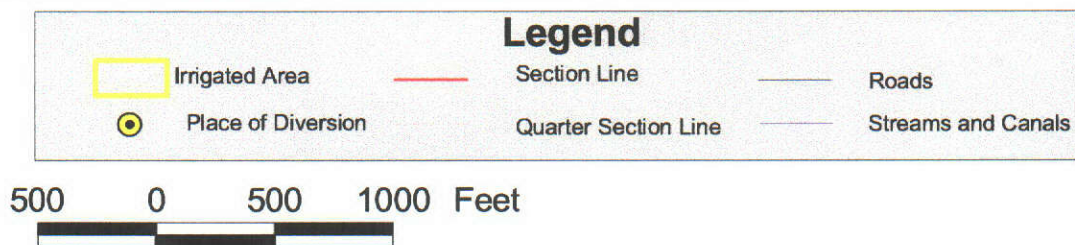
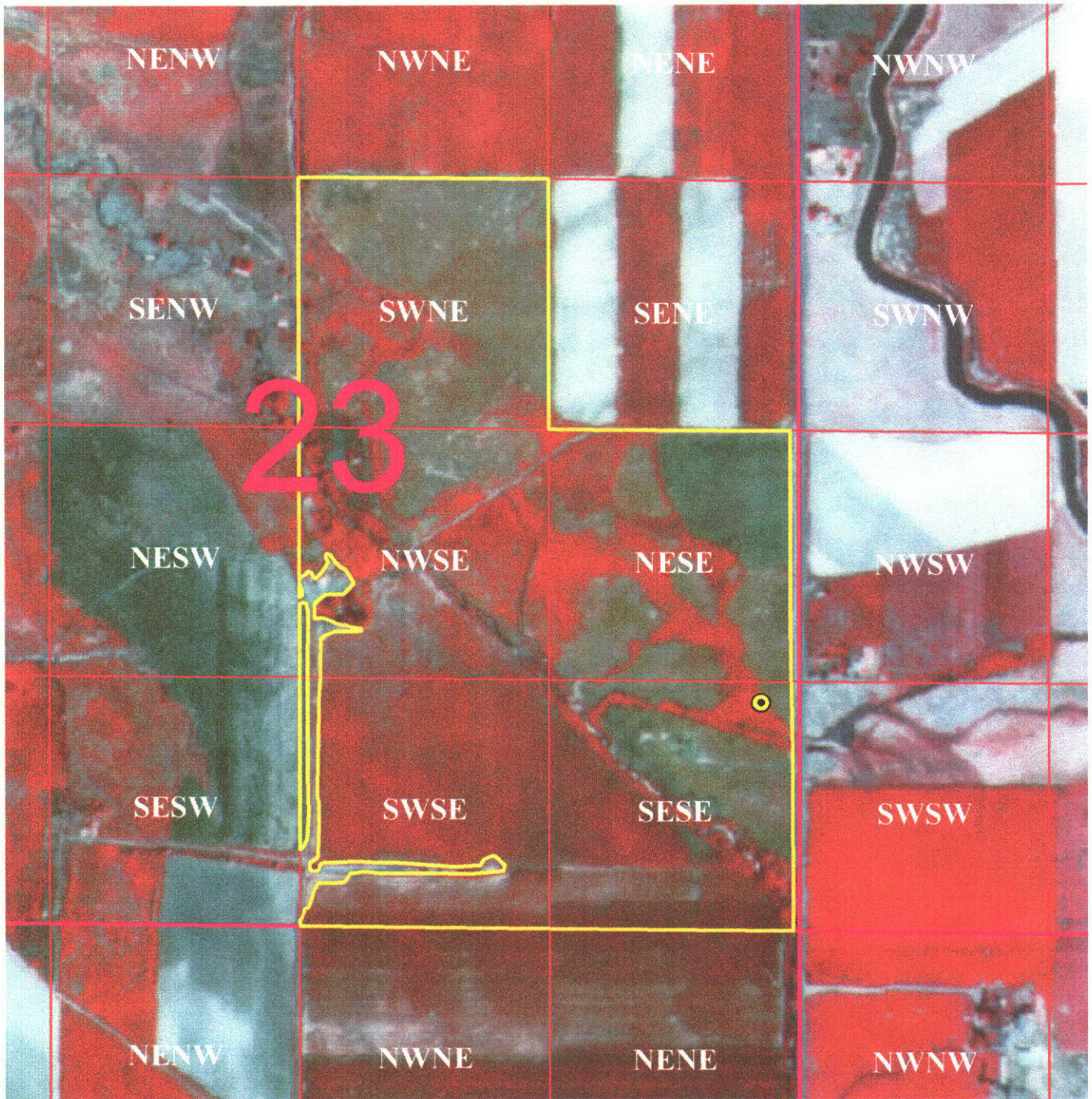


