

JAN 16 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78376

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) BRENT FUNK AND CHALET 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: _____

JAN 16 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant BRENT FUNK Phone (208)432-5502Mailing Address 2786 ROCK CREEK RD, HANSEN ID 83334 Email _____Name of Applicant CHALET FUNK Phone (208)432-5502Mailing Address 2786 ROCK CREEK RD, HANSEN ID 83334 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.

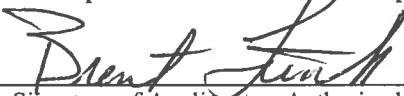
OR

☐ 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.

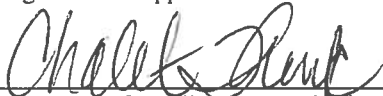


Signature of Applicant or Authorized Representative

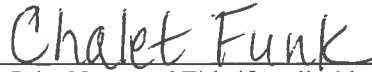


Print Name and Title if applicable

Date



Signature of Applicant or Authorized Representative



Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	47-122	Yes	Yes	Yes	Yes	No	No
	47-124B	Yes	Yes	Yes	Yes	No	No
	47-138	Yes	Yes	Yes	Yes	No	No
	47-158	Yes	Yes	Yes	Yes	No	No
	47-162A	Yes	Yes	Yes	Yes	No	No
	47-177D	No	No	Yes	No	No	No
	47-10693	Yes	Yes	Yes	Yes	No	No
	47-16640D	No	No	Yes	No	No	No

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**

Application proposes to dry up 9.1 acres of Rock Creek Irrigation Rights to cover 9.1 acres upstream on ground owned by the applicant. Applicant proposes to move this water from the current authorized points of diversion on Rock Creek to the four existing diversions, including the East Ditch Diversion, where rights 47-16640D, 47-177D are diverted. Application also proposes to change the place of use of 47-16640D, 47-177D to cover adjacent ground when combined with the irrigat

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
47-16640D	0.216 cfs	50.0 af	N/A	21.6		N/A	N/A	N/A	N/A
47-177D	0.127 cfs	50.0 af	N/A	21.6		N/A	N/A	N/A	N/A
47-17599	0.090 cfs	23.9 af	6.0	21.6	47-10693	2.150 cfs	572.1 af	143.0	292.5
47-17600	0.010 cfs	2.8 af	0.7	21.6	47-122	0.230 cfs	61.2 af	15.3	292.5
47-17601	0.070 cfs	18.0 af	4.5	21.6	47-158	1.590 cfs	426.0 af	106.5	292.5
47-17602	0.010 cfs	2.6 af	0.7	21.6	47-124B	0.150 cfs	65.0 af	17.3	292.5
47-17603	0.010 cfs	2.8 af	0.7	21.6	47-138	0.350 cfs	69.2 af	17.3	292.5
47-17604	0.010 cfs	2.8 af	0.7	21.6	47-162A	0.340 cfs	69.2 af	17.3	292.5

COMBINED TOTALS

0.54cfs N/A N/A 21.6 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 0.54 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. 47-16640D

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD

AND

CHALET FUNK
2786 ROCK CREEK RD

Priority Date: 4/1/1880

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.216 CFS	
STOCKWATER	01/01	12/31	0.050 CFS	
Total Diversion			0.216 CFS	50.0 AFA

Source and Point(s) of Diversion:

ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E	TWIN FALLS County
ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E	TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E	TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E	TWIN FALLS 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	
12S	18E	1											15.6	6					21.6

POU Total Acres: 21.6

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12S	18E	1											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. 47-177D

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD

AND

CHALET FUNK
2786 ROCK CREEK RD

Priority Date: 7/13/1907

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.127 CFS	
STOCKWATER	01/01	12/31	0.050 CFS	
Total Diversion			0.127 CFS	50.0 AFA

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6					21.6

POU Total Acres: 21.6

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	18E	1											X	X					0.0

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

Original Water Right No. 47-10693

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

AND

CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

Priority Date: 5/15/1879

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	2.15 CFS	572.1 AFA	
Total Diversion			2.150 CFS	572.1 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 143.0

