

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 35-13337

RECEIVED

NOV 23 2001

Department of Water Resources

Date of Priority: December 02, 1982

Maximum Diversion Rate: 0.36 CFS

Comes now NORTHWEST FARM CREDIT SERVICES ACA
10 W JUDICIAL
PO BOX 10
BLACKFOOT ID 83221-0010

H ALAN FUNK
CONNIE G FUNK
2065 S 2800 W

ABERDEEN ID 83210 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 35-13337, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.36 CFS

LOCATION OF POINT(S) OF DIVERSION:

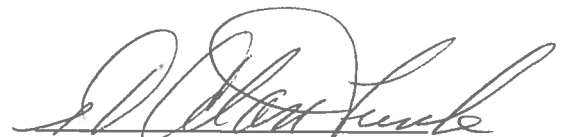
GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33, Twp 06S, Rge 31E, B.M., POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 31E 32				9.0													9.0
06S 31E 33							9.0										9.0

Total Acres: 18

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 21 day of Nov, 2001.



(Signature)

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FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$50. Received by jm # C058015 Date 11/23/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 35-13337 with the following:

CONDITIONS OF APPROVAL

1. Right 35-02066 is also diverted through the point of diversion described above.
2. Rights 35-02066, 35-13338 and 35-13337 when combined shall not exceed a total diversion rate of 11.12 cfs.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 72.0 af at the field headgate for the lands above.
4. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater 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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this _____ day of _____, 2001.

KARL J. DREHER
Director