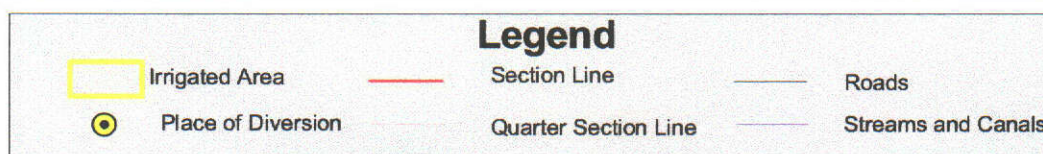
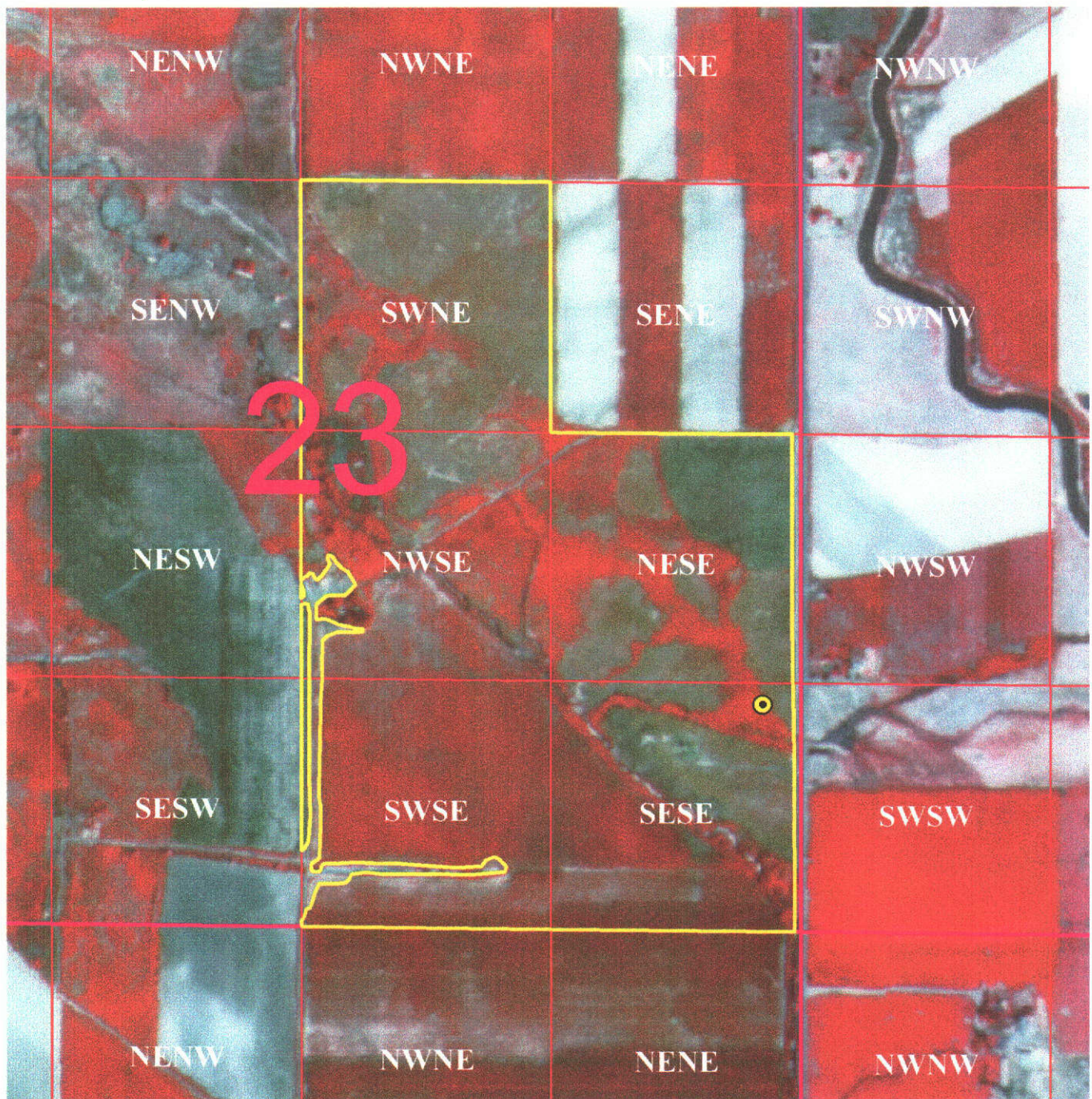
Water Right Claim Number A47-02489
Township , 11S18E

