

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79607**

This is to certify that: BRENT FUNK AND
CHALET FUNK
845 S 1800 W
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>
45-13432	WR/DECREED	7/15/1910	0.780 cfs	97.1 af	N/A	N/A	GROUND WATER
45-14022	WR/DECREED	7/15/1910	0.280 cfs	34.9 af	N/A	N/A	GROUND WATER
45-14259	WR/DECREED	7/15/1910	0.200 cfs	30.0 af	N/A	N/A	GROUND WATER
45-14260	WR/DECREED	7/15/1910	0.740 cfs	76.2 af	N/A	N/A	GROUND WATER
45-14325	WR/DECREED	10/13/1961	0.080 cfs	12.0 af	N/A	N/A	GROUND WATER
45-14327	WR/DECREED	6/30/1985	0.030 cfs	N/A	N/A	N/A	GROUND WATER
45-2174A	WR/DECREED	6/17/1929	1.600 cfs	320.0 af	80.0	645.1	GROUND WATER
45-2174B	WR/DECREED	6/17/1929	0.660 cfs	82.2 af	N/A	N/A	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
45-14324	WR/DECREED	10/13/1961	2.950 cfs	608.0 af	152.0	630.1	GROUND WATER
45-14326	WR/DECREED	6/30/1985	1.270 cfs	N/A	110.1	630.1	GROUND WATER
45-510	WR/DECREED	4/2/1916	0.800 cfs	N/A	109.0	630.1	DRY CREEK
45-2633	WR/DECREED	2/12/1961	1.300 cfs	316.0 af	79.0	630.1	GROUND WATER
45-12432	WR/DECREED	7/15/1949	5.600 cfs	1120.0 af	280.0	630.1	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>
45-13432	NO	YES	YES	NO	NO	NO
45-14022	NO	YES	YES	NO	NO	NO
45-14259	NO	YES	YES	NO	NO	NO
45-14260	NO	YES	YES	NO	NO	NO
45-14325	NO	YES	YES	NO	NO	NO
45-14327	NO	YES	YES	NO	NO	NO
45-2174A	YES	YES	YES	NO	YES	YES
45-2174B	NO	YES	YES	NO	NO	NO

SUPPORT DATA

Transfer No. 79607

FILE # 45-2174A

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

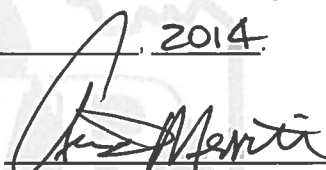
**TRANSFER OF WATER RIGHT
TRANSFER NO. 79607**

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>
45-13432	45-13432	0.780 cfs	97.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14022	45-14022	0.280 cfs	34.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14259	45-14259	0.200 cfs	30.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14260	45-14260	0.740 cfs	76.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14325	45-14325	0.080 cfs	12.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14327	45-14327	0.030 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-2174A	45-14463	0.300 cfs	45.3 af	N/A	N/A	45-2174A	1.300 cfs	260.0 af	65.0	630.1
45-2174B	45-2174B	0.660 cfs	82.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.040 cfs	377.7 af	N/A	N/A		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 23rd day of December, 2014.


Southern Region Manager

WATER RIGHT NO. 45-14259**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14259 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/16/1910

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.200 cfs	30.0 af
STOCKWATER	01/01	to 12/31	0.200 cfs	30.0 af
			0.200 cfs	30.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.

Transfer No. 79607

WATER RIGHT NO. 45-14259

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. 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.
5. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 45-14325**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14325 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 10/13/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.080 cfs	12.0 af
STOCKWATER	01/01	to 12/31	0.080 cfs	12.0 af
			0.080 cfs	12.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 0.08 cfs and a total annual maximum diversion volume of 12 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.

Transfer No. 79607

WATER RIGHT NO. 45-14325
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.
4. 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.
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. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Right no. 45-14327 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
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. 45-14327**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14327 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE

COMMERCIAL
STOCKWATER

From

01/01
01/01

To

to 12/31
to 12/31

Diversion Rate

0.030 cfs
0.030 cfs
0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 0.08 cfs and a total annual maximum diversion volume of 12 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.

