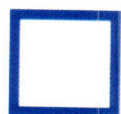
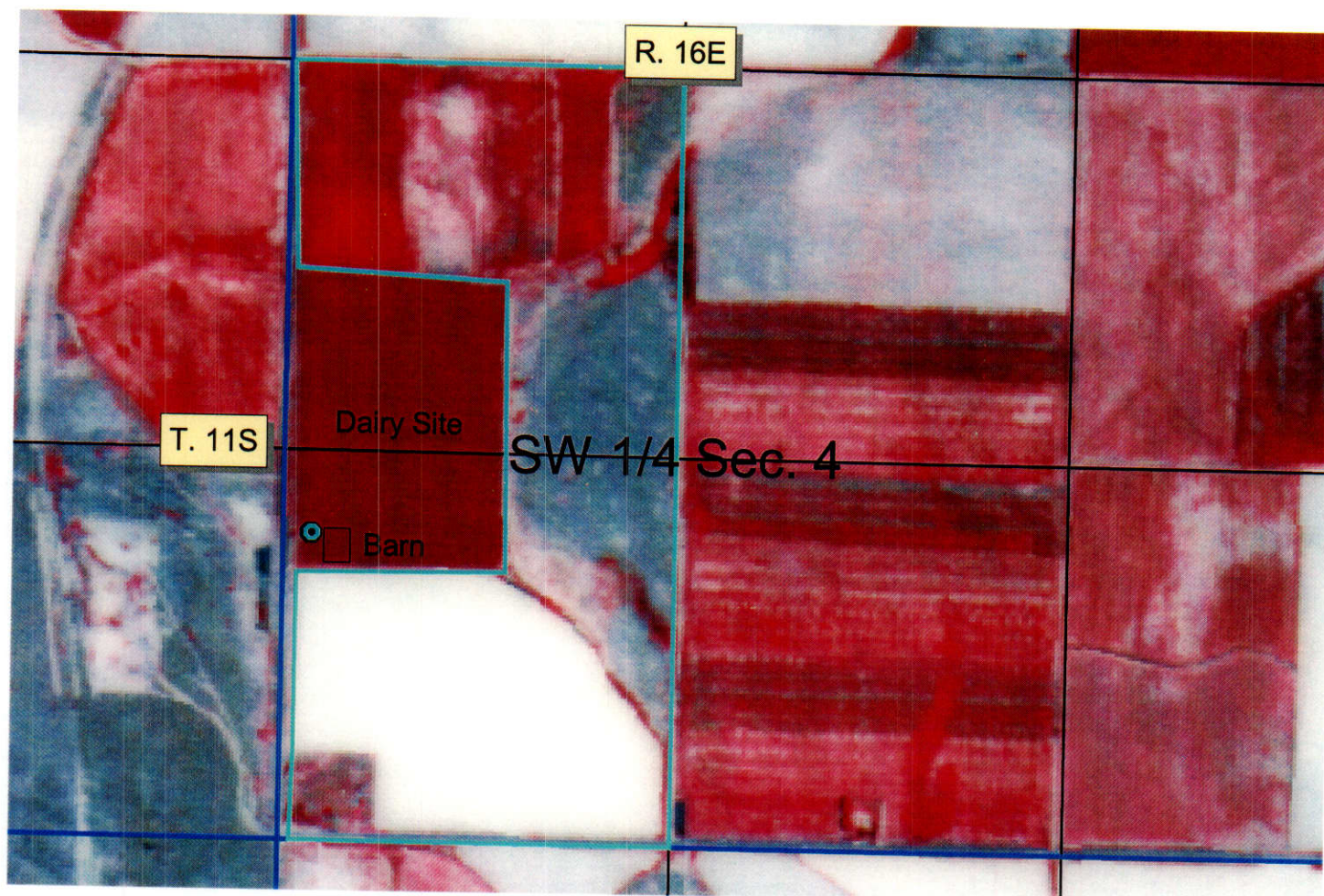
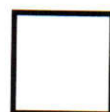


IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - RANDLE A. DURHAM (Irrigation)



Section Lines



Quarter/Quarter Lines

General Location: 5 mi S & 1 mi W of Hwy 30/93 Junction

● Point(s) of Diversion (Proposed Irrig Well West of Existing Dairy Well)



Proposed Place of Use

MICROFILMED
NOV 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69208

This is to certify that: RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328
(208)326-5805

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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
47-16798	AJC/License	08/08/1954	0.15 cfs	66.3 af	16.6	23.2	GROUND WATER
47-16800	AJC/License	04/03/1961	0.02 cfs	10.9 af	18.1	23.2	GROUND WATER
47-16796	AJC/License	11/06/1961	0.34 cfs	72.5 af	18.1	23.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

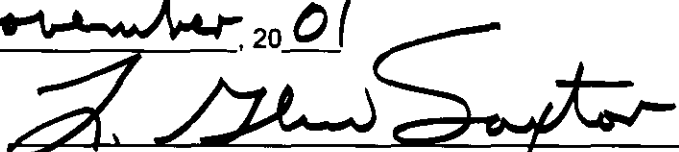
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-16798	NO	YES	YES	NO	NO	NO
47-16800	NO	YES	YES	NO	NO	NO
47-16796	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-16798	47-16798	0.15 cfs	66.3 af	16.6	61.8		N/A	N/A	N/A	N/A
47-16800	47-16800	0.02 cfs	10.9 af	18.1	61.8		N/A	N/A	N/A	N/A
47-16796	47-16796	0.34 cfs	72.5 af	18.1	61.8		N/A	N/A	N/A	N/A
TOTALS		0.51 cfs	72.8 af	18.2	61.8		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of November, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 26 2001

XFER 69208

WATER RIGHT NO. 47-16796
As Modified by Transfer No. 69208

In accordance with the approval of Transfer No. 69208, Water Right No. 47-16796 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 11/06/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.34 CFS	72.5 AF
			0.34 CFS	72.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS 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	
11S	16E	4											29.6	32.2					61.8

Total Acres: 61.8

CONDITIONS OF APPROVAL

1. Right 47-16796 is limited to the irrigation of 18.1 acres within the place of use described above in a single irrigation season.
2. Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The right holder shall accomplish the change authorized by this approval within two (2) years.

MICROFILMED
 NOV 26 2001

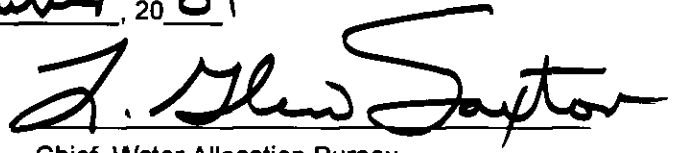
WATER RIGHT NO. 47-16796
As Modified by Transfer No. 69208

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 1st day of November, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 26 2001

WATER RIGHT NO. 47-16798
As Modified by Transfer No. 69208

In accordance with the approval of Transfer No. 69208, Water Right No. 47-16798 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 08/08/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.15 CFS	66.3 AF
			0.15 CFS	66.3 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS 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	
11S 16E 4											29.6	32.2					61.8

Total Acres: 61.8

CONDITIONS OF APPROVAL

1. Right 47-16798 is limited to the irrigation of 16.6 acres within the place of use described above in a single irrigation season.
2. Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The right holder shall accomplish the change authorized by this approval within two (2) years.