10/05/2000



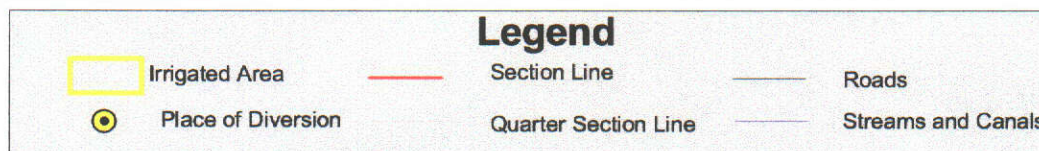
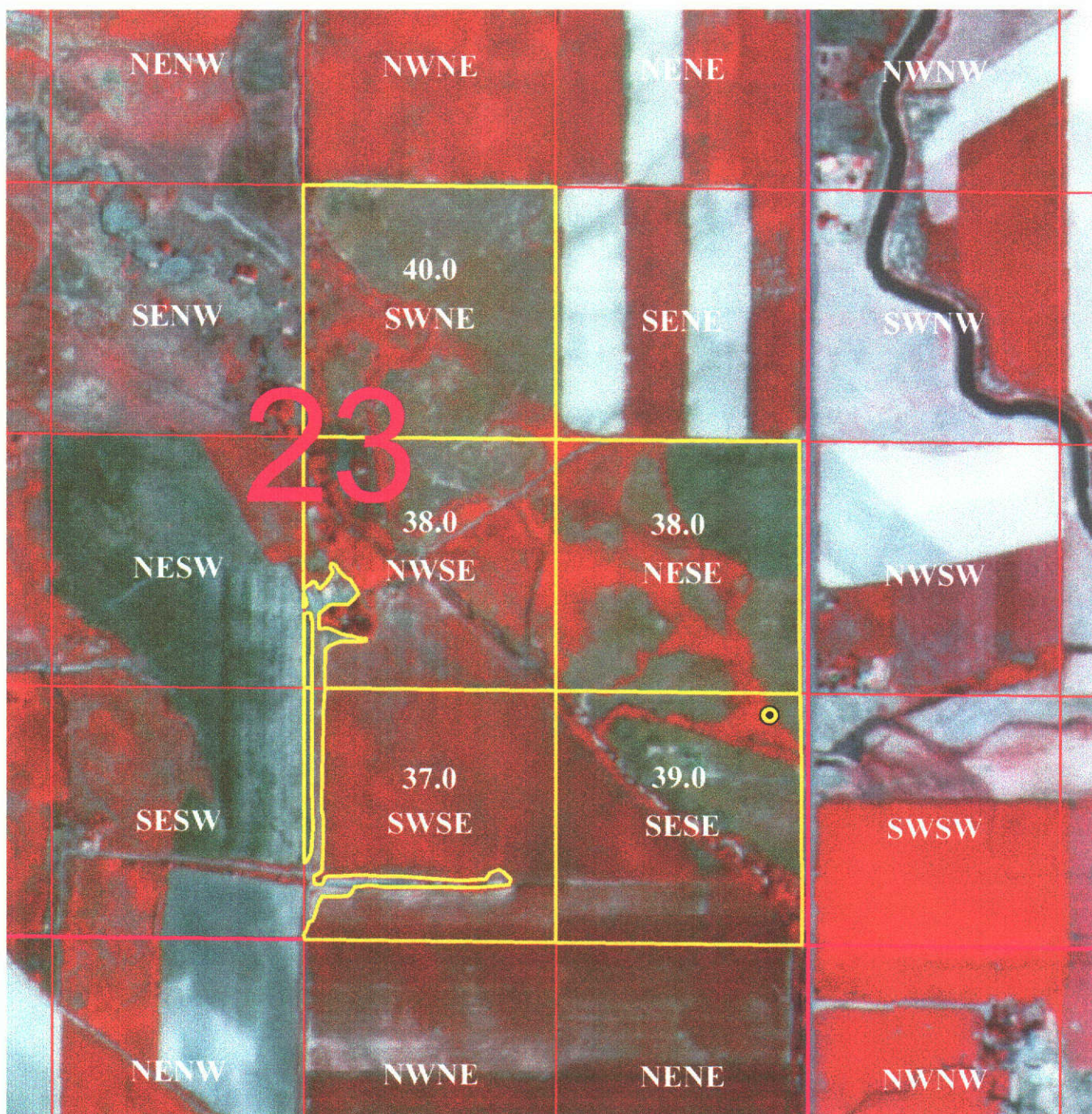
Water Right Claim Number A47-02489
Township , 11S18E