Transfer No. 79607

WATER RIGHT NO. 45-14327
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.
4. 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.
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. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Right no. 45-14327 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
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. 45-2174A
As Modified by Transfer No. 79607

In accordance with the approval of Transfer No. 79607, Water Right No. 45-2174A is now described as follows:

Right Holder: BRENT A FUNK AND
 CHALET FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

Priority Date: 6/17/1929

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.300 cfs	260.0 af
			1.300 cfs	260.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec 4 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 5 Twp 12S Rge 20E	CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 65.0
 POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
2. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
3. Use of the rights listed below is limited to the irrigation of a combined total of 368 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.

Transfer No. 79607

WATER RIGHT NO. 45-2174A
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

4. Use of the rights listed below is limited to a total combined diversion rate of 7.36 cfs and to a total combined annual diversion volume of 1472 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
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. 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.
7. If the surface water right appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
8. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
10. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
11. 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. 45-14463**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14463 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1 /1	to 12/31	0.300 cfs	45.3 af
STOCKWATER	1 /1	to 12/31	0.300 cfs	45.3 af
			0.300 cfs	45.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	0.0

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.
2. 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.

Transfer No. 79607

WATER RIGHT NO. 45-14463
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. 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.
4. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 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. 45-2174B**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-2174B is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.660 cfs	82.2 af
STOCKWATER	01/01	to 12/31	0.660 cfs	82.2 af
			0.660 cfs	82.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.

Transfer No. 79607

WATER RIGHT NO. 45-2174B
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 45-13432**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-13432 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.780 cfs	97.1 af
STOCKWATER	01/01	to 12/31	0.780 cfs	97.1 af
			0.780 cfs	97.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.

Transfer No. 79607

WATER RIGHT NO. 45-13432

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 45-14022**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14022 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.280 cfs	34.9 af
STOCKWATER	01/01	to 12/31	0.280 cfs	34.9 af
			0.280 cfs	34.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.

Transfer No. 79607

WATER RIGHT NO. 45-14022

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 45-14260**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14260 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.740 cfs	76.2 af
STOCKWATER	01/01	to 12/31	0.740 cfs	76.2 af
			0.740 cfs	76.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 31 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	NWSE	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESW	Sec 5 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec 5 Twp 12S Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	5							X	X	X	X	X	X		X	X	X	

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325 and 45-14327 when combined shall not exceed a total diversion rate of 2.74 cfs and a total annual maximum diversion volume of 332.4 af.
2. Rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463 when combined shall not exceed a total diversion rate of 3.04 cfs, and a total annual maximum diversion volume of 377.7 af.

Transfer No. 79607

WATER RIGHT NO. 45-14260

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

3. 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.
4. 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.
5. Prior to diversion and use of water under Transfer approval 79607, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 45-14324**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14324 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 10/13/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.950 cfs	608.0 af
			2.950 cfs	608.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec 4 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 5 Twp 12S Rge 20E	CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L1	L2			L3	L4											

Right Acre Limit: 152.0

POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
2. Rights 45-14324 and 45-14326 when combined shall not exceed a total diversion rate of 2.95 cfs and a total annual maximum diversion volume of 608 af at the field headgate.
3. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Transfer No. 79607

WATER RIGHT NO. 45-14324

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. This right is limited to the irrigation of 152 acres within the place of use described above in a single irrigation season.
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 lands above.
7. Right no. 45-14326 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
8. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. 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. 45-14326**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-14326 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
1.270 cfs
1.270 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec 4 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 5 Twp 12S Rge 20E	CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 110.1

POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
2. Rights 45-14324 and 45-14326 when combined shall not exceed a total diversion rate of 2.95 cfs and a total annual maximum diversion volume of 608 af at the field headgate.
3. This right is limited to the irrigation of 110.1 acres within the place of use described above in a single irrigation season.
4. This right is an expansion of right no. 45-14324 pursuant to Section 42-1416B, Idaho Code.

