

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80682**

This is to certify that: **DARRELL M FUNK AND
PATRICIA M FUNK
3173 N 4900 E
MURTAUGH, ID 83344**

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>
45-13914	WR/DECREED	3/8/1948	2.570 cfs	560.0 af	140.0	343.0	GROUND WATER
45-2326	WR/DECREED	4/14/1950	4.120 cfs	N/A	206.0	234.0	UNNAMED STREAM
45-2443	WR/DECREED	4/24/1953	2.580 cfs	740.0 af	185.0	443.0	GROUND WATER
45-4102	WR/DECREED	3/15/1962	0.840 cfs	138.0 af	34.5	443.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

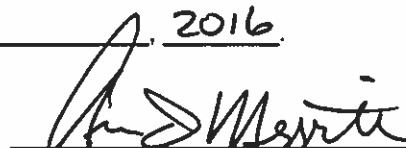
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-13914	NO	NO	YES	NO	NO	NO
45-2326	NO	NO	YES	NO	NO	NO
45-2443	NO	NO	YES	NO	NO	NO
45-4102	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-13914	45-13914	2.570 cfs	560.0 af	140.0	343.0	N/A	N/A	N/A	N/A	N/A
45-2326	45-2326	4.120 cfs	N/A	206.0	343.0	N/A	N/A	N/A	N/A	N/A
45-2443	45-2443	2.580 cfs	740.0 af	185.0	343.0	N/A	N/A	N/A	N/A	N/A
45-4102	45-4102	0.840 cfs	138.0 af	34.5	343.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.110 cfs	N/A	343.0	343.0		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 11th day of April, 2016.


Southern Region Manager

Transfer No. 80682

SUPPORT DATA

IN FILE # 45-2326

WATER RIGHT NO. 45-2326**As Modified by Transfer No. 80682**

In accordance with the approval of Transfer No. 80682, Water Right No. 45-2326 is now described as follows:

Right Holder: DARRELL M FUNK AND
PATRICIA M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 4/14/1950

Source: UNNAMED STREAM

Tributary: MURTAUGH LAKE

BENEFICIAL USE
IRRIGATION

From 03/15 **to** 11/15

Diversion Rate
4.120 cfs
4.120 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM NWSWNE Sec 22 Twp 11S Rge 20E TWIN FALLS 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	
11S	21E	19					26.2	35.7	35.8	24.2		34.3	23.8						180.0
								L 1	L 2			L 3	L 4						
11S	21E	30					7.5	34.5			25.1	35.6	35.5	24.8					163.0
								L 1				L 3	L 4						

Right Acre Limit: 206.0

POU Total Acres: 343.0

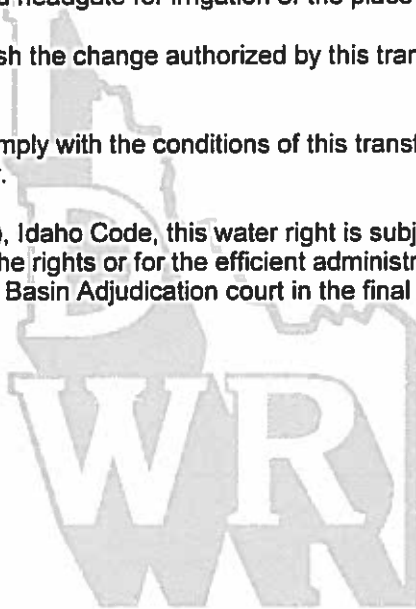
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 206 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2326 and 45-2443 when combined shall not exceed the irrigation of 206 acres.
3. Rights 45-2326, 45-2443, 45-4102, and 45-13914 when combined shall not exceed the irrigation of 343 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. 140.

