

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79607

RECEIVED

OCT 10 2014

DEPT OF WATER RESOURCES
SOUTHERN 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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) CHALET FUNK; BRENT FUNK

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://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.
- ☒ ☐ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant CHALET FUNK Phone (208)432-5502
Mailing Address 845 S 1800 W, MURTAUGH ID 83344 Email _____

Name of Applicant BRENT FUNK Phone (208)432-5502
Mailing Address 845 S 1800 W, MURTAUGH ID 83344 Email _____

- ☐ 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 _____ Phone _____
Mailing Address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

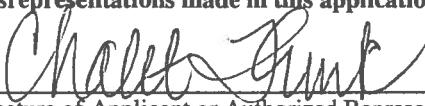
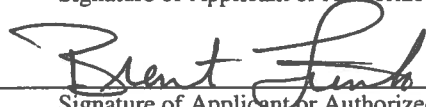
☐ Send original correspondence to the applicant and copies to the representative.

☐ 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 of Applicant or Authorized Representative	<u>Chalet Funk</u> Print Name and Title if applicable	<u>10-10-14</u> Date
 Signature of Applicant or Authorized Representative	<u>BRENT FUNK</u> Print Name and Title if applicable	<u>oct-10-14</u> Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2174A	Yes	Yes	Yes	No	Yes	Yes
	45-2174B	No	Yes	Yes	No	No	No
	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

Associated Right(s): 45-14324 , 45-14326 , 45-510 , 45-2633 , 45-12432

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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**

Transfer application is for a commercial and stock water expansion for Magic Milk Dairies owned by Brent and Chalet Funk located south of Murtaugh. Transfer application will dry up 15 acres of groundwater rights that have recently been used to grow alfalfa. The expansion will increase the place of use for a feedlot with the ability to keep 4,498 additional dry cows and heifers on the dairy. The transfer will also move the location of a well on the dairy water right that was never drilled to a new location.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
45-14259	0.200 cfs	30.0 af	N/A	N/A		N/A	N/A	N/A	N/A
45-14325	0.080 cfs	12.0 af	N/A	N/A		N/A	N/A	N/A	N/A
45-14327	0.030 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
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	0.660 cfs	82.2 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13432	0.780 cfs	97.1 af	N/A	N/A		N/A	N/A	N/A	N/A
45-14022	0.280 cfs	34.9 af	N/A	N/A		N/A	N/A	N/A	N/A
45-14260	0.740 cfs	76.2 af	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

2. Total amount of water proposed to be transferred or changed 3.04 cubic feet per second and/or _____ acre-feet per annum
3. Points(s) of Diversion:
- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.
4. Place of Use:
- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-14259

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/16/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.200 CFS	30.0 AFA	
STOCKWATER	01/01	12/31	0.200 CFS	30.0 AFA	
Total Diversion			0.200 CFS	30.0 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-14325

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 10/13/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.080 CFS	12.0 AFA	
STOCKWATER	01/01	12/31	0.080 CFS	12.0 AFA	
Total Diversion			0.080 CFS	12.0 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-14327

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.030 CFS	
STOCKWATER	01/01	12/31	0.030 CFS	
Total Diversion			0.030 CFS	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

I Daho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 45-2174A

Current Water Right Owner

BRENT A FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

AND

CHALET FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

Priority Date: 6/17/1929

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.300 CFS	260.0 AFA	
Total Diversion			1.300 CFS	260.0 AFA	

Source and 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

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes**

Proposed Water Right No. 45-14463

(Original Water Right No. 45-2174A)

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	1 /1	12/31	0.300 CFS	45.3 AFA	
STOCKWATER	1 /1	12/31	0.300 CFS	45.3 AFA	
Total Diversion			0.300 CFS	45.3 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	0.0

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	0.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-2174B

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.660 CFS	82.2 AFA	
STOCKWATER	01/01	12/31	0.660 CFS	82.2 AFA	
Total Diversion			0.660 CFS	82.2 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

**I D O DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-13432

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.780 CFS	97.1 AFA	
STOCKWATER	01/01	12/31	0.780 CFS	97.1 AFA	
Total Diversion			0.780 CFS	97.1 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-14022

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.280 CFS	34.9 AFA	
STOCKWATER	01/01	12/31	0.280 CFS	34.9 AFA	
Total Diversion			0.280 CFS	34.9 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

