

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73065

This is to certify that: BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344
 (208)432-5502

And

CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344
 (208)432-5502

have 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>
45-2174B	WR/Decreed	06/17/1929	0.66 cfs	82.2 af	N/A	N/A	GROUND WATER
45-13431	WR/Decreed	07/15/1910	1.22 cfs	244 af	61.0	713.0	GROUND WATER
45-13432	WR/Decreed	07/15/1910	0.78 cfs	97.1 af	N/A	N/A	GROUND WATER

Associated Water Rights Also Included in Transfer Approval (POD, POU, and Conditions Updated)

<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>
45-510	WR/Decreed	04/02/1916	0.8 cfs	N/A	109.0	713.0	DRY CREEK
45-2174A	WR/Decreed	06/17/1929	1.6 cfs	320 af	80.0	713.0	GROUND WATER
45-2633	WR/Decreed	02/12/1961	1.3 cfs	316 af	79.0	713.0	GROUND WATER
45-2671	WR/Decreed	10/13/1961	3.03 cfs	624 af	156.0	713.0	GROUND WATER
45-12432	WR/Decreed	07/15/1949	5.6 cfs	1120 af	280.0	713.0	GROUND WATER
45-12878	WR/Decreed	06/30/1985	1.3 cfs	N/A	113.0	713.0	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>
45-2174B	NO	NO	YES	YES	NO	NO
45-13431	YES	YES	YES	NO	YES	YES
45-13432	NO	NO	YES	YES	NO	NO

SUPPORT DATA

IN FILE # 45-2174B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 73065

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
45-2174B	45-2174B	0.66 cfs	82.2 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13432	45-13432	0.78 cfs	97.1 af	N/A	N/A		N/A	N/A	N/A	N/A
45-13431	45-14022	0.28 cfs	34.9 af	N/A	N/A	45-14021	0.94 cfs	188 af	47.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-510	0.8 cfs	N/A	109.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-2174A	1.6 cfs	320 af	80.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-2633	1.3 cfs	316 af	79.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-2671	3.03 cfs	624 af	156.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-12432	5.60 cfs	1120 af	280.0	699.0
N/A	N/A	N/A	N/A	N/A	N/A	45-12878	1.3 cfs	N/A	113.0	699.0
COMBINED TOTALS		1.72 cfs	214.2 af	N/A	N/A		11.63 cfs	2344 af	699.0	699.0

Detailed Water Right Description(s) attached

Dated this 12th day of JULY, 20 07


 Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2174B
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-2174B is now described as follows.

Right Holder: BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And

CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: June 17, 1929

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	0.66 CFS	82.2 AF
COMMERCIAL	01/01	to 12/31	0.66 CFS	82.2 AF
			0.66 CFS	82.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 5	Twp 12S	Rge 20E CASSIA County
GROUND WATER	SWSW	Sec. 5	Twp 12S	Rge 20E CASSIA County

PLACE OF USE: 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	
12S	20E	5									X	X	X						

PLACE OF USE: 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	
12S	20E	5							X		X	X	X			X			

WATER RIGHT NO. 45-2174B
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. Rights 45-2174B and 45-13432 when combined shall not exceed a total diversion rate of 1.44 cfs and a total annual maximum diversion volume of 179.3 af.
2. Rights 45-2174B, 45-13432, and 45-14022 when combined shall not exceed a total diversion rate of 1.72 cfs and a total annual maximum diversion volume of 214.2 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 140.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this 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 45-13432 and 45-14022 are also diverted through the point(s) of diversion described above.
9. Commercial use is for a dairy.
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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-13432
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-13432 is now described as follows.