WATER RIGHT NO. 45-2326
As Modified by Transfer No. 80682

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 45-13914**As Modified by Transfer No. 80682**

In accordance with the approval of Transfer No. 80682, Water Right No. 45-13914 is now described as follows:

Right Holder: DARRELL M FUNK AND
PATRICIA M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 3/8/1948

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	2.570 cfs	560.0 af
			2.570 cfs	560.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSNW	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSESW	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSWSW	Sec 22 Twp 11S Rge 20E	TWIN FALLS 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	
11S	21E	19					26.2	35.7	35.8	24.2		34.3	23.8						180.0
								L 1	L 2			L 3	L 4						
11S	21E	30					7.5	34.5			25.1	35.6	35.5	24.8					163.0
								L 1				L 3	L 4						

Right Acre Limit: 140.0

POU Total Acres: 343.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2443, 45-4102 and 45-13914 when combined shall not exceed a total diversion rate of 5.99 cfs and a total annual maximum diversion volume of 1372 af.
3. Rights 45-2326, 45-2443, 45-4102, and 45-13914 when combined shall not exceed the irrigation of 343 acres.

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WATER RIGHT NO. 45-13914

As Modified by Transfer No. 80682

CONDITIONS OF APPROVAL

4. 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.
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. 140.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7. Prior to the diversion and use of water under Transfer approval 80682, the right holder shall install and maintain acceptable measuring devices at the authorized points 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 points of diversion in accordance with Department specifications.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 29, 2005.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-2443**As Modified by Transfer No. 80682**

In accordance with the approval of Transfer No. 80682, Water Right No. 45-2443 is now described as follows:

Right Holder: DARRELL M FUNK AND
PATRICIA M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 4/24/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> 04/01	<u>To</u> to 10/31	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION			2.580 cfs	740.0 af
			2.580 cfs	740.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSENE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSESW	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSWSW	Sec 22 Twp 11S Rge 20E	TWIN FALLS 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	
11S	21E	19					26.2	35.7	35.8	24.2		34.3	23.8						180.0
								L 1	L 2			L 3	L 4						
11S	21E	30					7.5	34.5			25.1	35.6	35.5	24.8					163.0
								L 1				L 3	L 4						

Right Acre Limit: 185.0

POU Total Acres: 343.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 185 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2443 and 45-2326 when combined shall not exceed the irrigation of 206 acres.
3. Rights 45-2443, 45-4102 and 45-13914 when combined shall not exceed a total diversion rate of 5.99 cfs and a total annual maximum diversion volume of 1372 af.

Transfer No. 80682

WATER RIGHT NO. 45-2443

As Modified by Transfer No. 80682

CONDITIONS OF APPROVAL

4. Rights 45-2326, 45-2443, 45-4102, and 45-13914 when combined shall not exceed the irrigation of 343 acres.
5. 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. 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. 140.
7. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
8. Prior to the diversion and use of water under Transfer approval 80682, the right holder shall install and maintain acceptable measuring devices at the authorized points 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.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
11. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 29, 2005.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-4102**As Modified by Transfer No. 80682**

In accordance with the approval of Transfer No. 80682, Water Right No. 45-4102 is now described as follows:

Right Holder: DARRELL M FUNK AND
PATRICIA M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 3/15/1962

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	0.840 cfs	138.0 af
			0.840 cfs	138.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SESWNE	Sec 21 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSWNE	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSNW	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSESW	Sec 22 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SWSWSW	Sec 22 Twp 11S Rge 20E	TWIN FALLS 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	
11S	21E	19					26.2	35.7	35.8	24.2		34.3	23.8						180.0
								L 1	L 2			L 3	L 4						
11S	21E	30					7.5	34.5			25.1	35.6	35.5	24.8					163.0
								L 1				L 3	L 4						

Right Acre Limit: 34.5

POU Total Acres: 343.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34.5 acres within the authorized place of use in a single irrigation season.
2. Rights 45-2443, 45-4102 and 45-13914 when combined shall not exceed a total diversion rate of 5.99 cfs and a total annual maximum diversion volume of 1372 af.
3. Rights 45-2326, 45-2443, 45-4102, and 45-13914 when combined shall not exceed the irrigation of 343 acres.