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17599

(Original Water Right No. 47-10693)

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 5/15/1879

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.090 CFS	23.9 AFA	
Total Diversion			0.090 CFS	23.9 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 6.0

POU Total Acres: 21.6

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

Original Water Right No. 47-122

Current Water Right Owner

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 4/30/1890

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.23 CFS	61.2 AFA	
Total Diversion			0.230 CFS	61.2 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 15.3

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17600

(Original Water Right No. 47-122)

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 4/30/1890

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	2.8 AFA	
Total Diversion			0.010 CFS	2.8 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 0.7

POU Total Acres: 21.6

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

Original Water Right No. 47-158

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	1.59 CFS	426 AFA	
Total Diversion			1.590 CFS	426.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 106.5

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17601

(Original Water Right No. 47-158)

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

AND

CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.070 CFS	18.0 AFA	
Total Diversion			0.070 CFS	18.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 4.5

POU Total Acres: 21.6

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

Original Water Right No. 47-124B

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

AND

CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

Priority Date: 4/30/1881

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.15 CFS	65 AFA	
Total Diversion			0.150 CFS	65.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 17.3

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17602

(Original Water Right No. 47-124B)

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 4/30/1881

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	2.6 AFA	
Total Diversion			0.010 CFS	2.6 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 0.7

POU Total Acres: 21.6

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

Original Water Right No. 47-138

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 10/30/1887

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.35 CFS	69.2 AFA	
Total Diversion			0.350 CFS	69.2 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 17.3

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17603

(Original Water Right No. 47-138)

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 10/30/1887

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	2.8 AFA	
Total Diversion			0.010 CFS	2.8 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 0.7

POU Total Acres: 21.6

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

Original Water Right No. 47-162A

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.34 CFS	69.2 AFA	
Total Diversion			0.340 CFS	69.2 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 17.3

POU Total Acres: 292.5

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

Proposed Water Right No. 47-17604

(Original Water Right No. 47-162A)

Current Water Right Owner

BRENT FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

AND

CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	2.8 AFA	
Total Diversion			0.010 CFS	2.8 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											15.6	6.0					21.6

Right Acre Limit: 0.7

POU Total Acres: 21.6

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

Utilizes existing diversions and measuring devices located on Rock Creek, approved by the Watermaster

- b. Who owns the property at the point(s) of diversion

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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:

9.1 Acres will be dried up at the current authorized POU and moved upstream.

- 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:

Groundwater Right 47-2551 serves 197 acres at the current POU.

- 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. 47-16640D

Current Water Right Owner

BRENT FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

AND

CHALET FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

Priority Date: 4/1/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.216 CFS	
STOCKWATER	01/01	12/31	0.050 CFS	
Total Diversion			0.216 CFS	50.0 AFA

Source and Point(s) of Diversion:

ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											9.8	2.7					12.5
POU Total Acres:			12.5																

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	18E	1											X	X					0.0

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Stockwater use is for 200 cattle and 4 horses.
4. This right is a combination of old Right Nos.47-116b, 47-117.
5. This right is a split from former right A47-16640A.
6. 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 below.

Conditions/Remarks:

7. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. No structure in the stream channel shall constitute a migration barrier to fish indigenous to this stream.
9. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
10. The rights listed below are limited to the irrigation of a combined total of 12.5 acres in a single irrigation season. Combined Right Nos.: 47-177D, 47-16640D
11. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Current Water Right No. 47-177D

Current Water Right Owner

BRENT FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

AND

CHALET FUNK
 845 S 1800 W
 MURTAUGH, ID 83344

Priority Date: 7/13/1907

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.127 CFS	
STOCKWATER	01/01	12/31	0.050 CFS	
Total Diversion			0.127 CFS	50.0 AFA

Source and Point(s) of Diversion:

ROCK CREEK	NESESE	Sec. 11 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWNWSW	Sec. 13 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
ROCK CREEK	SWSWSW	Sec. 12 Twp 12S Rge 18E TWIN FALLS 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	
12S	18E	1											9.8	2.7					12.5

POU Total Acres: 12.5

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	18E	1											X	X					0.0

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Stockwater use is for 200 cattle and 4 horses.
4. This right is a split from former right A47-177A.
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 below.
6. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.

