

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78719**

This is to certify that: **RITA K FUNK AND
RONALD J FUNK
3826 FUNK LN
AMERICAN FALLS, ID 83211**

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>
35-8873A	WR/LICENSE	12/15/1989	8.400 cfs	1680.0 af	N/A	420.0	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>
35-8873A	NO	NO	YES	YES	YES	YES

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>
35-8873A	35-8873A	8.400 cfs	1677.9 af	N/A	419.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.400 cfs	1677.9 af	N/A	419.0		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 28th day of August, 2013.


Water Resources Program Manager

Transfer No. 78719

SUPPORT DATA
IN FILE # 35-8873A

WATER RIGHT NO. 35-8873A
As Modified by Transfer No. 78719

In accordance with the approval of Transfer No. 78719, Water Right No. 35-8873A is now described as follows:

Right Holder: RONALD J FUNK
 RITA K FUNK
 3826 FUNK LN
 AMERICAN FALLS, ID 83211

Priority Date: 12/15/1989

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	8.380 cfs	1676.0 af
INDUSTRIAL	01/01	to 12/31	0.020 cfs	1.9 af
			8.400 cfs	1677.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 35 Twp 06S Rge 29E	POWER County
GROUND WATER	SWSE	Sec 35 Twp 06S Rge 29E	POWER County

PLACE OF USE: INDUSTRIAL

			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	35												X			X		263

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	34													39.0	40.0	39.0	38.0	156
06S	29E	35									34.0	33.0	32.0	33.0	33.0	34.0	32.0	32.0	263

POU Total Acres: 419

CONDITIONS OF APPROVAL

1. Diversion of water from the additional well authorized under Transfer 78719 located in SWSE, Sec. 35, T06S, R29E shall not exceed a maximum diversion rate of 0.02 cfs.
2. Industrial use is for cooling a potato cellar and washing equipment.
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. 120.

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WATER RIGHT NO. 35-8873A
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CONDITIONS OF APPROVAL

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 the diversion and use of water under Transfer approval 78719, 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.
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. 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.
8. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.