10/05/2000



Water Right Claim Number A47-02489
Township , 11S18E

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: A47-02489
Date Received: 2/16/1989
Receipt No: S006311
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID FUNK 208-432-5270
Address: RT. 1
MURTAUGH, ID 83344

OR
Name: DARRELL FUNK 208-432-5386
Address: RT. 1
MURTAUGH, ID 83344

2. Date of Priority: NOV 06, 1915

3. Source: UNNAMED COULEE Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	18E	23	NE	SE	SE		TWIN FALLS

5. Description of diverting works:
POND AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 495.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-02489

Page 1

Date: 02/16/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	18E	23	SW		NE		IRR	40.0
			NE		SE		IRR	30.0
			NW		SE		IRR	40.0
			SW		SE		IRR	30.0
			SE		SE		IRR	25.0

Section Acres 165.0

Total Acres 165.0

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:
A47-00144, A47-00157

14. Remarks:
SOURCE AKA ANTELOPE SPRINGS.

15. Basis of Claim: LICENSE
Water Right Number: 11799

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: _____

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): Samuel Funk Date: 2-16-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of February 19 89 Steve Chell
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994

ROCK
CREEK

22

23

46

40

30

40

35

UNNAMED
STREAM

27

26

11S.
18E.

35

A47-02489

1075 1114
MAR 1 1948

State of Idaho

License and Certificate of Water Right

Water License No. 11799

Amount 2 cfs. ft.

Water District No. 30

Price \$100.00, 1915.

THIS IS TO CERTIFY that

of 421 Soles Building, 3rd St., Boise, Idaho, made application for permit to appropriate the public waters of the State of Idaho, and on November 10, 1915, that permit No. 11799 was issued under said application, of a Certificate of Completion of works, with a carrying capacity of 2 second feet, was issued thereunder on November 10, 1915, showing that said works were completed on the 10th day of October, 1916; and that on the 1st day of July, 1918.

Utah Construction Company,

of Ogden, State of Utah, made proof to the satisfaction of the Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of unnamed drainage coulees, a tributary of Rock Creek, for the purpose of irrigation and domestic uses under Use Permit No. 11799 of the State Engineer, 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 Engineer of Idaho and entered of record in Volume 5 of indexes at page 2477, on the 10th day of October, 1919.

The right hereby confirmed dates from November 10, 1915.

The Point of Diversion is located

in the 34th 34th Sec. 24, T. 16 N., R. 16 E., 1st 4th.

But the amount of water to which herein entitled is hereby confirmed for the purpose aforesaid, is limited to an amount actually needed and beneficially used for said purpose and shall not exceed 2 cubic feet per second.

Description and location of use:

Typ.	Range	Sec.	Quarter-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 3.	16 E.	23	SE 1/4 SW 1/4	40	25
			SW 1/4 SW 1/4	40	30
			NE 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	40
			SW 1/4 NE 1/4	40	40
Total area irrigated					165 acres

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

day of October, 1919.