Conditions/Remarks:

7. No structure in the stream channel shall constitute a migration barrier to fish indigenous to this stream.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The rights listed below are limited to the irrigation of a combined total of 12.5 acres in a single irrigation season. Combined Right Nos.: 47-177D, 47-16640D
10. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Current Water Right No. 47-10693

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 5/15/1879

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

2.240 CFS

Volume

596.0 AFA

Subuse Code

Total Diversion

2.240 CFS

596.0 AFA

Source and Point(s) of Diversion:

ROCK CREEK

NESESW

Sec. 36 Twp 11S Rge 18E TWIN FALLS County

ROCK CREEK

NENESW

Sec. 36 Twp 11S Rge 18E TWIN FALLS County

ROCK CREEK

SENENW

Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 149.0

POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. This right is a combination of old Right Nos. 47-121 & 47-123.
9. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
10. This right is limited to the irrigation of 149 acres within the place of use described above in a single irrigation season.
11. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 856.0 AF.
12. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 214.0 acres in a single irrigation season.
13. The rights listed below are limited to a total combined annual diversion volume of 928.0 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
14. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A

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

Current Water Right No. 47-122

Current Water Right Owner

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 4/30/1890

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.240 CFS	64.0 AFA	
Total Diversion			0.240 CFS	64.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 16.0

POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
9. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
10. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 856.0 AF.
11. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 214.0 acres in a single irrigation season.
12. The rights listed below are limited to a total combined annual diversion volume of 928.0 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
13. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A

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

Current Water Right No. 47-158

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK

Tributary: SNAKE RIVER

Beneficial Use
 IRRIGATION

From
 04/01

To
 10/31

Diversion Rate
 1.660 CFS
 Total Diversion 1.660 CFS

Volume
 444.0 AFA
 444.0 AFA

Subuse Code

Source and Point(s) of Diversion:

ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5			20.0				212.5

Right Acre Limit: 111.0

POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
9. This right is limited to the irrigation of 111 acres within the place of use described above in a single irrigation season.
10. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to a total combined annual diversion volume of 856.0 AF.
11. Right Nos. 47-10693, 47-00122 and 47-00158 are limited to the irrigation of a combined total of 214.0 acres in a single irrigation season.
12. The rights listed below are limited to a total combined annual diversion volume of 928.0 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
13. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A

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

Current Water Right No. 47-124B

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 4/30/1881

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.160 CFS	67.6 AFA	
Total Diversion			0.160 CFS	67.6 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 18.0

POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
9. This right is limited to the irrigation of 18 acres within the place of use described above in a single irrigation season.
10. Right Nos. 47-124B, 47-138 and 47-162A are limited to a total combined annual diversion volume of 72.0 AF.
11. Right Nos. 47-124B, 47-138 and 47-162A are limited to the irrigation of a combined total of 18.0 acres in a single irrigation season.
12. The rights listed below are limited to a total combined annual diversion volume of 928.0 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
13. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
14. A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.

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

Current Water Right No. 47-138

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 10/30/1887

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.360 CFS	72.0 AFA	
Total Diversion			0.360 CFS	72.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5			20.0				212.5

Right Acre Limit: 18.0

POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
9. This right is limited to the irrigation of 18 acres within the place of use described above in a single irrigation season.
10. Right Nos. 47-124B, 47-138 and 47-162A are limited to a total combined annual diversion volume of 72.0 AF.
11. Right Nos. 47-124B, 47-138 and 47-162A are limited to the irrigation of a combined total of 18.0 acres in a single irrigation season.
12. The rights listed below are limited to a total combined annual diversion volume of 928.0 af. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A
13. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
14. A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.

