

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79817
RECEIVED
FEB 18 2015
Department of Water Resources
Eastern Region

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 www.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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) County Line Farms Phone (208) 226-2207
Mailing address P.O. Box 360 American Falls, ID 83211 Email monty@countylinefarms.com

- ☐ 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.

[Signature]
Signature of Applicant or Authorized Representative

Monty Funk
Print Name and Title if applicable

2-18-2015
Date

Caroline Funk
Signature of Applicant or Authorized Representative

CAROLINE FUNK
Print Name and Title if applicable

2-18-2015
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other Create permissible place of use

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.2**.

Add one new well and authorize existing water rights for diversion from a connected diversion system to increase efficiency of water delivery. Total diversion rate, volume and authorized acreage will remain unchanged.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-13810	1.95 / 390.0	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13811	8.91 / 1,782	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13812	2.64 / 528.0	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13813	0.50 / 100.0	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 13.09 cfs and/or 2,800.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 13.09 cubic feet per second and/or 2,800.0 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
extg		SW	NW	SW	28	06S	29E	Power	Ground Water	Existing Well
extg		SW	NW	NW	33	06S	29E	Power	Ground Water	Existing Well
new		SW	SW	NW	20	06S	29E	Power	Ground Water	New Well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	20													27	26	40	39	132
		28									40	39	39	40					158
		29	39			39									39	9	16	36	178
		33		39	40		34	39	40	40									232
Total Acres (for irrigation use)																			700

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	35-13810	2.05 / 410.0	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13811	8.91 / 1,782	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13812	2.64 / 528.0	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	35-13813	0.50 / 100.0	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 13.19 cfs and/or 2,820.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 13.19 cubic feet per second and/or 2,820.0 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
extg		SW	NW	SW	28	06S	29E	Power	Ground Water	Existing Well
extg		SW	NW	NW	33	06S	29E	Power	Ground Water	Existing Well
new		SW	SW	NW	20	06S	29E	Power	Ground Water	New Well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	20													27	26	40	39	132
		28									40	39	39	40					158
		29	39			39					19.5	9	16		19.5			36	178
		33		39	40		39	39	40	40									237
Total Acres (for irrigation use)																			705

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 piping and similar measurement system for new well as provided by existing wells (ref. W.M.I.S. #600345 and W.M.I.S. #600352)
- 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:
No change
- 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:
None
- 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:

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

Current Water Right No.: 35-13810

Current Owner: ROTH RANCHES
Priority Date: 10/13/1972
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 11/01	2.05 CFS	410 AF
	<u>Total Diversion</u>	2.05 CFS	410 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4NW1/4	Sec. 33,	Twp 06S,	Rge 29E B.M.
POWER County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 28,	Twp 06S,	Rge 29E B.M.
POWER County				

Place of Use

IRRIGATION Within POWER County

T06S R29E S29	NENE	39.00	T06S R29E S29	SENE	39.00
T06S R29E S29	NESW	19.50	T06S R29E S33	NWNNW	5.00

Total Acres: 102.5

Conditions of Approval:

1. THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL TOTAL COMBINED RATE OF DIVERSION OF 3.78 CFS. OTHER RIGHT NO.: 35-13812
2. CHANGED ADDRESS PER REQUEST. AJ/12-31-98
3. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 35-07825, 35-07926 AND 35-13811.
4. 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.

Decreed Date: 2/15/2002

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

Current Water Right No.: 35-13810

Current Owner: ROTH RANCHES

Priority Date: 10/13/1972

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 11/01	2.05 CFS	410 AF
	<u>Total Diversion</u>	2.05 CFS	410 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4NW1/4	Sec. 33,	Twp 06S,	Rge 29E B.M.
POWER County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 28,	Twp 06S,	Rge 29E B.M.
POWER County				

Place of Use

IRRIGATION Within POWER County

T06S R29E S29	NENE	39.00	T06S R29E S29	SENE	39.00
T06S R29E S29	NESW	19.50	T06S R29E S33	NWNW	5.00
Total Acres: 102.5					

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. THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL TOTAL COMBINED RATE OF DIVERSION OF 3.78 CFS. OTHER RIGHT NO.: 35-13812
3. CHANGED ADDRESS PER REQUEST. AJ/12-31-98
4. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 35-07825, 35-07926 AND 35-13811.

Decreed Date: 2/15/2002

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

Current Water Right No.: 35-13811

Current Owner: MONTY FUNK
CAROLENE FUNK
Priority Date: 10/13/1972
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 11/01	8.91 CFS	1782 AF
	<u>Total Diversion</u>	8.91 CFS	1782 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4NW1/4	Sec. 33,	Twp 06S,	Rge 29E B.M.
POWER County				
GROUND WATER	SW1/4NW1/4SW1/4	Sec. 28,	Twp 06S,	Rge 29E B.M.
POWER County				

Place of Use

IRRIGATION Within POWER County

T06S R29E S28	NESW	40.00	T06S R29E S28	NWSW	39.00
T06S R29E S28	SWSW	39.00	T06S R29E S28	SESW	40.00
T06S R29E S29	NESE	19.50	T06S R29E S29	SESE	36.00
T06S R29E S33	NWNE	39.00	T06S R29E S33	SWNE	40.00
T06S R29E S33	NENW	39.00	T06S R29E S33	NWNW	34.00
T06S R29E S33	SWNW	40.00	T06S R29E S33	SENW	40.00

Total Acres: 445.5

Page _____ of _____

Conditions of Approval:

1. THIS RIGHT AND THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL TOTAL COMBINED RATE OF DIVERSION OF 11.88 CFS. OTHER RIGHT NOS.: 35-07825, 35-07926 AND 13813.
2. CHANGED ADDRESS PER REQUEST. AJ/12-31-98
3. 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.
4. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 35-07825, 35-07926 AND 35-13810

Decreed Date: 2/15/2002

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

Current Water Right No.: 35-13812

Current Owner: LANCE FUNK
LISA FUNK
Priority Date: 1/10/1984
Origin: Water Right
Status: Active
Basis: License

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	2.64 CFS	528 AF
	<u>Total Diversion</u>	2.64 CFS	528 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4SW1/4 Sec. 28, Twp 06S, Rge 29E B.M.
POWER County

Place of Use

IRRIGATION Within POWER County

T06S R29E S20	NESE	27.00	T06S R29E S20	NWSE	26.00
T06S R29E S20	SWSE	40.00	T06S R29E S20	SESE	39.00

Total Acres: 132

Conditions of Approval:

1. X35 Rights 35-13810 and 35-13812 when combined shall not exceed a total diversion rate of 3.78 cfs.
2. X36 Right 35-13810, 35-13811 AND 35-13813 is also diverted through the point of diversion described above.
3. 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.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
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.

Licensed Date: 4/8/2002

79817

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

Current Water Right No.: 35-13813

Current Owner: MONTY FUNK
CAROLENE FUNK
Priority Date: 1/10/1984
Origin: Water Right
Status: Active
Basis: License

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	0.5 CFS	100 AF
	<u>Total Diversion</u>	0.5 CFS	100 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4SW1/4 Sec. 28, Twp 06S, Rge 29E B.M.
POWER County