**I D O DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 45-14260

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

AND

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.740 CFS	76.2 AFA	
STOCKWATER	01/01	12/31	0.740 CFS	76.2 AFA	
Total Diversion			0.740 CFS	76.2 AFA	

Source and 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

Describe the proposed diversion system

Current well

Current well

Well to be drilled

Current well

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	

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
System of interconnected wells with flow meters.
- 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:
N A
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Transfer will dry up 15 acres of groundwater irrigation to be used for commercial and stock water.
- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Farm also has Southwest Irrigation District shares.
- f. 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. 45-14259

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.200 CFS	30.0 AFA	
STOCKWATER	01/01	12/31	0.200 CFS	30.0 AFA	
Total Diversion			0.200 CFS	30.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSE	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						0.0

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						0.0

Conditions/Remarks:

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. 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.
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 76880, 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

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

Current Water Right No. 45-14325

Current Water Right Owner

BRENT A FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

And/Or

CHALET FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

Priority Date: 10/13/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.080 CFS	12.0 AFA	
STOCKWATER	01/01	12/31	0.080 CFS	12.0 AFA	
Total Diversion			0.080 CFS	12.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS 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						0.0

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						0.0

Conditions/Remarks:

- 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.
- 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.
- 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.
- 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.
- Prior to diversion and use of water under Transfer approval 76880, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
- 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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. Right no. 45-14327 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer 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.

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

Current Water Right No. 45-14327

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.030 CFS	
STOCKWATER	01/01	12/31	0.030 CFS	
Total Diversion			0.030 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSE	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						0.0

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						0.0

Conditions/Remarks:

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.
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 76880, 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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. Right no. 45-14327 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer 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.

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

Current Water Right No. 45-2174A

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.600 CFS	320.0 AFA	
Total Diversion			1.600 CFS	320.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L4(SWNWNW)	Sec. 4 Twp 12S Rge 20E CASSIA County
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	SESWSW	Sec. 5 Twp 12S Rge 20E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	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	39.0	39.0	30.0	38.0	39.0	39.0	7.1	31.0									262.1
			L 1	L 2			L 3	L 4											

Right Acre Limit: 80.0

POU Total Acres: 645.1

Conditions/Remarks:

1. This right is limited to the irrigation of 80 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 10.61 cfs, a total annual maximum diversion volume of 2140 af at the field headgate, and the irrigation of 645.1 acres.
3. Use of the rights listed below is limited to the irrigation of a combined total of 383 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
4. Use of the rights listed below is limited to a total combined diversion rate of 7.66 cfs and to a total combined annual diversion volume of 1532 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

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

Current Water Right No. 45-2174B

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 6/17/1929

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.660 CFS	82.2 AFA	
STOCKWATER	01/01	12/31	0.660 CFS	82.2 AFA	
Total Diversion			0.660 CFS	82.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSE	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						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						0.0

Conditions/Remarks:

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. 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.
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. Prior to diversion and use of water under Transfer approval 76880, 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

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

Current Water Right No. 45-13432

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.780 CFS	97.1 AFA	
STOCKWATER	01/01	12/31	0.780 CFS	97.1 AFA	
Total Diversion			0.780 CFS	97.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSE	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	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						0.0

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						0.0

Conditions/Remarks:

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. 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.
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. Prior to diversion and use of water under Transfer approval 76880, 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

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

Current Water Right No. 45-14022

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.280 CFS	34.9 AFA	
STOCKWATER	01/01	12/31	0.280 CFS	34.9 AFA	
Total Diversion			0.280 CFS	34.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSE	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						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						0.0

Conditions/Remarks:

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. 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.
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. Prior to diversion and use of water under Transfer approval 76880, 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

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

Current Water Right No. 45-14260

Current Water Right Owner

BRENT A FUNK
845 S 1800 W
MURTAUGH, ID 83344

And/Or

CHALET FUNK
845 S 1800 W
MURTAUGH, ID 83344

Priority Date: 7/15/1910

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.740 CFS	76.2 AFA	
STOCKWATER	01/01	12/31	0.740 CFS	76.2 AFA	
Total Diversion			0.740 CFS	76.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 31 Twp 11S Rge 20E TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S Rge 20E CASSIA County
GROUND WATER	NWSE	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						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						0.0

Conditions/Remarks:

- 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.
- 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.
- 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.
- Prior to diversion and use of water under Transfer approval 76880, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
- 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.
- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Transfer No. 79607

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:_____

[illegible]

Received By N. Erickson Date 10/10/14 Prelim. Check By N. Erickson Date 10/10/14
 Fee Paid \$740.00 Date 10/10/14 Received By N. Erickson Receipt # 5034340
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

284183

284183 36056

47514SM

CASSIA COUNTY, IDAHO
DANIEL M. ROCKELLEY
RECORDER

FEE 300 DEPUTY AB

TitleFact, Inc.

