

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79817

This is to certify that: CAROLENE FUNK AND
MONTY 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>
35-13810	WR/DECREED	10/13/1972	2.050 cfs	410.0 af	N/A	102.5	GROUND WATER
35-13811	WR/DECREED	10/13/1972	8.910 cfs	1782.0 af	N/A	445.5	GROUND WATER
35-13812	WR/LICENSE	1/10/1984	2.640 cfs	528.0 af	N/A	132.0	GROUND WATER
35-13813	WR/LICENSE	1/10/1984	0.500 cfs	100.0 af	N/A	25.0	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>
35-13810	YES	YES	YES	YES	NO	NO
35-13811	NO	NO	YES	YES	NO	NO
35-13812	NO	NO	YES	YES	NO	NO
35-13813	NO	NO	YES	YES	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>
35-13810	35-14418	1.950 cfs	390.0 af	97.5	700.0	35-13810	0.100 cfs	20.0 af	N/A	5.0
35-13811	35-13811	8.910 cfs	1782.0 af	445.5	700.0	N/A	N/A	N/A	N/A	N/A
35-13812	35-13812	2.640 cfs	528.0 af	132.0	700.0	N/A	N/A	N/A	N/A	N/A
35-13813	35-13813	0.500 cfs	100.0 af	25.0	700.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		13.090 cfs	2800.0 af	700.0	700.0		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 7th day of April, 2015.


for Chief, Water Allocation Bureau

Transfer No. 79817

SUPPORT DATA

IN FILE # 35-13810

WATER RIGHT NO. 35-13811
As Modified by Transfer No. 79817

In accordance with the approval of Transfer No. 79817, Water Right No. 35-13811 is now described as follows:

Right Holder: CAROLENE FUNK AND
MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 10/13/1972

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
04/01	to 11/01	8.910 cfs	1782.0 af
		8.910 cfs	1782.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSWNW	Sec 20 Twp 06S Rge 29E	POWER County
GROUND WATER	SWNWSW	Sec 28 Twp 06S Rge 29E	POWER County
GROUND WATER	SWNWNW	Sec 33 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	20													27.0	26.0	40.0	39.0	132.0
06S	29E	28									40.0	39.0	39.0	40.0					158.0
06S	29E	29	39.0			39.0									39.0	9.0	16.0	36.0	178.0
06S	29E	33		39.0	40.0		34.0	39.0	40.0	40.0									232.0

Right Acre Limit: 445.5

POU Total Acres: 700.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 445.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7825, 35-7926, 35-13811 and 35-13813 when combined shall not exceed a total diversion rate of 11.88 cfs.
3. Rights 35-13811, 35-13812, 35-13813 and 35-14418 when combined shall not exceed a total diversion rate of 13.09 cfs, a total annual maximum diversion volume of 2800 af at the field headgate, and the irrigation of 700 acres.

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WATER RIGHT NO. 35-13811
As Modified by Transfer No. 79817

CONDITIONS OF APPROVAL

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 79817, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
12. 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. 35-13812
As Modified by Transfer No. 79817

In accordance with the approval of Transfer No. 79817, Water Right No. 35-13812 is now described as follows:

Right Holder: MONTY FUNK AND
CAROLENE FUNK
PO BOX 360
AMERICAN FALLS, ID 83211

Priority Date: 1/10/1984

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	2.640 cfs	528.0 af
			2.640 cfs	528.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSWNW	Sec 20 Twp 06S Rge 29E POWER County
GROUND WATER	SWNWSW	Sec 28 Twp 06S Rge 29E POWER County
GROUND WATER	SWNWNW	Sec 33 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	20													27.0	26.0	40.0	39.0	132.0
06S	29E	28									40.0	39.0	39.0	40.0					158.0
06S	29E	29	39.0			39.0									39.0	9.0	16.0	36.0	178.0
06S	29E	33		39.0	40.0		34.0	39.0	40.0	40.0									232.0

Right Acre Limit: 132.0
POU Total Acres: 700.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 132 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13812 and 35-14418 when combined shall not exceed a total diversion rate of 3.68 cfs.
3. Rights 35-13811, 35-13812, 35-13813 and 35-14418 when combined shall not exceed a total diversion rate of 13.09 cfs, a total annual maximum diversion volume of 2800 af at the field headgate, and the irrigation of 700 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.