MICROFILMED

NOV 25 2001

WATER RIGHT NO. 47-16798
As Modified by Transfer No. 69208

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 1st day of November, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 26 2001

WATER RIGHT NO. 47-16800
As Modified by Transfer No. 69208

In accordance with the approval of Transfer No. 69208, Water Right No. 47-16800 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 04/03/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.02 CFS	10.9 AF
			0.02 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS 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	
11S	16E	4											29.6	32.2					61.8

Total Acres: 61.8

CONDITIONS OF APPROVAL

1. Right 47-16800 is limited to the irrigation of 18.1 acres within the place of use described above in a single irrigation season.
2. Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. 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.
6. The right holder shall accomplish the change authorized by this approval within two (2) years.

MICROFILMED

NOV 26 2001

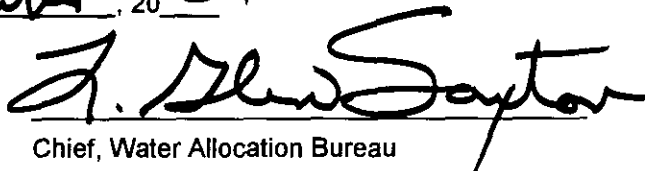
WATER RIGHT NO. 47-16800
As Modified by Transfer No. 69208

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 1st day of November, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69207

This is to certify that: RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328
(208)326-5805

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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
47-2358F	AJC/License	11/06/1961	0.45 cfs	97.6 af	24.4	31.2	GROUND WATER
47-2256H	AJC/License	08/08/1954	0.20 cfs	89.2 af	22.3	31.2	GROUND WATER
47-2349F	AJC/License	04/03/1961	0.03 cfs	14.6 af	11.3	31.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
47-2358F	YES	YES	YES	NO	YES	YES
47-2256H	YES	YES	YES	NO	YES	YES
47-2349F	YES	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-2358F	47-16797	0.11 cfs	18.8 af	N/A	N/A	47-16796	0.34 cfs	72.5 af	18.1	23.2
47-2256H	47-16799	0.05 cfs	17.2 af	N/A	N/A	47-16798	0.15 cfs	66.3 af	16.6	23.2
47-2349F	47-16801	0.01 cfs	2.8 af	N/A	N/A	47-16800	0.02 cfs	10.9 af	18.1	23.2
TOTALS		0.17 cfs	18.9 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED
NOV 26 2001

XFER 69207

WATER RIGHT NO. 47-16796
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16796 is now described as follows.

Right Holder: TEWS LAND & LIVESTOCK INC
 2473 E 4100 N
 FILER ID 83328

Priority Date: 11/06/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.34 CFS	72.5 AF
			0.34 CFS	72.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 26 Twp 12S Rge 15E TWIN FALLS 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	
12S	15E	26	23.2																23.2

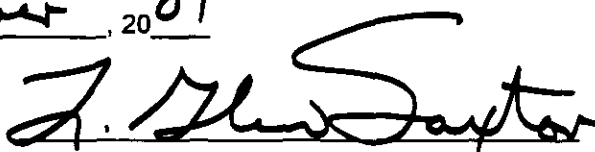
Total Acres: 23.2

CONDITIONS OF APPROVAL

1. Right 47-16796 is limited to the irrigation of 18.1 acres within the place of use described above in a single irrigation season.
2. Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 31st day of October, 2001


 Chief, Water Allocation Bureau
 MICROFILMED

NOV 26 2001

WATER RIGHT NO. 47-16797
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16797 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 11/06/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.11 CFS	18.8 AF
COMMERCIAL	01/01 to	12/31	0.11 CFS	18.8 AF
			0.11 CFS	18.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4									X	X							

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4									X								

CONDITIONS OF APPROVAL

1. Rights 47-16797, 47-16799, and 47-16801 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 18.9 af at the field headgate.
2. After specific notification by the department, the right holder shall measure the diversion 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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

MICROFILMED

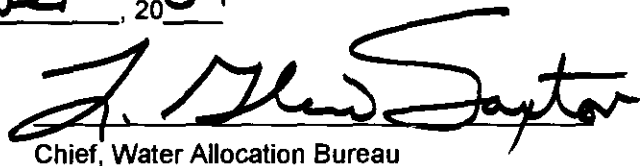
NOV 26 2001

WATER RIGHT NO. 47-16797
As Modified by Transfer No. 69207

4. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Commercial use is for a dairy.

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 31st day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED
NOV 28 2001

WATER RIGHT NO. 47-16798
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16798 is now described as follows.

Right Holder: TEWS LAND & LIVESTOCK INC
 2473 E 4100 N
 FILER ID 83328

Priority Date: 08/08/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.15 CFS	66.3 AF
			0.15 CFS	66.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 26 Twp 12S Rge 15E TWIN FALLS 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	
12S	15E	26	23.2																23.2

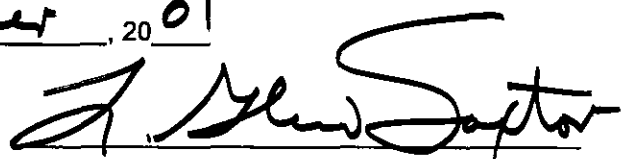
Total Acres: 23.2

CONDITIONS OF APPROVAL

1. Right 47-16798 is limited to the irrigation of 16.6 acres within the place of use described above in a single irrigation season.
2. Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 31st day of October, 2001



Chief, Water Allocation Bureau

MICROFILMED

NOV 28 2001

WATER RIGHT NO. 47-16799
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16799 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 08/08/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.05 CFS	17.2 AF
COMMERCIAL	01/01	12/31	0.05 CFS	17.2 AF
			0.05 CFS	17.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4									X		X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4											X						

CONDITIONS OF APPROVAL

1. Rights 47-16797, 47-16799, and 47-16801 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 18.9 af at the field headgate.
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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

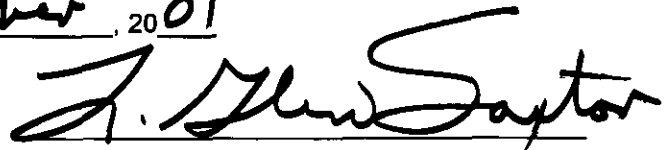
APPROVED
 9/12/2011

WATER RIGHT NO. 47-16799
As Modified by Transfer No. 69207

4. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Commercial use is for a dairy.

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 31st day of October, 2001



Chief, Water Allocation Bureau

MICROFILMED
NOV 26 2001

WATER RIGHT NO. 47-16800
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16800 is now described as follows.

