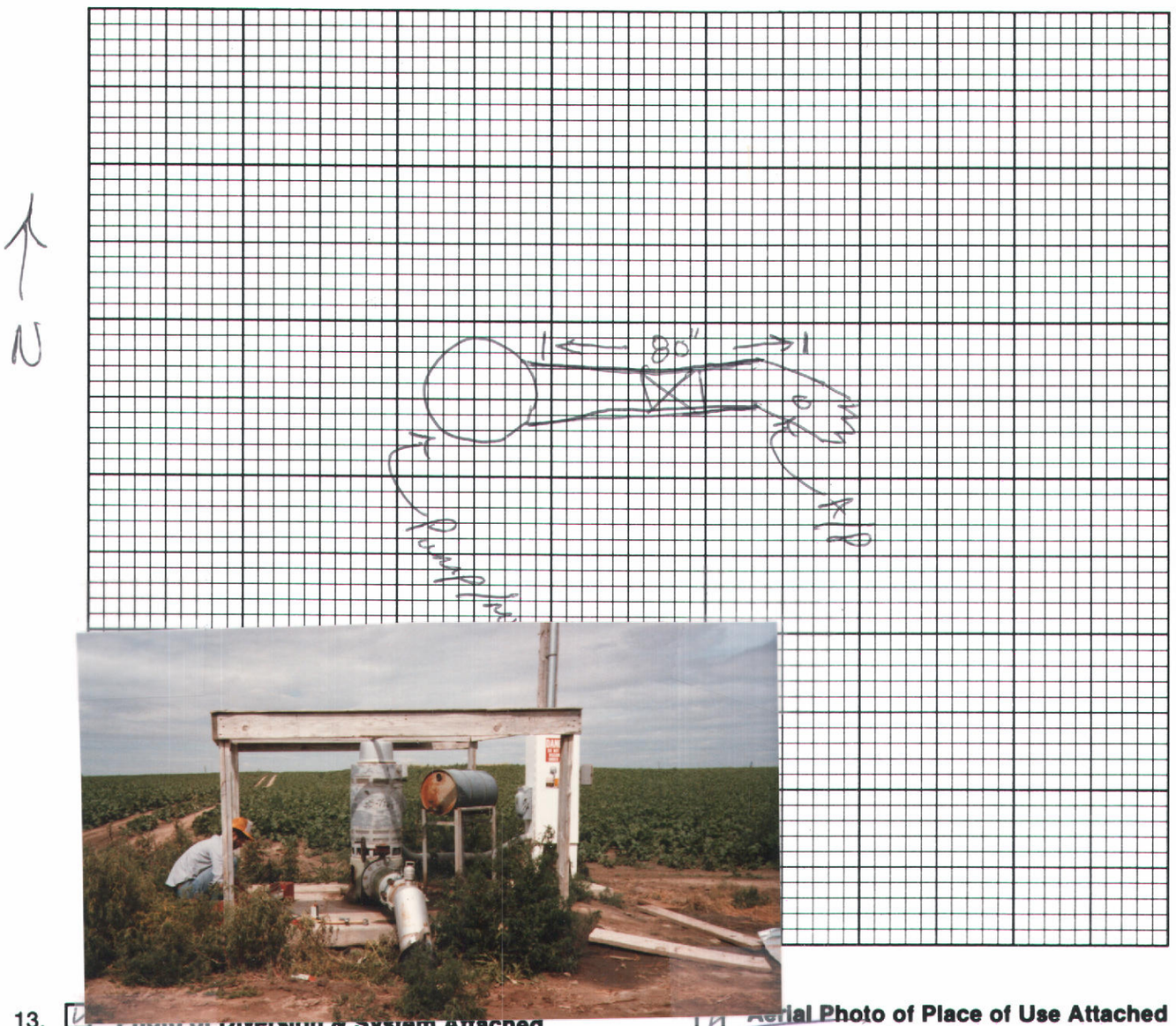
10. Other water rights on these lands NA

11. Other water right diverted from same p.d. NA

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 _____

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 Richard D. Larson Jr. Date 7-10-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____ CONSULTANT SEAL

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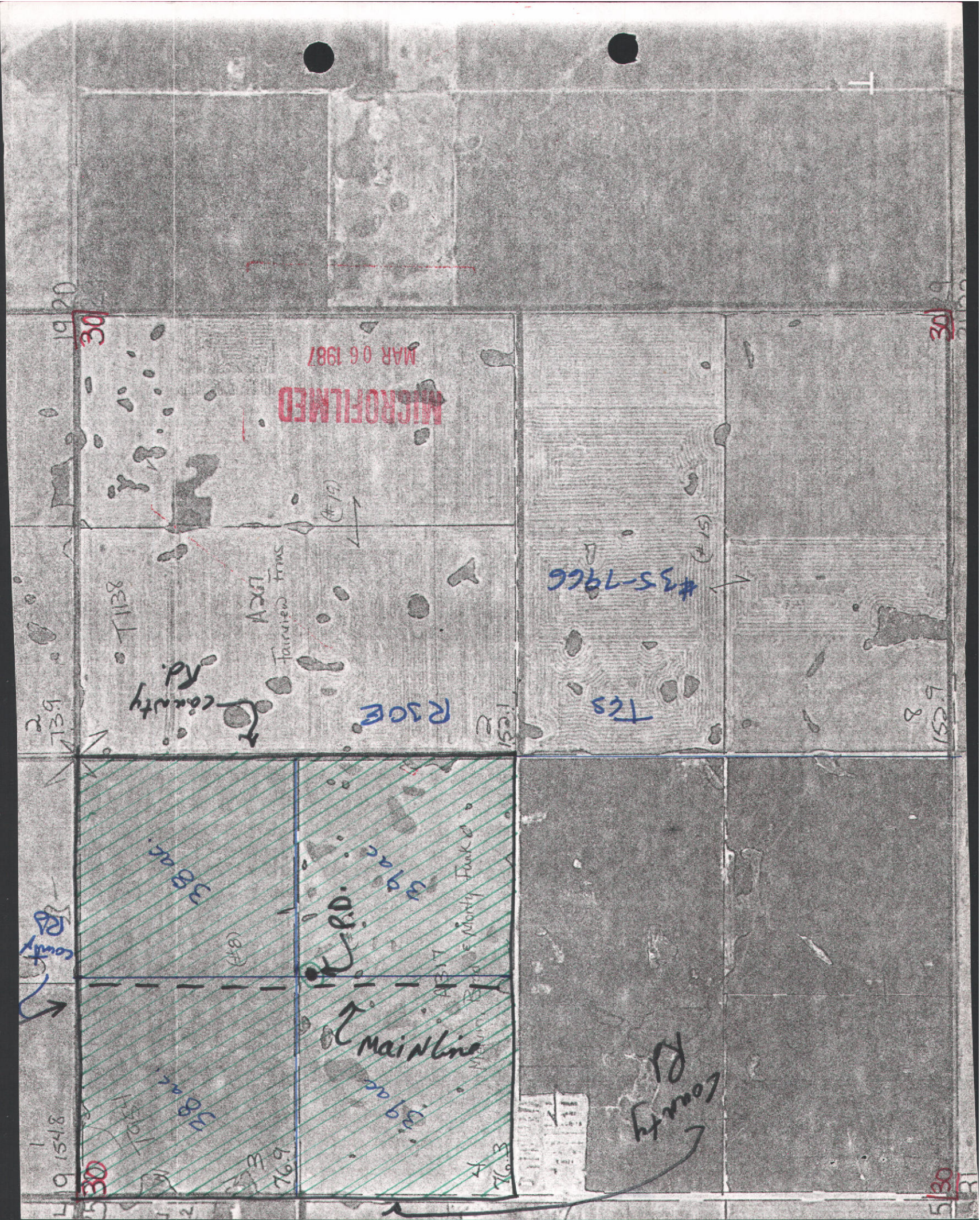
MAR 06 1987