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WATER RIGHT NO. 35-13812
As Modified by Transfer No. 79817

CONDITIONS OF APPROVAL

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 79817, 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 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. 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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 35-13813
As Modified by Transfer No. 79817

In accordance with the approval of Transfer No. 79817, Water Right No. 35-13813 is now described as follows:

Right Holder: CAROLENE FUNK AND
 MONTY FUNK
 PO BOX 360
 AMERICAN FALLS, ID 83211

Priority Date: 1/10/1984

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	0.500 cfs	100.0 af
			0.500 cfs	100.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSWNW	Sec 20 Twp 06S Rge 29E POWER County
GROUND WATER	SWNWSW	Sec 28 Twp 06S Rge 29E POWER County
GROUND WATER	SWNWNW	Sec 33 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	20													27.0	26.0	40.0	39.0	132.0
06S	29E	28									40.0	39.0	39.0	40.0					158.0
06S	29E	29	39.0			39.0									39.0	9.0	16.0	36.0	178.0
06S	29E	33		39.0	40.0		34.0	39.0	40.0	40.0									232.0

Right Acre Limit: 25.0
 POU Total Acres: 700.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 25 acres within the authorized place of use in a single irrigation season.
2. Rights 35-7825, 35-7926, 35-13811 and 35-13813 when combined shall not exceed a total diversion rate of 11.88 cfs.
3. Rights 35-13811, 35-13812, 35-13813 and 35-14418 when combined shall not exceed a total diversion rate of 13.09 cfs, a total annual maximum diversion volume of 2800 af at the field headgate, and the irrigation of 700 acres.

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WATER RIGHT NO. 35-13813
As Modified by Transfer No. 79817

CONDITIONS OF APPROVAL

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 79817, 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 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. 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 35-13810
As Modified by Transfer No. 79817

In accordance with the approval of Transfer No. 79817, Water Right No. 35-13810 is now described as follows:

Right Holder: ROTH RANCHES
C/O SIDNEY L ROTH
534 TAYLOR
AMERICAN FALLS, ID 83211

Priority Date: 10/13/1972

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 11/01	0.100 cfs	20.0 af
			0.100 cfs	20.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNWSW	Sec 28 Twp 06S Rge 29E POWER County
GROUND WATER	SWNWNW	Sec 33 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	33					5.0												5.0

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. Water rights 35-7825, 35-7926, 35-13811, 35-13812, 35-13813 and 35-14418 are also diverted from the points of diversion described above.
2. Changed address per request. AJ/ 12-31-98
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.

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WATER RIGHT NO. 35-14418
As Modified by Transfer No. 79817

In accordance with the approval of Transfer No. 79817, Water Right No. 35-14418 is now described as follows:

Right Holder: CAROLENE FUNK
 MONTY FUNK
 PO BOX 360
 AMERICAN FALLS, ID 83211

Priority Date: 10/13/1972

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 11/01	1.950 cfs	390.0 af
			1.950 cfs	390.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSWNW	Sec 20 Twp 06S Rge 29E	POWER County
GROUND WATER	SWNWSW	Sec 28 Twp 06S Rge 29E	POWER County
GROUND WATER	SWNWNW	Sec 33 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	20													27.0	26.0	40.0	39.0	132.0
06S	29E	28									40.0	39.0	39.0	40.0					158.0
06S	29E	29	39.0			39.0									39.0	9.0	16.0	36.0	178.0
06S	29E	33		39.0	40.0		34.0	39.0	40.0	40.0									232.0

Right Acre Limit: 97.5
 POU Total Acres: 700.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 97.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13812 and 35-14418 when combined shall not exceed a total diversion rate of 3.68.
3. Rights 35-13811, 35-13812, 35-13813 and 35-14418 when combined shall not exceed a total diversion rate of 13.09 cfs, a total annual maximum diversion volume of 2800 af at the field headgate, and the irrigation of 700 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.

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WATER RIGHT NO. 35-14418
As Modified by Transfer No. 79817

CONDITIONS OF APPROVAL

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 79817, 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.
12. 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.