Transfer No. 79607

WATER RIGHT NO. 45-14326

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of 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 lands above.
7. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. 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. 45-510**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-510 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 4/2/1916

Source: DRY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

0.800 cfs

0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK

NENENW

Sec 13 Twp 12S Rge 19E CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 109.0

POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
2. Use of the rights listed below is limited to the irrigation of a combined total of 368 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
3. 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. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Transfer No. 79607

WATER RIGHT NO. 45-510
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

5. Use of the rights listed below is limited to a total combined diversion rate of 7.36 cfs and to a total combined annual diversion volume of 1472 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
6. This right is limited to the irrigation of 109 acres within the place of use described above in a single irrigation season.
7. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
8. Failure of the right holder to comply with the conditions of transfer 70288 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 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. 45-2633**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-2633 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 2/12/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	1.300 cfs	316.0 af
			1.300 cfs	316.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec 4 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 5 Twp 12S Rge 20E	CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 79.0

POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.
2. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
3. Use of the rights listed below is limited to the irrigation of a combined total of 368 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.

Transfer No. 79607

WATER RIGHT NO. 45-2633
As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

4. Use of the rights listed below is limited to a total combined diversion rate of 7.36 cfs and to a total combined annual diversion volume of 1472 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
5. 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.
6. If the surface water right appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
7. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 lands above.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
11. 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. 45-12432**As Modified by Transfer No. 79607**

In accordance with the approval of Transfer No. 79607, Water Right No. 45-12432 is now described as follows:

Right Holder: BRENT A FUNK AND
CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1949

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	5.600 cfs	1120.0 af
			5.600 cfs	1120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec 32 Twp 11S Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec 4 Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec 5 Twp 12S Rge 20E	CASSIA 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	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	30.5	39.0	30.0	31.5	39.0	39.0	7.1	31.0									247.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 280.0

POU Total Acres: 630.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.
2. Rights 45-510, 45-2174A, 45-2633, 45-12432, 45-14324, and 45-14326 when combined shall not exceed a total diversion rate of 10.31 cfs, a total annual maximum diversion volume of 2080 af at the field headgate, and the irrigation of 630.1 acres.
3. Use of the rights listed below is limited to the irrigation of a combined total of 368 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.

Transfer No. 79607

WATER RIGHT NO. 45-12432

As Modified by Transfer No. 79607

CONDITIONS OF APPROVAL

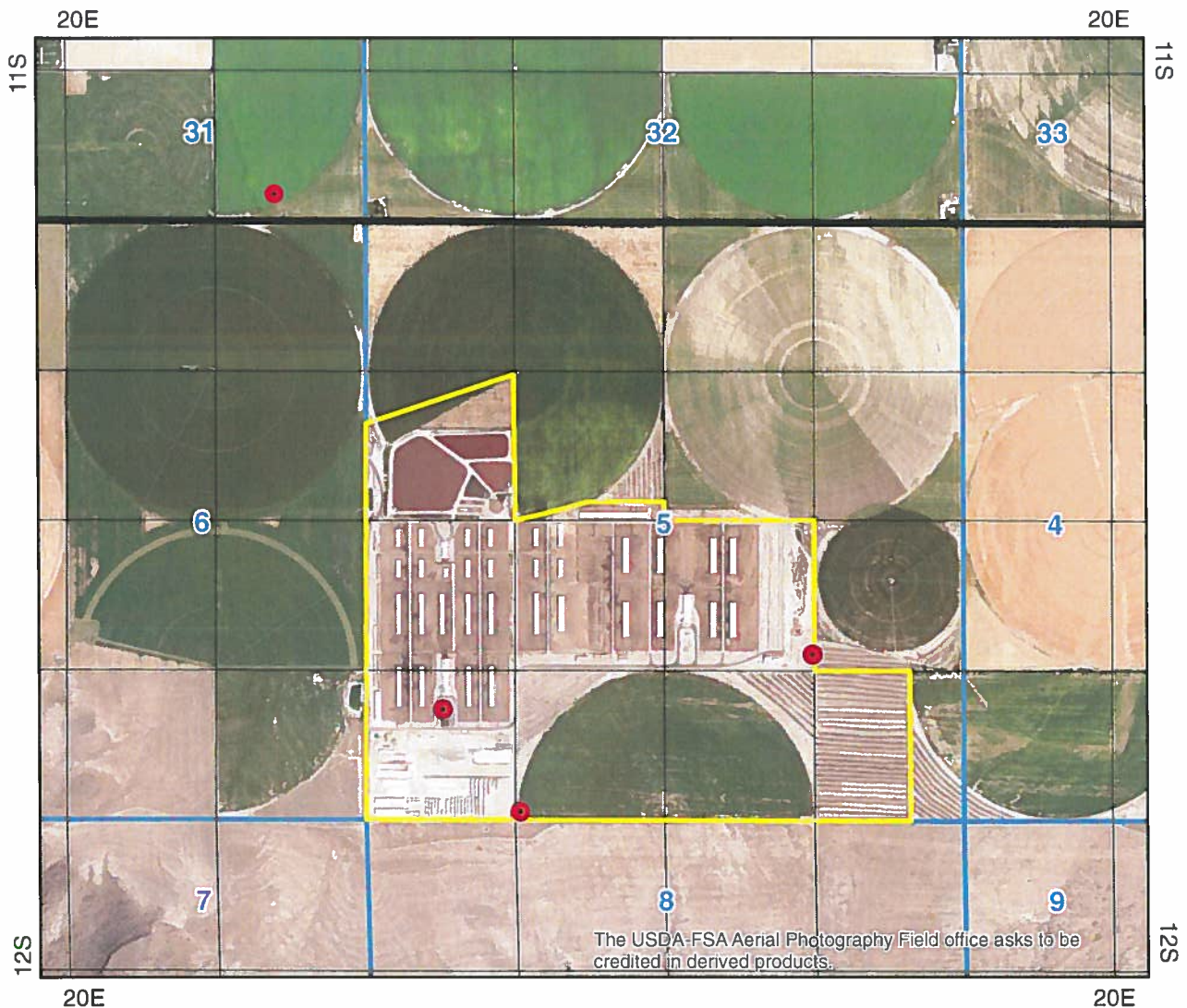
4. Use of the rights listed below is limited to a total combined diversion rate of 7.36 cfs and to a total combined annual diversion volume of 1472 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. If the surface water right appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water 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.
8. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
9. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
10. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
11. 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.

