

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84783

RECEIVED

MAR 03 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Brent Funk and Chalet Funk

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Brent Funk and Chalet Funk Phone 208-308-8080
Mailing address 3202 N 3900 E Hansen, Idaho 83334 Email magicmilkc@msn.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Brent Funk
Signature of Applicant or Authorized Representative

BRENT Funk
Print Name and Title if applicable

2-26-21
Date

Chalet Funk
Signature of Applicant or Authorized Representative

Chalet Funk
Print Name and Title if applicable

2-26-21
Date

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. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**. 366.0

This transfer proposes to create a ~~366.0~~ acre permissible place of use with a 269.9 acre irrigation place of use.
Water from Rock Creek and ground water are applied to this farm. The PPU will allow more flexibility in management of the water rights.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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DEPT OF WATER RESOURCES
SOUTHERN REGION

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	See Exhibit A				
				to	
				to	
				to	
				to	
				to	
				to	
				to	

Total authorized under rights 9.53 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 7.99 cubic feet per second and/or 1051.3 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	SW	25	11S	18E	Cassia	Ground Water	Well 1
			SW	NW	36	11S	18E	Cassia	Ground Water	Well 2
			NE	NW	36	11S	18E	Cassia	Rock Creek	Rock Creek 1
			NE	SW	36	11S	18E	Cassia	Rock Creek	Rock Creek 2

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	25									16			22		40	40		118.0
11S	18E	36		40	40		11		19	32	40	33				33			248.0
Total Acres (for irrigation use)																			366.0

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	See Exhibit A			to	
				to	
				to	
				to	
				to	
				to	
				to	
				to	

Total authorized under rights 5.28 cfs and/or 1051.3 acre-feet.

2. Total amount of water proposed to be transferred or changed 5.28 cubic feet per second and/or 1051.3 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	SW	25	11S	18E	Cassia	Ground Water	Well 1
			NE	SW	36	11S	18E	Cassia	Ground Water	Well 2
			NE	NW	36	11S	18E	Cassia	Rock Creek	Rock Creek 1
			NE	SW	36	11S	18E	Cassia	Rock Creek	Rock Creek 2

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	25									16			22		40	40		118.0
11S	18E	36		40	40		11		19	32	40	33				33			248.0
Total Acres (for irrigation use)																			366.0

MAR 15 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION**Exhibit A**

Water Rights

All	or	Part	Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
X			47-122	0.23/61.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-10693	2.15/572.1	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-158	1.59/426	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-1248	0.15/65	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-138	0.35/69.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-162A	0.34/69.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-2551	3.94/788	Irrigation	4/01	to	10/31	Ground Water
X			47-17670	0.1/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17671	0.23/111.7	Irrigation	3/15	to	11/15	Ground Water
X			47-17734	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17735	0.06/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17736	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17737	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17738	0.08/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17739	0.04/19	Irrigation	3/15	to	11/15	Ground Water
				0.02/	Stockwater	1/01	to	12/31	
X			47-17740	0.03/13.8	Irrigation	3/15	to	11/15	Ground Water
X			47-17741	0.06/12.4	Irrigation	3/15	to	11/15	Ground Water
X			47-17742	0.09/22	Irrigation	3/15	to	11/15	Ground Water
X			47-17743	0.06/24.4	Irrigation	3/15	to	11/15	Ground Water

Total Allowed CFS	9.53
Total Allowed AFA	1051.3
Total Allowed Acres	269.9

Transferring CFS	7.99
Transferring AFA	1051.3
Transferring Acres	269.9

AMENDED

Exhibit A

Water Rights

All	or	Part	Water Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use			Source & Tributary
X			47-122	0.23/61.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-10693	2.15/572.1	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-158	1.59/426	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-124B	0.15/65	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-138	0.35/69.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-162A	0.34/69.2	Irrigation	4/01	to	10/31	Rock Creek, Snake River
X			47-2551	3.94/788	Irrigation	4/01	to	10/31	Ground Water
X			47-17670	0.1/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17671	0.23/111.7	Irrigation	3/15	to	11/15	Ground Water
X			47-17734	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17735	0.06/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17736	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17737	0.01/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17738	0.08/	Irrigation	3/15	to	11/15	Rock Creek, Snake River
X			47-17739	0.04/19	Irrigation	3/15	to	11/15	Ground Water
				0.02/	Stockwater	1/01	to	12/31	
X			47-17740	0.03/13.8	Irrigation	3/15	to	11/15	Ground Water
X			47-17741	0.06/12.4	Irrigation	3/15	to	11/15	Ground Water
X			47-17742	0.09/22	Irrigation	3/15	to	11/15	Ground Water
X			47-17743	0.06/24.4	Irrigation	3/15	to	11/15	Ground Water

