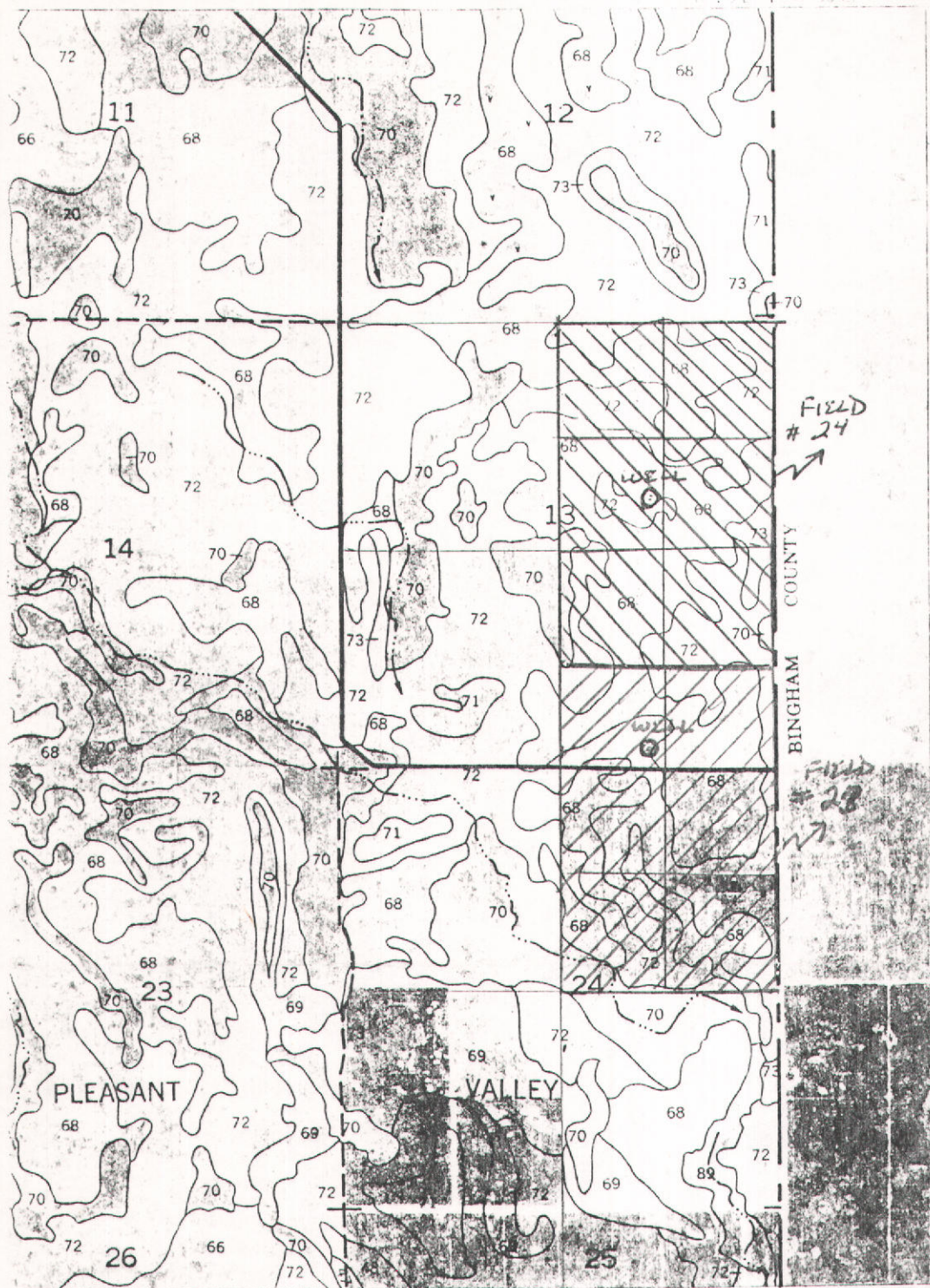


M&L FOWLE FARM

FIELDS 23+24



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APR 22 1971

Department of Water Resources
Eastern District Office

35-7975

FUNK, MELVIN R.
RT. 1 BOX 142, AMERICAN
FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 04/15/1981

Amount: 3.95 CFS

Diversion Point: SWNE Sec 13 T
06S R 29E, POWER Co.

Use: IRRIGATION (3.95 CFS)
from 04/01 to 11/01

Place of Use: NENE NWNE SWNE
SENE NESE NWSE Sec 13 T 06S R
29E FOR 240 ACRES

Diversion Means: WELL, PUMP &
SPRINKLERS.

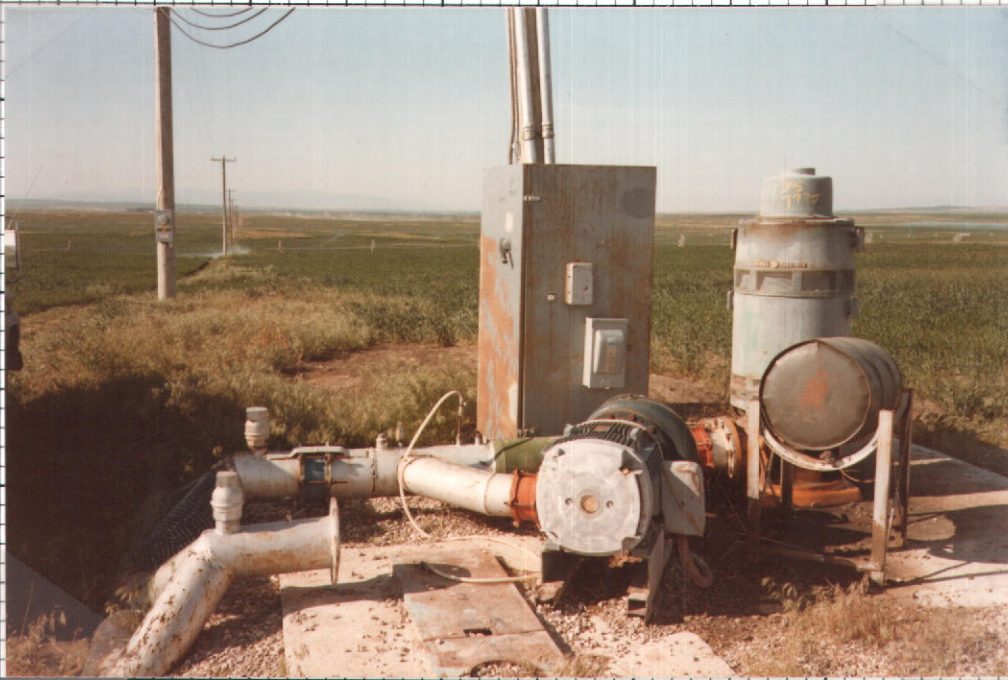
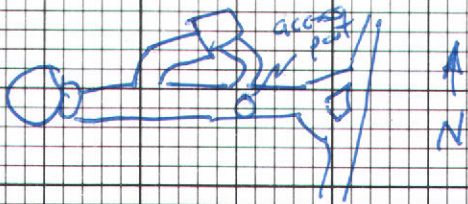
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APR 29 1981

Department of Water Resources
Eastern District Office

License
35-7597

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. Part of (1.39 cfs) License 35-7597
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks As per Transfer 2547/35-7597 the pd pictured above (SW 1/4)
provides 1.39 cfs to the N 1/2 of SE 1/4 Sect. 13.