State of Idaho
Department of Water Resources

Attachment To Transfer No. 79607

Rights: 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327 and 45-14463

This map depicts the COMMERCIAL & STOCKWATER 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
- Quarter Quarters

0 0.175 0.35 0.7 Miles

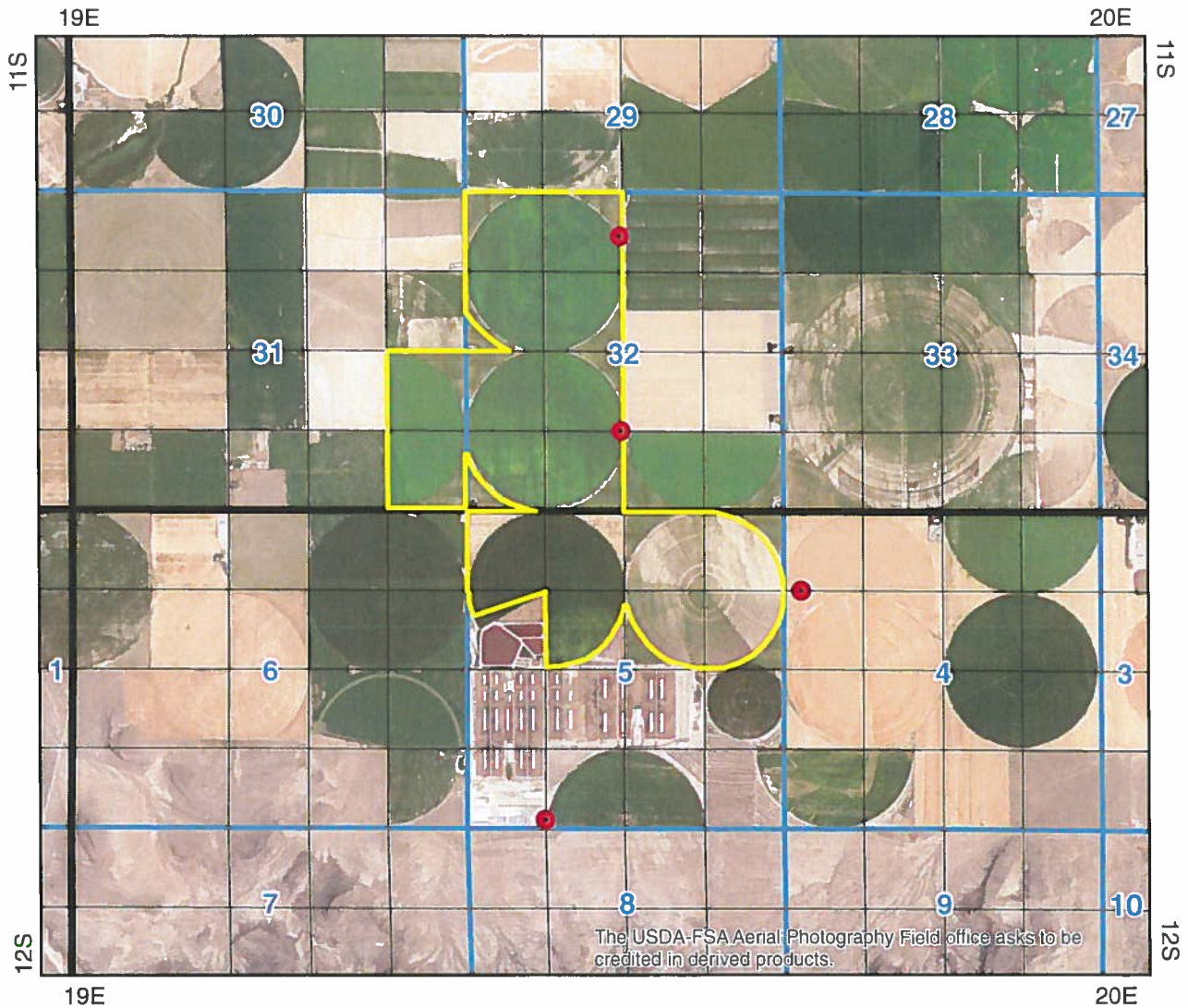