Right Holder: BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And

CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: July 15, 1910

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	0.78 CFS	97.1 AF
STOCKWATER	01/01	to 12/31	0.78 CFS	97.1 AF
			0.78 CFS	97.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

PLACE OF USE: 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	
12S	20E	5							X			X	X	X			X		

PLACE OF USE: 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	
12S	20E	5									X	X	X						

WATER RIGHT NO. 45-13432
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. Rights 45-2174B and 45-13432 when combined shall not exceed a total diversion rate of 1.44 cfs and a total annual maximum diversion volume of 179.3 af.
2. Rights 45-2174B, 45-13432, and 45-14022 when combined shall not exceed a total diversion rate of 1.72 cfs and a total annual maximum diversion volume of 214.2 af.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. 140.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this 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 45-2174B and 45-14022 are also diverted through the point(s) of diversion described above.
9. Commercial use is for a dairy.
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 12th day of JULY, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-14021
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-14021 is now described as follows.

Right Holder: BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And

CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: July 15, 1910

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	0.94 CFS	188.0 AF
			0.94 CFS	188.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	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	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0	8.0								316.0
			L1	L2			L3	L4											

Total Acres: 699

WATER RIGHT NO. 45-14021
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878, and 45-14021.
2. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. This right is limited to the irrigation of 47 acres within the place of use described above in a single irrigation season.
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 above.
6. This right is a split from former right 45-2087.
7. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
8. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
9. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
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 12th day of JULY, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-14022
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-14022 is now described as follows.

Right Holder: BRENT A FUNK
845 S 1800 W
MURTAUGH ID 83344

And

CHALET FUNK
845 S 1800 W
MURTAUGH ID 83344

Priority Date: July 15, 1910

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	0.28 CFS	34.9 AF
STOCKWATER	01/01	to 12/31	0.28 CFS	34.9 AF
			0.28 CFS	34.9 AF

LOCATION OF POINT(S) OF DIVERSION:

LOCATION OF POINT(S) OF INTEREST
GROUND WATER SWSESE Sec. 31 Twp 11S Rge 20E TWIN FALLS
County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

GROUND WATER SWSW Sec. 5 Twp 12S Rge 20E CASSIA County

PLACE OF USE: COMMERCIAL

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>	
12S	20E	5							X	X	X	X			X				

PLACE OF USE: 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	
12S 20E 5									X	X	X						

WATER RIGHT NO. 45-14022
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. Rights 45-2174B, 45-13432, and 45-14022 when combined shall not exceed a total diversion rate of 1.72 cfs and a total annual maximum diversion volume of 214.2 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. 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.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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 permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. Rights 45-2174B and 45-13432 are also diverted through the point(s) of diversion described above.
8. Commercial use is for a dairy.
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.
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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-510
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-510 is now described as follows.

Right Holder: CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And/Or

BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: April 02, 1916

Source: DRY CREEK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK NENENW Sec. 13 Twp 12S Rge 19E 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 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0		8.0							316.0
	L 1	L 2			L 3	L 4											

Total Acres: 699

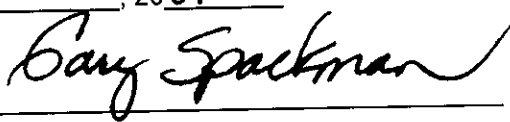
WATER RIGHT NO. 45-510
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. Use of the rights listed below is limited to the irrigation of a combined total of 383 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
2. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
3. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Use of the rights listed below is limited to a total combined diversion rate of 7.66 cfs and to a total combined annual diversion volume of 1532 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
5. 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.
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. This right is limited to the irrigation of 109 acres within the place of use described above in a single irrigation season.
8. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
11. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2174A
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-2174A is now described as follows.

Right Holder: CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And/Or

BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: June 17, 1929

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	1.60 CFS	320.0 AF
			1.60 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	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 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0		8.0							316.0
	L1	L2			L3	L4											

Total Acres: 699

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
2. 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.
3. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

WATER RIGHT NO. 45-2174A
As Modified by Transfer No. 73065

4. 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.
5. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
7. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
8. Prior to diversion of water under Transfer 70288, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. Use of the rights listed below is limited to a total combined diversion rate of 7.66 cfs and to a total combined annual diversion volume of 1532 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
10. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
11. Use of the rights listed below is limited to the irrigation of a combined total of 383 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
12. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
13. If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
14. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2633
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-2633 is now described as follows.