MICROFILMED

MAR 11 1993

4:0211

POOR ORIGINAL

T 11 S.

4-11
1500

SEC.

SEC. 15

SEC. 14

SEC.

SEC. 12

SEC. 13

SEC.

SEC. 7

SEC. 6

SEC.

MICROFILMED

OCT 27 1984

SEC.

REINFORCED CONCRETE

Log for claim A47-02489

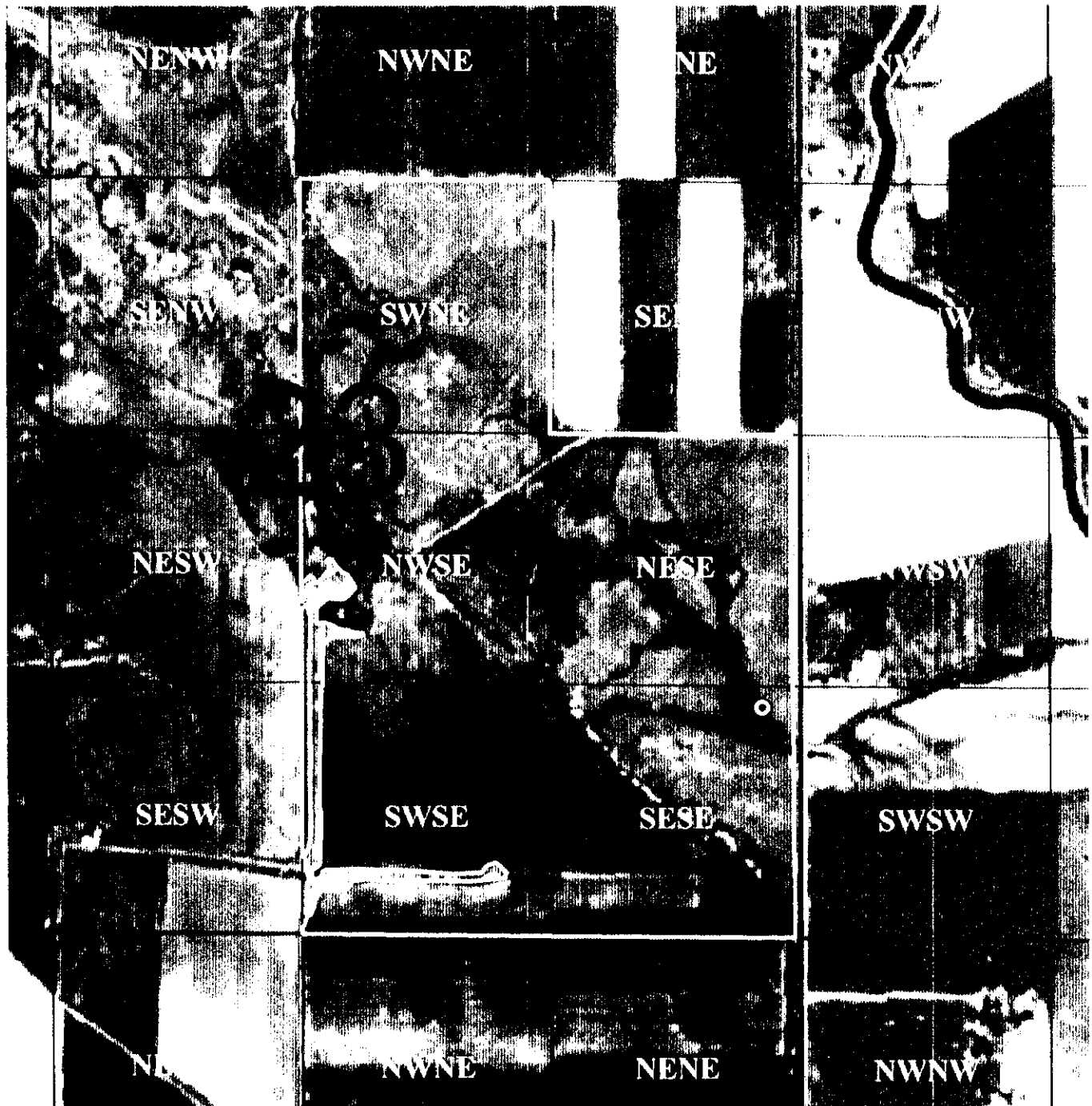
Spatial Dynamics LTD

10/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s18e	23	SWNE	40	40	
11s18e	23	NESE	30	38	Indiscernible
11s18e	23	NWSE	40	38	
11s18e	23	SWSE	30	37	Indiscernible
11s18e	23	SESE	25	39	Indiscernible
Totals:			165	192	

Water Right Claim Number A47-02489
Township , 11S18E

10/05/2000



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals



500 0 500 1000 Feet



Water Right Claim Number A47-02489
Township , 11S18E

10/05/2000



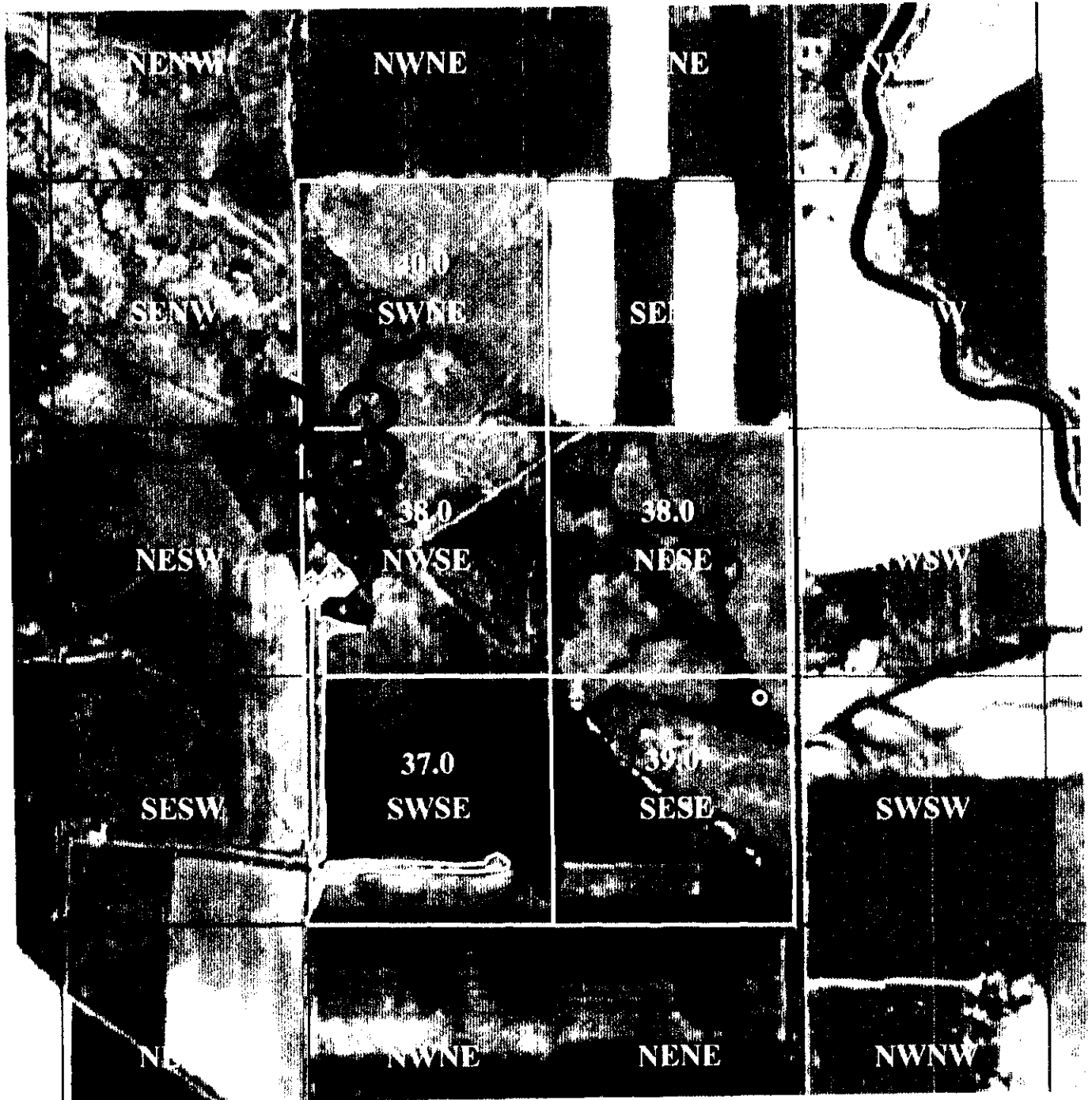
Legend		
Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals

500 0 500 1000 Feet



Water Right Claim Number A47-02489
 Township , 11S18E

10/05/2000



Legend

Irrigated Area

Section Line

Roads

Place of Diversion

Quarter Section Line

Streams and Canals



500 0 500 1000 Feet



AJ5809NP
No. A47-02489

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 235

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID FUNK RT 1 MURTAUGH ID 83344 (208) 432-5270	11/06/1915	IRRIGATION	03-15 11-15	2.000 CFS	
				TOTAL DIVERSION:	2.000 CFS	
				CONSUMPTIVE USE:		495.00 AFA

C DARRELL FUNK
RT 1
MURTAUGH ID 83344
(208) 432-5386

Water Source: UNNAMED COULEE

Tributary to: ROCK CREEK

Stage: LICENSE

Point(s) of Diversion: T11S R18E S23 NESESE

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	:	SUM	
11S	18E	23	:			40								30	40	30	25	165.0
																	TOTAL ACRES	165.0

POU County: TWIN FALLS

Other Rights: A47-00144, A47-00157

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-14192 A47-00157A A47-14192

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020925 A47-00144 A47-00157 A47-14188 A47-15262

Remarks: GEN SOURCE AKA ANTELOPE SPRINGS.

Dates: Exam Made Date: Verified Date: 03/12/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/16/89 CLELLAND 03/30/95 POST-STD

State of Idaho
License and Certificate of Water Right

Water License No. 11799
Water District No. 30

Amount 2 sec. ft.
Priority Nov. 6, 1916.

THIS IS TO CERTIFY that Utah Construction Company of 421 Eccles Building, O. B. N., Utah, made application for a permit to appropriate the public waters of the State of Idaho, dated November 6, 1915; that Permit No. 11799 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2 second feet, was issued thereunder on November 10, 1916, showing that said works were completed on the 25th day of October, 1916; and that on the 1st day of July, 1916.

Utah Construction Company of the State of Utah, made proof to the satisfaction of the Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of unnamed drainage coulee, a tributary of Rock Creek, for the purpose of irrigation and domestic uses under Use Permit No. 11799 of the Commissioner 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 Engineer of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2477, on the 10th day of October, 1919.

The right hereby confirmed dates from November 6, 1915.

The Point of Diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, T. 11 S., R. 18 E., B. M.

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 2 cubic feet 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.	23	SE $\frac{1}{4}$ SP $\frac{1}{4}$	40	25
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			WP $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	<u>40</u>
Total area irrigated					165 acres

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, State Engineer, affixed at Boise, Idaho, this 10th day of October, 1919.

W. G. SWENDSEN,
Commissioner of Reclamation. State Engineer.

(SEAL)

11799
10-19-19

No. 17039.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

46-2156

1. Name of applicant: Utah Construction Company.

Postoffice address: 421 Eccles Bldg., / Ogden County: Weber State: Utah.

- I. If applicant is a corporation, give

- (a) Date and place of incorporation: January 1900, Ogden, Utah.
 (b) The amount of capital stock:
 (c) The amount paid in:
 (d) Names and addresses of directors:

- II. The financial resources of the applicant are: (a) Cash on hand:
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:

2. The quantity of water claimed is Two cubic feet per second.
 3. Source of water supply: An unnamed drainage coulee, which is tributary to Rock Creek,
 4. Location of point of diversion: In the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, T. 11 S. R. 18 E. B. M.

County of Twin Falls.

5. To be used for: Irrigation, Stock and domestic purposes

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 75 acres.
 (b) In the following legal subdivisions: SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SW $\frac{1}{4}$
 and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 23, T. 11 S. R. 18 E. B. M.

- II. Mining, milling, power, manufacturing, transportation or other purposes:

- (a) At what point:

- (b) Amount of power to be generated: H. P. under ft. head
 (c) Is water to be returned to any stream? (d) If so, name stream and locate point of return:

6. Estimated cost of works: \$600.00

7. Description of works for diversion:

- I. Kind of works: Dam and Ditch

- II. Dimensions of works:

- (a) Height of dam 8 feet, length of dam at top 50 feet,
 length of dam at bottom 40 feet. Material used in construction: Timber and earth
 (b) Capacity of reservoir acres feet. (c) Size of headgate, width 2 feet,
 Height 2 feet. (d) Conduit Ditch width at bottom 2 feet,
 width at water line 3 feet, depth of water 0.75 feet; diameter of pipe
 inches; average grade per mile is 15.8 feet. Length of conduit is 0.75 miles,
 and it crosses the following quarter sections: SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 23, T. 11 S. R. 18 E. B. M.

8. The time required for the completion of the construction of such work is 1 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.

The Utah Construction Co.
 Applicant.

By W. L. Wattis. Agent.

Date of first receipt at office of State Engineer 9.00 a.m. November 6, 1915.

Returned to applicant for correction November 10, 1915.

Corrected application received November 17, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11799

Recorded in Book 40 Page 11799 Approved November 30, 1915.

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 approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before _____
 Work to begin on or before January 29, 1916 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 May 30, 1916.

The whole of said work to be completed on or before November 30, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before November 30, 1918.

Witness my hand this 30th day of November, 1915.

J. H. Smith,
 State Engineer.

Remarks:

Water to be diverted is waste from farms lying on each side of coulee.

STATE OF IDAHO,)
 : SS.
 County of Weber.)

W. L. Wattis, being first duly sworn, upon his oath deposes and says:

That The Utah Construction Co.. is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 11799.

That he intends to change the point of diversion, as described in said permit, to the following described point: SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 24, Twp. 11, South, R. 18 East, B. M.

That such change will be made for the following reasons, to-wit: To secure additional fall and to prevent backing water up past county road, and to prevent loss of water through fissures in lava bottom of coulee.

That no one will be injured by such change and that deponent will make such change at his own risk. Affiant makes this affidavit as an officer and by the authority of the said The Utah Construction Company.

And further deponent saith not.

W. L. Wattis.

Subscribed and sworn to before me this 23rd day of September, 1916.

Fred F. Bond,
 Notary Public.

My commission expires August 30th, 1918.

Received and filed for record in the office of the State Engineer, at Boise, Idaho, at 9.00 A. M. Sept. 26, 1916.

J. H. Smith,
 State Engineer.

Proof of completion of works made Oct.25, 1916.
Certificate issued Nov.10, 1916.

PERMIT NO. 11799.

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Utah Construction Company, of Ogden, County of Weber, and State of Utah, the holder of Permit No. 11799, issued upon Application No. 17039, bearing date of priority of November 6, 1915, authorizing the diversion of two (2) second feet of the waters of an unnamed coulee, tributary to 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 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 two (2) second feet of the waters of an unnamed coulee, tributary to Rock Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec.24, T.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: Parts of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of S E $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec.23, T. 11 S., R. 18 E., B.M., containing 85 acres.

Witness my hand this 10th day of November, A.D. 1916.

J.H. Smith,

State Engineer of the State of Idaho.

10000

2.0
Page 2477

10000

REPORT OF ENGINEER

40

This proof is for ~~Beneficial Use~~In Water District No. 301. State name of applicant and number of permit: Utah Construction Co. Permit 117992. State source of water supply: Unnamed drainage coulees. Dressage creek3. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 11 S., R. 18 E., B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

Rock apron down, 100 ft long, 3 1/2 ft high,
No headgate, ditch 3 ft bottom, 2 1/2 ft deep.
Capacity 5 sec ft.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 11 S., R. 18 E., B.M.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? No other parties

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

None

Remarks:

This examination was made on the 27 day of Sept 19 19(Signed) R. G. Pierce

Examiner.

11799

NAME OF APPLICANT *Utah Construction Co - Permit 11799*

Imp. 11 S. RISE, B.M.

SEC. 15

SEC. 17

SEC. 16

SEC. 15

SEC. 14

11799

SEC. 19

SEC. 20

SEC. 21

SEC. 22

SEC. 23

SEC. 24

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

*3
12
16.5
19.0
12*

*12
15
18
21*

*40
40
30
30*

Public Road

*Creek
Division*

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.