

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



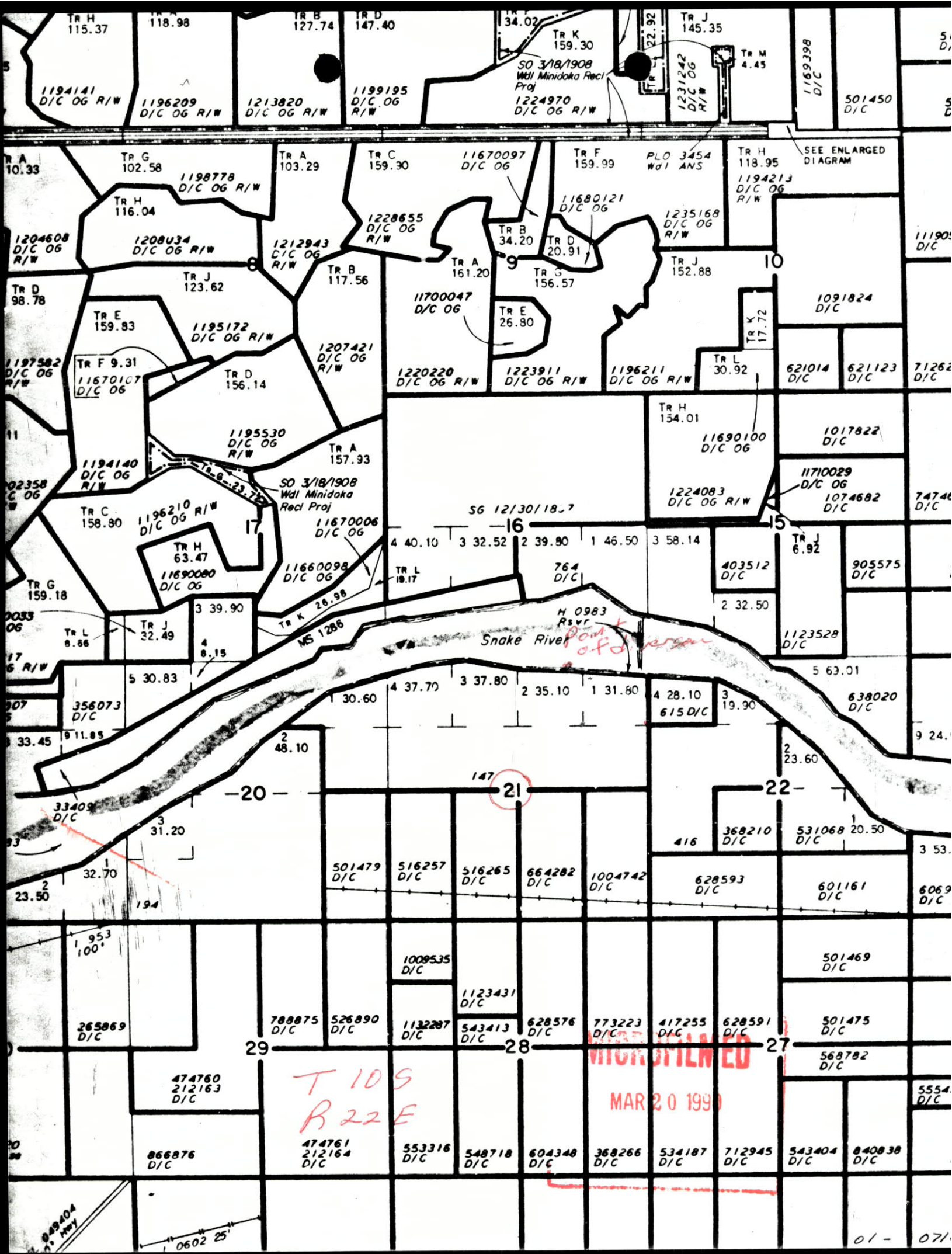
Scale: 2 inches equal 1 mile.

MAR 20 1990

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

~~NE 1/4 NE 1/4 NE 1/4~~
SEC 21 T10S R22E
Lot 2

Marion D. Dwyer
(Applicant)



T 10 S
R 22 E

MICROFILMED
MAR 20 1990

STATE OF IDAHO }
County of Cassia }

I hereby certify that this instrument
was filed for record at the
office of the County Clerk of Cassia
County, Idaho, on the 27th day of
February, 1961, at 10:00 A.M.

minutes past 4
O'clock, M. this 27th day
of February, A.D., 1961

Office and duly recorded in
Book No. 1 at page 97

FRANK B. KEARNS

Ex-Officio Recorder

County Clerk, Cassia County, Idaho

RECORDERS CERTIFICATE

I HEREBY CERTIFY THAT THE FORGOING
PLAT OF STAR PARK, STAGE No. 1 WAS
FILED FOR RECORD IN THE OFFICE OF THE
RECORDER OF CASSIA COUNTY IDAHO, ON
THE 27th DAY OF February, 1961 AT 10:00 A.M. AND
RECORDED IN PLAT BOOK No. 1 AT PAGE
97.

Frank B. Kearns
CASSIA COUNTY, IDAHO

ENGINEERS CERTIFICATE

I, Robert T. Pittard A REGISTERED
ENGINEER DO HEREBY CERTIFY THAT I HAVE
SURVEYED THE TRACT OF LAND DESIGNATED AS
STAR PARK STAGE No. 1 TO THE COUNTY
OF CASSIA, IDAHO THAT THE SAID ADDITION
IS TRULY AND CORRECTLY STAKED AS PROVIDED
BY LAW AND IN ACCORDANCE WITH THE ABOVE
PLAT AND AS DESCRIBED IN THE ACCOMPANYING
DEED OF DEDICATION

Robert T. Pittard
IDAHO LICENSE No. 1445

STATE OF IDAHO } S.S.
COUNTY OF CASSIA }

SUBSCRIBED AND SWORN TO BEFORE
ME THIS 28th DAY OF February, 1961

MY COMMISSION EXPIRES 7-1-61

Robert T. Pittard

COUNTY'S ACCEPTANCE

THE FOREGOING PLAT WAS DULY ACCEPTED
AND APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS OF CASSIA COUNTY (AS LOTS AND BLOCK)
IDAHO BY RESOLUTION ADOPTED
THIS 27th DAY OF Feb. 1961

R. J. Harker
CHAIRMAN

STATE OF IDAHO }
COUNTY OF CASSIA } S.S.

PERSONALLY APPEARED BEFORE ME OTIS L.
ORTON AND ETHEL M. ORTON SIGNERS OF THE
BELOW INSTRUMENT WHO DULY ACKNOWLEDGE TO ME
THAT THEY EXECUTED THE SAME

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 28th DAY OF February, 1961
MY COMMISSION EXPIRES 7-1-61

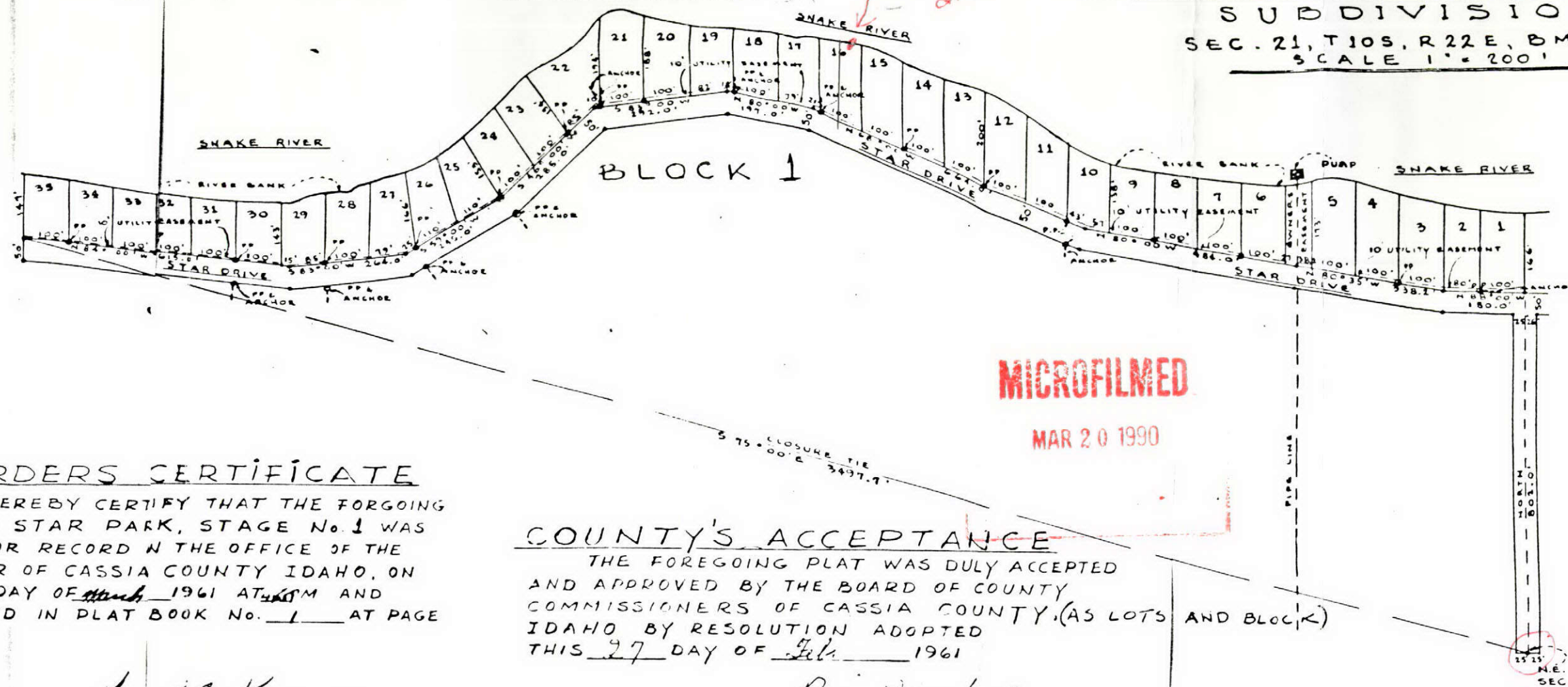
NOTARY PUBLIC BURLEY, IDAHO
THAT WE HAVE CAUSED THE SAME
TO BE SUBDIVIDED INTO LOTS AND
STREETS TO BE KNOWN AS STAR PARK
STAGE No. 1 TO THE COUNTY OF CASSIA,
IDAHO AND THAT WE DO HEREBY GIVE GRANT
AND DEDICATE TO THE PUBLIC FOR
PUBLIC USE, ALL STREETS AND EASEMENTS
SHOWN HEREON.

