

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Ruth Chambers

being first

duly sworn, deposes and says that she is the

Bookkeeper 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 weeks, commencing with the issue

dated June 18, 1970, and ending

with the issue dated June 25, 1970.

Ruth Chambers

Subscribed and sworn to before me

this 25th day of June

1970.

Edith Raustadt

Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

70-172

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT
NO. 1637**

Notice is hereby given that Mark Durfee, Naf, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and place of use of the waters of a ground water source. Mr. Durfee is requesting to change Claim to a Water Right No. 43-4033 which is presently listed as follows:

Amount: 0.11 c.f.s.
Priority: 1940

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.
Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.

To Be Transferred To

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.
Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before July 6, 1970.

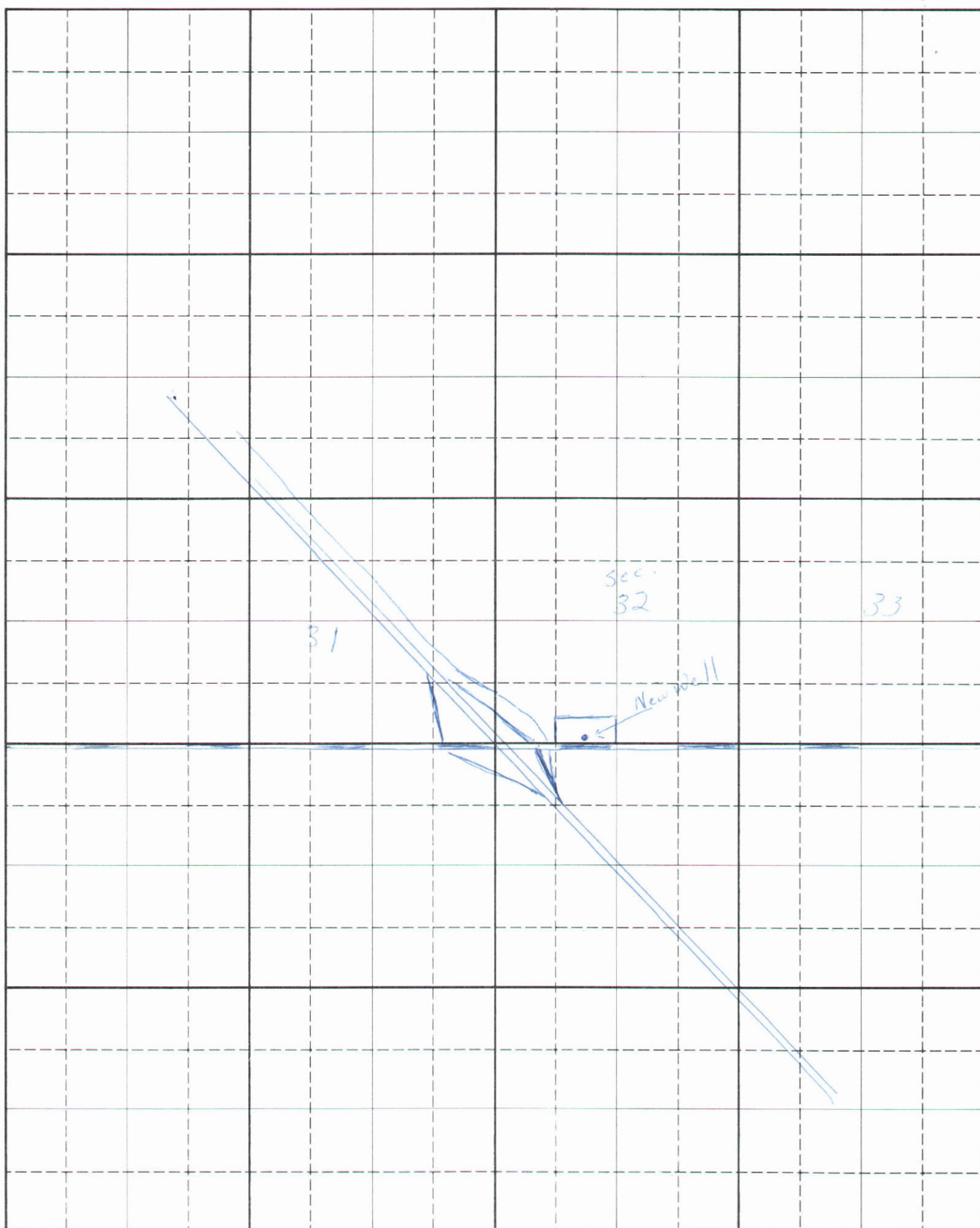
R. KEITH HIGGINSON

State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho, on June 18th and June 25, 1970.

