

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77025

This is to certify that: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211
 (208)226-5551

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14082	WR/Decreed	07/09/1963	0.27 cfs	54.6 af	13.6	45.0	GROUND WATER
35-14085	WR/Decreed	10/17/1966	0.27 cfs	53.1 af	13.3	45.0	GROUND WATER
35-14090	WR/Decreed	12/26/1973	0.04 cfs	8.7 af	2.2	45.0	GROUND WATER
35-14093	WR/License	05/23/1979	0.32 cfs	63.6 af	15.9	45.0	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>
35-14082	NO	YES	YES	NO	NO	NO
35-14085	NO	YES	YES	NO	NO	NO
35-14090	NO	YES	YES	NO	NO	NO
35-14093	NO	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>
35-14082	35-14082	0.27 cfs	54.6 af	13.6	45.0		N/A	N/A	N/A	N/A
35-14085	35-14085	0.27 cfs	53.1 af	13.3	45.0		N/A	N/A	N/A	N/A
35-14090	35-14090	0.04 cfs	8.7 af	2.2	45.0		N/A	N/A	N/A	N/A
35-14093	35-14093	0.32 cfs	63.6 af	15.9	45.0		N/A	N/A	N/A	N/A

COMBINED

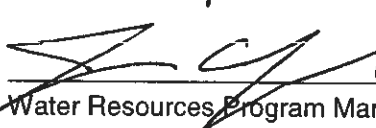
TOTALS	0.61 cfs	180.0 af	45.0	45.0		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 25th day of February, 2011

SUPPORT DATA

IN FILE # 35-14082


 Water Resources Program Manager

WATER RIGHT NO. 35-14082
As Modified by Transfer No. 77025

In accordance with the approval of Transfer No. 77025, Water Right No. 35-14082 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: July 09, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.27 CFS	54.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 34 Twp 06S Rge 29E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	33	22.5																22.5
06S	29E	34					22.5												22.5

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14082, 35-14085 and 35-14090 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14082, 35-14085, 35-14090 and 35-14093 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

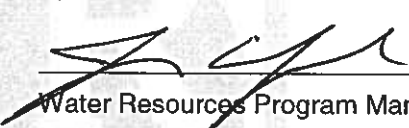
WATER RIGHT NO. 35-14082
As Modified by Transfer No. 77025

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14085
As Modified by Transfer No. 77025

In accordance with the approval of Transfer No. 77025, Water Right No. 35-14085 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: October 17, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	0.27 CFS	53.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 34 Twp 06S Rge 29E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	29E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	22.5
06S	29E	34																	22.5

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14082, 35-14085 and 35-14090 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14082, 35-14085, 35-14090 and 35-14093 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

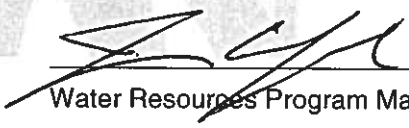
WATER RIGHT NO. 35-14085
As Modified by Transfer No. 77025

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14090
As Modified by Transfer No. 77025

In accordance with the approval of Transfer No. 77025, Water Right No. 35-14090 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: December 26, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/25	to 10/25	0.04 CFS	8.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 34 Twp 06S Rge 29E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	29E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	22.5
			22.5																
06S	29E	34					22.5												22.5

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14082, 35-14085 and 35-14090 when combined shall not exceed a total diversion rate of 0.5 cfs, a total annual maximum diversion volume of 116.4 af at the field headgate, and the irrigation of 29.1 acres.
3. Rights 35-14082, 35-14085, 35-14090 and 35-14093 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 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.
6. Prior to the diversion and use of water under Transfer approval 77023, 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.

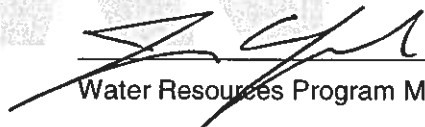
WATER RIGHT NO. 35-14090
As Modified by Transfer No. 77025

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.

This water right 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.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 35-14093
As Modified by Transfer No. 77025

In accordance with the approval of Transfer No. 77025, Water Right No. 35-14093 is now described as follows.

Right Holder: LANCE & LISA FUNK PARTNERSHIP
 2765 FAIRGROUNDS RD
 AMERICAN FALLS ID 83211

Priority Date: May 23, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.32 CFS	63.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNW Sec. 34 Twp 06S Rge 29E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	29E	33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	22.5
			22.5																
06S	29E	34																	22.5

Total Acres: 45

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14082, 35-14085, 35-14090 and 35-14093 when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 180.0 af at the field headgate, and the irrigation of 45.0 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.
5. Prior to the diversion and use of water under Transfer approval 77023, 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.

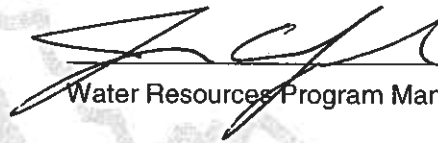
WATER RIGHT NO. 35-14093
As Modified by Transfer No. 77025

CONDITIONS OF APPROVAL

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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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.

This water right 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.

Dated this 25th day of February, 20 11



Water Resources Program Manager