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WATER RIGHT NO. 45-4102

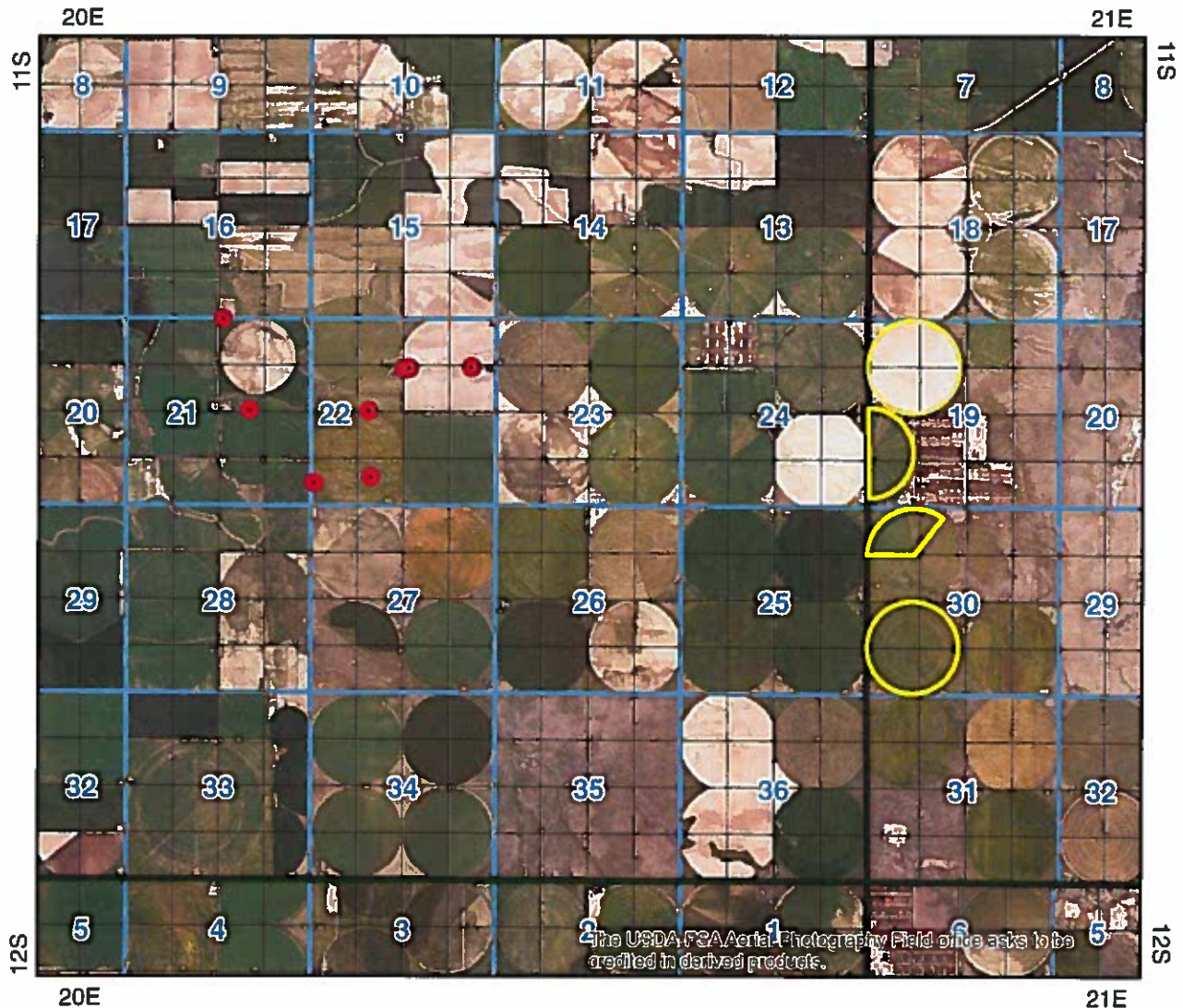
As Modified by Transfer No. 80682

CONDITIONS OF APPROVAL

4. 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.
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. 140.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
7. Prior to the diversion and use of water under Transfer approval 80682, the right holder shall install and maintain acceptable measuring devices at the authorized points 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 points of diversion in accordance with Department specifications.
9. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
10. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 29, 2005.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer No. 80682
Rights: 45-2443, 45-4102 and 45-13914

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



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.5 1 2 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 80682
Right: 45-2326

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



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.45 0.9 1.8 Miles