43 4033

Bill submitted
6-29-70
H/L



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

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1970.

Edith Raustadt Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

REC

29-1970

Department of Reclamation

70-171

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 43-4033**

Notice is hereby given that Mark Durfee, Naf, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.11 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, T. 16S, R. 28E, B.M., Cassia County; the water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1940; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, T. 16S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press, Burley, Idaho, on June 18 and June 25, 1970.

43-4033

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss
STATE OF IDAHO)

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1970.

Edith Kautzsch, Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

70 172

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT NO 1637

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Amount 0.11 cfs

Priority 1940

Point of Diversion NE 1/4 NW 1/4 Sec 29, Twp 16 S, Rge 28 E, B.M.

Place of Use NE 1/4 NW 1/4 Sec 29, Twp 16 S, Rge 28 E, B.M.

To Be Transferred To

Point of Diversion SE 1/4 SW 1/4 Sec 32, Twp 12 S, Rge 28 E, B.M.

Place of Use SE 1/4 SW 1/4 Sec 32, Twp 12 S, Rge 28 E, B.M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before July 6, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho, on June 18th and June 25, 1970.

11 1000

Bill and
6-27-70
70

Transfer No. 1637

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MAY 21 1970

Department of Reclamation
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

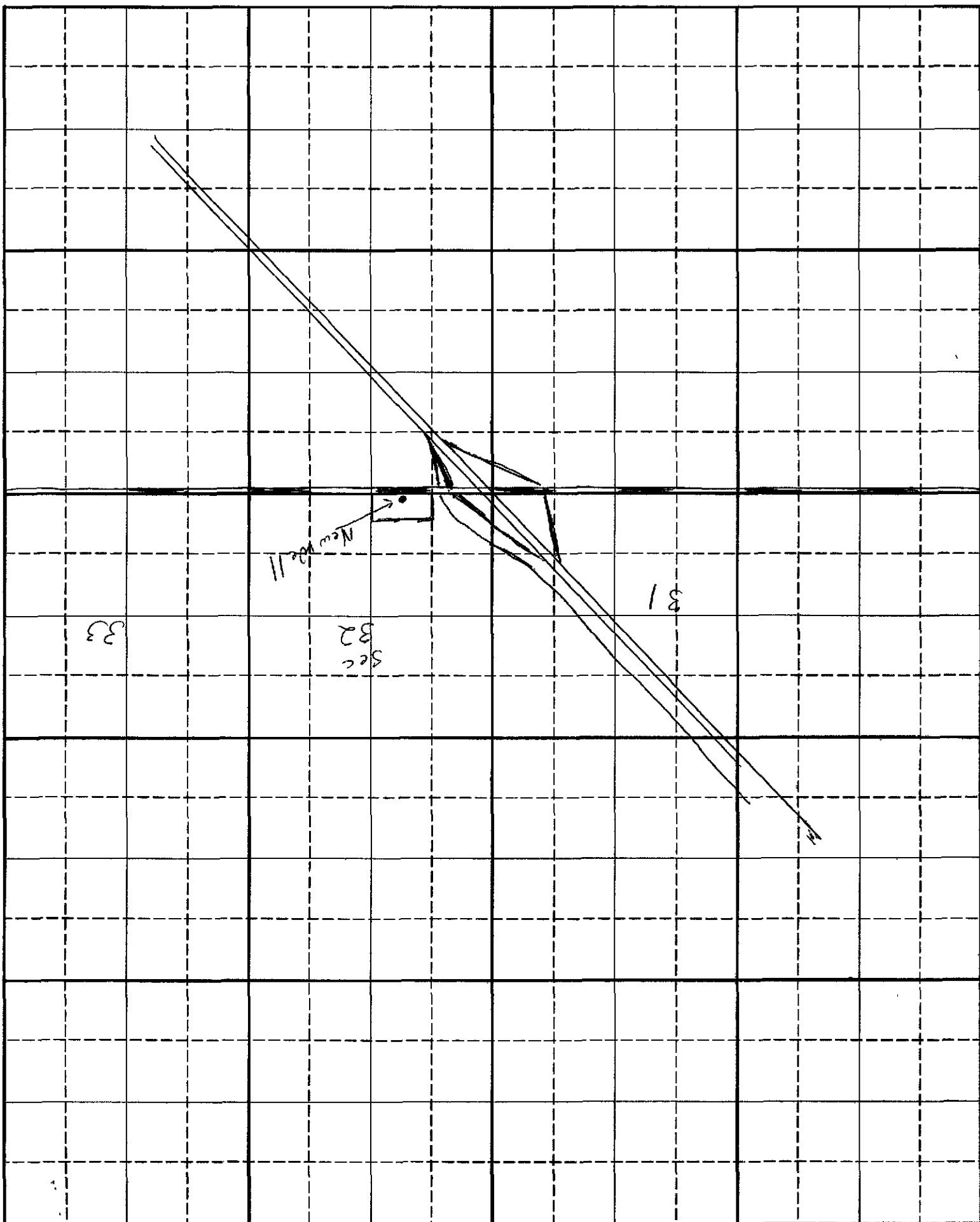
1. Name of Right Holder Mark Durfee
- Post office address Naf, Idaho
2. Right obtained by: Diversion and use; Claim No. 43-4033
- a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
- b. ^{claim} License No. 43-4033 issued by the State of Idaho, Department of Reclamation.
3. Source of water well tributary to _____
(Name of stream or source)
4. Date of Priority Drilled in 1940
5. Amount of water a. 0.21 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for multiple Domestic ~~Domestic~~ & Industrial from 1-1-1920 to 12-31-1920
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE $\frac{1}{4}$ sec $\frac{1}{4}$ of Section 29,
Township 16 S, Range 28 E, B.M., in Cassia County;
Additional points of diversion, if any East one-half of the Northeast
Quarter of the Northwest Quarter
8. Lands presently irrigated or place of use: same as above ^{1st}

