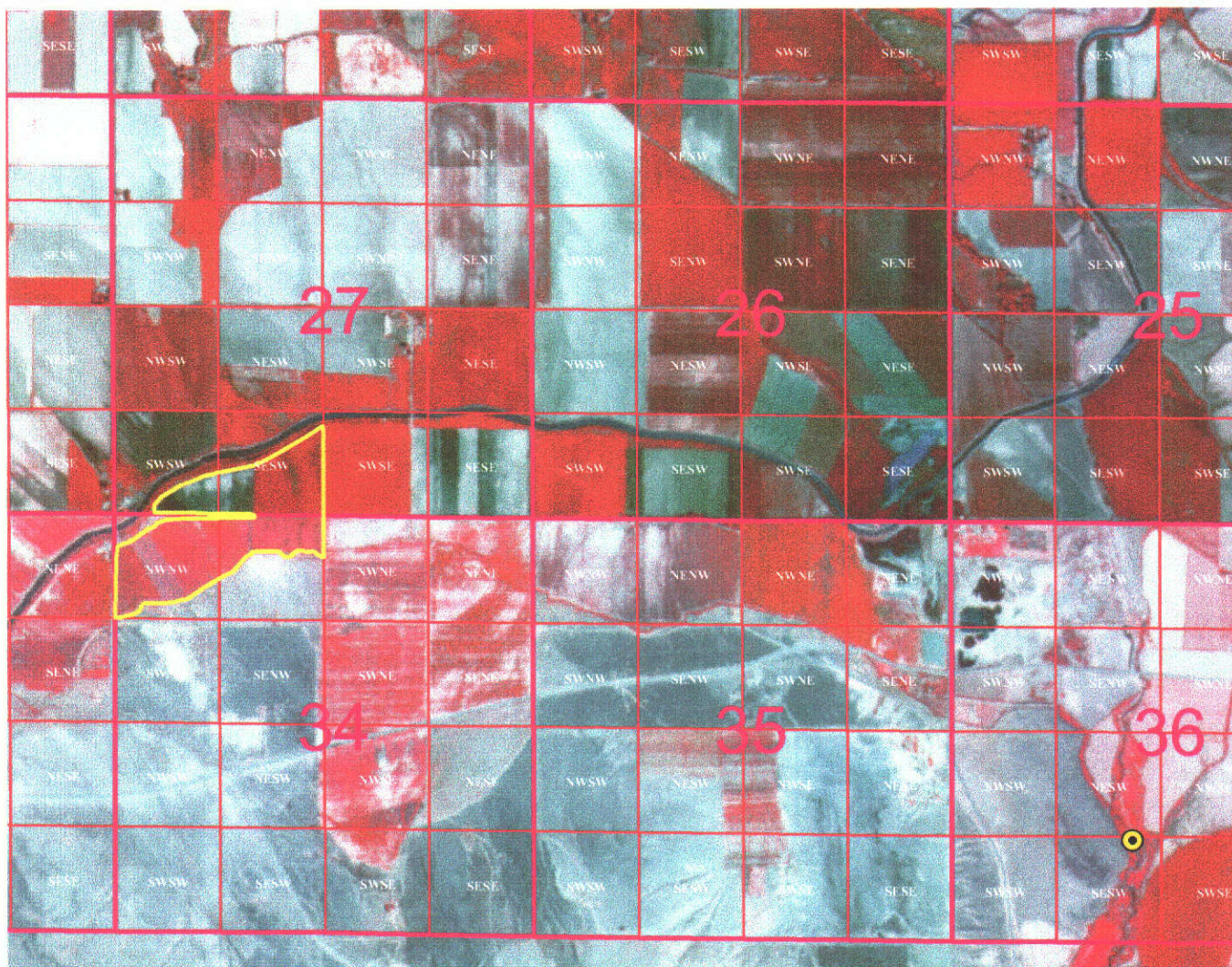


Water Right Claim Number A47-02480
Township , 11S18E

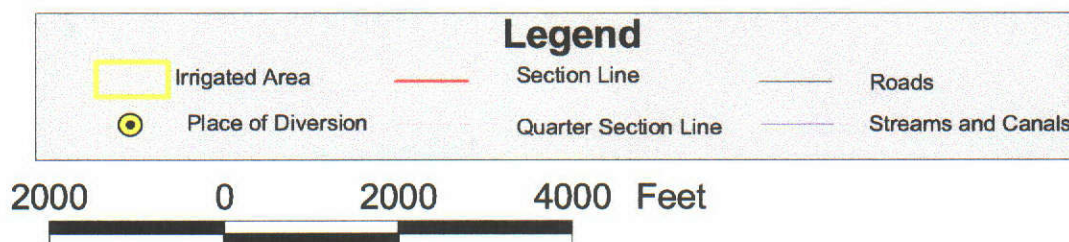
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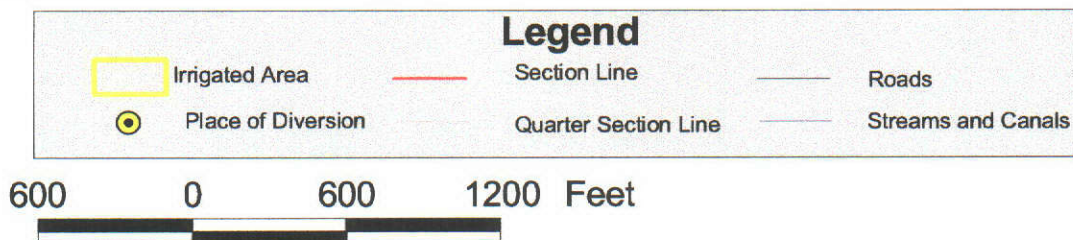
