclosure(s)

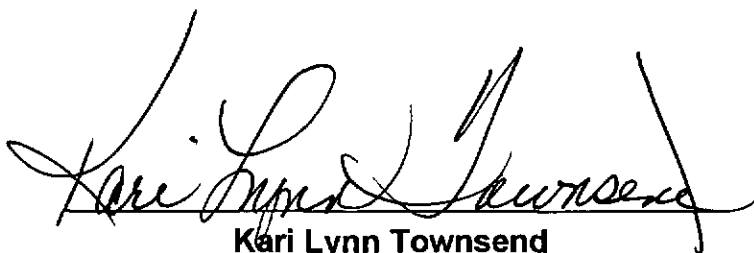
CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69518

WATER RIGHTS 43-13047, 43-13053, 43-13049, 43-13051

**E BRUCE DURFEE
PO BOX 187
ALMO ID 83312**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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SEP 11 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

Trans # 69518

Date Reviewed 9-9-02

Right No(s). * 43-13047 43-13049 43-13051 43-13053
Split? -Y XN -Y XN -Y XN -Y XN -Y N -Y N -Y N

AREA OF CONCERN: No/Yes N

PURPOSE OF TRANSFER FOR EACH RIGHT:
X Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)
Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U NA Lien Holder Release NA

GROUNDWATER:

DRILLING PERMIT
All wells -046
DP upgrade req'd Y N (contact GW personnel)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067?
WMD
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres 01M or 01Q
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105

SURFACE WATER:

WD - R04 (WD#) WM comments rec'd
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON to (use X61 if extended season)
STANDARD VOLUME af/ac
CONSUMPTIVE USE VOLUME af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
X57 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one:

T09 - on-going claim in SRBA*
T19 - replaces C18 and used on unchg'd portions in SRBA (Recomm. or PD)
*Edit condition to fit scenario if not ongoing in SRBA process

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated 9-9-02 Approval form printed Y

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). NA

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Durfee, E. Bruce

TRANSFER NO. 69518

1. Right number(s) _____

2. Type of right ☐ Decree ☐ License ☐ Statutory Claim
 ☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U
 ☐ Change N/U ☐ Change Source ☐ Split Right
 ☐ Other: _____

4. Check Existing Right: ☐ Source ☐ Priority ☐ Amount ☐ Purpose
 ☐ Period ☐ SRBA Claim
 ☐ Description of original point(s) of diversion
 ☐ Description of original place of use
 ☐ Overlapping rights on original place of use

Comments: Rights recommended in SRDA
Transfer associates Bruce's well with his
rights & removes Kent's well from Bruce's
rights. Also clears 2 PPU,

* This transfer replaces one filed years ago that was not processed

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☐ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☐ Description of point(s) of diversion
- d. ☐ Description of place of use
- e. ☐ Map showing P/D & P/U after transfer
- f. ☐ Correct notarized signature and \$100 fee
- g. ☐ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

None

69518

i. _____ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. _____ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. _____ Comment letters _____ Yes _____ No _____
 If yes _____ Water District # _____
 _____ Lienholder, others, see #2
 _____ below for name and address

INITIAL ALLOCATION REVIEW BY _____ DATE _____
 SRBA SUPERVISOR REVIEW BY _____ DATE _____
 PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes
 2. COMMENT LETTERS _____ Copy of Pg 1 to AJ _____ Yes 11/26/01

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? _____ Yes _____ No
 4. Affidavit of publication received? _____ Yes _____ No
 5. Protests received? _____ Yes _____ No; Acknowledgement sent? _____ Yes
 6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. _____ Approve
 2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 12/23/01

4. By _____ Date 12/23/01

RECEIVED

JAN -2 2002

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: December 28, 2001

TO: Transfer File No. 69518

69519

In the name of: E. Bruce Durfee

Kent Durfee

Water Right(s): 43-13047

43-13048

43-13049

43-13050

43-13051

43-13052

43-13053

43-13054

SUBJECT: Review and Recommendation

Both of these transfers are related.

** No GIS work done
to correct SRBA
recommendations*

T69518

This transfer associates the wells on E Bruce Durfee property with the rights recently recommended in the SRBA removing the association of the wells on Kent Durfee property. The transfer also resolves the splitting of the system capacity between the brothers. The transfer also creates a PPU.

The transfer was processed without protest. Issues of expansion, forfeiture or injury do not appear to occur.

