

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
Case No. 39576

Water Rights: 1-7072

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

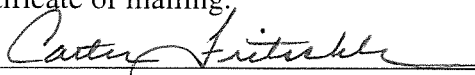
- ☐ Address change
- ☐ Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other

XX IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights 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 rights 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: 1-28-13


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 29, 2013, 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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Director of IDWR
PO Box 83720
Boise ID 83720

☒ hand-delivered

3. Copies to all parties to the subcase:

Darrell Funk
Patricia Funk
3173 N 4900 E
Murtaugh ID 83344

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

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

RIGHT NUMBER: 1-7072

NAME AND ADDRESS:

DARRELL M FUNK
3173 N 4900 E
MURTAUGH ID 83344

PATRICIA M FUNK
3173 N 4900 E
MURTAUGH ID 83344

SOURCE:

Source:
SNAKE RIVER

Tributary:
COLUMBIA RIVER

QUANTITY:

1.540 CFS
751.400 AFY

This right when combined with 45-2320, 45-2746, 45-13642, and 45-13644 shall not exceed a combined annual maximum diversion volume of 7496 af at the field headgate.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation.

PRIORITY DATE: 08/02/1978

POINT OF DIVERSION:

T10S R21E S29 SESE
Within TWIN FALLS County

~~T10S R21E S29 NESESE~~
~~Within CASSIA County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15
~~4/01 10/31~~

1.540 CFS 751.40 AFY

PLACE OF USE:

IRRIGATION

within CASSIA County

T11S R20E S13 SWNW 28.0
T11S R20E S13 SENW 30.0
T11S R20E S13 NESW 32.0
T11S R20E S13 NWSW 32.0
T11S R20E S13 SWSW 32.0
T11S R20E S13 SESW 32.0
T11S R20E S13 NESE 32.0
T11S R20E S13 NWSE 32.0
T11S R20E S13 SWSE 32.0
T11S R20E S13 SESE 32.0

~~T11S R20E S13 SWNE 15.0~~
~~T11S R20E S13 SENE 10.0~~
~~T11S R20E S13 SWNW 35.0~~

~~T11S R20E S13 NESW 40.0~~
~~T11S R20E S13 NWSW 40.0~~
~~T11S R20E S13 SWSW 33.0~~
~~T11S R20E S13 SESW 33.0~~
~~T11S R20E S13 NESE 33.0~~
~~T11S R20E S13 NWSE 40.0~~
~~T11S R20E S13 SWSE 33.0~~
~~T11S R20E S13 SESE 33.0~~
~~T11S R20E S14 SWNE 10.0~~
~~T11S R20E S14 SENE 30.0~~
~~T11S R20E S14 NESW 33.0~~

T11S R20E S14 SENE 23.0
T11S R20E S14 NESW 34.0
T11S R20E S14 NWSW 33.0

<u>T11S R20E S14 SWSW 32.0</u>	~~T11S R20E S14 SWSW 33.0~~
<u>T11S R20E S14 SESW 32.0</u>	~~T11S R20E S14 SESW 33.0~~
<u>T11S R20E S14 NESE 32.0</u>	~~T11S R20E S14 NESE 40.0~~
<u>T11S R20E S14 NWSE 34.0</u>	~~T11S R20E S14 NWSE 33.0~~
<u>T11S R20E S14 SWSE 32.0</u>	~~T11S R20E S14 SWSE 33.0~~
<u>T11S R20E S14 SESE 32.0</u>	~~T11S R20E S14 SESE 33.0~~
<u>T11S R20E S23 NENE 33.0</u>	
<u>T11S R20E S23 NWNE 34.0</u>	~~T11S R20E S23 NWNE 33.0~~
<u>T11S R20E S23 SWNE 33.0</u>	
<u>T11S R20E S23 SENE 32.0</u>	~~T11S R20E S23 SENE 33.0~~
<u>T11S R20E S23 NENW 33.0</u>	
<u>T11S R20E S23 NWNW 33.0</u>	
<u>T11S R20E S23 SWNW 33.0</u>	
<u>T11S R20E S23 SENW 33.0</u>	
<u>T11S R20E S23 NESW 34.0</u>	~~T11S R20E S23 NESW 33.0~~
<u>T11S R20E S23 NWSW 33.0</u>	
<u>T11S R20E S23 SWSW 32.0</u>	~~T11S R20E S23 SWSW 33.0~~
<u>T11S R20E S23 SESW 33.0</u>	
<u>T11S R20E S23 NESE 33.0</u>	
<u>T11S R20E S23 NWSE 34.0</u>	~~T11S R20E S23 NWSE 33.0~~
<u>T11S R20E S23 SWSE 33.0</u>	
<u>T11S R20E S23 SESE 32.0</u>	~~T11S R20E S23 SESE 33.0~~
<u>T11S R20E S24 NENE 32.0</u>	~~T11S R20E S24 NENE 33.0~~
<u>T11S R20E S24 NWNE 32.0</u>	~~T11S R20E S24 NWNE 33.0~~
<u>T11S R20E S24 SWNE 33.0</u>	
<u>T11S R20E S24 SENE 32.0</u>	~~T11S R20E S24 SENE 33.0~~
<u>T11S R20E S24 NENW 32.0</u>	~~T11S R20E S24 NENW 33.0~~
<u>T11S R20E S24 NWNW 31.0</u>	~~T11S R20E S24 NWNW 33.0~~
<u>T11S R20E S24 SWNW 32.0</u>	~~T11S R20E S24 SWNW 33.0~~
<u>T11S R20E S24 SENW 33.0</u>	
<u>T11S R20E S24 NESW 34.0</u>	~~T11S R20E S24 NESW 33.0~~
<u>T11S R20E S24 NWSW 33.0</u>	
<u>T11S R20E S24 SWSW 32.0</u>	~~T11S R20E S24 SWSW 33.0~~
<u>T11S R20E S24 SESW 33.0</u>	
<u>T11S R20E S24 NESE 33.0</u>	
<u>T11S R20E S24 NWSE 34.0</u>	~~T11S R20E S24 NWSE 33.0~~
<u>T11S R20E S24 SWSE 33.0</u>	
<u>T11S R20E S24 SESE 32.0</u>	~~T11S R20E S24 SESE 33.0~~

1647 ACRES TOTAL

1742 ACRES TOTAL

Rights 01-7072, 45-2320, 45-2746, 45-13642, 45-13643, 45-13644, and 45-13645 when combined shall not exceed the irrigation of 1874 acres.

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.

~~Water shall not be diverted under this permit until a written agreement with the Milner Irrigation District is obtained by the applicant and filed with the Department of Water Resources and with the watermaster of Water District 01. Such agreement shall substantially describe how the water shall be diverted and delivered to the applicants pumping station located in Section 14, Twp. 11S, Rge. 20E, B.M.~~

~~This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License Permit

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

~~Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works and at the redirection pumping station.~~

~~Use of water under this right is subject to control by the watermaster of State Water District No. 1.~~