Total Allowed CFS	5.28
Total Allowed AFA	1051.3
Total Allowed Acres	269.9

Transferring CFS	5.28
Transferring AFA	1051.3
Transferring Acres	269.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing diversion structures, mainlines and delivery systems.

- b. Who owns the property at the point(s) of diversion? Brent and Chalet Funk

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

No change to the land currently irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-122

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 4/30/1890

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.23 CFS

Annual Volume

61.2 AF

Total Diversion

0.23 CFS

61.2 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENE	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. E53 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 822 AF.
2. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
3. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. R43 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(s).
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. K06 This right is limited to the irrigation of 15.4 acres within the place of use described above in a single irrigation season.
11. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
12. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
13. R05 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. 470.
14. E55 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 205.5 acres in a single irrigation season.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-10693

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 5/15/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

2.15 CFS

Annual Volume

572.1 AF

Total Diversion

2.15 CFS

572.1 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENE	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
2. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
3. R05 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. 470.
4. E53 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 822 AF.
5. R43 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(s).
6. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
7. P29 This right is a combination of old Right Nos. 47-121 & 47-123.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. K06 This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.
10. E55 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 205.5 acres in a single irrigation season.
11. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
12. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
13. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-158

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 3/14/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

1.59 CFS

Annual Volume

426 AF

Total Diversion

1.59 CFS

426 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENE	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. R05 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. 47O.
3. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. R43 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(s).
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. E53 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 822 AF.
7. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
8. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
9. E55 Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 205.5 acres in a single irrigation season.
10. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
11. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
12. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
13. K06 This right is limited to the irrigation of 106.6 acres within the place of use described above in a single irrigation season.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-124B

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 4/30/1881

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.15 CFS

Annual Volume

65 AF

Total Diversion

0.15 CFS

65 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENE	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
2. R05 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. 47O.
3. E53 Right Nos. 47-124B, 47-138 and 47-162A are limited to a total combined annual diversion volume of 69.2 AF.
4. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
5. R43 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(s).
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. X56 A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.
10. K06 This right is limited to the irrigation of 17.3 acres within the place of use described above in a single irrigation season.
11. E55 Right Nos. 47-124B, 47-138 and 47-162A are limited to the irrigation of a combined total of 17.3 acres in a single irrigation season.
12. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
13. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
14. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
15. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-138

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 10/30/1887

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.35 CFS

Annual Volume

69.2 AF

Total Diversion

0.35 CFS

69.2 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENE	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
4. X56 A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.
5. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. R43 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(s).
8. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
9. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
10. E53 Right Nos. 47-124B, 47-138 and 47-162A are limited to a total combined annual diversion volume of 69.2 AF.
11. E55 Right Nos. 47-124B, 47-138 and 47-162A are limited to the irrigation of a combined total of 17.3 acres in a single irrigation season.
12. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
13. K06 This right is limited to the irrigation of 17.3 acres within the place of use described above in a single irrigation season.
14. R05 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. 470.
15. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-162A

Current Owner: CHALET FUNK
BRENT FUNK
Priority Date: 3/14/1892
Origin: Water Right
Status: Active
Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.34 CFS

Annual Volume

69.2 AF

Total Diversion

0.34 CFS

69.2 AF

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

SE1/4NE1/4NW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NE1/4NE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENW	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. X56 A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.
2. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
4. R43 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(s).
5. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. R05 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. 470.
9. E55 Right Nos. 47-124B, 47-138 and 47-162A are limited to the irrigation of a combined total of 17.3 acres in a single irrigation season.
10. E53 Right Nos. 47-124B, 47-138 and 47-162A are limited to a total combined annual diversion volume of 69.2 AF.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. WB4 The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 4.81 cfs, nor total combined annual diversion volume of 891.6 af.
13. K06 This right is limited to the irrigation of 17.3 acres within the place of use described above in a single irrigation season.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. E54 The rights listed below are limited to a total combined annual diversion volume of 891.6 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-2551