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

Current Water Right No. 47-162A

Current Water Right Owner

BRENT FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

AND

CHALET FUNK
 2786 ROCK CREEK RD
 HANSEN, ID 83334

Priority Date: 3/14/1892

Origin: Water Right

Basis: Decreed

Status: Active

Source: ROCK CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.350 CFS	72.0 AFA	
Total Diversion			0.350 CFS	72.0 AFA	

Source and Point(s) of Diversion:

ROCK CREEK	NESESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	SENENW	Sec. 36 Twp 11S Rge 18E TWIN FALLS County
ROCK CREEK	NENESW	Sec. 36 Twp 11S Rge 18E TWIN FALLS 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	18E	25														40.0	40.0		80.0
11S	18E	36		40.0	35.0		10.0		23.0	25.0	25.0	34.5				20.0			212.5

Right Acre Limit: 18.0

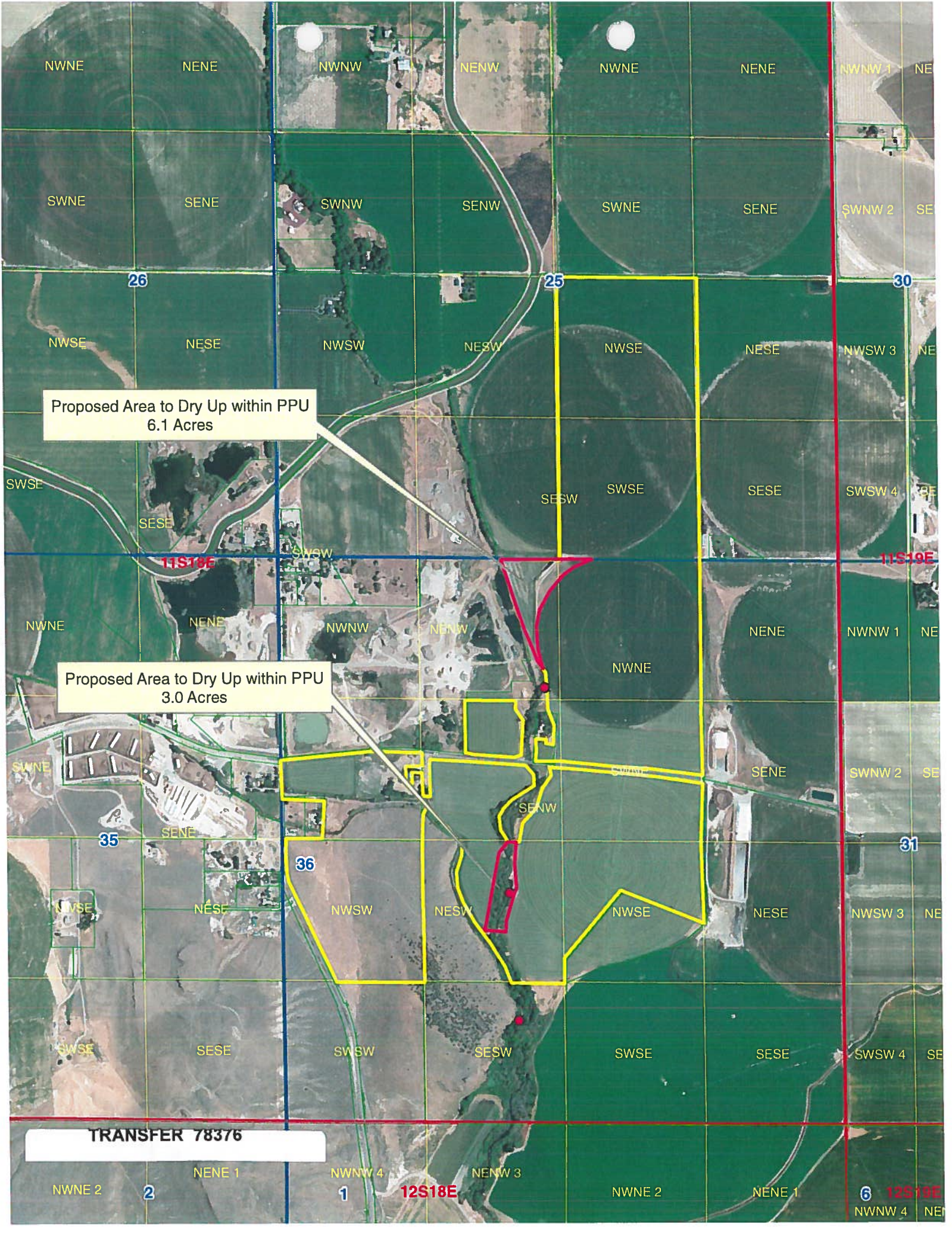
POU Total Acres: 292.5

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
7. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Conditions/Remarks:

8. The total instantaneous diversion of water from all points of diversion under rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A shall not exceed 5.01 cfs, nor total combined annual diversion volume of 928.0 af.
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13. The rights listed below are limited to the irrigation of a combined total of 232.0 acres in a single irrigation season. Combined Right Nos.: 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-2551, & 47-162A
14. A portion of combined Rights 47-124B, 47-138 and 47-162A, 0.55 cfs, is limited to use for conveyance losses in delivery of these rights.



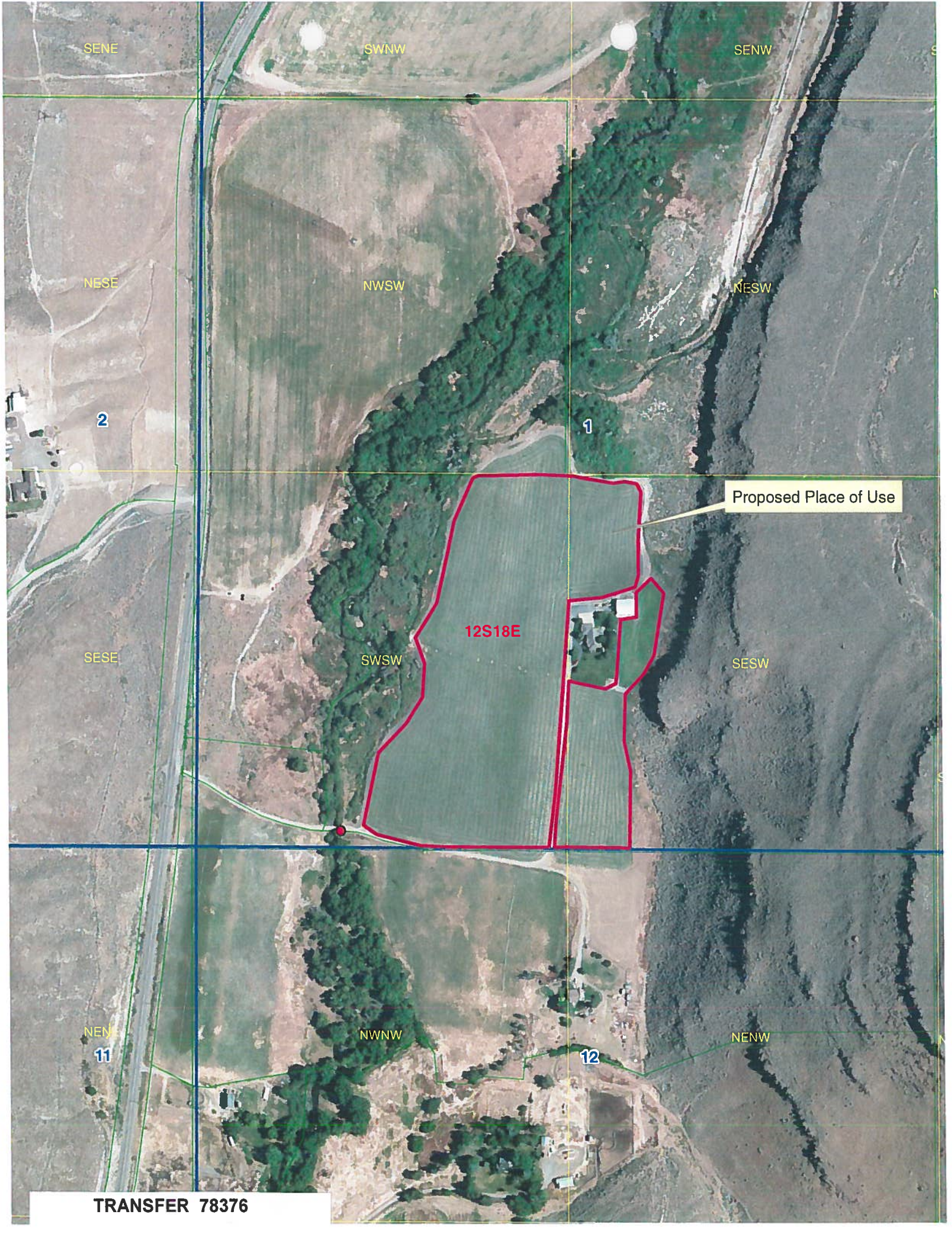
Proposed Area to Dry Up within PPU
6.1 Acres

