

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 78394

This is to certify that: LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
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> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 35-14080           | WR/DECREED          | 7/9/1963             | 2.860 cfs             | 570.8 af                | 142.7             | 470.0              | GROUND WATER  |
| 35-14083           | WR/DECREED          | 10/17/1966           | 2.770 cfs             | 553.8 af                | 138.5             | 470.0              | GROUND WATER  |
| 35-14088           | WR/DECREED          | 12/26/1973           | 0.460 cfs             | 90.6 af                 | 22.6              | 470.0              | GROUND WATER  |
| 35-14091           | WR/LICENSE          | 5/23/1979            | 3.320 cfs             | 666.8 af                | 166.2             | 470.0              | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-14080              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-14083              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-14088              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 35-14091              | YES          | YES        | YES        | NO             | NO                   | NO                   |

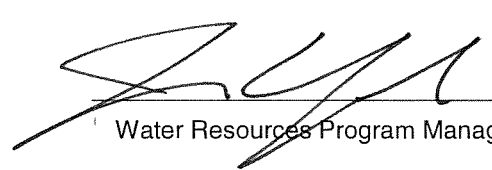
**Summary Of Water Rights After the Approved Change**

| <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> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-14080               | 35-14320                         | 0.730 cfs            | 145.6 af               | 36.4              | 120.0              | 35-14080                           | 2.130 cfs             | 425.2 af                | 106.3                       | 350.0                        |
| 35-14083               | 35-14317                         | 0.710 cfs            | 141.5 af               | 35.4              | 120.0              | 35-14083                           | 2.060 cfs             | 412.3 af                | 103.1                       | 350.0                        |
| 35-14088               | 35-14318                         | 0.120 cfs            | 23.3 af                | 5.8               | 120.0              | 35-14088                           | 0.340 cfs             | 67.3 af                 | 16.8                        | 350.0                        |
| 35-14091               | 35-14319                         | 0.850 cfs            | 169.6 af               | 42.4              | 120.0              | 35-14091                           | 2.470 cfs             | 495.2 af                | 123.8                       | 350.0                        |
| <b>COMBINED TOTALS</b> |                                  | <b>1.620 cfs</b>     | <b>480.0 af</b>        | <b>120.0</b>      | <b>120.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 12<sup>th</sup> day of March, 2013.

SUPPORT DATA  
IN FILE # 35-14080

  
Water Resources Program Manager

Transfer No. 78394

SCANNED

MAR 18 2013

## WATER RIGHT NO. 35-14083

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14083 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 10/17/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/25       | to 10/25  | 2.06 cfs              | 412.3 af                |
|                       |             |           | 2.060 cfs             | 412.3 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWSE                      Sec 23 Twp 04S Rge 30E BINGHAM 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  |        |
| 04S | 30E | 23  |      |      | 20   |      |     |      |      | 22 | 36.9 |    | 34.3 | 7.3 | 10.4 | 23.4 | 9.5 | 5.1 | 168.9  |
| 04S | 30E | 26  | 31.4 | 32.2 | 32.3 | 31.2 | 8.0 | 36.0 | 10.0 |    |      |    |      |     |      |      |     |     | 181.1  |

Right Acre Limit: 103.1  
POU Total Acres: 350.0

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 103.1 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 3.89 cfs, and the irrigation of 226.2 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 4.74 cfs and the irrigation of 350.0 acres.
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. 120.
5. 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. 78394

**WATER RIGHT NO. 35-14083**

**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 75507, 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.
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. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.
13. 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. 35-14317

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14317 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 10/17/1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/25       | to 10/25  | 0.710 cfs             | 141.5 af                |
|                       |             |           | 0.710 cfs             | 141.5 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWNW                      Sec 34 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 |        |
| 07S | 29E | 4   |  | 27.0 | 33.0 | 30.0 | 30.0 |    |    |    |    |    |    |    |    |    |    |    |    | 120.0  |

