

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A35-02312B

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 23916

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

*** C - CURRENT OWNER ***
RENUMBERED

1 -
2 -
3 -
City- N State- ID Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
FUNK

RONALD J

1 - 3826 FUNK LANE
2 -
3 -
City- AMERICAN FALLS State- ID Zip- 83211
Phone - 208-000-0000

HUETHER

ARTHUR H

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/17/1953 15 EASTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
06S 29E 35 SW SW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.760

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.760 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
06S 29E 35 NE SW 17.5 01 IRRIGATION (77) POWER
06S 29E 35 NW SW 17.5 01 IRRIGATION (77) POWER
06S 29E 35 SW SW 17.5 01 IRRIGATION (77) POWER
06S 29E 35 SE SW 17.5 01 IRRIGATION (77) POWER
06S 29E 35 NE SE 17.5 01 IRRIGATION (77) POWER
06S 29E 35 NW SE 17.5 01 IRRIGATION (77) POWER
06S 29E 35 SW SE 17.5 01 IRRIGATION (77) POWER
06S 29E 35 SE SE 17.5 01 IRRIGATION (77) POWER

Total Acres: 140.0

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PROTECTED

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/12/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3672

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Eastern District Office

Phone (208) 226-5900Name of applicant Ronald J. FunkPost 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 35-02312 Priority 04-29-1958 Amount (cfs/ac-ft) 2.76 Nature of Use Irrigation Period of Use 04-01 to 11-01
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	1/4	1/4	1/4	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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
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

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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

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Total acres 200

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

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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	1/4	1/4	1/4	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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
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	1/4	1/4	1/4	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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	31E	31												5	2.5	5	35	5	52.5
												5	2.5						7.5

PROFILE

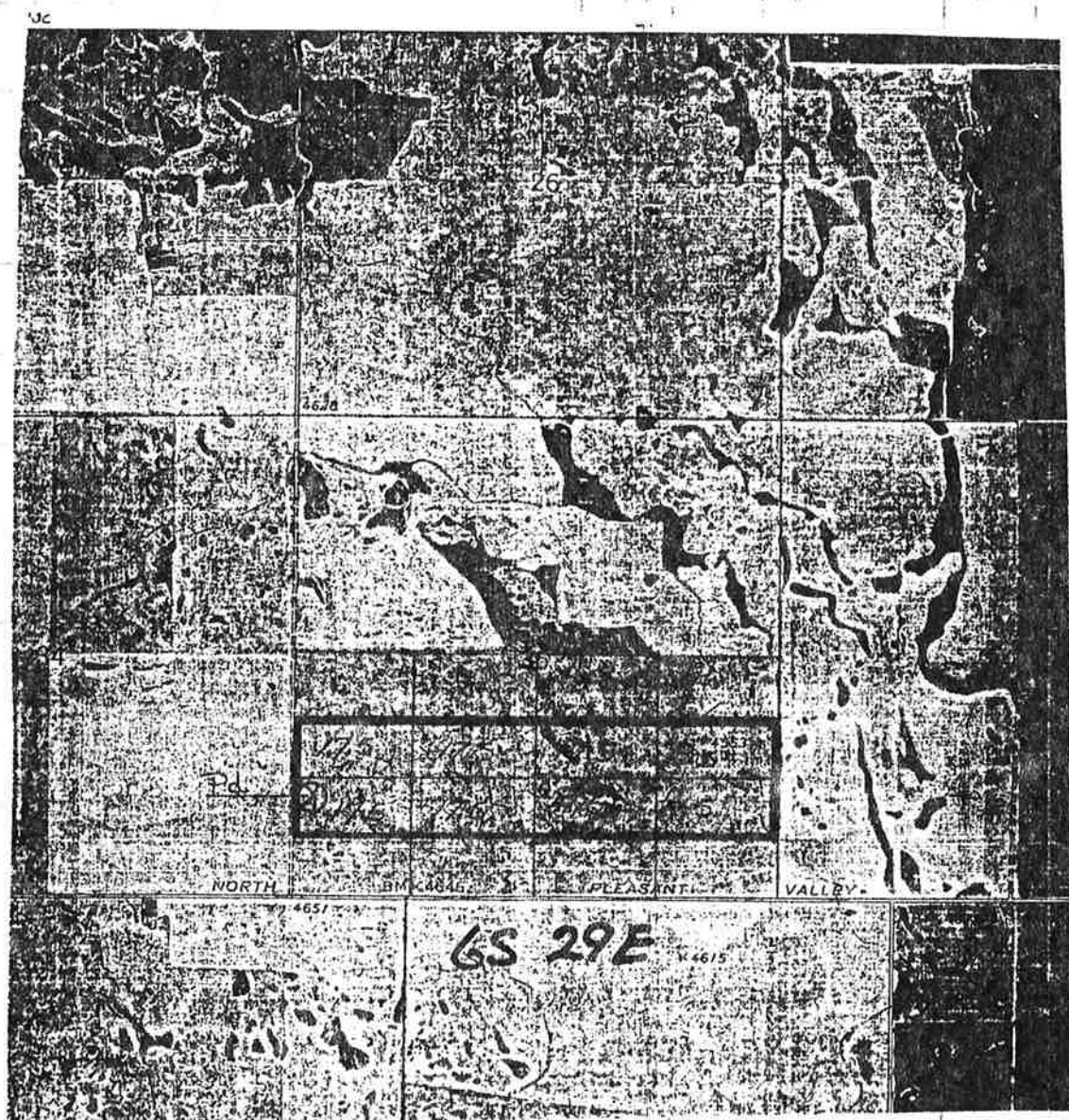
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Total acres 60.50

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.



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

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

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

Ronald J. Funk
(Signature of Applicant)

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 _____

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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 ✓

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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 William Wray
Residing at Wako Falls, Va
My Commission Expires 6/20/97

PROA

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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

Renumbered A35-2312

Ident. Number: A35-02312B

Date Received: 2/12/1992

Receipt No: X777777

Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: RONALD J FUNK
Address: 3826 FUNK LANE
AMERICAN FALLS ID 83211

2. Date of Priority: MAR 17, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	29E	35		SW	SW		POWER

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.760		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	29E	35	NE	SW		IRR	17.5
			NW	SW		IRR	17.5
			SW	SW		IRR	17.5
			SE	SW		IRR	17.5
			NE	SE		IRR	17.5

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A35-02312B

Page

1 **SCANNED**

Date: 01/10/94 **MICROFILMED**

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APR 15 1994



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	29E	35	NW	SE		IRR	17.5
			SW	SE		IRR	17.5
			SE	SE		IRR	17.5

Section Acres 140.0

Total Acres 140.0

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

TRANSFER 3672.

15. Basis of Claim: LICENSE

Water Right Number: 23916

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): _____ Date: _____
_____ Date: _____

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State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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