

RECEIVED

JAN 07 2019

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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) County Line Farms**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 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: Water right split worksheet (35-14205, 35-14280)

82959

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) County Line Farms Phone (208) 226-5207
Mailing address P.O. Box 360 American Falls, ID 83211 Email _____

- ☐ 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 Jason C. Helms, P.E. Phone (208) 308-2109
Mailing address 6755 N. Albert Lane Idaho Falls, ID 83401 Email jasoncivil@alumni.nd.edu

- ☐ 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.

Monte Funk
Signature of Applicant or Authorized Representative

Caroline Funk
Signature of Applicant or Authorized Representative

Monte Funk - owner
Print Name and Title if applicable
Caroline Funk
Print Name and Title if applicable

01-03-2019
Date
01-03-2019
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- 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**.
Reduce irrigation at existing locations by removing pivot end guns and transfer a portion of appurtenant water rights for use at this location. Attached ESPA analysis indicates negligible impacts resulting from change in point of diversion for transferred portions. Total irrigation authorized under all rights will remain unchanged.

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 well, lockable valve, flow meter and center pivot system

- b. Who owns the property at the point(s) of diversion? Applicant

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:

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:

Land will be dried up at the existing place of use to offset the same extent of new irrigation within the new place of use.

- 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:

The transferred water rights are independent and additive to other existing ground water rights at the original location. See attached water right split analysis table. 35-14395 currently authorizes 71 acres within the 160 acre permissible place of use (PPU) and will be used in combination with the additional water right portions.

- 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:

1/17/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MONTY FUNK 2248 COUNTY LINE RD AMERICAN FLS, ID 83211-5002 (208) 226-5207

Current Owner CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Basis: Decreed

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.270 CFS	84.3 AF
	Total Diversion		0.270 CFS	84.3 AF

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

IRRIGATION within POWER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	29E	11									33.4	32.2	31.9	32.7	33.4	32.0	31.7	32.9	260.2

Right Acre Limit: 18.9

POU Total Acres: 260.2

1. X27 This right is limited to the irrigation of 18.9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.52 cfs, a total annual maximum diversion volume of 1040.8 af at the field headgate, and the irrigation of 260.2 acres.
3. 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.
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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/17/2019

5198 shall be accomplished by June 12, 1999.

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.520	1,040.8	260.2
35-14199 ,35-14201 ,35-14203 ,35-14205 ,35-14207		

SubCase:

N/A

Water Supply Bank:

N/A

Monty & Carolene Funk

Split recalculation

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/17/2019

Water Right 35-7965B

Owner Type
Current Owner

Name and Address
GREAT RIFT LANDS
C/O LANCE FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
(208) 226-5207

Priority Date: 3/23/1981

Basis: Decreed

Status: PARENT

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	0.520 CFS	160.0 AF
	Total Diversion		0.520 CFS	160.0 AF

Source and 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 within POWER County

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	2									39.0		40.0	39.0					118.0
06S	29E	11					39.0	37.0	37.0	35.0	34.0	36.0	32.0	35.0	40.0	40.0	40.0	39.0	444.0

Right Acre Limit: 40.0

POU Total Acres: 562.0

296 acres

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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.37 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2248 AF.
COMBINED RIGHT NOS.: 35-07246G, 35-07959B, 35-07960C, 35-07968B AND 35-08660B.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 562 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-07246G, 35-07959B, 35-07960C, 35-07968B AND

40 acre Limit / 562 acre POU x 296 Acres of 1200 for split =
21.1 acres for split for 35-14205
to be corrected
as part of
Transfer
8/24/84

54

Date: 06/21/2007

Warranty Deed
- continued

File No.: 207481-P (jb)

EXHIBIT A

PARCEL 1:

LOTS 1, 2 AND 3 AND S1/2N1/2 OF SECTION 1, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 2:

LOT 3 AND S1/2NW1/4 OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 4:

LOTS 1, 2, 3 AND 4, S1/2N1/2, SW1/4 AND SE1/4SE1/4 OF SECTION 3, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 5:

N1/2 OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 6:

SW1/4 AND NE1/4NE1/4 OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 7:

SE1/4 OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 8:

SW1/4 AND S1/2NW1/4 OF SECTION 25, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 9:

NE1/4 OF SECTION 26, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

PARCEL 10:

S1/2SE1/4 OF SECTION 24, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

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

Current Water Right No.: 35-14209

Current Owner: MONTY FUNK
CAROLENE FUNK

Priority Date: 10/26/1987

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.35 CFS

0.35 CFS

Annual Volume

143.2 AF

143.2 AF

Location of Point(s) of Diversion

GROUND WATER

POWER County

SW1/4SW1/4SE1/4

Sec. 1, Twp 06S, Rge 29E B.M.