MICROFILMED
MAR 06 1987
T11S
R10E
T12S
#35-79CC
Tanner Hwy
Main Line
Co. Rd.
County Rd.
County Rd.
30
19
20
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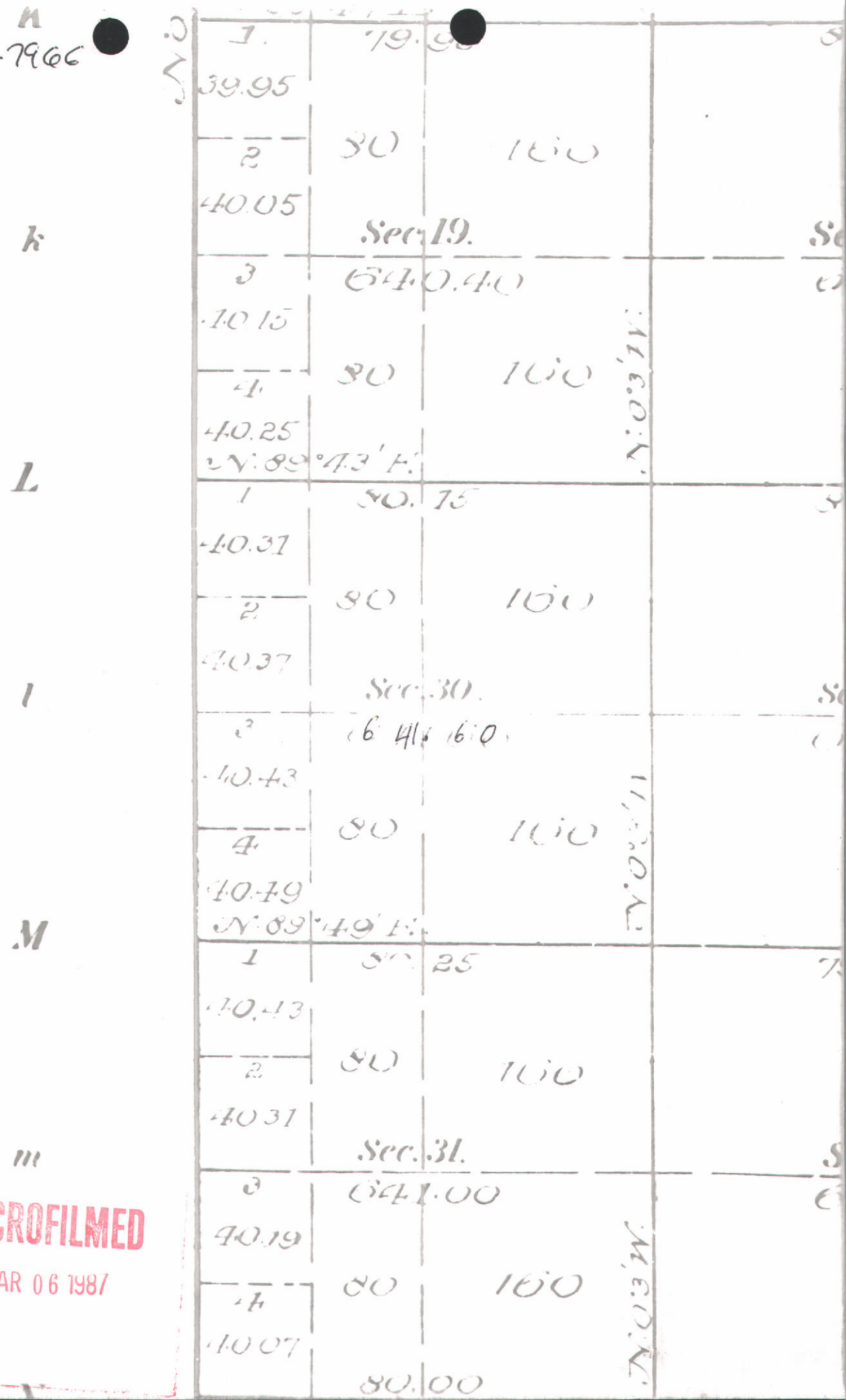
28
33
32
4
5

#35-7966

R 30 E

T 6 S



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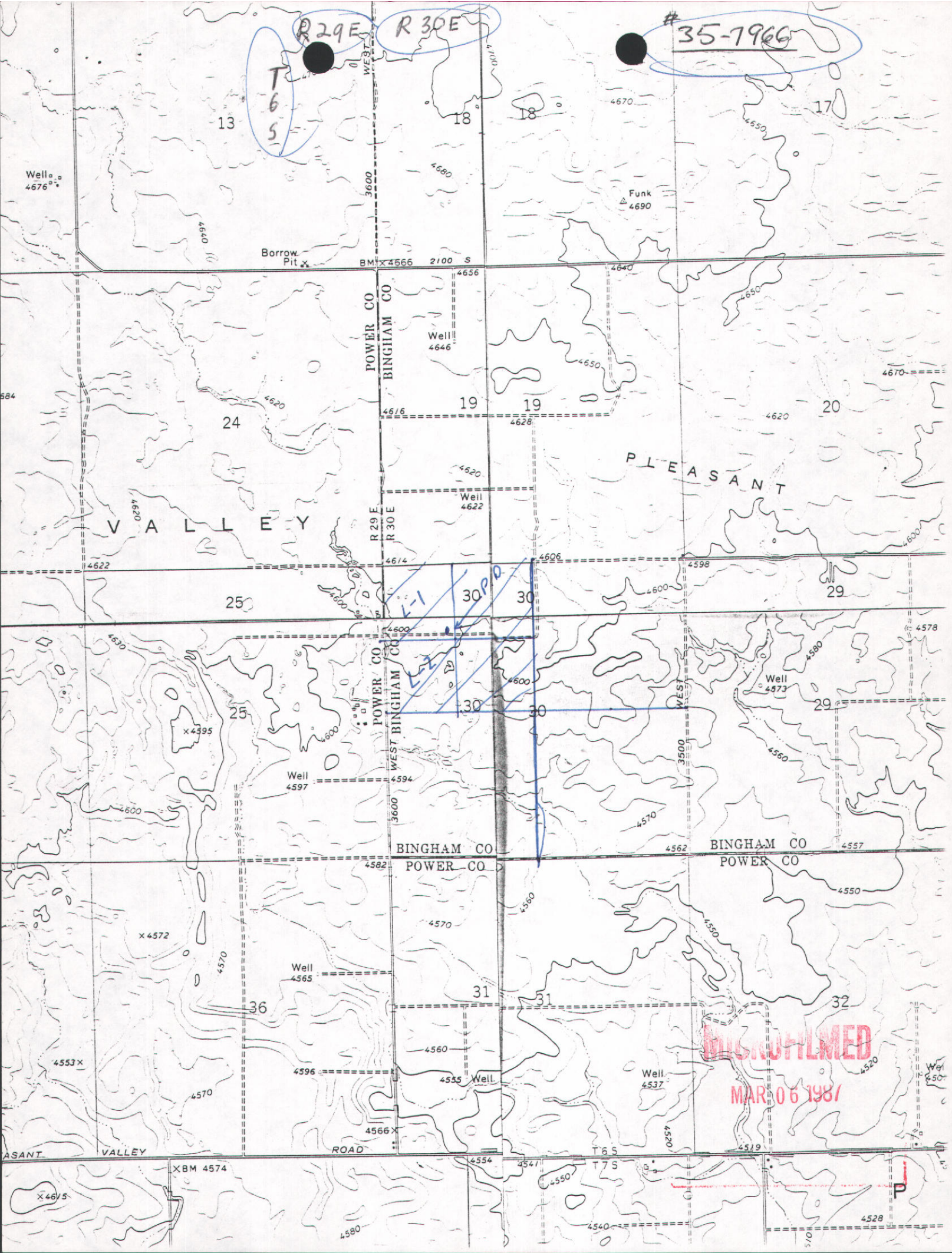
MAR 06 1987


R29E
R30E
T6S
#35-7966
Well 4676
Borrow Pit
BM X4566
2100 S
Funk 4690
POWER CO
BINGHAM CO
Well 4646
Well 4622
VALLEY
PLEASANT
R 29 E
R 30 E
L-1
L-2
PD
Well 4573
Well 4597
Well 4565
Well 4535
Well 4537
BINGHAM CO
POWER CO
WEST
ROAD
T 6 S
T 7 S
XBM 4574
DISAUTHLMED
MAR 06 1987

35-7966

I-6

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-7966

Priority: March 23, 1981 Amount: 2.38 CFS 539.0 AF

This is to certify, that MELVIN R. FUNK
RT. 1 BOX 142
AMERICAN FALLS, ID 83211 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 23, 1981, and has submitted proof to the Department of Water Resources on July 3, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.38 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Irrigation	04/01 to 11/01	2.38 cfs	539.0 af

LOCATION OF POINT OF DIVERSION(S): LOT 1(NWNW), Sec. 30, Township 6S, Range 30E Bingham County

PLACE OF USE: Irrigation

TWN RGE SEC	ACRES	ACRES	ACRES	ACRES	TOTAL
6S 30E 30	NENW 38	LOT 1(NWNW)38	LOT 2(SWNW)39	SENW 39	154
			Total number of acres irrigated:		154

CONDITIONS/REMARKS:

1. The right to the use of the 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.

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 26TH day of FEBRUARY, 1987.