Right Holder: TEWS LAND & LIVESTOCK INC
 2473 E 4100 N
 FILER ID 83328

Priority Date: 04/03/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.02 CFS	10.9 AF
			0.02 CFS	10.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 26 Twp 12S Rge 15E TWIN FALLS 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	
12S	15E	26	23.2																23.2

Total Acres: 23.18

CONDITIONS OF APPROVAL

- Right 47-16800 is limited to the irrigation of 18.1 acres within the place of use described above in a single irrigation season.
- Rights 47-16796, 47-16798, and 47-16800 when combined shall not exceed a total diversion rate of 0.51 cfs, a total annual maximum diversion volume of 72.8 af at the field headgate, and the irrigation of 18.2 acres.
- This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 31st day of October, 2001

APPROVED
 10/25/2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 47-16801
As Modified by Transfer No. 69207

In accordance with the approval of Transfer No. 69207, Water Right No. 47-16801 is now described as follows.

Right Holder: RANDLE A DURHAM
 3420 N 2300 E
 FILER ID 83328

Priority Date: 04/03/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.01 CFS	2.8 AF
COMMERCIAL	01/01	to 12/31	0.01 CFS	2.8 AF
			0.01 CFS	2.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 4 Twp 11S Rge 16E TWIN FALLS County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4											X	X					

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 16E 4												X					

CONDITIONS OF APPROVAL

1. Rights 47-16797, 47-16799, and 47-16801 when combined shall not exceed a total diversion rate of 0.17 cfs, a total annual maximum diversion volume of 18.9 af at the field headgate.
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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

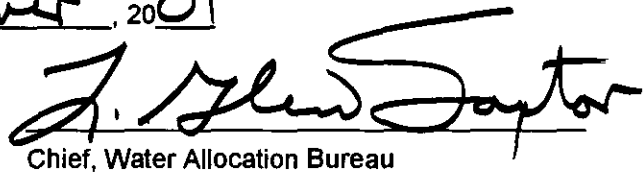
MICRO
 2007

WATER RIGHT NO. 47-16801
As Modified by Transfer No. 69207

4. The right holder shall accomplish the change authorized by this transfer within two (2) years of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Commercial use is for a dairy.

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 31st day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 10 2001

(Internet)

RECEIVED

MAY 29 2001

AUG 4 2001

Department of Water Resources
Southern Region

Department of Water Resources

Page 1 of 13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69208

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Randle H. Durham Phone 326-5805
Post Office address 3420 N 2300 E, Filer, ID 83338

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right
- Describe the reason for the proposed changes Move a portion of these rights to land around my dairy (which has Salmon Tract shares now). Rest of rights will be moved to property for dairy use by companion transfer. I have bought the entire rights recently transferred by Tews land & livestock.

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|---|------------------|--------------------|-------------------|-----------------------------|
| ¹⁶⁸⁰³
~~47-2258F~~ | <u>11-6-1961</u> | <u>0.33/72.4</u> | <u>Irrigation</u> | <u>3-15</u> to <u>11-15</u> |
| ¹⁶⁸⁰⁵
~~47-2256H~~ | <u>8-8-1954</u> | <u>0.15/66.4</u> | <u>IRRIGATION</u> | <u>3/15</u> to <u>11/15</u> |
| ¹⁶⁸⁰⁷
~~47-2249F~~ | <u>4-3-1961</u> | <u>0.02/33.6</u> | <u>IRRIGATION</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>0.51</u> | | to |
- Total amount of water being transferred ~~0.33~~ cubic feet per second and/or 72.4 acre-feet per annum.
- Source of water Ground Water tributary to 72.0
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SW	4	11S	16E	Twin Falls	NEW WELL TO BE DRILLED

5. Lands irrigated or place of use: PPU of 18.2 ac/yr

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	
11S	16E	4																	61.8

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MAY 2001

69208

Total acres 61.8

PART 1

6. General Information:

a. Description of diversion system New well to be drilled, tie-in to Salmon Tract water

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 not be irrigated - will be dry pasture

d. Remarks:

It could take more than 1 year to complete this project, but it will be done within 5 years.

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 _____

MICROFILMED
APR 26 2001

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

Current Water Right No. 47-2256H

Priority Date: 08/08/1954

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.20 CFS	89.2 AFA	
Total Diversion		0.20 CFS	89.2 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	12S	15E	26	NENE		TWIN FALLS

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>	
12S	15E	26	31.2																31.2

Total Acres: 31.2

Conditions/Remarks:

1. Right 47-2256H is limited to the irrigation of 22.3 acres within the place of use described above in a single irrigation season.
2. Rights 47-2256H, 47-2349F and 47-2358F when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 98 af at the field headgate, and the irrigation of 24.5 acres.
3. After specific notification by the department, the right holder shall measure the diversion 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.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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.

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NOV 26 2001

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

Current Water Right No. 47-2256H

7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? SEE PART 1
(PAGE 2)

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer SEE PART 1
(PAGE 2)

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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NOV 28 2001

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 0.15 cfs for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	26	12S	15E	TWIN FALLS	

3. Lands irrigated or place of use: LIMITED TO 16.6 acres

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	
12S	15E	26	23.2																23.2

Total acres 23.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.05 cfs for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	26	12S	15E	TWIN FALLS	

3. Lands irrigated or place of use: LIMITED TO 5.7 ACRES

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	
12S	15E	26	8																8

Total acres 8MICROFILMED
NOV 26 2001

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

Current Water Right No. 47-2349F

Priority Date: 04/03/1961
Origin: Adjudication Recommendation
Basis: License
Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.03 CFS	14.6 AFA	
Total Diversion		0.03 CFS	14.6 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	12S	15E	26	NENE		TWIN FALLS

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>	
12S	15E	26	31.2																31.2

Total Acres: 31.2

Conditions/Remarks:

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. Right 47-2349F is limited to the irrigation of 24.4 acres within the place of use described above in a single irrigation season.
3. Rights 47-2256H, 47-2349F and 47-2358F when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 98.0 af at the field headgate, and the irrigation of 24.5 acres.
4. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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NOV 26 2001

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

Current Water Right No. 47-2349F

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *SEE PART 1 (PAGE 2)*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *SEE PART 1 (PAGE 2)*

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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NOV 26 2001

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 0.02 cfs for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>NE NE</u>	<u>26</u>	<u>12S</u>	<u>15E</u>	<u>TWIN FALLS</u>	

3. Lands irrigated or place of use: LIMITED TO 8.4 ACRES

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	
<u>12S</u>	<u>15E</u>	<u>26</u>	<u>23.2</u>																<u>23.2</u>

Total acres 23.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.01 cfs for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>NE NE</u>	<u>26</u>	<u>12S</u>	<u>15E</u>	<u>TWIN FALLS</u>	

3. Lands irrigated or place of use: LIMITED TO 2.9 ACRES

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	
<u>12S</u>	<u>15E</u>	<u>26</u>	<u>8</u>																<u>8</u>

Total acres 8

Page 9 of 13

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

Current Water Right No. 47-2358F

Priority Date: 11/06/1961

Origin: Adjudication Claim

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.45 CFS	97.6 AFA	
Total Diversion		0.45 CFS	97.6 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	12S	15E	26	NENE		TWIN FALLS