Place of Use

IRRIGATION Within POWER County

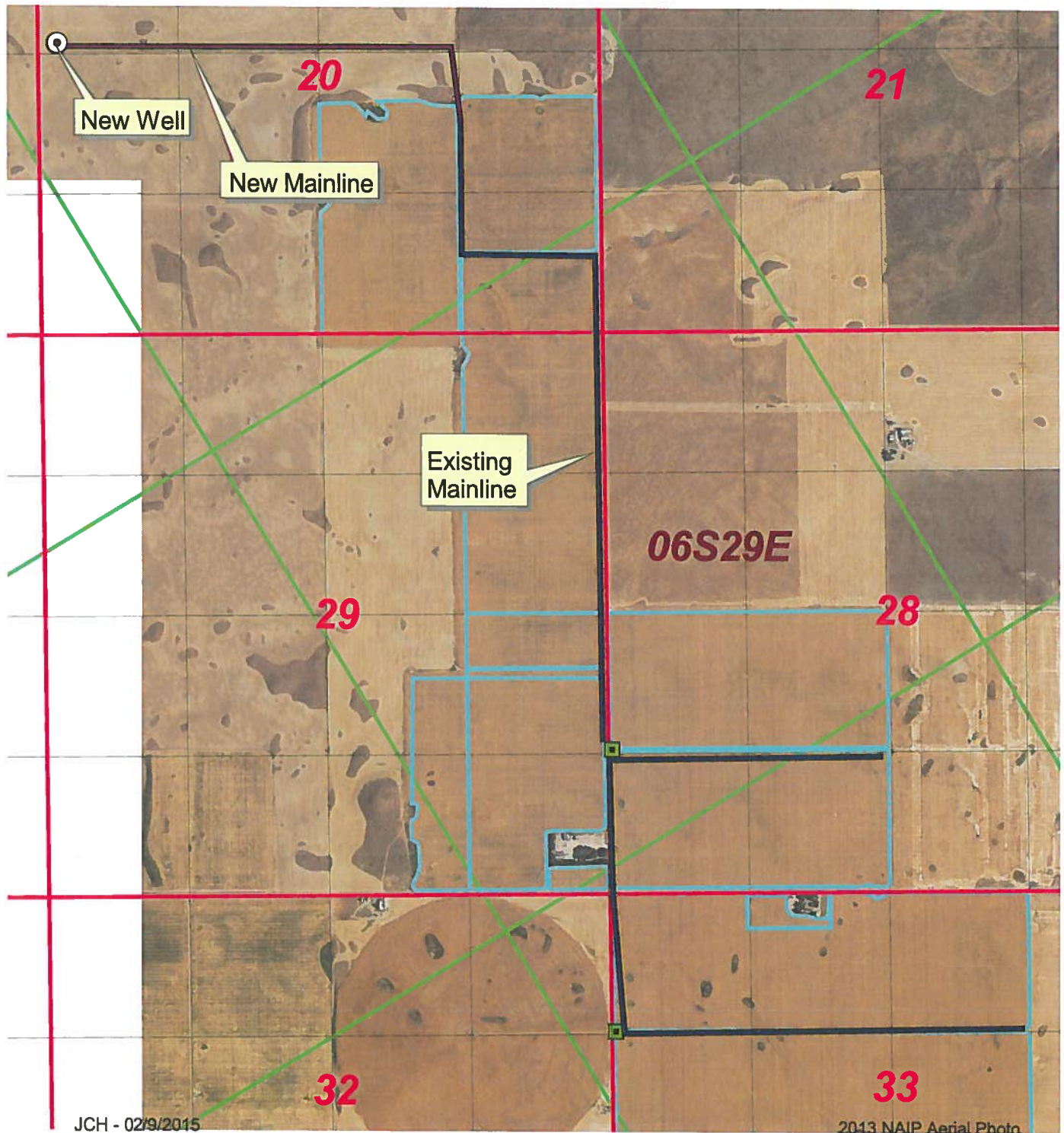
T06S R29E S29	NWSE	9.00	T06S R29E S29	SWSE	16.00
Total Acres: 25					

Conditions of Approval:

1. X35 Rights 35-7825, 35-7926, 35-13811 and 35-13813 when combined shall not exceed a total diversion rate of 11.88 cfs.
2. X36 Right 35-13810, 35-13811 AND 35-13812 is also diverted through the point of diversion described above.
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 lands above.
4. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 120.
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.

Licensed Date: 4/8/2002

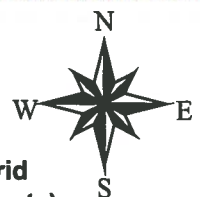
Application for Water Right Transfer



0.25 0 0.25 0.5 Miles

- Proposed New Point of Diversion
- Existing Points of Diversion
- Existing Place of Use

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

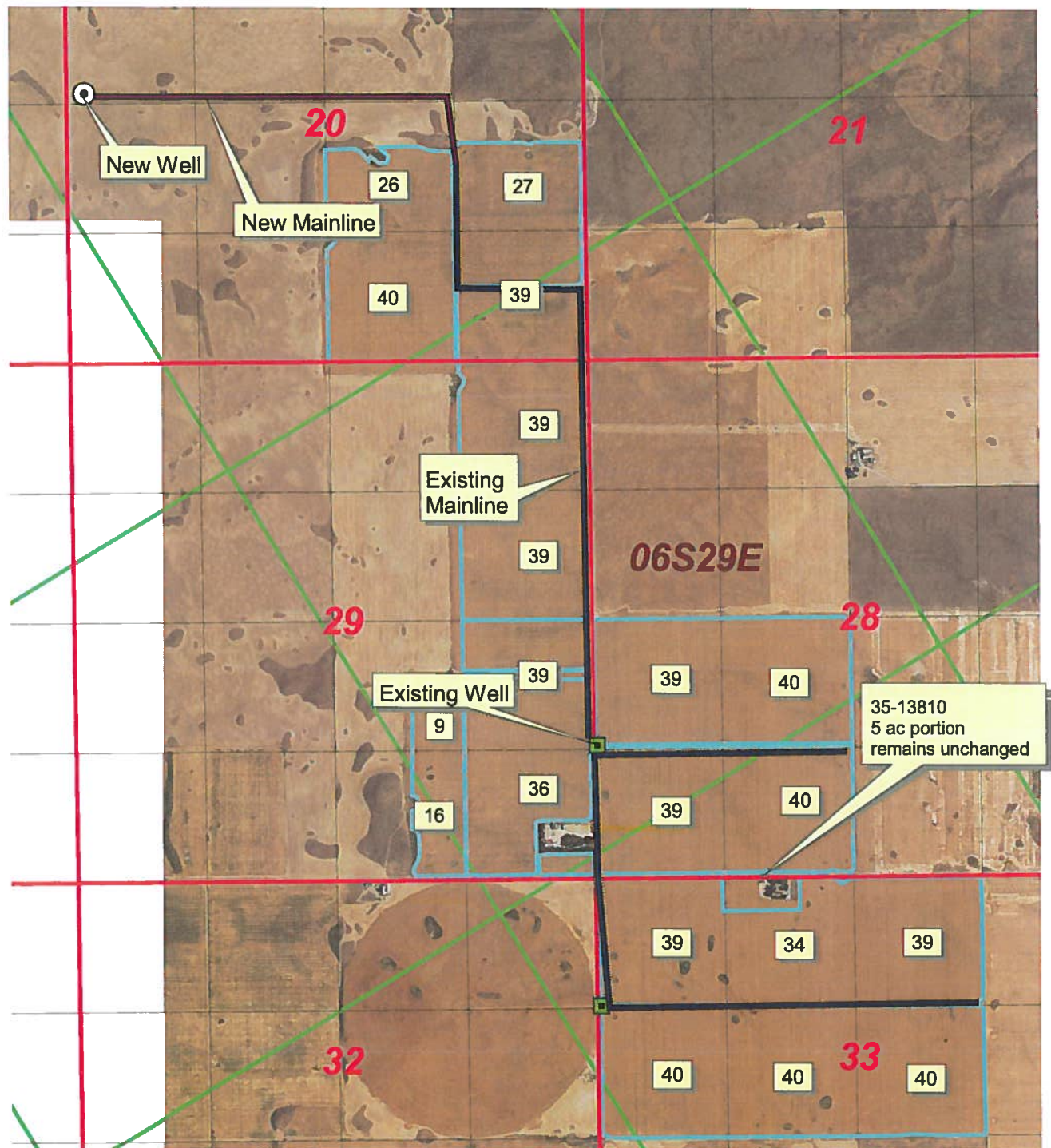


Attachment #7a

79817

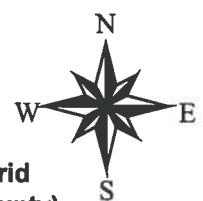
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Application for Water Right Transfer