Acting for the Director Norman C Young

MICROFILMED
MAR 06 1987

870202

Form 202
3/78

Ident. No. 35 7966

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 ROUTE #1, BOX 142 AMERICAN FALLS, IDAHO 83211

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NW ¼ of NW ¼ of Section 30 Township 6S

   Range 30E B.M. Bingham County, additional points of diversion if any: _____

   pump #8

4. Water will be used for the following purposes:

Allow 3.20 cfs*

Amount ~~3.56 cfs~~ (cfs ~~or acre-feet per annum~~) for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated: *per letter dated 8/1/1983 - kw

Allow 3.20 cfs*

a. ~~3.56 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 _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 350 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: _____ ¼ of _____ ¼ 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: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	30E	30					40	40	40	40									160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. None

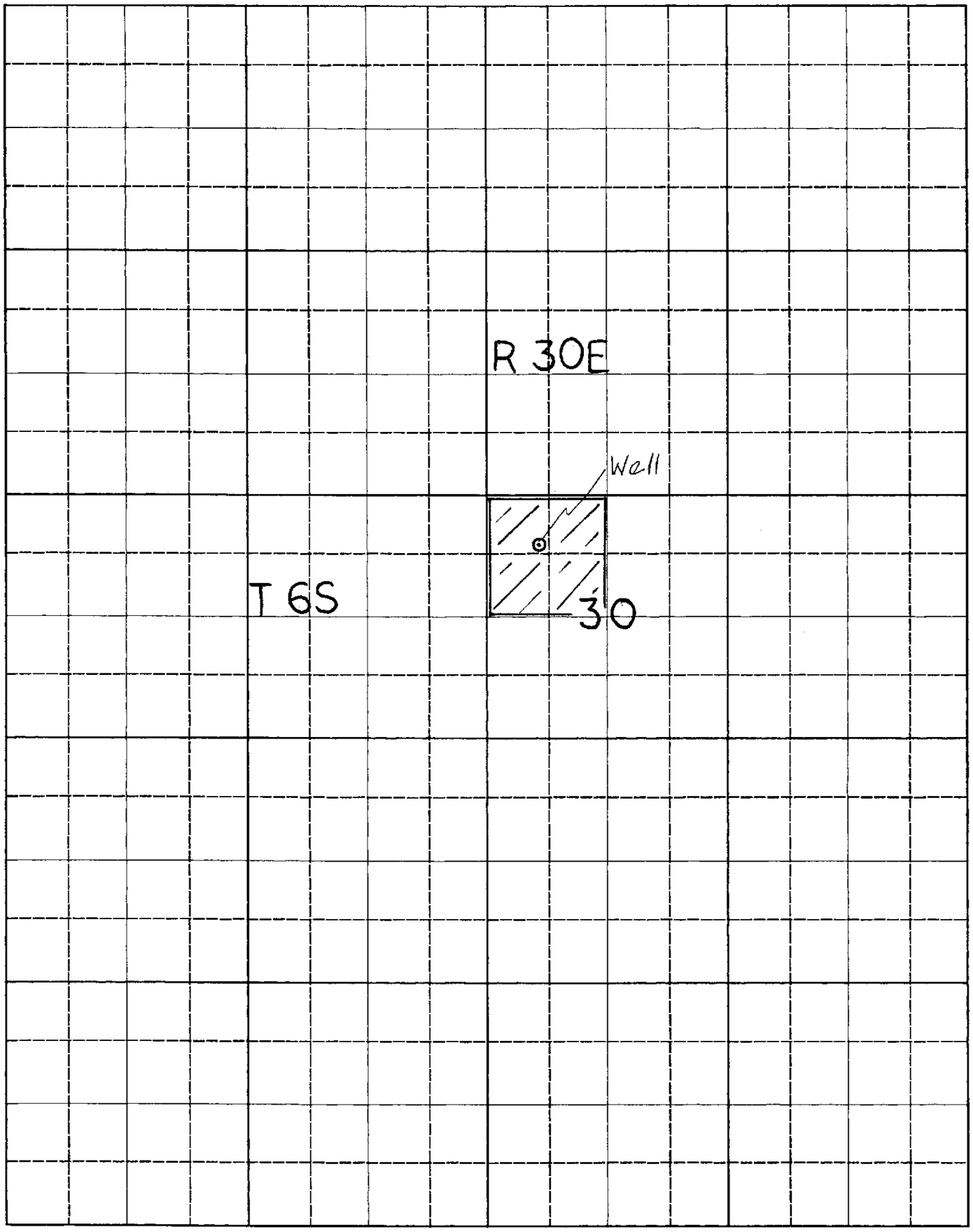
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks To cultiviate potatoes at optimum yield requires diversion greater than 9 gpm/acre. See justification

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.

Melvin R. Funk
(Applicant)

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Proposed Priority 3/23/81

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Drafted EMC.

Received by EMC Date 3/23/81 Time 4:30

Preliminary check by KW Fee $ 105.00

Receipted by KW Date 3/26/81 # 17128

Publication prepared by KW Date 3/27/81

Published in Blackfoot News

Publication dates 4/02 & 4/09/81

Publication approved KW Date 3/31/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by KW

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. 35-7966, 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 before June 1, 1990.

   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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

   A flow measurement 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 rate of diversion under this permit shall not exceed 3.2 cubic feet per second.

Witness my hand this 28th day of June, 1985.

Norman C. Young

NORMAN C. YOUNG, Administrator
Resources Admin. Division

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.

35-7965

FUNK, Melvin R.
Rt. 1 Box 142
American Falls, id. 83211
Source: GROUNDWATER
Date Filed: 03/23/1981
Amount: 3.56 CFS
Diversion Point: NWNW Sec. 30, T. 06S, R. 30E, Bingham Co.
Use: IRRIGATION (3.56 CFS) from 04/01 to 11/01
Place of Use: NENW NWNW SWNW SENW Sec. 30, T. 06S, R. 30E, for 160 acres
Diversion Means: WELL, PUMP & SPRINKLERS

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 APRIL 20, 1981.

C. STEPHEN ALLRED
Director

(6878)
Pub.: 4-2, 9

AFFIDAVIT of PUBLICATION

County of Bingham)
)ss.
State of Idaho)

I, David Mark Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 134 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction withing the State of Idaho shall be published to-wit: Thursday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of

of publication was published in said issue or said

newspaper 2 consecutive weeks,

the first publication having been made on the

2nd day of April, 19 81,

and the last publication having been made on the

9th day of April, 19 81;

that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

David Mark Brown

Subscribed and sworn to before me this 9th

day of April, 19 81.

Patricia A. Johnson

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Oct. 20, 1984

RECEIVED
APR 10 1981
Department of Water Resources
Eastern District Office

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legals0-jack,dti

Legals for pat — jackie

NOTICE OF APPLICATION
FOR WATER PERMIT

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

35-7966

FUNK, Melvin R.
Rt. 1 Box 142
American Falls, Id. 83211
Source: GROUNDWATER
Date Filed: 03/23/1981
Amount: 3.56 CFS
Diversion Point: NWNW Sec. 30 T. 06S R. 30E, Bingham Co.
Use: IRRIGATION (3.56 CFS) from 04/01 to 11/01
Place of Use: NENW NWNW SWNW SENW Sec. 30 T. 06S R. 30E, for 160 acres
Diversion Means: WELL, PUMP & SPRINKLERS.