[illegible]

Total number of acres presently irrigated _____

40 40LS

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



48 4033 3

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 0.11 c.f.s. and/or _____ acre feet

b. New point of diversion: S.E. 1/4 S.W. 1/4, Section 32, Township 12 S
Range 28 E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

We were put out of business when the freeway opened
& we are trying to get relocated on the Freeway. We
bought ground from the B.L.M. & have to have a well for
water. There are no more permits available for this area
& we have to transfer this well in Stowell to Sublett.

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	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	
<u>12S</u>	<u>28E</u>	<u>32</u>												<u>X</u>					

Total number of acres to be irrigated _____

- b. Do you intend to make the transfer permanent? yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
- _____
- _____
- _____
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:
- _____
- _____
- _____
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Mark Dwyer

(signature of applicant)

Subscribed and sworn to before me this 20th day of May, 1970

Gene Baxter

(notary public)

My commission expires May 3, 1971.

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

APPROVED

This is to certify that I have examined Application for Transfer of Water Rights No. 43-4033, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 20th day of July, 1970.

P. Keith Higgins

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by D m c Date 5-21-70

Prelim. check by D m c Date 5-21-70

Fee received by E. J. Date 6-5-70 Fee \$ 10

Approved for publication by D. m c

Published in Laurel Valley Dates June 18 + 25

Hearing held _____

Watermaster Recommendation sent _____

Protest filed by: _____ Date _____

Identification No. _____
Claim No. 43-4033
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Mark Dufec
post office address Nat, Idaho 83345
2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29 Township 16 S
Range 28 E.B B.M. located on Ground Water
(name of source)
tributary to _____ in Cassia County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

1940 amount: .11 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .11 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use year around for 4 families period of use from approx. 30 yrs ago to July 1966 (both dates inclusive)
use Domestic period of use from 1-1 to 12-31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet, explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is approx. 196 feet; diameter of well is 6 inches; type of pump is submersible
capacity of pump is 30 gal/g.p.m.; name and address of well driller is _____

43-4033

1.

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

[illegible]

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch
_____ The other users and their respective
interests in the ditch are (if known) _____

6 Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 4
name of town supplied Airport & some of Post of Entry

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks. please explain any details of your claim which you feel need clarification or additional explanation

The well has been used for 4 families, an airport, 5 head of
pleasure horses, and a large (approx. 1 acre) lawn. This was in
use by the GAA. This information was acquired from
W B Gummell who was caretaker of the airport.

W B Gummell

State of Idaho

County of Cassia } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 16th day of May, 1970.

