

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3672

APPLICATION FOR TRANSFER OF WATER RIGHTS

PART 1

Department of Water Resources
Eastern District Office

APPROVED

Name of applicant Ronald J. Funk Phone (208) 226-5900
Post Office address 3826 Funk Lane, American Falls, ID 83211

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The ground the water is currently appurtenant to is in CRP. It will not be farmed again for 8 years.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------------|-----------------------|-------------------|------------------------------|
| <u>35-02312</u> | <u>04-29-1958</u> | <u>2.76</u> | <u>Irrigation</u> | <u>04-01</u> to <u>11-01</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 2.76 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	35	6S	29E	Power	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	29E	35									17.5	17.5	17.5	17.5	17.5	17.5	17.5	17.5	140

Total acres 140

PART 1**6. General Information:**

a. Description of diversion system Well and pump to wheel lines

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

The land is currently in CRP. There will not be any affect on the land. The
CRP does not expire for 8 years, the lease is for 7 years.

d. Remarks:

The lease of this water will be reviewed on a year by year basis on January 1 of
each year. The lease is for 7 years. See attached copy of the lease for details.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2312

And said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this

28th

day of

March

19

90

J. Glen Saylor
Chief, Water Alloc. Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-02312 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-29-1958

5. Water is used for the following purpose:

amount 3.95 for Irrigation purposes from April 1 to November 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.95 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	31	4S	31E	Bingham	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	31E	31									35	40	35	35	2.5	5	35	5	192.5
		32										5	2.5						7.5

Total acres 200

9. Describe any other water rights used for the same purpose as described above 35-07882

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 2.76 for Irrigation purposes from 4-1 to 11-1
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	31	4S	31E	Bingham	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	31E	31									35	40	35	30					140

Total acres 140

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.19 for _____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	31	4S	31E	Bingham	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	31E	31												5	2.5	5	35	5	52.5
												5	2.5						7.5

Total acres 60.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ 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.

Ronald J. Funk

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of February, 19 90.

Valerie Wray

(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by D.D. Date 1-22-90 Protest filed by _____Prelim. check by D.D. Fee \$50.00 _____Receipted by D+D E011804 Date 1-22-90 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 18, 1990

RECEIVED

JUN 26 1990

Department of Water Resources
Eastern District Office

Reid Stewart
3100 W. 1000 S.
Aberdeen, ID 83210

Ronald Funk
3826 Funk Ln.
American Falls, ID 83221

RE: Amendment to Permit No. 35-7882 and Transfer of Water Right
No. 35-2312

Gentlemen:

On June 6, 1990, Mr. Stewart called me and questioned my reference to the retention of 60 acres of the 200 acre place of use listed by right no. 35-2312. I have consulted the transfer documents, and confirmed that water for irrigation of 140 acres irrigation was leased to Mr. Funk, and that water was retained by Stewart for irrigation of 60 acres. Our records show that Mr. Stewart retained water for the irrigation of 60 acres, not 80 acres which he alleges.

If there is a dispute, I would be happy to provide copies of our records.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Eastern Region ✓

October 24, 1991

I, Ronald J Funk, am no longer using or leasing water rights 35-02312 and 35-07882. With this instrument I release them to Reid G Stewart and to thier original place of use.

I do solemnly swear or affirm that the statement aboved contained letter is true and correct.

Signature Ronald J. Funk Date Oct. 24, 1991

Subscribed and sworn (or Affirmed) before me this 24th day
of October 19 91

Seal

Notary Public Allen Gray
Residing at Waco Falls, Va
My Commission Expires 6/20/97