Place of Use

IRRIGATION Within POWER County

T06S R29E S1	NESW	34.30	T06S R29E S1	NWSW	33.00
T06S R29E S1	SWSW	33.20	T06S R29E S1	SESW	34.50
T06S R29E S1	NESE	34.70	T06S R29E S1	NWSE	33.20
T06S R29E S1	SWSE	34.40	T06S R29E S1	SESE	34.50
T06S R29E S2	NWSE	29.50	T06S R29E S2	SWSE	29.70
T06S R29E S2	SESE	29.30			

Total Acres: 360.3

Conditions of Approval:

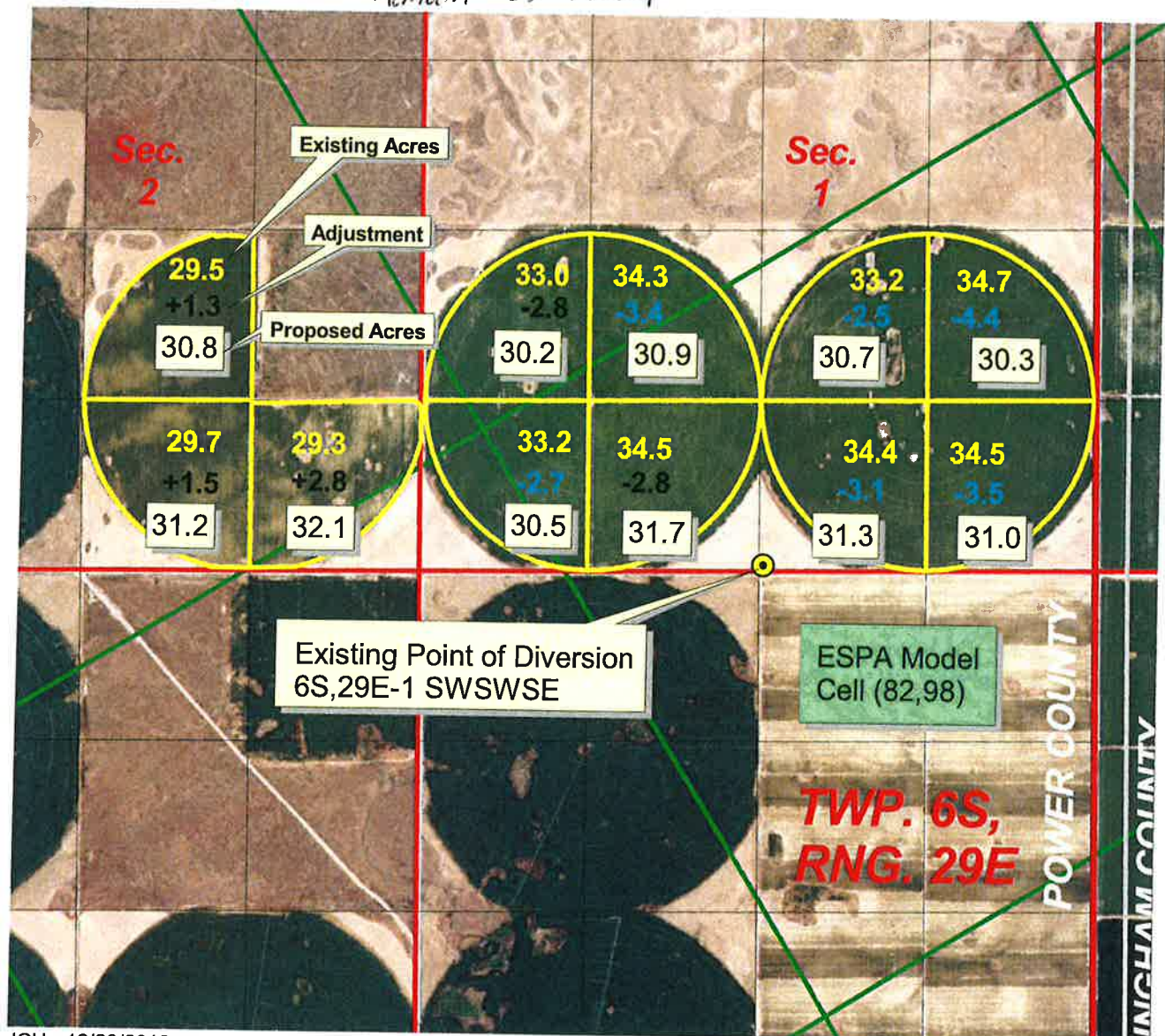
1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 214 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.
4. 213 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.
5. R55 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. R02 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.
8. X27 This right is limited to the irrigation of 35.8 acres within the authorized place of use in a single irrigation season.
9. X35 Rights 35-7968A, 35-8660A and 35-14209 when combined shall not exceed a total diversion rate of 4.68 cfs and the irrigation of 360.3 acres.
10. 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 lands above.