Proposed Area to Dry Up within PPU
3.0 Acres

TRANSFER 78376

12S18E

12S19E



Proposed Place of Use

12S18E



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 31, 2013

BRENT FUNK
CHALET FUNK
2786 ROCK CREEK RD
HANSEN, ID 83334

RE: Transfer No. 78376

Water Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A,
47-16640D, 47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604,
47-177D, 47-2551

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 2/7/2013 and 2/14/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 25, 2013**).

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, January 31, 2013 1:24 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on February 7th & 14th, 2013. Please 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
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

January 31, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 78359
Water Right No(s): 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403,
37-21404, 37-21405

RE: Transfer No. 78370
Water Right No(s): 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396,
43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-2359, 43-2460,
43-4010, 43-7015, 43-7054

RE: Transfer No. 78376
Water Right No(s): 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-16640D,
47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604, 47-177D, 47-2551

RE: Transfer No. 78253
Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593

RE: Transfer No. 78254
Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17594, 47-17595, 47-17596

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 February 25, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78359**

ALONZO B LEAVELL, PO BOX 54, GOODING, ID 83330 has filed Application No. 78359 for changes to the following water rights within GOODING & LINCOLN County(s): Right No(s). 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403, 37-21404, 37-21405. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add diversion points to nine Little Wood River rights owned by the Big Wood Canal Company to allow for the diversion of Big Wood Canal Company shares from the Big Wood River rather than the Little Wood River. The application describes a point of diversion where water from the Little Wood River enters the X Canal along the west side of Gooding, a point of injection where the X Canal discharges into the Big Wood River northwest of Gooding, and two new proposed points of rediversion from the Big Wood River northwest of Gooding. The rediversion points from the Big Wood River will be located approximately 0.6 miles west and 1.7 miles north, and 0.65 miles west and 1.65 miles north of the Highway 26 and 46 intersection. The application proposes limiting the diversion of water from the two new rediversion points to no more than a combined total of 0.41 cfs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78370**

WILLOW CREEK ENTERPRISES LLC, C/O REED GIBBY, 872 E PEBBLE DR, BURLEY, ID 83318; and LEON R WALKER FAMILY TRUST, C/O ZEONA M WALKER TRUSTEE, 87 S 800 E, LINDON, UT 84042 have filed Application No. 78370 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-2359, 43-2460, 43-4010, 43-7015, 43-7054. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add points of diversion (PODs) for fifteen groundwater irrigation rights. Two rights 5.12 CFS (310.6 Acres), currently appurtenant to a farm located approximately 10.2 mi to 11.2 mi E of Declo, are diverted from three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E. An additional thirteen rights allow for the irrigation of 171 acres on adjacent ground, from a well located approximately 11.2 mi. E & 1.3 mi. N (132 acres, 1.74 CFS) of Declo and a well located approximately 10.0 mi E. & 1.0 mi. N (39 acres, 0.48 CFS) of Declo. Application proposes to create a 3469.7-acre permissible place of use (PPU) located approximately 7.9 to 11.9 mi. E & 0.3 to 2.0 mi. N of Declo by combining all fifteen rights. The well located approximately 11.2 mi. E & 1.3 mi. N of Declo will be relocated to a new location approximately 10.8 mi. E & 1.0 mi. N of Declo. These five wells will allow for the diversion of up to 7.34 CFS (481.6 acres) for use within the PPU. Rights (10 CFS, 546 acres) on an adjacent farm, located approximately 9.7 to 11.2 mi E & 1.3 mi. N to 0.7 mi. S of Declo, also utilizes the three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E and will be modified to reflect the ability to divert water from the additional two wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78376**

BRENT and CHALET FUNK, 2786 ROCK CREEK RD, HANSEN, ID 83334 has filed Application No. 78376 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-16640D, 47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604, 47-177D, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use (POU) of 0.34 CFS (12.5 acres) of Rock Creek water rights by creating a 21.6-acre permissible place of use (PPU), by incorporating adjacent ground, on a farm located approximately 8.7 to 8.9 mi. S of Hansen. Application also proposes to change the POU for a 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A to be combined with the rights in the proposed PPU to allow for the irrigation of the entire 21.6-acre PPU. The 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A will result in an overall reduction of 9.1 acres of irrigation at their original 292.5-acre PPU, located approximately 6.5 to 7.8 mi. S of Hansen. The application also proposes changing the points of diversion (PODs) for the 0.2 CFS portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A, by moving them upstream from three PODs along Rock Creek located the following approximate distances from Hansen: 7.2 mi S, 7.6 mi S, & 7.8 mi. S to four PODs, currently authorized under rights 47-16640D & 47-177D, located the approximate following distances from Hansen: 9.0 mi. S, 9.7 mi. S, 9.8 mi. S, & 10.7 mi. S.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78253**

WAYNE and JOANNE WRIGHT, 3700 N 2658 E, TWIN FALLS, ID 83301 has filed Application No. 78253 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.8 acre portion (0.03 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with a home located approximately 1.75 miles south and 3.2 miles west of the center Twin Falls. The transferred portion of the rights (0.03 cfs) will be diverted from an existing domestic well associated with the home.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78254**

PAUL MONAHAN, 18972 HWY 30, HAGERMAN, ID 83332 has filed Application No. 78254 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17594, 47-17595, 47-17596. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 4.3 acre portion (0.08 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with an orchard and winery located approximately 8.6 miles north and 4.5 miles west of the center Buhl. The transferred portion of the rights (0.08 cfs) will be diverted from an existing domestic well associated with a home and the property.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 25, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 7th & 14th, 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 31, 2013

RYAN FRANKLIN
WATER DISTRICT #47-O
1897 E 3700 N
FILER, ID 83328

RE: Transfer No. 78376

Water Right No(s): 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A,
47-16640D, 47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604,
47-177D, 47-2551

Dear Mr. Franklin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form 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: January 17, 2013
To: Transfer 78376 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the place of use (POU) of 0.34 CFS (12.5 acres) of Rock Creek water rights by creating a 21.6-acre permissible place of use (PPU), by incorporating adjacent ground, on a farm located approximately 8.7 to 8.9 mi. S of Hansen. Application also proposes to change the POU for a 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A to be combined with the rights in the proposed PPU to allow for the irrigation of the entire 21.6-acre PPU. The 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A will result in an overall reduction of 9.1 acres of irrigation at their original 292.5-acre PPU, located approximately 6.5 to 7.8 mi. S of Hansen. The application also proposes changing the points of diversion (PODs) for the 0.2 CFS portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A, by moving them upstream from three PODs along Rock Creek located the following approximate distances from Hansen: 7.2 mi S, 7.6 mi S, & 7.8 mi. S to four PODs, currently authorized under rights 47-16640D & 47-177D, located the approximate following distances from Hansen: 9.0 mi. S, 9.7 mi. S, 9.8 mi. S, & 10.7 mi. S.

Proposed changes occur with the jurisdiction of the Rock Creek Water District (WD 47O), so watermaster comments will be solicited. Due to the nature of the proposed changes, it is recommended this application be processed with a public notice and protest period.

- **Authority to File:**
Applicants are listed as current owner on IDWR records for the rights involved in this transfer.
- **Water Right Validity:**
Rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A were partially decreed in the SRBA in July, 2009. Right 47-16640D was partially decreed in June of 2010 & right 47-177D was partially decreed in March of 2010. Therefore, forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.

- **Effect of the Agricultural Base of the Local 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.