JCH - 02/9/2015 (revised 3/25/2015)

2013 NAIP Aerial Photo



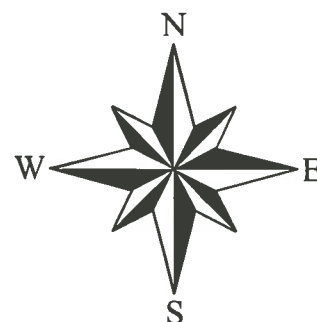
-  **Proposed New Point of Diversion**
 **Existing Points of Diversion**
 **Existing Place of Use**

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

Attachment #7a

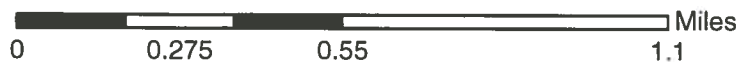


	35-13810
	35-13811
	35-13812
	35-13813
	Township/Range
	Sections
	QQ

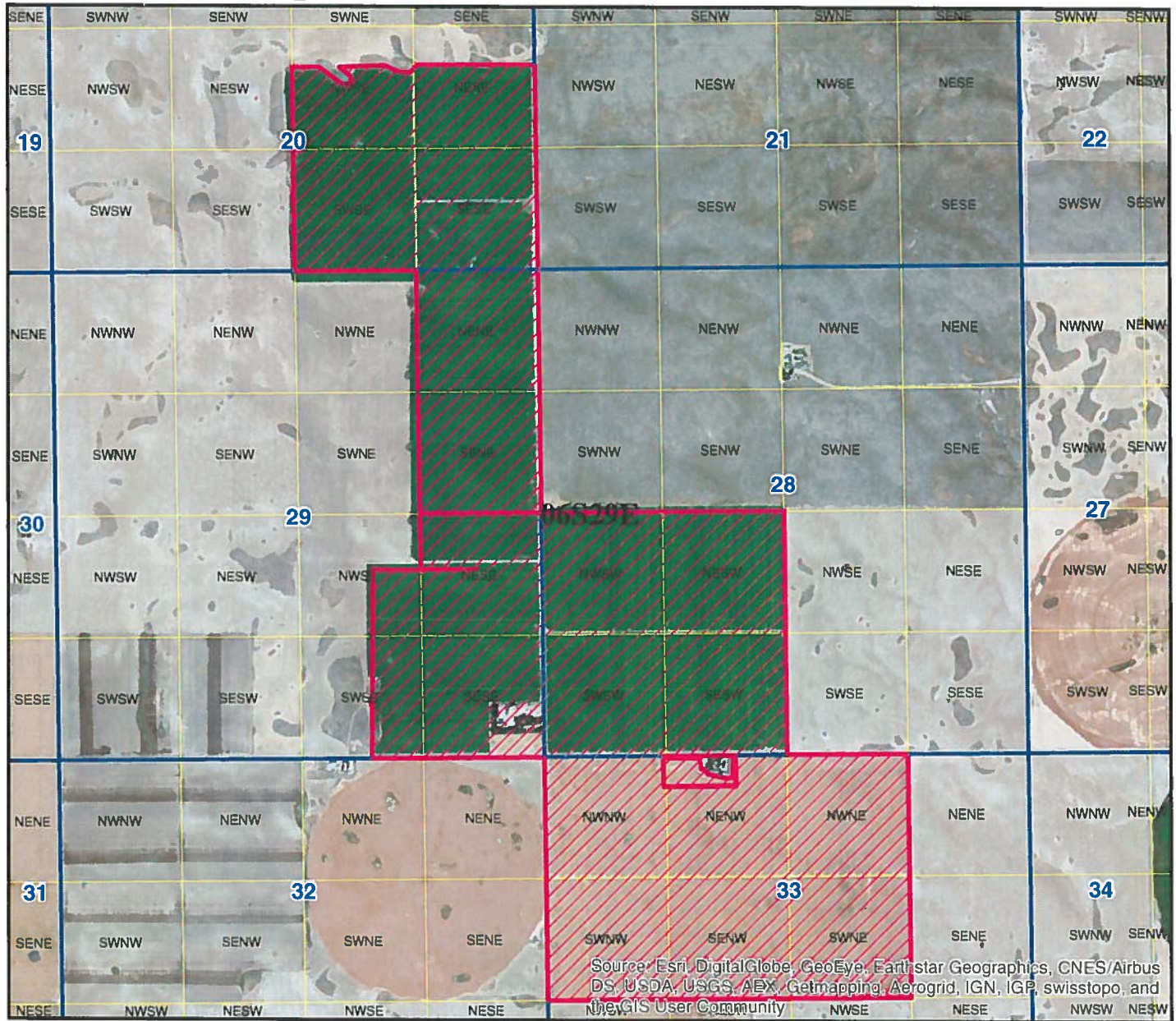


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Map Prepared by Heather Bohac, February 18, 2015

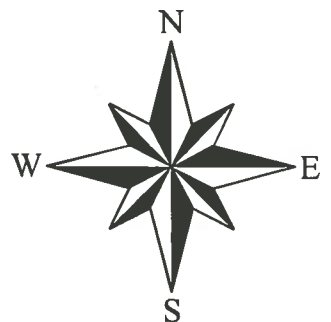


Proposed Place of Use



Legend

-  35-13810, 35-13811, 35-13812 & 35-13813 Proposed Place of Use
-  Township/Range
-  Sections
-  QQ



0 0.275 0.55 1.1 Miles

79817

Imagery: 2013 NAIP
Idaho Department of Water Resources
Map Prepared by Heather Bohac, February 18, 2015



First American Title Company
2240 E. Center, Pocatello, Idaho 83201
(208)232-6224, (208)232-6257

Title Transmittal

Monty Melvin Funk and Carolene Kay Funk
2262 Schultz Road
American Falls, ID 83210

May 08, 2013
File No.: 454592-P

PROPERTY: **NNA, , ID**

ENCLOSED please find the following for your records:

- Warranty Deed

The new home or other real estate you have purchased is protected with a Policy of Title Insurance issued by First American Title Company. We have assigned the above number to your records to assure prompt processing of future title orders involving the property.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that
PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION - AND OURS.

Sincerely,

Terry Armatage

enc.

79817

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Instrument # 204249

POWER COUNTY, IDAHO
06-07-2013 10:07:03 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - POCATEL
CHRISTINE STEINLICHT Fee: \$16.00
Ex-Officio Recorder Deputy: Jennifer Rupp
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 454592-P (ci)

Date: May 06, 2013

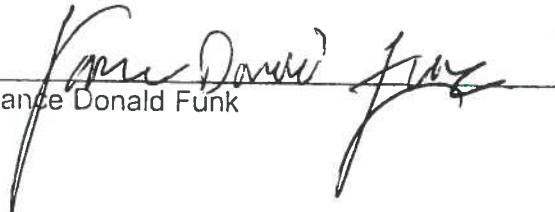
For Value Received, **Lance Donald Funk and Lisa Irigoyen Funk, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Monty Melvin Funk and Carolene Kay Funk, husband and wife**, hereinafter called the Grantee, whose current address is **2262 Schultz Road, American Falls, ID 83210**, the following described premises, situated in **Power** County, Idaho, to-wit:

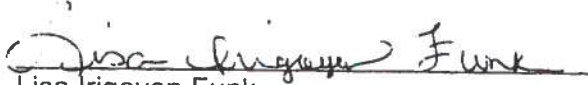
m m f
A.K.F

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


Lance Donald Funk


Lisa Irigoyen Funk

79817

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Recorded Electronically	
ID	<u>204249</u>
County	<u>POUR</u>
Date	<u>5-7-12</u> Time <u>10:07</u>
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **454592-P (ci)**

Date: **May 06, 2013**

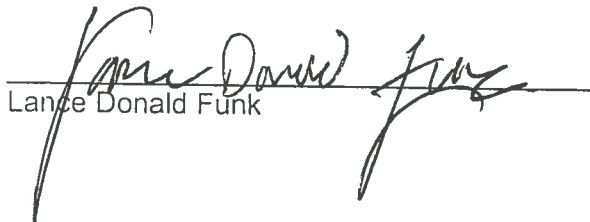
For Value Received, **Lance Donald Funk and Lisa Irigoyen Funk, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Monty Melvin Funk and Carolene Kay Funk, husband and wife**, hereinafter called the Grantee, whose current address is **2262 Schultz Road, American Falls, ID 83210**, the following described premises, situated in **Power** County, Idaho, to-wit:

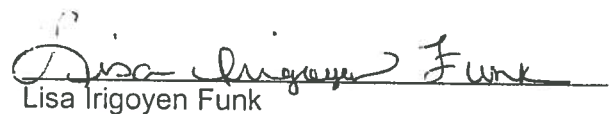
m.m.f.
C.K.F.