WITNESS: OUR HANDS THIS 28th DAY OF Feb. 1961

Otis L. Orton
OTIS L. ORTON

Ethel M. Orton
ETHEL M. ORTON

STAR PARK
SUBDIVISION
SEC. 21, T10S, R22E, BM
SCALE 1" = 200'

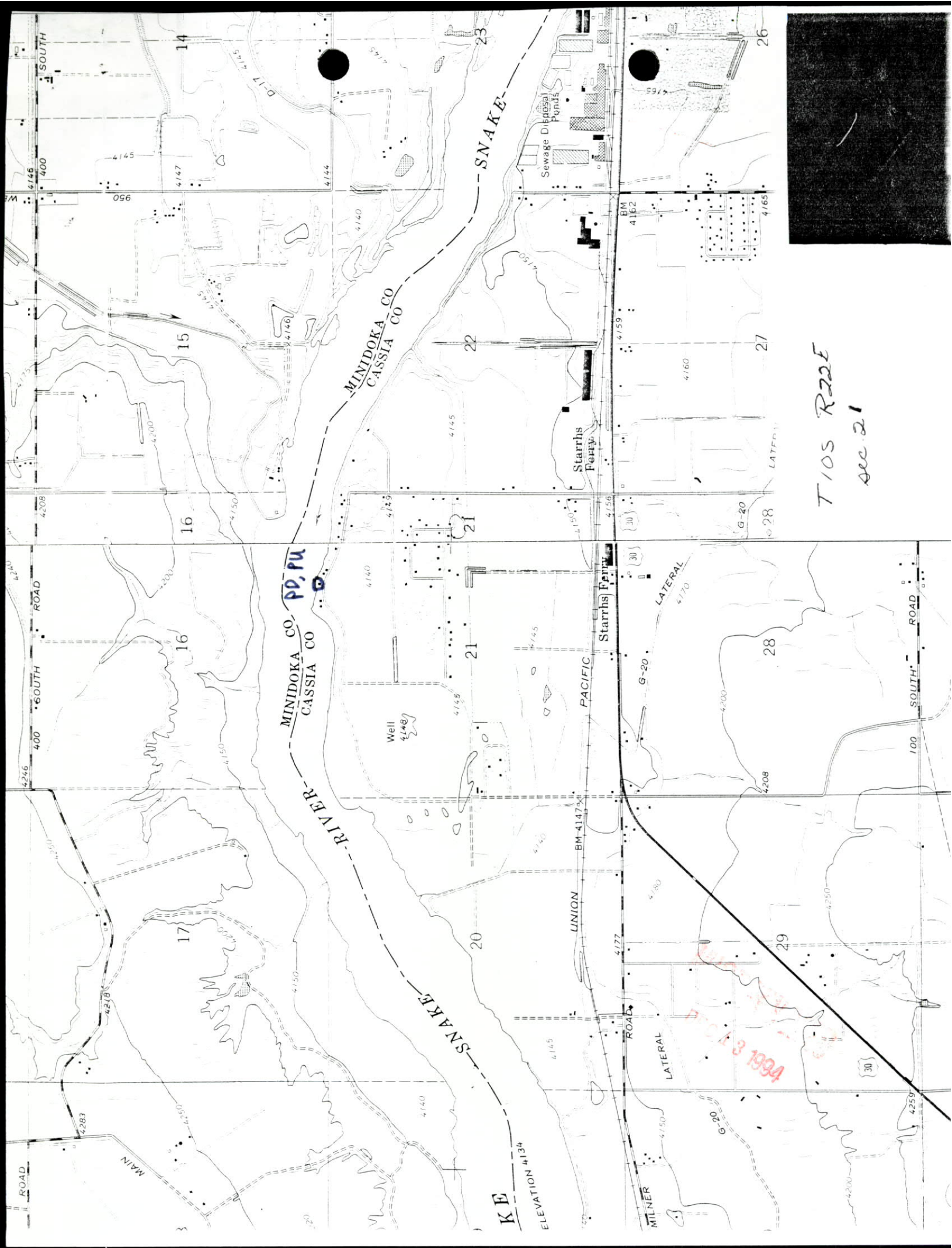


DEED OF DEDICATION

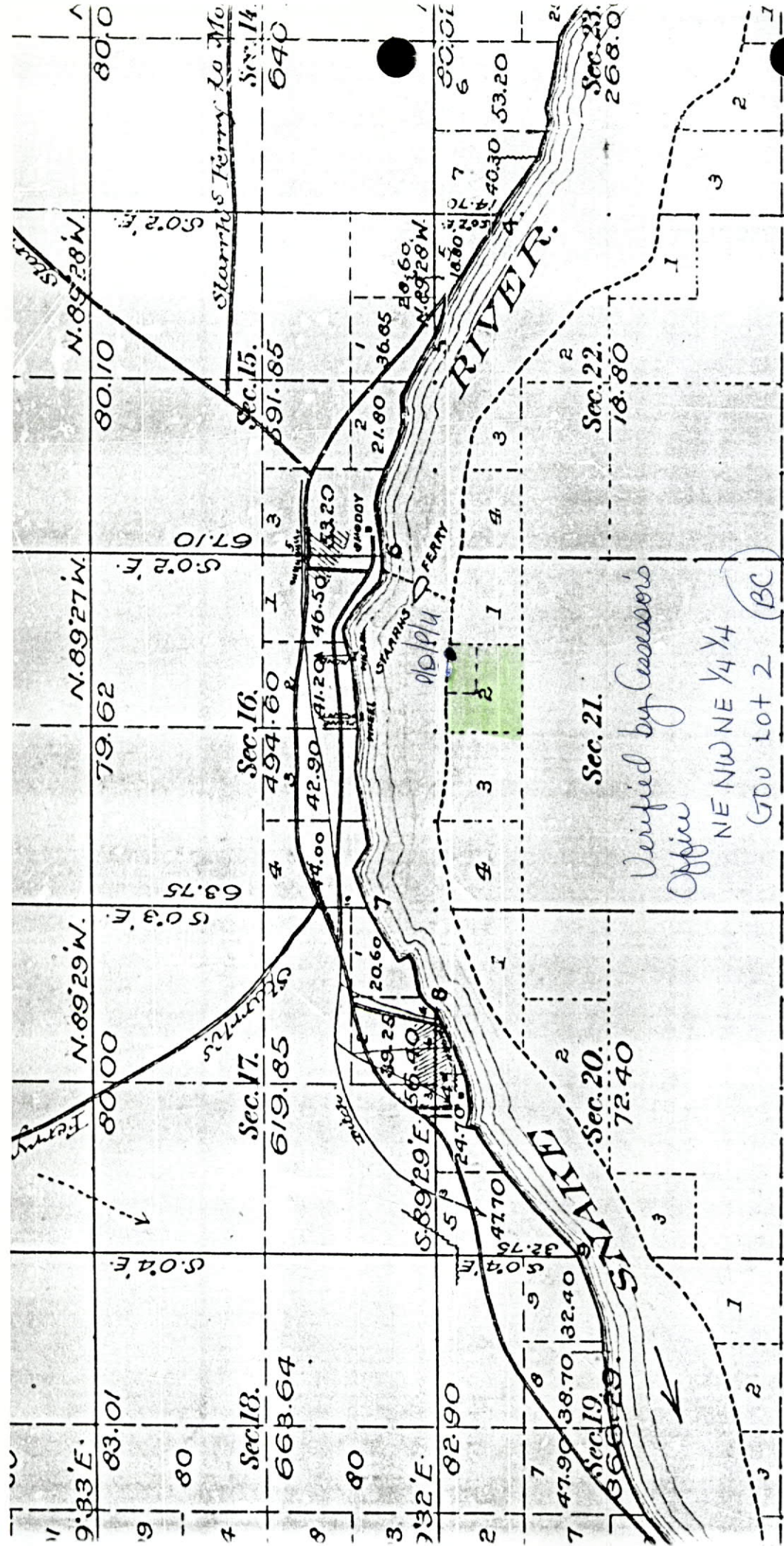
STATE OF IDAHO } S.S.
COUNTY OF CASSIA }

BE IT KNOWN THAT: OTIS L. ORTON
AND ETHEL M. ORTON DO HEREBY CERTIFY
THAT WE ARE THE LEGAL OWNERS OF THE
LAND SHOWN HEREON AND DESCRIBED AS
FOLLOWS:

COMMENCING AT A POINT 802.0' NORTH
OF THE N.E. COR. OF SE 1/4 NE 1/4 SEC. 21, T10S, R22E,
B.M. AND RUNNING THENCE N 88° 00' W 180.0'
FEET THENCE N 80° 35' W 338.2' FEET THENCE
N 80° 00' W 484.0 FEET THENCE N 68° 00' W
664.0 FEET THENCE N 80° 00' W 197.0 FEET
THENCE S 83° 00' W 292.0 FEET THENCE
S 46° 00' W 285.0 FEET THENCE S 59° 00' W
245.0 FEET THENCE S 83° 00' W 264.0
FEET THENCE N 84° 00' W 615.0 FEET THENCE
NORTH APPROX. 147.0 FEET TO BANK OF
SNAKE RIVER THENCE FOLLOWING BANK
OF SNAKE RIVER IN AN EASTERLY DIRECTION
TO A POINT NORTH OF THE POINT OF
BEGINNING, THENCE SOUTH TO THE POINT
OF BEGINNING, AND A ROAD RIGHT OF
WAY 50 FEET WIDE PARALLELING SOUTH
BORDER OF THE DESCRIBED PROPERTY



T10S R22E
sec 21

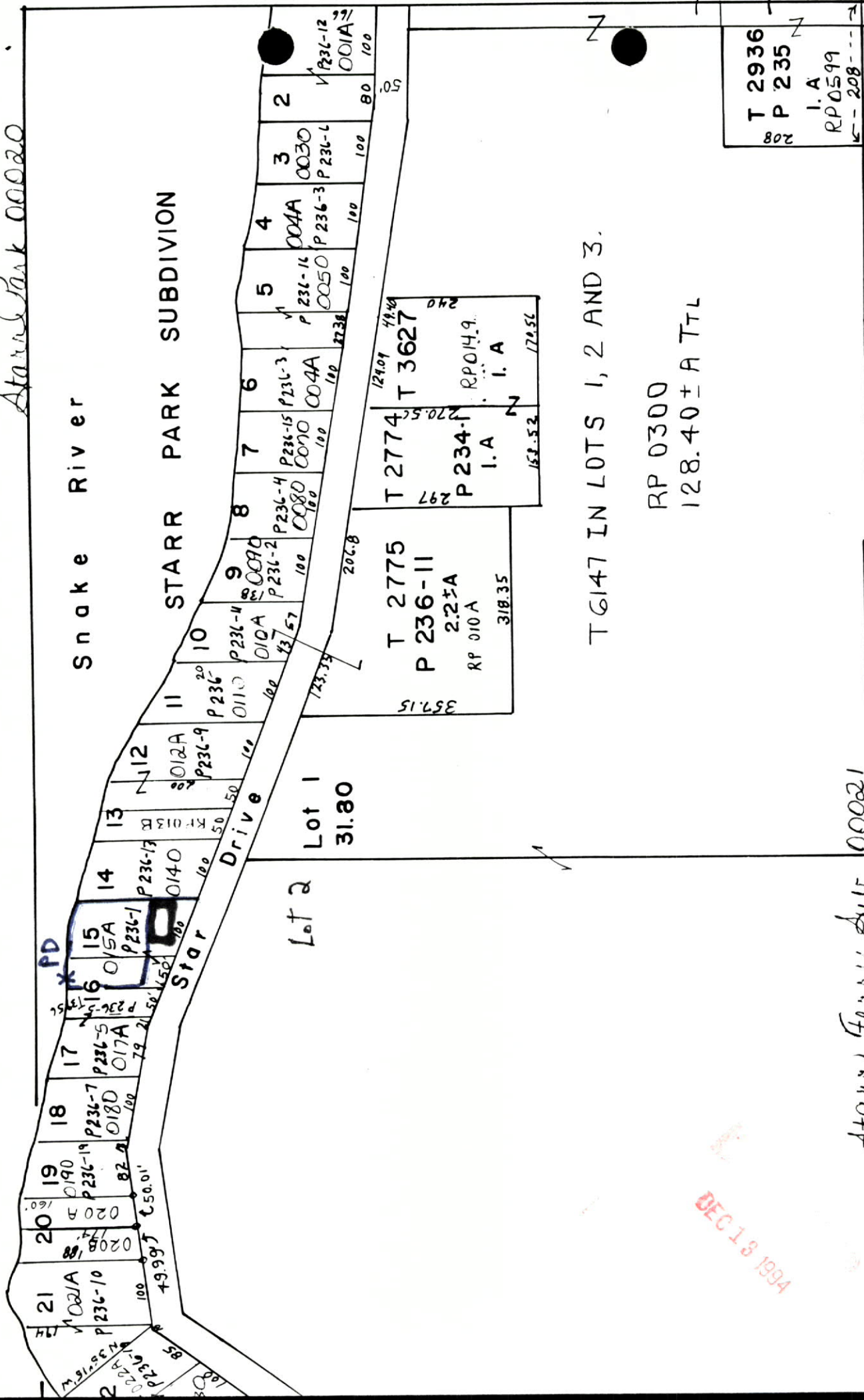


Sec. 30. Sec. 29. Sec. 28. Sec. 27. Sec. 26.

Previous Survey by Peter W. Bell. 187.

Section NE $\frac{1}{4}$ 21 Township 10 Range 22

Starr Park 00020



TG147 IN LOTS 1, 2 AND 3.

RP 0300
128.40 ± A TTL

DEC 13 1994

[illegible]

01-7/01



ASAP

DEC 13 1994

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.
Lannette Sellers being first
duly sworn, deposes and says that she is the
Clerk of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of
The South Idaho Press for two (2)
consecutive weeks, commencing with the issue
dated October 19, 1989, and ending
with the issue dated October 26, 1989.
Lannette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me,
a Notary Public, personally appeared Lannette Sellers,
known or identified to me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Burley, ID

My commission expires 5/10/93

Cost of Publication 26.88

Notary Fee .50

Total Cost 27.38

OK
MB

11-21-89

RECORDED

NOV 16 1989

Department of
Southern Region

MICROFILMED

MAR 20 1990

89-569 NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to
appropriate the public waters of the State of Idaho:
01-07101

DURFEE, MARVIN D.
RT.4 BOX 4113
BURLEY, ID 83318
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: Lot 2 (NWNENE) Sec 21 T 10S R

22E
Use: IRRIGATION (.020 CFS)
Date Filed: 9-11-1989
In: T10S R22E S21 NENE
0.5 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-203A, Idaho Code and/or the
new public interest criteria of Sec. 42-203C, Idaho
Code. Protests must be filed with the Director,
Dept. of Water Resources, 2148 4th Avenue East,
Twin Falls, Idaho 83301 on or before NOVEM-
BER 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on October
19 and 26, 1989.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 01-07101

Priority: September 11, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.6 AF

This is to certify, that MARVIN D DURFEE

RT 4 BOX 4113

BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 11, 1989; and has submitted Proof of Beneficial Use on February 2, 1990. An examination indicates that the works have a diversion capacity of .100 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/01 to 10/31	0.02 CFS	1.6 AF
------------	----------------	----------	--------

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 21, Township 10S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	22E	21	Lot 2(NWNE)	0.4		0.4

Total number of acres irrigated: 0.4

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
7. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.

DEC 13 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

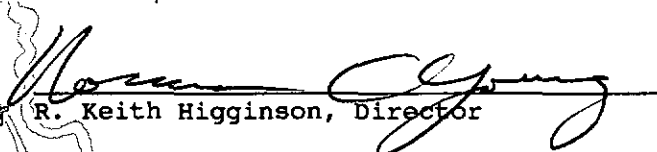
WATER RIGHT NO. 01-07101

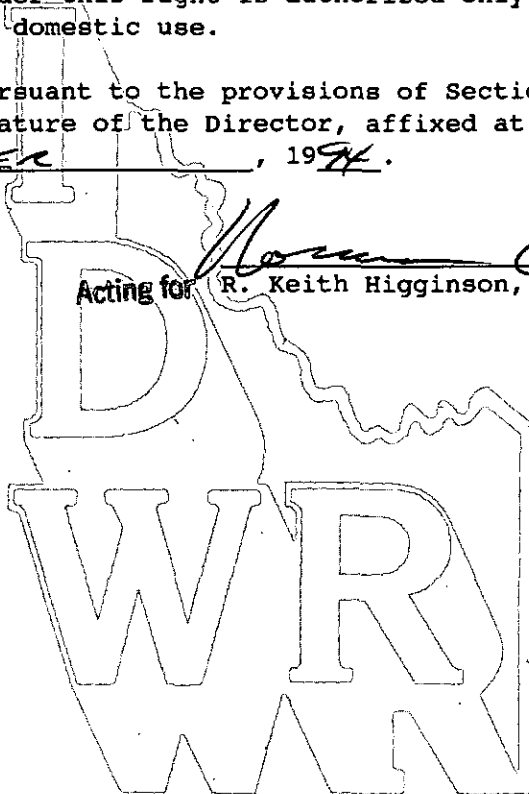
CONDITIONS/REMARKS:

8. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Irrigation use under this right is authorized only in connection with a domestic use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28th day of NOVEMBER, 1994.

Acting for


R. Keith Higginson, Director



DEC 18 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED

NOV 08 1994

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 01-07101

Department of Water Resources

Date of Priority: September 11, 1989 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.6 AF

Comes now MARVIN D DURFEE
RT 4 BOX 4113
BURLEY ID 83318

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 01-07101, and requests that the permit be changed as follows:

Source: SNAKE RIVER tributary to COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.02 CFS	1.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (NWNE), Sec. 21, Township 10S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	22E	21	Lot 2 (NWNE)	0.4		0.4

Total number of acres irrigated: 0.4

RECEIVED

DEC 13 1994

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Marvin D. Durfee, this 6 day of Nov., 1994.