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79607

Rights: 45-2174A, 45-2633, 45-12432, 45-14324 and 45-14326

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.



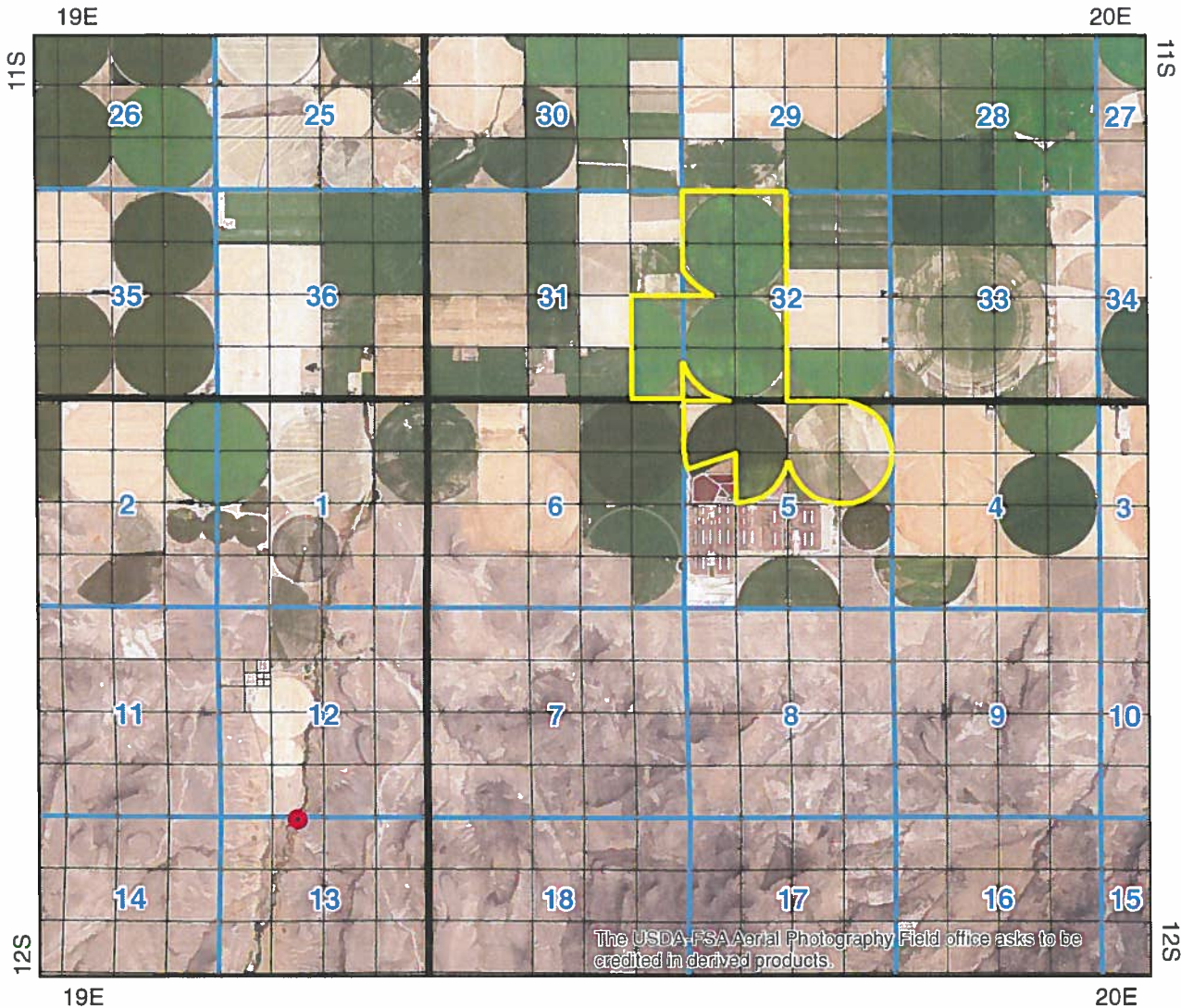
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.35 0.7 1.4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79607
Right: 45-510