Licensed Date: 6/16/1995

Application for Water Right Transfer

Proposed Point of Diversion & Place of Use

Remain 35-14209



JCH - 12/29/2018

2017 NAIP Aerial Photo

- Existing Point of Diversion
- Proposed Irrigation Place of Use (Yellow)
340.7 Total Acres

- Sections
- ESPA Model Grid
- 40s (Power County)



Attachment #7a, 7b

82959

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

Current Water Right No.: 35-14280

Current Owner: MONTY FUNK
CAROLINE FUNK

Priority Date: 7/19/1973

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	1.19 CFS	310 AF
	<u>Total Diversion</u>	1.19 CFS	310 AF

Location of Point(s) of Diversion

GROUND WATER
POWER County

SE1/4SE1/4NW1/4 Sec. 12, Twp 06S, Rge 29E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T06S R29E S12	NENW	40.00	T06S R29E S12	NWNW	40.00
T06S R29E S12	SWNW	40.00	T06S R29E S12	SENE	40.00
T06S R29E S12	NESW	40.00	T06S R29E S12	NWSW	40.00
T06S R29E S12	SWSW	40.00	T06S R29E S12	SESW	40.00

Total Acres: 320

Conditions of Approval:

1. 201 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.

82954

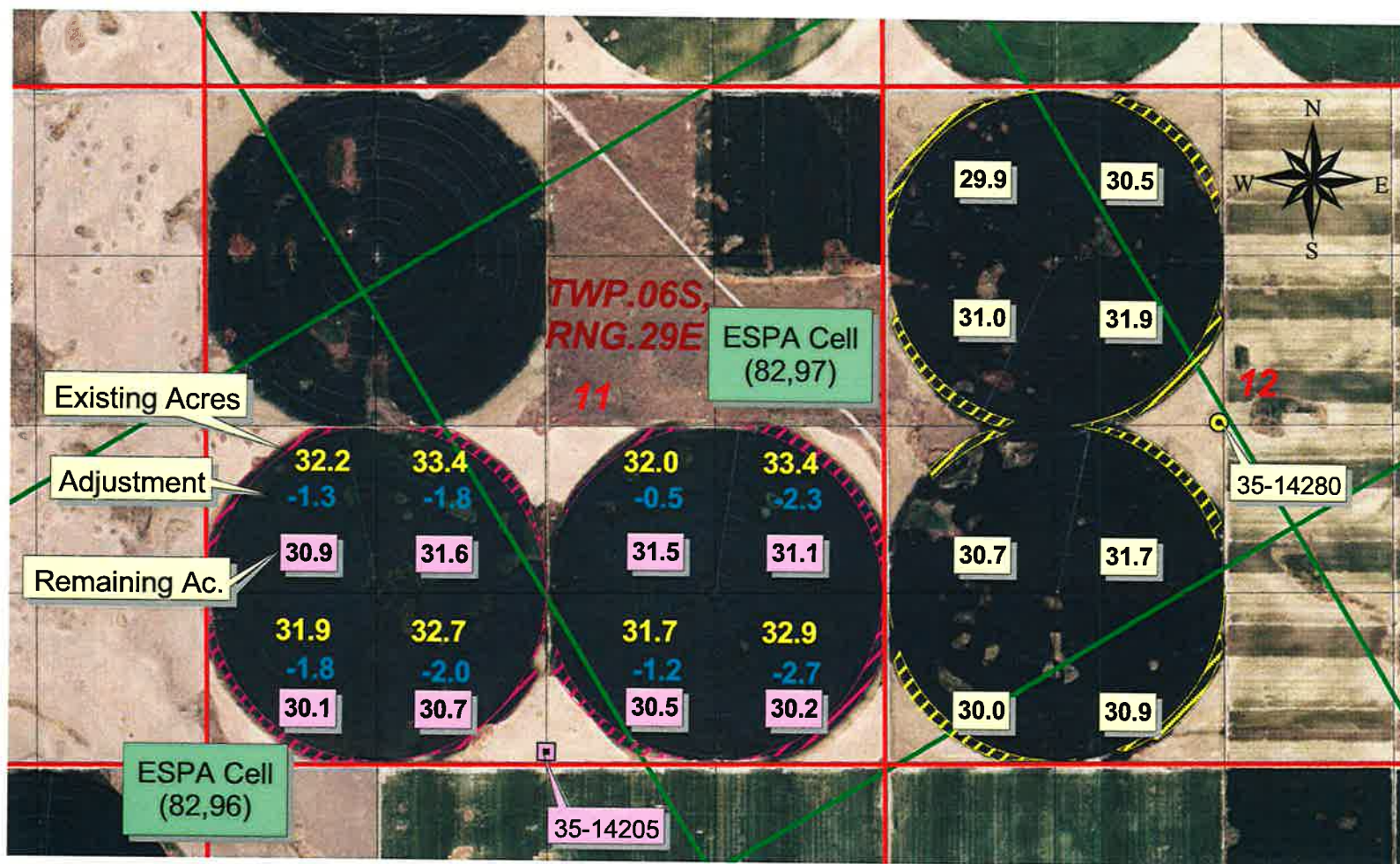
Page _____ of _____

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. 120.
3. R02 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. 206 Rights 35-14046, 35-14052, 35-14280, 35-14381 and 35-14382 are limited to the irrigation of a specific 260.0 acres within the 320.0 acre place of use authorized by these rights in a single irrigation season. The specific 260.0 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 260.0 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. 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 lands above.
6. 213 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. 004 This right does not grant any right-of-way or easement across the land of another.
8. X35 Rights 35-14046, 35-14052 and 35-14280 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 730.0 af at the field headgate, and the irrigation of 182.5 acres.
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. 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.
11. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. X27 This right is limited to the irrigation of 77.5 acres within the authorized place of use in a single irrigation season.
13. 214 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.