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


Lance Donald Funk


Lisa Irigoyen Funk

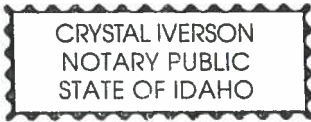
STATE OF Idaho

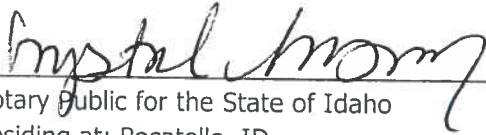
)
ss.

COUNTY OF Bannock

)

On this **Sixth day of May, 2013**, before me, a Notary Public in and for said State, personally appeared **Lance Donald Funk and Lisa Irigoyen Funk**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/16

EXHIBIT A

POWER COUNTY:

A TRACT OF LAND IN THE SE1/4 OF SECTION 20, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE NORTH 00°11'13" WEST, ALONG THE EAST LINE OF SAID SECTION, 726.84 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°56'03" WEST, LEAVING SAID EAST LINE, 1320.55 FEET; THENCE NORTH 00°07'27" WEST, 1418.67 FEET; THENCE SOUTH 89°56'03" EAST, 1319.00 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 20; THENCE SOUTH 00°11'13" EAST, ALONG SAID EAST LINE, 1418.68 FEET TO THE TRUE POINT OF BEGINNING.

ALSO INCLUDING: A TRACT OF LAND IN THE SE1/4 SE1/4 OF SECTION 20 AND THE E1/2 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE SOUTH 00°11'13" EAST, ALONG THE EAST LINE OF SAID SECTION, 3257.22 FEET; THENCE NORTH 89°56'03" WEST, LEAVING SAID EAST LINE, 1324.91 FEET; THENCE NORTH 00°07'27" WEST, 3984.04 FEET; THENCE SOUTH 89°56'03" EAST, 1320.55 FEET TO A POINT ON THE EAST LINE OF SECTION 20; THENCE SOUTH 00°11'13" EAST, ALONG SAID EAST LINE, 726.84 FEET TO THE POINT OF BEGINNING.

ALSO INCLUDING: A TRACT OF LAND IN THE SE1/4 OF SECTION 20 AND THE NE1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 20; THENCE SOUTH 00°11'13" EAST ALONG THE EAST LINE OF SAID SECTION, 494.51 FEET; THENCE NORTH 89°56'03" WEST, LEAVING SAID EAST LINE, 1319.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°07'27" EAST, 2281.33 FEET; THENCE NORTH 89°56'03" WEST, 1320.82 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 29 AND THE EXTENSION THEREOF OF THE NORTH-SOUTH CENTERLINE OF SAID SECTION 20; THENCE NORTH 00°12'59" WEST, ALONG SAID NORTH-SOUTH CENTERLINE, 2281.34 FEET; THENCE SOUTH 89°56'03" EAST, 1324.50 FEET TO THE TRUE POINT OF BEGINNING.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
2240 E. Center
Pocatello, ID 83201

Instrument # 193791

POWER COUNTY, IDAHO

2008-04-25

04:07:55 No. of Pages: 6

Recorded for : FIRST AMERICAN TITLE

CHRISTINE STEINLICHT

Fee: 18.00

Ex-Officio Recorder Deputy

Linda Arner

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **240758-P (ci)**

Date: **April 15, 2008**

For Value Received, **Theodore Roth, an unmarried man and Alan Roth, an unmarried man and Dennis Roth, a married man as his sole and separate property and Sidney Roth, a married man as his sole and separate property**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Monty Melvin Funk and Carolene Kay Funk, husband and wife**, hereinafter called the Grantee, whose current address is

P.O. Box 360, **American Falls, ID 83211**, the following described premises, situated in **Power County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

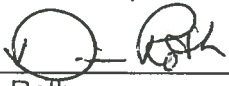
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

1-6 79817

Date: 04/15/2008

Warranty Deed
- continued

File No.: 240758-P (ci)

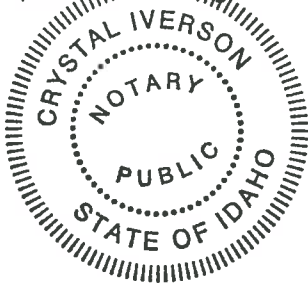

Theodore Roth

Dennis Roth


Alan Roth

Sidney Roth

STATE OF Idaho)
ss.
COUNTY OF Bannock)

On this 25th day of April, 2008, before me, a Notary Public in and for said State, personally appeared **Theodore Roth**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

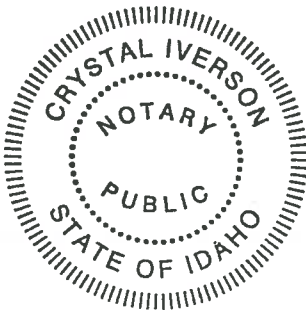




Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/10

STATE OF Idaho)
ss.
COUNTY OF Bannock)

On this 25th day of April, 2008, before me, a Notary Public in and for said State, personally appeared **Alan Roth**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/10

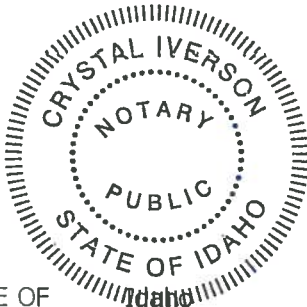
Date: 04/15/2008

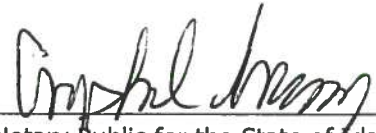
Warranty Deed
- continued

File No.: 240758-P (ci)

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this 25th day of April, 2008, before me, a Notary Public in and for said State, personally appeared **Dennis Roth**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

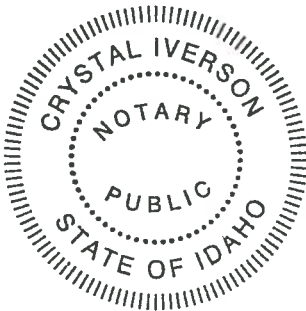


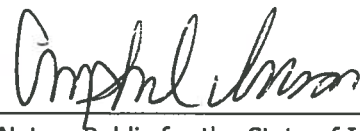


Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/10

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this 25th day of April, 2008, before me, a Notary Public in and for said State, personally appeared **Sidney Roth**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.





Notary Public for the State of Idaho
Residing at: Pocatello, ID
My Commission Expires: 4/23/10

EXHIBIT A

TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO.

