

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82959**

This is to certify that: COUNTY LINE FARMS
C/O MONTY & CAROLENE FUNK
PO BOX 360
AMERICAN FALLS, ID 83211

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>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14205	WR/DECREED	3/23/1981	0.270 cfs	84.3 af	21.1	260.2	GROUND WATER
35-14209	WR/LICENSE	10/26/1987	0.350 cfs	143.2 af	35.8	360.3	GROUND WATER
35-14280	WR/DECREED	7/19/1973	1.190 cfs	310.0 af	77.5	320.0	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>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14046	WR/DECREED	10/31/1986	0.410 cfs	110.9 af	27.7	320.0	GROUND WATER
35-14052	WR/DECREED	1/27/1976	1.550 cfs	309.1 af	77.3	320.0	GROUND WATER
35-7968A	WR/DECREED	3/23/1981	4.060 cfs	996.0 af	249.0	340.7	GROUND WATER
35-8660A	WR/LICENSE	10/26/1987	0.930 cfs	302.0 af	75.5	340.7	GROUND WATER
35-14199	WR/DECREED	9/5/1972	1.470 cfs	474.0 af	118.5	246.6	GROUND WATER
35-14201	WR/DECREED	3/18/1981	0.630 cfs	126.4 af	31.6	246.6	GROUND WATER
35-14203	WR/DECREED	3/18/1981	0.830 cfs	223.3 af	55.8	246.6	GROUND WATER
35-14207	WR/DECREED	3/23/1981	0.320 cfs	132.7 af	33.2	246.6	GROUND WATER
35-14381	WR/DECREED	8/18/1953	1.010 cfs	202.0 af	50.5	320.0	GROUND WATER
35-14382	WR/DECREED	12/3/1980	0.660 cfs	131.6 af	32.9	320.0	GROUND WATER
35-14395	WR/DECREED	2/12/1975	1.200 cfs	284.0 af	71.0	160.0	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>
35-14205	YES	YES	YES	NO	NO	NO
35-14209	YES	YES	YES	NO	NO	NO
35-14280	YES	YES	YES	NO	NO	NO

SUPPORT DATA

Transfer No. 82959

IN FILE #

35-14205

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82959

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>
35-14205	35-14627	0.170 cfs	54.4 af	13.6	160.0	35-14205	0.100 cfs	30.0 af	7.5	246.6
35-14209	35-14626	0.190 cfs	78.4 af	19.6	160.0	35-14209	0.160 cfs	64.8 af	16.2	340.7
35-14280	35-14625	0.210 cfs	53.6 af	13.4	160.0	35-14280	0.980 cfs	256.4 af	64.1	320.0
COMBINED TOTALS		0.570 cfs	786.4 af	46.6	160.0		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 8th day of March, 2019.



Water Resources Program Manager

WATER RIGHT NO. 35-14280

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14280 is now described as follows:

Right Holder: MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 7/19/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.980 cfs

0.980 cfs

Diversion Volume

256.4 af

256.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 64.1

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 64.1 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.53 cfs, a total annual maximum diversion volume of 676.4 af at the field headgate, and the irrigation of 169.1 acres.

WATER RIGHT NO. 35-14280
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 246.6 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 246.6 acres to be irrigated by the right holder 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 246.6 acres to be irrigated within the 320.0 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.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 78017, 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.
7. 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.
8. The combination of changes under:
Transfer approval 78016 as described under right 25-14380
Transfer approval 78017 as described under right 35-14280
Transfer approval 78018 as described under right 25-14381
Transfer approval 78019 as described under right 25-14382

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78017.
9. 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 lands above.
10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 35-14280
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.



WATER RIGHT NO. 35-14625**As Modified by Transfer No. 82959**

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14625 is now described as follows:

Right Holder: CAROLINE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211
AND
MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 7/19/1973

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.210 cfs

0.210 cfs

Diversion Volume

53.6 af

53.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NWSWNW

Sec 15 Twp 06S Rge 29E 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	
06S	29E	9													40.0			40.0	80.0
06S	29E	10									40.0	40.0							80.0

Right Acre Limit: 13.4

POU Total Acres: 160.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14395, 35-14625, 35-14626, and 35-14627 are limited to the irrigation of a specific 117.6 acres within the 160.0 acre place of use authorized by these rights in a single irrigation season. The specific 117.6 acres to be irrigated by the right holder 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 117.6 acres to be irrigated within the 160.0 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.

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WATER RIGHT NO. 35-14625
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 82959, 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.
6. 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.
7. 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 lands above.
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 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.