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 5/2/1955

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	3.94 CFS	788 AF
	<u>Total Diversion</u>	3.94 CFS	788 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4NW1/4 Sec. 36, Twp 11S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NWSE	40.00	T11S R18E S25	SWSE	40.00
T11S R18E S36	NWNE	40.00	T11S R18E S36	SWNE	35.00
T11S R18E S36	NENW	10.00	T11S R18E S36	SWNW	23.00
T11S R18E S36	SENW	25.00	T11S R18E S36	NESW	25.00
T11S R18E S36	NWSW	34.50	T11S R18E S36	NWSE	20.00

Total Acres: 292.5

Conditions of Approval:

1. R43 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.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. E56 The rights listed below are limited to the irrigation of a combined total of 222.9 acres in a single irrigation season. Combined Right Nos.: 47-2551, 47-10693, 47-122, 47-158, 47-124B, 47-138, 47-162A
4. R64 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands below.
5. S40 The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark 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.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. 104 This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. E54 Right No. 47-02551 when combined with Rock Creek Right Nos. 47-10693, 47-00122, 47-00124B, 47-00138 and 47-00158 shall not exceed a total combined annual diversion volume of 891.6 af.
9. K06 Right No. 47-02551 is limited to the irrigation of 197.0 acres in the place of use described above in a single irrigation season.
10. 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
11. 206 Rights 47-10693, 47-2551, 47-122, 47-124B, 47-138, 47-158, and 47-162A are limited to the irrigation of a specific 222.9 acres within the 292.5-acre place of use authorized by this right in a single irrigation season. The specific 222.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 222.9 acres to be irrigated within the 292.5-acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Decreed Date: 7/14/2009

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17670

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 3/14/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.1 CFS

Annual Volume

Total Diversion

0.1 CFS

Location of Point(s) of Diversion

ROCK CREEK

NW1/4SE1/4SW1/4

Sec. 25, Twp 11S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25

NESW

13.00

T11S R18E S25

SESW

22.00

Total Acres: 35

Conditions of Approval:

1. R64 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 for irrigation of the lands below.
2. E55 Right Nos. 47-17670 and 47-17671 are limited to the irrigation of a combined total of 35 acres in a single irrigation season.
3. C18 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.

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17671

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 12/17/1945

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.23 CFS	111.7 AF
	<u>Total Diversion</u>	0.23 CFS	111.7 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4SW1/4 Sec. 25, Twp 11S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S25	NESW	13.00	T11S R18E S25	SESW	22.00
Total Acres: 35					

Conditions of Approval:

1. E55 Right Nos. 47-17670 and 47-17671 are limited to the irrigation of a combined total of 35 acres in a single irrigation season.
2. R64 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 for irrigation of the lands below.
3. C18 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.

Decreed Date: 6/1/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17734

Current Owner: BRENT FUNK
CHALET FUNK
Priority Date: 5/31/1874
Origin: Water Right
Status: Active
Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.01 CFS

Annual Volume

Total Diversion

0.01 CFS

Location of Point(s) of Diversion

ROCK CREEK

SW1/4SW1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

ROCK CREEK

NW1/4NE1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. K06 This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
2. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
4. E55 Right Nos. 47-17734 and 47-17735 are limited to the irrigation of a combined total of 3 acres in a single irrigation season.
5. C18 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.
6. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.

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Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17735

Current Owner: BRENT FUNK
CHALET FUNK
Priority Date: 5/31/1878
Origin: Water Right
Status: Active
Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.06 CFS

Annual Volume

Total Diversion

0.06 CFS

Location of Point(s) of Diversion

ROCK CREEK

TWIN FALLS County

SW1/4SW1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

ROCK CREEK

TWIN FALLS County

NW1/4NE1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. K06 This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
3. E55 Right Nos. 47-17734 and 47-17735 are limited to the irrigation of a combined total of 3 acres in a single irrigation season.
4. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
5. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.
6. C18 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.