Marvin D. Durfee
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 01-07101

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 50.00 Received by RJ #0031625 Date 11-8-94 ✓

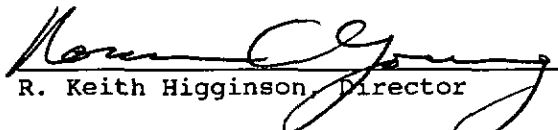
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 01-07101 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
7. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
9. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
10. Irrigation use under this right is authorized only in connection with a domestic use.

Witness my hand this 28th day of NOVEMBER, 1994.


Acting for R. Keith Higginson, Director

DEC 13 1994

RECEIVED

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

25-2-7-90

FEB 2 1990

DEPARTMENT OF WATER RESOURCES

no fee encl.

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 01-07101Telephone No. 678 5260Name(s) of Permit Holder(s): Marvin D. DuffeePost Office Address: Route 4 Box 4113 Burley, Idaho 83318Source of Water: Snake River Malheur Reservoir

If ground water, well driller's name: _____

Date drilled: _____

Extent of Use:

Domestic X (No. of households)To water my yard in conjunction with my house

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Less than 1/2 AC

Other _____

Total rate and/or volume for which proof is submitted .02 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: Sept 11, 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes X No Installed? Yes X Nosystem consist of a portable 1 1/2 H.P. pump connected to flexible hoses.Flow Measurement Port: Required? Yes X No Installed? Yes X NoFee Enclosed: \$ N/A (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Marvin D. Duffee
Name678 5514 (work) 678 5260 (H.)
Telephone No.Route 4 Box 4113 Burley, Idaho 83318
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MAR 20 1990

Date

Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 01-07101

Proposed Priority: September 11, 1989 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **MARVIN D. DURFEE**
RT. 4 BOX 4113
BURLEY, ID 83318

has applied for a permit to appropriate water from:

SNAKE RIVER tributary of **COLUMBIA RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.02 CFS
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LOCATION OF POINT(S) OF DIVERSION: LOT 2(NWNENE), Sec. 21, Township 10S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	22E	21	NENE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1991**.
2. Subject to all prior water rights.
3. No water may be diverted under this permit until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. Irrigation use under this permit is authorized only in connection with a domestic use.
6. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
7. Water shall not be diverted under this permit unless the flow of the Snake River exceeds established downstream minimum stream flows.
8. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.

MICROFILMED

MAR 20 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 01-07101

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

3rd day of January, 1990.

J. Glen Saxton
for R. Keith Higginson, Director

MICROFILMED

MAR 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Marvin D. Durfee day time 678 5514 Phone 678 5260
Post office address Route 4 Box 413 Burley, Idaho 83318
(Snake River) DRS (Columbia River) DRS
2. Source of water supply Milner Lake which is a tributary of SNAKE RIVER
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2
Sec. 21 Township 10S Range 22E B.M. Cassie County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 ^{cfs} for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) yard & garden
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2 H.P. Pump
from Milner Res/Lake
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Allow 1 yr. 1 year years (minimum 1 year).

MICROFILMED

MAR 20 1990

* kw 12/20/89

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
105	22E	21	1/2 AC																1/2 AC

Total number of acres to be irrigated 1/2 AC

10. Describe any other water rights used for the same purposes as described above. None

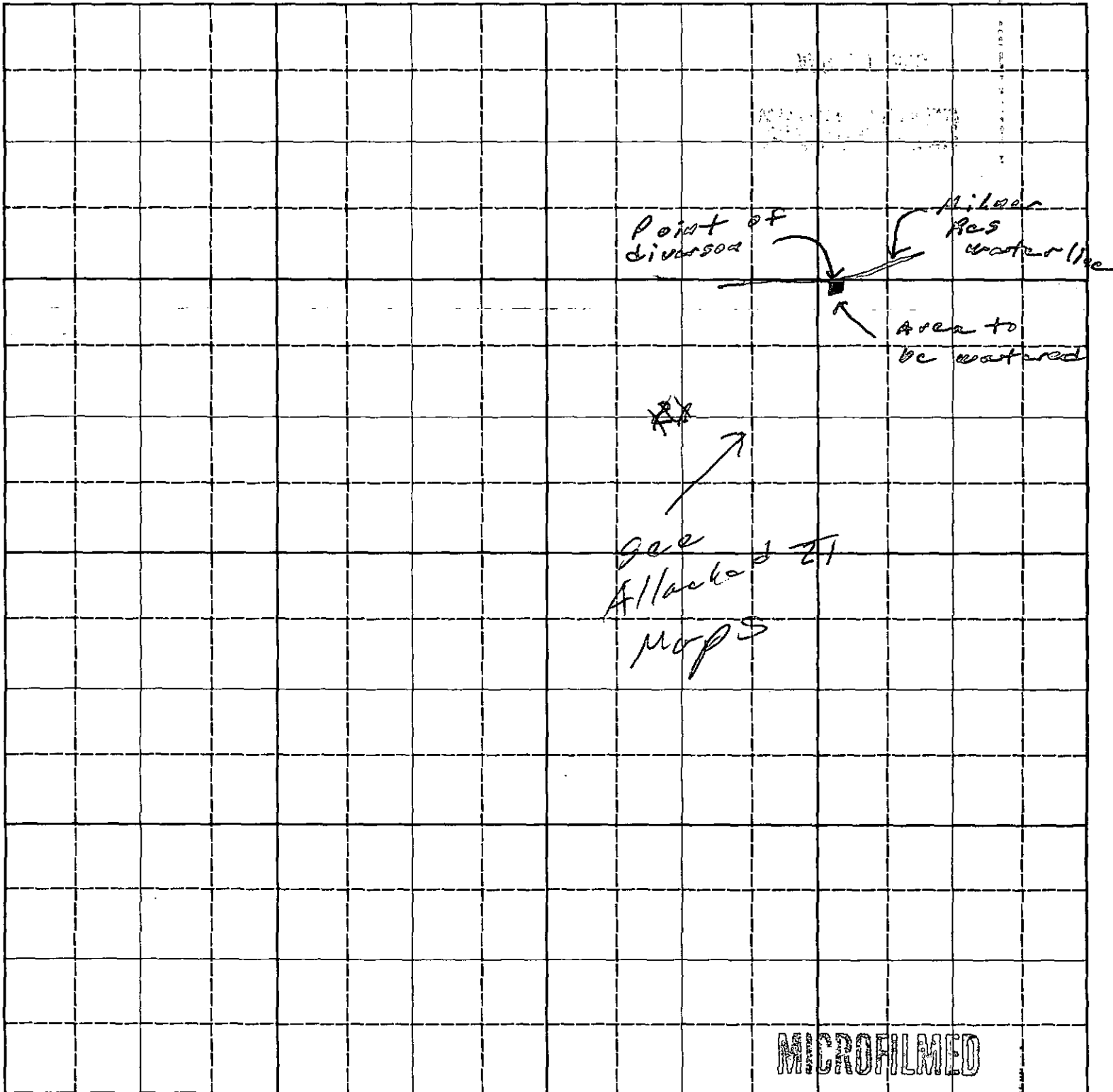
- Who owns the property at the point of diversion? Marvin D. Durfee
- Who owns the land to be irrigated or place of use? Marvin D. Durfee
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

MAR 20 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



MICROFILMED

Scale: 2 inches equal 1 mile.

MAR 20 1990

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

~~Section 21 T10S R22E~~

SEC 21 T10S R22E
Lot 2

Marion D. Dwyer
(Applicant)

Received by AC Date 9/23/89 Time 10:30am Preliminary check by AK attached
Fee \$ 30.00 Receipted by DRJ # 909158 Date 9/13
Publication prepared by M. Baldwin Date 10/2/89 Published in So. ID. Press
Publication approved M. Baldwin Date 11-21-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

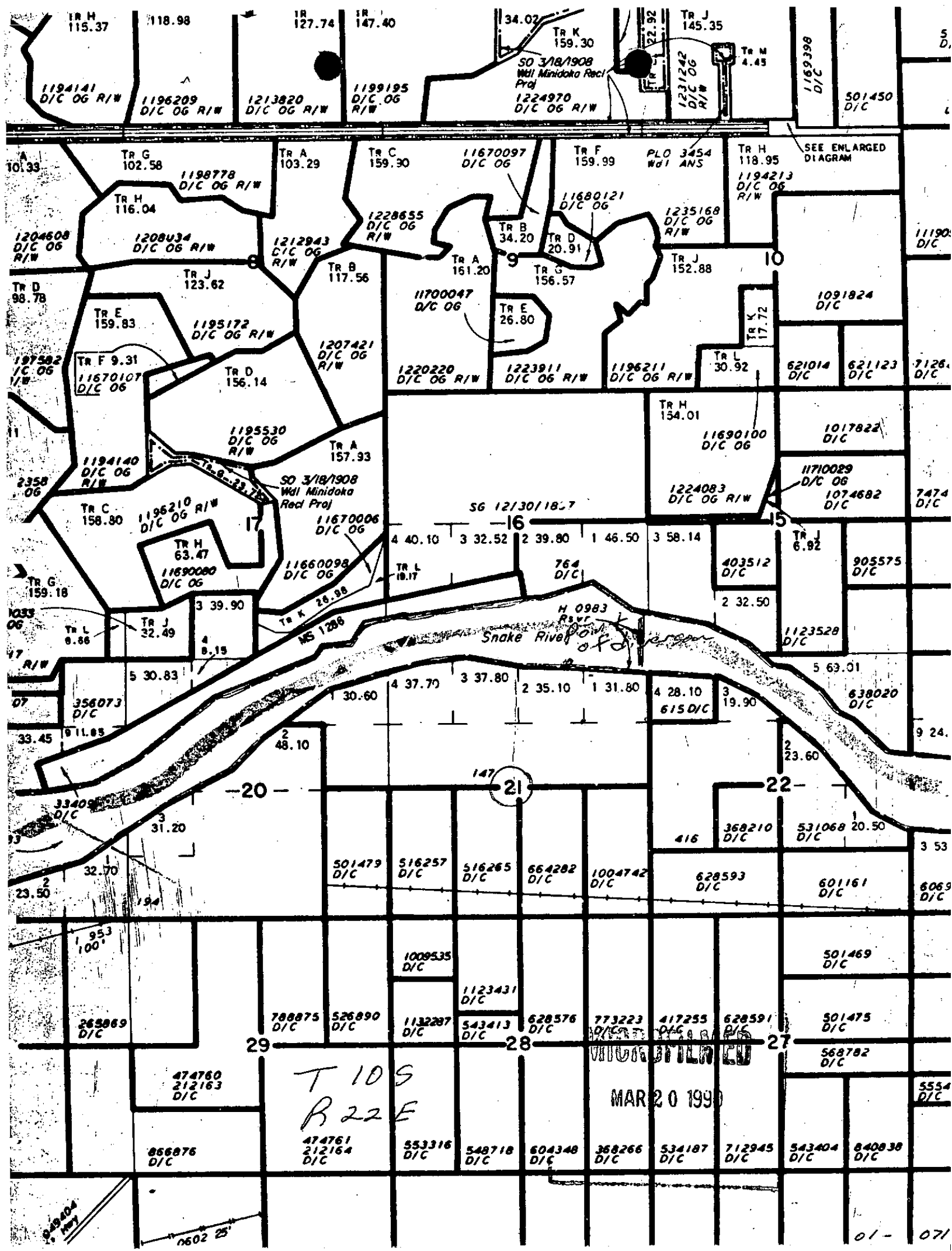
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

