

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74778

This is to certify that: MONTY FUNK And
 CAROLENE FUNK
 PO BOX 360
 AMERICAN FALLS ID 83211
 (208)226-5207

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>
35-7477C	WR/Decreed	02/12/1975	3.97 cfs	800 af	N/A	200.0	GROUND WATER
35-8195B	WR/License	06/30/1983	0.27 cfs	60 af	12.0	32.0	GROUND WATER
35-8338B	WR/License	01/27/1984	0.07 cfs	20 af	12.0	32.0	GROUND WATER
35-2751B	WR/Decreed	08/21/1964	0.03 cfs	12.7 af	5.0	32.0	GROUND WATER
35-8002B	WR/Decreed	11/13/1981	0.24 cfs	48 af	12.0	32.0	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>
35-7477C	NO	NO	YES	NO	NO	NO
35-8195B	NO	NO	YES	NO	NO	NO
35-8338B	NO	NO	YES	NO	NO	NO
35-2751B	NO	NO	YES	NO	NO	NO
35-8002B	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 35-2751B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74778

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-7477C	35-7477C	3.97 cfs	800 af	200.0	314.0		N/A	N/A	N/A	N/A
35-8195B	35-8195B	0.27 cfs	60 af	15.0	314.0		N/A	N/A	N/A	N/A
35-8338B	35-8338B	0.07 cfs	20 af	5.0	314.0		N/A	N/A	N/A	N/A
35-2751B	35-2751B	0.03 cfs	12.7 af	5.0	314.0		N/A	N/A	N/A	N/A
35-8002B	35-8002B	0.24 cfs	48 af	12.0	314.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.58 cfs	928 af	232.0	314.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28 day of December, 2009

for Ernest Carlson
Chief, Water Allocation Bureau

**WATER RIGHT NO. 35-2751B
As Modified by Transfer No. 74778**

In accordance with the approval of Transfer No. 74778, Water Right No. 35-2751B is now described as follows.

Right Holder: MONTY FUNK And
CAROLENE FUNK
PO BOX 360
AMERICAN FALLS ID 83211

Priority Date: August 21, 1964

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	0.03 CFS	12.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 29E 15	40.0	40.0	40.0	40.0	39.0	38.0	38.0	39.0									314.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. Rights 35-2751B and 35-8338B when combined shall not exceed a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
2. Rights 35-2751B, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 928 af at the field headgate, and the irrigation of 232 acres.
4. Water rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when used in combination are limited to the irrigation of a specific 232 acres within the 314 acre place of use authorized by transfer 74778 in a single irrigation season. The specific 232 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 232 acres to be irrigated within the 314 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.

WATER RIGHT NO. 35-2751B
As Modified by Transfer No. 74778

CONDITIONS OF APPROVAL

6. 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.
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: 35-2751B, 35-7477C, 35-8002B, 35-8195B, 35-8338B
10. This right does not grant any right-of-way or easement across the land of another.
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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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 28 day of December, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7477C
As Modified by Transfer No. 74778

In accordance with the approval of Transfer No. 74778, Water Right No. 35-7477C is now described as follows.

Right Holder: MONTY FUNK And
 CAROLENE FUNK
 PO BOX 360
 AMERICAN FALLS ID 83211

Priority Date: February 12, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	3.97 CFS	800.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
06S	29E	15	40.0	40.0	40.0	40.0	39.0	38.0	38.0	39.0									314.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
2. Rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 928 af at the field headgate, and the irrigation of 232 acres.
3. Water rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when used in combination are limited to the irrigation of a specific 232 acres within the 314 acre place of use authorized by transfer 74778 in a single irrigation season. The specific 232 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 232 acres to be irrigated within the 314 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
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. 35-7477C
As Modified by Transfer No. 74778

CONDITIONS OF APPROVAL

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 above.
7. The following rights are diverted through point(s) of diversion described above: 35-2751B, 35-7477C, 35-8002B, 35-8195B, 35-8338B
8. This right does not grant any right-of-way or easement across the land of another.
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.
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.

