

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73455

This is to certify that: DARRELL M FUNK And/Or PATRICIA M FUNK
3173 N 4900 E
MURTAUGH ID 83344
(208)432-5386

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>
45-13915	WR/Decreed	03/08/1948	1.83 cfs	297 af	N/A	N/A	GROUND WATER
45-13917	WR/Decreed	06/08/1982	0.06 cfs	8.4 af	N/A	N/A	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>
45-13915	NO	NO	NO	YES	NO	NO
45-13917	NO	NO	NO	YES	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>
45-13915	45-13915	1.83 cfs	297 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13917	45-13917	0.06 cfs	8.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.83 cfs	305.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 6th day of October, 20 07

Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 45-13915

Right Holder: DARRELL M FUNK And/Or PATRICIA M FUNK
3173 N 4900 E
MURTAUGH ID 83344

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	1.83 CFS	297.0 AF
STOCKWATER	01/01	to 12/31	1.83 CFS	297.0 AF
			1.83 CFS	297.0 AF

GROUND WATER NWSESW Sec. 22 Twp 11S Rge 20E TWIN FALLS
County

GROUND WATER NENESE Sec. 23 Twp 11S Rge 20E TWIN FALLS
County

[illegible][illegible]

1. Rights 45-13915 and 45-13917 when combined shall not exceed a total diversion rate of 1.83 cfs, nor a total annual maximum diversion volume of 305.4 ac-ft.
2. 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. 140.
3. 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. 45-13915
As Modified by Transfer No. 73455

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 73455, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. Water diverted from the well located within the NWSESW Sec 22, Twp 11S, Rge 20 E for use at the dairy must be measured independently from the irrigation water also diverted from the well and also independently from other water diverted to the dairy from other well(s).
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to the diversion and use of water under the transfer 71971 approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under the transfer 71971 approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Rights 45-2443, 45-4102, 45-13914, and 45-13917 are also diverted through the point of diversion located within the NWSESW of Sec 22, Twp 11S, R20E described above.
9. Commercial use is for a dairy operation.
10. The right holder shall accomplish the change authorized by transfer 71971 within one year of the date of the approval.
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 transfer 71971 is cause for the Director to rescind approval of the transfer.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 6th day of October, 20 07



Chief, Water Allocation Bureau

Right Holder: DARRELL M FUNK And/Or PATRICIA M FUNK
3173 N 4900 E
MURTAUGH ID 83344

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	0.06 CFS	6.7 AF
COMMERCIAL	01/01	to 12/31	0.06 CFS	1.7 AF
			0.06 CFS	8.4 AF

GROUND WATER NWSESW Sec. 22 Twp 11S Rge 20E TWIN FALLS County

GROUND WATER NENESE Sec. 23 Twp 11S Rge 20E TWIN FALLS
County

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>	
11S	20E	24					X	X	X	X									

[illegible]

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2. 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. 140.
3. 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. 45-13917
As Modified by Transfer No. 73455

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 73455, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. Water diverted from the well located within the NWSESW Sec 22, Twp 11S, Rge 20 E for use at the dairy must be measured independently from the irrigation water also diverted from the well and also independently from other water diverted to the dairy from other well(s).
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7. Prior to the diversion and use of water under the transfer 71971 approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Rights 45-2443, 45-4102, 45-13914, and 45-13915 are also diverted through the point of diversion located within the NWSESW of Sec 22, Twp 11S, R20E described above.
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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 6th day of October, 2007



Chief, Water Allocation Bureau