WATER RIGHT NO. 35-14209**As Modified by Transfer No. 82959**

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14209 is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002
AND
CAROLINE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 10/26/1987

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.160 cfs
0.160 cfs

Diversion Volume
64.8 af
64.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 1 Twp 06S Rge 29E 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	
06S	29E	1									30.9	30.2	30.5	31.7	30.3	30.7	31.3	31.0	246.6
06S	29E	2														30.8	31.2	32.1	94.1

Right Acre Limit: 16.2

POU Total Acres: 340.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7968A, 35-8660A and 35-14209 when combined shall not exceed a total diversion rate of 4.49 cfs and the irrigation of 340.7 acres.
3. 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. 120.

Transfer No. 82959

WATER RIGHT NO. 35-14209
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 78213, 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.
6. 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.
7. 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 lands above.
8. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-14626**As Modified by Transfer No. 82959**

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14626 is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 10/26/1987

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.190 cfs
0.190 cfs

Diversion Volume
78.4 af
78.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 15 Twp 06S Rge 29E 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	
06S	29E	9													40.0			40.0	80.0
06S	29E	10									40.0	40.0							80.0

Right Acre Limit: 19.6

POU Total Acres: 160.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14395, 35-14625, 35-14626, and 35-14627 are limited to the irrigation of a specific 117.6 acres within the 160.0 acre place of use authorized by these rights in a single irrigation season. The specific 117.6 acres to be irrigated by the right holder 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 117.6 acres to be irrigated within the 160.0 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.

Transfer No. 82959

WATER RIGHT NO. 35-14626
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. 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.
4. Prior to the diversion and use of water under Transfer approval 82959, 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.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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. 120.
7. 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 lands above.
8. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (10/26/1987) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-14205
As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14205 is now described as follows:

Right Holder: MONTY FUNK
 2248 COUNTY LINE RD
 AMERICAN FLS, ID 83211-5002
 AND
 CAROLENE FUNK
 2254 COUNTY LINE RD
 PO BOX 360
 AMERICAN FALLS, ID 83211

Priority Date: 3/23/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.100 cfs	30.0 af
			0.100 cfs	30.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 11 Twp 06S Rge 29E POWER County
GROUND WATER	SESW	Sec 11 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	11									31.6	30.9	30.1	30.7	31.1	31.5	30.5	30.2	246.6

Right Acre Limit: 7.5
 POU Total Acres: 246.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.35 cfs and the irrigation of 246.6 acres.
3. 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.

Transfer No. 82959

WATER RIGHT NO. 35-14205
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 35-14199, 35-14201, 35-14203 and 35-14207 . The changes authorized by transfer 5198 shall be accomplished by June 12, 1999.



WATER RIGHT NO. 35-14627
As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14627 is now described as follows:

Right Holder: MONTY FUNK
 2248 COUNTY LINE RD
 AMERICAN FLS, ID 83211-5002
 AND
 CAROLENE FUNK
 2254 COUNTY LINE RD
 PO BOX 360
 AMERICAN FALLS, ID 83211

Priority Date: 3/23/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.170 cfs	54.4 af
			0.170 cfs	54.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 15 Twp 06S Rge 29E 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	
06S	29E	9													40.0			40.0	80.0
06S	29E	10									40.0	40.0							80.0

Right Acre Limit: 13.6

POU Total Acres: 160.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14395, 35-14625, 35-14626, and 35-14627 are limited to the irrigation of a specific 117.6 acres within the 160.0 acre place of use authorized by these rights in a single irrigation season. The specific 117.6 acres to be irrigated by the right holder 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 117.6 acres to be irrigated within the 160.0 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.

Transfer No. 82959

WATER RIGHT NO. 35-14627
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. 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.
4. Prior to the diversion and use of water under Transfer approval 82959, 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.
5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
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 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.

WATER RIGHT NO. 35-14046

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14046 is now described as follows:

Right Holder: MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 10/31/1986

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.410 cfs
0.410 cfs

Diversion Volume
110.9 af
110.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E 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	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 27.7
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 27.7 acres within the place of use described for this right.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.53 cfs, a total annual maximum diversion volume of 676.4 af at the field headgate, and the irrigation of 169.1 acres.

Transfer No. 82959

WATER RIGHT NO. 35-14046
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 246.6 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 246.6 acres to be irrigated by the right holder 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 246.6 acres to be irrigated within the 320.0 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.
5. 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. 120.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 78017, 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.
8. 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.
9. 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 lands above.
10. This right is based upon an enlargement of Right No. 35-14052 pursuant to Section 42-1426, Idaho Code.
11. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. 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. 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.