SECTION 20: NW1/4; W1/2 NE1/4

SECTION 28: SW1/4

SECTION 29: A TRACT OF LAND IN THE S1/2 SE1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE NORTH 89°56'03" WEST, ALONG THE SOUTH LINE OF SAID SECTION, 1820.94 FEET; THENCE NORTH 00°12'06" WEST, LEAVING SAID SOUTH LINE, 2024.02 FEET; THENCE SOUTH 89°56'03" EAST, 1821.46 FEET TO A POINT ON THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°11'13" EAST, ALONG SAID EAST LINE, 2024.02 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: A PARCEL OF LAND IN THE SE1/4 SE1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 29, WHICH BEARS NORTH 00°18'44" WEST, 280.50 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION WHICH IS A 5/8" REBAR; THENCE NORTH 89°57'26" WEST 529.75 FEET; THENCE NORTH 00°17'41" WEST 330.00 FEET; THENCE SOUTH 89°57'26" EAST 529.65 FEET TO A POINT ON THE EAST LINE OF SAID SECTION ; THENCE SOUTH 00°18'45" EAST, ALONG SAID EAST LINE, 330.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND IN THE SE1/4 SE1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID SECTION 29 WHICH BEARS NORTH 00°18'45" WEST 280.50 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION WHICH IS A 5/8" REBAR; THENCE NORTH 89°57'26" WEST, 350.00 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843, THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°57'26" WEST 233.34 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE NORTH 00°25'38" WEST 284.54 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE NORTH 89°42'19" EAST 233.90 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843; THENCE SOUTH 00°18'45" EAST 285.91 FEET TO THE TRUE POINT OF BEGINNING.

ALSO INCLUDING A TRACT OF LAND IN THE W1/2 SE1/4 OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 29; THENCE NORTH 00°12'59" WEST, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION, 5145.43 FEET; THENCE SOUTH 89°56'03" EAST, LEAVING SAID NORTH-SOUTH CENTERLINE, 1320.82 FEET; THENCE SOUTH 00°07'27" EAST, 3121.39 FEET; THENCE NORTH 89°56'03" WEST, 496.55 FEET; THENCE SOUTH 00°12'06" EAST, 2024.02 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89°56'03" WEST, ALONG SAID SOUTH LINE, 818.72 FEET TO THE POINT OF BEGINNING.

SECTION 32: NE1/4

EXCEPTING THEREFROM: A TRACT OF LAND LOCATED IN THE NE1/4 OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWEST CORNER OF THE NORTHWEST 1/4 NORTHWEST 1/4 NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN; THENCE EAST 580 FEET ALONG THE NORTHERLY SECTION LINE BOUNDARY TO A POINT 740 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST 1/4 NORTHEAST 1/4 OF SAID SECTION 32;

THENCE SOUTH 225 FEET TO A POINT 1,095 FEET NORTH AND 580 FEET EAST OF THE CENTER OF SAID SECTION 32; THENCE 580 FEET WEST TO A POINT 225 FEET SOUTH ON THE NORTH/SOUTH CENTER SECTION LINE; THENCE 225 FEET NORTH ALONG THE NORTH/SOUTH CENTER SECTION LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED IN THE NW1/4 NE1/4 SECTION 32, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N1/4 CORNER OF SAID SECTION 32; THENCE SOUTH 89°56'10" EAST, ALONG THE NORTH LINE OF SAID SECTION, 575.63 FEET; THENCE SOUTH 00°01'38" EAST, LEAVING SAID NORTH LINE, 25.00 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF ROTH ROAD; THENCE SOUTH 00°01'38" EAST, 215.00 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE NORTH 89°56'10" WEST, 575.63 FEET TO A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843, SAID POINT BEING ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION; THENCE NORTH 00°01'38" WEST, ALONG SAID NORTH-SOUTH CENTERLINE, 215.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ROTH ROAD, SAID POINT BEING MARKED WITH A 1/2" REBAR AND PLASTIC CAP STAMPED PLS 843;

THENCE NORTH 00°01'38" WEST, CONTINUING ALONG SAID NORTH-SOUTH CENTERLINE, 25.00 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL IS SUBJECT TO AN EASEMENT 25.00 FEET IN WIDTH FOR THE SOUTH 1/2 OF ROTH ROAD AND DESCRIBED AS THE NORTHERLY 25.00 FEET.

SECTION 33: W1/2; NW1/4 NE1/4; SW1/4 NE1/4

EXCEPTING THEREFROM: A PARCEL OF LAND LOCATED IN THE NE1/4 NW1/4 OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN BOUNDARY LINE OF THE NORTHWEST 1/4 OF SAID SECTION, SAID POINT BEING THE NORTHWEST CORNER OF THE SAID NORTHWEST 1/4; THENCE EAST 1,320 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST 800 FEET PARALLEL WITH THE NORTHERN BOUNDARY; THENCE SOUTH 299.5 FEET; THENCE WEST 800 FEET; THENCE NORTH 299.5 FEET TO THE TRUE POINT OF BEGINNING.



First American Title Company
2240 E. Center, Pocatello, Idaho 83201
(208)232-6224, (208)232-6257

Title Transmittal

Monty Melvin Funk and Carolene Kay Funk
PO Box 360
American Falls, ID 83211

May 09, 2008
File No.: 240758-P

PROPERTY: Bareground, American Falls, ID 83211

ENCLOSED please find the following for your records:

- Policy of Title Insurance
- Warranty Deed

The new home or other real estate you have purchased is protected with a Policy of Title Insurance issued by First American Title Company. We have assigned the above number to your records to assure prompt processing of future title orders involving the property.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that
PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION - AND OURS.

Sincerely,



Dena Green

enc.

79817



OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to Insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionIf a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded

in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

First American Title Insurance Company

BY

Curt B. Johnson

PRESIDENT

ATTEST

Christy G. Kelly

SECRETARY

Countersigned:

Robert H. Hillman



One-Way Analysis of Independent Transfers

Not Used

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT		Model Node
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Transfer: Proposed Steady State Impacts following Transfer

Transfer 1: Worst Case Transient State Impacts following Transfer

0	0	0	0	1/0/1900	0	0.0	0	0
0	0	0	0	1/0/1900	0	0.0	0	0

Impact by Reach (AF/Annum)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
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10.5	12.5	102.4	489.0	55.6	31.6	12.2	7.7	0.9	7.3	0.3
10.8	12.8	104.3	478.3	52.9	37.5	14.5	9.2	1.0	8.7	0.3
10.5	12.5	102.4	489.0	55.6	31.6	12.2	7.7	0.9	7.3	0.3
10.8	12.8	104.3	478.3	54.3	37.5	14.5	9.2	1.0	8.7	0.3

Steady State Analysis	Mitigation Check 1 - >10% of Historical:	2.6%	2.4%	1.8%	-2.2%	-5.0%	18.6%	18.5%	18.5%	18.8%	18.6%	17.9%
	Mitigation Check 2: > 6 AF/A:	0.3	0.3	1.9	-10.8	-2.8	5.9	2.3	1.4	0.2	1.4	0.1
	Mitigation Check 3 - >10% of Total:	1.5%	1.7%	14.3%	65.5%	7.2%	5.1%	2.0%	1.3%	0.1%	1.2%	0.0%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.3	0.3	1.9	-10.8	-2.8	5.9	2.3	1.4	0.2	1.4	0.1
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	2.6%	2.4%	1.8%	-2.2%	-2.4%	18.6%	18.5%	18.5%	18.8%	18.6%	17.9%
	Mitigation Check 2: > 6 AF/A:	0.3	0.3	1.9	-10.8	-1.3	5.9	2.3	1.4	0.2	1.4	0.1
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.3	0.3	1.9	-10.8	-1.3	5.9	2.3	1.4	0.2	1.4	0.1

Evaluation of overall mitigation requirements per reach Steady State and Transient State, and Off-Setting Benefits (Sum of reach debits only where mitigation is required and credits)

21862

ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER RESOURCES

Cells this color are set up for user entries

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

TRANSFER NO: 79817
YEAR: 1972
SEASON: SUMMER
TRANSFER NAME: Funk

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	82	84	0	0
COLUMN	93	93	0	0

Entering Dates

Enter the starting year and season for your simulation of the analysis period. (Spring is Mar, Apr, May and Summer is Jul, Aug, Sep and Oct. Winter is Nov, Dec). Once you have entered the starting date, push the "UPDATE DATES" button. The date only needs to be updated once, unless the simulation is to be run for multiple years. Modifying the date does not automatically adjust the simulation period.