Page 25 of

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17736

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 4/30/1888

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.01 CFS

Annual Volume

Total Diversion

0.01 CFS

Location of Point(s) of Diversion

ROCK CREEK

SW1/4SW1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. E55 Right Nos. 47-17736 and 47-17741 are limited to the irrigation of a combined total of 3.1 acres in a single irrigation season.
2. C18 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.
3. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
4. K06 This right is limited to the irrigation of 1.9 acres within the place of use described above in a single irrigation season.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17737

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 4/30/1874

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.01 CFS

Annual Volume

Total Diversion

0.01 CFS

Location of Point(s) of Diversion

ROCK CREEK

NE1/4SE1/4SW1/4

Sec. 36, Twp 11S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. C18 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.
2. K06 This right is limited to the irrigation of 0.7 acre within the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
5. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17738

Current Owner: BRENT FUNK
CHALET FUNK

Priority Date: 3/14/1892

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROCK CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.08 CFS

Annual Volume

Total Diversion

0.08 CFS

Location of Point(s) of Diversion

ROCK CREEK

NW1/4NW1/4SW1/4

Sec. 25, Twp 11S, Rge 18E B.M.

TWIN FALLS County

ROCK CREEK

SE1/4SE1/4SE1/4

Sec. 23, Twp 11S, Rge 18E B.M.

TWIN FALLS County

ROCK CREEK

SW1/4SW1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

ROCK CREEK

NW1/4NE1/4SW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.
2. K06 This right is limited to the irrigation of 5.8 acres within the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
4. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.
5. C18 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.
6. P21 This right is a split from former right 47-157.

Decreed Date: 3/31/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17739

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 5/25/1920

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	19 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	
	<u>Total Diversion</u>	0.04 CFS	19 AF

Location of Point(s) of Diversion

GROUND WATER
TWIN FALLS County

L4(SE1/4NW1/4NW1/4) Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36 NWSE 12.00

Total Acres: 12

STOCKWATER Within TWIN FALLS County

T11S R18E S36 NWSE

Total Acres: 12

Conditions of Approval:

1. N05 The quantity of water under this right and right 47-2491 for stockwater use shall not exceed 13,000 gallons per day.
2. K06 This right is limited to the irrigation of 7.3 acres within the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
4. C18 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.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. E55 Right Nos. 47-157A, 47-140, 47-141, 47-143, 47-2491, 47-2511 and 47-2566 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.
7. R64 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 of the place of use.

Decreed Date: 6/1/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17740

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 9/3/1947

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	13.8 AF
	<u>Total Diversion</u>	0.03 CFS	13.8 AF

Location of Point(s) of Diversion

GROUND WATER
TWIN FALLS County

SE1/4NW1/4 Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36 NWSE 12.00

Total Acres: 12

Conditions of Approval:

1. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.
2. E55 Right Nos. 47-17740 and 47-17742 are limited to the irrigation of a combined total of 5.5 acres in a single irrigation season.
3. R64 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 for irrigation of the lands below.
4. C18 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.
5. K06 This right is limited to the irrigation of 5.5 acres within the place of use described above in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.

Decreed Date: 6/1/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17741

Current Owner: BRENT FUNK
CHALET FUNK
Priority Date: 8/29/1951
Origin: Water Right
Status: Active
Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.06 CFS	12.4 AF
	<u>Total Diversion</u>	0.06 CFS	12.4 AF

Location of Point(s) of Diversion

GROUND WATER
TWIN FALLS County
SW1/4NE1/4 Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36 NWSE 12.00
Total Acres: 12

Conditions of Approval:

1. R64 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 for irrigation of the lands below.
2. C18 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.
3. K06 This right is limited to the irrigation of 3.1 acres within the place of use described above in a single irrigation season.
4. E55 Right Nos. 47-17736 and 47-17741 are limited to the irrigation of a combined total of 3.1 acres in a single irrigation season.
5. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.