MAR 20 1990



198395

WARRANTY DEED

For Value Received

JAMES R. BAKER and JUANITA A. BAKER, also known as Juanita Baker,
husband and wife

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

Marvin Dean Durfee and Sandra Kay Durfee, husband and wife

Address: Route #4 Box 4113
Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

Lot 15 and the East half of Lot 16 in Block 1 of the
Star Park Subdivision, Cassia County, Idaho, as the
same is platted in the official plat thereof, now of
record in the office of the Recorder of said County,
located in a portion of Section 21, Township 10 South,
Range 22 East of the Boise Meridian.

SUBJECT TO: Taxes for 1988 and subsequent years.

Restrictive Covenants for Star Park Subdivision,
dated June 30, 1961 and recorded June 30, 1961 as
Instrument No. 2366 on Film No. 7, records of Cassia
County, Idaho.

Easement as shown on the recorded plat of Star Park
Subdivision.

Rights of the United States of America, State of Idaho,
and the Public generally in and to that portion of the
property lying below the main high water mark of the
Snake River.

RECORDED AT THE RECORDER'S
LAND TITLE & ESCROW
FILM 302
OCT 14 2 39 PM '88
CASSIA COUNTY, IDAHO
FRANK H. REARNS
RECORDER
FEE 3.00 DEPOSIT
LAND TITLE & ESCROW

198395

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

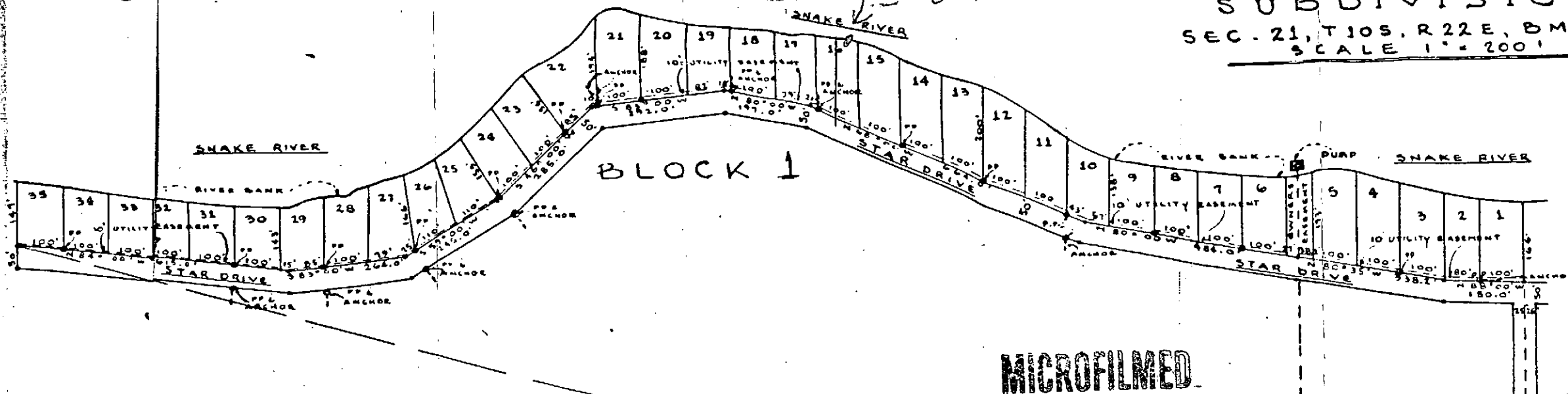
Dated: October 14, 1988

MAR 20 1990

James R. Baker
James R. Baker

01407707

STATE OF IDAHO }
County of Cassia }
hereby certify that this instrument
was filed for record at
it of Alvin T. Pittard
55 minutes past 4
o'clock P.M. this 27th day
of February A.D., 1961
by office and duly recorded in
book 1 of 17
FRANK B. KEARNS
Ex-Officio Recorder
Cassia County, Idaho



RECORDERS CERTIFICATE

I HEREBY CERTIFY THAT THE FORGOING
PLAT OF STAR PARK, STAGE No. 1 WAS
FILED FOR RECORD IN THE OFFICE OF THE
RECORDER OF CASSIA COUNTY IDAHO, ON
THE 27 DAY OF February, 1961 AT 4:55 P.M. AND
RECORDED IN PLAT BOOK No. 1 AT PAGE
97.

Frank B. Kearns
CASSIA COUNTY, IDAHO

ENGINEERS CERTIFICATE

I, Robert T. Pittard A REGISTERED
ENGINEER DO HEREBY CERTIFY THAT I HAVE
SURVEYED THE TRACT OF LAND DESIGNATED AS
STAR PARK STAGE No. 1 TO THE COUNTY
OF CASSIA, IDAHO THAT THE SAID ADDITION
IS TRULY AND CORRECTLY STAKED AS PROVIDED
BY LAW AND IN ACCORDANCE WITH THE ABOVE
PLAT AND AS DESCRIBED IN THE ACCOMPANYING
DEED OF DEDICATION

Robert T. Pittard
IDAHO LICENSE No. 1445

STATE OF IDAHO }
COUNTY OF CASSIA } ss.
SUBSCRIBED AND SWORN TO BEFORE
ME THIS 28th DAY OF February, 1961
MY COMMISSION EXPIRES 7-1-61

Robert T. Pittard
NOTARY PUBLIC BURLEY, IDAHO

COUNTY'S ACCEPTANCE

THE FOREGOING PLAT WAS DULY ACCEPTED
AND APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS OF CASSIA COUNTY (AS LOTS AND BLOCK)
IDAHO BY RESOLUTION ADOPTED
THIS 27 DAY OF Feb, 1961

R. J. Harper
CHAIRMAN

STATE OF IDAHO }
COUNTY OF CASSIA } ss.
PERSONALLY APPEARED BEFORE ME OTIS L.
ORTON AND ETHEL M. ORTON SIGNERS OF THE
BELOW INSTRUMENT WHO DULY ACKNOWLEDGE TO ME
THAT THEY EXECUTED THE SAME

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 28th DAY OF February, 1961
MY COMMISSION EXPIRES 7-1-61

NOTARY PUBLIC BURLEY, IDAHO
THAT WE HAVE CAUSED THE SAME
TO BE SUBDIVIDED INTO LOTS AND
STREETS TO BE KNOWN AS STAR PARK
STAGE No. 1 TO THE COUNTY OF CASSIA,
IDAHO AND THAT WE DO HEREBY GIVE GRANT
AND DEDICATE TO THE PUBLIC FOR
PUBLIC USE, ALL STREETS AND EASEMENTS
SHOWN HEREON.