T69519

This transfer associates the wells on Kent Durfee property with the rights recently recommended in the SRBA removing the association of the wells on E Bruce Durfee property. The transfer also resolves the splitting of the system capacity between the brothers. The transfer also creates a PPU.

The transfer was processed without protest. Issues of expansion, forfeiture or injury do not appear to occur.

I recommend the transfers be approved.

I recommend that the transfers be approved subject to the following conditions:

TRANSFER 69518 in the Name of E Bruce Durfee

WATER RIGHT NO. 43 13047

GEN 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.

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- GEN Right No. 43-13053 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
- GEN 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.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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.

WATER RIGHT NO. 43 13049

- GEN 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.
- GEN Right No. 43-13053 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
- GEN 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.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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

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field headgate, and the irrigation of 332 acres.

WATER RIGHT NO. 43 13051

- GEN 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.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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.

WATER RIGHT NO. 43 13053

- GEN Rights 43-13047, 43-13049 and 43-13053 when combined shall not exceed a total diversion rate of 4.87 cfs.
- GEN Right No. 43-13053 is an enlargement of rights 43-13047 and 43-13049 pursuant to Section 42-1426, Idaho Code.
- GEN 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.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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

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field headgate, and the irrigation of 332 acres.

TRANSFER 69519 In the Name of Kent Durfee

WATER RIGHT NO. 43 13048

- GEN 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.
- GEN Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
- GEN Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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.

WATER RIGHT NO. 43 13050

- GEN 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.
- GEN Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
- GEN Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the

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director to rescind approval of the transfer.

- T19 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.
- W35 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.

WATER RIGHT NO. 43 13052

- GEN 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.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the director to rescind approval of the transfer.
- T19 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.
- W35 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.

WATER RIGHT NO. 43 13054

- GEN 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.
- GEN Rights 43-13048, 43-13050 and 43-13054 when combined shall not exceed a total diversion rate of 1.25 cfs.
- GEN Right No. 43-13054 is an enlargement of right 43-13048 and 43-13050 pursuant to Section 42-1426, Idaho Code.
- 01M 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the

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director to rescind approval of the transfer.

- T19 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.
- W35 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.

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T# 69518

Surge, E. Bruce

43-2552, 2560

[illegible]

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated December 3, 2001 and ending with the issue dated December 10, 2001.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 10th day of December in the year of 2001 before me, a Notary Public, personally appeared Ruth Anne Holmes, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 54.34
Affidavit Fee 5.00
Total Cost 59.34

OK
MB
12/17/01

01-501

Notice is hereby given that two applications have been filed with the Department of Water Resources for the purpose of accurately recording the split of water rights and delivery system within Cassia County per Agreement between the applicants dated 10/31/2001 as described below:

Transfer No. 69518 filed by E. BRUCE DUFEE, PO BOX 187; ALMO ID 83312 on 01/16/1992 proposes to divert a combined total of 5.65 cfs from an existing well within SESWNW, S23, T16S, R24E used for irrigation of 332 acres within S12, T16S, R24E (located 5 miles South and 1 mile East of Almo, ID).

Transfer No. 69519 filed by KENT R. &/OR JANIS DUFEE, PO BOX 175; ALMO ID 83312 on 01/16/1992 proposes to divert a combined total of 1.25 cfs from two existing wells within SENWSW & NESWSW for irrigation of 85 acres, all S12, T16S, R24E (located 3 miles South and 2 miles East of ALMO, ID).

Protests may be submitted on the criteria of Sec 42-222, Idaho Code. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before December 21, 2001. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on December 3 and 10, 2001.

RECEIVED
DEC 13 2001
Department of Water Resources
Southern Region
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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

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

November 26, 2001

E. BRUCE &/OR KAY DURFEE
PO BOX 187
ALMO ID 83312

RE: Application for Transfer No. 69518

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the **South Idaho Press** for 12/3 and 12/10/01. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (December 21, 2001)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify the applicant of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant

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Notice is hereby given that two applications have been filed with the Department of Water Resources for the purpose of accurately recording the split of water rights and delivery system within Cassia County per Agreement between the applicants dated 10/31/2001 as described below:

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Karl J. Dreher, Director

Published in the South Idaho Press on 12/3 & 12/10/01.