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature HL Jones Date 10-2-84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

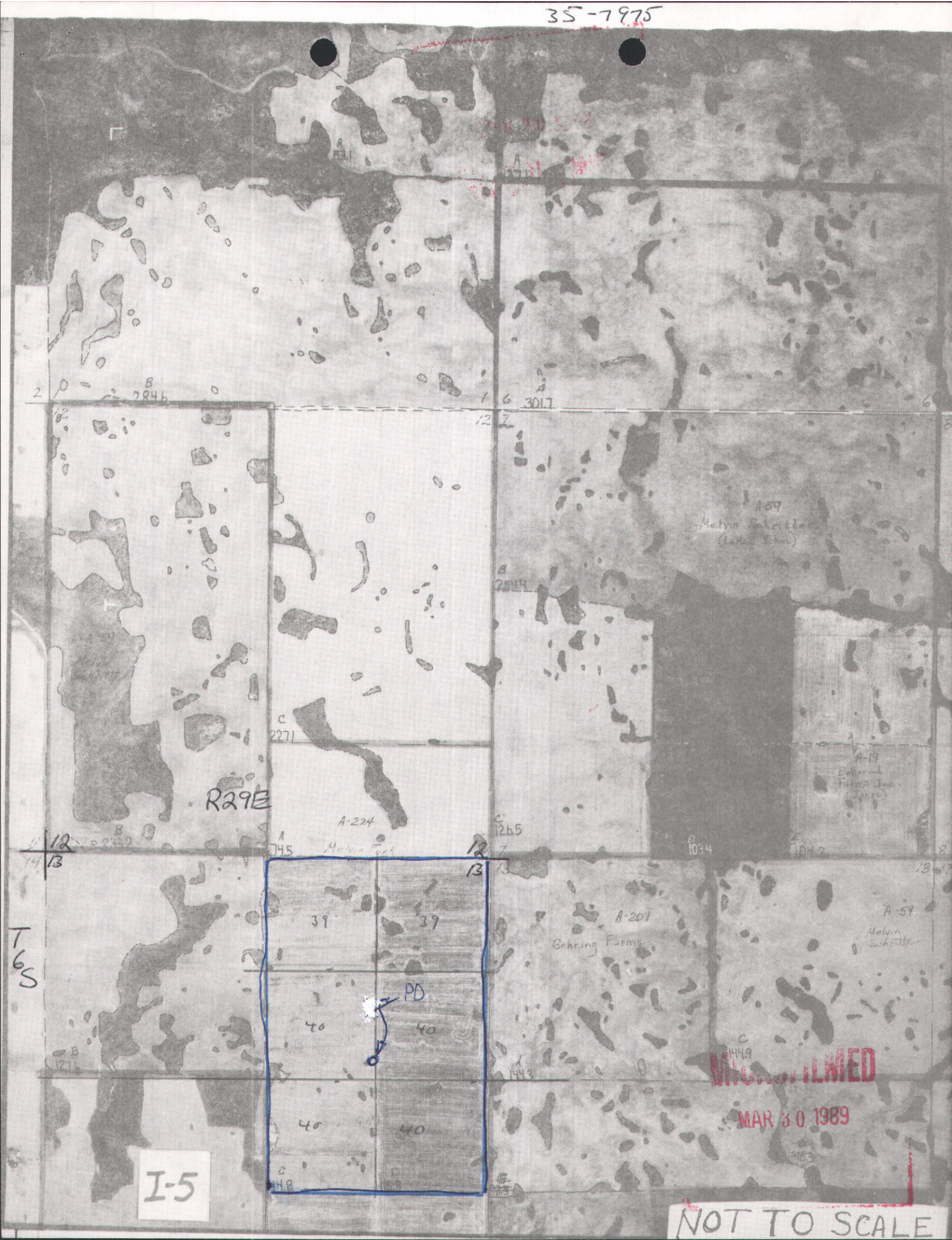
Beneficial Use Examination _____

Date

MICROFILMED

CONSULTANT SEAL

MAR 30 1989



R29E

A-224
Melvin Ford

A-201
Gehring Farms

A-59
Melvin Schmitt

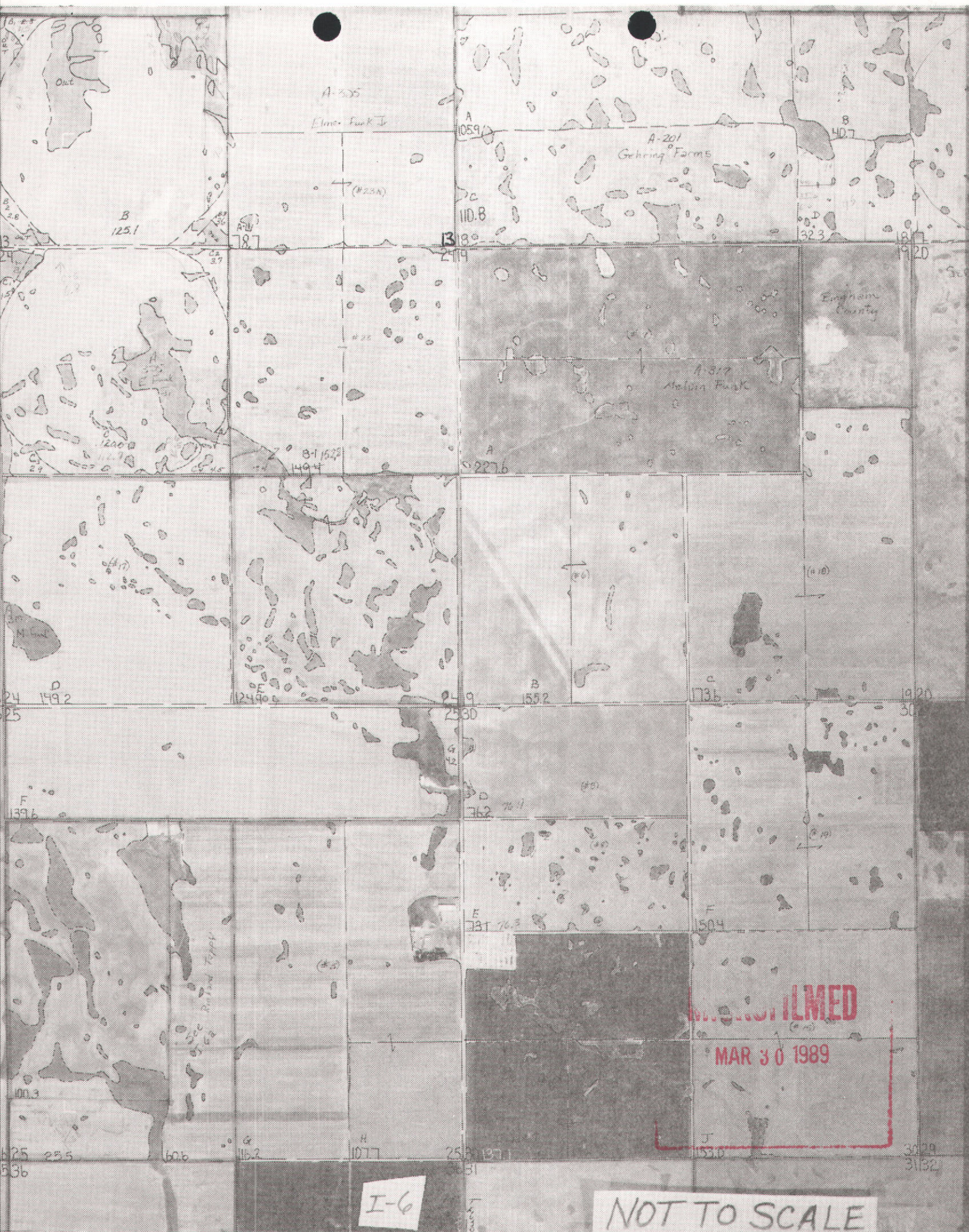
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MAR 30 1989

I-5

NOT TO SCALE

35-7975



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-07975

Priority: April 15, 1981 Amount: 3.41 CFS 833.0 AFA

This is to certify, that KIM C. WAHLEN

RT. 1 BOX 68

ABERDEEN, ID 83210

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 15, 1981, and has submitted proof to the Department of Water Resources on December 14, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.930 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 11/01	3.41 CFS	833.0 AFA

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 13, Township 06S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	29E	13	NENE 39	NWNE 39	SWNE 40		
			SENE 40	NESE 40	NWSE 40		238

Total number of acres irrigated: 238

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The maximum combined rate of diversion under this right & Right 35-7597 shall not exceed 4.76 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.

Witness the seal and signature of the Director, affixed at Boise, this 24th day of MARCH, 1989.

Acting for the Director

MICROFILMED

MAR 30 1989

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	35-7975	Melvin R. Funk	3.41 cfs
Full Assignment		Wahlen, Kim C.	3.41 cfs

State of Idaho
Department of Water Resources

NOV 23 1983

Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, Melvin R. Funk, hereby assign to Kim C. Wahlen
of Rt. 1 Box 68, Aberdeen, ID 83210
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 35-7975
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18th day of November, 19 83.

* Melvin R. Funk
Permit Holder

* Diane A. Funk
Spouse of Permit Holder

State of Idaho)
County of Power) ss.