WATER RIGHT NO. 35-14052

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14052 is now described as follows:

Right Holder: MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 1/27/1976

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 11/01

Diversion Rate
1.550 cfs
1.550 cfs

Diversion Volume
309.1 af
309.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 77.3

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 77.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14046 and 35-14052 when combined shall not exceed a total diversion rate of 1.55 cfs, a total annual maximum diversion volume of 420.0 af at the field headgate, and the irrigation of 105.0 acres.
3. Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.53 cfs, a total annual maximum diversion volume of 676.4 af at the field headgate, and the irrigation of 169.1 acres.

Transfer No. 82959

WATER RIGHT NO. 35-14052
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 246.6 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 246.6 acres to be irrigated by the right holder 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 246.6 acres to be irrigated within the 320.0 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.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 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. 120.
7. Prior to the diversion and use of water under Transfer approval 78017, 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.
8. 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.
9. 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 lands above.
10. Right No. 35-14046 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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.

WATER RIGHT NO. 35-7968A
As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-7968A is now described as follows:

Right Holder: MONTY FUNK
 2248 COUNTY LINE RD
 AMERICAN FLS, ID 83211-5002

Priority Date: 3/23/1981

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
 4.060 cfs
 4.060 cfs

Diversion Volume
 996.0 af
 996.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 1 Twp 06S Rge 29E 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	
06S	29E	1									30.9	30.2	30.5	31.7	30.3	30.7	31.3	31.0	246.6
06S	29E	2														30.8	31.2	32.1	94.1

Right Acre Limit: 249.0

POU Total Acres: 340.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 249.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7968A and 35-8660A when combined shall not exceed a total diversion rate of 4.33 cfs.
3. Rights 35-7968A, 35-8660A and 35-14209 when combined shall not exceed a total diversion rate of 4.49 cfs and the irrigation of 340.7 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

WATER RIGHT NO. 35-7968A
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78213, 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.
7. 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.
8. 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 lands above.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

WATER RIGHT NO. 35-8660A

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-8660A is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002

Priority Date: 10/26/1987

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.930 cfs
0.930 cfs

Diversion Volume
302.0 af
302.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 1 Twp 06S Rge 29E 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	
06S	29E	1									30.9	30.2	30.5	31.7	30.3	30.7	31.3	31.0	246.6
06S	29E	2														30.8	31.2	32.1	94.1

Right Acre Limit: 75.5

POU Total Acres: 340.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7968A and 35-8660A when combined shall not exceed a total diversion rate of 4.33 cfs.
3. Rights 35-7968A, 35-8660A and 35-14209 when combined shall not exceed a total diversion rate of 4.49 cfs and the irrigation of 340.7 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 82959

WATER RIGHT NO. 35-8660A

As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 78213, 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.
7. 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.
8. 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 lands above.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 35-14199
As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14199 is now described as follows:

Right Holder: MONTY FUNK
 2248 COUNTY LINE RD
 AMERICAN FLS, ID 83211-5002
 And
 CAROLINE FUNK
 2254 COUNTY LINE RD
 PO BOX 360
 AMERICAN FALLS, ID 83211

Priority Date: 9/5/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1,470 cfs	474.0 af
			1,470 cfs	474.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 11 Twp 06S Rge 29E	BINGHAM County
GROUND WATER	SESW	Sec 11 Twp 06S Rge 29E	BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	11									31.6	30.9	30.1	30.7	31.1	31.5	30.5	30.2	246.6

Right Acre Limit: 118.5

POU Total Acres: 246.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 118.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.35 cfs and the irrigation of 246.6 acres.
3. 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.

Transfer No. 82959

WATER RIGHT NO. 35-14199
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 35-14201, 35-14203, 35-14205 and 35-14207 . The changes authorized by transfer 5198 shall be accomplished by June 12, 1999.



WATER RIGHT NO. 35-14201**As Modified by Transfer No. 82959**

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14201 is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002
And
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 3/18/1981

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.630 cfs
0.630 cfs

Diversion Volume
126.4 af
126.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec 11 Twp 06S Rge 29E POWER County
GROUND WATER SESW Sec 11 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	11									31.6	30.9	30.1	30.7	31.1	31.5	30.5	30.2	246.6

Right Acre Limit: 31.6

POU Total Acres: 246.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 31.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.35 cfs and the irrigation of 246.6 acres.
3. 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.

Transfer No. 82959

WATER RIGHT NO. 35-14201
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 35-14199, 35-14203, 35-14205 and 35-14207 . The changes authorized by transfer 5198 shall be accomplished by June 12, 1999.