Mark Dwyer
Claimant

Gene Baxter
Notary Public

Residing at Malta, Idaho

My commission expires May 3, 1971

For Department Use Only

Received by <u>e</u>	Date <u>5-19-70</u>	Exception filed by.	Forwarded to	Date
Prelim. check by <u>DM</u>	Date <u>6-5-70</u>		claimant by:	
Fee received by <u>e</u>	Date <u>5-70</u>	Fee \$ <u>10⁰⁰</u>		
Approved for publication by <u>r</u>				
Published in <u>South Idaho</u>	Dates <u>6-11-75-70</u>			

43-4033

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

- Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:
use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.
4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

May 14, 1970

7 20 19

Department of Reclamation

Department of Reclamation
Mr. R. Keith Higginson
Statehouse Annex #2
Boise, Idaho 83707

Dear Mr. Higginson:

We have been in business in the Strevell area for twenty years. Our business consisted of a truck stop, cafe, and gas station. The location of this business was Sec. 29, Twp. 16 S., Rge. 28 E., B.M. The interstate has moved the traffic from this location and in order to remain in business we have been forced to relocate along the interstate at the Sublet Malta interchange. Our new place of business was acquired after a years negotiation and special sale with the Bureau of Land Management. The special sale was completed the 18th of March, 1970, at a cost of \$20,000. Our new location is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M. One of the conditions of the sale imposed by the Bureau of Land Management was that the property purchased be developed by means of a well. We were not aware of the requirement for a permit until April, 1970, at which time we applied for a permit. This application was subsequently denied on the basis that the proposed well was to be drilled within the Raft River Critical Ground Water Area. There is no other source of water available at our new location and we require a minimum of 0.1 c.f.s of water. Without the water our investment will be a total loss.

After traveling to Boise on May 14, 1970, it appears the only way we can save our investment would be by means of a proposed transfer of an existing water right to the new location. We feel we can establish a water right on one of the following:

An existing well located in the NE $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M., which was established in the 1930's by the federal government for the emergency airstrip located at Strevell. This well was used by the Department of Aeronautics and the Department of Highways for a port of entry and a house. We purchased the well and the property three years ago when the port of entry was moved. We can file a claim on this well followed by a transfer.

43-4033

Page 2

The second alternative would be to establish a claim on one of the many stock wells near our new location then file a transfer on the claim to the new location. We would then effect a change in nature of use under constitutional provisions. The location and information on the stockwatering well will be supplied shortly.

Would you please review this matter and advise us as to your recommendations on how to proceed and which alternative to take.

Very truly yours,

Mark Dwyer
James Dwyer

4/3-4032

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

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) ss.
STATE OF IDAHO)

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dated June 18, 1970, and ending

with the issue dated June 25, 1970.

Ruth Chambers

Subscribed and sworn to before me

this 25th day of June

1970.

Edith Raustad Notary Public

Cost of Publication

Notary Fee

Total Cost

My commission expires October 23, 1971

70-171

NOTICE OF CLAIM TO A WATER RIGHT No. 43-4033

Notice is hereby given that Mark Durfee, Nat. Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.11 cubic feet per second of water from a ground source with point of diversion NE 1/4 NW 1/4 Sec. 29, T. 16S, R. 28E, B.M., Cassia County, the water claimed to be used from Jan. Dec. 31 for domestic purposes priority of 1940; the place of use within the NE 1/4 NW 1/4 Sec. 29, T. 16S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation

R. KEITH HIGGINSON
Registration Engineer
Burley, Idaho, on June 18 and June 25, 1970.

43-4033

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

July 20, 1970

Re: Transfer No. 43-4033

C
Mr. Mark Durfee
Naf,
Idaho 83345

Dear Mr. Durfee:

Enclosed herewith is your approved application for transfer No. 43-4033. If you should
P have any further questions, please feel free to contact us.

Very truly yours,

Y Donald W. McEldowney
Appropriation Supervisor

DWM:kh

43 4033

MEMO

To: Steve Allred

From: Don McEldowney

Re: Transfer Application No. 43-4033

The Cassia county assessor's office at Burley, Idaho, was telephoned and verification received that Mr. Mark Durfee is the owner of that portion of the NE¹/₄ NW¹/₄ Sec. 29, Twp. 16 S., Rge. 28 E., B.M., wherein the original diversion was located as identified by Claim No. 43-4033.

Dated: July 14, 1970

DWM:kh

Steve -

log of new well is on file

Ken

Don - lets have inspection of claim and of
proposed change

43 4033

~~Steve~~

70-172

NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT
NO 1637

Notice is hereby given that Mark Durfee, Naf, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and place of use of the waters of a ground water source. Mr. Durfee is requesting to change Claim to a Water Right No. 43-4033 which is presently listed as follows:
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Priority: 1940

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.
Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.

To Be Transferred To:

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.
Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before July 6, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the South Idaho Press, Burley, Idaho, on June 18th and June 25, 1970.