On this 18th day of November, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Mary C. Colville
Notary Public residing at Rockland, Idaho

My commission expires:
Life

OK kw
11/28/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Melvin R. Funk Phone 226-5207
Post office address Rt. #1, Box 142 American Falls, Idaho
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 6S
Range 29E B.M. _____ Power _____ County, additional points of diversion if any: _____
Pump #24
4. Water will be used for the following purposes:
Allow 3.41 cfs*
Amount 3.95-cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
Allow 3.41 cfs* JJ 9/30/81
a. -3.95-cfs- cubic feet per second and/or b. _____ acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 465 feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

[illegible]

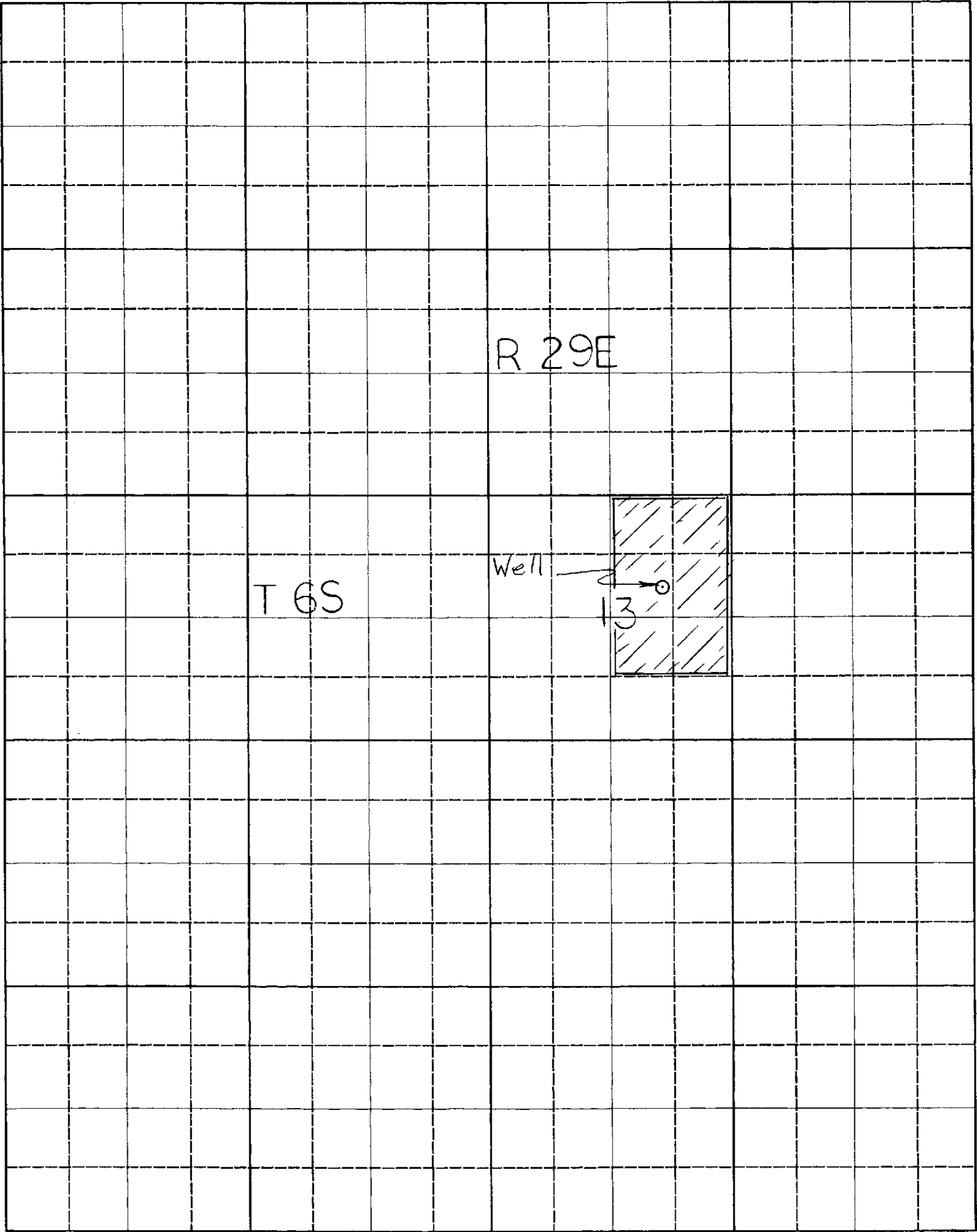
License 35-7597 is appurtenant to 80 acres in N²SE² Sec. 13

b. Who owns the land to be irrigated or place of use

greater than 9 gpm/acre (see justification)

10. Remarks	To cultivate potatoes for optimum yield requires diversion
-------------	--

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Malvin R. Frank
(Applicant)

Received by EME

Date 4/15/81 Time

Preliminary check by Fee \$ 105

Received by Date 4/15/81 #17177

Publication prepared by Date 4/23/81

Published in Power Co. Files

Publication dates 4/30 & 5/07/81

Publication approved Date 4/29

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for approval denial by EME

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7975, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

fore October 1, 1986.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department. The maximum rate of diversion under this permit shall not exceed 3.41 cubic feet per second.

Witness my hand this 5th day of October, 1981.

A. Allen Saylor
Chief, Operations Bureau

Ident. No. _____

FACT SHEET
for
Excessive Irrigation Flows

This information is to be submitted with any application for permit for which the irrigation rate of flow requested is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: SEE ATTACHED MAP

Soil water holding capacity: About 2.2 Inches available water/foot depth.

Soil intake family (if known): SEE ATTACHED MAP

Field slope: Level to moderate slope of 10%

Anticipated crops: Potatoes, Sugar beets, Wheat, Barley

Method of irrigation: Wheel Lines

Remarks Above is for field No. 24 of Mel Funk Farms.

MICROFILMED

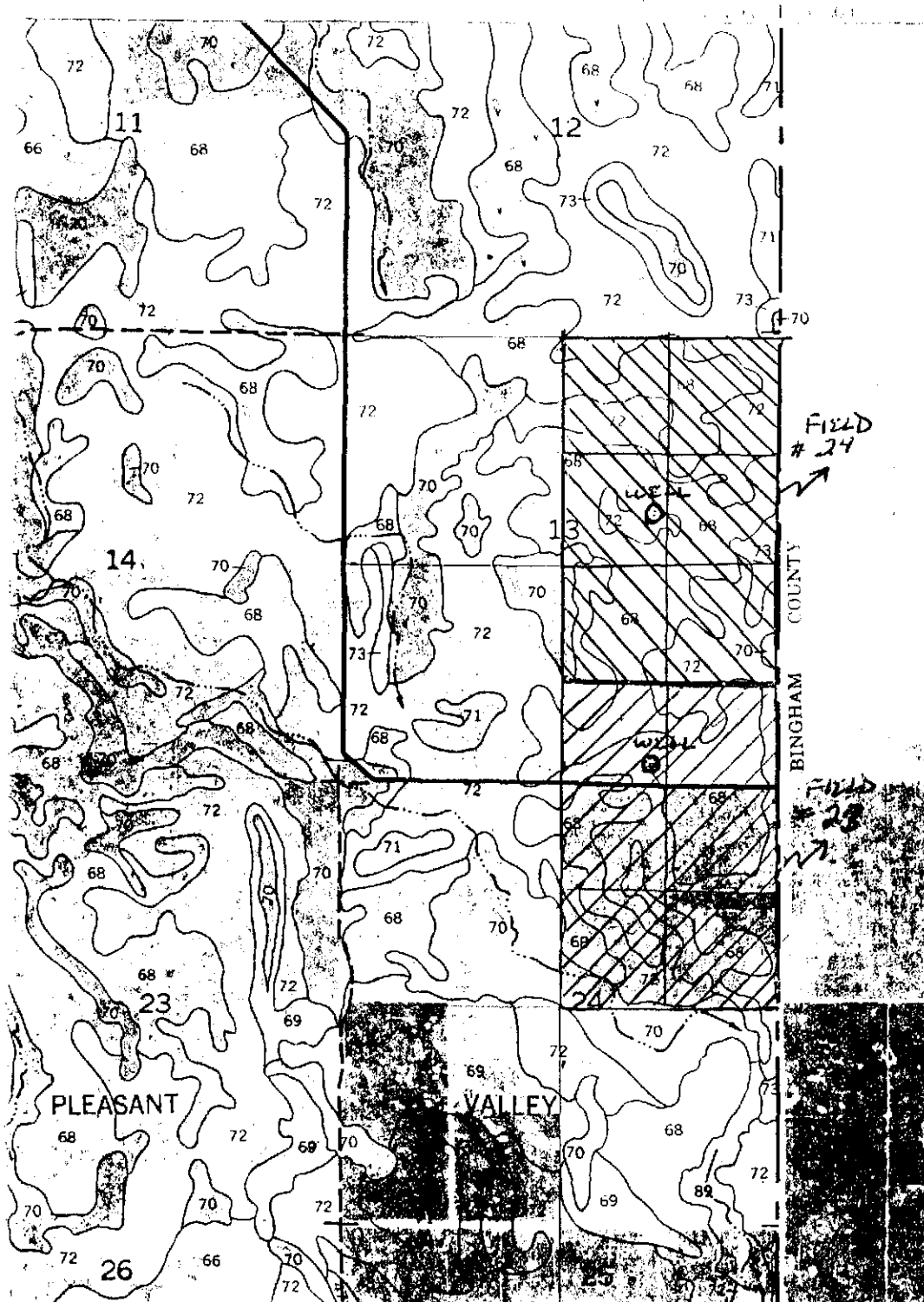
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Department of Water Resources
Eastern District Office