WATER RIGHT NO. 35-14203

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14203 is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002
And
CAROLINE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 3/18/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.830 cfs	223.3 af
			0.830 cfs	223.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 11 Twp 06S Rge 29E	POWER County
GROUND WATER	SESW	Sec 11 Twp 06S Rge 29E	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	
06S	29E	11									31.6	30.9	30.1	30.7	31.1	31.5	30.5	30.2	246.6

Right Acre Limit: 55.8

POU Total Acres: 246.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 55.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.35 cfs and the irrigation of 246.6 acres.
3. 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.

Transfer No. 82959

WATER RIGHT NO. 35-14203
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 35-14199, 35-14201, 35-14205 and 35-14207 . The changes authorized by transfer 5198 shall be accomplished by June 12, 1999.



WATER RIGHT NO. 35-14207

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14207 is now described as follows:

Right Holder: MONTY FUNK
2248 COUNTY LINE RD
AMERICAN FLS, ID 83211-5002
And
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 3/23/1981

Source: GROUND WATER

BENEFICIAL USE IRRIGATION

From
04/01

To
to 10/31

Diversion Rate
0.320 cfs
0.320 cfs

Diversion Volume
132.7 af
132.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENW Sec 11 Twp 06S Rge 29E POWER County
GROUND WATER SESW Sec 11 Twp 06S Rge 29E 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	
06S	29E	11									31.6	30.9	30.1	30.7	31.1	31.5	30.5	30.2	246.6

Right Acre Limit: 33.2
POU Total Acres: 246.6

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 33.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.35 cfs and the irrigation of 246.6 acres.
3. 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.

Transfer No. 82959

WATER RIGHT NO. 35-14207
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

4. The following rights are also diverted through point of diversion described above: 35-14201, 35-14203, 35-14205 and 35-14207. The changes authorized by transfer 5198 shall be accomplished by June 12, 1999.



WATER RIGHT NO. 35-14381

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14381 is now described as follows:

Right Holder: MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 8/18/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	1.010 cfs	202.0 af
			1.010 cfs	202.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Sec 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 50.5

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.

Transfer No. 82959

WATER RIGHT NO. 35-14381

As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 246.6 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 246.6 acres to be irrigated by the right holder 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 246.6 acres to be irrigated within the 320.0 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.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, 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.
7. 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.
8. 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. The combination of changes under Transfer approvals:

79213 as described under rights 25-14405 and 25-14406

79215 as described under rights 29-14106 and 29-14107

79217 as described under rights 35-14381 and 35-14382

79218 as described under rights 27-12265 and 27-12266

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.

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

WATER RIGHT NO. 35-14381
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.



WATER RIGHT NO. 35-14382

As Modified by Transfer No. 82959

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14382 is now described as follows:

Right Holder: MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 12/3/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.660 cfs	131.6 af
			0.660 cfs	131.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESENW Séc 12 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0

Right Acre Limit: 32.9

POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14381 and 35-14382 when combined shall not exceed a total diversion rate of 1.01 cfs, a total annual maximum diversion volume of 310.0 af at the field headgate, and the irrigation of 77.5 acres.

Transfer No. 82959

WATER RIGHT NO. 35-14382
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 246.6 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 246.6 acres to be irrigated by the right holder 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 246.6 acres to be irrigated within the 320.0 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.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79217, 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.
7. 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.
8. The combination of changes under Transfer approvals:

79213 as described under rights 25-14405 and 25-14406
79215 as described under rights 29-14106 and 29-14107
79217 as described under rights 35-14381 and 35-14382
79218 as described under rights 27-12265 and 27-12266

provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer. These transfer approvals shall not require mutual dependence for ongoing mitigation.

Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 79217.
9. 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.
10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 35-14382

As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.



WATER RIGHT NO. 35-14395**As Modified by Transfer No. 82959**

In accordance with the approval of Transfer No. 82959, Water Right No. 35-14395 is now described as follows:

Right Holder: CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211
AND
MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 2/12/1975

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From
4/01

To
to 10/31

Diversion Rate
1.200 cfs
1.200 cfs

Diversion Volume
284.0 af
284.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 15 Twp 06S Rge 29E 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	
06S	29E	9													40.0				80.0
06S	29E	10									40.0	40.0							80.0

Right Acre Limit: 71.0

POU Total Acres: 160.0

CONDITIONS OF APPROVAL

1. Rights 35-14395, 35-14625, 35-14626, and 35-14627 are limited to the irrigation of a specific 117.6 acres within the 160.0 acre place of use authorized by these rights in a single irrigation season. The specific 117.6 acres to be irrigated by the right holder 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 117.6 acres to be irrigated within the 160.0 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.
2. 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. 120