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OK

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

November 26, 2001

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely

Mary A. Baldwin
Administrative Assistant

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SEP 11 2002



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 2001

Kent Durfee
PO Box 175
Almo, ID 83312

E. Bruce Durfee
PO Box 187
Almo, ID 83312

RE: Transfer Applications

Gentlemen:

As you may recall in 1992 you both filed applications for transfer of water rights to separate out a delivery system. The transfer applications were held for review by the SRBA staff and the transfer applications were never processed. During the SRBA staff review they understood from you that the need for the transfers may not be necessary. (Please find attached SRBA memo)

The purpose of this letter is to inquire of your desire regarding the applications. It appears if the transfer applications are to be processed they need to be revisited and amended to conform to the recent SRBA recommendations. If the applications are not necessary you may withdraw them and the fees paid will be refunded.

Please let me know how you want to proceed in writing within 14 days. If I do not hear from you I will reject the applications and initiate a refund of the fees paid.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: SRBA - Vikie Hancock
IDWR- State Office - Glen Saxton

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MEMO

FROM: Vikie Hancock
TO: Allen Merritt
RE: Transfer Review

Kent or Janis Durfee 43-4018
E. Bruce Durfee 43-2552, 43-2560

In light of the review and subsequent recommendation of the Durfee Adjudication claims, there would need to be alterations to the above two transfer applications in order for them to proceed.

The original intent of the transfer, as they explained it to me, was to separate the delivery system so that the well in SWNW Section 23, T16S, R24E was only used to supply water to land owned by Bruce Durfee and the two irrigation wells in NWSW and SWSW Section 12, T16S, R24E were only used on land owned by Kent Durfee. . In my conversations with the applicants, they expressed that they may not even wish to proceed with the transfer because the adjudication recommendations more clearly defined ownership of the water rights and corrected some errors in the combined limits that had existed as conditions of their water rights. At the time my recommendation was prepared, all three wells were still connected and could be used in a common system if the Durfees so desired.

At this juncture I believe that the applicants should be contacted to determine their intentions. My experience has been that they may need to be contacted more than one time in order to receive a response. If they wish to proceed with separating the system, I would generally recommend that the transfer of POD be approved.

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Bruce

	f,	Ac	2+
43 - 130 47	2.87	(244) 332	853
43 - 130 49	4.87	(244) 772	853
43 - 130 51	1.20	(60) 772	240
43 - 130 53 Expansion	0.56	(28) 332	112.0

~~4.87~~
~~1.20~~
~~0.56~~

4.87
0.62
5.49

6%

* 8.90

69518

800
900
920

fil sel lead
7 x 72
920

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5.82 cf,

5.77

Ad
10/2

1/16/92

Durfee, Kent R. *for Janis

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: D Jones

1. Right number 43-252,-2560 Applicant Durfee, E. Bruce
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☐ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use
 - b. ☐ Description of original point of diversion.
 - c. ☐ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☐ Part of right (*NOTE! Part B should be filled in only if part of the right is owned by the applicant*).
 - c. ☐ Check description of point(s) of diversion.
 - d. ☐ Check description of place of use.
 - e. ☐ Check map (shows p.d. and p.u. after transfer).
 - f. ☐ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☐ Check for expansion in use of right. Comments _____

 - i. ☐ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☐ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

[illegible]

DATE: 08/02/89
PAGE: 049

TIME	LOC	TYPE	STATUS	REMARKS
1001:15	101	100	100	100
1002:15	101	100	100	100
1003:15	101	100	100	100
1004:15	101	100	100	100
1005:15	101	100	100	100
1006:15	101	100	100	100
1007:15	101	100	100	100
1008:15	101	100	100	100
1009:15	101	100	100	100
1010:15	101	100	100	100
1011:15	101	100	100	100
1012:15	101	100	100	100
1013:15	101	100	100	100
1014:15	101	100	100	100
1015:15	101	100	100	100
1016:15	101	100	100	100
1017:15	101	100	100	100
1018:15	101	100	100	100
1019:15	101	100	100	100
1020:15	101	100	100	100
1021:15	101	100	100	100
1022:15	101	100	100	100
1023:15	101	100	100	100
1024:15	101	100	100	100
1025:15	101	100	100	100
1026:15	101	100	100	100
1027:15	101	100	100	100
1028:15	101	100	100	100
1029:15	101	100	100	100
1030:15	101	100	100	100
1031:15	101	100	100	100
1032:15	101	100	100	100
1033:15	101	100	100	100
1034:15	101	100	100	100
1035:15	101	100	100	100
1036:15	101	100	100	100
1037:15	101	100	100	100
1038:15	101	100	100	100
1039:15	101	100	100	100
1040:15	101	100	100	100
1041:15	101	100	100	100
1042:15	101	100	100	100
1043:15	101	100	100	100
1044:15	101	100	100	100
1045:15	101	100	100	100
1046:15	101	100	100	100
1047:15	101	100	100	100
1048:15	101	100	100	100
1049:15	101	100	100	100
1050:15	101	100	100	100
1051:15	101	100	100	100
1052:15	101	100	100	100
1053:15	101	100	100	100
1054:15	101	100	100	100
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1056:15	101	100	100	100
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1058:15	101	100	100	100
1059:15	101	100	100	100
1060:15	101	100	100	100
1061:15	101	100	100	100
1062:15	101	100	100	100
1063:15	101	100	100	100
1064:15	101	100	100	100
1065:15	101	100	100	100
1066:15	101	100	100	100
1067:15	101	100	100	100
1068:15	101	100	100	100
1069:15	101	100	100	100
1070:15	101	100	100	100
1071:15	101	100	100	100
1072:15	101	100	100	100