M22 FOWLE PARK

FIELDS 23+24



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Department of Water Resources
Eastern District Office

TABLE 15.--PHYSICAL AND CHEMICAL PROPERTIES OF SOILS--Continued

Soil name and map symbol	Depth, in	Permeability, in/hr	Available water capacity, in/in	Soil reaction, pH	Salinity, mmhos/cm	Shrink-swell potential	Risk of corrosion		Erosion factors		Wind erodibility, group
							Uncoated steel	Concrete	K	T	
54----- Paniogue	0-13 13-34 34-60	2.0-6.0 0.6-2.0 >6.0	0.11-0.12 0.17-0.18 0.05-0.08	7.9-8.4 7.9-8.4 7.4-8.4	<2 <2 <2	Low----- Low----- Low-----	High----- High----- Low-----	Low----- Low----- Low-----	0.24 0.32 0.10	3 3 3	3
55, 56----- Paniogue	0-13 13-34 34-60	0.6-2.0 0.6-2.0 >6.0	0.17-0.18 0.17-0.18 0.05-0.08	7.9-8.4 7.9-8.4 7.4-8.4	<2 <2 <2	Low----- Low----- Low-----	High----- High----- Low-----	Low----- Low----- Low-----	0.32 0.32 0.10	3 3 3	4L
57*: Paniogue (loam)	0-13 13-34 34-60	0.6-2.0 0.6-2.0 >6.0	0.17-0.18 0.17-0.18 0.05-0.08	7.9-8.4 7.9-8.4 7.4-8.4	<2 <2 <2	Low----- Low----- Low-----	High----- High----- Low-----	Low----- Low----- Low-----	0.32 0.32 0.10	3 3 3	4L
Paniogue----- (sandy loam)	0-13 13-34 34-60	2.0-6.0 0.6-2.0 >6.0	0.11-0.12 0.17-0.18 0.05-0.08	7.9-8.4 7.9-8.4 7.4-8.4	<2 <2 <2	Low----- Low----- Low-----	High----- High----- Low-----	Low----- Low----- Low-----	0.24 0.32 0.10	3 3 3	3
58*: Pits.											
59, 60, 61, 62, 63, 64, 65----- Pocatello	0-60	0.6-2.0	0.19-0.21	>7.8	<2	Low-----	High-----	Low-----	0.55	5	5
66, 67----- Portino	0-12 12-34	0.6-2.0 0.6-2.0	0.17-0.19 0.19-0.21	7.4-8.4 7.4-8.4	<2 <2	Low----- Low-----	High----- High-----	Low----- Low-----	0.49 0.49	3 3	5
68, 69----- Portino	0-12 12-34	0.6-2.0 0.6-2.0	0.19-0.21 0.19-0.21	7.4-8.4 7.4-8.4	<2 <2	Low----- Low-----	High----- High-----	Low----- Low-----	0.49 0.49	3 3	5
70*: Portino	0-12 12-34	0.6-2.0 0.6-2.0	0.17-0.19 0.19-0.21	7.4-8.4 7.4-8.4	<2 <2	Low----- Low-----	High----- High-----	Low----- Low-----	0.49 0.49	3 3	5
Trevino----- 19	0-19 19	0.6-2.0 ---	0.18-0.20 ---	6.6-8.4 ---	<2 ---	Low----- ---	Moderate ---	Low----- ---	0.43 ---	1 ---	4L
Rock outcrop.											
71, 72, 73----- Portneuf	0-15 15-57 57	0.6-2.0 0.6-2.0 ---	0.19-0.21 0.17-0.19 ---	7.4-8.4 7.4-9.0 ---	<2 2-8 ---	Low----- Low----- ---	Moderate High----- ---	Low----- Low----- ---	0.43 0.43 ---	5 5 ---	4L
74*: Portneuf	0-14 14-70	2.0-6.0 0.6-2.0	0.11-0.13 0.17-0.19	7.4-7.8 7.9-9.0	<2 2-8	Low----- Low-----	Moderate High-----	Low----- Low-----	0.24 0.49	5 5	3
Quincy-----	0-60	>6.0	0.06-0.09	7.4-7.8	<2	Low-----	Moderate	Low-----	0.17	5	1
75, 76----- Quincy	0-60	>6.0	0.06-0.09	7.4-7.8	<2	Low-----	Moderate	Low-----	0.17	5	1
77*: Quincy	0-60	>6.0	0.06-0.09	7.4-7.8	<2	Low-----	Moderate	Low-----	0.17	5	1
Deelo-----	0-11 11-60	2.0-6.0 0.6-2.0	0.16-0.18 0.19-0.21	7.4-8.4 7.9-8.4	<2 2-4	Low----- Low-----	High----- High-----	Low----- Low-----	0.28 0.43	5 5	3
Vining-----	0-25 25	2.0-6.0 ---	0.10-0.14 ---	6.6-7.3 ---	<2 ---	Low----- ---	Moderate ---	Low----- ---	0.17 ---	2 ---	3
78, 79, 80----- Rexburg	0-60	0.6-2.0	0.14-0.21	6.6-8.4	<2	Low-----	High-----	Low-----	0.37	5	5

See footnote at end of table.

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APR 22 1981

Department of Water Resources
Eastern District Office

Stukenholtz Laboratory

DIVISION OF AGRISCIENCE CONSULTING, INC.

ADDISON AVENUE EAST • BOX 353 • 734-3050

TWIN FALLS, IDAHO 83301

April 17, 1981

Mr. Joseph Ruschetti
Mel Funk Farms
American Falls, Idaho 83211

Dear Mr. Ruschetti:

This is in answer to your request for me to explain some Agronomic facts in regards to irrigation requirements of potatoes and sugar beets grown in the American Falls area of Idaho. I believe you wanted me to explain how much water capacity of a pump on a typical 240 acre field would be necessary to obtain maximum economic yields of potatoes and sugar beets during peak water use requirements.

It is very common during the month of July when hot winds with a low relative humidity blow constantly for evapotranspiration to equal 0.40 acre inches per hour. The University of Idaho and the USDA ARS have researched this subject in extreme detail and any even temporary moisture stress on potatoes will result in a lowering of yield and quality. The same is true of sugar beets but to a lesser extent. In order for growers to raise high yields and quality they must have adequate irrigation systems to satisfy peak water use demands.

A good system on a 240 acre field would consist of 12 wheel lines with 6.0 gpm flow control nozzles. Such a system at optimum pressure would require about 2300 gpm of water which is equivalent to 5.11 cfs or 1.06 miner's inches per hour. This would be just barely adequate to supply evapotranspiration needs of the crops during peak periods with a fastest possible practical rotation time of six days. If the pump produced less water, then smaller nozzles would be needed and the crop would suffer from lack of moisture at critical times. This is a very common occurrence in Idaho and results in impairment of yield and quality in countless fields.

An excellent irrigation system would consist of 14 wheel lines on a 240 acre field which would provide a rotation period of about 5.0 days. This would enable us to use 5.5 gpm flow control nozzles in order to avoid harmful compaction caused by large droplet sizes.

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Department of Water Resources
Eastern District Office

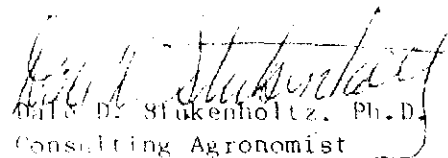
At adequate pressure of about 60 psi, these 14 lines will require 2460 gpm which is 5.47 cfs or 1.14 miner's inches per acre. This would be fairly close to an ideal system such that one should obtain near maximum yield and quality of all crops.

