

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71692

This is to certify that: DAVID L FUNK And
SHIRLENE FUNK
3040 N 3800 E
HANSEN ID 83334
(208)423-4583

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
45-2472	WR/Decreed	03/03/1954	0.80 cfs	390.4 af	N/A	149.0	GROUND WATER
45-2399	WR/Decreed	11/14/1951	1.60 cfs	320.0 af	80.0	149.0	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

45-10069	WR/Decreed	03/15/1953	0.32 cfs	N/A	N/A	16.0	WASTE WATER
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Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2472	YES	NO	NO	YES	YES	YES
45-2399	YES	NO	NO	YES	YES	YES

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
45-2472	45-13894	0.30 cfs	137.6 af	N/A	N/A	45-13893	0.50 cfs	244.2 af	N/A	93.2
45-2399	45-13892	0.60 cfs	74.2 af	N/A	N/A	45-13891	1.00 cfs	200.0 af	50.0	93.2

COMBINED

TOTALS	0.90 cfs	138.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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Rights 45-10069, 45-13891, 45-13892, 13893 and 45-13894 are subject to the conditions of the Final Order dated 02-23-2007 in the matter of Application for Transfer 71692.

Detailed Water Right Description(s) attached

Dated this 8th day of December, 20 07

Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 45-2399

WATER RIGHT NO. 45-13891
As Modified by Transfer No. 71692

In accordance with the approval of Transfer No. 71692, Water Right No. 45-13891 is now described as follows.

Right Holder: SHIRLENE FUNK And
 DAVID L FUNK
 3040 N 3800 E
 HANSEN ID 83334

Priority Date: November 14, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	1.00 CFS	200.0 AF
			1.00 CFS	200.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 1 Twp 11S Rge 20E CASSIA 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					
11S	20E	1									36.0	38.0	19.2					93.2	

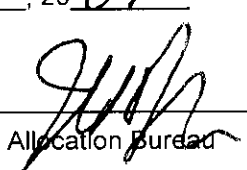
Total Acres: 93.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50.0 acres within the place of use described above in a single irrigation season.
2. Rights 45-13891 and 45-13893 when combined shall not exceed a total annual maximum diversion volume of 372.8 af at the field headgate, and the irrigation of 93.2 acres.
3. Use of this right with the rights listed below is limited to the irrigation of a combined total of 93.2 acres in a single irrigation season. Combined Right Nos.: 45-10069 & 45-13893.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. 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 8th day of December, 20 07


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13892
As Modified by Transfer No. 71692

In accordance with the approval of Transfer No. 71692, Water Right No. 45-13892 is now described as follows.

Right Holder: DAVID L FUNK And
 SHIRLENE FUNK
 3040 N 3800 E
 HANSEN ID 83334

Priority Date: November 14, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.60 CFS	74.2 AF
STOCKWATER	01/01 to	12/31	0.60 CFS	74.2 AF
			0.60 CFS	74.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 1	Twp 11S	Rge 20E	CASSIA County
GROUND WATER	SESW	Sec. 1	Twp 11S	Rge 20E	CASSIA County

PLACE OF USE: COMMERCIAL & STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	1									X								X

CONDITIONS OF APPROVAL

1. Rights 45-13892 and 45-13894 when combined shall not exceed a total annual maximum diversion volume of 138.0 af.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. Prior to the diversion and use of water under Transfer approval 71692, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Commercial use is for a dairy.

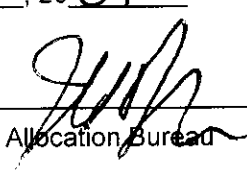
WATER RIGHT NO. 45-13892
As Modified by Transfer No. 71692

CONDITIONS OF APPROVAL

8. 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.
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 8th day of December, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13893
As Modified by Transfer No. 71692

In accordance with the approval of Transfer No. 71692, Water Right No. 45-13893 is now described as follows.

Right Holder: DAVID L FUNK And
 SHIRLENE FUNK
 3040 N 3800 E
 HANSEN ID 83334

Priority Date: March 03, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/01	0.50 CFS	244.2 AF
			0.50 CFS	244.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESESW Sec. 1 Twp 11S Rge 20E CASSIA 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			
11S	20E	1													93.2		

Total Acres: 93.2

CONDITIONS OF APPROVAL

1. Rights 45-13891 and 45-13893 when combined shall not exceed a total annual maximum diversion volume of 372.8 af at the field headgate, and the irrigation of 93.2 acres.
2. Use of this right with the rights listed below is limited to the irrigation of a combined total of 93.2 acres in a single irrigation season. Combined Right Nos.: 45-10069 & 45-13891.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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 8th day of December, 20 07

 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13894
As Modified by Transfer No. 71692

In accordance with the approval of Transfer No. 71692, Water Right No. 45-13894 is now described as follows.

Right Holder: DAVID L FUNK And
 SHIRLENE FUNK
 3040 N 3800 E
 HANSEN ID 83334

Priority Date: March 03, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.30 CFS	137.6 AF
COMMERCIAL	01/01 to	12/31	0.30 CFS	137.6 AF
			0.30 CFS	137.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 1	Twp 11S	Rge 20E	CASSIA County
GROUND WATER	SESW	Sec. 1	Twp 11S	Rge 20E	CASSIA County

PLACE OF USE: STOCKWATER & COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	1																	

CONDITIONS OF APPROVAL

1. Rights 45-13892 and 45-13894 when combined shall not exceed a total annual maximum diversion volume of 138.0 af.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. Prior to the diversion and use of water under Transfer approval 71692, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion, in accordance with Department specifications.
4. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
7. Commercial use is for a dairy.

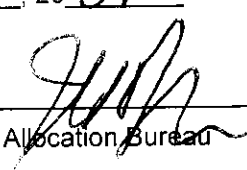
WATER RIGHT NO. 45-13894
As Modified by Transfer No. 71692

CONDITIONS OF APPROVAL

8. 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.
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 8th day of December, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-10069
As Modified by Transfer No. 71692

In accordance with the approval of Transfer No. 71692, Water Right No. 45-10069 is now described as follows.

Right Holder: SHIRLENE FUNK And
 DAVID L FUNK
 3040 N 3800 E
 HANSEN ID 83334

Priority Date: March 15, 1953

Source: WASTE WATER

Tributary: MILNER LOW LIFT MAIN CANAL

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.32 CFS	
			0.32 CFS	

LOCATION OF POINT(S) OF DIVERSION:

WASTE WATER SENWSW Sec. 1 Twp 11S Rge 20E CASSIA 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	
11S 20E 1																	16.0

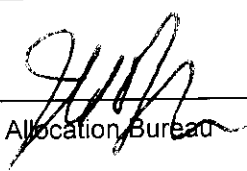
Total Acres: 16

CONDITIONS OF APPROVAL

1. Use of this right with the rights listed below is limited to the irrigation of a combined total of 93.2 acres in a single irrigation season. Combined Right Nos.: 45-10069, 45-13891, 45-13893
2. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
3. 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 8th day of December, 20 07


 Chief, Water Allocation Bureau