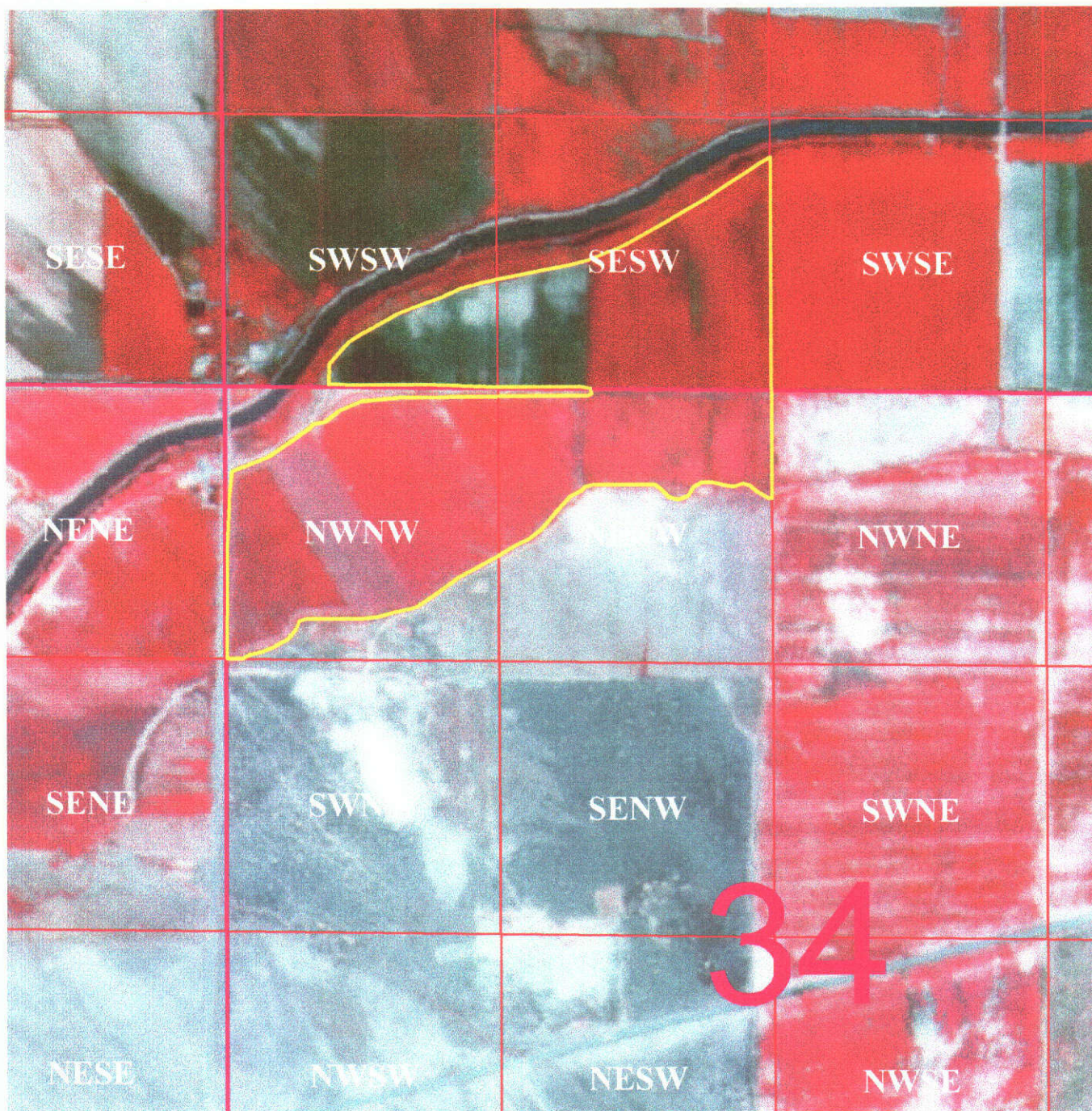
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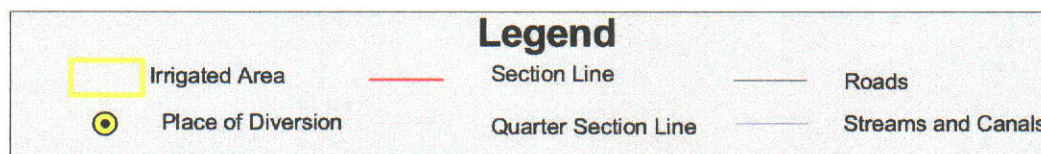
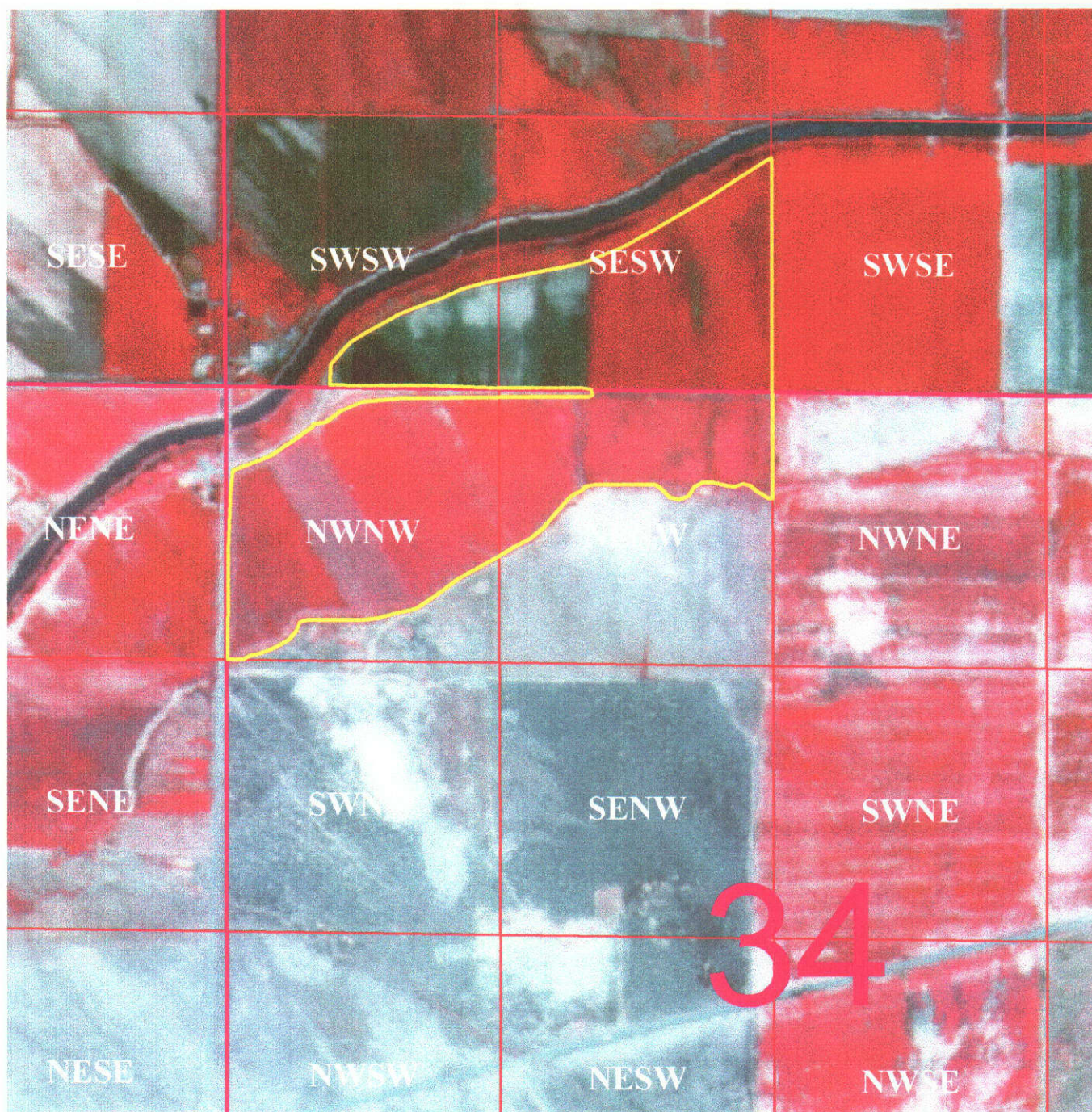
Water Right Claim Number A47-02480
Township , 11S18E