Even though it is possible to produce fairly good crops with somewhat less water than 1.0 miner's inches/acre, it is more profitable to a grower of high value crops to have more than average pump capacities for the following reasons:

1. Adequate water would be present for nearly all peak water use periods.
2. Higher yields and quality come from more frequent irrigation schedules.
3. Less soil compaction from smaller nozzle sizes and shorter sets.
4. Greater capacity to "catch-up" on occasion when one gets behind because of one reason or another.
5. It is always more profitable to have a slight excess of water than to have a slight deficiency of water.

I hope this is sufficient information on the above subject matter and if you need a more detailed presentation, do not hesitate to call.

Sincerely,


Dale D. Stukenholtz, Ph.D.
Consulting Agronomist

DDS/lk

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APR 22 1964

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER } S.S.

.....Brett Crompton..... being first duly sworn
on oath, states:

That he.... is the Editor/Manager.....
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2.....
successive weekly issues thereof, the date of the first publica-

tion being the 29..... day of April....., 1981

the date of last publication being the

.....6..... day of May....., 1981

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....7..... day of May....., 1981

.....*Lois Foster*.....
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

.....*Lois*..... day of May....., 1981

Legal Notice

Published in the Power County
Press April 29, 1981 and May 6,
1981

NOTICE OF APPLICATION FOR
WATER RIGHT

Notice is hereby given that the
following application(s) have been
submitted for permit to appropriate
the public waters of the State of
Idaho:

35-7974

FUNK, MELVIN R.
RT. 1 BOX 142, AMERICAN
FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 04/15/1981

Amount: 1.22 CFS

Diversion Point: SWSE Sec 13 T 06S

R 29E, POWER Co.

Use: IRRIGATION (1.22 CFS)

from 04/01 to 11/01

Place of Use: SWSE SESE Sec 13 T

06S R 29E NENE NWNE SWNE

SENE Sec 24 T 06S R 29E FOR 236

ACRES

Diversion Means: WELL, PUMP &
SPRINKLERS.

35-7975

FUNK, MELVIN R.
RT. 1 BOX 142, AMERICAN
FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 04/15/1981

Amount: 3.95 CFS

Diversion Point: SWNE Sec 13 T

06S R 29E, POWER Co.

Use: IRRIGATION (3.95 CFS)

from 04/01 to 11/01

Place of Use: NENE NWNE SWNE

SENE NESE NWSE Sec 13 T 06S R

29E FOR 240 ACRES

Diversion Means: WELL, PUMP &
SPRINKLERS.

35-7976

FUNK, MELVIN R.
RT. 1 BOX 142, AMERICAN
FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 04/20/1981

Amount: 0.80 CFS

Diversion Point: SENE Sec 19 T 07S

R 30E, POWER Co.

Use: IRRIGATION (0.80 CFS)

from 04/01 to 11/01

Place of Use: SWNW Sec 20 T 07S R

30E FOR 40 ACRES

Diversion Means: WELL & PUMP.

35-7977

BETHKE, LARRY S.
RT. 1 Box 171, AMERICAN
FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 04/21/1981

Amount: 6.40 CFS

Diversion Point: SESE Sec 29 T 07S

R 29E, POWER Co.

Use: IRRIGATION (6.40 CFS)

from 04/01 to 11/01

Place of Use: NWNW Sec 28 T 07S

R 29E NENE SENE SWSW SESW

NESE SWSE SESE Sec 29 T 07S R
29E FOR 320 ACRES
Diversion Means: WELL, PUMP &
PIPELINES.

If issued, the permit(s) will be sub-
ject to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 150 Shoup Ave., Idaho
Falls, Idaho 83401 on or before
MAY 18, 1981.

A. KENNETH DUNN
Director

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MAY 8 1981

Department of Water Resources
Eastern District Office

RECEIVED

84
35-1975

FUNK, MERVIN R.
RT. 1 BOX 142, AMERICAN
FALLS, ID 83211
Source: GROUNDWATER
Date Filed: 04/15/1981
Amount: 3.95 CFS
Diversion Point: SWNE Sec 13 T
06S R 29E, POWER Co.
Use: IRRIGATION (3.95 CFS)
from 04/01 to 11/01
Place of Use: NENE NWNE SWNE
SENE NESE NWSE Sec 13 T 06S R
29E FOR 240 ACRES
Diversion Means: WELL, PUMP &
SPRINKLERS.

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APR 29 1981

Department of Water Resources
Eastern District Office

March 27, 1989

KIM C. WAHLEN
RT. 1 BOX 68
ABERDEEN, ID 83210

RE: PERMIT NO. 35-07975

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
MAR 30 1989

March 1, 1989

KIM C. WAHLEN
RT. 1 BOX 68
ABERDEEN, ID 83210

RE: PERMIT NO. 35-07975

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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MAR 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

NOV 26 1984

35-7975
Permit No.

Department of Water Resources

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$0.972 \text{ correction factor} \times 34" \text{ meter reading} = 33.048"$$

$$(10" \text{ ID})^2 \times 3.85 \times \sqrt{33.048} = 2213.26 \text{ gpm}$$

or 4.93 cfs capacity

Amount Limited by Permit @ 3.41 cfs

Permit amt allows only 3.41 cfs } From same PD (SWNE Sect. 13)

Tr. 2547/35-7597 allows 1.39 cfs }

4.80 cfs would be proposed total for 240 acres

However there were only 238 acres & the max. allowed would be 4.76 cfs

when both licenses used in conjunction.

b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 238 \text{ acres} \times 3.5 \text{ af/a} = 833 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.41 \text{ cfs} \times 214 \times 1.9835 = 1447.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 833 \text{ afa}$$

c) Volume Calculations for Other Uses:

2. Overlap Review see VAX: Tr. 2547

a) Other water rights with same place of use: 35-7597 (Part) ✓

b) Other water rights with same point of diversion: Tr. 2547 35-7597 (Part) ✓ see copy

c) Analysis: * see measurement calculations A

R17 (Tr. 2547/35-7597) (4.76 cfs); for PD in SWNE sect 13
T6S R29E

R16 (3.5)

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MAR 30 1985

trap 01

Permit Holder:	Address:	Source:	Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Kim C. Whalen	Rt. 1 Box 68 Aberdeen, ID. 83210	groundwater tributary to _____		4-1 ✓ 11-1 ✓	3.04 cfs	833 afy

No.	Govt. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County
		SE	SW	NE	13	6 S	R29E	Power

63-100000

Recommended Amendments

MAK 3 0 1989

SECRET

See 2c

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NOV 20 1984

Transfer No. 2547Water Right No. 35-7597

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Melvin R. Funk Phone 226-5207Post office address Rt. #1, Box 142 American Falls, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 35-7597 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Applicant is the original holder of right.3. Source of water Groundwater tributary to _____4. Date of priority March 30, 1976

5. Water is used for the following purposes:

amount 5.51 cfs for Irrigation purposes from 4/1 to 11/1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day - both dates inclusive)

6. Total amount of water under right: a. 5.51 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13Township 6S Range 29E, B.M., in POWER County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	29E	13													40	40	39	39	158
6S	29E	24	39	39	40	40													158

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MAR 30 1989

Total number of acres to be irrigated 3169. Describe any other water rights used for the same purposes as described above None

PORTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 5.51 c.f.s. &/or _____ acre feet
b. Point(s) of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 Township 6S
Range 29E, B.M., _____ Power _____ County _____
Additional points SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 6S, R. 29E

c. Description of diverting works Two wells with pumps & sprinkler systems

d. Describe the reasons for applying for a change in the point(s) of diversion The N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13
is irrigated from new well in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13