Decreed Date: 6/7/2002

82954

82959



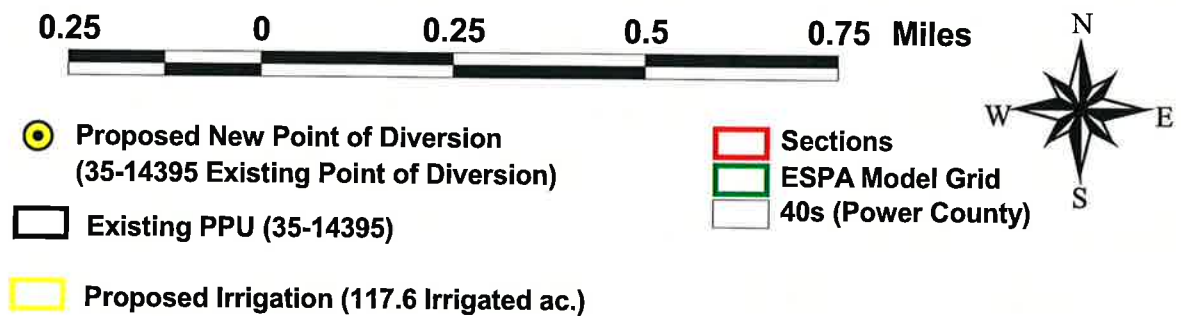
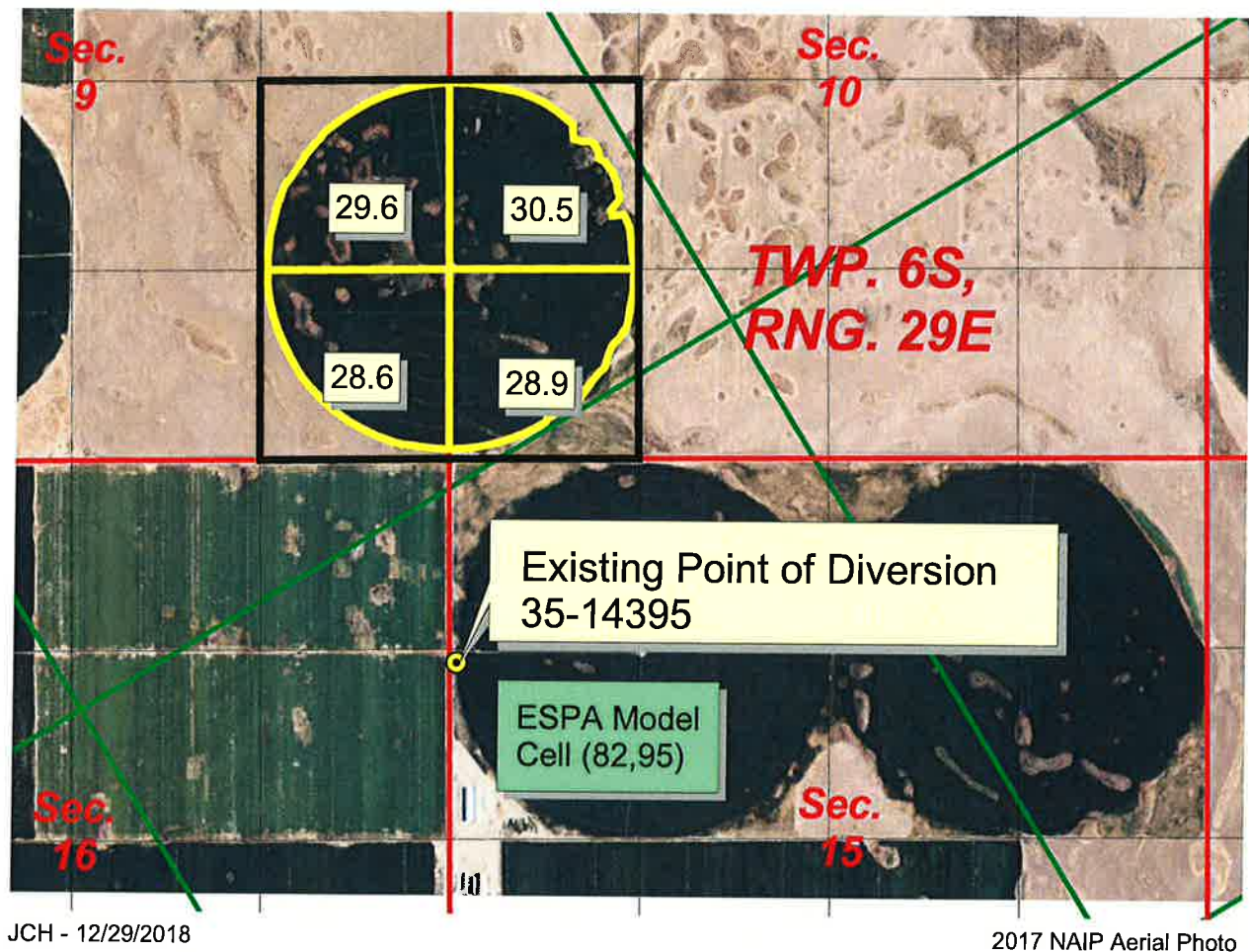
JCH - 12/29/2018

NAIP 2017 Aerial Photo



Application for Water Right Transfer

Proposed Point of Diversion & Place of Use



Attachment #7a

82959

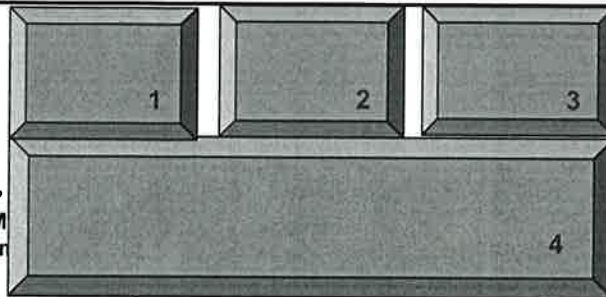
ENHANCED GROUND-WATER RIGHTS TOOL

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE | IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are
set up for user entries

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON
YEAR
SEASON

TRANSFER NO:
35-14395, 14205,
TRANSFER NAME
County Line Farm



ENTER CELL LOCATIONS:				water right	priority	vol. [acre-ft]
	'TO' CELL	'FROM1' CEL	'FROM2' CEL	'FROM3' CEL		
ROW	82	82	82	82	35-14209	3/23/1981
COLUMN	95	98	97	96	35-14280	7/19/1973
					25-14205	10/25/1987
				35-14209	35-14280	25-14205
					Total transfer:	186.40

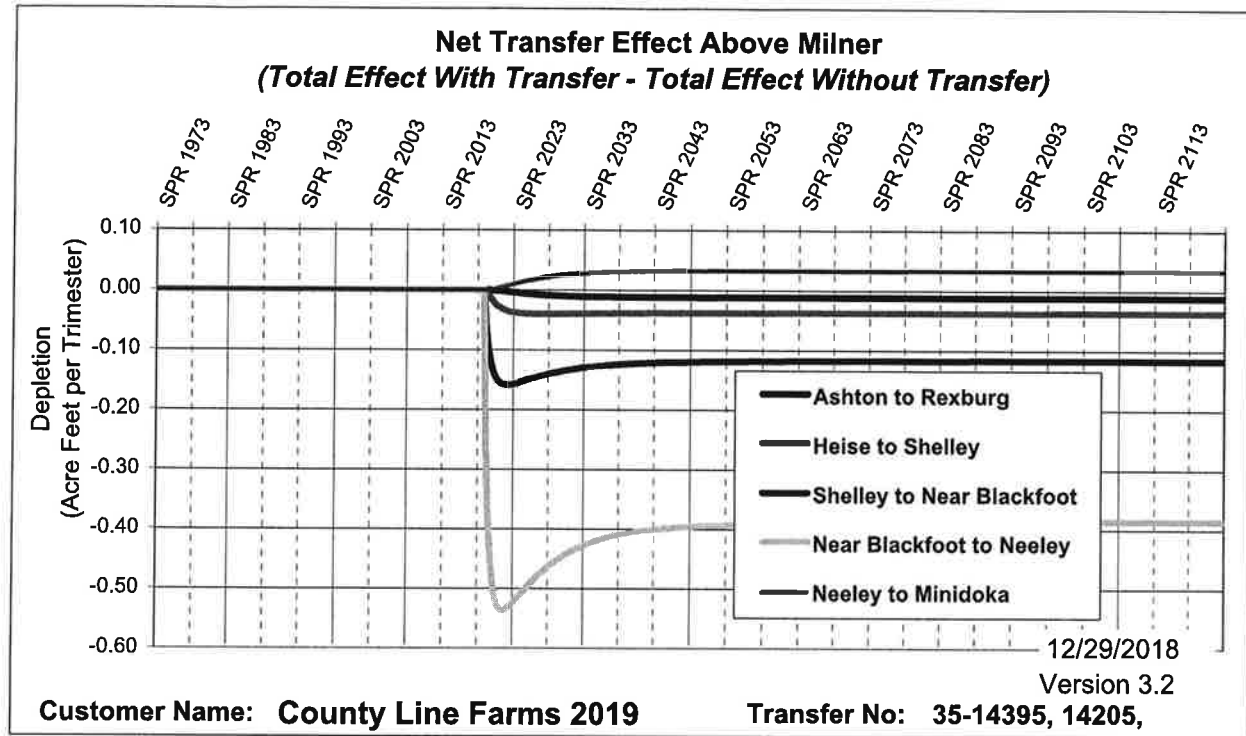
TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	35-14209		35-14280		25-14205		Total transfer:	
		FROM1 WELL		FROM2 WELL		FROM3 WELL			
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1973	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
WIN 1973	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
SPR 1974	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
SPR 1980	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
SUM 1980	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
WIN 1980	0.0	0.0	0.0	0.0	17.9	17.9	0.0	0.0	0.0
SPR 1981	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
SUM 1981	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
WIN 1981	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
SPR 1982	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
SPR 1987	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
SUM 1987	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
WIN 1987	0.0	26.1	26.1	17.9	17.9	0.0	0.0	0.0	0.0
SPR 1988	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
SUM 1988	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
WIN 1988	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
SPR 1989	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
SPR 2018	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
SUM 2018	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
WIN 2018	0.0	26.1	26.1	17.9	17.9	18.1	18.1	18.1	18.1
SPR 2019	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
SUM 2019	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
WIN 2019	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
SPR 2020	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
SPR 2122	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
SUM 2122	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1
WIN 2122	62.1	0.0	26.1	0.0	17.9	0.0	0.0	18.1	18.1