WITNESS: OUR HANDS THIS 28th DAY OF Feb, 1961

Otis L. Orton Ethel M. Orton
OTIS L. ORTON ETHEL M. ORTON

DEED OF DEDICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.
BE IT KNOWN THAT: OTIS L. ORTON
AND ETHEL M. ORTON DO HEREBY CERTIFY
THAT WE ARE THE LEGAL OWNERS OF THE
LAND SHOWN HEREON AND DESCRIBED AS
FOLLOWS:
COMMENCING AT A POINT 802.0' NORTH
OF THE N.E. COR. OF SE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 21, T10S, R22E,
B.M. AND RUNNING THENCE N 88° 00' W 180.0'
FEET THENCE N 80° 35' W 338.2' FEET THENCE
N 80° 00' W 484.0' FEET THENCE N 68° 00' W
664.0' FEET THENCE N 80° 00' W 197.0' FEET
THENCE S 83° 00' W 292.0' FEET THENCE
S 46° 00' W 285.0' FEET THENCE S 59° 00' W
245.0' FEET THENCE S 83° 00' W 264.0'
FEET THENCE N 84° 00' W 615.0' FEET THENCE
NORTH APPROX. 147.0' FEET TO BANK OF
SNAKE RIVER THENCE FOLLOWING BANK
OF SNAKE RIVER IN AN EASTERLY DIRECTION
TO A POINT NORTH OF THE POINT OF
BEGINNING, THENCE SOUTH TO THE POINT
OF BEGINNING, AND A ROAD RIGHT OF
WAY 50 FEET WIDE PARALLELING SOUTH
BORDER OF THE DESCRIBED PROPERTY



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 29, 1994

MARVIN D DURFEE
RT 4 BOX 4113
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07101

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

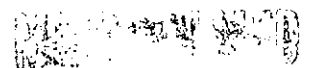
Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure



DEC 13 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 3, 1994

MARVIN D DURFEE
RT 4 BOX 4113
BURLEY ID 83318

RE: WATER RIGHT NO. 01-07101

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

DEC 13 1994

WR0749NP
No. L01-07101

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/02/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARVIN D DURFEE RT 4 BOX 4113 BURLEY ID 83318 (208) 678-5260	09/11/1989	IRRIGATION	04-01 10-31	0.02 CFS	1.60 AFA
TOTAL DIVERSION:					0.02 CFS	1.60 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.10 CFS

Point(s) of Diversion: T10S R22E S21 Lot 02(NWNE)

CASSIA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
10S	22E	21	:		02-.4		:				:				:				0.4	
TOTAL ACRES																			0.4	

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:
01-07052

Other Water Rights Listing Overlapping Place(s) of use:
01-07052

Conditions of Approval:

- R35 - Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
- R18 - The right holder must obtain adequate supplemental water for the irrigation season that natural flow is not available.
- R26 - This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
- R02 - A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- 041 - Irrigation use under this right is authorized only in connection with a domestic use.

Dates: App. Received: 09/11/1989 Priority Date: 09/11/1989
Proof Due Date: 02/01/1991 Proof Made Date: 02/02/1990
Exam Made Date: 09/08/1994 Exam Sent to S.O.: 10/26/1994
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: N (Not Required)

LICENSE REVIEW CHECKLIST



PERMIT NO. 01-7101 DATE 10-31-94

NAME Yes No ✓ Or Address Change?

PRIORITY DATE ✓ Advance? Advanced to:
 Order to reinstate needed?
 Incorrect fee for rate recommended? N/A

SOURCE ✓ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ✓ Amendment needed? Change to NE(NWNE) (LOT 2)
 ✓ Overlaps? (Verified by assessor's office)

PLACE OF USE ✓ Amendment needed? Change to NWNE (LOT 2)
 ✓ Overlaps?

DIV RATE ✓ Permit/fee limits: .02 CFS
 Meas Q = Theo Q = .10 CFS Recommend: .02 CFS
.5 x .03 = .015 / .02 CFS
.4 x .03 = .012
 Combined rates exceed capacity

ANNUAL VOLUME ✓ Season of use: C/4 (4-1 to 10-31) NEW
 Calculations: (.5 x 4 = 2 cfs) .4 x 4 = 1.6 cfs
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

USES ✓ Change in Nature of Use or additional uses?
 Amendment necessary?

REMARKS ✓ Multiple p/d(s) in ¼ ¼?
 ✓ Other

CONDITIONS * R02 Measuring/Locking Devices
R04 Watermaster control - District 01
R210 Irrigation Overlap (VOL ONLY)
 ✓ Water Quality
R35, R18, 041 Other Heat/Cool/ Fish verified

COMMENTS: REDUCE to .4 acre
*(Lockable device) recommended be
(CONDITION) removed by examiner. Amend p/b and p/l
but kept on as permitted.

RECOMMENDED	CFS	VOL	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.02</u>	<u>1.6</u>	Adjustment Memo Needed	<u>NO</u>
<u> </u>	<u> </u>	<u> </u>	LICENSE	
<u> </u>	<u> </u>	<u> </u>	1ST AMENDMENT LETTER	<u>P37+P38</u>
<u> </u>	<u> </u>	<u> </u>	FINAL AMENDMENT LETTER	<u>P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 27 1994
Department of Water Resources

A. GENERAL INFORMATION

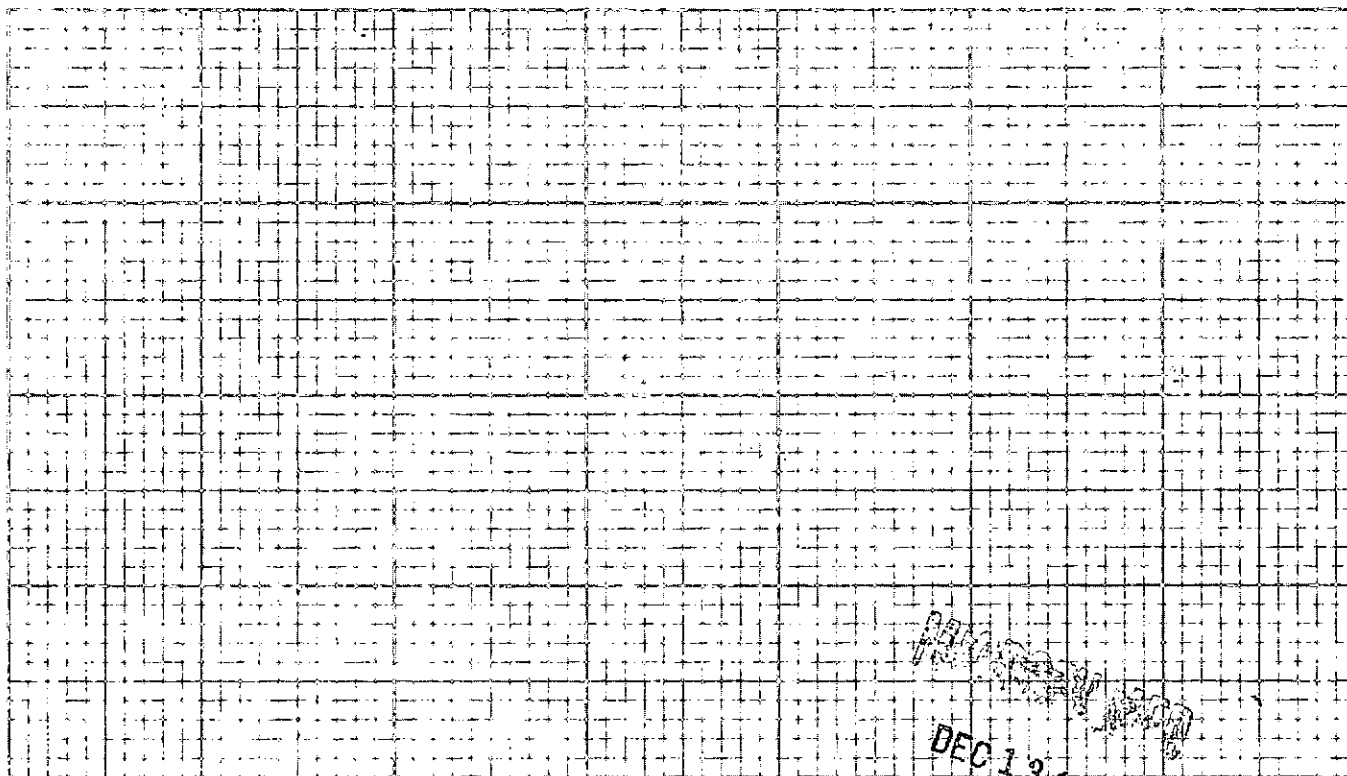
Permit No. 01-07101
Phone No. 678-5260
1. Owner: Marvin D. Durfee
Current Address: Rt. 4 Box 4113, Burley, ID 83316
2. Accompanied by: Mrs. Durfee EXAM. DATE: 9-8-94
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Snake River tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Pipeline From Snake River to pump, outlets to lawn/garden sprinklers.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	1 1/2	5KCR395N2090	Simer	28350988

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2	NE	NW	NE	21	10S	22E	Cassia	Subdivision plat

6. Place(s) of Use:

Indicate Method of Determination _____

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	
10S	22E	21		0.4															
				42															

Do not use this space

DEC 13 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Theoretical capacity = 0.10 cfs. Allow 0.02 cfs permitted amount

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi x 2.31 = _____ ft (1); Dynamic pumping level: 2 ft (2)

Total Head: (1) + (2) = 94.4 (3)

Flow rate: 0.10 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{0.4 \times 4 = 1.6}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{1.6 \text{ AFA}}$

2. Volume Calculations for Other Uses:

DEC 13 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

System waters lawn between the Snake River & the house, about 2/3 of the property. $150' \times 175' = 0.6 \text{ ac.} \times 0.67 = 0.4 \text{ ac.}$ irrigated. Lawn/garden property is Lot 15 & E 1/2 Lot 16 of Starr Park Sub. Verified by Cassia Co. assessor.

Pump is not to be operated unless water is rented annually from Water District 01.

Pump has no lockable device that can be controlled by watermaster, as required by permit. This does not appear to be a reasonable condition, however, and it has been dropped from other such permits. Recommend this condition be waived.