10/05/2000

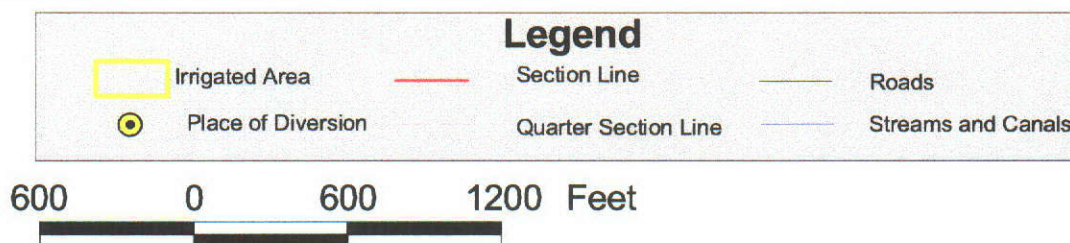
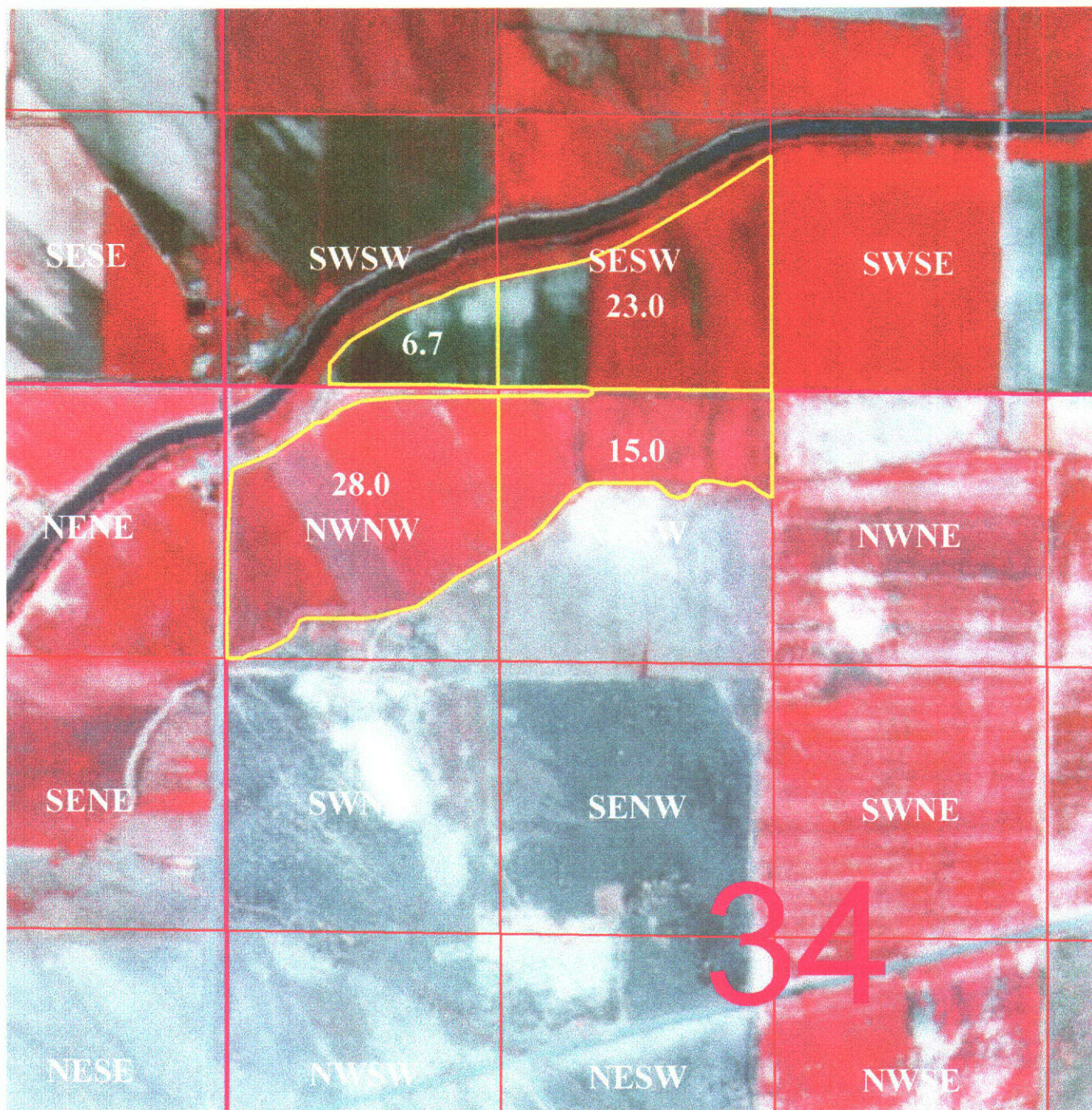


Water Right Claim Number A47-02480
Township , 11S18E

10/05/2000



10/05/2000



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-02480
Date Received: 1/ 3/1989
Receipt No: S005560
Received By: Q/C HLB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAVID FUNK
Address: RT 1
MURTAUGH ID 83341
AND
Name: SHIRLENE FUNK
Address: RT 1
MURTAUGH ID 83341
2. Date of Priority: JAN 3, 1911
3. Source: ROCK CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	36	NE	SE	SW		TWIN FALLS
5. Description of diverting works:
DAM AND OPEN DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		
7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 120.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	27	SW	SW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	27	SE	SW		IRR	25.0
						Section Acres	40.0
		34	NE	NW		IRR	15.0
			NW	NW		IRR	25.0
						Section Acres	40.0
						Total Acres	80.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-02541

14. Remarks:

P/U LISTED AS INCOMPLETE ON PROOF. EXPANDED P/U NOW SHOWN ON
THIS CLAIM. NO INCREASE IN WATER USED.

OWNERSHIP CHANGE MADE 5/30/97 BY TLB.

15. Basis of Claim: LICENSE

Water Right Number: 6863



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

JUN 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID & SHIRLENE FUNK
ROUTE 1
MURTAUGH ID 83341

RE: SRBA CLAIM(S): A47-02541, 02480, 11270
BEAN

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. THESE COPIES ARE FOR YOUR RECORDS. PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

MAR 06 1997

Incomplete forms will be returned.

Department of Water Resources
Southern Region

1. Water Right Number(s) A47-11270, A47-02480, A47-02541
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) ROBERT E. BEAN AND INA JEAN BEAN
3123 N 3600 E, Rt. 2, Kimberly, Id 83341
4. New Owner/Claimant(s) DAVID FUNK AND SHIRLENE FUNK
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address Rt. #1, Murtaugh, Id 83341
City, State and ZIP Code _____
New Telephone Number () _____
5. Date you acquired the property 2/25/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) David Funk Date Feb 24-97
Shirlene Funk Date 2-24-97
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

#EC745

T-20368

For Value Received

ROBERT E. BEAN and INA JEAN BEAN, as Trustees of THE ROBERT AND INA JEAN BEAN TRUST dated the 3rd day of January, 1996

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

DAVID FUNK and SHIRLENE FUNK, HUSBAND AND WIFE
Address: ROUTE #1, MURTAUGH, ID 83344

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

Township 11 South, Range 18 East of the Boise Meridian, Twin Falls County, Idaho

Section 27: S 1/2 SW 1/4

EXCEPTING THEREFROM a parcel in the Southwest corner thereof, being a tract with its beginning point at the Southwest corner of the S 1/2 SW 1/4 of said Section;

THENCE East a distance of 208.71 feet;

THENCE North a distance of 208.71 feet;

THENCE West a distance of 208.71 feet on a line parallel to the Southern boundary thereof;

THENCE South a distance of 208.71 feet, more or less, to the TRUE POINT OF BEGINNING.

Section 34: N 1/2 NW 1/4

SUBJECT TO: Twin Falls County Highway Right of Way.

TOGETHER with 51.84 shares Twin Falls Canal Company water stock; ground water, Water Right No. A47-11270; Rock Creek Water Right No. A47-02480; and Dry Gulch Water Right No. A47-02541.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1997 and subsequent years.

Liens, levies and assessments of the American Falls Reservoir District and the rights, powers and easements of said District.

An Easement for a railway line and incidental purposes as set forth in an instrument recorded November 7, 1911, in Book 2 of C.A.B., page 608; as Instrument No. 30706, records of Twin Falls County, Idaho covering the South and West 60 feet of the SW 1/4 SW 1/4 of Section 27.

An Easement for a ditch and incidental purposes as set forth in an instrument recorded in Book 46 of Deeds, page 556, as Instrument No. 101444, records of Twin Falls County, Idaho, covering a portion of the SE 1/4 SW 1/4 of Section 27.

Agreement upon the terms, conditions and provisions contained therein:

Parties: Twin Falls Canal Company, an Idaho Corporation, and J.R. Hartley and Callie Hartley, husband and wife

Recorded: December 20, 1918, in Book 46 of Deeds, page 567 as Instrument No. 101452, covering the S 1/2 SW 1/4 of Section 27.

Agreement upon terms, conditions and provisions contained therein:

Parties: Twin Falls Canal Company, an Idaho Corporation and Ed Burke

Recorded: January 10, 1931 as Instrument No. 231667, affecting the S 1/2 SW 1/4 of Section 27

An Easement for power line and incidental purposes in favor of Idaho Power Company, a corporation as set forth in an instrument recorded October 23, 1940, in Book 138 of Deeds, page 398, as Instrument No. 344408, records of Twin Falls County, Idaho affecting the SE 1/4 SW 1/4 of Section 27.