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>
12S	15E	26	31.2				31.2

Total Acres: 31.2

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. Right 47-2358F is limited to the irrigation of 24.4 acres within the place of use described above in a single irrigation season.
4. Rights 47-2256H, 47-2349F and 47-2358F when combined shall not exceed a total diversion rate of 0.68 cfs, a total annual maximum diversion volume of 98.0 af at the field headgate, and the irrigation of 24.5 acres.
5. After specific notification by the department, the right holder shall measure the diversion 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.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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NOV 26 2011

T69208

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

Current Water Right No. 47-2358F

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Documentation of Ownership of the Current Place of Use
Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *NO*

*SEE PART 1
(PAGE 2)*

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

*SEE PART 1
(PAGE 2)*

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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NOV 25 2001

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 .33 cfs for IRRIGATION purposes from 3/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	26	12S	15E	TWIN FALLS	

3. Lands irrigated or place of use: LIMITED TO 18.1 ACRES

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	
12S	15E	26	23.2																23.2

Total acres 23.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .12 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	26	12S	15E	TWIN FALLS	

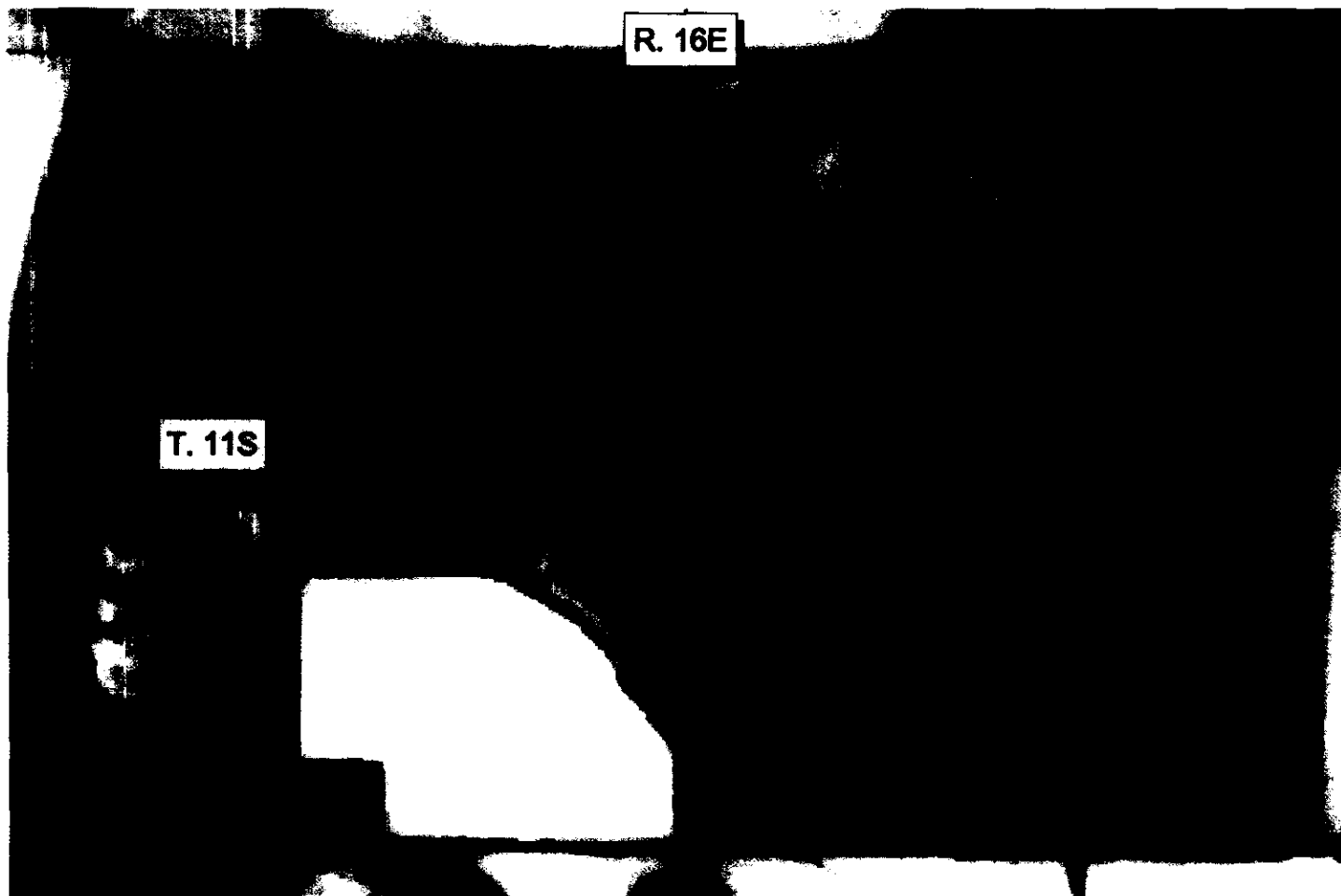
3. Lands irrigated or place of use: LIMITED TO 6.3 ACRES

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	
12S	15E	26	8																8

Total acres 8

IDAHO DEPARTMENT OF WATER RESOURCES

App for Transfer - RANDLE A. DURHAM (Irrigation)



Section Lines



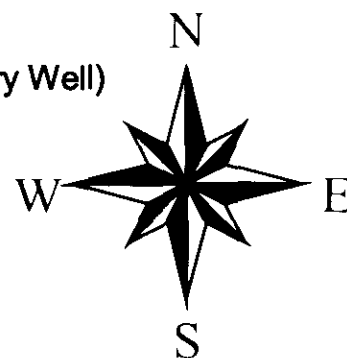
Quarter/Quarter Lines

General Location: 5 mi S & 1 mi W of Hwy 30/93 Junction

● Point(s) of Diversion (Proposed Irrig Well West of Existing Dairy Well)



Proposed Place of Use



MICROFILMED

NOV 28 1991

PART 3

B. CHANGES IN NATURE OF USE

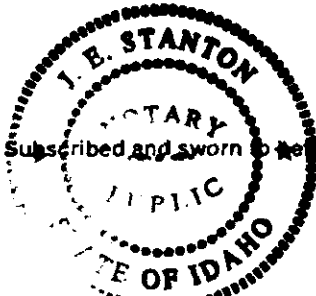
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of May, 192001.

[Signature]
(Notary Public)

My commission expires 10-25-2006

FOR DEPARTMENT USE ONLY

Transfer contains 13 pages and 3 attachments

Received by [Signature] Date 5-29-01

Protest filed by None

Prelim. check by A. SKINNER Fee \$250.50 33989

Receipted by [Signature] Date 5-29-01

Published in Times News

Copies of protest forwarded by _____

Pub. dates 7/12 + 7/19/01; 7/30/01

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by AD

Copy of transfer sent to lien holder _____

MAILED
JUN 26 2001

AMENDED AGREEMENT FOR SALE OF WATER RIGHTS

I, Gerald Tews of Tews Land & Livestock, do hereby sell and convey to Randle Durham
all my rights, title and interests in Water Rights #'s 47-2358F, 47-2349F, and 47-2256H.