Quad map shows property in Sec. 16, but subdivision plat shows it in Sec. 21. Recommended P/D & P/U are based on plat.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	0.02	1.6
Totals:			0.02	1.6

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

J E Stanton

Signature

J E Stanton

Certification Date

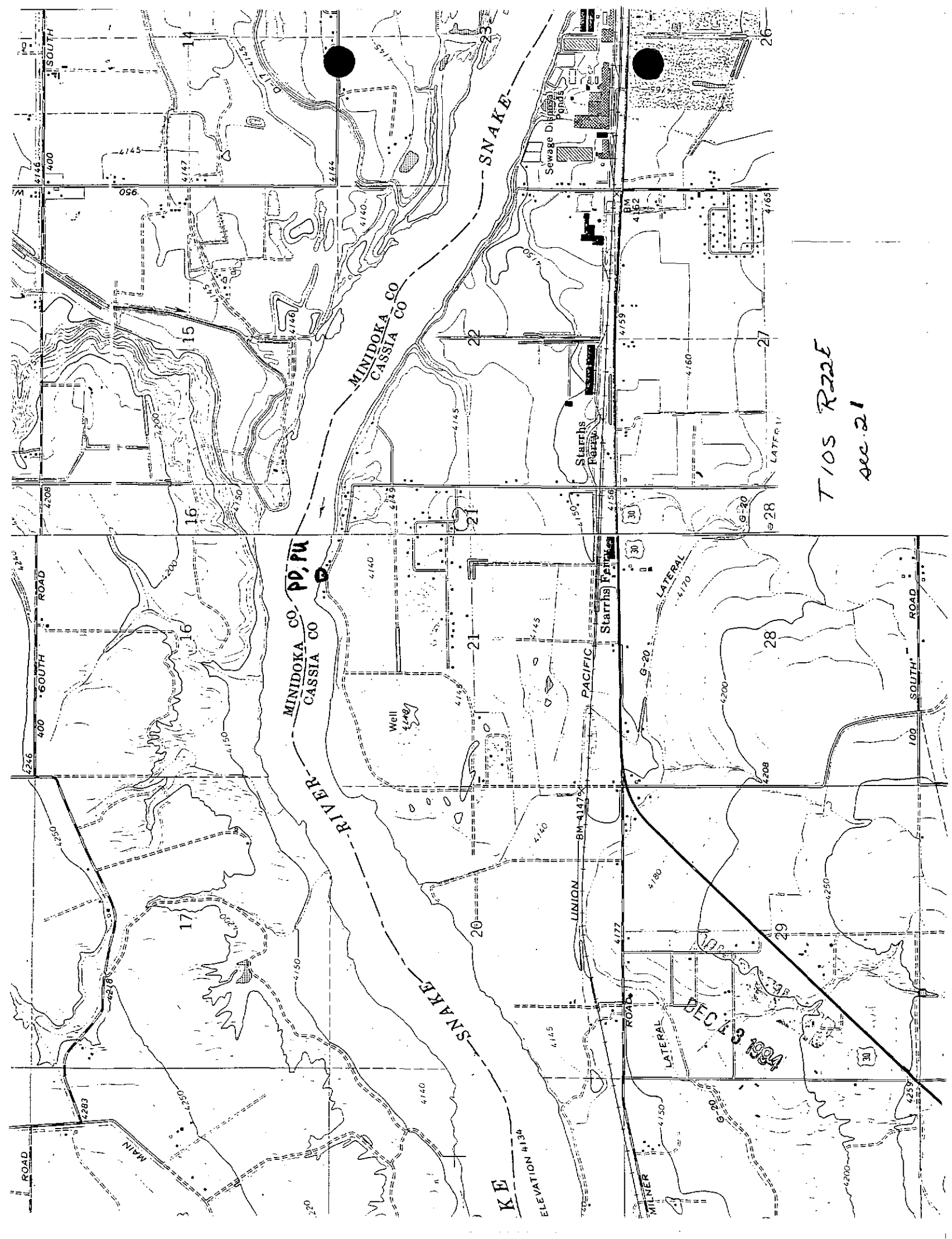
Field Report Preparation Date

9-13-94

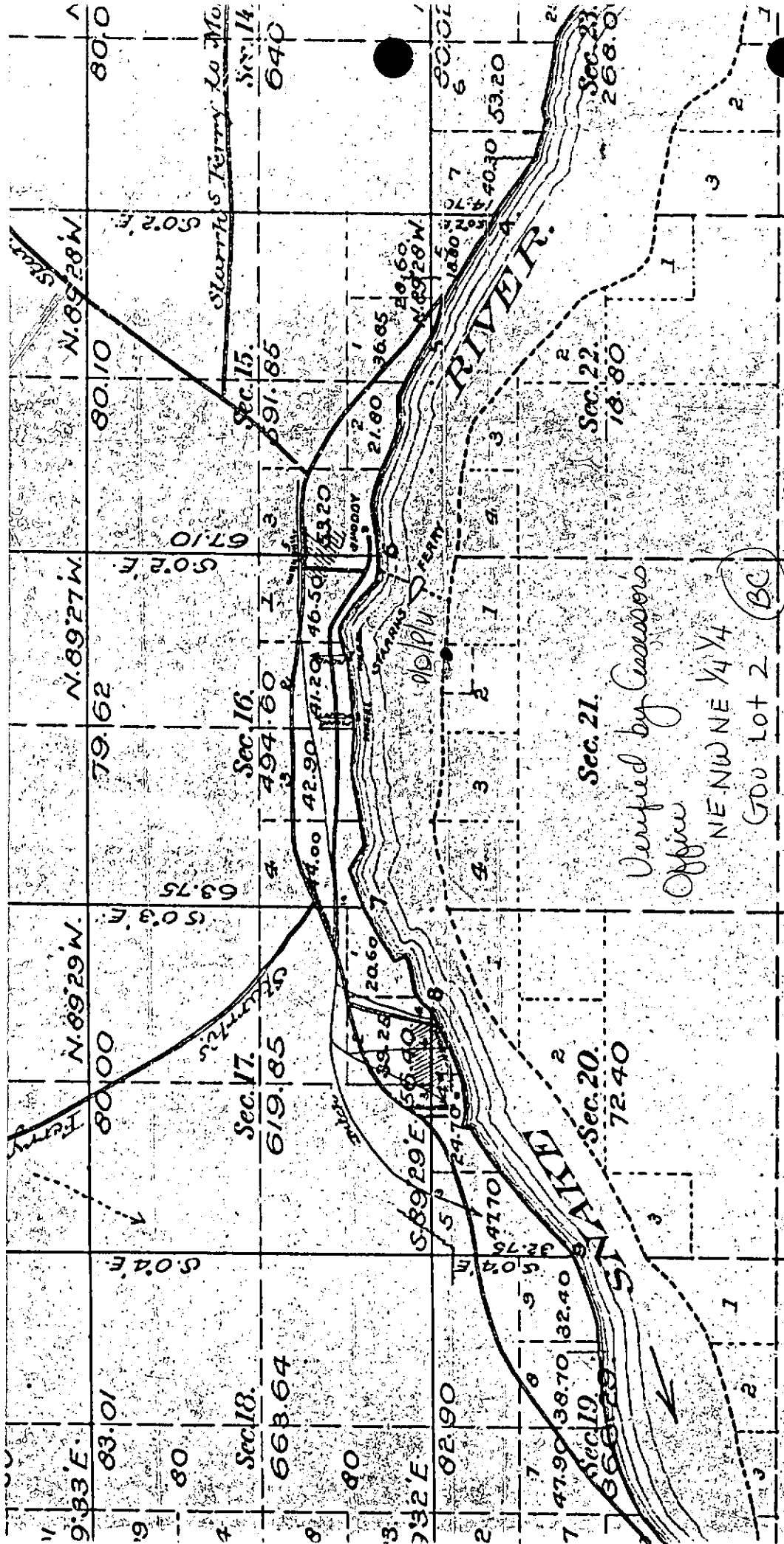
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

DEC 13 1994



T10S R22E
sec 21



DEC 18 1994

Sec. 29.

Sec. 28.