An Easement for power lines and incidental purposes in favor of Idaho Power Company, a corporation, as set forth in an instrument recorded May 10, 1958, as Instrument No. 472663, records of Twin Falls County, Idaho, affecting the NE 1/4 NW 1/4 of Section 34.

Agreement upon the terms, conditions and provisions contained therein:

Parties: Ola G. Butler, a widow and Curtis Bower and Marguarite Bower, husband and wife
Recorded: September 29, 1961, in Book 207 of C.A.B., page 1822, as Instrument No. 506874, affecting the NE 1/4 SW 1/4, SE 1/4, SW1/4 NW 1/4 of Section 27.

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: February 25, 1997

THE ROBERT AND INA JEAN BEAN TRUST

BY: Robert E. Bean, Trustee
ROBERT E. BEAN, TRUSTEE

BY: Ina Jean Bean
INA JEAN BEAN, TRUSTEE

STATE OF IDAHO)
COUNTY OF CASSIA) ss.

On this 25 day of FEBRUARY, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERT E. BEAN AND INA JEAN BEAN, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the ROBERT AND INA JEAN BEAN TRUST, and acknowledged to me that they executed the same as such Trustee.

BARBARA EHLE
NOTARY PUBLIC
STATE OF IDAHO
SUBLEY, ID
COMMISSION EXPIRES 6-12-97

Barbara Ehle
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-12-97

TWIN FALLS COUNTY, IDAHO
RECORDED FOR:

1997 MAR -4 A 11:31

ROBERT S. FORT
EX-OFFICIO RECORDER
EE: 600 DEPUTY LF

FIRST AMERICAN TITLE COMPANY

19970034271

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-02480
Date Received: 1/03/1989
Receipt No: S005560
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. BEAN 208-423-5901
Address: 3123 N. 3600 E.
RT. 2
KIMBERLY, ID 83341

OR
Name: INA JEAN BEAN 208-423-5901
Address: 3123 N. 3600 E.
RT. 2
KIMBERLY, ID 83341

2. Date of Priority: JAN 03, 1911

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	36	NE	SE	SW		TWIN FALLS

5. Description of diverting works:
DAM AND OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-02480

Page 1

Date: 01/03/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	27	SW	SW		IRR	15.0
			SE	SW		IRR	25.0
					Section Acres		40.0
		34	NE	NW		IRR	15.0
			NW	NW		IRR	25.0
					Section Acres		40.0
					Total Acres		80.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-02541

14. Remarks:
P/U LISTED AS INCOMPLETE ON PROOF. EXPANDED P/U NOW SHOWN ON
THIS CLAIM. NO INCREASE IN WATER USED.

15. Basis of Claim: LICENSE
Water Right Number: 6863

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Robert E Bear Date: 1/3/89

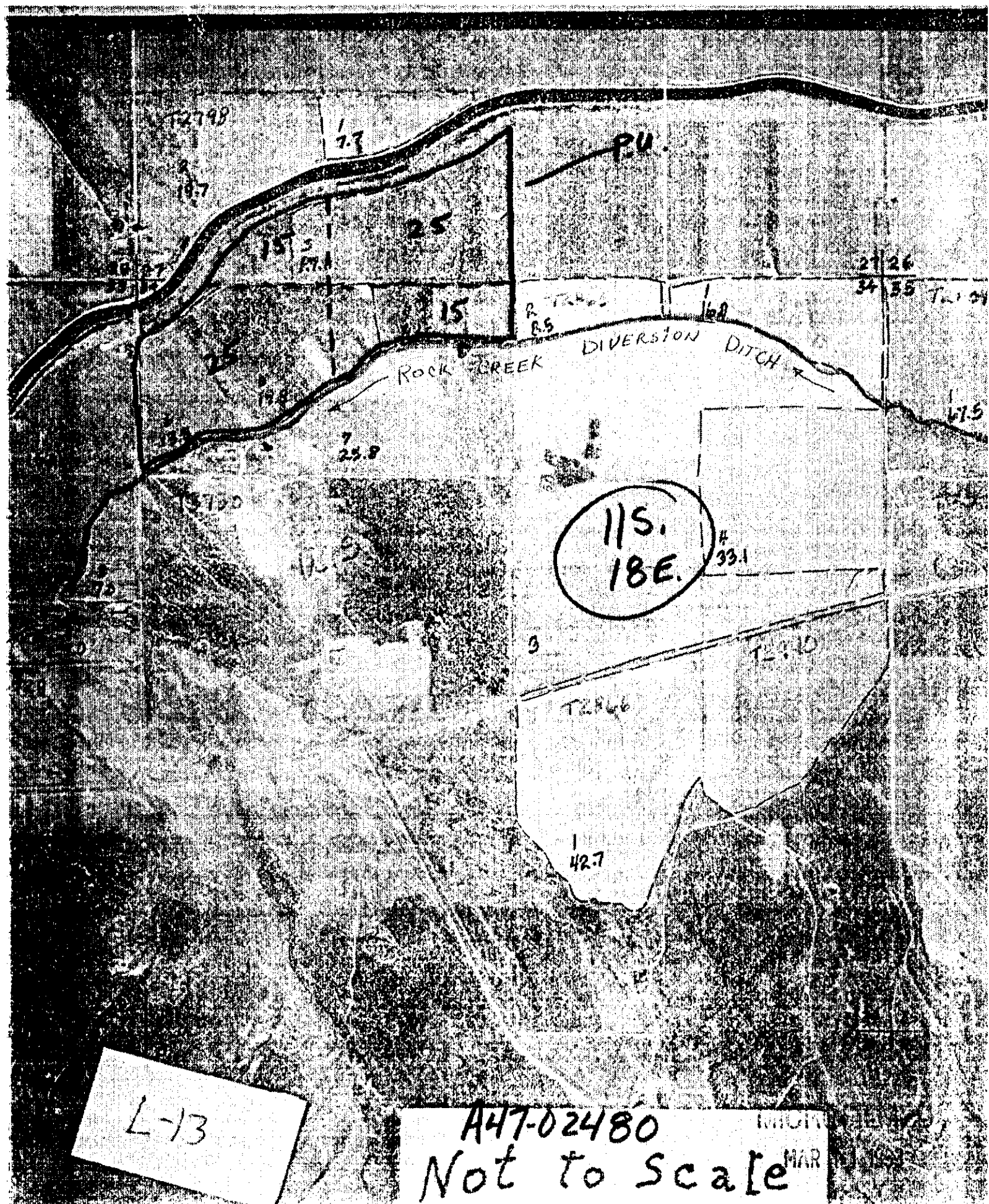
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of January 19 89 Steve [Signature]
Seal Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994

ROBERT E. Bean f # 2843 L2798 27,34-11-18



L-13

A47-02480
Not to Scale

MARCH

Water Right Number - 47-02480

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 6863

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BEAN

R. A.

1 -
2 -
3 -
City- KIMBERLY
Phone -

State- ID Zip- 83341

*** O - ORIGINAL OWNER ***
BURKE

J. E.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/03/1911 17 L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
ROCK CREEK SNAKE RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)	
12S	18E	1	NW NE		(83)	TWIN FALLS	272.0 414.0		25.8

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION			0.800	
43 -	DOMESTIC				

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.800

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
11S	18E	34	NE NW			01	IRRIGATION	(83) TWIN FALLS
11S	18E	34	NW NW			01	IRRIGATION	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means -
- Non-Irrigation Use -
- Other Rights for Same Use -

P/U INCOMPLETE. AC. IRR. = 40.