P.O. Box 486

Twin Falls, Idaho 83303

*02 OCT 3 PM 3 09

RECORDED IN THE WEST OF

LAND TITLE & ESBROW

**** SPACE ABOVE FOR RECORDER ****

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED CUMMINS FARMS INC., an Idaho Corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **BRENT A. FUNK and CHALET FUNK, husband and wife**, Grantee, whose address is: 2911 N. 4000 E. Hansen Idaho 83334, the following described real estate, situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

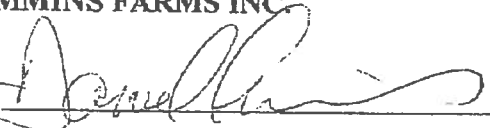
Section 5: SW1/4NW1/4, W1/2SW1/4, NE1/4SW1/4 and NW1/4SE1/4

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: September 18, 2002

CUMMINS FARMS INC.

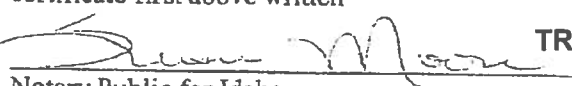
BY: 

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 18th day of October, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared Daniel Cummins, known to me to be the Secretary-Treasurer of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written


Notary Public for Idaho

TRANSFER 79607



WARRANTY DEED**CASSIA COUNTY**

Recorded for:

LAND TITLE AND ESCROW

#48818

9:53:04 am 11-02-2011**2011-004457**

No. Pages: 2

Fee: \$13.00

JOSEPH W. LARSEN

County Clerk

Deputy: VIKI

For Value Received

C. Gordon Luke and Eola D. Luke, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Brent A. Funk and Chalet Funk, husband and wifeAddress: **845 South 1800 West
Murtaugh, Idaho 83344**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