Decreed Date: 6/1/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17742

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 6/3/1936

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	22 AF
	<u>Total Diversion</u>	0.09 CFS	22 AF

Location of Point(s) of Diversion

GROUND WATER
TWIN FALLS County

SW1/4SE1/4NW1/4 Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36 NWSE 12.00
Total Acres: 12

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 12 acres in a single irrigation season. Combined Right Nos.: 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, and 47-17742.
2. C18 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.
3. K06 This right is limited to the irrigation of 5.5 acres within the place of use described above in a single irrigation season.
4. E55 Right Nos. 47-17740 and 47-17742 are limited to the irrigation of a combined total of 5.5 acres in a single irrigation season.
5. R64 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 for irrigation of the lands below.
6. E55 Right Nos. 47-17738, 47-17734, 47-17735, 47-17737, 47-17739, 47-17740 and 47-17742 are limited to the irrigation of a combined total of 7.3 acres in a single irrigation season.

Decreed Date: 6/1/2010

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17743

Current Owner: CHALET FUNK
BRENT FUNK

Priority Date: 10/10/1980

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.06 CFS

24.4 AF

Total Diversion

0.06 CFS

24.4 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

GROUND WATER

L3(NE1/4NW1/4)

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

GROUND WATER

SE1/4NW1/4

Sec. 1, Twp 12S, Rge 18E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S36

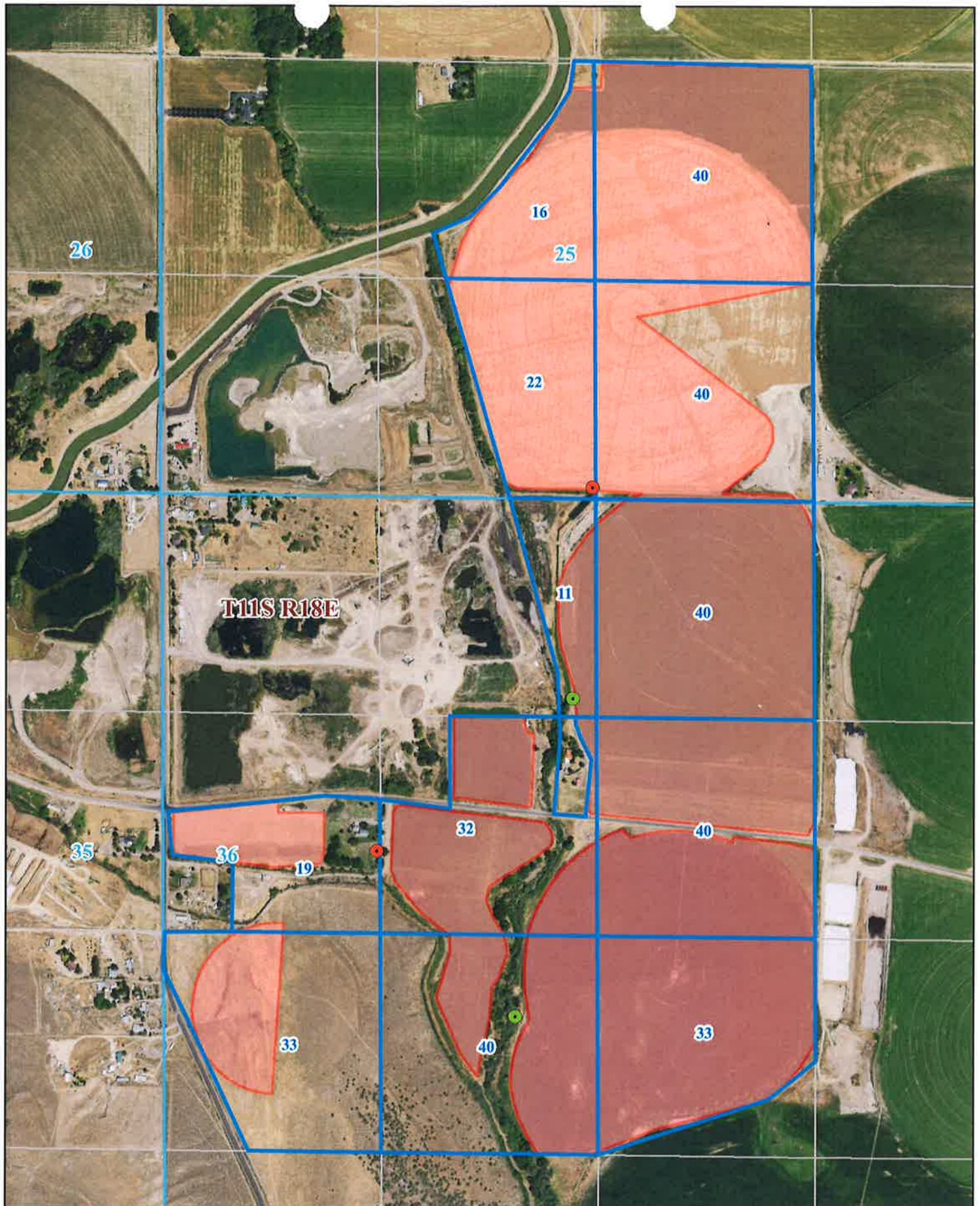
NWSE

12.00

Total Acres: 12

Conditions of Approval:

1. X35 Rights 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, 47-17742, and 47-17743 when combined shall not exceed the irrigation of 12.0 acres.
2. Rights 47-17739, 47-17740, 47-17741, 47-17742, and 47-17743 are limited to the diversion of 48.0 acre feet per irrigation season.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 943 The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. X27 This right is limited to the irrigation of 6.1 acres within the authorized place of use in a single irrigation season.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. R64 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 of the place of use.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.



TRANSFER 84783

BROCKWAY ENGINEERING, PLLC
GWS - Date: 2/26/2021

**BRENT FUNK FARM
269.9 ACRE IRRIGATION PLACE OF USE
NAIP 2019 AERIAL PHOTO**

Legend

- Funk Rock Creek PODs
- Funk Ground Water PODs
- PPU_QL
- POU

N

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112857

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	151.59
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	151.59
Fax			
Section	Legals	Start/End Dates	04/01/2021 - 04/08/2021
SubSection		Insertions	2
Category	50 Legal	Size	98