Remarks

447-02480

MAR 11 1989

RECORDED

Water right number - 47-02480

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 03/12/85

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 06/18/1979
Decree Date - 00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 03/12/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 47
Transfer/Amended - T

447-02480

MAR 11 1983

RECORDED

Log for claim A47-02480

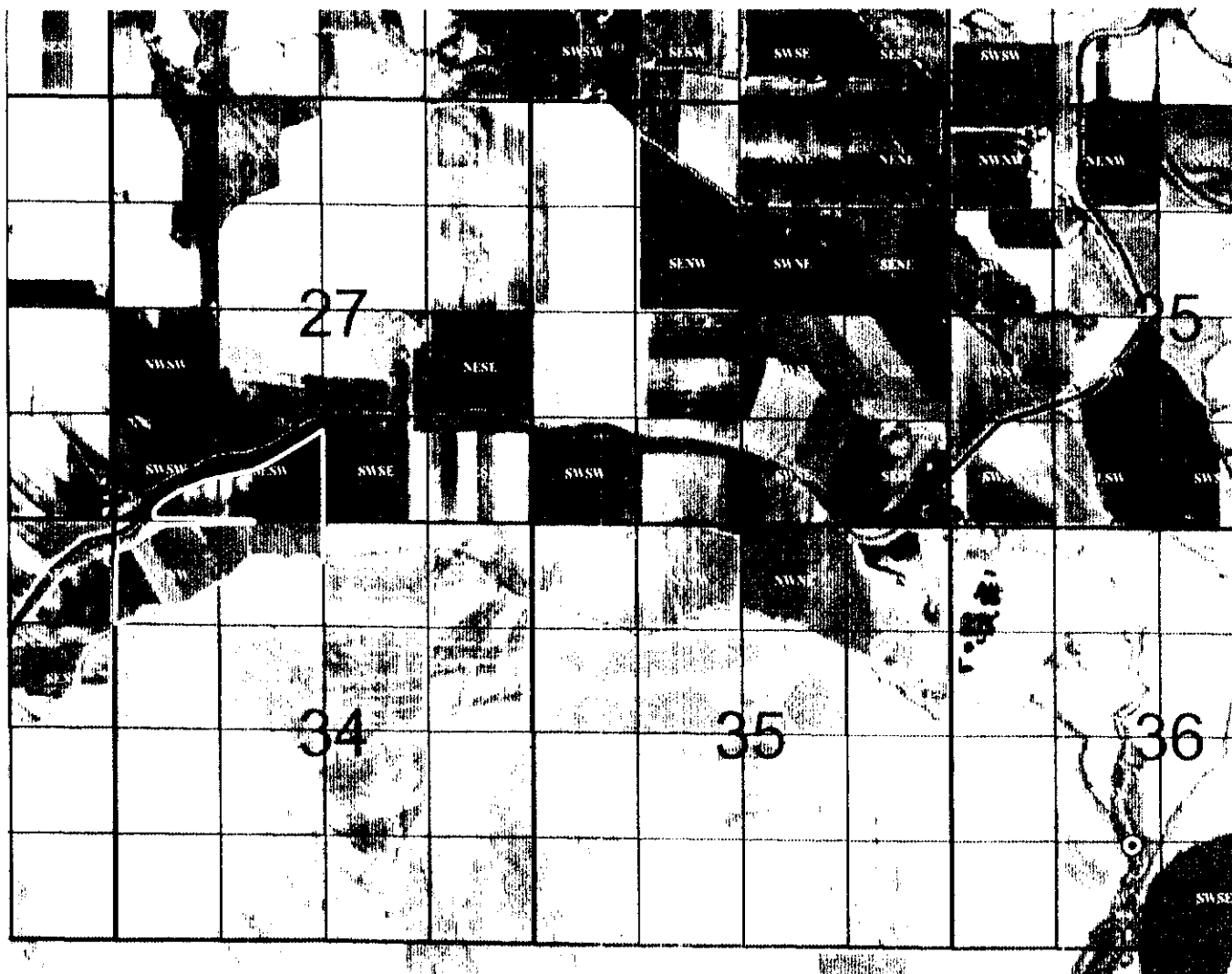
Spatial Dynamics LTD

10/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	27	SWSW	15	6.7	
11s18e	27	SESW	25	23	
11s18e	34	NENW	15	15	
11s18e	34	NWNW	25	28	
Totals:			80	72.7	