Transfer No. 82959

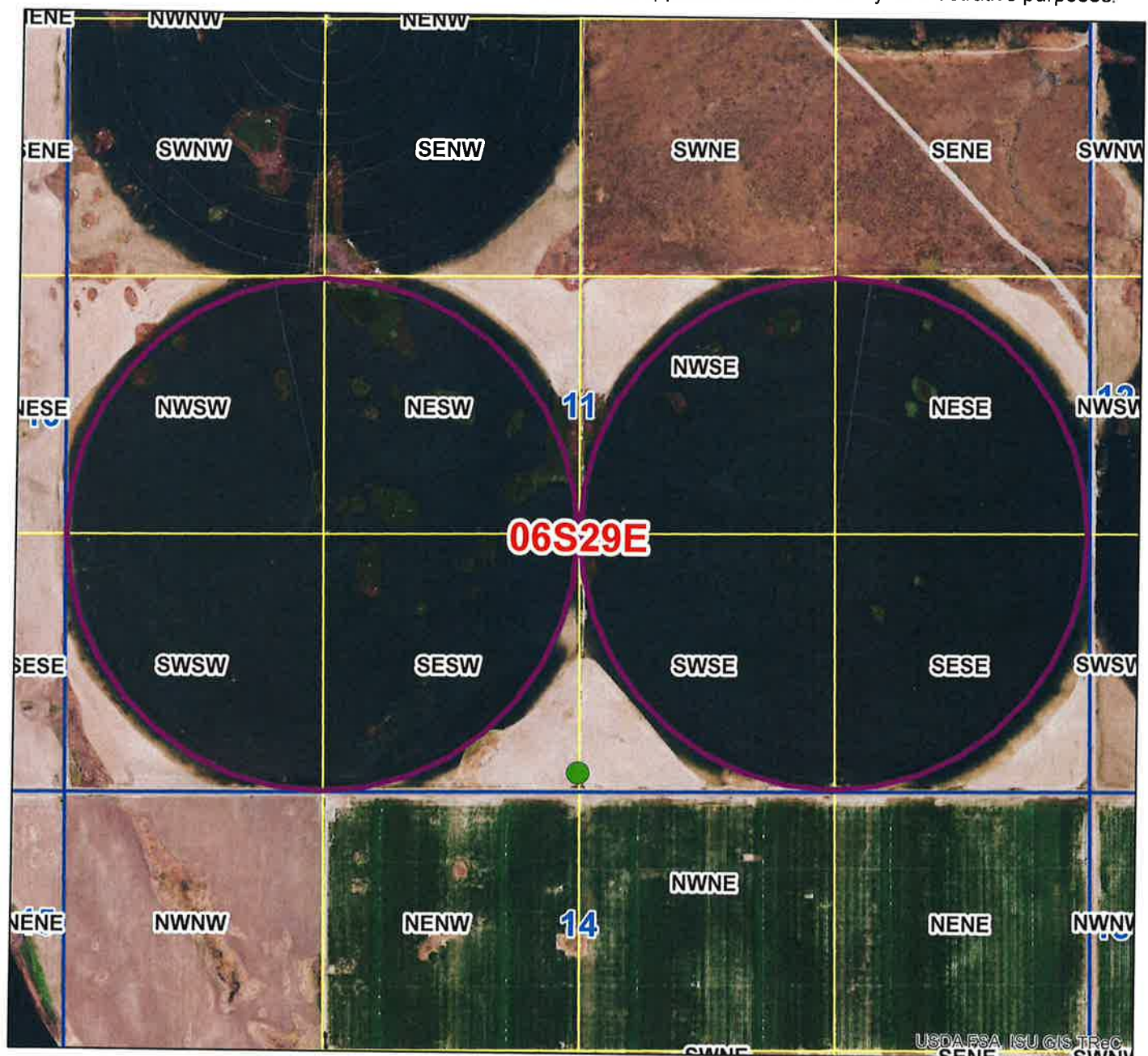
WATER RIGHT NO. 35-14395
As Modified by Transfer No. 82959

CONDITIONS OF APPROVAL

3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under Transfer approval 79870, 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.
5. 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.
6. 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.
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 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.

Attachment to Transfer Approval 82959

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.

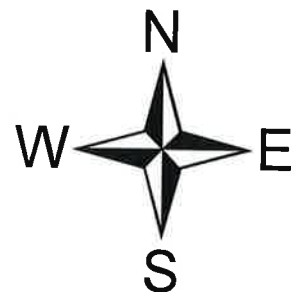


Legend

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

0 487.5 975 1,950 Feet

1 inch = 798 feet



Date: 3/8/2019