Right Acre Limit: 35.4

POU Total Acres: 120.0

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 35.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14317, 35-14318, 35-14320 when combined shall not exceed a total diversion rate of 1.33 cfs, and the irrigation of 77.6 acres.
3. Rights 35-14317, 35-14318, 35-14319, and 35-14320 when combined shall not exceed a total diversion rate of 1.62 cfs, and the irrigation of 120.0 acres.
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. 120.
5. 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. 78394

**WATER RIGHT NO. 35-14317**

**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 78394, 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.
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. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
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. 35-14088****As Modified by Transfer No. 78394**

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14088 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 12/26/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/25       | to 10/25  | 0.34 cfs              | 67.3 af                 |
|                       |             |           | 0.340 cfs             | 67.3 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER NWSE Sec 23 Twp 04S Rge 30E BINGHAM 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  |        |
| 04S | 30E | 23  |      |      | 20   |      |     |      |      | 22 | 36.9 |    | 34.3 | 7.3 | 10.4 | 23.4 | 9.5 | 5.1 | 168.9  |
| 04S | 30E | 26  | 31.4 | 32.2 | 32.3 | 31.2 | 8.0 | 36.0 | 10.0 |    |      |    |      |     |      |      |     |     | 181.1  |

Right Acre Limit: 16.8

POU Total Acres: 350.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 16.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 3.89 cfs, and the irrigation of 226.2 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 4.74 cfs and the irrigation of 350.0 acres.
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. 120.
5. 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. 78394

**WATER RIGHT NO. 35-14088**

**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 75507, 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.
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. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
10. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.
13. 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. 35-14318

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14318 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 12/26/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/25       | to 10/25  | 0.120 cfs             | 23.3 af                 |
|                       |             |           | 0.120 cfs             | 23.3 af                 |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWNW                      Sec 34 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 |        |
| 07S | 29E | 4   | 27.0 | 33.0 | 30.0 | 30.0 |    |    |    |    |    |    |    |    |    |    |    |    | 120.0  |

Right Acre Limit: 5.8  
POU Total Acres: 120.0

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14317, 35-14318, 35-14320 when combined shall not exceed a total diversion rate of 1.33 cfs, and the irrigation of 77.6 acres.
3. Rights 35-14317, 35-14318, 35-14319, and 35-14320 when combined shall not exceed a total diversion rate of 1.62 cfs, and the irrigation of 120.0 acres.
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. 120.
5. 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.

**WATER RIGHT NO. 35-14318**

**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 78394, 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.
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. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/25 and after 10/25 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/19/2002.
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. 35-14091

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14091 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 5/23/1979

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 2.47 cfs              | 495.2 af                |
|                       |             |           | 2.470 cfs             | 495.2 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWSE                      Sec 23 Twp 04S Rge 30E BINGHAM 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  |        |
| 04S | 30E | 23  |      |      | 20   |      |     |      |      | 22 | 36.9 |    | 34.3 | 7.3 | 10.4 | 23.4 | 9.5 | 5.1 | 168.9  |
| 04S | 30E | 26  | 31.4 | 32.2 | 32.3 | 31.2 | 8.0 | 36.0 | 10.0 |    |      |    |      |     |      |      |     |     | 181.1  |

Right Acre Limit: 123.8

POU Total Acres: 350.0

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 123.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 4.74 cfs and the irrigation of 350.0 acres.
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.
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.

**WATER RIGHT NO. 35-14091**  
**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 75507, 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 following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

## WATER RIGHT NO. 35-14319

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14319 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 5/23/1979

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.850 cfs             | 169.6 af                |
|                       |             |           | 0.850 cfs             | 169.6 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWNW                      Sec 34 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 |        |
| 07S               | 29E | 4   | 27.0  | 33.0 | 30.0 | 30.0 |    |    |    |    |    |    |    |    |    |    |    |    | 120.0  |
| Right Acre Limit: |     |     | 42.4  |      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
| POU Total Acres:  |     |     | 120.0 |      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |        |