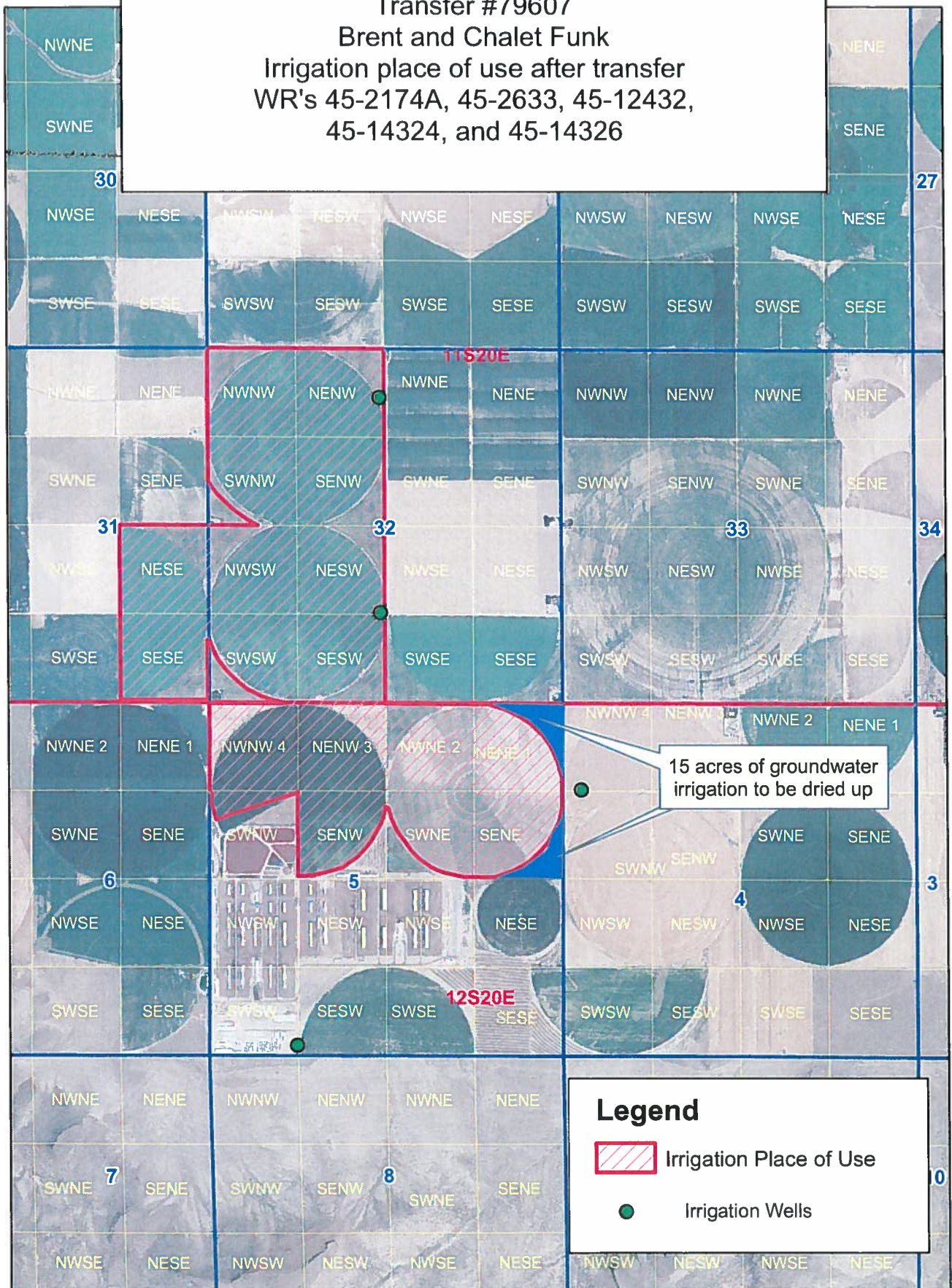
PARCEL NO. 1:**TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**Section 5: **S½SE¼, NE¼SE¼, SE¼SW¼****PARCEL NO. 2:****TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**Section 4: **Part of the SW¼, more particularly described as follows:****Beginning at the Southwest corner of said Section 4, said corner marked by a US GLO iron pipe with brass cap which shall be the Point of Beginning;****Thence North 00°02'22" East along the West line of Section 4 for a distance of 1327.62 feet to a ½ inch rebar;****Thence North 89°51'19" East for a distance of 2154.55 feet to a ½ inch rebar;****Thence South 00°01'43" West for a distance of 1301.59 feet to a ½ inch rebar;****Thence South 00°01'43" West for a distance of 32.21 feet to the South line of Section 4;****Thence North 89°58'51" West along the South line of Section 4 for a distance of 2,154.79 feet to the Point of Beginning.****SUBJECT TO:****All reservations in patents or deeds in the chain of title.****Taxes for 2011 and subsequent years.****Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.****Power Line Easement from Glen Briggs and Haze Briggs, his wife, to Idaho Power Company, a corporation, dated May 25, 1949 and recorded March 7, 1950 as Instrument No. 168567 in Book 14 of Miscellaneous, Page 134, records of Cassia County, Idaho.****Mineral Deed from Glen Briggs and Hazel Briggs, husband and wife, to Fred F. Foss, dated May 19, 1952 and recorded June 6, 1952 as Instrument No. 175773 in Book 54 of Deeds, Pages 552 and 553, records of Cassia County, Idaho.****Statement of Claim and Notice of Intent to Preserve executed by Ladd Petroleum Corporation, dated September 17, 1984 and recorded September 24, 1984 as Instrument No. 163826 on Film No. 167, records of Cassia County, Idaho.****TRANSFER 79607**

Transfer #79607
Brent and Chalet Funk
Commercial and Stockwater use after transfer
WR's 45-2174B, 45-13432, 45-14022, 45-14259,
45-14260, 45-14325, 45-14327, and 45-14463

Legend

- Commercial and Stockwater Place of Use
- Wells used for Commercial and Stockwater