Entering Well Locations

Enter the row and column location for the 'TO' well in the simulation. Enter the row and column location for the 'FROM1' well. Enter the row and column location for the 'FROM2' well. Enter the row and column location for the 'FROM3' well. If the 'FROM2' well is not to be modeled, the entered value of 0 will be used. If the 'FROM3' well is not to be modeled, the entered value of 0 will be used. The 'FROM3' well cannot be used if the 'FROM2' well is modeled.

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
SUM 1972	0	731	731	0	0	0	0
WIN 1972	0	731	731	0	0	0	0
SPR 1973	0	731	731	0	0	0	0
SUM 1973	0	731	731	0	0	0	0
WIN 1973	0	731	731	0	0	0	0
SPR 1974	0	731	731	0	0	0	0
SUM 1974	0	731	731	0	0	0	0
WIN 1974	0	731	731	0	0	0	0
SPR 1975	0	731	731	0	0	0	0
SUM 1975	0	731	731	0	0	0	0
WIN 1975	0	731	731	0	0	0	0
SPR 1976	0	731	731	0	0	0	0
SUM 1976	0	731	731	0	0	0	0
WIN 1976	0	731	731	0	0	0	0
SPR 1977	0	731	731	0	0	0	0
SUM 1977	0	731	731	0	0	0	0
WIN 1977	0	731	731	0	0	0	0
SPR 1978	0	731	731	0	0	0	0
SUM 1978	0	731	731	0	0	0	0
WIN 1978	0	731	731	0	0	0	0
SPR 1979	0	731	731	0	0	0	0
SUM 1979	0	731	731	0	0	0	0
WIN 1979	0	731	731	0	0	0	0
SPR 1980	0	731	731	0	0	0	0
SUM 1980	0	731	731	0	0	0	0
WIN 1980	0	731	731	0	0	0	0
SPR 1981	0	731	731	0	0	0	0
SUM 1981	0	731	731	0	0	0	0
WIN 1981	0	731	731	0	0	0	0
SPR 1982	0	731	731	0	0	0	0
SUM 1982	0	731	731	0	0	0	0
WIN 1982	0	731	731	0	0	0	0
SPR 1983	0	731	731	0	0	0	0
SUM 1983	0	731	731	0	0	0	0
WIN 1983	0	731	731	0	0	0	0
SPR 1984	0	731	731	0	0	0	0
SUM 1984	0	731	731	0	0	0	0
WIN 1984	0	731	731	0	0	0	0
SPR 1985	0	731	731	0	0	0	0
SUM 1985	0	731	731	0	0	0	0
WIN 1985	0	731	731	0	0	0	0
SPR 1986	0	731	731	0	0	0	0
SUM 1986	0	731	731	0	0	0	0
WIN 1986	0	731	731	0	0	0	0
SPR 1987	0	731	731	0	0	0	0
SUM 1987	0	731	731	0	0	0	0
WIN 1987	0	731	731	0	0	0	0
SPR 1988	0	731	731	0	0	0	0
SUM 1988	0	731	731	0	0	0	0
WIN 1988	0	731	731	0	0	0	0
SPR 1989	0	731	731	0	0	0	0
SUM 1989	0	731	731	0	0	0	0
WIN 1989	0	731	731	0	0	0	0
SPR 1990	0	731	731	0	0	0	0
SUM 1990	0	731	731	0	0	0	0
WIN 1990	0	731	731	0	0	0	0
SPR 1991	0	731	731	0	0	0	0
SUM 1991	0	731	731	0	0	0	0
WIN 1991	0	731	731	0	0	0	0
SPR 1992	0	731	731	0	0	0	0
SUM 1992	0	731	731	0	0	0	0
WIN 1992	0	731	731	0	0	0	0
SPR 1993	0	731	731	0	0	0	0
SUM 1993	0	731	731	0	0	0	0
WIN 1993	0	731	731	0	0	0	0
SPR 1994	0	731	731	0	0	0	0
SUM 1994	0	731	731	0	0	0	0
WIN 1994	0	731	731	0	0	0	0
SPR 1995	0	731	731	0	0	0	0
SUM 1995	0	731	731	0	0	0	0
WIN 1995	0	731	731	0	0	0	0
SPR 1996	0	731	731	0	0	0	0
SUM 1996	0	731	731	0	0	0	0
WIN 1996	0	731	731	0	0	0	0
SPR 1997	0	731	731	0	0	0	0
SUM 1997	0	731	731	0	0	0	0
WIN 1997	0	731	731	0	0	0	0

Running the Model

Once the model cells have been specified for the 'FROM' wells, push the 'RUN MODEL' button to generate the response file. The model will run for the specified period. The model needs to be re-run if the locations of the 'FROM' wells are changed.

Getting the Model Output

Once the model has been run, push the 'GET OUTPUT' button. This prepares the model output for use in the 'EFFECTS' worksheet.

Entering water use data

All water use should be entered in units of acre-feet per year. For instructions on multiple water rights with different priorities, see the Users Manual.

Entering 'TO' Well Projected Water Use

Enter the projected water use for the 'TO' Well in Column B. The water use should start in the trimester (4-month period) in which the water right is first exercised.

Entering 'FROM' Well 'With Transfer' Use

Enter the 'With Transfer' water use for the first 'FROM' well in Column C, and for the second 'FROM' well in Column D, and for the third 'FROM' well in Column E. The 'With Transfer' water use should reflect historical and projected water use. The water use should cease or be reduced at the time of the water right transfer.

Entering 'FROM' Well 'Without Transfer' Use

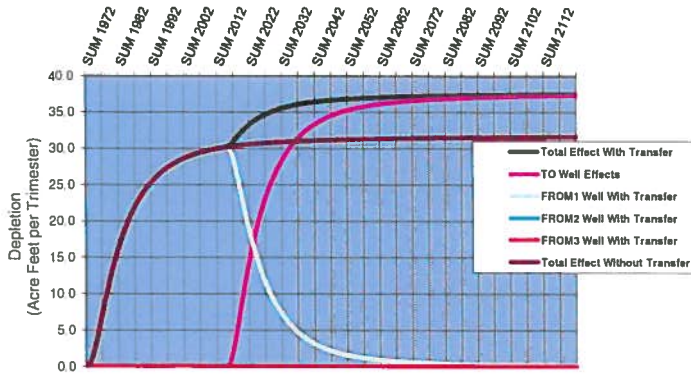
The 'Without Transfer' Use for the 'FROM' wells should reflect the projected water use for the first 'FROM' well in Column F, and for the second 'FROM' well in Column G, and for the third 'FROM' well in Column H. Prior to the expected date of transfer, the 'With Transfer' water use should be entered. If only one 'FROM' well is to be represented, pumpage should be entered in Column F. If only two 'FROM' wells are being represented, pumpage should be entered in Columns F and G. Projected water use in the 'TO' well and the 'FROM' wells should be entered in the 'EFFECTS' worksheet. See the Users Manual for more information.

Calculating Effect of the Transfer on River Gains and Losses

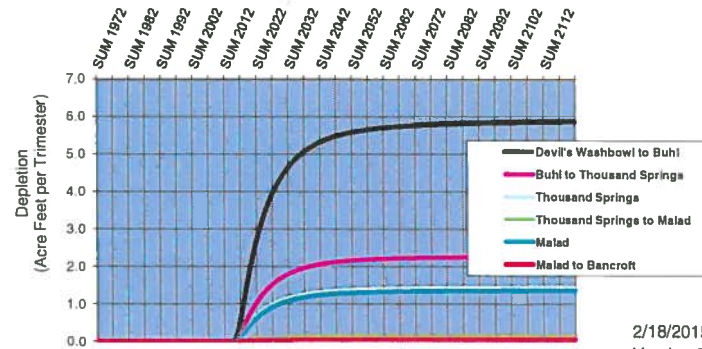
After all of the above steps have been completed, the 'CALCULATE EFFECTS' button should be pushed. This will result in a new spreadsheet showing the net effects of the transfer on the river reaches. The model runs times the water use rates entered in the 'EFFECTS' worksheet. Here one graph is provided showing the net effects on all 11 reaches. Results are shown in the 'EFFECTS' worksheet. See the Users Manual for more information.