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
- Quarter Quarters

0 0.5 1 2 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2014

BRENT FUNK
CHALET FUNK
845 S 1800 W
MURTAUGH ID 83344

Re: Transfer No: 79607

Water Right No(s): 45-510, 45-2174A, 45-2174B, 45-2633, 45-12432, 45-13432,
45-14022, 45-14259, 45-14260, 45-14324, 45-14325, 45-14326, 45-14327

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is written in a cursive, flowing style with a large initial "A".

Allen Merritt
Southern Regional Manager

Enclosure

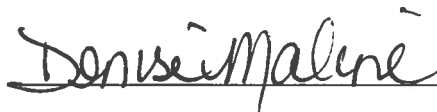
CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79607

Water Right No(s): 45-510, 45-2174A, 45-2174B, 45-2633, 45-12432, 45-13432, 45-14022, 45-14259, 45-14260, 45-14324, 45-14325, 45-14326, 45-14327

**BRENT FUNK
CHALET FUNK
845 S 1800 W
MURTAUGH ID 83344**

A handwritten signature in cursive script, reading "Denise Maline", written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 23, 2014

BRIAN HIGGS WATERMASTER
WATER DISTRICT # 140
355 W 500 S
BURLEY, ID 83318

Via e-mail

Re: **APPROVED Transfer No. 79607 (Brent & Chalet Funk)**

Dear Mr. Higgs:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure

Basin	Sequence	Suffix	Priority Date	Diversion Rate	Source List	Water Use List	Total Acres	Acre Limit	Volume	cfs	af	acres	cfs	af
45	2174	B	6/17/1929	0.660	GROUND WA	COMMERCIAL, STOCKV			82.2					
45	13432		7/15/1910	0.780	GROUND WA	COMMERCIAL, STOCKV			97.1					
45	14022		7/15/1910	0.280	GROUND WA	COMMERCIAL, STOCKV			34.9					
45	14259		7/15/1910	0.200	GROUND WA	COMMERCIAL, STOCKV			30.0	2.74	332.4			
45	14260		7/15/1910	0.740	GROUND WA	COMMERCIAL, STOCKV			76.2					
45	14325		10/13/1961	0.080	GROUND WA	COMMERCIAL, STOCKV			12.0					
45	14327		6/30/1985	0.030	GROUND WA	COMMERCIAL, STOCKV							0.08	12
45	510		4/2/1916	0.800	DRY CREEK	IRRIGATION	645.1	109.0						
45	2174	A	6/47/1929	1.600	GROUND WA	IRRIGATION	645.1	80.0	320.0				7.66	1532
45	2633		2/12/1961	1.300	GROUND WA	IRRIGATION	645.1	79.0	316.0	10.61	2140	645.1		
45	12432		7/15/1949	5.600	GROUND WA	IRRIGATION	645.1	280.0	1,120.0					
45	14324		10/13/1961	2.950	GROUND WA	IRRIGATION	645.1	152.0	608.0				2.95	608
45	14326		6/30/1985	1.270	GROUND WA	IRRIGATION	645.1	110.1						