2. Change in place of use NO CHANGE

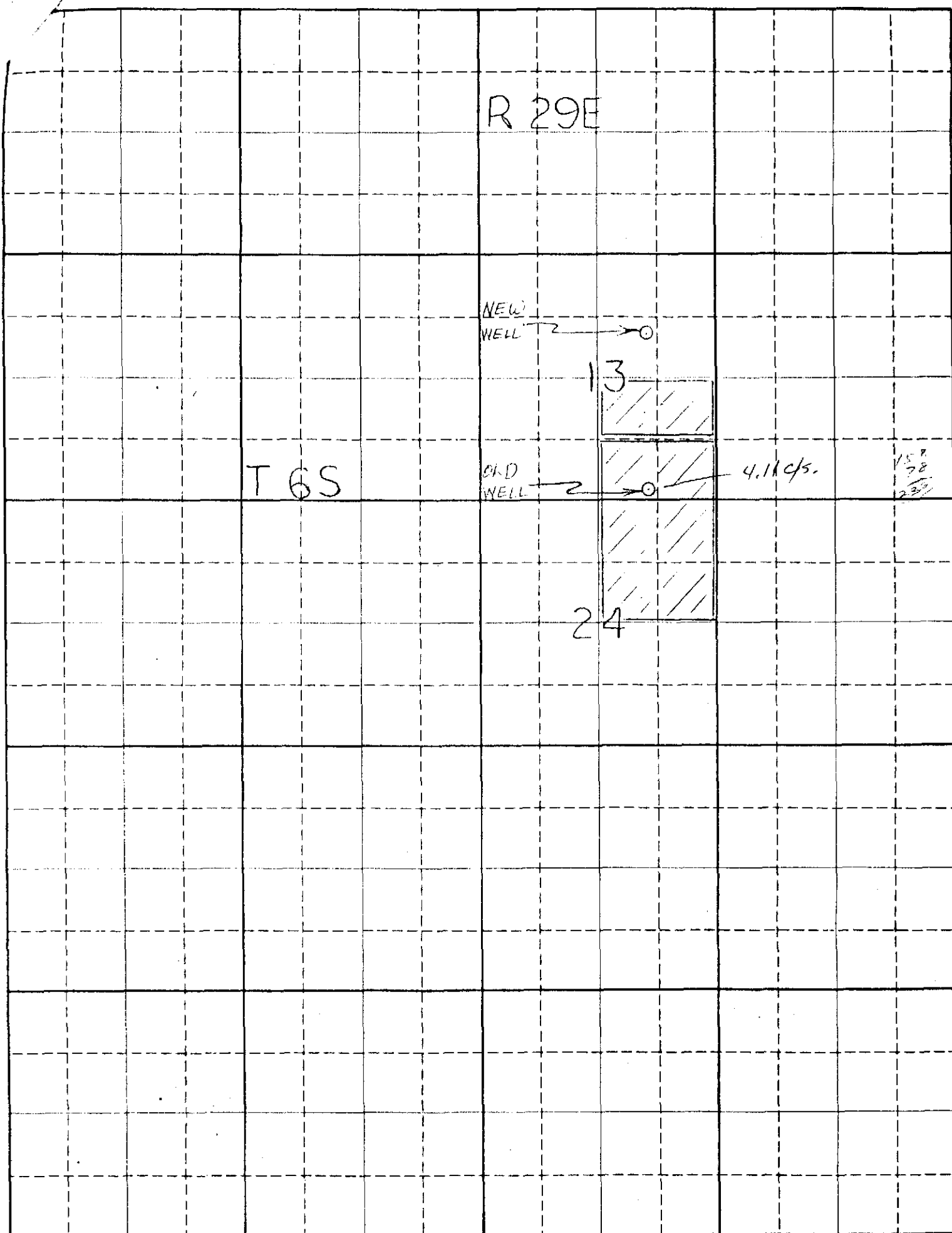
a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

MAR 30 1989

Total number of acres to be irrigated _____

Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Mineral Rights

MAR 30 1989

Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Mark R. Frank
(Signature of applicant)

Subscribed and sworn to before me this 22 day of June, 1981.

Kathleen A. Wacker
(Notary public)

My commission expires 2/15/1983

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-7597 and said application is hereby approved, subject to the following limitations and conditions:

Witness my hand this 13th day of July, 1981.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Drafted by EMC

Received by _____ Date _____

Protest filed by _____

Prelim. check by KW Fee 5

Receipted by KW Date 4/15/81 #17177

MAR 30 1989

Published in Lower Co. Press

Copies of protest forwarded by _____

Pub. dates 4/30 & 5/6/81

Hearing held by _____ Date _____

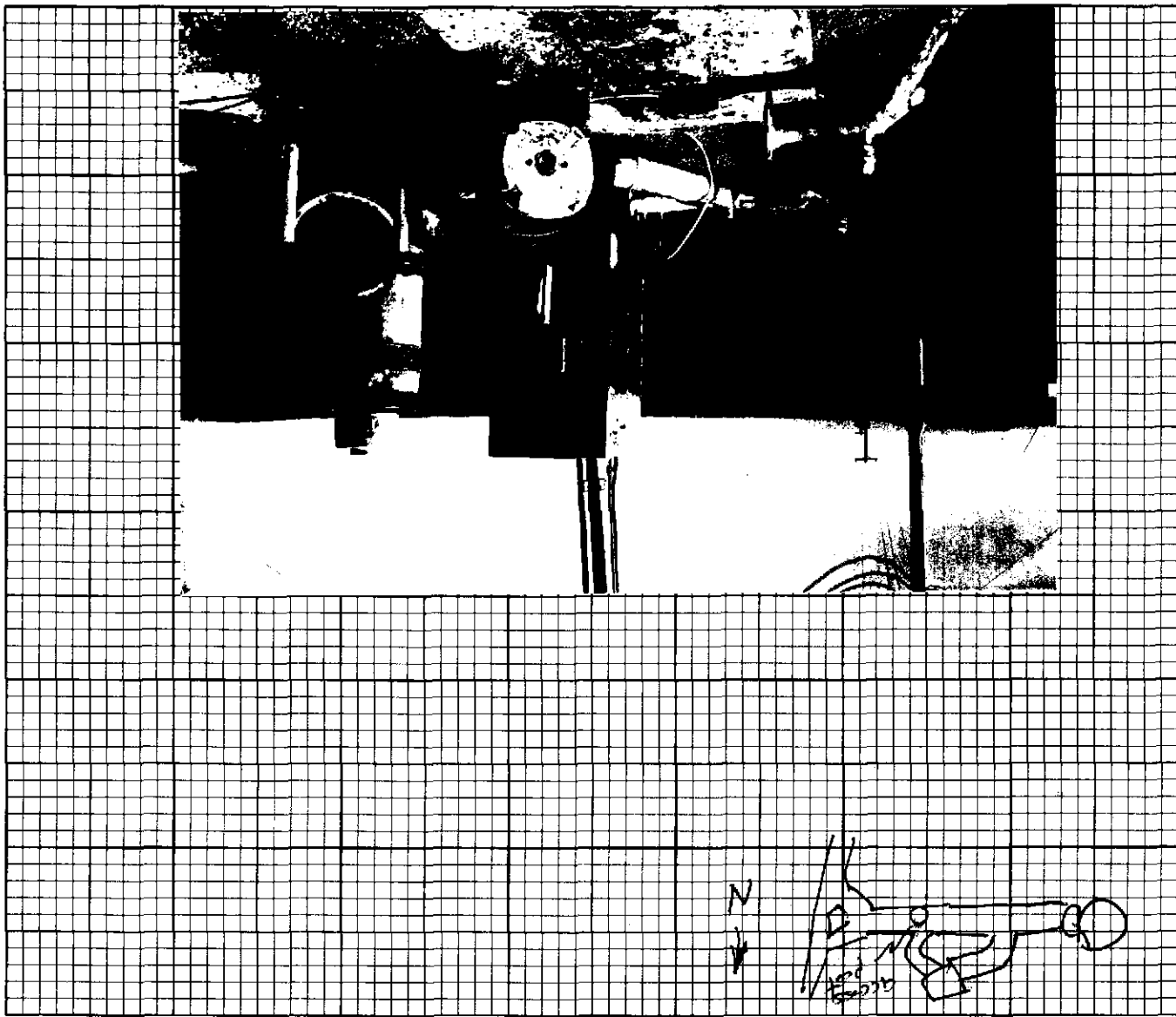
Watermaster recommendation requested on _____

Recommended for approval denial

rec'd. _____

by EMC

10. Other water rights on these lands
 License 35-7597
11. Other water right diverted from same p.d.
 Part of (1.39 cfs) License 35-7597
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

