

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79463**

This is to certify that: CAROLENE FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83321

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7477A	WR/DECREED	2/12/1975	12.560 cfs	2976.0 af	N/A	744.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-7477A	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>*Remaining Rate</u>	<u>*Remaining Volume</u>	<u>*Remaining Acre Limit</u>	<u>*Remaining Total Acres</u>
35-7477A	35-14395	1.200 cfs	284.0 af	N/A	71.0	35-7477A	11.330 cfs	2684.0 af	N/A	671.0
COMBINED TOTALS		1.200 cfs	284.0 af	N/A	71.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 7th day of October, 2014.


for Chief, Water Allocation Bureau

*The remaining portions for water right 35-7477A reflects the remaining totals after approval for transfers 79463 and 79464.

SUPPORT DATA

Transfer No. 79463

IN FILE # 35-7477A

WATER RIGHT NO. 35-7477A **As Modified by Transfer No. 79463**

In accordance with the approval of Transfer No. 79463, Water Right No. 35-7477A is now described as follows:

Right Holder: MPH FARMS
 2935 W 2050 S
 ABERDEEN, ID 83210

Priority Date: 2/12/1975

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
 11.330 cfs
 11.330 cfs

Diversion Volume
 2684.0 af
 2684.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWSW Sec 15 Twp 06S Rge 29E POWER County
 GROUND WATER NWSWSW Sec 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	15									40.0	34.0	34.0	36.0		36.0	34.0		214.0
06S	29E	16									40.0	39.0	38.0	38.0	39.0	40.0	33.0	39.0	306.0
06S	29E	17													34.0	39.0	40.0	38.0	151.0

POU Total Acres: 671.0

CONDITIONS OF APPROVAL

- 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.

Transfer No. 79463

WATER RIGHT NO. 35-14395

As Modified by Transfer No. 79463

In accordance with the approval of Transfer No. 79463, Water Right No. 35-14395 is now described as follows:

Right Holder: CAROLENE FUNK
PO BOX 360
AMERICAN FALLS, ID 83211
AND
MONTY FUNK
PO BOX 360
AMERICAN FALLS, ID 83321

Priority Date: 2/12/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1.200 cfs	284.0 af
			1.200 cfs	284.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSWNW Sec 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	10										35.5	35.5						71.0

POU Total Acres: 71.0

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120
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. Prior to the diversion and use of water under Transfer approval 79463, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 79463

WATER RIGHT NO. 35-14395

As Modified by Transfer No. 79463

CONDITIONS OF APPROVAL

4. 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.
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 place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