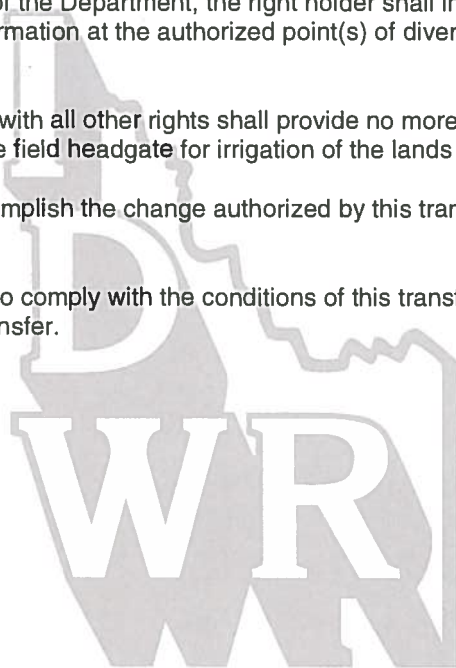
#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 42.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14317, 35-14318, 35-14319, and 35-14320 when combined shall not exceed a total diversion rate of 1.62 cfs, and the irrigation of 120.0 acres.
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.
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.

**WATER RIGHT NO. 35-14319**  
**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under Transfer approval 78394, 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 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.



## WATER RIGHT NO. 35-14080

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14080 is now described as follows:

**Right Holder:** LISA FUNK AND  
LANCE FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 7/9/1963

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 2.13 cfs              | 425.2 af                |
|                       |             |           | 2.130 cfs             | 425.2 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWSE                      Sec 23 Twp 04S Rge 30E BINGHAM 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  |        |
| 04S | 30E | 23  |      |      | 20   |      |     |      |      | 22 | 36.9 |    | 34.3 | 7.3 | 10.4 | 23.4 | 9.5 | 5.1 | 168.9  |
| 04S | 30E | 26  | 31.4 | 32.2 | 32.3 | 31.2 | 8.0 | 36.0 | 10.0 |    |      |    |      |     |      |      |     |     | 181.1  |

Right Acre Limit: 106.3

POU Total Acres: 350.0

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 106.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14080, 35-14083 and 35-14088 when combined shall not exceed a total diversion rate of 3.89 cfs, and the irrigation of 226.2 acres.
3. Rights 35-14080, 35-14083, 35-14088 and 35-14091 when combined shall not exceed a total diversion rate of 4.74 cfs and the irrigation of 350.0 acres.
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. 120.
5. 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. 78394

**WATER RIGHT NO. 35-14080**

**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 75507, 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.
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. 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. The following rights are diverted through point(s) of diversion described above: 35-14080, 35-14083, 35-14088, 35-14091.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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. 35-14320

### As Modified by Transfer No. 78394

In accordance with the approval of Transfer No. 78394, Water Right No. 35-14320 is now described as follows:

**Right Holder:** LANCE FUNK AND  
LISA FUNK  
PO BOX 310  
AMERICAN FALLS, ID 83211

**Priority Date:** 7/9/1963

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.730 cfs             | 145.6 af                |
|                       |             |           | 0.730 cfs             | 145.6 af                |

#### LOCATION OF POINT(S) OF DIVERSION

GROUND WATER                      NWNW                      Sec 34 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 |        |
| 07S               | 29E | 4   | 27.0  | 33.0 | 30.0 | 30.0 |    |    |    |    |    |    |    |    |    |    |    |    | 120.0  |
| Right Acre Limit: |     |     | 36.4  |      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |        |
| POU Total Acres:  |     |     | 120.0 |      |      |      |    |    |    |    |    |    |    |    |    |    |    |    |        |

#### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 36.4 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14317, 35-14318, and 35-14320 when combined shall not exceed a total diversion rate of 1.33 cfs, and the irrigation of 77.6 acres.
3. Rights 35-14317, 35-14318, 35-14319, and 35-14320 when combined shall not exceed a total diversion rate of 1.62 cfs, and the irrigation of 120.0 acres.
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. 120.
5. 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.

**WATER RIGHT NO. 35-14320**  
**As Modified by Transfer No. 78394**

**CONDITIONS OF APPROVAL**

6. Prior to the diversion and use of water under Transfer approval 78394, 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.
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. 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. 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.