Water Right Claim Number A47-02480
Township , 11S18E

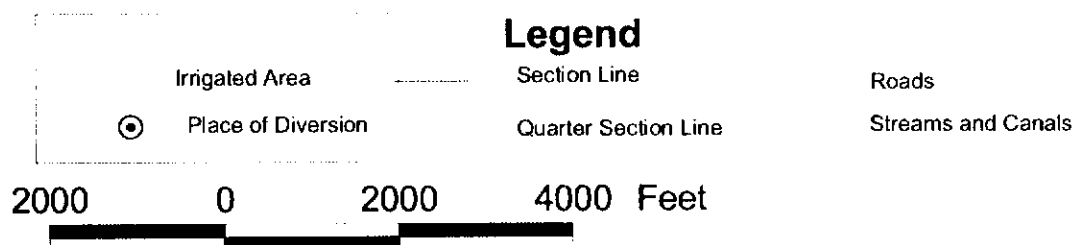
10/05/2000



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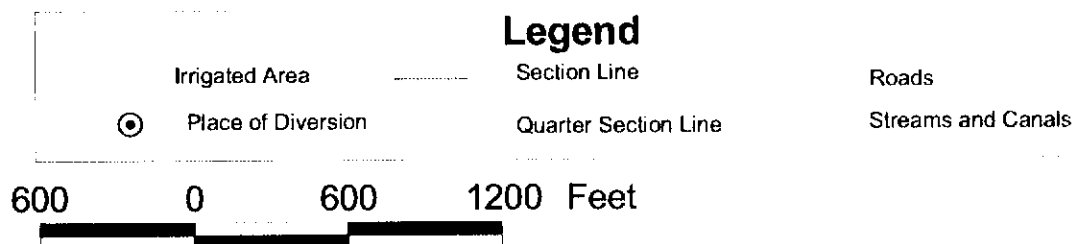
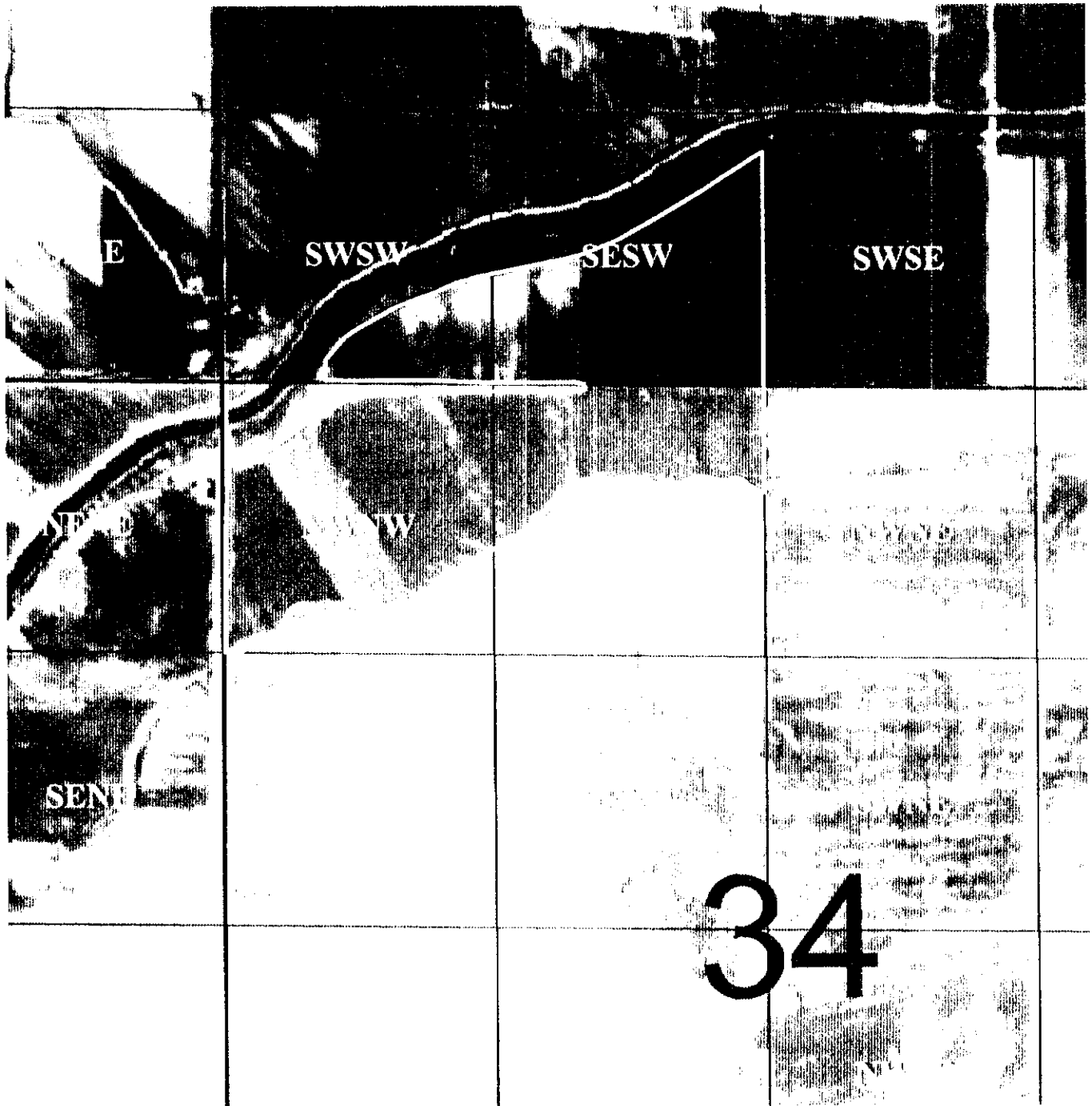
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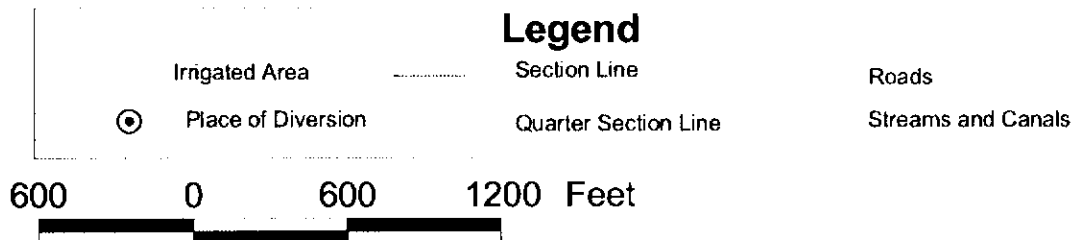
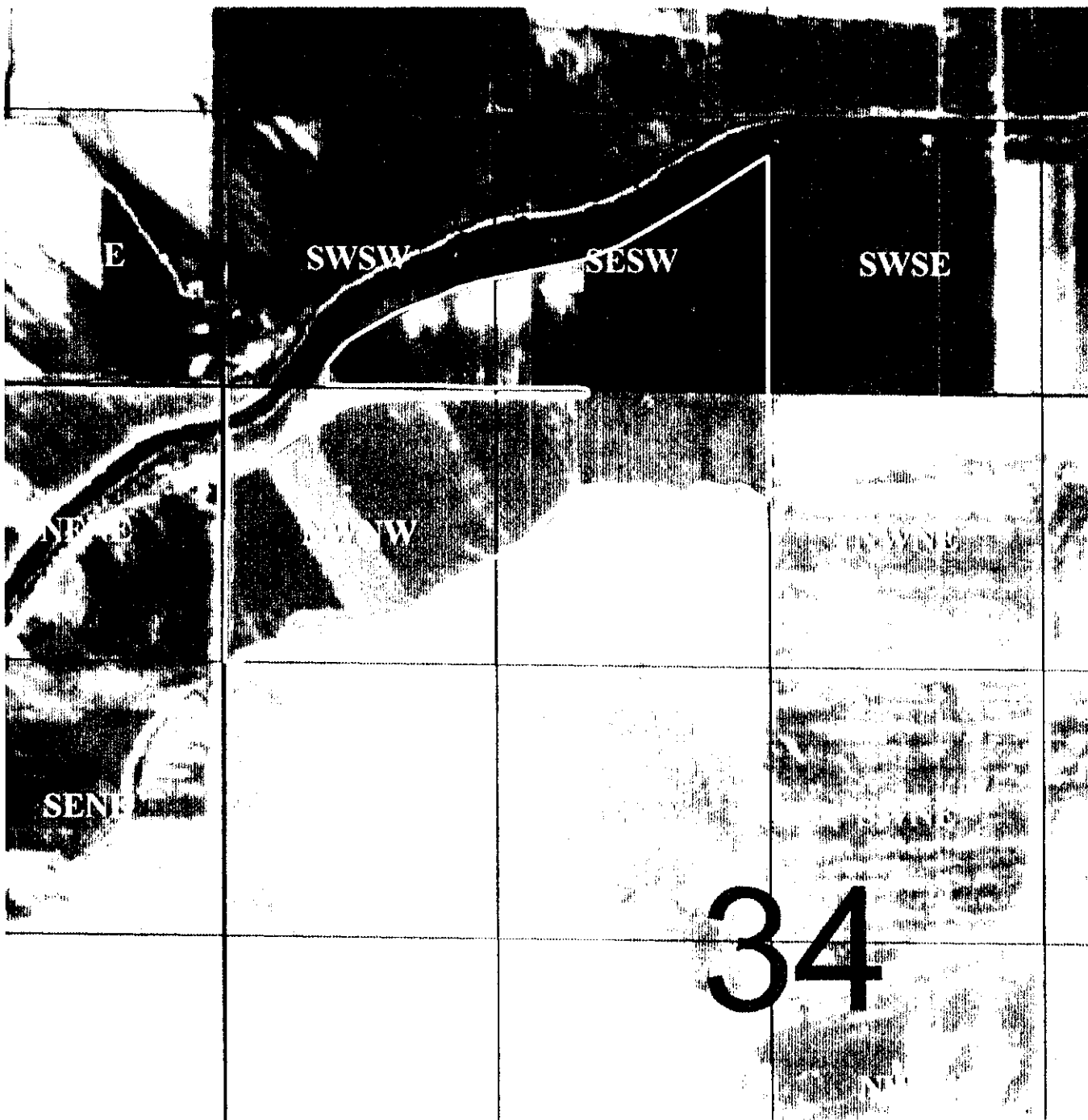
Water Right Claim Number A47-02480
Township , 11S18E