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 28 day of December, 2009



Chief, Water Allocation Bureau

WATER RIGHT NO. 35-8002B
As Modified by Transfer No. 74778

In accordance with the approval of Transfer No. 74778, Water Right No. 35-8002B is now described as follows.

Right Holder: MONTY FUNK And
 CAROLENE FUNK
 PO BOX 360
 AMERICAN FALLS ID 83211

Priority Date: November 13, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.24 CFS	48.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
06S 29E 15	40.0	40.0	40.0	40.0	39.0	38.0	38.0	39.0									314.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12 acres within the place of use described above in a single irrigation season.
2. Rights 35-2751B, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 928 af at the field headgate, and the irrigation of 232 acres.
4. Water rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when used in combination are limited to the irrigation of a specific 232 acres within the 314 acre place of use authorized by transfer 74778 in a single irrigation season. The specific 232 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 232 acres to be irrigated within the 314 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.

WATER RIGHT NO. 35-8002B
As Modified by Transfer No. 74778

CONDITIONS OF APPROVAL

6. 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.
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: 35-2751B, 35-7477C, 35-8002B, 35-8195B, 35-8338B
9. This right does not grant any right-of-way or easement across the land of another.
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.

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 28 day of December, 20 09


for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-8195B
As Modified by Transfer No. 74778

In accordance with the approval of Transfer No. 74778, Water Right No. 35-8195B is now described as follows.

Right Holder: CAROLENE FUNK And
 MONTY FUNK
 PO BOX 360
 AMERICAN FALLS ID 83211

Priority Date: June 30, 1983

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	60.0 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER NWSWNW Sec. 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	15	40.0	40.0	40.0	40.0	39.0	38.0	38.0	39.0									314.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the place of use described above in a single irrigation season.
2. Rights 35-2751B, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 928 af at the field headgate, and the irrigation of 232 acres.
4. Water rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when used in combination are limited to the irrigation of a specific 232 acres within the 314 acre place of use authorized by transfer 74778 in a single irrigation season. The specific 232 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 232 acres to be irrigated within the 314 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.

WATER RIGHT NO. 35-8195B
As Modified by Transfer No. 74778

CONDITIONS OF APPROVAL

6. 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.
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: 35-2751B, 35-7477C, 35-8002B, 35-8195B, 35-8338B
9. This right does not grant any right-of-way or easement across the land of another.
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.

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 28 day of November, 20 09

Ernest Carlson
for Chief, Water Allocation Bureau

WATER RIGHT NO. 35-8338B
As Modified by Transfer No. 74778

In accordance with the approval of Transfer No. 74778, Water Right No. 35-8338B is now described as follows.

Right Holder: CAROLINE FUNK And
 MONTY FUNK
 PO BOX 360
 AMERICAN FALLS ID 83211

Priority Date: January 27, 1984

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	0.07 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNW Sec. 15 Twp 06S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	29E	15	40.0	40.0	40.0	40.0	39.0	38.0	38.0	39.0									314.0

Total Acres: 314

CONDITIONS OF APPROVAL

1. Rights 35-2751B and 35-8338B when combined shall not exceed a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
2. Rights 35-2751B, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 0.61 cfs, a total annual maximum diversion volume of 128 af at the field headgate, and the irrigation of 32 acres.
3. Rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual maximum diversion volume of 928 af at the field headgate, and the irrigation of 232 acres.
4. Water rights 35-2751B, 35-7477C, 35-8002B, 35-8195B, and 35-8338B when used in combination are limited to the irrigation of a specific 232 acres within the 314 acre place of use authorized by transfer 74778 in a single irrigation season. The specific 232 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the Department. Before changing the 232 acres to be irrigated within the 314 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. 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.

WATER RIGHT NO. 35-8338B
As Modified by Transfer No. 74778

CONDITIONS OF APPROVAL

6. 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.
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: 35-2751B, 35-7477C, 35-8002B, 35-8195B, 35-8338B
9. This right does not grant any right-of-way or easement across the land of another.
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.