SPR 1998	0	731	731	0	0	0	0
SUM 1998	0	731	731	0	0	0	0
WIN 1998	0	731	731	0	0	0	0
SPR 1999	0	731	731	0	0	0	0
SUM 1999	0	731	731	0	0	0	0
WIN 1999	0	731	731	0	0	0	0
SPR 2000	0	731	731	0	0	0	0
SUM 2000	0	731	731	0	0	0	0
WIN 2000	0	731	731	0	0	0	0
SPR 2001	0	731	731	0	0	0	0
SUM 2001	0	731	731	0	0	0	0
WIN 2001	0	731	731	0	0	0	0
SPR 2002	0	731	731	0	0	0	0
SUM 2002	0	731	731	0	0	0	0
WIN 2002	0	731	731	0	0	0	0
SPR 2003	0	731	731	0	0	0	0
SUM 2003	0	731	731	0	0	0	0
WIN 2003	0	731	731	0	0	0	0
SPR 2004	0	731	731	0	0	0	0
SUM 2004	0	731	731	0	0	0	0
WIN 2004	0	731	731	0	0	0	0
SPR 2005	0	731	731	0	0	0	0
SUM 2005	0	731	731	0	0	0	0
WIN 2005	0	731	731	0	0	0	0
SPR 2006	0	731	731	0	0	0	0
SUM 2006	0	731	731	0	0	0	0
WIN 2006	0	731	731	0	0	0	0
SPR 2007	0	731	731	0	0	0	0
SUM 2007	0	731	731	0	0	0	0
WIN 2007	0	731	731	0	0	0	0
SPR 2008	0	731	731	0	0	0	0
SUM 2008	0	731	731	0	0	0	0
WIN 2008	0	731	731	0	0	0	0
SPR 2009	0	731	731	0	0	0	0
SUM 2009	0	731	731	0	0	0	0
WIN 2009	0	731	731	0	0	0	0
SPR 2010	0	731	731	0	0	0	0
SUM 2010	0	731	731	0	0	0	0
WIN 2010	0	731	731	0	0	0	0
SPR 2011	0	731	731	0	0	0	0
SUM 2011	0	731	731	0	0	0	0
WIN 2011	0	731	731	0	0	0	0
SPR 2012	0	731	731	0	0	0	0
SUM 2012	0	731	731	0	0	0	0
WIN 2012	0	731	731	0	0	0	0
SPR 2013	0	731	731	0	0	0	0
SUM 2013	0	731	731	0	0	0	0
WIN 2013	0	731	731	0	0	0	0
SPR 2014	0	731	731	0	0	0	0
SUM 2014	0	731	731	0	0	0	0
WIN 2014	0	731	731	0	0	0	0
SPR 2015	731	0	731	0	0	0	0
SUM 2015	731	0	731	0	0	0	0
WIN 2015	731	0	731	0	0	0	0
SPR 2016	731	0	731	0	0	0	0
SUM 2016	731	0	731	0	0	0	0
WIN 2016	731	0	731	0	0	0	0
SPR 2017	731	0	731	0	0	0	0
SUM 2017	731	0	731	0	0	0	0
WIN 2017	731	0	731	0	0	0	0
SPR 2018	731	0	731	0	0	0	0
SUM 2018	731	0	731	0	0	0	0
WIN 2018	731	0	731	0	0	0	0
SPR 2019	731	0	731	0	0	0	0
SUM 2019	731	0	731	0	0	0	0
WIN 2019	731	0	731	0	0	0	0
SPR 2020	731	0	731	0	0	0	0
SUM 2020	731	0	731	0	0	0	0
WIN 2020	731	0	731	0	0	0	0
SPR 2021	731	0	731	0	0	0	0
SUM 2021	731	0	731	0	0	0	0
WIN 2021	731	0	731	0	0	0	0
SPR 2022	731	0	731	0	0	0	0
SUM 2022	731	0	731	0	0	0	0
WIN 2022	731	0	731	0	0	0	0
SPR 2023	731	0	731	0	0	0	0
SUM 2023	731	0	731	0	0	0	0
WIN 2023	731	0	731	0	0	0	0
SPR 2024	731	0	731	0	0	0	0
SUM 2024	731	0	731	0	0	0	0
WIN 2024	731	0	731	0	0	0	0
SPR 2025	731	0	731	0	0	0	0
SUM 2025	731	0	731	0	0	0	0
WIN 2025	731	0	731	0	0	0	0
SPR 2026	731	0	731	0	0	0	0
SUM 2026	731	0	731	0	0	0	0
WIN 2026	731	0	731	0	0	0	0
SPR 2027	731	0	731	0	0	0	0
SUM 2027	731	0	731	0	0	0	0
WIN 2027	731	0	731	0	0	0	0
SPR 2028	731	0	731	0	0	0	0
SUM 2028	731	0	731	0	0	0	0
WIN 2028	731	0	731	0	0	0	0
SPR 2029	731	0	731	0	0	0	0
SUM 2029	731	0	731	0	0	0	0
WIN 2029	731	0	731	0	0	0	0
SPR 2030	731	0	731	0	0	0	0
SUM 2030	731	0	731	0	0	0	0
WIN 2030	731	0	731	0	0	0	0
SPR 2031	731	0	731	0	0	0	0
SUM 2031	731	0	731	0	0	0	0
WIN 2031	731	0	731	0	0	0	0
SPR 2032	731	0	731	0	0	0	0
SUM 2032	731	0	731	0	0	0	0
WIN 2032	731	0	731	0	0	0	0
SPR 2033	731	0	731	0	0	0	0
SUM 2033	731	0	731	0	0	0	0
WIN 2033	731	0	731	0	0	0	0
SPR 2034	731	0	731	0	0	0	0
SUM 2034	731	0	731	0	0	0	0
WIN 2034	731	0	731	0	0	0	0

Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: Transfer No:



Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

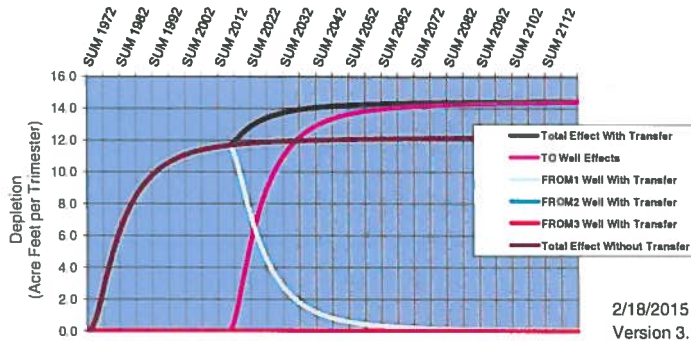


Customer Name: Funk

Transfer No:

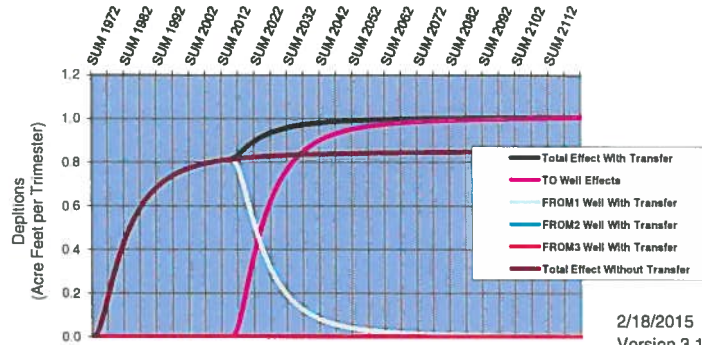
2/18/2015
Version 3.1

Hydrologic Response--Buhl to Thousand Springs
Customer Name: Funk Transfer No:



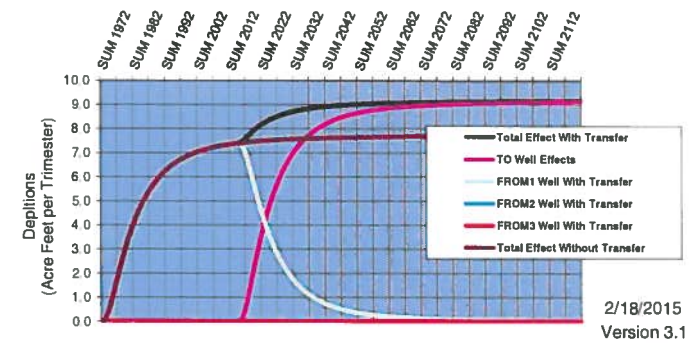
2/18/2015
Version 3.1

Hydrologic Response--Thousand Springs to Malad
Customer Name: Funk Transfer No:



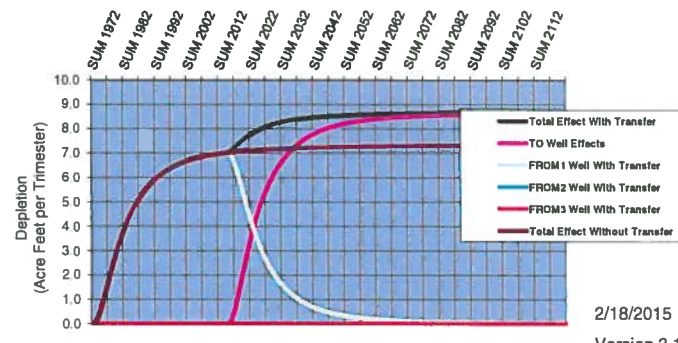
2/18/2015
Version 3.1

Hydrologic Response--Thousand Springs
Customer Name: Funk Transfer No:



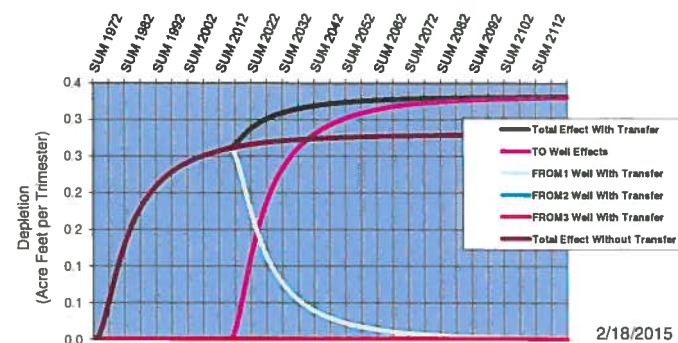
2/18/2015
Version 3.1

Hydrologic Response--Malad
Customer Name: Funk Transfer No:



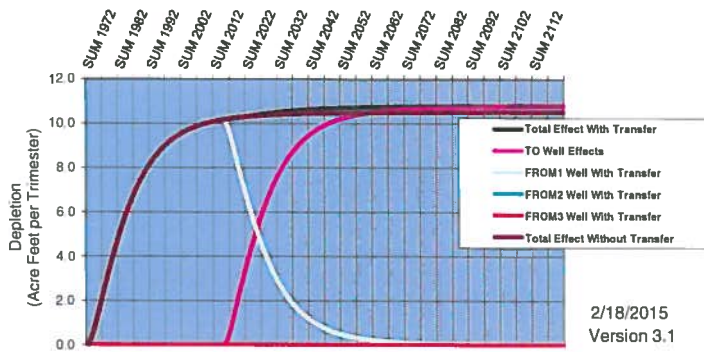
2/18/2015
Version 3.1

Hydrologic Response--Malad to Bancroft
Customer Name: Funk Transfer No:

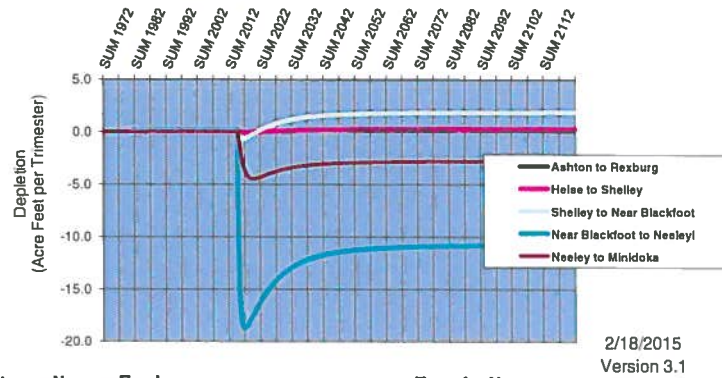


2/18/2015
Version 3.1

Hydrologic Response--Ashton to Rexburg
Customer Name: Funk Transfer No:



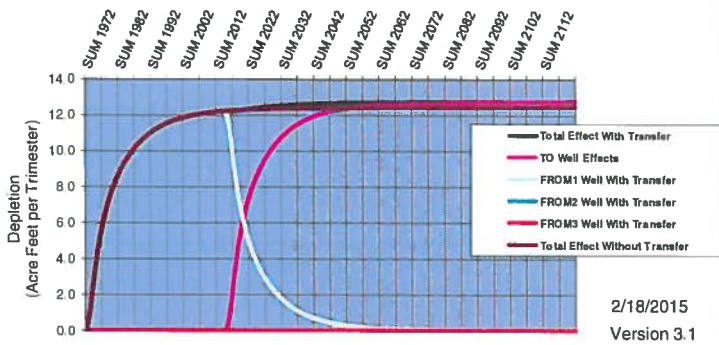
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



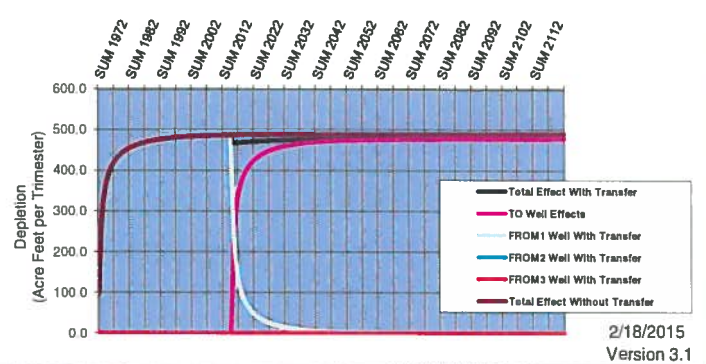
Customer Name: Funk

Transfer No:

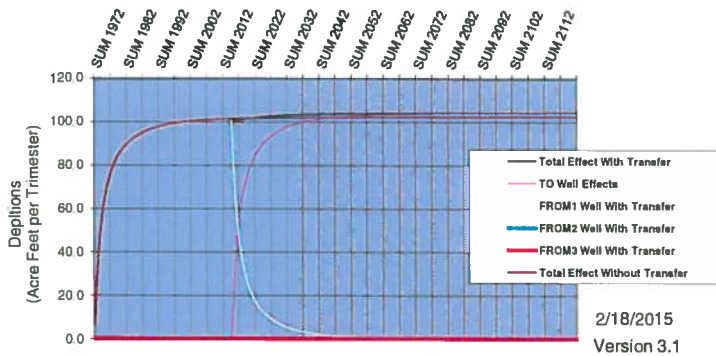
Hydrologic Response--Heise to Shelley
Customer Name: Funk Transfer No:



Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: Funk Transfer No:



Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Funk Transfer No:



Hydrologic Response-- Neeley to Minidoka
Customer Name: Funk Transfer No:

