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ENGINEERING
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Hydraulics

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Water Resources

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FEB 09 2017

Department of Water Resources
Eastern Region

February 6, 2017

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Lance and/or Lisa Funk Partnership Permit 35-14240

Dear Mr. Cefalo:

The beneficial use field exam has been performed for water right permit 35-14240. Attached to this letter is the Statement of Completion, Beneficial Use Field Report, aerial maps and supporting documents for permit 35-14240.

The beneficial use field exam was performed late in the 2016 irrigation season and it is requested that additional information be allowed to be submitted to the Idaho Department of Water Resources pertaining to the diversion rate of this permit. It is proposed that a sight visit be performed by the beneficial field examiner during the months of May or June to document the diversion rate during the early part of the irrigation season.

By providing an early and late season diversion rate values, the Idaho Department of Water Resources can recommend the most accurate diversion rate for the license of 35-14240.

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Sincerely,



Greg Sullivan, M.S., Engineer

Cc: Lance Funk

Enc: Statement of Completion, Beneficial Use Field Report, Aerial Maps, Photographs

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FEB 09 2017

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ _____
Receipt No. _____
Received By _____
Date Received _____

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed and** that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, contact any Department office or visit the Department's website at idwr.idaho.gov for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are **not** applying for an extension, please notify the Department in writing.

- Permit No. 35-14240 Telephone No. (208)226-9976
- Name of Permit Holder(s) LANCE AND/OR LISA FUNK PARTNERSHIP
- Mailing Address PO Box 310 City AMERICAN FALLS
State ID Zip 83211 Email _____
- Source of Water Ground Water If **GROUND WATER** (well), Date Drilled mo. 4 / yr. 2010
Well Driller Vollmer Drilling Drilling Permit Number 858693
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) _____ Stockwater (No. and type of stock) _____
Irrigation (No. of acres) 168.7 Other _____
- Total rate of diversion or storage volume for which proof is submitted 3.37 cfs OR 674.8 acre-feet.
- Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit:
Refer to the approval conditions on your permit and respond accordingly.
The Department will not issue a license if permit conditions are not met.

Measuring Device	Is a measuring device required?	Yes ☒	No ☐
	If yes, has the measuring device been installed?	Yes ☒	No ☐
Lockable Controlling Device	Is a lockable device required to control the diversion?	Yes ☒	No ☐
	If yes, has the lockable device been installed?	Yes ☒	No ☐
Fish Screen	Is a fish screen required?	Yes ☐	No ☒
	If yes, has the fish screen been installed?	Yes ☐	No ☒

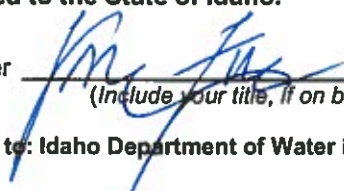
Other Conditions of Permit

Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

_____ Completed? Yes ☐ No ☐

- Fee Enclosed \$ _____ or not applicable ☐. See fee schedule on page 2 of the instructions.
Proof statements filed without an appropriate fee, will be considered incomplete.
- Person to contact to accompany the Department representative during field examination of the water system.
Name Lance Funk Telephone Number 208-226-9976
Mailing Address 2960 CEDAR LN City American Falls
State ID Zip 83211 Email _____

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of Permit Holder  Date 6-30-16
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 09 2017
Department of Water Resources
Eastern Region

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

A. GENERAL INFORMATIONPermit No. 35-142401. Owner LANCE AND/OR LISA FUNK PARTNERSHIPPhone No. (208)226-9976Current address PO Box 310 AMERICAN FALLS, ID 832112. Examiner's name Greg Sullivan

EXAM DATE _____

3. Accompanied by Lance FunkEmail greg.sullivan@brockwayeng.comAddress 2016 North Washington St Ste 4 Twin Falls, Idaho 83301Relationship to permit holder ConsultantPhone No. 208-736-85434. Source Ground Water

tributary to _____

B. OVERLAP REVIEW1. Other water rights with the same place of use None2. Other water rights with the same source and point of diversion 35-7973**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident. No.	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County	Method of Determination/Remarks
			SW	SE	1	07S	28E	Power	Aerial Photography/ Site Visit

2. Place(s) of Use: Method of determination Aerial Photography

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	28E	12	30.5	30.5	30.5	30.5	31.9	14.8											168.7

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☐ see attached.

See Attached Maps

Scale: 1" = _____

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (required)
☒ Aerial photo attached (required for irrigation of 10+ acres)
☒ Photo of diversion and system attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	400	6215J	LA 90	

*Code to correspond with no. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Magnetic Flow Meter	Magnetic	Siemens	Mag 5000	IXH21110244	12	

2. **Measurements:** _____

Mag 5000 was observed at 2,228.0 gpm

There was insufficient space on the mainline piping to utilize a clamp on Fuji Ultra Sonic meter.

E. NARRATIVE/REMARKS/COMMENTS

See attached Narrative letter.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☒ Yes ☐ No If no, what must be done to meet the permit requirements?

[illegible]

Permit 35-14240

Narrative/Remarks/Comments for Beneficial Use Field Report

A field examination for Permit 35-14240, an irrigation permit held by Lance and/or Lisa Funk Partnership has been performed. Based on aerial photographs and the site visit the following information has been observed. The well has been drilled. The pump and motor have been installed and the well has provided water to the designated place of use.

There is one well identified as the authorized POD for water right permit 35-14240. The well is located at Township 07S Range 28E Section 1 SWSE. There was insufficient pipe spacing to attach a strap-on ultrasonic meter to record flow measurements during the field exam for the well.

The well has a 400 Hp motor and has a 12 inch Siemens Mag 5000 flow meter that was correctly installed in 2016. The pump was turned on and a measurement of 2,228 gpm (4.96 cfs) was obtained after the system had stabilized and was pumping to both center pivots in a normal operating configuration.

A well log for the well was obtained from IDWR well driller log database. The well was modified in 2010 and is 660 feet in depth. The well does not identify the casing location, depth of the casing or if the casing is perforated. The well tag number is D0057577 and was drilled by Vollmer Drilling. The static water level at the time the well modification was performed was 413 feet.

Observed acres irrigated during the field exam and through 2015 aerial photographs are in accordance with Permit 35-14240.

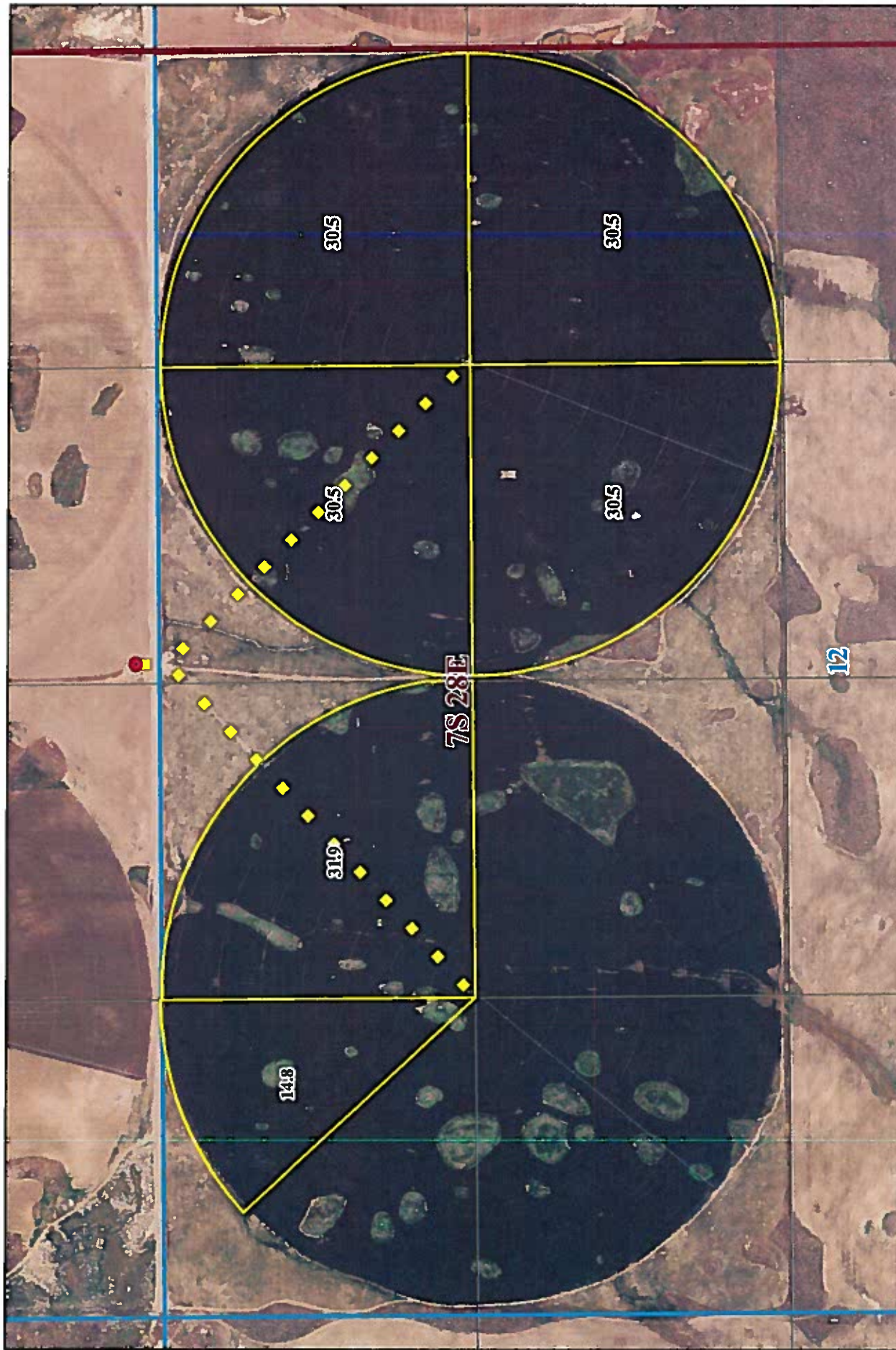
It is recommended that water right permit 35-14240 be licensed with an acre limit of 168.7 acres, an annual volume limit of 674.8 acre feet per year ($168.7 \times 4.0 = 674.8$ afa) and a diversion rate of 3.37 cfs ($168.7 \times 0.02 = 3.37$ cfs).

Water right 35-7973 is diverted from the same POD as permit 35-14240. There is no overlap of the POU's for these two water rights. No combined acre limits, diversion rate limits or volume limits are recommended.

Permit Conditions #1 through #10 are still appropriate and it is recommended they be included on the license.

The beneficial use field exam was performed late in the 2016 irrigation season and it is requested that additional information be allowed to be submitted to the Idaho Department of Water Resources pertaining to the diversion rate of this permit. It is proposed that a sight visit be performed by the beneficial field examiner during the months of May or June to document the diversion rate during the early part of the irrigation season.

By providing an early and late season diversion rate values, the Idaho Department of Water Resources can recommend the most accurate diversion rate for the license of 35-14240.



Legend

- Main Line
- Permit_35-14240
- House_WR_POD's

FUNK, LANCE
PERMIT 35-14240 POU
NAIP 2015 AERIAL

0 255 510 1,020 Feet

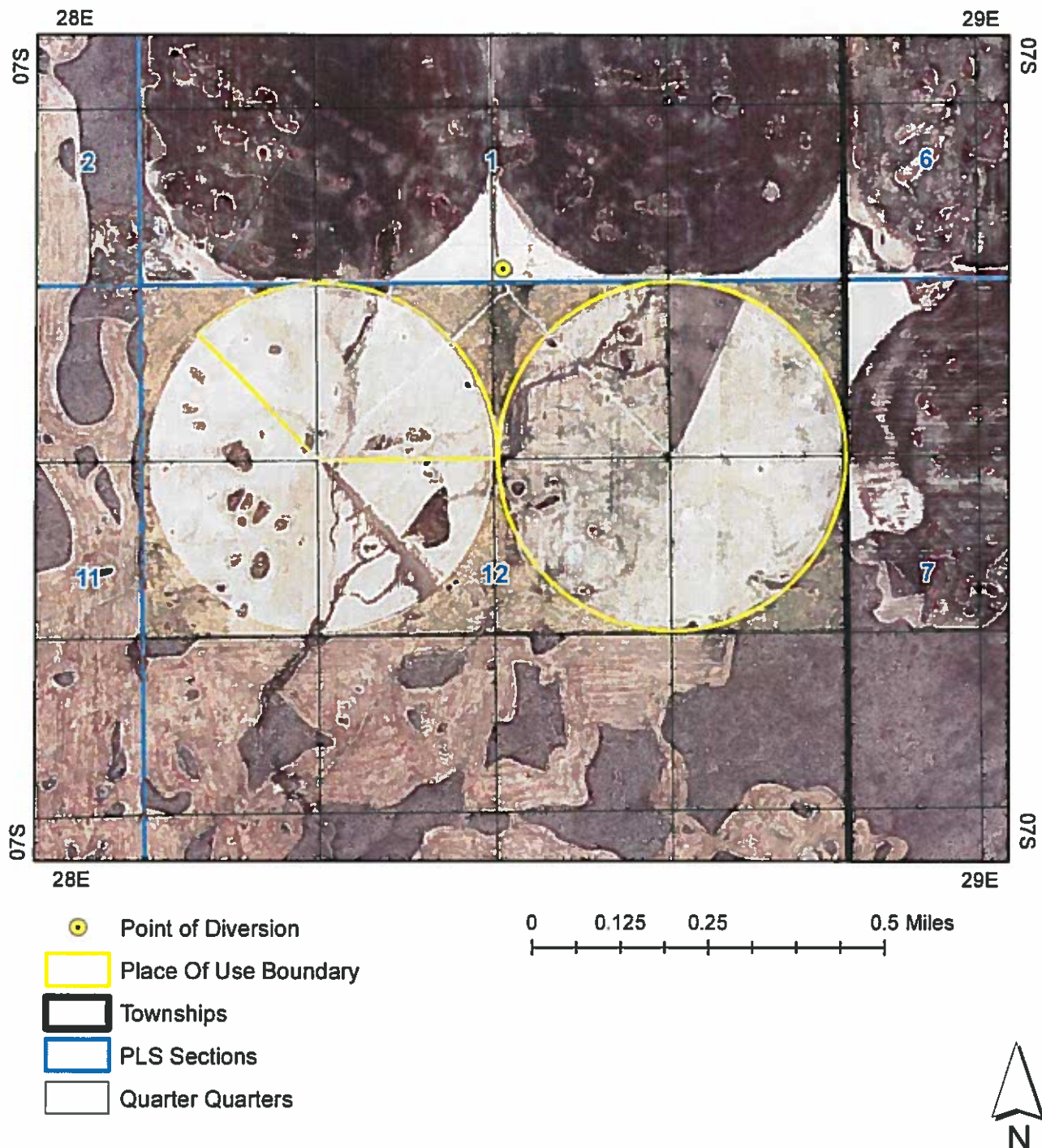
BROCKWAY ENGINEERING, PLLC.
 GWS -November 22, 2016

State of Idaho
Department of Water Resources

Permit To Appropriate Water 35-14240

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

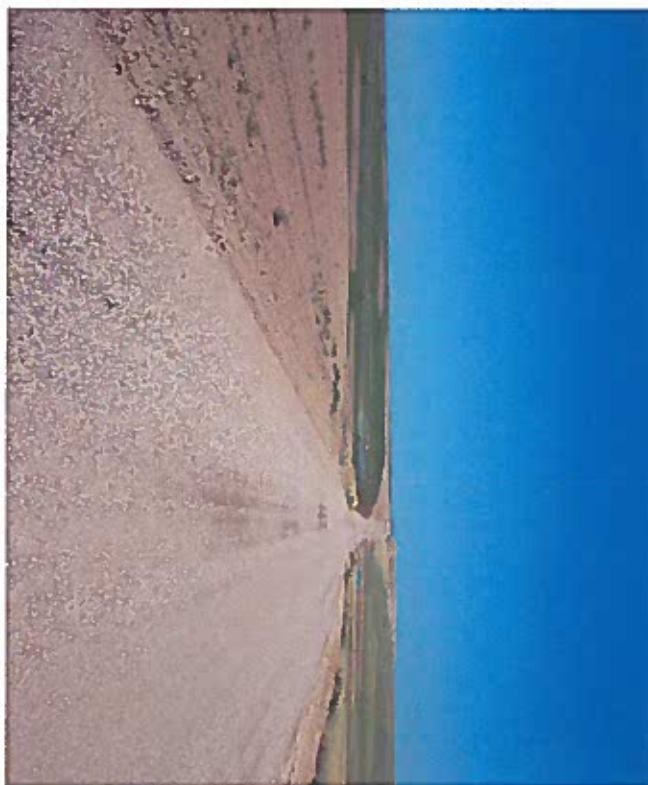
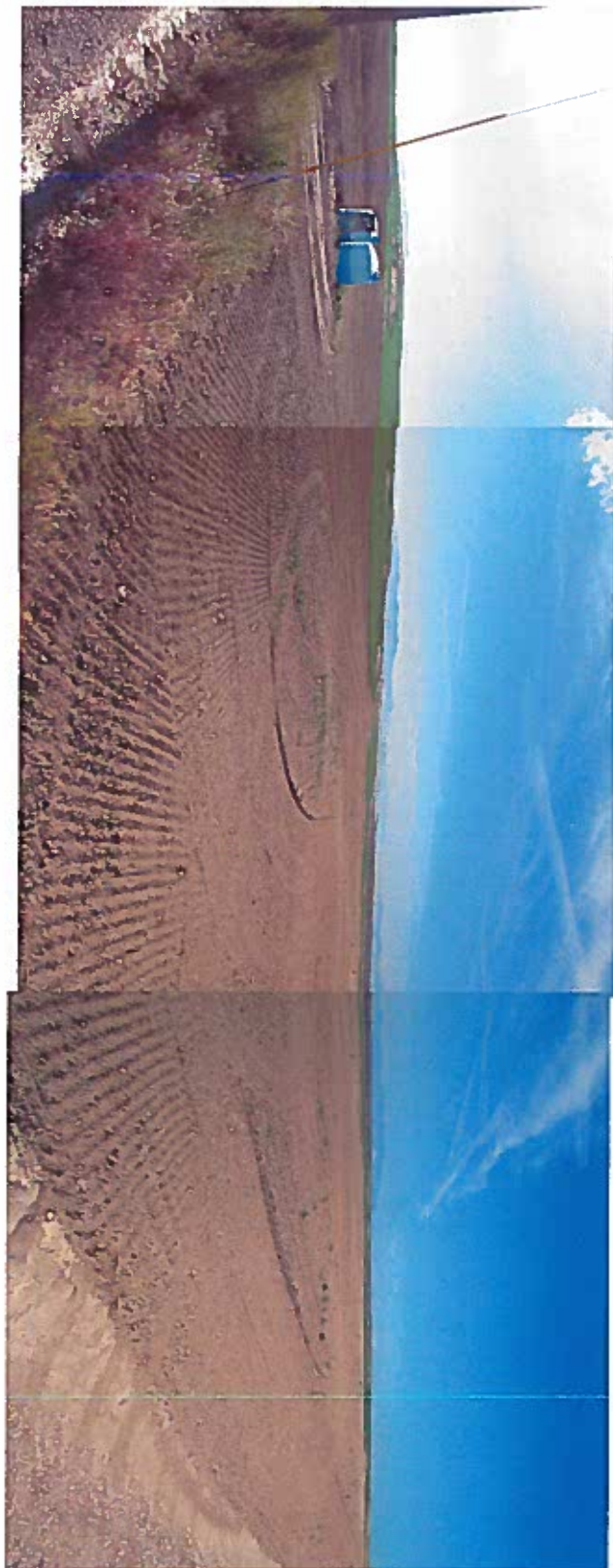