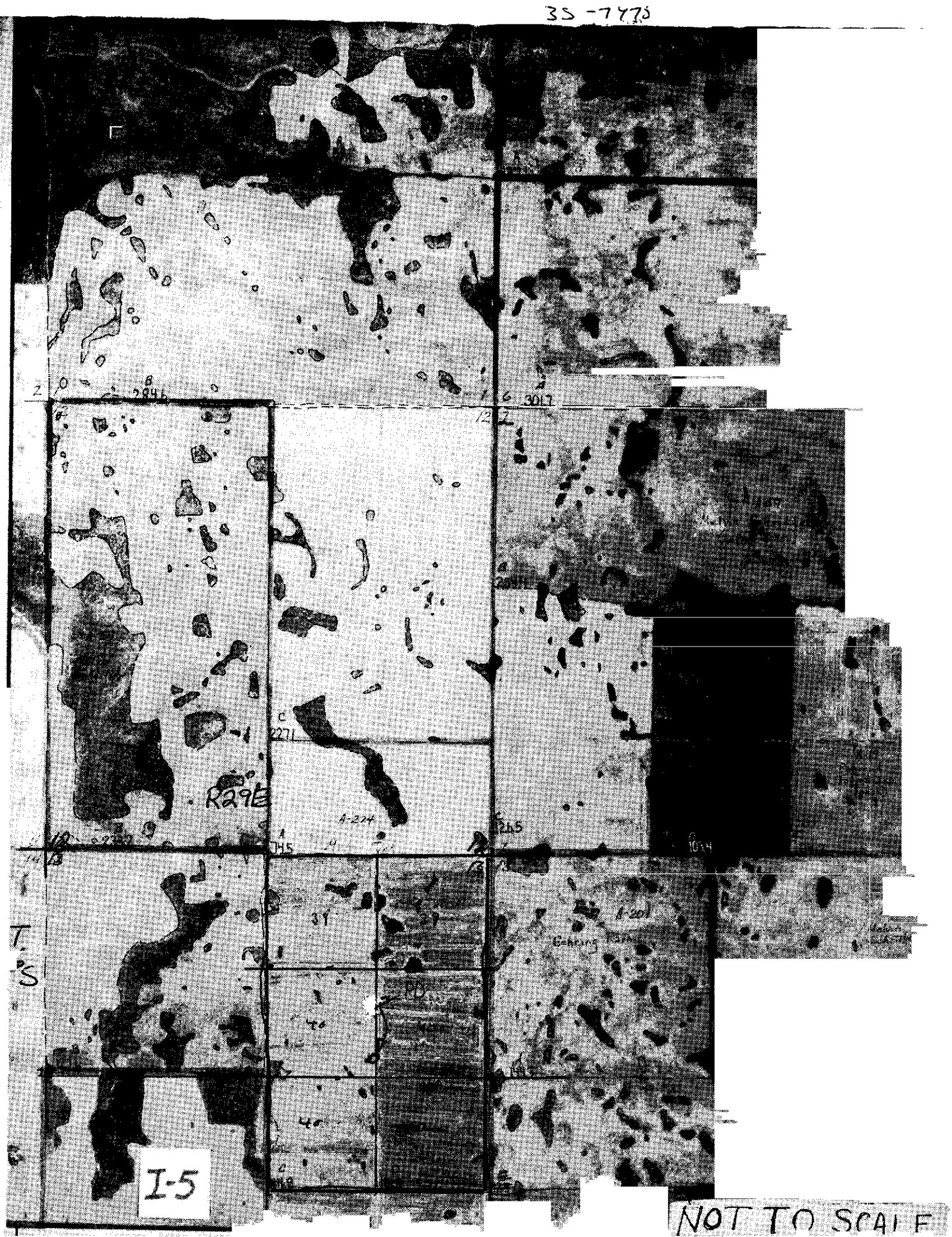


13. ☒ Photo of Diversion & System Attached
☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks As per Transfer 2547/35-7597 the pd pictured above (SWNE) provides 1.39 cfs to the N 1/4 of SE 1/4 Sect. 13.

15. Recommended Amendments
☐ Change P.D. as reflected above
☐ Add P.D. as reflected above
☐ Change P.U. as reflected above
☐ Add P.U. as reflected above
☐ Other
☐ None
16. Examiner's/Consultant's Signature *[Signature]* Date 10-2-84
 Consultant's License Number
 IDWR Director's Authorization to Conduct
 Beneficial Use Examination

CONSULTANT SEAL



R29E

A-224

245

1034

A-201

Bohring Point

PD

39

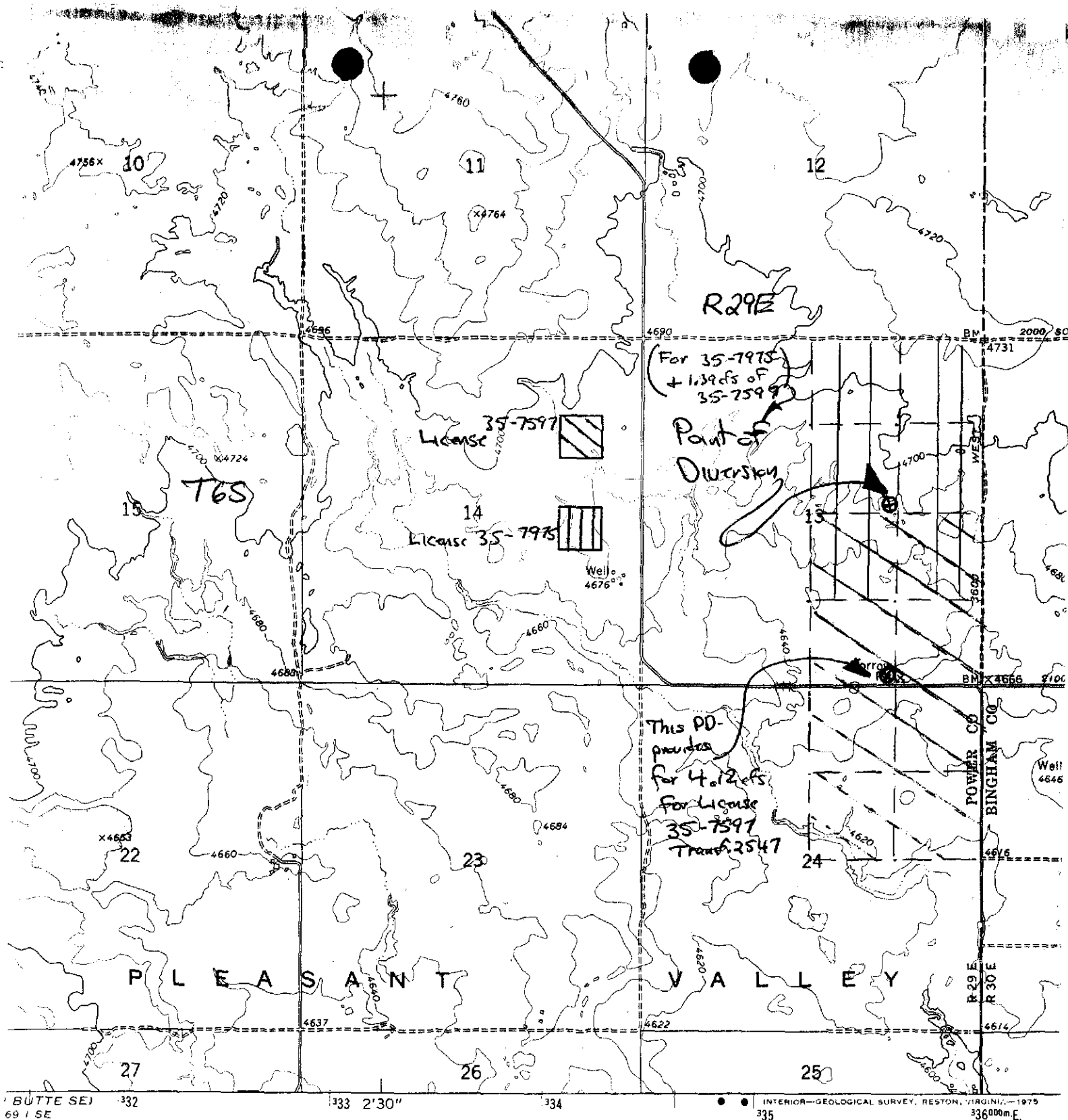
40

40

2

I-5

NOT TO SCALE



1:24 000
0 1 MILE
3000 4000 5000 6000 7000 FEET
0 1 KILOMETRE
TERVAL 20 FEET
VERTICAL DATUM OF 1929

35-7975

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____
Interstate Route _____ U. S. Route _____ State Ro _____



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QUADRANGLE LOCATION MAR 30 1989