May 27, 1970

MEMORANDUM

TO: DALE

FROM: PAUL

SUBJECT: Analyses of ground-water transfers and withdrawals within
the Raft River Valley

The transfer of a right to ground water withdrawal from 16S 28E 29a to 12S 28E 32cd, Raft River Valley, should have virtually no effect on the system as a whole. Both locations are on the periphery of the ground-water system and neither are in heavily pumped areas. Water yields are approximately the same in both areas, so that an increase of pumping time will be necessary to obtain a similar amount of water.

Regarding Application for Permit No. 43-7009, submitted by Holingren Land & Livestock Co., I feel that it should be approved, but the rate of diversion should be limited to .02 cfs. One-half cfs for only 200 Herefords is just a little excessive; .02 cfs amounts to 13,000 gallons per day, which should be adequate!

Regarding Application for Permit No. 43-7010, submitted by Wilford Wrigley, for .05 cfs for stock watering purposes; pretty much the same conditions apply. For 2,000 sheep and 150 cattle the total gallons per day requirement would be about 5,800. This amounts to about .01 cfs, but we generally don't license any quantities below .02 cfs. His permit should be conditionally approved, providing his rate of diversion is limited to .02 cfs. Water levels have shown no net declines in the applicant's area, and this insignificant rate of withdrawal would have no measureable effect on the ground-water system.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

NO. 1637

Notice is hereby given that Mark Durfee, Naf, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and place of use of the waters of a ground water source. Mr. Durfee is requesting to change Claim to a Water Right No. 43-4033 which is presently listed as follows:

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Priority: 1940

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.

Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29, Twp. 16 S., Rge. 28 E., B.M.

To Be Transferred To

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.

Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, Twp. 12 S., Rge. 28 E., B.M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before July 6, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho, on June 18th and June 25, 1970

13 4 11

June 10, 1970

Re: Transfer Application No. 1637

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosure

13 4000

July 1, 1970

Re: Claim to a Water Right No. 43-4033

Mr. Mark Durfee
Naf, Idaho 83345

Dear Mr. Durfee:

The Department of Reclamation has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or evidence that you would like to have included in your claim file, you may add that information at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosures: Copy of claim
Receipt No. 4718

43-4033

70-171

NOTICE OF CLAIM
TO A WATER RIGHT
No 43-4033

Notice is hereby given that Mark Durfee, Nat, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.11 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29, T 16S, R 28E, B.M., Cassia County, the water is claimed to be used from Jan. 1 to Dec 31 for domestic purposes with a priority of 1940, the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29, T. 16S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R KEITH HIGGINSON

State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho, on June 18 and June 25, 1970

43-4033

June 10, 1970

Re: Claim to a Water Right No. 43-4033 - Mark Durfee

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

*Bill submitted
6-30-70
de*

43-4033

9

No. 43-4033

Notice is hereby given that Mark Durfee, Naf, Idaho,

_____ has filed a claim to a water right
established by diversion and application to beneficial use of 0.11

cubic feet per second/~~acre~~ feet of water from a groundwater source

with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Sec. 29, T. 16S, R. 28E, B.M., Cassia County ; the water is

claimed to be used from Jan. 1 to Dec. 31 for domestic purposes

with a priority of 1940

_____ ; the place of use is within the _____

NE¼NW¼ Sec. 29, T. 16S, R. 28E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the South Idaho Press, Burley, Idaho.

on June 18 and June 25, 1970.

xH.

43-4023

RECEIVED

MAY 23 1966

Dear Mr. McElDowney,

Every thing in the ^{Department of Reclamation} letter except we did not purchase the property & well from the state of Idaho. We purchased this from Joy M. Charles of Ventura, California the 19th of January 1967 & untill this time the state of Idaho was leasing the property & well from her. There were 4 Families using this well & they were watering approx. 1 acre of lawn. The men were employed by the State.

We will sign the last page & then the first page can be retyped if necessary. We wish to thank you for the help you are giving us.

Sincerely

Mark & Jeanne

Durfee

4/3-1033

May 21, 1970

Re: Claim to a Water Right

Mr. Mark Durfee
Naf,
Idaho 83345

Dear Mr. Durfee:

Please be advised that before we can proceed to process your Claim to a Water Right we must have a \$10 filing fee. We have received your transfer application and proper fee and your additional correspondence. We have made the requested changes on the first page of your letter to Mr. Higginson.

As soon as we are in receipt of the \$10 fee for the Claim, we shall continue to process it.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

43-4023