Ad Key	112857-1	Salesperson(s)	Jenny Green - Legals
Keywords	Transfer No 84783 & Transfer No 8478	Taken By	Jenny Green
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84783

BRENT FUNK and CHALET FUNK, 3202 N 3900 E, HANSEN, ID 83334-5204 has filed Application No. 84783 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 366.0 acre Permissible Place of Use (PPU) for 19 irrigation water rights which currently divert 9.53 cfs from ground water and Rock Creek to irrigate 269.9 acres of farm ground. The transfer will also change/add existing points of diversion (POD) situated within the PPU so that after the transfer, each Rock Creek right will have the same two PODs from Rock Creek and each ground water right will have the same two PODs (wells). Post-transfer, the 19 rights will irrigate 269.9 acres within the 366.0 acre PPU located approximately 6.5 to 7.8 miles south and 0 to 0.8 miles east of Hansen.

TRANSFER NO. 84786

B BAR K LLC, 2809 E 550 S, PAUL, ID 83347-5018 has filed Application No. 84786 for changes to the following water rights within JEROME County(s): Right No(s). 36-7408, 36-7560, 36-7603. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the point of diversion (POD) for three groundwater irrigation rights that allow for the diversion of 4.19 cfs and the irrigation of 285 acres within a 434 acre permissible place of use (PPU) on a farm located approximately 3.8 miles north and 8.1 miles west of Paul. The application proposes to change the authorized diversion location from two wells on a neighboring property just west of the farm to a new well to be drilled on the southern edge of the farm located approximately 3.8 miles north and 8.0 miles west of Paul.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 19, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 1st & 8th, 2021

Proof of legal notice received
from Times News 3/25/2021

✓bm 3/25/2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 25, 2021

BRENT FUNK
CHALET FUNK
3202 N 3900 E
HANSEN, ID 83334-5204

RE: Transfer No. 84783

Water Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A,
47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738,
47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/1/2021 and 4/8/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **April 19, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 25, 2021

WATER DISTRICT 470
AMIE FRANKLIN
2754 ROCK CREEK RD
HANSEN ID 83334

RE: Application for Transfer No. 84783 (Brent & Chalet Funk)

Dear Amie:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx> . Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 25, 2021 4:19 PM
To: 'Dawson,Bradley'
Subject: Comment Letter for transfer application 84783 (Funk)
Attachments: Comment Letter to F&G for 84783.docx; Transfer application 84783 (Brent & Chalet Funk).pdf

Good afternoon,

Attached is an application for transfer currently being processed by the department. Please review the information and provide any necessary comments using the attached recommendation form within 21 days.

Feel free to contact Water Resource Agent Jim Bitzenburg at our office if you have any questions regarding this application.

Thank you in advance,

Denise Maline @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 25, 2021

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

RE: Application(s) for Transfer No.: 84783 (Brent & Chalet Funk)

Dear Fish & Game:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before April 19, 2021**).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 25, 2021 2:19 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on April 1st & 8th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 25, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84783

Water Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A,
47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738,
47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551

RE: Transfer No. 84786

Water Right No(s). 36-7408, 36-7560, 36-7603

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **April 19, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84783**

BRENT FUNK and CHALET FUNK, 3202 N 3900 E, HANSEN, ID 83334-5204 has filed Application No. 84783 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 366.0 acre Permissible Place of Use (PPU) for 19 irrigation water rights which currently divert 9.53 cfs from ground water and Rock Creek to irrigate 269.9 acres of farm ground. The transfer will also change/add existing points of diversion (POD) situated within the PPU so that after the transfer, each Rock Creek right will have the same two PODs from Rock Creek and each ground water right will have the same two PODs (wells). Post-transfer, the 19 rights will irrigate 269.9 acres within the 366.0 acre PPU located approximately 6.5 to 7.8 miles south and 0 to 0.8 miles east of Hansen.

TRANSFER NO. 84786

B BAR K LLC, 2809 E 550 S, PAUL, ID 83347-5018 has filed Application No. 84786 for changes to the following water rights within JEROME County(s): Right No(s). 36-7408, 36-7560, 36-7603. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the point of diversion (POD) for three groundwater irrigation rights that allow for the diversion of 4.19 cfs and the irrigation of 285 acres within a 434 acre permissible place of use (PPU) on a farm located approximately 3.8 miles north and 8.1 miles west of Paul. The application proposes to change the authorized diversion location from two wells on a neighboring property just west of the farm to a new well to be drilled on the southern edge of the farm located approximately 3.8 miles north and 8.0 miles west of Paul.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 19, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 1st & 8th, 2021

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Tuesday, March 23, 2021 12:55 PM
To: Bitzenburg, James
Subject: RE: Funk Transfer

Jim,

Yes. The intent was to change the points of diversion and add diversion points for the water rights involved in transfer #84783. Please check those boxes as well.

Thank you,

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Tuesday, March 23, 2021 8:35 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Funk Transfer

Greg-

In further review of the Brent and Chalet Funk transfer #84783, on page 2, under A. Purpose of Transfer, you have the 'Change place of use' box checked, and it seems that several of the rights involved are also changing their points of diversion and in some cases, adding points of diversion, so I think we should also have the 'Change point of diversion' and 'Add diversion point(s)' boxes checked. Do you want me to check those boxes as well?

Thanks for your assistance with this transfer.

Jim

Jim Bitzenburg
Senior Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

FEE MEMORANDUM

Date: March 22, 2021
To: Brent and Chalet Funk Transfer #84783 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on March 3, 2021 creating a 366.0 acre Permissible Place of Use, with 269.9 acres irrigated within the PPU. Rights 47-17670 and 47-17671 (0.33 cfs) are changing and/or adding points of diversion (POD), so all of the 0.33 cfs of their additive rate goes toward the fee. Rights 47-17734 through 47-17743 are changing PODs, so their entire additive rate of 0.45 cfs is also added into the fee calculation. Right 47-2551 (3.94 cfs) is in a combined acre limit group, but its flow rate is not combined with the group, so its flow rate is added separately into the fee calculation because it is adding a POD. The remaining rights in the transfer, 47-122, 47-158, 47-138, 47-10693, 47-124B, and 47-162A (combined flow rate of 4.81 cfs) are not changing or adding PODs, so their fee portion is calculated by the amount of acres of each right in the group that is changing. That portion of their combined flow rate is 3.27 cfs. So the total flow rate changing for the fee calculation is 7.99 cfs and from the fee schedule, the necessary fee is \$1060.00. Brockway Engineering submitted \$900.00 with check #16299 (IDWR receipt #S038441) when the transfer was filed. They submitted the remaining \$160.00 on March 19, 2021 with check #16348, IDWR receipt #S038476.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 16, 2021

Jim Bitzenburg
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Brent and Chalet Funk

Dear Mr. Bitzenburg:

Based off of correspondence with you regarding the recent transfer application #84783 submitted on behalf of Brent Funk. An addition fee of \$160.00 is required by IDWR to process the application. A check for the additional fee is attached to this letter.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Enc: Brockway Engineering Check # 16348 for \$160.00.