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 April 20, 1981.

C. STEPHEN ALLRED
Director

(6878)
Pub.: 4-2, 9

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MAR 31 1981
Department of Water Resources
Eastern District Office

Form 204-p
8/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 35-7966

Name(s) of Permit Holder(s): Melvin R. Funk

Post Office Address: Rt #1 Box 142

American Falls, Idaho 83211 Tel. No. (208) 226-5207

☒ I hereby certify that construction of diversion works on the above referenced permit began on 3/28/86 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

APPROVED JUL 26 1988

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

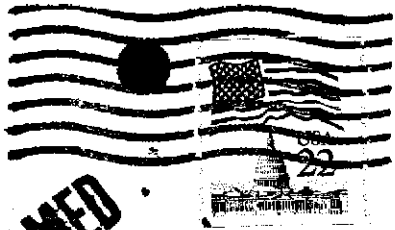
*Note: A financing difficulty is not an acceptable reason.

9/3/85
Date

Melvin R. Funk
Signature of Permit Holder

Melvin [redacted] Falen
Rt #1 Box 142
American Falls, Id 83211

POCATELLO ID 832
4 SEP
1985
PM



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SEP 9 1985
Department of Water Resources

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JUL 26 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 26, 1987

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

RE: Permit No. 35-7966

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 06 1987

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

February 5, 1987

RE: Permit No. 35-7966

Melvin R. Funk
Rt. 1, Box 142
American Falls, ID 83211

Dear Permit Holder(s):

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

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
MAR 06 1987

Form 219B
5/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

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SEP 19 1986
Department of Water Resources

35-7966
Permit No.

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

Theoretical ⇒ $\frac{200hp(.9)(8.814)}{80psi(2.31)+350'} = 2.97$ cfs. ✓

Actual manometer ⇒ $(9.75")^2(3.85)(\sqrt{8.5"}) = 1,067.04 \left(\frac{cfs}{450gpm}\right) = 2.37$ cfs. minimum

$\div 448.8 = 2.377 \approx 2.38$ cfs

Total acres ⇒ 38ac + 38ac + 39ac + 39ac = 154 ac.

154 ac x .02 cfs = 3.08 cfs. maximum

   b) Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = (154ac)(3.5) = 539.0 AFa ✓
$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (2.37)(214)(1.9835) = 1,005.9
V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 539.0 AFa.

   c) Volume Calculations for Other Uses: NA

$2.38 \times 1.9835 \times 214 = 1010.2$ AF

2. **Overlap Review**

   a) Other water rights with same place of use: NA 35-4020 - claim, no overlap

   b) Other water rights with same point of diversion: NA ✓

   c) Analysis:

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MAR 06 1987

pd. #175.00 exam fee

10 day

RECOMMENDED AMOUNTS

3.

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
35-7966	3-23-1981	2.38cfs	3-23-1981	7-3-1985	2.38 cfs

4. Permit Holder: Melvin R. Funk

Address: Rt. 1, Box 142, American Falls, ID 83211

5. Source: groundwater tributary to —

6. Beneficial Use

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation ✓	4-1 ✓	11-1 ✓	~~2.37~~ 2.38 cfs	539.0 ✓ AF
Allowable Maximums:			~~2.37~~ 2.38 cfs	539.0 ✓ AF

7. Point(s) of Diversion: ✓

No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County
	1		NW	NW	30	6S	30E	Bingham

8. Place(s) of Use ✓

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	30E	30					38	38	39	39									154
								L.1	L.2										
																		Total Acres	154

9. Recommended Conditions/Remarks: —

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MAR 06 1987

10. 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 —

11. Examiner's Signature Richard Tenon Jr. Date 7-14-86

Checked in Regional Office by W.C. Jones Date 9-2-86

Approved in State Office by K. Walker Date 1-13-87

Form 219A
2/84

RECEIVED
SEP 1 1986
Department of Water Resources

Re-paid

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

Permit No. 35-7966

1. Owner: Mel Funk — Phone No. 226-5207
   Current Address: Rt. 1 Box 142, American Falls, Idaho 83211

2. Accompanied by: Brad Funk — EXAM. DATE: 7-10-86
   Address: same as above — Phone No. ____
   Relationship to Permit Holder: son

3. Source: Ground water — tributary to —

4.

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	7.00	ECJ517161	Berkeley	7020073

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
well / pump to 8 (Funk Electro) wheel lines, 5/32" nozzles.
1/4 mile wheel line's running east & west
well depth ⇒ 350'
bowl depth ⇒
water level ⇒

6.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar				091400	7.9"	
Eagle-eye meter				091461	0-13"	6-9-86
manometer				# 7	46"	

7. Measurements Mainline ⇒ O.d. ⇒ 10" I.d ⇒ 9 3/4 ☐ Additional data/computation sheets attached
manometer ⇒ 18" − 9.5" = 8.5"
eagle-eye ⇒ 8.5"
mainline pressure guage ⇒ 80 psi

8. Point(s) of Diversion: Indicate Method of Determination

Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
		NW	NW	30	6S	30E		Power	

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination ____

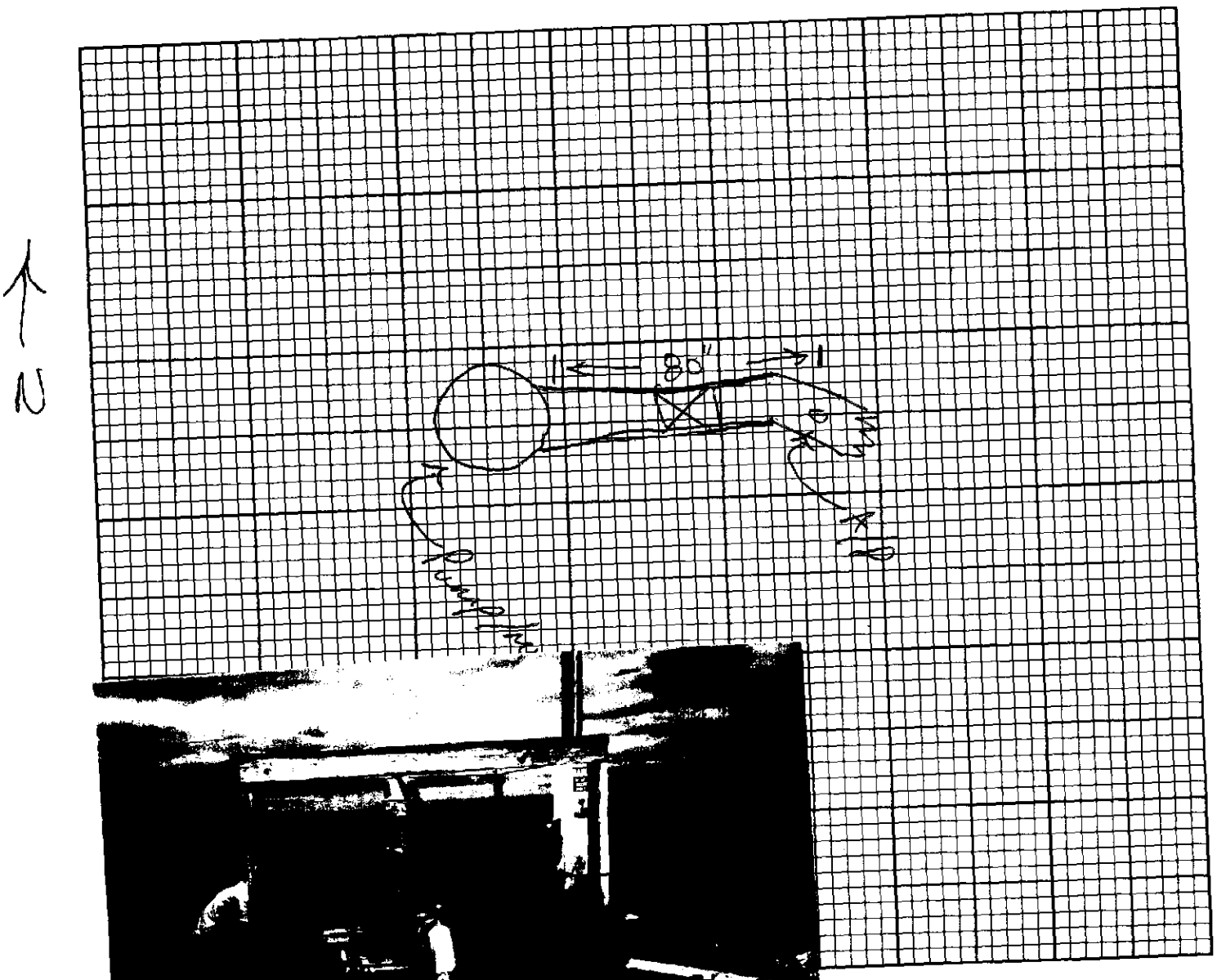
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	30E	30					38	38	39	39									154
								L-1	L-2										