10/05/2000



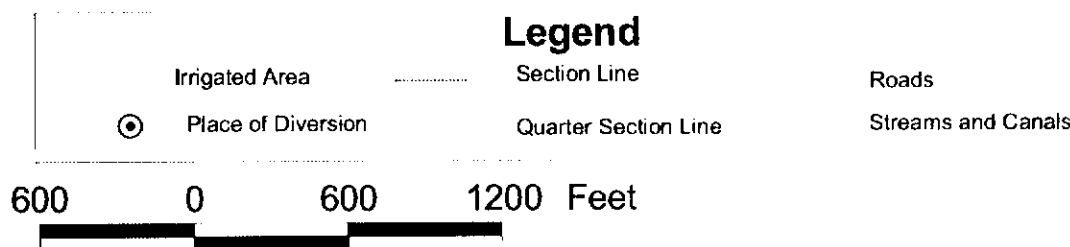
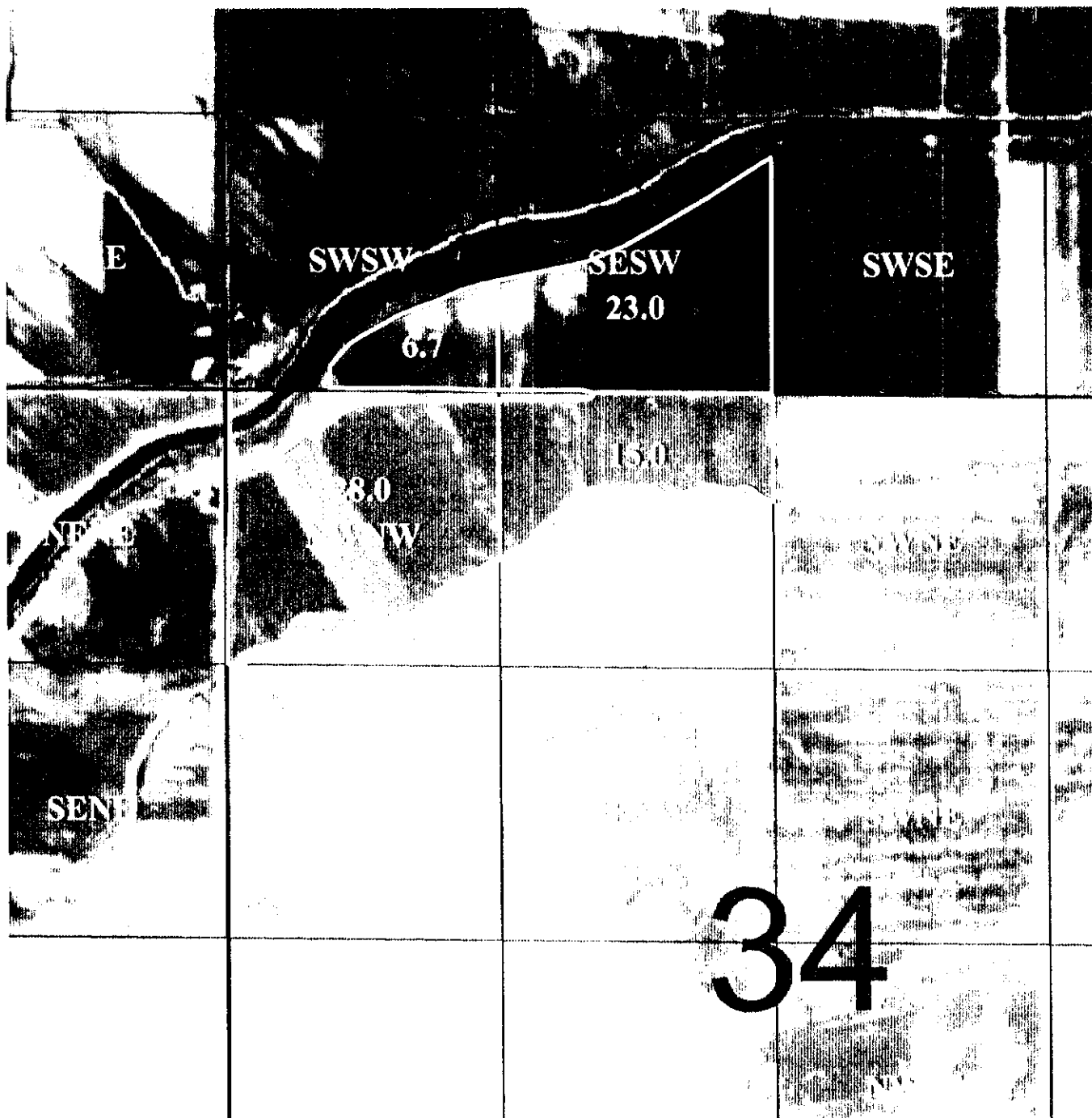
Water Right Claim Number A47-02480
Township , 11S18E

10/05/2000



Water Right Claim Number A47-02480
Township , 11S18E

10/05/2000



AJ5809NP
No. A47-02480

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 224

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID FUNK	01/03/1911	IRRIGATION	03-15 11-15	0.800 CFS	
C	SHIRLENE FUNK					
	RT 1					
	MURTAUGH ID 83341					
				TOTAL DIVERSION:	0.800 CFS	
				CONSUMPTIVE USE:		120.00 AFA

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion:

T11S R18E S36

NESESW

TWIN FALLS 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	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
11S	18E	27	:											15	25					40.0
11S	18E	34	:							15	25									40.0
																			TOTAL ACRES	80.0

POU County: TWIN FALLS

Other Rights: A47-02541

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-00118	A47-00124A	A47-00124C	A47-00125A	A47-00125B	A47-00126A	A47-00126B	A47-00133B	A47-00133D	A47-00134A
A47-00134B	A47-00135	A47-00143	A47-00145	A47-00148A	A47-00148B	A47-00149A	A47-00149B	A47-00155	A47-00156A
A47-00156B	A47-00160A	A47-00161	A47-00162A	A47-00167	A47-00167A	A47-02481	A47-14630	A47-16392	A47-16767
R47-00133B	R47-00134A	R47-00134B	R47-00149A	R47-00149B	R47-00156B				

Other Water Rights Listing Overlapping Place(s) of Use:

A01-0020925 A47-02541

Remarks: GEN P/U LISTED AS INCOMPLETE ON PROOF. EXPANDED P/U NOW SHOWN ON
THIS CLAIM. NO INCREASE IN WATER USED.

OWNERSHIP CHANGE MADE 5/30/97 BY TLB.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 470

Field Inspection Flag:

Presumption Flag: E

Audit: 01/03/89 CLELLAND 03/30/95 POST-STD 05/30/97 TBACKLUN 02/17/00 RBROWN

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 673

THIS IS TO CERTIFY THAT R. A. BEAN, of Kimberly, Idaho, is the owner of and using a certain water right, bearing date of priority of January 3, 1911, for Eight-tenths (0.8) of a cubic foot per second of the waters of Rock Creek, in Twin Falls County, Idaho, said water being licensed to J. E. Burke, under License and Certificate of Water Right No. 6863, of the Department of Reclamation of the State of Idaho, and being appurtenant to the following described tract of land, to-wit:

South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$)
Section 27, Township 11 South, Range 18 East, B.M.

That the said License has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 7 of Licenses, at Page 4259.

That the said R. A. Bean has become the owner of such water right through purchase.

And that now, upon the application of R. A. Bean, of Kimberly, Idaho, for a transfer of all of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of Eight-tenths (0.8) of a cubic foot per second of the waters of Rock Creek upon the above described land is hereby abandoned, and the land to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this Certificate, for irrigation and domestic purposes, is described as follows, to-wit:

North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$)
Section 34, Township 11 South, Range 18 East, B.M.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

Eight-tenths (0.8) of a cubic foot per second
of the waters of Rock Creek, Twin Falls County,
with priority of January 3, 1911.

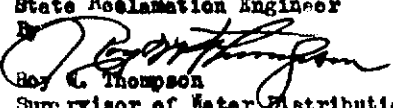
That the water right hereby transferred has been conducted to the first above described lands from Rock Creek through a private ditch, with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, Township 12 South, Range 18 East, B.M.

That the water right hereby transferred will hereafter be conducted to the last above described lands, through the same ditch, and with the same point of diversion.

T-673
45-2090
JUN 17 1911

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 16th day of May, A. D. 1945.