These rights were recently moved to land in Sec.26 T.12S R. 15E under Transfer 68486

Water to be moved to land owned by Durham under new applications for transfer to be filed by him.

Present land will not be irrigated after approval of Durham transfers.

This agreement is null and void if transfers are denied by Dept. of Water Resources.

Tews Land & Livestock, Inc.

Gerald Tews
signed: Gerald Tews

6-6-01
date

Randle Durham
signed: Randle Durham

June 6 01
date

CHECK PAYABLE TO: 2000 TAX BILL/RECEIPT PARCEL NUMBER
 TWIN FALLS COUNTY TREASURER RP11S16E045400A
 BRUNING, BOX 83 611 28581 CODE AREA 1 0 L 39,859
 TWIN FALLS, ID 83303-0038 I 81,851

HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	121,710
833.16	833.16	1,666.32		
TAX	TAX			
LATE	LATE			
INT	INT			
COST	COST		WAC	4.090
TOT	TOT		TOT ACS	75.910

DURHAM RANDLE A
 3420 N 2300 E
 FILER ID 83328

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.004042344	491.98
COLLEGE SD. ID	.001362459	165.82
SCHL DIST 413	.005212501	634.40
FILER - HIGHWAY	.001255533	152.80
FILER RECREAT	.000353161	42.98
FILER RRL FIRE	.001465340	178.34
AMOUNT DUE	.013691338	1,666.32

SEC 4 T 11 R 16
 W1/2 SW

+20 2300 E

★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
 PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.
 KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

RANDLE A 2000
 28581

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

DURHAM, RANDLE A 2000
 28581

2ND HALF	1ST HALF	FULL
----------	----------	------

AMOUNT DUE	833.16	AMOUNT DUE	833.16	1,666.32
------------	--------	------------	--------	----------

TWIN FALLS COUNTY
 E045400A

TWIN FALLS COUNTY
 RP11S16E045400A
 14-00

LATE
 INT
 COST
 TOT
 NOV 26 2001

LATE
 INT
 COST
 TOT
 PAID
 THANK YOU

T6920

NOT PAID ON OR BEFORE JUNE 20, 2001
 AID
 Y CHECK #
 CASH

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 2000
 DATE PAID 12-4-00 CHECK # 1118
 PAID BY CASH

RECEIVED

MAY 29 2001

Department of Water Resources
Southern Region

AGREEMENT FOR SALE OF WATER RIGHT

I, Gerald Tews of Tews Land & Livestock, do hereby sell and convey to Randle Durham all my right, title and interest in Water Right 47-2358F. This right was recently moved to land in Sec. 26 T. 12S R. 15E under Transfer 68486. Water to be moved to land owned by Durham under new applications for transfer to be filed by him. Present land will not be irrigated after approval of Durham transfers. This agreement is null and void if transfers are denied by Dept of Water Resources.

Signed

Date

Signed

Date

BY AGREEMENT
DATED
6-6-01

FILED
MAY 29 2001

T69208

Re. Correct Legal Description
Twin Falls County, Idaho
Recorded for
TITLEFACT
02:52pm Sep.08,1999
1999-016630
No. of Pages: 3 Fee: \$9.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD
43361sm
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303
***** SPACE ABOVE FOR RECORDER *****

Twin Falls County, Idaho
Recorded for
TITLEFACT
03:44pm Aug. 19, 1999
1999-015533
No. of Pages: 3 Fee: \$9.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CH

WARRANTY DEED

FOR VALUE RECEIVED WHITE ELEPHANT LIMITED PARTNERSHIP, an Idaho Limited Partnership, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto TEWS LAND AND LIVESTOCK, INC., an Idaho corporation, hereinafter called grantee, whose address is: 2473 E. 4100 N. Filer Idaho, the following described premises, in Twin Falls County, Idaho, to-wit: 83328

PARCEL NO. 1

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 13: SW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 14: SW $\frac{1}{4}$; SE $\frac{1}{4}$

Section 22: S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23: ALL EXCEPT SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$; NW $\frac{1}{4}$

Section 25: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 26: N $\frac{1}{2}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 1B

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 17: W $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 18: N $\frac{1}{2}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$; Lots 1, 2, 3, 4

Section 19: ~~S $\frac{1}{2}$ NE $\frac{1}{4}$~~ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; Lots 1, 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$,

EXCEPT Railroad Right of Way

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 1C

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 30: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$; Lots 1, 2, 3, and 4

ALL SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 2

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ which lies West of the Westerly right of way line of the State Highway and designated as U.S.

Highway 93

EXCEPT

Any portion thereof lying within the following described land:

BEGINNING at the Southeast corner of Section 21, Township 12 South, Range 16 E., B.M.;

THENCE North along the Section line between Sections 21 and 22, Township 12 South, Range 16 E., B.M. for 2639 feet;

THENCE West for 60 feet;

THENCE South for 1882 feet;

THENCE South 2°16' East for 756 feet;

THENCE East for 30 feet to the POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 3

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 21: NW $\frac{1}{4}$ SW $\frac{1}{4}$

T69208

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 4

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 5

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho
Section 13: the SE $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPT That part described as follows:

COMMENCING at the Northeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE South along the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet to the TRUE
POINT OF BEGINNING;

THENCE continuing South along said East boundary, 330.00 feet;

THENCE West parallel to the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet;

THENCE North parallel to the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 330.00 feet;

THENCE East parallel to the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet to the TRUE

POINT OF BEGINNING.

AND EXCEPT The S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 6

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 13: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 7

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 13: That part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the Northeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

THENCE South along the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet to the TRUE

POINT OF BEGINNING;

THENCE continuing South along said East boundary, 330.00 feet;

THENCE West parallel to the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet;

THENCE North parallel to the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 330.00 feet;

THENCE East parallel to the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, 660.00 feet to the TRUE

POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 8

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 18: S $\frac{1}{2}$ NE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 9

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 23: SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 10

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 24: N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 11

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 30: E $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO.

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 7: SE 1/4

SUBJECT TO: Twin Falls County Highway Right of Way

T69208

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

Dated: August 11, 1999

WHITE ELEPHANT LIMITED PARTNERSHIP

BY: Stephan B. Ellis

STEPHAN B. ELLIS, Partner

BY: Hazel J. Ellis

HAZEL ELLIS, Partner

STATE OF UTAH

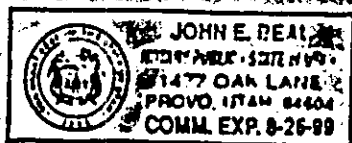
County of Utah

On this 14th day of August, 1999, before me, a Notary Public, personally appeared Stephan B. Ellis and Hazel Ellis, known or identified to me to be the partners in White Elephant Limited Partnership, a partnership, and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

John E. Beal
Notary Public for Utah

Residing in Provo, Utah

Commission Expires 8-26-99



PARCEL NO. 13

Township 12 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 24: SW 1/4

SUBJECT TO: Twin Falls Highway District right of way

PARCEL NO. 14

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 16: N 1/2

SUBJECT TO: State of Idaho Easement No. 924 to State Highway Department for a highway and No. 72 to Oregon Shortline Railroad for a railroad

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 16: S 1/2



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

November 2, 2001

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

RE: Transfer No.: 69208 - Water Rights 47-16798, 47-16800, 47-16796
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.