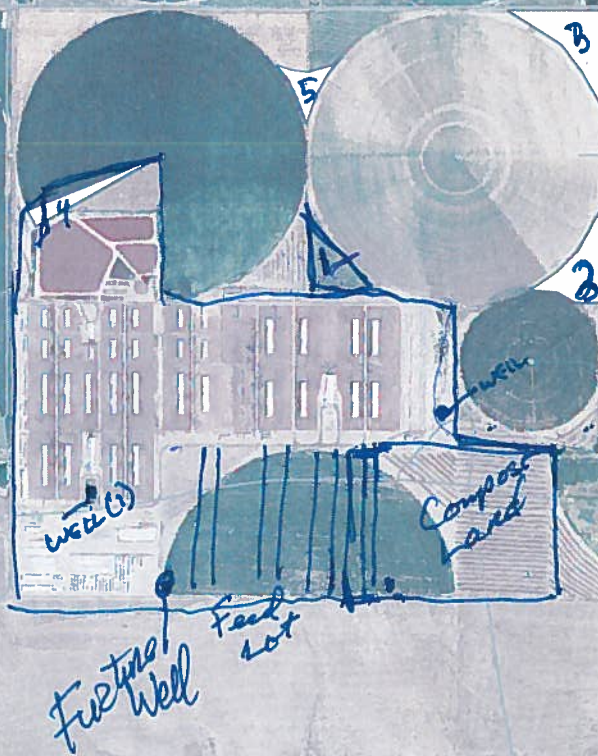
Transfer #79607
Brent and Chalet Funk
 Irrigation place of use after transfer
 WR's 45-2174A, 45-2633, 45-12432,
 45-14324, and 45-14326



Legend

-  Irrigation Place of Use
-  Irrigation Wells

on well



Magie Milk INC @ MSN.com

TRANSFER 79607



United States Department of Agriculture

Farm Service Agency

Crop Acreage Reporting
System (CARS)[CARS Home](#)[About CARS](#)[Help](#)[Contact Us](#)[Exit CARS](#)[Logout of eAuth](#)

CARS Menu

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Hansing

Role: County

State and County
Selection

Acreage Report Search

Crop Acreage Reports

Tract Selection

Reports

Manage Crop Defaults

Crop Review

Year: 2014

State: Idaho (16)

County: Twin Falls (083)

Farm Information

Farm Number: 6822

Total Rpt Cropland: 3834.77 of 3834.77

Operator Name: BCF FARMS INC

Operator Tax ID (Last 4): 8628 E

Tract Information

Tract Number: 32742

Tract Rpt Cropland: 275.37 of 275.37

Review of crop acreage data at tract level

	Field Number	Crop/ Comm	Var/ Type	Int Use	Irr Prc	Rpt Qty	Det Qty	Crop Status	Planting Period	Field ID
☐	1	ALFAL	-	FG	I	102.99	-	M	01	NS
☐	1	WHEAT	SWW	FG	I	102.99	-	I	01	-
☐	2	ALFAL	-	FG	I	7.58	-	M	01	NS
☐	2	WHEAT	SWW	FG	I	7.58	-	I	01	-
☐	3	ALFAL	-	FG	I	7.86	-	M	01	NS
☐	3	WHEAT	SWW	FG	I	7.86	-	I	01	-
☐	4	ALFAL	-	FG	I	6.75	-	I	01	-
☒	5	ALFAL	-	FG	I	5.87	-	I	01	-
☒	6	ALFAL	-	FG	I	129.04	-	I	01	-
☒	7	ALFAL	-	FG	I	6.18	-	I	01	-
☐	8	ALFAL	-	FG	I	4.18	-	I	01	-
☐	9	ALFAL	-	FG	I	4.92	-	M	01	NS
☐	9	WHEAT	SWW	FG	I	4.92	-	I	01	-

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TWIN FALLS 3 SE

$$\text{ALFALFA} = \frac{922 \text{ m/y}}{304.8 \text{ m/y/Ac-Ft}} = 3.02 \text{ Ac-Ft/Ac} = \frac{45.3 \text{ Ac-Ft}}{3.02 \text{ Ac-Ft/Ac}} = \boxed{15 \text{ AC}}$$

TRANSFER 79607



FARM 6822
TRACT 32742

S5 - T12 - R20

County: Cassia

OP% _____ OW% _____

CR YEAR: _____

Twin Falls County Farm Service Agency 

Disclaimer: These acreages are for FSA program purposes only.