Lance Funk
Water Right Permit 35-14240



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report

6/27/2016

WATER RIGHT NO. 35-14240

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LANCE AND/OR LISA FUNK PARTNERSHIP 2960 CEDAR LN AMERICAN FALLS, ID 83211 (208)226-9976
Representative	BROCKWAY ENGINEERING PLLC C/O GREG SULLIVAN 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Security Interest	RABO AGRIFINANCE INC 12443 OLIVE BLVD STE 50 ST LOUIS, MO 63141

Priority Date: 02/08/2012
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.37 CFS	674.8 AFA
Total Diversion			3.37 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSWSE|Sec. 01|Township 07S|Range 28E|POWER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	28E	12		NENE	30.5		NWNE	30.5		SWNE	30.5		SENE	30.5
				NENW	31.9		NWNW	14.8						

Total Acres: 168.7

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. 01J Prior to diversion of water under this right, the right holder shall install and maintain a flow meter measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. 051 The ground water diverted under this right is "trust water" as defined in the 1984 Swan Falls Settlement. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review 5 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. 170 To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official records for the following water rights will be changed to show that diversion and use of water is not authorized because the rights, or a portion thereof, are being dedicated to mitigation purposes. Use Changed Mitigation Mitigation Mitigation Right No. to Mitigation Rate (cfs) Volume (AF) Acres 35-14014 Industrial 4.44 3215.5 N/A 35-14015 Industrial 3.95 2858.3 N/A Combined Limit: 6073.8 If the specified mitigation rights, or portion thereof, are sold, transferred, leased, used on any place of use, or are not deliverable due to a shortage of water, a priority call, or a termination in lease contract then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

6. In the event the right holder does not maintain the right to use water rights 35-14014 and 35-14015 for mitigation purposes, the right holder may propose a substitute mitigation plan. The substitute plan must be provided to the Department no later than December 1st in the year immediately prior to the irrigation season where the substitute plan is proposed to be implemented. The Department will advertise the substitute plan to the public and the protestants shall have the right to challenge the substitute plan. If the substitute plan is not approved by the Department, the right holder shall not divert under this right.
7. By December 1st of each year, the right holder shall provide a written report to the Department describing the number and location of acres irrigated that year, the volume of water diverted under this right, the source of mitigation for the next irrigation season, and the number and location of acres proposed to be irrigated in the following year.
8. As resources allow, the Department will conduct at least one in-person field examination of the authorized place of use of this right each year to verify the required mitigation and authorized irrigation under this right prior to June 15th of each year. It shall be the responsibility of the right holder to follow up with the Department by June 15th of each year to determine if the field examination was performed. If the Department is unable to conduct the field examination for any reason, the right holder or its consultant shall perform the field examination and report findings from the field examination to the Department and the protestants to this right by July 15th of each year.
9. 020 The diversion and use of water described in this right may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein.
10. 140 Noncompliance with any condition of this right, including the requirement for mitigation, is cause for the director to issue a notice of violation, cancel or revoke the right, or, if the right is included in a water district, request that the watermaster curtail diversion and use of water.

Dates:

Proof Due Date: 04/01/2017

Proof Made Date:

Approved Date: 03/03/2015

Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Application Received Date: 02/08/2012

Protest Deadline Date: 04/23/2012

Number of Protests: 9

Field Exam Date::

Date Sent to State Off:

Date Received at State Off:

Other Information:

State or Federal:
Owner Name Connector:
Water District Number: 120
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 4
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close