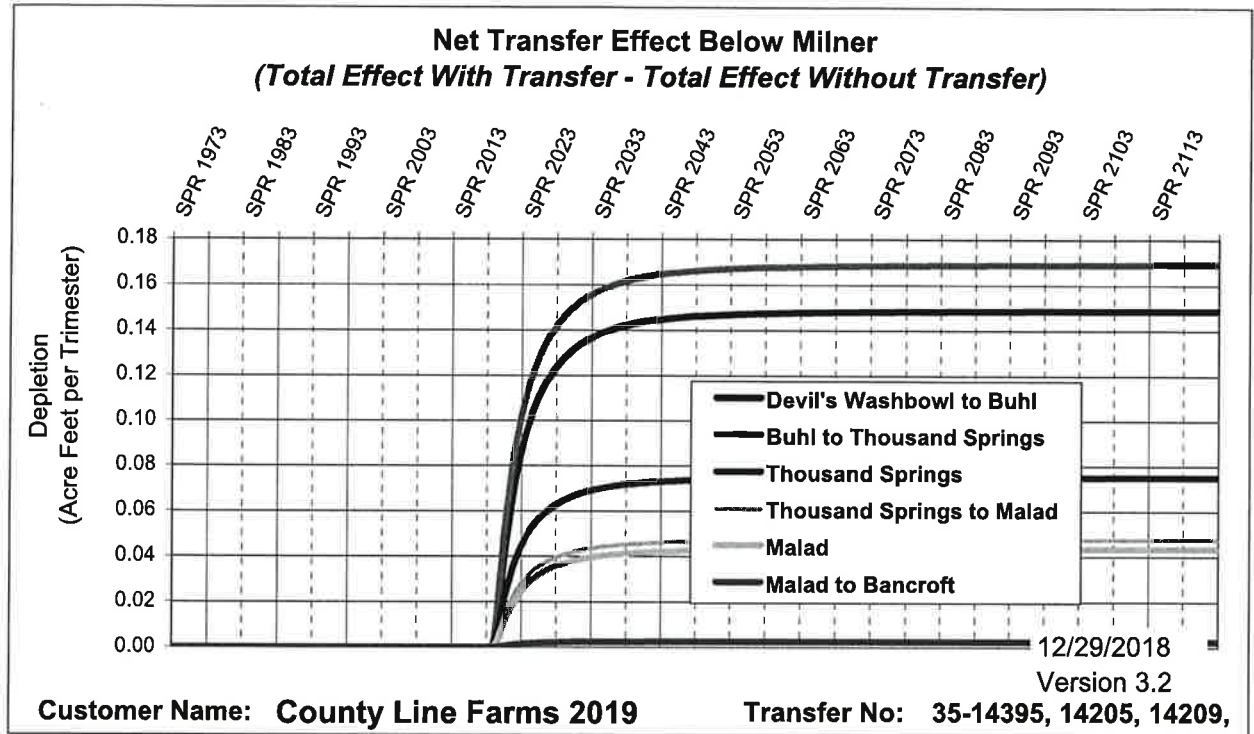
ATTACHMENT #5
Data Entry

JCH - 12/29/2018

ATTACHMENT #5-1

82954





GROUP2 (fields 50,51)		Div Rgt	Vol	Ac	Rate/ly	Vol L, m	Ac L, m
Existing Rights							
35-14046	10/31/1986	0.41	110.9	27.7	1.55	420.0	105.0
35-14052	1/27/1976	1.55	309.1	77.3			
35-14280	7/19/1973	1.19	310.0	77.5	1.19	310.0	77.5
35-14381	8/18/1953	1.01	202.0	50.5	1.01	310.0	77.5
35-14382	12/3/1980	0.66	131.6	32.9			
TOTAL		3.75	1040.0	260.0	3.75	1040.0	260.0
Proposed Reduction							
35-14280	7/19/1973	0.21	53.6	13.4	0.21	53.6	13.4
Remaining Rights							
35-14046	10/31/1986	0.41	110.9	27.7	1.55	420.0	105.0
35-14052	1/27/1976	1.55	309.1	77.3			
35-14280	7/19/1973	0.98	256.4	64.1	0.98	256.4	64.1
35-14381	8/18/1953	1.01	202.0	50.5	1.01	310.0	77.5
35-14382	12/3/1980	0.66	131.6	32.9			
TOTAL		3.54	986.4	246.6	3.54	986.4	246.6
GROUP3 (fields 36,37)							
Existing Rights							
35-14199	9/5/1972	1.47	474.0	118.5			
35-14201	3/18/1981	0.63	126.4	31.6			
35-14203	3/18/1981	0.83	223.3	55.8			
35-14205	3/23/1981	0.27	84.3	18.9			
35-14207	3/23/1981	0.32	132.7	33.2			
TOTAL		3.52	1040.7	258.0			
Proposed Reduction							
35-14205	3/23/1981	0.17	54.4	13.6			
Remaining Rights							
35-14199	9/5/1972	1.47	474.0	118.5			
35-14201	3/18/1981	0.63	126.4	31.6			
35-14203	3/18/1981	0.83	223.3	55.8			
35-14205	3/23/1981	0.10	29.9	7.5			
35-14207	3/23/1981	0.32	132.7	33.2			
TOTAL		3.35	986.3	246.6			
Transfer #2							
Increase authorized irrigation in 6S,29E. Sec. 12 (WMIS# 600331)							
Existing Right (TO Cell)							
35-14395	2/12/1975	1.20	284.0	71.0		ESPA Cell: 82,95	
Transfer Rights							
From GROUP1							
35-14209	10/26/1987	0.19	78.4	19.6		ESPA Cell: 82,98	
From GROUP2							
35-14280	7/19/1973	0.21	53.6	13.4		ESPA Cell: 82,97	
From GROUP3							
35-14205	3/23/1981	0.17	54.4	13.6		ESPA Cell: 82,96	
TOTAL:		1.77	470.4	117.6			