[illegible]

Affidavit of Publication

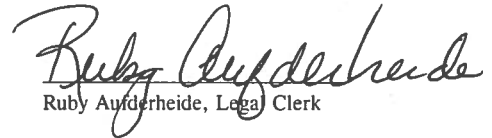
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

RECEIVED
NOV 14 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated 6th day of November, 2014 and ending with the issue dated 13th day of November, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.


Ruby Aufderheide, Legal Clerk

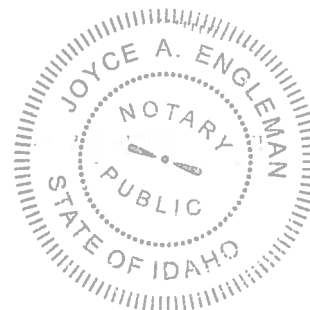
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 13th day of November, 2014, before me,
Joyce Engleman
a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public for Idaho
Residing at Twin Falls, Idaho

My commission expires: 6/28/19



✓ OK DM
11/20/2014

The following application(s) have been filed to appropriate the public waters of the State of Idaho.

✓ **37-22902**

EVAN GLADE WOOD

MISTY ANN WOOD

821 9TH AVE E

GOODING, ID 83330

Point of Diversion SENWSE S21 T06S R13E GOODING County

Source SPRING Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/10/2014

Place Of Use: DOMESTIC

T06S R13E S21 SENW

Application for permit for domestic use proposes to divert 0.04 cfs from a spring, also known as Montana Mining Company Ditch Spring No. 3, or Upper Decker Spring, located approximately 4.73 miles north and 0.78 miles west of the intersection of U.S. Highway 30 and Main Street in Hagerman. Place of use (home and yard), is located approximately 5.06 miles north and 1.08 miles west of Hagerman.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79607**

BRENT FUNK and CHALET FUNK, 845 S 1800 W, MURTAUGH, ID 83344; has filed Application No. 79607 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327, 45-2174A, 45-2174B; to see a full description of these rights and the proposed transfer, please see

www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the place of use (POU), period of use, nature of use, and point of diversion (POD) of one groundwater right for 0.30 cfs of irrigation to commercial/stockwater; and will change the place of use (POU) and point of diversion (POD) of several water rights in an existing dairy for an expansion, the total use at the dairy will be 3.04 cfs and 377.7 af. The dairy associated with the transfer is located approximately 5.4 to 6.1 mi. south & 0.8 to 1.5 mi. east of Murtaugh.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79644**

EMERALD RISING RANCH LLC, 97 FREEDOM LOOP, BELLEVUE, ID 83313; has filed Application No. 79644 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17377; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion of a 0.024 cfs and 0.8 acre ground water irrigation right from a shared well to a new well to be drilled on property located near the confluence of Salmon Falls Creek and the Snake River approximately 4.5 miles west and 7.7 miles north of the center of Buhl.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before November 24, 2014. The protestant must also send a copy of the protest to the applicant

GARY SPACKMAN, Director

PUBLISH: November 6th & 13th, 2014

✓ ok DM 11/20/2014

Maline, Denise

From: Brian Higgs [brian@waterwellconsultants.com]
Sent: Friday, November 07, 2014 12:45 PM
To: Maline, Denise
Cc: Jaxon Higgs
Subject: transfer 79607

Hi Denise.

I do not oppose transfer 79607.

Thank you.

Brian