MARK R. KULP
State Reclamation Engineer

Roy C. Thompson
Supervisor of Water Distribution

T-673
45-2090

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

R. A. BEAN,
Kimberly, Idaho

ORDER GRANTING TRANSFER

For a Transfer of Water Right,
In Water District No. 30,
County of Twin Falls, Idaho

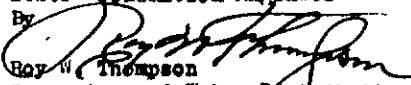
No. 673

WHEREAS, On the 15th day of May, 1945, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of R. A. Bean, of Kimberly, Idaho, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No Protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that said transfer would enable said applicant to put the water to a more beneficial use, and that no one would be injured thereby:

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 16th day of May, A. D. 1945.

MARK R. KULP
State Reclamation Engineer
By 
Roy W. Thompson
Supervisor of Water Distribution

T-673
45-2090

State of Idaho

License and Certificate of Water Right

Water License No. 6863
Water District No.

Amount .8 of 1 sec. ft.
Priority January 3, 1911

THIS IS TO CERTIFY that J. E. BURKE
of Rock Creek, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 18, 1910; that Permit No. 6863
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
One (1) second feet, was issued thereunder on December 15, 1914, showing that said works
were completed on the 30th day of November, 1914; and that on the 19th
day of January, 1915,

J. E. BURKE

of Rock Creek, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of the right to use the waters of Rock Creek
, a tributary of - - - , for the purpose of irrigation and
domestic use, under Use Permit No. 6863 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the State Reclamation Engineer
of Licenses, at page 4259, on the 25th day of April, 1945;
The right hereby confirmed dates from January 3, 1911;

The Point of Diversion is located
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Tp. 12 S., R. 18 E., B.M. Twin Falls County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .8 of one
cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	18 E.	27	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	- -	15 25
Number of Acres Actually Irrigated -					40
This license is issued in correction of License previously issued under Permit No. 6863, and recorded in Volume 4 of Licenses, page 1869, said license being dated September 16, 1915					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 25th day of April, 1945

(SEAL)

MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

47-2480
45-2050

County: Twin Falls
Stream: Rock Creek
Amount: 8/10 of 1 sec. foot.
Use: Irrig. & Dom.
Priority: Jan. 3, 1911.

STATE OF IDAHO

Water License No. 6863

WHEREAS, On the 18th day of November, A. D. 1910,

J. E. Burke

of Rock Creek, County of Twin Falls, State of Idaho, duly made application (No. 9927) to me for a permit to use One (1) cubic foot per second of the waters of Rock Creek,

County of Twin Falls, State of Idaho, for Irrigation and domestic purposes, and,

WHEREAS, On the 3rd day of December, A. D. 1910, Permit No. 6863 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 3rd day of December, A. D. 1912, and for the application to beneficial use of said water on or before the 3rd day of December, A. D. 1914, and,

WHEREAS, On the 30th day of November, A. D. 1914,

J. E. Burke

the holder of said permit, duly made proof of the completion of adequate works for the diversion of One (1) Cubic foot ~~per~~ per second of said waters, as evidenced by my Certificate No. 6863 dated December 18, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use one (1) Cubic foot per second of said water, with date of priority of November 18, 1910, and

WHEREAS, On the 19th day of January, A. D. 1915,

J. E. Burke

the holder of said permit, duly made proof of the application to beneficial use of 8/10th of one cubic foot per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to J. E. Burke

of Rock Creek, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 6863, a perpetual right, dating from January 3, 1911 to the use of 8/10ths of 1 cubic foot per second of the waters of Rock Creek,

in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 1, T. 12 S., R. 18 E.B.M.

and conducted to and upon 40 acres as follows: 25 acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and 15 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 27, T. 11 S., R. 18 E.B.M.

for the purpose of Irrigation and Domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of September, A. D. nineteen hundred and Fifteen.

J. H. Smith.

(Seal)

State Engineer:

45-290
No. 9927.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: J. E. Burke.

Postoffice address: Rock Creek.

County Twin Falls State: Idaho.

2. The quantity of water claimed is one cubic foot per second.

3. Source of water supply: Rock Creek.

County of Twin Falls.

4. Location of point of diversion: NW4 Sec. 36 Tp. 11 S. R. 18 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 46 acres.

(b) In the following legal subdivisions: S2 SE4 Sec. 27 Tp 11 S. R. 18 E.

6. Estimated cost of works: \$100.00

7. Description of works for diversion: Dam and Ditch.

I. Kind of works: Dam and ditch.

II. Dimension of works:

(a) Height of dam 4 feet, length of dam at top 30 feet, length of dam at bottom 25 feet. Material used in construction: Logs, Earth & Stone.

(b) Size of headgate: Width 4 feet, height 3 feet.

(c) Conduit Ditch, width at bottom 5 feet, width at water line 1 1/2 feet, depth of water 1 1/2 feet. Length of conduit is about 3 miles and it crosses the following quarter sections: NW4 sec. 36 NW4 and NW4 sec. 35 NW4 sec. 34 SE4 sec. 27 T. 11 S. R. 18 E. to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is 2 additional years.

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

J. E. Burke,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6863.

Date of first receipt of application 9.00 a.m. November 18, 1910.

Recorded in Book 20 Page 6863 Approved December 3, 1910.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before February 1, 1911 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 3, 1911.

The whole of said work to be completed on or before December 3, 1912.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to December 3, 1914.

Witness my hand this third day of December, 1910.

D. G. Martin,

State Engineer.

Proof of Completion of Works made November 30, 1914.

Certificate of Completion of Works issued December 15, 1914.

PERMIT NO. 6863

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that J. E. Burke of Rock Creek, County of Twin Falls, and State of Idaho, the holder of Permit No. 6863, issued upon Application No. 9927, bearing date of priority of November 18, 1910, authorizing the diversion of 1 second foot of the waters of Rock Creek, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1 second-foot of the waters of Rock Creek; that the point of diversion of said waters is at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, Tp. 11 S. R. 18 E.B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 27, T. 11 S. R. 18 E.B.M., containing 46 acres.

Witness my hand this 15th day of December, A. D. 1914.

Herbert Wing,

Acting State Engineer of the State of Idaho.

License issued for 8/4 second feet

Oct 7, 1914

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 6863.

Comes now, J. E. Burke, of Rock Creek, Idaho, and represents to the State Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 6863, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: The South half of the Southwest quarter of Section twenty seven (27) Township eleven (11) South of Range eighteen (18) East of Boise Meridian, making a total of firtysix (46) acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Rock Creek, Idaho, this 4th day of March, 1915.

J. E. Burke.

Date of receipt at Office of State Engineer Mar. 6, 1915.

APPROVAL OF STATE ENGINEER.

I, Herbert Wing, Acting State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the public waters of the State of Idaho, No. 6863. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Witness my hand this 6th day of March, 1915.

Herbert Wing,
Acting State Engineer.

REPORT OF ENGINEER

1. State name of applicant and number of permit: J. E. Burke, Permit #6863.
2. State source of water supply: Rock Creek, --One Second Foot.
3. Location of point of diversion: NW quarter NE quarter section 1, T 12 S, R
18 E. B. M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.
5. Describe works as they exist, giving dimensions and capacities of same: Diverted from
Rock Creek by means of dam, and run through a ditch owned by several
parties, and having a capacity of about 500 inches. Mr. Burke takes h
is water out of the company ditch just south of his land by means of
a small wooden gate, and conveys it to his land in a lateral of about
two second feet capacity. His land lies south and adjacent to the
Twin Falls Canal Company's High Line Canal.
6. State whether or not water has been turned into works of diversion: Yes.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): South half of
the south-east quarter of section 27, T. 11 south, range 18 E. B. M.
Forty acres in cultivation on two forties. The Twin Falls canal cuts
off the northern portion of both of these forties.
8. Submit map on enclosed plat, showing location and details of above description.

Remarks: A good proof.

This examination was made on the 29th day of June 1915.

(Signed)

J. H. Wilkie
Deputy State Engineer, Examiner.

OVER

6863

8/2

Name of Applicant: S. E. Kharke

