

T5607 FUNK

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5607
WATER RIGHT NO. 35-07894

RECEIVED

MAR 16 2000

Department of Water Resources
Eastern Region

This is to certify that: **H ALAN FUNK**
C/O HOLDEN KIDWELL HAHN CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/15	1.59 CFS

SOURCE

GROUNDWATER

Priority: 03/31/1980

LOCATION OF POINT(S) OF DIVERSION: SESWSW , Sec. 16, Township 06S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	31E	16	NESW 20	NWSW 38	SWSW 38	96
Total number of acres irrigated:						96

CONDITIONS OF APPROVAL AND REMARKS

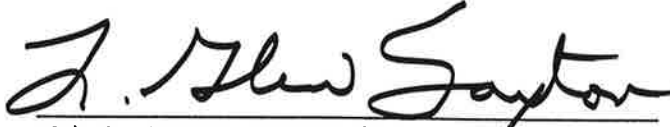
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

TRANSFER NO. 5607
WATER RIGHT NO. 35-07894

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. Rights 35-07894 and 35-07221 when combined shall not exceed a total diversion rate of 3.50 cfs.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 384.0 af at the field headgate for the lands above.
10. 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 late irrigation use and a priority date earlier than the date of this approval.
11. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 13th day of March, 2000.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 307 Department of Water Resources
Eastern Region

RECEIVED

NOV 22 1999

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant H. Alan Funk Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, PLLC, P.O. Box 50130, Idaho Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes A portion of applicant's farm is being sold and the existing well is on land being sold. Parties desire to have a separate well for land being retained by applicant located on applicant's land.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 35-07894 Priority 03/31/1980 Amount (cfs/ac-ft) 1.59 Nature of Use Irrigation Period of Use 04-01 to 10-15
2. Total amount of water being transferred 1.59 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SW	16	6S	31E	Bingham	

5. Lands irrigated or place of use: no change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	31E	16									20	38	38						96

Total Acres 96

6. General Information:

- a. Description of diversion system well, pump and sprinkling system
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
There will be no effect. The land will continue to be irrigated as at present.
- d. Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____ and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 1999.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(ATTACH ONE COPY FOR EACH RIGHT)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____.
- b. License No. 35-07894 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of Water groundwater tributary to _____

4. Date of priority 03/31/1980

5. Water is used for the following purpose:

amount 1.59 for Irrigation purposes from 04-01 to 10-15
(cfs/ac-ft)

6. Total amount of water under right 1.59 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NE	NW	21	6S	31E	Bingham	

8. Lands irrigated or place of use:

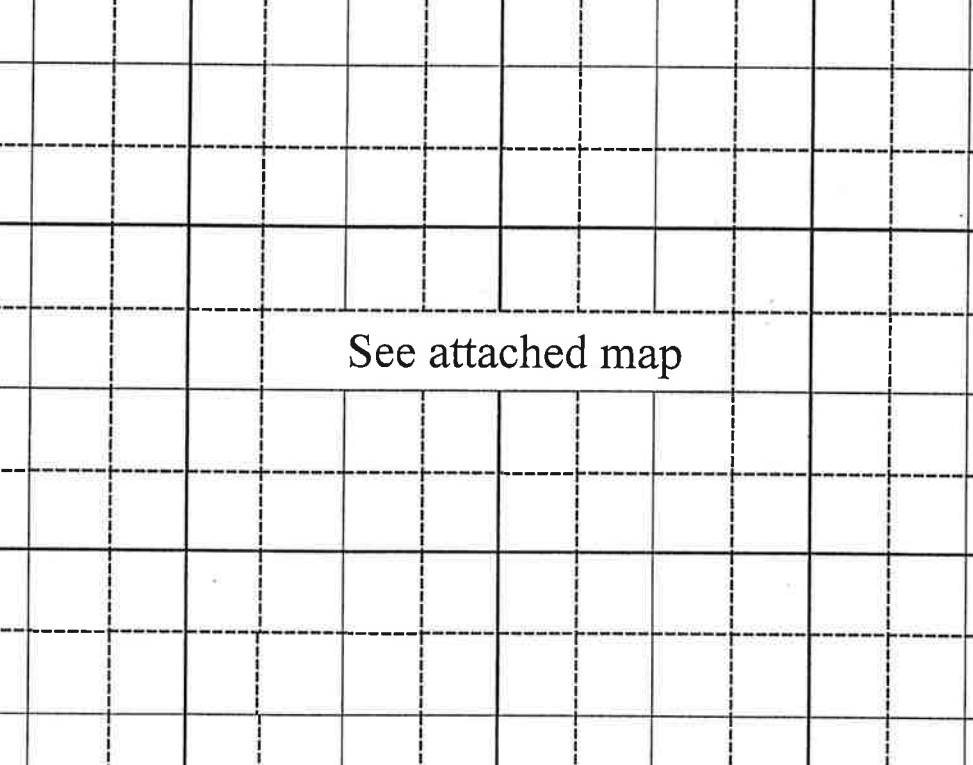
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
~~6S~~ 6N	31E	16									20	38	38						96

Total Acres 96

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A. Draw a map or attach a USGS map indication the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



See attached map

SCALE: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

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

_____ to _____
_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

There will be no effect.

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 17th day of November, 1999.



(Signature of Applicant)

Notary Public

My Commission Expires 12/31/2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by HWT Date 11-22-99 Protest filed by _____

Prelim. check by _____ Fee \$100.00

Receipted by HWT #E025484 Date 11-22-99

Published in Morning News Copies of protest forwarded by _____

Pub. dates 12/9 & 12/16/99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