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69518

E BRUCE DURFEE
PO BOX 187

ALMO ID 83312, has filed Application No. 69518 for changes to the following water rights within CASSIA County:

Right No. 43-13051

Priority 4/1/1963

Source GROUND WATER

Use IRRIGATION (332 acres) 1.20 CFS 240.0 AFA

Total Amount 1.20 CFS 240.0 AFA

Point(s) of Diversion SENWSW S12 T16S R24E
NESWSW S12 T16S R24E
SESWNW S23 T16S R24E

Place of Use S12 T16S R24E

Right No. 43-13047

Priority 9/19/1962

Source GROUND WATER

Use IRRIGATION (332 acres) 2.87 CFS 853.0 AFA

Total Amount 2.87 CFS 853.0 AFA

Point(s) of Diversion SENWSW S12 T16S R24E
NESWSW S12 T16S R24E
SESWNW S23 T16S R24E

Place of Use S12 T16S R24E

Right No. 43-13049

Priority 1/4/1963

Source GROUND WATER

Use IRRIGATION (332 acres) 3.98 CFS 853.0 AFA

Total Amount 3.98 CFS 853.0 AFA

Point(s) of Diversion SENWSW S12 T16S R24E
NESWSW S12 T16S R24E
SESWNW S23 T16S R24E

Place of Use S12 T16S R24E

Right No. 43-13053

Priority 3/15/1978

Source GROUND WATER

Use IRRIGATION (332 acres) 0.56 CFS 112.0 AFA

Total Amount 0.56 CFS 112.0 AFA

Point(s) of Diversion SENWSW S12 T16S R24E
NESWSW S12 T16S R24E
SESWNW S23 T16S R24E

Place of Use S12 T16S R24E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 43-13047 (split from Parent Right No. 43-2552)

Priority 9/19/1962

Source GROUND WATER

Use IRRIGATION (332 acres) 2.87 CFS 853.0 AFA

Total Amount 2.87 CFS 853.0 AFA

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Point(s) of Diversion SESWNW S23 T16S R24E

Place of Use S12 T16S R24E

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Proposed Right No. 43-13049 (split from Parent Right No. 43-2560)

Priority 1/4/1963
Source GROUND WATER
Use IRRIGATION (332 acres) 3.98 CFS 853.0 AFA
Total Amount 3.98 CFS 853.0 AFA
Point(s) of Diversion SESWNW S23 T16S R24E
Place of Use S12 T16S R24E

Proposed Right No. 43-13051 (split from Parent Right No. 43-4018)

Priority 4/1/1963
Source GROUND WATER
Use IRRIGATION (332 acres) 1.20 CFS 240.0 AFA
Total Amount 1.20 CFS 240.0 AFA
Point(s) of Diversion SESWNW S23 T16S R24E
Place of Use S12 T16S R24E

Proposed Right No. 43-13053 (split from Parent Right No. 43-10014)

Priority 3/15/1978
Source GROUND WATER
Use IRRIGATION (332 acres) 0.56 CFS 112.0 AFA
Total Amount 0.56 CFS 112.0 AFA
Point(s) of Diversion SESWNW S23 T16S R24E
Place of Use S12 T16S R24E

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 14, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on _____ and _____

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