PILLAR BUTTE NE, ID.
N4252.5-W11300/7.5

1972

AMS 3389 1 NE--SERIES V893

*

#35-7975

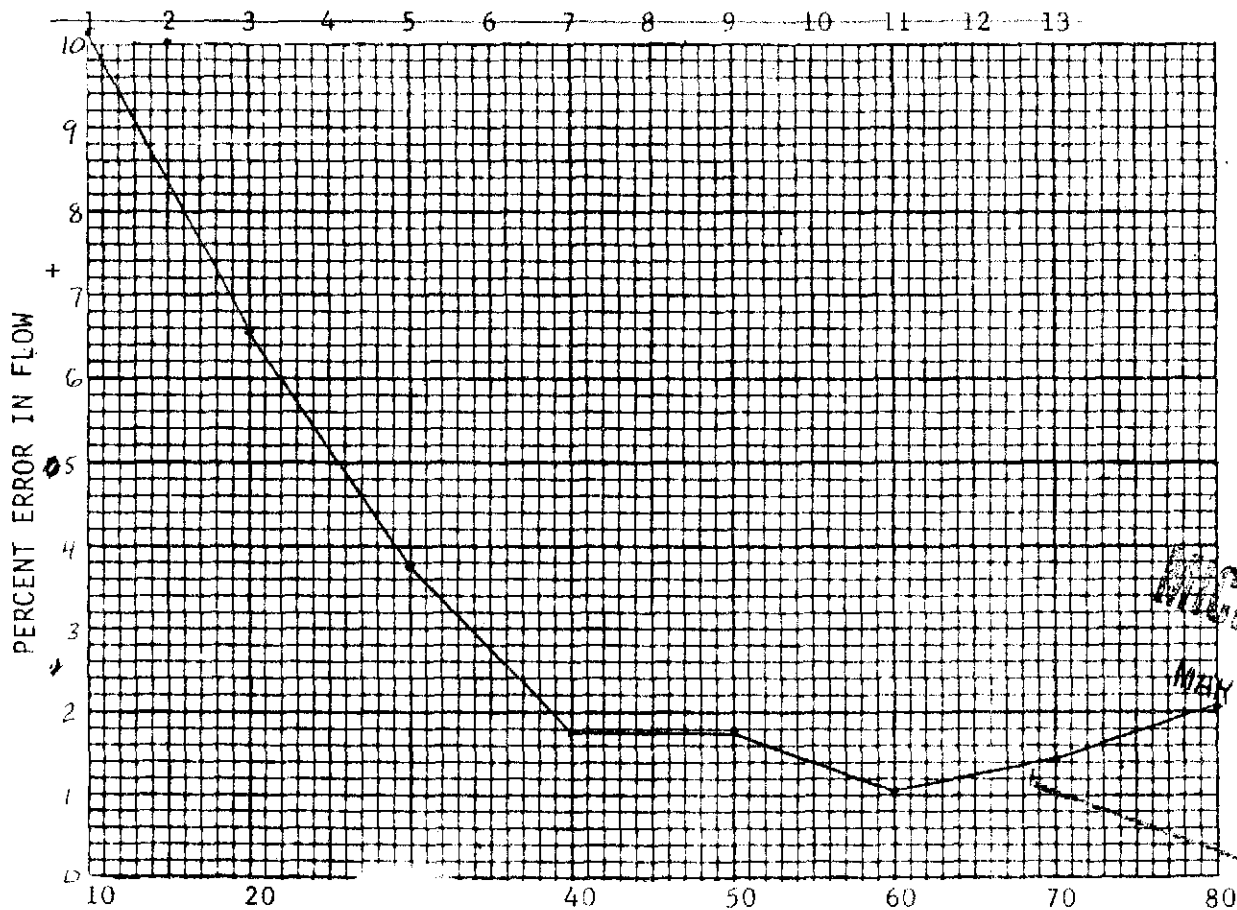
EASTERN

METER NO. 091471

RANGE 10-80

DATE TESTED 5/29/84

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
8.59	7.89	8.24	10	+10.16	.908
18.02	17.20	17.61	20	+6.57	.938
28.57	27.15	27.86	30 ²³⁴	+3.77	.964
39.42	37.81	38.62	40 ⁵	+1.78	.983
49.02	47.54	48.28	50	+1.77	.983
59.85	57.67	58.76	60	+1.05	.990
68.47	67.64	68.06	70	+1.42	.986
76.90	76.71	76.81	80	+2.06	.980



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MAY 30 1989



POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3507975	06S	29E	13	SW NE		GROUNDWATER	FUNK, MELVIN R
3507597						GROUNDWATER	FUNK, MELVIN R

Microfilm

MAR 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

MAR 8 1983

Permit No. 35-7975

Name(s) of Permit Holder(s): MELVIN R. FUNK

Post Office Address: RT 1 Box 142 Department of Water Resources
Am. Falls, IDAHO 83211 Tel. No. Eastern District Office

☒ I hereby certify that construction of diversion works on the above referenced permit began on 4/8/83 (date) I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diversion works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

3/8/83
Date

Melvin R. Funk
Signature of Permit Holder

PLACE
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 11, 1985

Kim C. Wahlen
2855 W. 2100 S.
Aberdeen, ID 83210

Re: Water Right Identification No. 35-7975

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

☒ Proof of beneficial use has already been submitted for the water right.

☐ Proof of beneficial use is not applicable for existing licensed rights.

☐ Proof of beneficial use is not applicable for existing decreed rights.

☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.

☐ Other:

Sincerely,

RITA I. FLECK

Secretary/Records Manager

Enclosure

cc: Region

MICROFILMED

MAR 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 20, 1984

KIM C. WAHLEN
RT. 1, BOX 68
ABERDEEN ID 83210

RE: Permit No. 35-7975

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

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MAR 30 1989

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7975

Name(s) of Permit Holder: KIM C. WALLER

Post Office Address: RT 1 Box 68

ABERDEEN, ID 83210 Tel. No. 397-4048

Source of Water: ROUND WATER

Extent of Use: ☐ Domestic (number of households)

☐ Stockwater (number and type of stock)

☒ Irrigation 240 (acres)

☐ Other

DEC 14 1983

Measuring Device Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

Access Point Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

11-30-83 Kim C Waller

Date

Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

DEC 17 1983



Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

November 30, 1983

RE: Permit No. 35-7975

Kim C. Wahlen
Rt. 1, Box 68
Aberdeen, ID 83210

Dear Permit Holder:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosure

cc: Federal Land Bank Assn.
of Blackfoot

Federal Land Bank Association of Blackfoot

10 West Judicial, P.O. Box 10
Blackfoot, Idaho 83221
Telephone: (208) 785-0820

RICHARD E. SPENCER, *Manager*



November 22, 1983



NOV 23 1983

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

RE: FLB 196548-5 Kim C. Wahlen

Gentlemen:

We enclose herewith Department of Water Resources form of Assignment of Permit No. 35-7975 which has been signed by Melvin R. Funk and Diane A. Funk in favor of Kim C. Wahlen.

Please advise when this Assignment has been approved by the Department of Water Resources.

Sincerely,

A handwritten signature in cursive script that reads "Brad Buttars".

Brad Buttars
Assoc. Loan Officer

mj
Encls.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FUNK, MELVIN R.
RT. 1 BOX 142
AMERICAN FALLS, ID 83211

OCTOBER 29, 1981

RE: PERMIT NO. 35-7975

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

10/29/81

August 21, 1981

Mr. Malvin R. Funk
Route #1, Box 142
American Falls, Idaho 83211

RE: Applications 35-7974 and 35-7975.

Dear Mr. Funk:

This office has reviewed the above referenced applications together with the letter from Mr. Stukenholtz relative to good v.s. excellent irrigation systems. Analysis of the letter essentially indicates that one miner's inch per acre will provide an adequate system.

In times of scarcity and of regulation, the Department will regulate systems to the "adequate" level of production, not to the "optimum" level of production. As long as existing rights are being satisfied with no other adverse effects, a wateruser may divert at a greater rate than one miner's inch per acre. Due however, to the eventual regulation potential, the documented water right must be such that administrative regulation will be equitable to all competing waterusers.

For these reasons the Department intends to issue the permits at a rate of one miners inch per acre.

Please contact this office if you have questions relative to this matter. We plan to issue the permits within 20 days.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7975

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: Melvin R Funk

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 35-7597
☒ Yes ☐ No* In form for advertising.
Final date for protests: May 18
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5-8-81.
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
4-15-81. Date of priority recommended.
Special conditions of approval or cover letter. _____

* The Maximum Rate of Diversion Under This
Permit Shall Not Exceed 3.41 Cubic Feet Per Second

By: Ernest Carlson. Date: 5-22-81.

STATE OFFICE REVIEW:

* USE ABOVE CONDITION - OIC SLW/LO3

TYPE CORRECTIONS AS SHOWN ON Items 4 & 5

- ☐ See attached sheet for more information.

By: Jim Date: 9/30/81

ACTION REQUIRED

FROM: Ernest.

TO: _____

*This application is excessive & should be
routed for review & comment prior to final action.*

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before MAY 18, 1981.

A. KENNETH DUNN

Director

Published 4/30 & 5/07/81.



Diversion Means: WELL, PUMP & SPRINKLERS.