RECEIVED
MAR 19 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Monday, March 15, 2021 9:48 AM
To: Bitzenburg, James
Subject: RE: Funk Transfer
Attachments: SKM_C300i21031420380.pdf; POU.cpg; POU.dbf; POU.prj; POU.sbn; POU.sbx; POU.shp; POU.shp.A005.9520.9420.sr.lock; POU.shp.A005.19324.18392.sr.lock; POU.shx

Jim,

See the attached documents.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Friday, March 12, 2021 3:30 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Funk Transfer

Greg-

In reviewing the Funk transfer that you submitted last week, there are a couple of issues that need to be looked at. On page 3, Part 1, B. 1., the total authorized under the rights I believe should be 9.53 cfs. I get that total by first looking at the combined flow rate of rights 47-122, 47-10693, 47-158, 47-124B, 47-138, & 47-162A which is **4.81** cfs. Right 47-2551 is in the PPU of those rights, but not in their combined flow rate group, so its flow rate of **3.94** cfs is added separately. 47-17670 & 47-17671 don't have a combined flow rate condition, so their rates are additive, at **0.33** cfs. The group of rights from our recent ownership change, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738, 47-17739, 47-17740, 47-17741, 47-17742, & 47-17743 also don't have a combined flow rate, so their rate is additive, at **0.45** cfs for a total of **9.53** cfs. So the figure to insert into the total authorized under rights is **9.53** cfs. Since some of the surface rights don't have volumes, it would be better to leave the volumes blank on page 3.

Corey had me refigure the fee by calculating the total amounts changing. The total amount changing (Part 1, B. 2.) is **7.99** cfs and that is calculated by charging for the full flow rate on the 0.45 cfs group, because they will be diverting from different PODs; also charging for the full flow rate on the 0.33 cfs group, as they also will be diverted from additional PODs. Right 47-2551 (3.94 cfs) will add a POD, so we'll need to charge the full flow rate for it, also. The 4.81 cfs group maintains two of its three PODs, and doesn't add any PODs, so the amount changing there is based on the acres changing from the original PPU to the proposed PPU, which is 73.5 acres. So, we take each right in that group and divide the 73.5 by the right's acre limit. If it is less than the 73.5 acres, the full flow rate is figured for the fee. The amount of the 4.81 cfs group changing is 3.27 cfs, so the changing portions add up to 7.99 cfs. The fee is actually \$1060.00 so we need another \$160.00 in fees to process the application.

The only other issue I have found is in the POD list. Well #2 is listed as being in the NESW of Section 36, while the map shows that POD in the SWNW of Section 36, which is the POD associated with right 47-2551. We need to get that clarified. So all of the changes are on one page. I have attached a corrected copy of that page so you can see what to put where, as I'm sure the above explanation only made the situation more murky. Let me know if you see things differently. Thanks,

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 03 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 26, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Brent and Chalet Funk

Dear Mr. Skinner:

Brent and Chalet Funk desire to create a 366.0 acre permissible place of use with the 19 water rights that they own. The farm is located south of Hansen, Idaho and the water rights utilize ground water and Rock Creek water for irrigation. The creation of a permissible place of use will allow better management of the water rights.

The 19 water rights allow the irrigation of 269.9 acres of farmland. The four points of diversion on this farm are two ground water wells and two diversions from Rock Creek.

The ownership, period of use and beneficial use will not be changing this transfer. No ESPA Model analysis was required for this transfer.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Cc: Brent Funk

Enc: Transfer Application, Aerial Map, Brockway Engineering Check # ~~116299~~ for \$900.00.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506