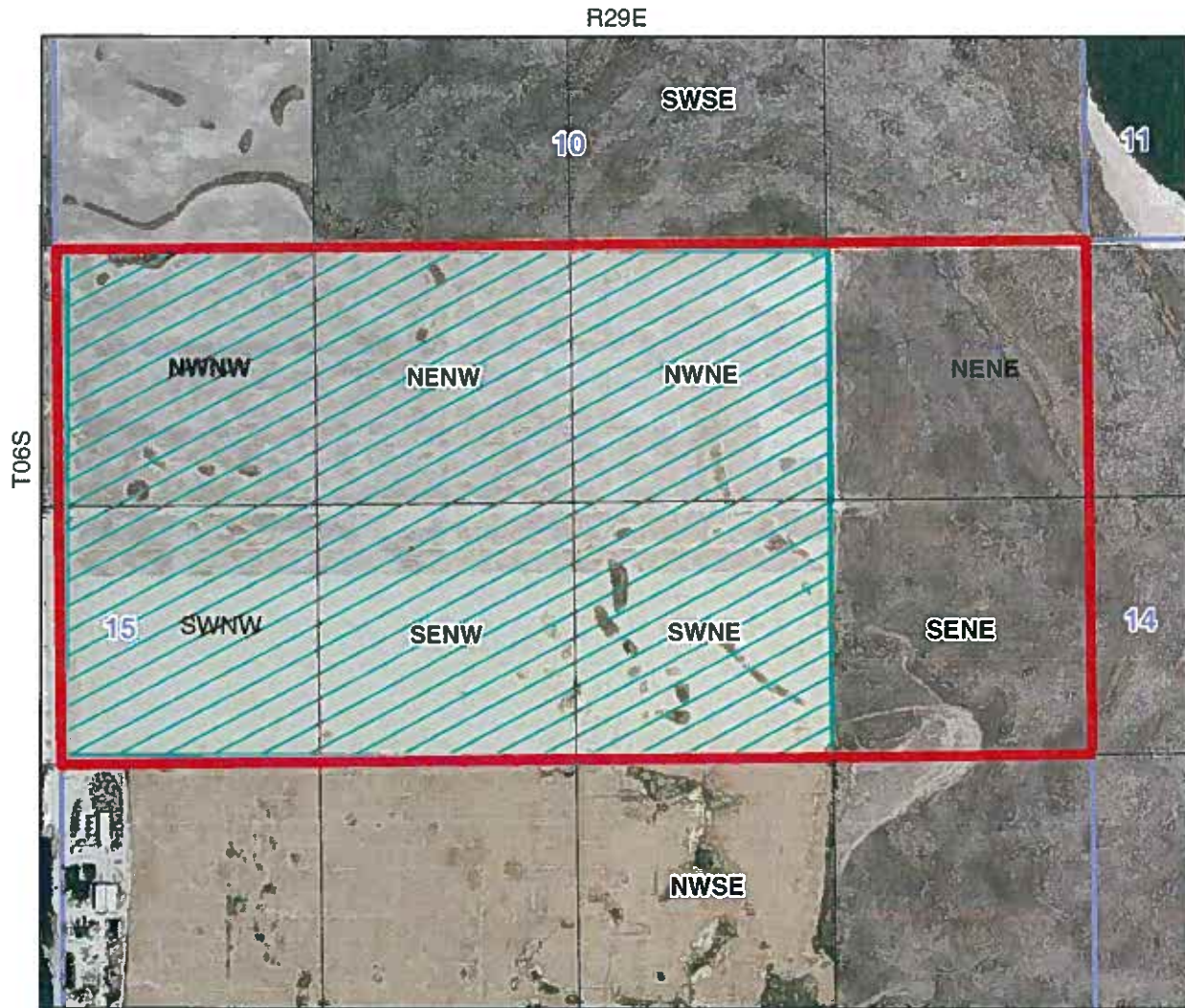
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28 day of December, 2009

Ernest Carlson
for Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Water Right Transfer 74778

35-2751B, 35-7477C, 35-8002B, 35-8195B & 35-8338B
Permissible Place of Use \$ Principle Irrigated Acres Shape Files



Legend

-  Permissible Place of Use
-  Principle irrigated acres shape file
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.1 0.2 0.4 Miles