JCH: Volume listed is in error
This should be 21.1 ac per split
of parent (ref. 35-7965B
& 35-14204)

JCH: Corrected volumes

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/16/2019

Water Right 35-14395

Owner Type **Name and Address**
Current Owner CAROLENE FUNK
2254 COUNTY LINE RD
PO BOX 360
AMERICAN FALLS, ID 83211

Current Owner MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
(208) 226-2207

Priority Date: 2/12/1975

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.200 CFS	284.0 AF
	<u>Total Diversion</u>		1.200 CFS	284.0 AF

Source and Point(s) of Diversion

GROUND WATER NWSWNW Sec. 15, Twp 06S, Rge 29E, POWER County

Place Of Use

IRRIGATION within POWER County

			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	9													40.0			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. 206 This right is limited to the irrigation of a specific 71 acres within the 160 acre place of use authorized by this right in a single irrigation season. The specific 71 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 71 acres to be irrigated within the 160 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. 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. 120

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/16/2019

3. R02 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. 214 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. 213 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. 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.
7. 004 This right does not grant any right-of-way or easement across the land of another.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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

Current Water Right No.: 35-14205

Current Owner: MONTY FUNK
CAROLENE FUNK

Priority Date: 3/23/1981

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	0.27 CFS	84.3 AF
	<u>Total Diversion</u>	0.27 CFS	84.3 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 11,	Twp 06S,	Rge 29E B.M.
POWER County				
GROUND WATER	SE1/4SW1/4	Sec. 11,	Twp 06S,	Rge 29E B.M.
POWER County				

Place of Use

IRRIGATION Within POWER County

T06S R29E S11	NESW	33.40	T06S R29E S11	NWSW	32.20
T06S R29E S11	SWSW	31.90	T06S R29E S11	SESW	32.70
T06S R29E S11	NESE	33.40	T06S R29E S11	NWSE	32.00
T06S R29E S11	SWSE	31.70	T06S R29E S11	SESE	32.90

Total Acres: 260.2

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. X27 This right is limited to the irrigation of 18.9 acres within the authorized place of use in a single irrigation season.
3. 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.
4. X35 Rights 35-14199, 35-14201, 35-14203, 35-14205 and 35-14207 when combined shall not exceed a total diversion rate of 3.52 cfs, a total annual maximum diversion volume of 1040.8 af at the field headgate, and the irrigation of 260.2 acres.

January 7, 2019

RECEIVED
JAN 07 2019
Department of Water Resources
Eastern Region

JCH Engineering & Consulting, PLLC

6755 N. Albert Lane
Idaho Falls, ID 83401
(208) 308-2109
jasoncivil@alumni.nd.edu

Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Boise, ID 83402-1718

Re: (2) Applications for Water Right Transfer (County Line Farms)

Dear Reviewing Agent:

Please find attached two applications for water right transfer prepared on behalf of County Line Farms seeking to reduce irrigation on certain pivots and move the appurtenant rights for use on other owned lands nearby. One of the transfers relocates acreage within fields 43, 44 and 45 associated with existing rights 35-7968A, 35-8660A and 35-14209 while the other moves portions of 35-14205, 35-14209, and 35-14280 for use on field 34 with existing right 35-14395. These wells divert from various ESPA model cells located within about 3 miles of each other. The attached ESPA analysis indicates impacts resulting from the proposed transfer are negligible.

If you have any questions regarding the applications or need any additional information to allow processing, please don't hesitate to contact me at your convenience.

Thanks,



Jason C. Helms, P.E.

Attachments: Application for Water Right Transfer (0.57cfs /188.4 afa: \$500)
Application for Water Right Transfer (0.07cfs /22.4 afa: \$250)
Transfer Application Fee (County Line Farms Check #35256: \$700)

cc: County Line Farms

82959