NAIP 2013

TRANSFER 79607



Dairy Water Use Requirements

7/31/2014

Date

Owner/Operator Info

Name: Brent Funk Address: Telephone: 0
County: Cassia City: 0 State: 0 Zip Code: 0

Facility Info

Name: Magic Milk Dairies Address: Telephone: 0
County: Cassia City: Murtaugh State: Idaho Zip Code: 0

Stock Water Requirements

Animal Type	# of Animals	Animal Weight (lbs)	Animal Units	Drinking Requirement (gal/hd/day)	Drinking Requirement (gal/day)	Total Drinking (acft/yr)	Reference
Lactating cow 14	0	0	0.0	0.0	0	0.00	N/A
none	0	0	0.0	0.0	0	0.00	N/A
Dry Cow 14	0	0	0.0	0.0	0	0.00	N/A
Dry Cow 14	200	1,400	280.0	14.0	2,800	3.14	Water Intake and Quality for Dairy Cattle, Richard S.
Heifer 10	484	1,300	629.2	13.0	6,292	7.05	Water Intake and Quality for Dairy Cattle, Richard S.
Heifer 10	2,742	890	2,440.4	9.4	25,638	28.72	Fresh Water Needs for Dairy Farms, Dean Faulk U of I
Dairy Cattle 2.5	1,072	500	536.0	5.0	5,360	6.00	Water Intake and Quality for Dairy Cattle, Richard S.
Dairy Cattle 2.5	0	250	0.0	0.0	0	0.00	N/A
Dairy Cattle 1.5	0	150	0.0	0.0	0	0.00	N/A
Totals	4,498		3,885.6		40,090	44.91	

Stock water requirement in acre ft/ year

44.9

Stock water pumping diversion in cfs

0.06

TRANSFER 79607

Wash Water Sizing

Barn 1 Breakdown below

	Barn 1	Barn 2	Barn 3	
# Cows milked	0	0	0	
Stations/side	40	25	40	
Strings/milking	0	0	0	
Milkings per Day	3	3	3	3 milkings/day
Cow Prep.	0	0	0	0 gal/day
Bulk Tank	0	0	0	0 gal/day
Pipelines	0	0	0	0 gal/day
Claw Back flush	0	0	0	0 gal/day
Parlor Hand Washdown	0	0	0	0 gal/day
Deck Sprays	0	0	0	0 gal/day
Deck Flush	0	0	0	0 gal/day
Holding Pen Flush	0	0	0	0 gal/day
Holding Pen Hand Washdown	0	0	0	0 gal/day
Sprinkler Pen Water Use	0	0	0	0 gal/day
Milk Room Cleaning	888	0	0	0 gal/day
Water Trough Cleaning	0	0	0	0 gal/day
Miscellaneous	888	0	0	0 gal/day

0 Total Parlor gal/day

324,000 Gallons/year

0.99 Acre Ft/year

0.001 CFS

Notes

0

Recyclable Water Use

	Barn 1	Barn 2	Barn 3	
Milking Parlor Throughput	0	0	0	0 Cows/hr
Time Milking Per Day	0.0	0.0	0.0	0 hours/day
Plate Cooler Water Use	-	-	-	Gal/day
Water Cooled Compressor	-	-	-	Gal/day
Water Cooled Vacuum Pump	-	-	-	Gal/day

Total Cooling Parlor Volume/day in gallons

Water Use Evaluation

Clean Water Use	0 Gal/day
Cow Drinking water use	40090 Gal/day
Commercial Parlor Use	888 Gal/day
Net Excess Cooling Water	0 Gal/day
Yearly Parlor Cooling Volume (amount exceeding that recycled)	0.0 Acre Ft/year



Total Facility Water Use Requirements

Stock water Requirement	44.9 Acre Ft/yr	Gallons per day per animal unit 11.4 gal/au/day
Commercial Parlor Use	1.0 Acre Ft/yr	
Additional Cooling Use	0.0 Acre Ft/yr	
Water Use Estimate	45.9 Acre Ft/yr	
Safety Factor	1.0 SF	
Total Water Use Estimate	45.9 Acre Ft/yr	
Total Diversion Rate	0.06 Cubic Feet/Second (CFS)	28.5 GPM

(this diversion rate is the minimum rate required to pump the
above water use estimate 24/7/365)

Existing Water Rights	Diversion rate	Volume	total	0.0 acft/year
	cfs	gal/day acre/ft/year		

References:

Cattle drinking requirements were calculated using published information from industry accepted sources or from table data. Typically the highest use estimate is reported with the corresponding source of information. In some cases the designer will override the source values. In those cases an overridden value may include an explanation for the override.

The following sources were evaluated for the milking and dry cow herds.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Modified Kertz Equation, A.F. Kertz, Ralston Purina Company

Water Partitioning and Intake Prediction in Dry and Lactating Holstein Cows, J. B. Holter & W.E. Urban Jr., Journal of Dairy Science 1992

The following sources were evaluated for animals other than milking and dry cows.