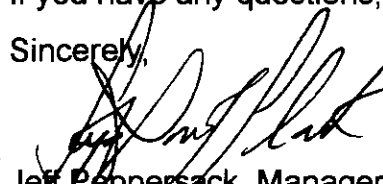
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14)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


for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED
NOV 25 2001

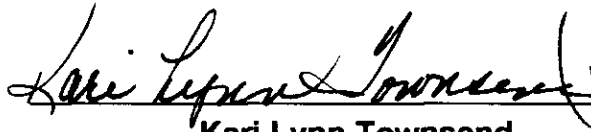
CERTIFICATE OF MAILING

I hereby certify that on November 2, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69208

WATER RIGHTS 47-16798, 47-16800, 47-16796

**RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328**


**Kari Lynn Townsend
Secretary**

MICROFILMED
NOV 26 2001

**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).

MICROFILMED
JUN 26 2001

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 OF WATER RIGHT ANALYSIS

Reviewed by: CBC

Trans # 69208 Date Received 5/29/01 Correct Fee Pd \$250 ✓ Ad ok ✓

Applicant: RANDIE A DURHAM

AREA OF CONCERN Moratorium --- **TRANSFER TYPE** Change POD (X)
 GWMA --- Add POD ()
 Water District --- Change POU (X)
 Water Master Comments --- Change Nature ()
TRUST/NON-TRUST Change period ()
 X-Records --- Other ---
 Change in Response zone --- (send copy of pertinent info to Bob Sutter for Hydrologic Review, Flag file)

RIGHTS BEFORE CHANGE	UPDATE BASED ON WR, SBBA CL, SBBA REC	PARTS OF RIGHTS: UNCHANGED	CHANGED	RIGHT ID UPDATED
<u>47-116798</u>	<u>CL</u>	<u>---</u>	<u>---</u>	<u>---</u>
<u>47-116800</u>	<u>CL</u>	<u>---</u>	<u>---</u>	<u>---</u>
<u>47-116796</u>	<u>CL</u>	<u>---</u>	<u>---</u>	<u>---</u>
<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
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<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>

POU COMPARISON: EXISTING DAIRY, OK
 OWNERSHIP PROOF: OK
 EXPANSION: NO EVIDENCE
 MAP SUBMITTED: YES

COMMENTS

- PURPOSE OF TRANSFER IS TO MOVE IRR. RIGHTS TO A NEW POU & CHANGE THE AD.
- SEE ATTACHED ^{REVIEW} SPREADSHEET & TRANSFER 69207 (PROCESSED TOGETHER)
- TRANSFER 69207 SPLIT THREE RIGHTS, CHANGED PORTIONS MOVED TO A DAIRY. UNCHANGED PORTIONS TRANSFERRED IN 69208 TO SAME DAIRY FOR IRR.
- NOTE: ~~WRIT~~ RIGHT NUMBERS FOR UNCHANGED PORTIONS CARRIED OVER TO THIS TRANSFER, SO NUMBERS ON APPLICATION ARE INCORRECT.
- NEW WELL TO BE DRILLED & APPLICANT REQUESTED MORE THAN ONE YR TO DEVELOP.

FINAL CHECK LIST:

Transfer Memo X
 Shapefile created ---
 Approval form printed X
 T files created/updated ---
 New/Old T # comment ---
 Post approval update ---
 Removed from Inventory ---

CBC

CONDITIONS

GROUNDWATER:

DRILLING PERMIT

All wells

- 046

WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
 Supp irr (+ other uses) - 100-105
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M

USES:

STORAGE - 18A-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) **PLD**
 STOCKWATER - R37 (BLM/USFS)
 MINING - 054-106
 FISH PROP - 029(70'S only)-007-042-106
 HEAT/COOL - R07(injection well)
 FIRE PROT. - 077

SURFACE WATER:

WD - R04 (WD# _____)
 ≤ 0.20 cfs/others - R02, 01P or No MD
 > 0.20 cfs - R43

WD, SPRINGS/SNK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
 Trust - R55 (consumptive uses)
 Non-Trust - 048-049 (cons uses or non-cons. > 1.0 cfs)

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022,075
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 >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
 T09 - on-going SRBA, prior to Director's report
 T17 - measure all p/d's but no Water Master Control
 (used with WB4)
 T18 - Special T17 & R43 combined - multiple pds in WD
 T19 - replaces C18
 01Q - used instead of 01M when have another meas. Cond (i.e. T17 & 01m)
 W23 - Right limited to irr. of x acres
 W35 - Combined right limits (rate, vol, acres), WB4 for multiple PODs
 W36 - Other rights diverted through same POD
 W50 - Abandoned Well
 W51 - 2+ yrs to develop
 W54 - forfeited ac/rate (used rarely)
 W55 - (transfer shrinks total water to less ac)
 W57 - no right-of-way
 W58 - pending claim (statutory or AJ b/u claim)
 W59 - POD description located in LOT, BLK
 W60 - POU description, located in LOT, BLK
 W61 - extended irr season
 W62 - replaces N05/08/09-14
 W63 - replaces C12
 WB4 - combined right limits for multiple pods (rate, vol, add ac if needed), used with T17
 WD5 - remaining right (only if specifically requested, i.e. protest)
 WD6 - measure & report
 WD7 - irr ac removed
 WD8 - land application of waste water
 WD9 - Not confirmation of validity, use on unchanged portion of split

Use definitions - W02 ie - S/50 range
 Multiple pd's per ¼¼ - W32
 Single p/d intended - 076
 Water Quality - 106-R07
 Zoning ord. (dairys only) - 082
 Protested - 020-W19
 Non-consumptive - 027

OTHER CONDITIONS/REMARKS:

STANDARD IRR SEASON 3/15 - 11/15

STANDARD IRR VOLUME/AC 3.0/4.0

Transfer Review: 69208
 10/25/2001 cbc
 Applicant: Randle A Durham

Transfer 69208

Purpose of Transfer: To transfer the three rights noted below (the unchanged portions from transfer 69207) to land surrounding the dairy.
 This includes a change in the pou and pod.

Original	Parent	rate	ac	vol	cons. vol	ppu
47-2256H	47-16798	0.15	16.57	66.26	49.70	61.8
47-3349F	47-16800	0.02	18.13	10.85	8.13	61.8
47-2358F	47-16796	0.34	18.13	72.50	54.38	61.8
	Sum	0.51				
	Limits		18.20	72.8		61.8

Note: Transfers 69207 and 69208 processed together. See review sheet for transfer 69207 for additional information.

