

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83190

This is to certify that: CAROLENE FUNK AND
MONTY FUNK
PO BOX 360
AMERICAN FLS, ID 83211-0360

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversión Rate</u>	<u>Diversión Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7718	WR/DECREED	5/2/1983	1.480 cfs	296.0 af	N/A	74.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversión Rate</u>	<u>Diversión Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7118	WR/DECREED	2/2/1970	2.670 cfs	628.0 af		157.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-7718	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-7718	35-7718	1.110 cfs	296.0 af	N/A	74.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.110 cfs	296.0 af	N/A	74.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 31st day of May, 2019.



Water Resources Program Manager

Transfer No. 83190

SUPPORT DATA
IN FILE #. 35-7718

WATER RIGHT NO. 35-7718

As Modified by Transfer No. 83190

In accordance with the approval of Transfer No. 83190, Water Right No. 35-7718 is now described as follows:

Right Holder: CAROLENE FUNK AND
MONTY FUNK
PO BOX 360
AMERICAN FLS, ID 83211-0360

Priority Date: 5/2/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	1.110 cfs	296.0 af
			1.110 cfs	296.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 20 Twp 07S Rge 30E POWER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	20										38.0	36.0						74.0

POU Total Acres: 74.0

CONDITIONS OF APPROVAL

1. 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.
2. Use of water under this right may 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. 120.
3. Prior to the diversion and use of water under Transfer approval 83190, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 83190

WATER RIGHT NO. 35-7718

As Modified by Transfer No. 83190

CONDITIONS OF APPROVAL

5. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-7118

As Modified by Transfer No. 83190

In accordance with the approval of Transfer No. 83190, Water Right No. 35-7118 is now described as follows:

Right Holder: HERITAGE FARMS LLC
2043 E CENTER ST
POCATELLO, ID 83201-3300

Priority Date: 2/2/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/15	2,670 cfs	628.0 af
			2,670 cfs	628.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSESE Sec 19 Twp 07S Rge 30E POWER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	30E	19													39.0	40.0	39.0	39.0	157.0

POU Total Acres: 157.0

CONDITIONS OF APPROVAL

1. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 1/31/2002.
2. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 83190

This map depicts the IRRIGATION place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.

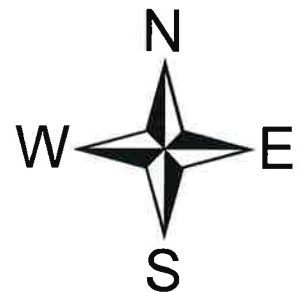


Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 265 530 1,060 Feet

1 inch = 434 feet



Date: 5/31/2019