Fresh Water Needs for Dairy Farms, Dean Faulk U of I Extension Specialist

Water Intake and Quality for Dairy Cattle, Richard S. Adams & William E. Sharpe, Department of Dairy and Animal Science, Pennsylvania State University

Water Requirements of Livestock, Daniel Ward & Kevin McKague, Ministry of Agriculture Food & Rural Affairs, May 2007



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

October 31, 2014

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

RE: Transfer No. 79607
Water Right No(s). 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327,
45-2174A, 45-2174B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 11/6/2014 and 11/13/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**November 24, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 30, 2014 4:14 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on November 6th & 13th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



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

October 30, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 79607

Water Right No(s): 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327, 45-2174A,
45-2174B

RE: Transfer No. 79644

Water Right No(s): 47-17377

RE: Application For Permit No.(s): 37-22902

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before November 24, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79334**

SWEET POTATO RANCH LLC, C/O JOE CLARK, AVIATION PARTNERS, 7299 PERIMETER RD S, SEATTLE, WA 98108; has filed Application No. 79334 for changes to the following water rights within BLAINE County(s): Right No(s). 37-4440; 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 for transfer proposes adding an existing well as an authorized point of diversion to a 0.47 cfs irrigation, stockwater and recreation storage ground water right. The well to be added is located approximately 1.6 miles west and 1.1 miles south of the intersection of Bullion St. and Hwy 75 in Hailey.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79429**

SV RANCH LLC, C/O GREGORY VIK, PO BOX 1607, BELLEVUE, WA 98009; has filed Application No. 79429 for changes to the following water rights within BLAINE, CAMAS County(s): Right No(s). 37-22771, 37-22790, 37-7408; 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: Transfer proposes moving portions of three ground water rights from existing farms for irrigation of a new pivot system located 2.5-3.0 mi. south and 6.0-6.5 mi. west of Fairfield. The application proposes to transfer 131.3 acres from three existing farms at these listed locations: a 11.1 acre portion (0.22 cfs) from a farm located 2.0-3.0 east of Fairfield on the south side of HWY 20; a 2.5 acre portion (0.03 cfs) from a farm located 19.25-19.5 mi. east and 4.7-5.0 mi. south of Fairfield; and a 117.7 acre portion (2.35 cfs) from a farm located 3.8-4.8 mi. south and 3.1-4.6 mi. west of Fairfield. In total three existing wells will divert up to 2.6 cfs and 393.8 AF for the irrigation of 131.3 acres under the new pivot.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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
Published on November 5th & 12th, 2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 31, 2014

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

RE: Transfer No. 79607

Water Right No(s). 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, 45-14327,
45-2174A, 45-2174B

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: October 21, 2014
To: Transfer 79607 File (Brent & Chalet Funk)
From: Nathan Erickson
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use (POU), period of use, nature of use, and point of diversion (POD) of groundwater right 45-2174A; and will change the place of use (POU) and point of diversion (POD) of water rights 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, and 45-14327. 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. Applicant provided crop records indicating alfalfa had been grown in the proposed dry up acres in 2014. Using current ET data for this crop at the nearest location (Twin Falls 3 SE), the precipitation deficit was 3.02 AFA. The total consumptive value for 15.0 acres was therefore 45.3 AFA. Applicant also proposes to change the place of use to match the dairy expansion. The change to the POD is for a well that has not been drilled for the dairy, the well will move 0.2 miles to the southeast within the dairy POU. The points of diversion involved in this transfer are located within the Oakley Valley Water District (WD 140), so watermaster comments will be needed. The proposed points of diversion do not fall within the smooth model boundary of the ESPA model, so no additional analysis is required. The PODs for this transfer are within the Artesian City Groundwater Critical Area, though movements of water rights remain confined to its boundaries. Because of the nature of the changes proposed in this transfer application, it is recommended that this transfer be processed with a public notice and protest period.

- **Authority to File:**
IDWR Records currently indicate Brent and Chalet Funk as current owners of water rights 45-2174A, 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, & 45-14327 and also indicate they are the current owners of the proposed POU.
- **Water Right Validity:**
Water rights 45-2174A, 45-2174B, 45-13432, 45-14022, 45-14259, 45-14260, 45-14325, & 45-14327 were partially decreed in the SRBA in May of 2005. A review of aerial imagery and documents provided by the applicant confirms irrigation has occurred within the last five years, so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.