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Randle A. Durham TRANSFER NO. 67208

1. Right number(s) 47-2358 F

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: NO OVERLAPS, RIGHTS CREATED BY APPROVED

TRANSFER 68486/5802 (APPROVED 4/27/01)

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 APPARENT

69208

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

j. X 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) RIGHTS CREATED BY PREVIOUSLY

APPROVED TRANSFER 68486/5802

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

INITIAL ALLOCATION REVIEW BY P. SKINNER DATE 6/11/2001
SRBA SUPERVISOR REVIEW BY AS DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes

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: 8/10/2001

4. By AS Date 8/10/01

RECEIVED

AUG 14 2001

Department of Water Resources

MEMO

FROM: Allen Merritt 

DATE: August 10, 2001

TO: Transfer Files No. **T69207 and T69208**

In the name of: **Randle Durham**

Water Right(s): 47-02358F, 47-02256H and 47-02349F

SUBJECT: **Review and Recommendation**

Mr. Durham has contracted to purchase the water recently transferred to Tews Land and Livestock under approved transfer 5802 or T68486. The rights identified above were created as a result of that transfer and in total are limited to 24.5 acres with 98.0 afa and 0.68 cfs.

Durham proposes to use a portion of the water for expansion of a dairy currently supplied water by right 47-08369. This proposal is covered by T69207. Right 47-08369 was not included in the transfer since it was not being modified but this transfer should be limited with 47-08369. This proposal dries up a total of 6.3 acres for conversion of 18.9 afa to the dairy uses.

Durham proposes to utilize the remaining portions of the rights from Tews for irrigation of lands around the Durham dairy. This proposal is covered by T69208 which moves 18.2 acres with 0.51 cfs and 72.8 afa to the Durham property to be included in a 61.8 acre PPU which also has shares from the Salmon River Canal Co.

These transfers were processed without protest.

There does not appear to be issues of forfeiture and the move hydraulically is back toward the site of origin at the Mathers Ranch where Tews bought them.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

T69207

-Rights 47-16797, 47-16799 and 47-16801 created by this transfer when combined with license 47-8369 are limited to a combined rate of diversion of $(0.04 + 0.17)$ 0.21 cfs and $(18.9 + 13.5)$ 32.4 afa for domestic, stockwater and commercial use associated with the dairy.

-No new well is authorized to be drilled under this approval.

-Measuring device with totalizing meter must be installed and maintained on the well. Annual use must be reported to IDWR if requested in future.

-Subject to other federal, state and county requirements as may be appropriate. Specifically subject to nutrient management plan administered by Idaho Department of Agriculture to limit potential of nitrate pollution of ground water.

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AUG 28 2001

T69208

- When rights 47-16803, 47-16805 and 47-16807 are combined they are limited to 0.51 cfs and 72.8.0 afa for irrigation of no more than 18.2 acres within the identified 61.8 acre PPU.
- One new well is authorized to be drilled under this approval but must be subject to approved drilling permit.
- Measuring device with totalizing meter must be installed and maintained on well. Annual use must be reported to IDWR if requested in future.

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NOV 26 2001

T#67208

WATER RIGHT NO. 47-2358 F

[illegible]



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

July 3, 2001

RANDLE A DURHAM
3420 N 2300 E
FILER ID 83328

Re: Application for Transfer No. 69207 & ~~69208~~

Dear Applicant:

The Department of Water Resources acknowledges receipt of your applications. Please refer to these numbers in all correspondence regarding the above referenced applications. Please find enclosed a copy of the front page of both applications with the transfer identification number.

This office has scheduled advertising the applications in the Times News for 7/12 & 7/19/01. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests (July 30, 2001).

If an 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.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Mary A. Baldwin".

Mary A. Baldwin
Administrative Assistant

MICROFILMED

JUL 10 1996

RECEIVED

JUL 20 2001

OK
MB
8/2/01

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

Department of Water Resources
Southern Region

No 42994

I, Ruby Aydenheide being first duly sworn upon oath, depose
and say that I am principal clerk of the TIMES-NEWS, published daily at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
attached, was published in the regular and entire issue of said newspaper, and not in any supplement
thereof, for two consecutive weeks,
commencing with the issue dated July 12, 2001,
and ending with the issue dated July 19, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-
terruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 19th day of July in the year 2001, before me,

a Notary Public, personally appeared Ruby Aydenheide,
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.

LINDA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

Linda Capps McGuire
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

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NOV 26 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
Three (3) transfers have been filed to modify existing rights in Twin Falls County as follows:

ARROW BROOK LTD PARTNERSHIP, C/O RODNEY H MOORE, PO BOX 53; NAMPID 83653 has filed Application No. 69143 for changes to the following water rights diverted from ground water from seven well for irrigation of lands within S28, S29 and S33 T11S R20E.

Right No. 45-2195

Priority: 9/21/1943

Use: IRRIGATION (255 acres) 1.68 CFS

Point of Diversion: NENESE S29 T11S R20E

Right No. 45-2214

Priority: 12/22/1945

Use: IRRIGATION (255 acres) 1.13 CFS

Point of Diversion: SESENE S29 T11S R20E

Right No. 45-2240

Priority: 10/24/1947

Use: IRRIGATION (225 acres) 2.68 CFS

Point of Diversion: NESWNE S29 T11S R20E

Right No. 45-2211B

Priority: 6/20/1945

Use: IRRIGATION (120 acres) 1.33 CFS

Point of Diversion: SENWNE S33 T11S R20E

Right No. 45-2202

Priority: 9/20/1944

Use: IRRIGATION (255 acres) 1.77 CFS

Point of Diversion: NENESE S29 T11S R20E

Right No. 45-2239

Priority: 9/27/1947

Use: IRRIGATION (225 acres) 1.44 CFS

Point of Diversion: SWSENE S29 T11S R20E

Right No. 45-2278

Priority: 12/11/1948

Use: IRRIGATION (40 acres) 0.61 CFS

Point of Diversion: SENENE S29 T11S R20E

The purpose of transfer 69143 is to create a permissible place of use of 680 acres at the original place of use for all rights and continue to divert the rights from the 6 existing wells listed below: The rights total 10.64 cfs with proposed Point(s) of Diversion within NENE, SWNE, SENE, SENE, NESE S29 T11S R20E; NWNE S33 T11S R20E and a proposed Permissible Place of Use of 680 acres within S28, 29 and 33 T11S, R20E.