Right Holder: CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And/Or

BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: February 12, 1961

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	1.30 CFS	316.0 AF
			1.30 CFS	316.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA 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>	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0	8.0								316.0
	L1	L2			L3	L4											

Total Acres: 699

CONDITIONS OF APPROVAL

1. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

WATER RIGHT NO. 45-2633
As Modified by Transfer No. 73065

3. 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.
4. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.
8. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. 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.
11. Use of the rights listed below is limited to the irrigation of a combined total of 383 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
12. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
13. Use of the rights listed below is limited to a total combined diversion rate of 7.66 cfs and to a total combined annual diversion volume of 1532 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
14. Prior to diversion of water under Transfer 70288, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-2671
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-2671 is now described as follows.

Right Holder: BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And

CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: October 13, 1961

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	3.03 CFS	624.0 AF
			3.03 CFS	624.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	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	31													40.0		38.0	78.0	
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0				305.0	
12S	20E	5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0	8.0							316.0	
			L1	L2			L3	L4											

Total Acres: 699

WATER RIGHT NO. 45-2671
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 156 acres within the place of use described above in a single irrigation season.
2. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
8. Right no. 45-12878 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
9. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
10. Use of this right with right no. 45-12878 is limited to a total combined diversion rate of 3.03 cfs and to a total combined annual diversion volume of 624 af.
11. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
12. 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.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12432
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-12432 is now described as follows.

Right Holder: CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And/Or

BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: July 15, 1949

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	5.60 CFS	1,120.0 AF
			5.60 CFS	1,120.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	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 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0	8.0								316.0
	L1	L2			L3	L4											

Total Acres: 699

CONDITIONS OF APPROVAL

1. This right is a combination of old right nos. 45-2217 and 45-2305.
2. 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.
3. Prior to diversion of water under Transfer 70288, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WATER RIGHT NO. 45-12432
As Modified by Transfer No. 73065

4. 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.
5. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.
6. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
8. This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.
9. If the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. Use of the rights listed below is limited to a total combined diversion rate of 7.66 cfs and to a total combined annual diversion volume of 1532 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
11. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
12. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
13. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
14. Use of the rights listed below is limited to the irrigation of a combined total of 383 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432.
15. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

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 12th day of JULY, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 45-12878
As Modified by Transfer No. 73065

In accordance with the approval of Transfer No. 73065, Water Right No. 45-12878 is now described as follows.

Right Holder: CHALET FUNK
 845 S 1800 W
 MURTAUGH ID 83344

And

BRENT A FUNK
 845 S 1800 W
 MURTAUGH ID 83344

Priority Date: June 30, 1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/15 to	11/15	1.30 CFS
			1.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	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	31													40.0		38.0	78.0	
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0				305.0	
12S	20E	5	39.0	39.0	38.0	38.0	39.0	39.0	39.0	37.0	8.0							316.0	
			L 1	L 2			L 3	L 4											

Total Acres: 699

WATER RIGHT NO. 45-12878
As Modified by Transfer No. 73065

CONDITIONS OF APPROVAL

1. This right is an expansion of right no. 45-2671 pursuant to Section 42-1416B, Idaho Code.
2. Failure of the right holder to comply with the conditions of transfer 70288 is cause for the Director to rescind approval of the transfer.
3. 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.
4. This right is limited to the irrigation of 113 acres within the place of use described above in a single irrigation season.
5. After specific notification by the Department, the right holder shall install suitable measuring devices or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Use of the rights listed below is limited to the irrigation of a combined total of 699 acres in a single irrigation season. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
7. Use of the rights listed below is limited to a total combined diversion rate of 11.63 cfs and to a total combined annual diversion volume of 2344 af. Combined right nos.: 45-510, 45-2174A, 45-2633, 45-12432, 45-2671, 45-12878 and 45-14021.
8. Use of this right with right no. 45-2671 is limited to a total combined diversion rate of 3.03 cfs and to a total combined annual diversion volume of 624 af.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. 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.
11. Approval of transfer 70288 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
12. The right holder shall accomplish the change authorized by transfer 70288 within one (1) year of 01-02-2004, the date of the approval.

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 12th day of JULY, 20 07



Chief, Water Allocation Bureau