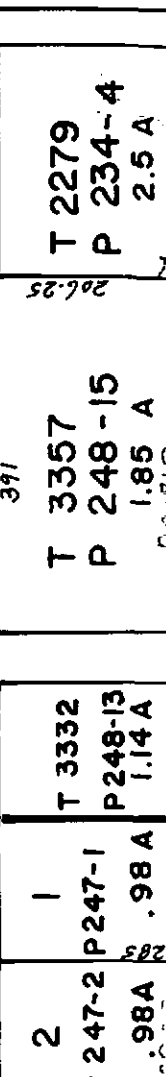
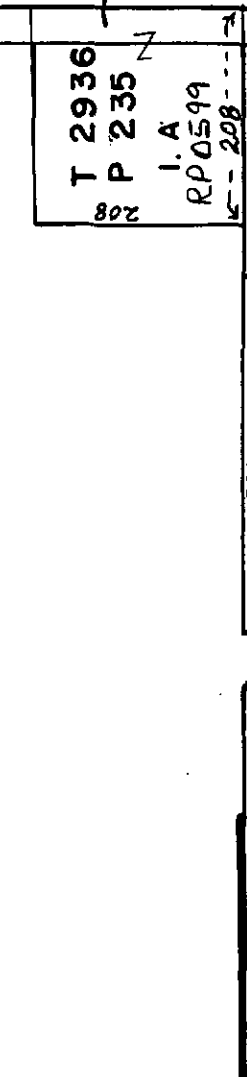
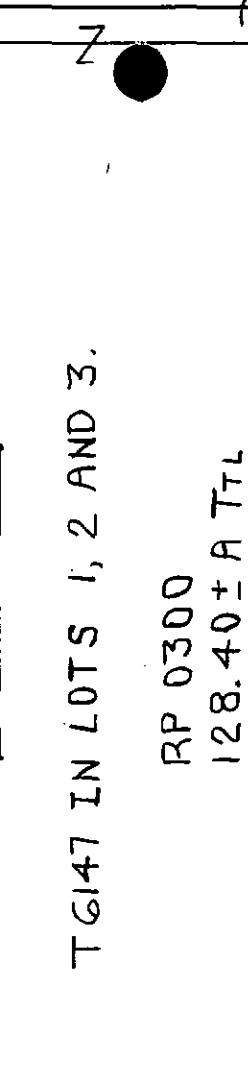
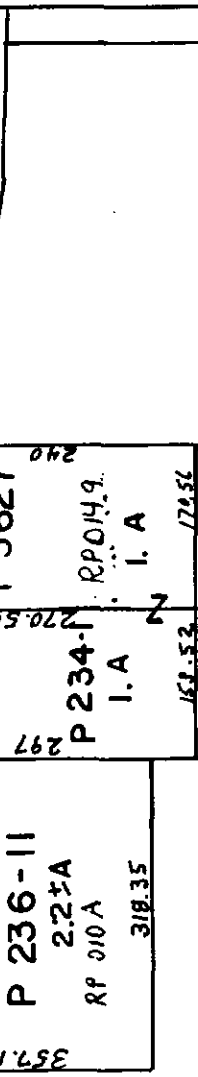
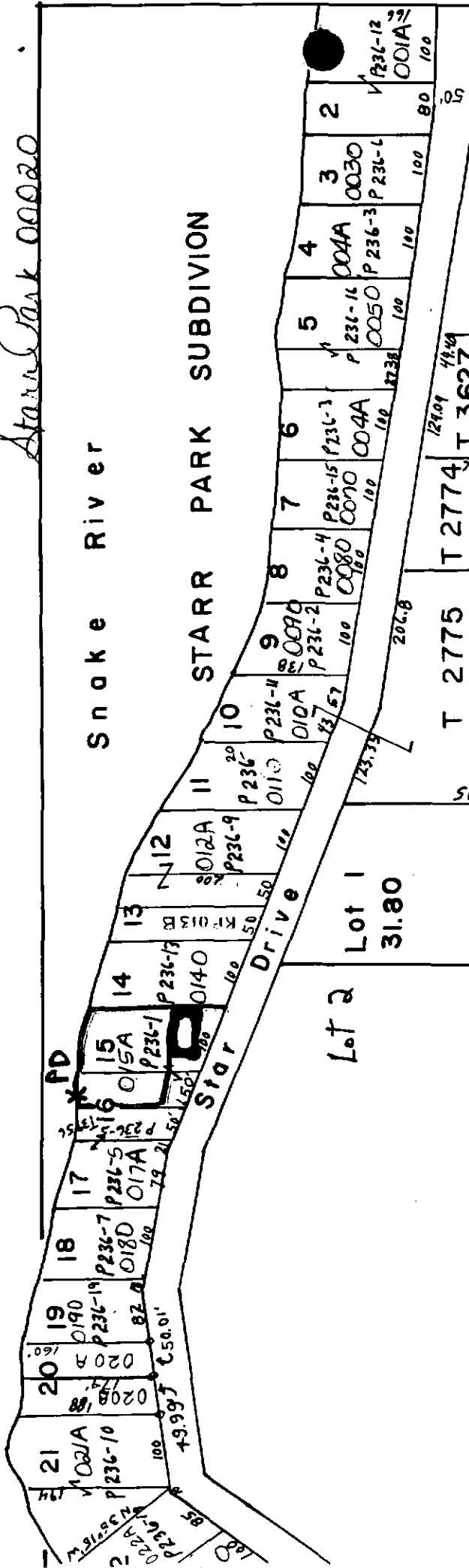
Sec. 27.

Sec. 26.

Previous Survey by Peter W. Bell. 187.

Section NE 1/4 21 Township 10 Range 22

Starr Park 00020



Starr Ferry Ave 00021

T 3956 P 248-5 .66A DP 1304	8	98A	P 247-7	98A	.98A	P 247-6	98A	.98A	P 247-5	.98A	P 247-4	.54±.54	.95A	P 247-3	.98A	P 247-2	.98A	P 247-1	.98A	T 3332 P 248-13 1.14A
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DEC 13 1994

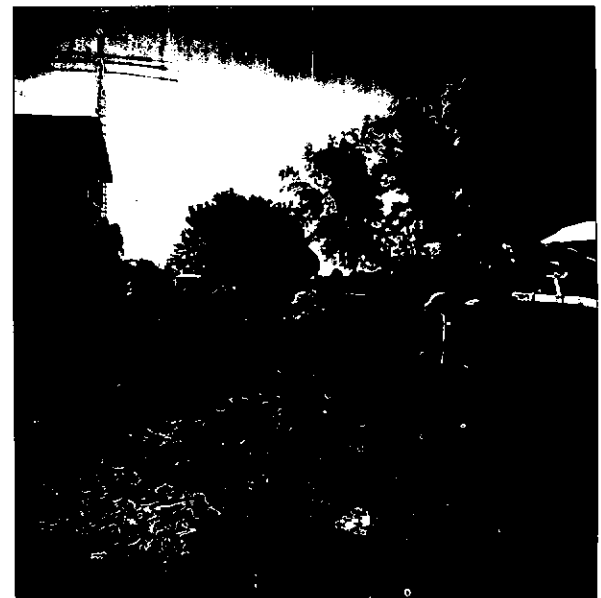
T 2936
P 235
1A
RP 0599
208

T 2279
P 234-4
2.5A

T 3357
P 248-15
1.85 A

T 3332
P 248-13
1.14A

01-7/01



DEC 13 1994

February 12, 1990

MARVIN D. DURFEE
RT. 4 BOX 4113
BURLEY, ID 83318

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 01-07101

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MicroFILMED

MAR 20 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 4, 1990

MARVIN D. DURFEE
RT. 4 BOX 4113
BURLEY, ID 83318

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P01-07101

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

The information available to us at this time does not warrant refusing to issue you a permit but does merit cautioning you that any permit issued by the Department cannot deprive water users, with earlier rights, of their water supply.

&SKIP

The reason for conditioning the permit and explaining the potential interference problem is to make you aware that future tests may definitely show that diversion of water from your well should be administered together with the older surface water priorities of the river and it's tributaries. If this were to occur, it would essentially mean that there would not be water available for a diversion from your well since the surface water system is fully appropriated. By locating your well as far from the river as possible and by casing out upper water producing zones as the well is constructed, you may be able to reduce the amount of interference with the river.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

MICROFILMED

MAR 20 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAILED

MAR 20 1990

3-Oct-1989

Marvin D. Durfee
Rt. 4 Box 4113
Burley, ID 83318

Re: Application for Permit No. 01-07101

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the South Idaho Press on 10/19 & 10/26/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MICROFILMED

MAR 20 1990

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia, }

ss.

STATE OF IDAHO }

Lanette Sellers being first

duly sworn, deposes and says that she is the

Clark 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 Two (2)

consecutive weeks, commencing with the issue

dated October 19, 1989, and ending

with the issue dated October 26, 1989.

Lanette Sellers

STATE OF IDAHO

COUNTY OF

On this 3rd day of November in the year of 1989, before me, a Notary Public, personally appeared Lanette Sellers known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Robert M. Maly
Notary Public for Idaho

Residing at Burley, ID

My commission expires 2/1/93

Cost of Publication 26.88

Notary Fee .50

Total Cost 27.38

OK
mb

11-21-89

RECORDED

NOV 16 1989

Department of
Southern Region

MICROFILMED

MAR 20 1990

89-569

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 01-07101

DURFEE, MARVIN D.

RT4 BOX 4113

BURLEY, ID 83318

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: Lot 2 (NWNENE) Sec 21 T 10S R

22E

Use: IRRIGATION (.020 CFS)

Date Filed: 9-11-1989

In: T10S R22E S21 NENE

0.5 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 6, 1989.

R. Keith Higginson, Director

Published in the South Idaho Press on October 19 and 26, 1989.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

OCTOBER 2, 1989

SOUTH IDAHO PRESS
BOX 190
BURLEY, ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 6, 1989.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED
MAR 20 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

MICROFILMED

MAR 20 1990

01-07101

DURFEE, MARVIN D.
RT. 4 BOX 4113
BURLEY, ID 83318

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: Lot 2 (NWNENE) Sec 21 T 10S R 22E

Use: IRRIGATION (.020 CFS)

Date Filed: 9/11/1989

In: T10S R22E S21 NENE

0.5 ACRES TOTAL

RECORDED

MAR 20 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before NOVEMBER 6, 1989.

R. KEITH HIGGINSON, Director

Published 10/19/1989 & 10/26/1989

MICROFILMED

MAR 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

August 10, 1989

R. KEITH HIGGINSON
Director

Marvin D. Durfee
425 West 100 North
Rt-4 Box 4113
Burley, Idaho 83318

Dear Applicant:

Returned herewith is your application for a water permit and any fees submitted.

Preliminary review of the application indicates that some of the information required to make the application acceptable for receipt by the department needs to be completed or clarified.

The attached checklist shows which items need to be completed.

If you need assistance in completing an application, please feel free to contact this office at (208) 734-3578 or visit us at 2148 4th Ave. East, Twin Falls.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

RECORDED

MAR 20 1990

DEPARTMENT OF WATER RESOURCES - SOUTHERN REGION
APPLICATION PRELIMINARY REVIEW REPORT

Applicant Murvin D. Durfee

Correction or completion of the following items is required before the application can be accepted for processing by the department:

- () Name _____
- () Address _____
- () Source of water _____
- (X) Point of Diversion
Does not agree with map
- () County _____
- () Quantity (Flow and/or Volume) _____
- () Period of use _____
- () Nature of proposed use _____
- () Description of diverting works _____
- () Time required for beneficial use _____
- (X) Place of use Does not agree with map
- () Map _____
- () Signature (If applicant is a corporation, partnership, or municipality, title of signator is required) _____
- () Fee _____

ENCLOSURES

The following are enclosed for your use in making a complete application

- () Application form
- () Instructions
- () Map (For use as the required application map)

Reviewed by Gary Funderburg

INDEXED

MAR 20 1990