RANDLE A DURHAM, 3420 N 2300 E; FILER ID 83328 has filed Application No. 69207 and 69208 for changes to the following water rights diverted from ground water within NENE S26 T12S R15E for irrigation of 24.5 acres within a permissible place of use of 31.2 acres within S26 T12SR15E:

Right No. 47-2358F

Priority: 11/6/1961

Use: IRRIGATION (31.2 acres)

0.45 CFS/ 97.6 AFA

Right No. 47-2256H

Priority: 8/8/1954

Use: IRRIGATION (31.2 acres)

0.20 CFS/ 89.2 AFA

Right No. 47-2349F

Priority: 4/3/1961

Use: IRRIGATION (31.2 acres)

0.03 CFS/14.6 AFA

The purpose of the transfer 69207 is to dry up 6.3 acres and change the nature of a portion of the rights to uses associated with expansion of an existing dairy using the following proposed rights:

Proposed Right No. 47-16797 (split from Parent Right No. 47-2358F)

Use: STOCKWATER and COMMERCIAL

0.12 CFS/18.9 AFA

Proposed Right No. 47-16799 (split from Parent Right No. 47-2256H)

Use: STOCKWATER and COMMERCIAL

0.05 CFS/17.1 AFA

Proposed Right No. 47-16801 (split from Parent Right No. 47-2349F)

Use: STOCKWATER and COMMERCIAL

0.01 CFS/8.7 AFA

The rights will be diverted from an existing well within NWSWSW S4 T11S R16E for use within S4 T11S R16E. The dairy rights total 0.17 CFS and 18.9 AFA. The purpose of transfer 69208 is to move the remaining portions of the irrigation rights described above to irrigate lands around the above described dairy. The rights will be diverted from a new well to be drilled within NWSWSW S4 T11S R16E. A total of 0.51 CFS and 72.8 AFA will be diverted and commingled with Salmon River Canal Company Shares. The proposed rights are for irrigation of 18.2 acres within a permissible place of use of 61.8 acres within S4 T11S R16E.

Proposed Right No. 47-16803 (split from Parent Right No. 47-2358F)

Use: IRRIGATION (61.8 acres) 0.33 CFS 72.4 AFA

Proposed Right No. 47-16805 (split from Parent Right No. 47-2256H)

Use: IRRIGATION (61.8 acres) 0.15 CFS 66.4 AFA

Proposed Right No. 47-16807 (split from Parent Right No. 47-2349F)

Use: IRRIGATION (61.8 acres) 0.02 CFS 33.6 AFA

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 July 30, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Times News on 7/12 & 7/19/01.

OK
mfs
8/2/01

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JUL 13 2001

RETAIN THIS PORTION FOR YOUR RECORDS

REMITTANCE ADDRESS THE TIMES-NEWS - LEGAL P.O. BOX 548, TWIN FALLS, ID 83303-0548		BILL TO DEPT WAT RESOURCES	
AD NUMBER 314339	CLASS 0050 LEGAL	SALESPERSON 5	BILLING DATE 07/19/01
AD DESCRIPTION TRANSFER NOS 69143, 69207, 69208		START DATE 07/12/01	STOP DATE 07/19/01
PUBLICATION 4 THE TIMES NEWS LEGAL FLAT CHARGE TOTAL AD CHARGE 4 AFFIDAVIT CHARGE <i>T# 69143, T# 69207, T# 69208</i>	INSERTIONS 2	RATE LGL FC AFFID	NET AMOUNT 244.80 244.80 5.00
DAYS RUN		GROSS AMOUNT	
PURCHASE ORDER legal		PAY THIS AMOUNT 249.80	
		249.80*	

OK
MB
8/2/01

MESSAGE:

RECEIVED

JUL 20 2001

Department of Water Resources
Southern Region

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

THE TIMES-NEWS - LEGAL

P.O. BOX 548, TWIN FALLS, ID 83303-0548

legal

AD NUMBER 314339	CLASS 050 LEGAL	START DATE 07/12/01	STOP DATE 07/19/01
AD DESCRIPTION TRANSFER NOS 69143, 69207, 69208		BILLING DATE 07/19/01	TELEPHONE NUMBER 208-736-3033

GROSS AMOUNT OF
249.80
DUE AFTER

___ VISA ___ MASTERCARD

CREDIT CARD NUMBER

EXPIRATION DATE: ____/____/____

SIGNATURE: _____

DEPT WATER RESOURCES
1341 FILLMORE, SUITE 200
TWIN FALLS, ID 83301

MICROFILMED

JUL 26 2001

TOTAL AMOUNT DUE 249.80
ENTER AMOUNT ENCLOSED

204000000031433900000000000000002498000000249807



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

July 03, 2001

Legal Notice Department

TIMES NEWS

PO BOX 548

TWIN FALLS ID 83303

RE: Transfer No. 69143

Water Right No(s). 45-2196 45-2214 45-2240 45-2211B 45-2202 45-2239
45-2278

RE: Transfer No. 69207

Water Right No(s). 47-2358F 47-2256H 47-2349F

RE: Transfer No. 69208

Water Right No(s). 47-2358F 47-2256H 47-2349F

Dear LEGAL NOTICE DEPARTMENT:

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.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 08/06/2001. Your cooperation is appreciated.

Sincerely

Mary A. Baldwin
Administrative Assistant I

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NOV 25 2001

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Priority: 9/21/1943

Use: IRRIGATION (255 acres) 1.68 CFS

Point of Diversion: NENESE S29 T11S R20E

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Priority: 12/22/1945

Use: IRRIGATION (255 acres) 1.13 CFS

Point of Diversion: SESENE S29 T11S R20E

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SEP 26 2001

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KARL J DREHER, Director

Published in the Times News on 7/12 & 7/19/01.

MICROFILM
NOV 25 2001

Type	WR #	Owner	Source	TRS	NESW	NWSW	SWSW	SESW	Total
Right	47 4030	BYRON O WRIGHT,	SALMON FALLS CANAL, WASTE	11S16E4					160
App	47 8412	DAVID W BECKER JR,	GROUND WATER	11S16E4					160
Claim	47 10865	J EUGENE MYERS,	GROUND WATER	11S16E4					0
Claim	47 10865	J EUGENE MYERS,	GROUND WATER	11S16E4					0
Claim	47 11679	LESLIE R JONES INC,	GROUND WATER	11S16E4				X	0
Claim	47 13411	MARVIN GARTNER,	GROUND WATER	11S16E4					0
Claim	47 10	SALMON RIVER CANAL CO LTD,	SALMON FALLS CREEK	11S16E4	40	40	40	41	639
Right	47 10865	J EUGENE MYERS,	GROUND WATER	11S16E4					0
Right	47 10865	J EUGENE MYERS,	GROUND WATER	11S16E4					0
Claim	47 16426	PAMALA WEBB,	GROUND WATER	11S16E4					0
Claim	47 16426	PAMALA WEBB,	GROUND WATER	11S16E4					0
Right	47 11679	LESLIE R JONES INC,	GROUND WATER	11S16E4				X	0
Right	47 13411	MARVIN GARTNER,	GROUND WATER	11S16E4					0
Right	47 16426	PAMALA WEBB,	GROUND WATER	11S16E4					0
Right	47 16426	PAMALA WEBB,	GROUND WATER	11S16E4					0
Right	47 8369	RANDLE A DURHAM,	GROUND WATER	11S16E4	X		X		0
Right	47 8369	RANDLE A DURHAM,	GROUND WATER	11S16E4	X		X		0

MICROC
NOV 25 2001

T69208

MEMORANDUM

TO: FILE 47-16794

FROM: VAULT

RE: TRANSFER # 69207

DATE: 11.1.01

=====

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

FILE # 47-22564

MICROFILMED

MAY 26 2001