

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 2 AM 10 30

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MAY 03 2007
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

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Case No. 39576

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Water Rights: 2-2159, 2-2354,
2-2398, 2-7184, 2-7229, 2-7284

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐

Address change

☒

Substitution of Party

☐

IC § 42-222

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

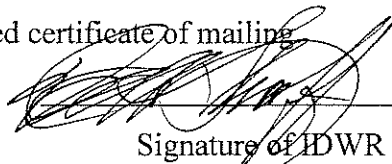
☐

Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Apr 26, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 30, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

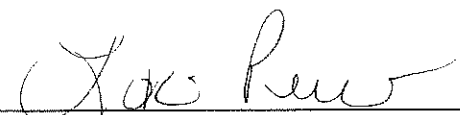
Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Lance D. & Lisa I. Funk
3853 Rast Rd.
American Falls, ID 83211

Sidney D. Wing & Kim E. Wing
P.O. Box 1207
Mountain Home, ID 83647



Signature of person mailing this document

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2159

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12.000 CFS
3,150.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 2-2354 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3150 AF.

PRIORITY DATE: 12/14/1960

POINT OF
DIVERSION:

T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	12.000 CFS 3,150.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S25	NENE	38.00	T05S R06E S25	NWNE	40.00
T05S R06E S25	SWNE	40.00	T05S R06E S25	SENE	37.00
T05S R06E S25	NENW	40.00	T05S R06E S25	NWNW	38.00
T05S R06E S25	SWNW	40.00	T05S R06E S25	SENW	40.00
T05S R06E S25	NESW	40.00	T05S R06E S25	NWSW	40.00
T05S R06E S25	SWSW	40.00	T05S R06E S25	SESW	40.00
T05S R06E S25	NESE	40.00	T05S R06E S25	NWSE	39.00
T05S R06E S25	SWSE	39.00	T05S R06E S25	SESE	39.00

630 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 2-2354 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 630 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2354

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.600 CFS
388.70 AFY

USE OF THIS RIGHT WITH RIGHT NO. 02-2159 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3150 AF.

PRIORITY DATE: 07/10/1964

POINT OF
DIVERSION:

T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.600 CFS 388.70 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S25	NENE	38.00	T05S R06E S25	NWNE	40.00
T05S R06E S25	SWNE	40.00	T05S R06E S25	SENE	37.00
T05S R06E S25	NENW	40.00	T05S R06E S25	NWNW	38.00
T05S R06E S25	SWNW	40.00	T05S R06E S25	SENW	40.00
T05S R06E S25	NESW	40.00	T05S R06E S25	NWSW	40.00
T05S R06E S25	SWSW	40.00	T05S R06E S25	SESW	40.00
T05S R06E S25	NESE	40.00	T05S R06E S25	NWSE	39.00
T05S R06E S25	SWSE	39.00	T05S R06E S25	SESE	39.00

630 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 02-2159 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 630 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-2398

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.740 CFS
935.00 AFY

PRIORITY DATE: 10/01/1966

POINT OF
DIVERSION: T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.740 CFS 935.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S26	NENE	20.00	T05S R06E S26	NWNE	2.00
T05S R06E S26	SWNE	36.00	T05S R06E S26	SENE	34.00
T05S R06E S26	NESE	40.00	T05S R06E S26	NWSE	30.00
T05S R06E S26	SWSE	5.00	T05S R06E S26	SESE	20.00

187 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-7184

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 7.000 CFS
1,750.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 22.28 CFS. COMBINED RIGHT NOS.:
02-02159, 02-02354, 02-02398

PRIORITY DATE: 12/19/1974

POINT OF
DIVERSION:

T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	7.000 CFS 1,750.00 AFY

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S26	SWSE	34.00	T05S R06E S36	NENE	24.00
T05S R06E S36	NWNE	36.00	T05S R06E S36	SWNE	33.00
T05S R06E S36	SENE	6.00	T05S R06E S36	NENW	39.00
T05S R06E S36	NWNW	39.00	T05S R06E S36	SWNW	40.00
T05S R06E S36	SENW	40.00	T05S R06E S36 Lot 2	SWSE	8.00
T05S R06E S36 Lot 3	SWSE	26.00	T05S R06E S36 Lot 4	SWSE	25.00

350 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-7229

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.000 CFS
250.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 22.28 CFS. COMBINED RIGHT NOS.:
02-02159, 02-02354, 02-02398, 02-07814

PRIORITY DATE: 04/16/1976

POINT OF
DIVERSION: T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.000 CFS 250.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S24	SWSW	20.00	T05S R06E S24	SESW	30.00
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50 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

04/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 2-7284

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.460 CFS
607.70 AFY

Rights 02-02159, 02-02354, 02-02398, 02-07184, 02-07229 and 02-07284
when combined shall not exceed a total diversion rate of 22.28 cfs.

PRIORITY DATE: 05/08/1979

POINT OF
DIVERSION:

T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.420 CFS 2.70 AFY
STOCKWATER	01/01 12/31	0.040 CFS 605.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

T05S R06E S23	SESE	5.00	T05S R06E S24	SWSE	40.00
T05S R06E S24	SESE	28.00	T05S R06E S26	NWNE	8.00
T05S R06E S26	SWNE	4.00	T05S R06E S26	SENE	6.00
T05S R06E S26	NWSE	10.00	T05S R06E S26	SESE	20.00

STOCKWATER same as IRRIGATION

121 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 5.0 afa at the field headgate for irrigation of the land described above.