Total Acres 154

10. Other water rights on these lands NK

11. Other water right diverted from same p.d. NA

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

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

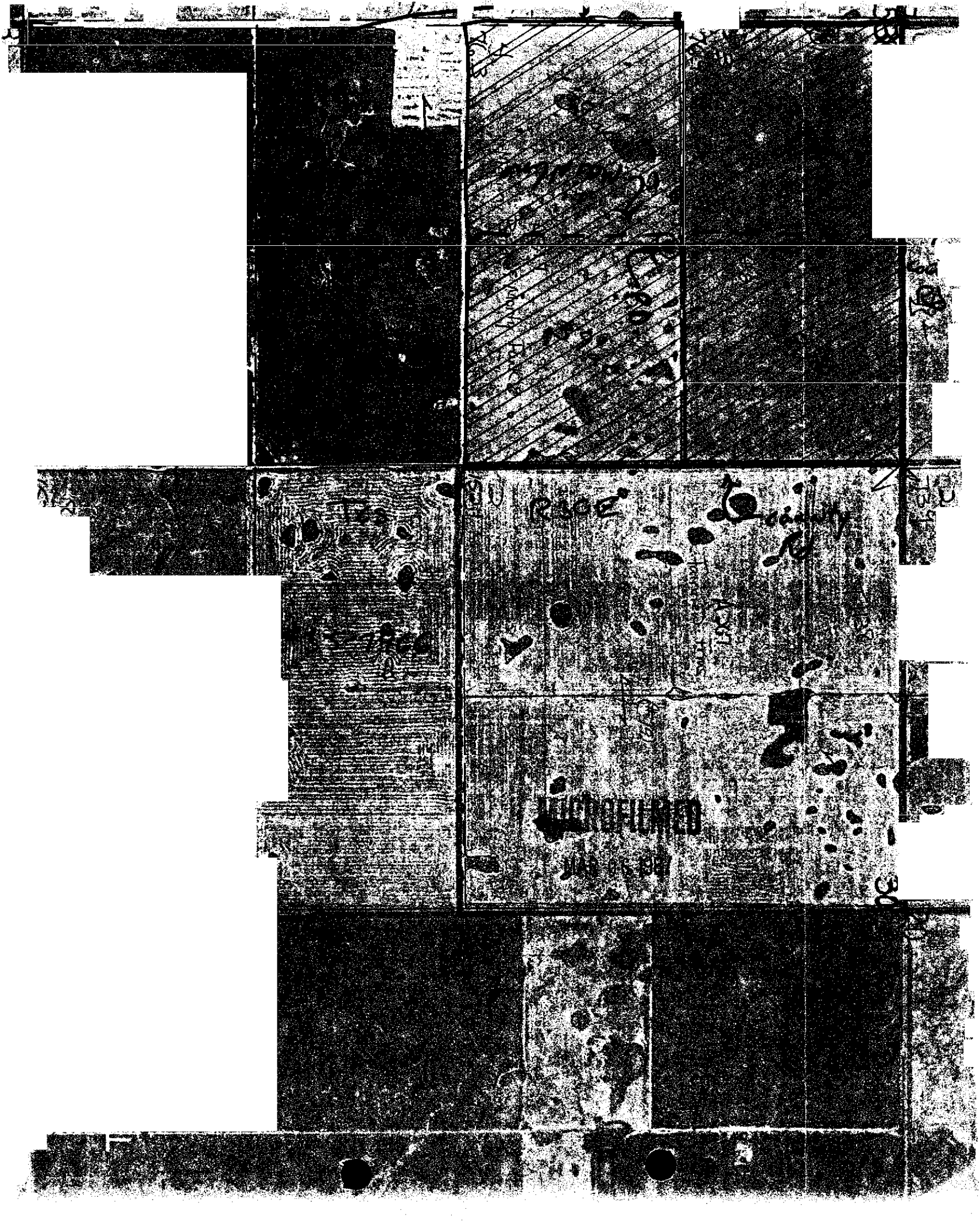
16. Examiner's/Consultant's Signature Richard A. Larson Jr. Date 7-10-96

Consultant's License Number

IDWR Director's Authorization to Conduct Beneficial Use Examination

Date

CONSULTANT SEAL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#35-7966

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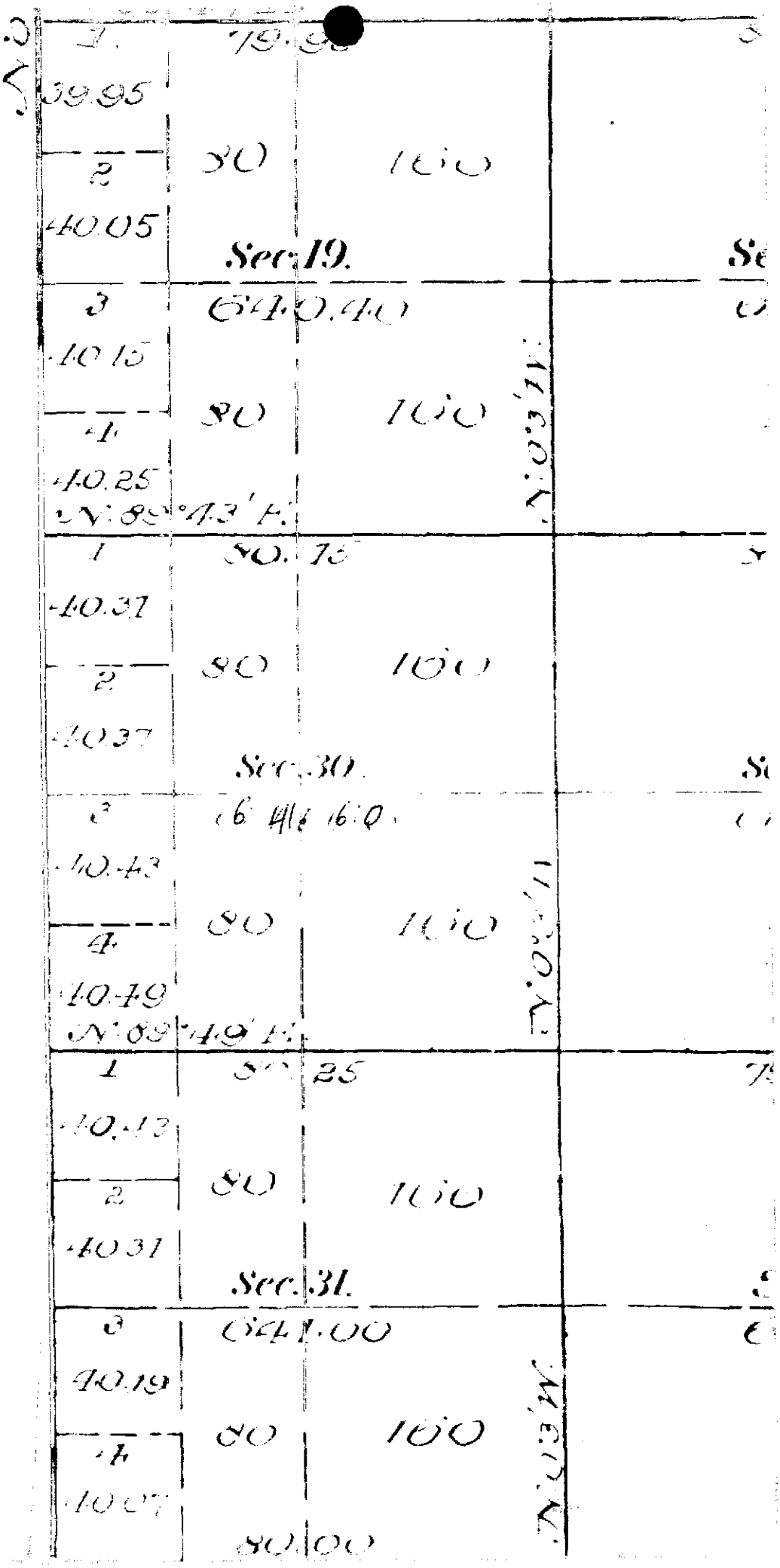

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III

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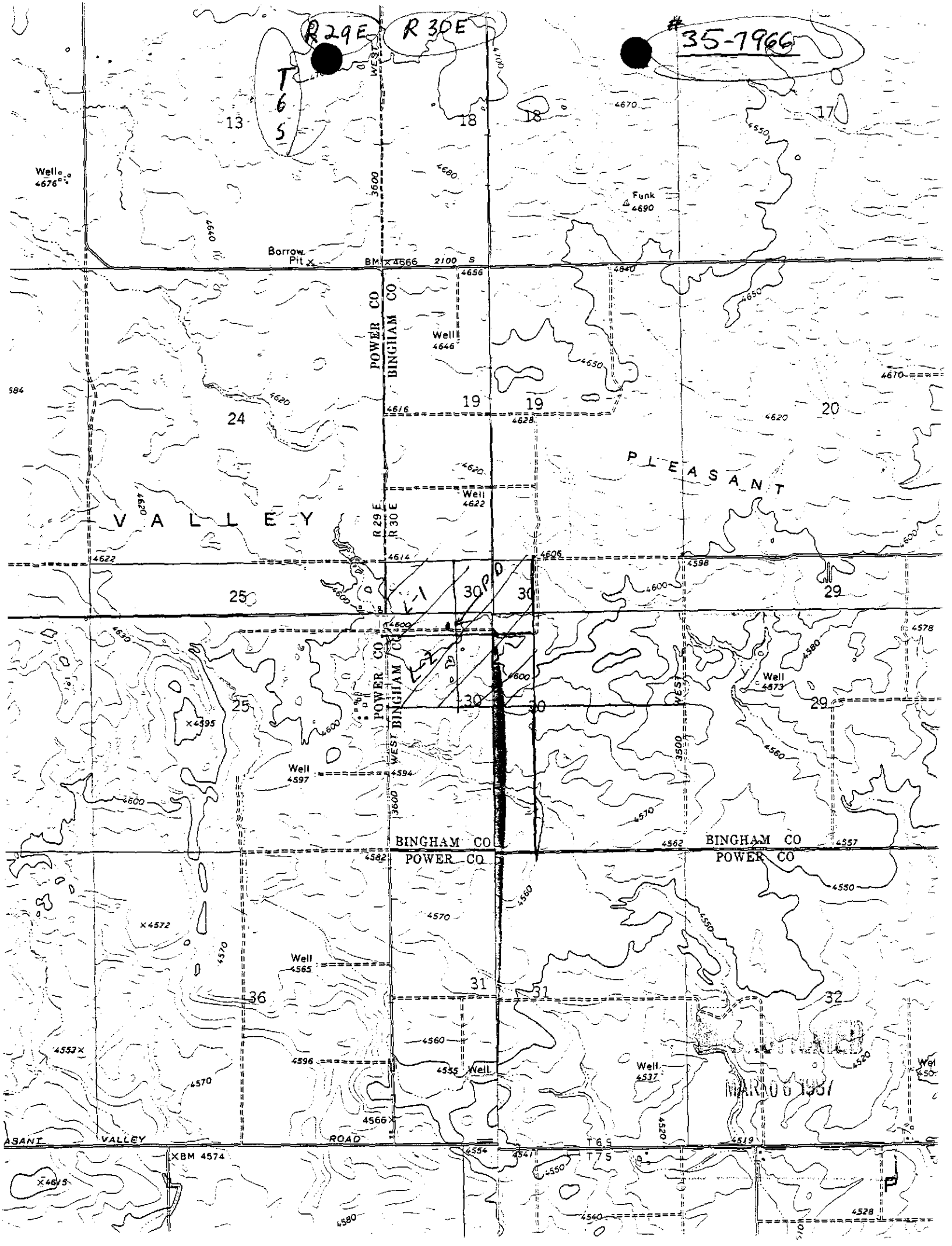
MAR 08 1967


R29E
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Well 4676
Funk 4690
Borrow Pit
BM X4666 2100 S
POWER CO
BINGHAM CO
Well 4646
Well 4622
VALLEY
PLEASANT
R 29 E
R 30 E
L-1
L-2
Well 4573
Well 4597
Well 4565
Well 4535
Well 4537
BINGHAM CO
POWER CO
VALLEY ROAD
XBM 4574
MAR 06 1987

C			26	NENE		35-7077	04-07-1950	GROUNDWATER	SCHROEDER	C
D							L			
							05-12-1969	GROUNDWATER	TRAVIS MICHAELSON, EST.	D
C				NENW	01	35-2410			IDAHO FIRST NATIONAL BANK AS TRUSTEE	C
							L			
							03-07-1955	GROUNDWATER	GEHRING	D
C				NWNW	01	35-2410			FENSTERMAKER	C
							L			
							03-07-1955	GROUNDWATER	GEHRING	D
C				SWNW	01	35-2410			FENSTERMAKER	C
							L			
							03-07-1955	GROUNDWATER	GEHRIN	D
C				SENW	01	35-2410			FENSTERMAKER	C
							L			
							03-07-1955	GROUNDWATER	GEHRING	D
C				NESW	01	35-4022			FENSTERMAKER	C
							S			
							11-20-1959	GROUNDWATER	DUFFIN	C
C				NWSW	01	35-4022	S			
							11-20-1959	GROUNDWATER	DUFFIN	C
C				SWSW	01	35-4010	S			
							09-01-1957	GROUNDWATER	MICHAELSON	C
C				NWSE	01	35-2385	L			
							08-27-1954	GROUNDWATER	MULET	C
C			27	SWNE	01,43	35-2518	L			
							11-12-1957	GROUNDWATER	FENSTERMAKER	C
C				SENW	01	35-7105	L			
							11-18-1969	GROUNDWATER	FUNK	C
C				NESW	01	35-2424	L			
							05-24-1955	GROUNDWATER	MARSHALL	C
C				NWSW	01	35-2424	L			
							05-24-1955	GROUNDWATER	MARSHALL	C
C				SWSW	01	35-2424	L			
							05-24-1955	GROUNDWATER	MARSHALL	C
C				SESW	01	35-2424	L			
							05-24-1955	GROUNDWATER	MARSHALL	C
C				NWSE	01	35-2484	L			
							12-03-1956	GROUNDWATER	TWIGGS	O
C			28	NWNE	01	35-2569			DRISCOLL	C
							L			
							04-02-1959	GROUNDWATER	MICHAELSON	C
D				NENW	01	35-2531	L			
							03-21-1958	GROUNDWATER	PALMER	C
C				NWNW	01	35-2531	L			
							03-21-1958	GROUNDWATER	PALMER	C
D				SWNW	01	35-2531	L			
							03-21-1958	GROUNDWATER	PALMER	C

L 9

#35-7966

WRR150

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
C	06S	30E	28	SENW	01		35-2531					
								03-21-1958	L	GROUNDWATER	PALMER	C
C				NESE	01,43	35-2290		12-17-1952	L	GROUNDWATER	FUNK	C
C				NESE	01	35-7104		11-18-1969	L	GROUNDWATER	FUNK	C
C			29	NENE	01	35-2752		08-24-1964	L	GROUNDWATER	FUNK	C
C				SWNW	01	35-4016		05-26-1961	S	GROUNDWATER	WAHLEN	C
C				SWSW	01	35-4016		05-26-1961	S	GROUNDWATER	WAHLEN	C
O				SWSE	01	35-7638		09-01-1976	L	GROUNDWATER	FUNK	C
C			30	NWNE	01	35-7611		05-07-1976	L	GROUNDWATER	VANNIE L. BULFINCH	C
C				NWNW	01	35-7966		03-23-1981	P	GROUNDWATER	FUNK	C
O				SWSW	01	35-7418		05-10-1974	L	GROUNDWATER	FUNK	O
C				SESE	01	35-7418		05-10-1974	L	GROUNDWATER	CONNECTICUT GENERAL LIFE INSURANCE CO.	C
C											FUNK	O
			31	NWNW	01	35-8219					CONNECTICUT GENERAL LIFE INSURANCE CO.	C
C								07-25-1983	A	GROUNDWATER	WAHLEN	C
C				NWNW	01	35-8363		10-23-1984	A	GROUNDWATER	KNUDSEN JR.	C
C				NWNW	01	35-8369		11-14-1989	P	GROUNDWATER	LEWIS BROS., INC.	O
C											KNUDSEN, JR.	C
C				NESW	01	35-2448		01-16-1956	L	GROUNDWATER	FUNK	C
O				NESW	01	35-2833		08-25-1966	L	GROUNDWATER	FUNK	C
C				SESE	01	35-2833		08-25-1966	L	GROUNDWATER	FUNK	C
D			32	NENW	01	35-7226		04-12-1972	L	GROUNDWATER	FUNK	C
O											FUNK	C
C				SWNW	01	35-8002		11-13-1981	P	GROUNDWATER	PAHL-RUFF PARTNERSHIP	C
O				NESE	01	35-2610		09-15-1960	L	GROUNDWATER	SEEFRIED	O
C											SEEFRIED	O
											WESTFALL	C
C											WESTFALL	C
C				NWSE	01	35-2610		09-15-1960	L	GROUNDWATER	SEEFRIED	O
											SEEFRIED	O
											WESTFALL	C

Received
MAR 05 1987

06S	30E	27	NESE	40	01		35-2484	TWIGGS	0	L	[redacted]03-1956	GROUNDWATER
								DRISCOLL	C			
			NWSE	40	01		35-2484	TWIGGS	0	L	12-03-1956	GROUNDWATER
								DRISCOLL	C			
			SWSE	40	01		35-2484	TWIGGS	0	L	12-03-1956	GROUNDWATER
								DRISCOLL	C			
			SESE	29	01		35-2484	TWIGGS	0	L	12-03-1956	GROUNDWATER
								DRISCOLL	C			
		28	NENE	40	01		35-2569	MICHAELSON	C	L	04-02-1959	GROUNDWATER
			NWNE	40	01		35-2569	MICHAELSON	C	L	04-02-1959	GROUNDWATER
			SWNE	40	01		35-2569	MICHAELSON	C	L	04-02-1959	GROUNDWATER
			SENE	40	01		35-2569	MICHAELSON	C	L	04-02-1959	GROUNDWATER
			NENW	40	01		35-2531	PALMER	C	L	03-21-1958	GROUNDWATER
			NWNW	40	01		35-2531	PALMER	C	L	03-21-1958	GROUNDWATER
			SWNW	40	01		35-2531	PALMER	C	L	03-21-1958	GROUNDWATER
			SENW	40	01		35-2531	PALMER	C	L	03-21-1958	GROUNDWATER
			NESW	40	01		35-7104	FUNK	C	L	11-18-1969	GROUNDWATER
			NWSW	40	01		35-7104	FUNK	C	L	11-18-1969	GROUNDWATER
			SWSW	40	01		35-2719	WESTFALL	C	L	12-14-1962	GROUNDWATER
			SESW	40	01		35-2719	WESTFALL	C	L	12-14-1962	GROUNDWATER
			NESE	40	01,43		35-2290	FUNK	C	L	12-17-1952	GROUNDWATER
			NWSE	40	01,43		35-2290	FUNK	C	L	12-17-1952	GROUNDWATER
			SWSE	40	01,43		35-2290	FUNK	C	L	12-17-1952	GROUNDWATER
			SESE	40	01,43		35-2290	FUNK	C	L	12-17-1952	GROUNDWATER
		29	NENE	40	01		35-2752	FUNK	C	L	08-24-1964	GROUNDWATER
			NWNE	40	01		35-2752	FUNK	C	L	08-24-1964	GROUNDWATER
			SWNE	40	01		35-2752	FUNK	C	L	08-24-1964	GROUNDWATER
			SENE	40	01		35-2752	FUNK	C	L	08-24-1964	GROUNDWATER
			NENW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			NWNW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			SWNW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			SENW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			NESW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			NWSW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			SWSW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			SESW	40	01		35-4016	WAHLEN	C	S	05-26-1961	GROUNDWATER
			NESE	39	01		35-7638	FUNK	C	L	09-01-1976	GROUNDWATER
			NWSE	40	01		35-7638	FUNK	C	L	09-01-1976	GROUNDWATER
			SWSE	39	01		35-7638	FUNK	C	L	09-01-1976	GROUNDWATER
			SESE	38	01		35-7638	FUNK	C	L	09-01-1976	GROUNDWATER
		30	NENE	40	01		35-7611	VANNIE L. BULFINCH	C	L	05-07-1976	GROUNDWATER
			NWNE	39	01		35-7611	VANNIE L. BULFINCH	C	L	05-07-1976	GROUNDWATER
			SWNE	39	01		35-7611	VANNIE L. BULFINCH	C	L	05-07-1976	GROUNDWATER
			SENE	40	01		35-7611	VANNIE L. BULFINCH	C	L	05-07-1976	GROUNDWATER
			NENW	40	01		35-4020	FUNK	C	S	05-15-1961	GROUNDWATER
			NENW	40	01		35-7966	FUNK	C	P	03-23-1981	GROUNDWATER
			NWNW	40	01		35-4020	FUNK	C	S	05-15-1961	GROUNDWATER
			NWNW	40	01		35-7966	FUNK	C	P	03-23-1981	GROUNDWATER
			SWNW	40	01		35-7966	FUNK	C	P	03-23-1981	GROUNDWATER
			SENW	40	01		35-7966	FUNK	C	P	03-23-1981	GROUNDWATER
			NESW	40	01		35-2239	JASMAN	0	L	08-16-1952	GROUNDWATER

[redacted] 07 [redacted]

35-7966

HRR156 — IDAHO DEPARTMENT OF WATER RESOURCES — WATER RIGHTS BY PLACE OF USE — PAGE 7099 — 06/24/1986

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
(POU CONTINUED FROM PREVIOUS PAGE)												
06S	30E	30	NESW		40	01	35-2239	JASMAN	C			
								JASMAN	C			
			NESW		40	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			NWSW		40	01	35-2239	JASMAN	0	L	08-16-1952	GROUNDWATER
								JASMAN	C			
								JASMAN	C			
			NWSW		34	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			SWSW		40	01	35-2239	JASMAN	0	L	08-16-1952	GROUNDWATER
								JASMAN	C			
								JASMAN	C			
			SWSW		36	01	35-2832	FUNK	C	L	08-25-1966	GROUNDWATER
			SWSW		38	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			SESW		40	01	35-2239	JASMAN	0	L	08-16-1952	GROUNDWATER
								JASMAN	C			
								JASMAN	C			
			SESW		27	01	35-2832	FUNK	C	L	08-25-1966	GROUNDWATER
			SESW		39	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			NESE		40	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			NWSE		40	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			SWSE		39	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
			SESE		39	01	35-7418	FUNK	0	L	05-10-1974	GROUNDWATER
								CONNECTICUT GENERA	C			
		31	NENE		40	01	35-8002	PAHL-RUFF PARTNERS	C	P	11-13-1981	GROUNDWATER
			NWNE		40	01	35-8002	PAHL-RUFF PARTNERS	C	P	11-13-1981	GROUNDWATER
			SWNE		40	01	35-8002	PAHL-RUFF PARTNERS	C	P	11-13-1981	GROUNDWATER
			SENE		40	01	35-8002	PAHL-RUFF PARTNERS	C	P	11-13-1981	GROUNDWATER
			NENW		40	01	35-8219	WAHLEN	C	A	07-25-1983	GROUNDWATER
			NENW		40	01	35-8363	KNUDSEN JR.	C	A	10-23-1984	GROUNDWATER
			NENW		40	01	35-8369	LEWIS BROS., INC.	0	P	11-14-1984	GROUNDWATER
								KNUDSEN, JR.	C			
			NWNW		40	01	35-8219	WAHLEN	C	A	07-25-1983	GROUNDWATER
			NWNW		40	01	35-8363	KNUDSEN JR.	C	A	10-23-1984	GROUNDWATER
			NWNW		40	01	35-8369	LEWIS BROS., INC.	0	P	11-14-1984	GROUNDWATER
								KNUDSEN, JR.	C			
			SWNW		40	01	35-8219	WAHLEN	C	A	07-25-1983	GROUNDWATER
			SWNW		40	01	35-8363	KNUDSEN JR.	C	A	10-23-1984	GROUNDWATER
			SWNW		40	01	35-8369	LEWIS BROS., INC.	0	P	11-14-1984	GROUNDWATER
								KNUDSEN, JR.	C			
			SENW		40	01	35-8219	WAHLEN	C	A	07-25-1983	GROUNDWATER
			SENW		40	01	35-8363	KNUDSEN JR.	C	A	10-23-1984	GROUNDWATER
			SENW		40	01	35-8369	LEWIS BROS., INC.	0	P	11-14-1984	GROUNDWATER

JP

4/86

RECEIVED
JUN 16 1986
Department of Water Resources
Eastern District Office

OK
6-16

For Office Use Only
Fee Received 125.00
Date 6-16-86
Receipt # 39943
Receipt by MP
Sent to S.O. 6-16-86

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

RECEIVED
JUL 22 1986
Department of Water Resources

1. Permit No. 35-7966

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

[X] I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Melvin R. Funk

3. Post Office Address: Rt. 1 Box 142, American Falls, ID 83211

Telephone No. (208) 226-5207

4. Source of Water: Groundwater

5. Extent of Use:

Domestic _____(No. of households) Stockwater _____(No. and type of stock)

Irrigation 160 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 3.20 cfs _____acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

3/23/81

8. Person to contact to accompany the department representative during the field examination:

Melvin R. Funk
(Name)

Rt. a Box 142 , American Falls, ID 83211
(Address) (Telephone Number)

[ ] I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

May 16, 1986
Date

Melvin R Funk Owner
Signature of Permit Holder (and title, if appropriate)

MAR 06 1987

copy retained for file

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

35-7966
FUNK, MELVIN R.
RT. 1 BOX 142
AMERICAN FALLS, ID 83211

138625

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

RECEIVED
MAR 06 1987

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region
Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

FEBRUARY 19, 1986

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

RE: Permit No. 35-7966

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

MICROFILMED
MAR 06 1987

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

> 42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

July 12, 1985

RE: Permit No. 35-7966

Melvin R. Funk
Rt. 1, Box 142
American Falls, ID 83211

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 a flow measurement 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 flow measurement port.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for 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

DRT:sc
Enclosures

MICROFILMED

Field # 8

RECEIVED
JUL 3 1985
Department of Water Resources

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-7966
Name(s) of Permit Holder: MELVIN R. FUNK

Post Office Address: RT. 1 BOX 142 AMERICAN FALLS, ID 83211

Telephone No. (208) 226-5207

Source of Water: GROUNDWATER

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 160 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: 3/23/81

Measuring Device: Required? ___ Yes X No
Installed? ___ Yes X No

Flow Measurement Port: Required? X Yes ___ No
Required? X Yes ___ No

Person to contact to accompany the Department representative during field examination: MELVIN R. FUNK
(Name)

RT. # 1 BOX 142 AMERICAN FALLS, ID 83211 (208) 226-5207
(Address) (Telephone number)

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

_____
Date

Melvin R. Funk
Signature of Permit
(and Title, if appropriate)

MICROFILMED

MEMORANDUM

TO: File Nos. 35-7966, 35-7967 and 35-7969

FROM: Dave Tuthill DMT

DATE: June 28, 1985

RE: Reason for Approval

The above-referenced water right numbers represent permits issued on June 28, 1985. The reason for issuance of the permits on this date is that this office was notified by telephone on this date that the three water rights were released from the Idaho Power lawsuit. The release was because the three water rights represent water uses that fall within the terms of the Idaho Power Contract in that the applications were filed prior to November 19, 1982, and substantial develop was completed toward development of the irrigation systems by that date. Note that this office conducted pre-permit examinations on the three applications on June 17, 1983, at which time the irrigation systems were installed and fully functional.

MICROFILMED

CONVERSATION MEMORANDUM

DATE 6-28-85

FILE

NAME OF PARTY Cindy Cranston Felton - Idaho Power

EMPLOYEE Kay Walker

RE: Dismissal of Apps. from Idaho Power (Swan Falls) suit.

Per phone conversation with Cindy at 3:00 pm this afternoon — she stated the ~~et~~ applications listed below have been dismissed from law suit.

35-8061
34-7425
* 35-7966
35-7967
35-7969
35-8189
36-8136
47-7901
36-8168
36-8208
35-8059
35-8058
34-7410
34-7247
35-8018

MICROFILMED

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

Aug. 1, 1983

Melvin R. Funk
Rt. 1, Box 142
American Falls, ID 83211

RE: Permits Nos.: 35-7966, 36-7967, 36-7969, 36-7972

Dear Mr. Funk:

As another step in our continuing effort to determine rates of flow for the above referenced Applications for Permit, we have measured the rates of flow on the existing irrigation systems. The data obtained from the systems is tabulated below:

App. No.	Rate of Flow Requested(cfs)	Rate of Flow Measured(cfs)	Approx. Acres Irr.	Rate of Flow/ Acre(cfs/acre)	Remarks
35-7966	3.56	2.53	160	0.016	
35-7967	2.94	3.46	240	0.014	1.2 cfs, same land Lic. 35-7786
35-7969	7.13	7.75	320	0.024	
35-7972	4.46	2.28	200	0.011	

Based on this data, we have determined that a rate of flow of greater than 0.02 cfs/acre is not warranted. While it is true that one system was measured to produce more than this rate, the other three showed less. Therefore, we plan to issue all four permits for 0.02 cfs per acre. If the contract between the State of Idaho and Idaho Power Company is not modified significantly from the current draft, the applications will be eligible for approval when the contract is signed, and when the applications are subsequently dropped from the Idaho Power Co. lawsuit.

MICROFILMED

If you have further questions or comments on this matter, feel free to contact this office.

Sincerely,

Norman C Young

NORMAN C. YOUNG, Administrator
Resources Admin. Division

NCY:DRT:sc

cc: Eastern Region

MICROFILMED

Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

35-7966
Application ~~Permit~~ No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 6-17-83 Accompanied by Mel Funk Total Q measured 2.53 cfs
If source is surface water, estimate total flow of source
Methods of measurement Eagle Eye Meter Meets Permit requirements?

Measurement calculations: $(9.75"ID)^2 \times 3.85 \times \sqrt{9.64}$ Annubar
1136.53pm or 2.53 cfs

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	200	GE	ECJ5174	Berkeley	NA			

System Description well/pump to 8 wheel lines

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Total				

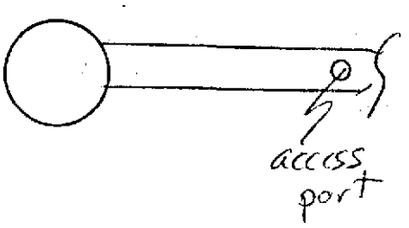
Remarks

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: _____

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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 _____

MICROFILMED

Examiner's Signature A.W. Jones Date _____

Checked by _____ Date _____

Approved by _____ Date _____

Bed Bnd

PERMIT NO. 35-796 (Name) M Funk

Accompanied by:

EXAMINATION: DATE: 6-17-85

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
GE	200	EC5517161	~~AEA~~	
			Berkely	

Measuring Device Type:

Meter # 0-10 Annubar# Size # 7.9

Remarks:

Measurement calculations: 8 wired lines

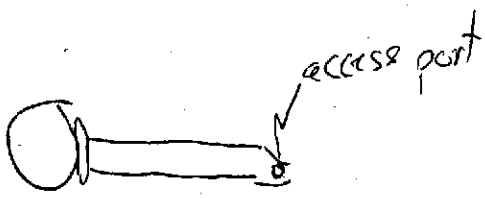
9.8" Annubar (9.64 corrected)

1136.5 gpm

2.53 cfs

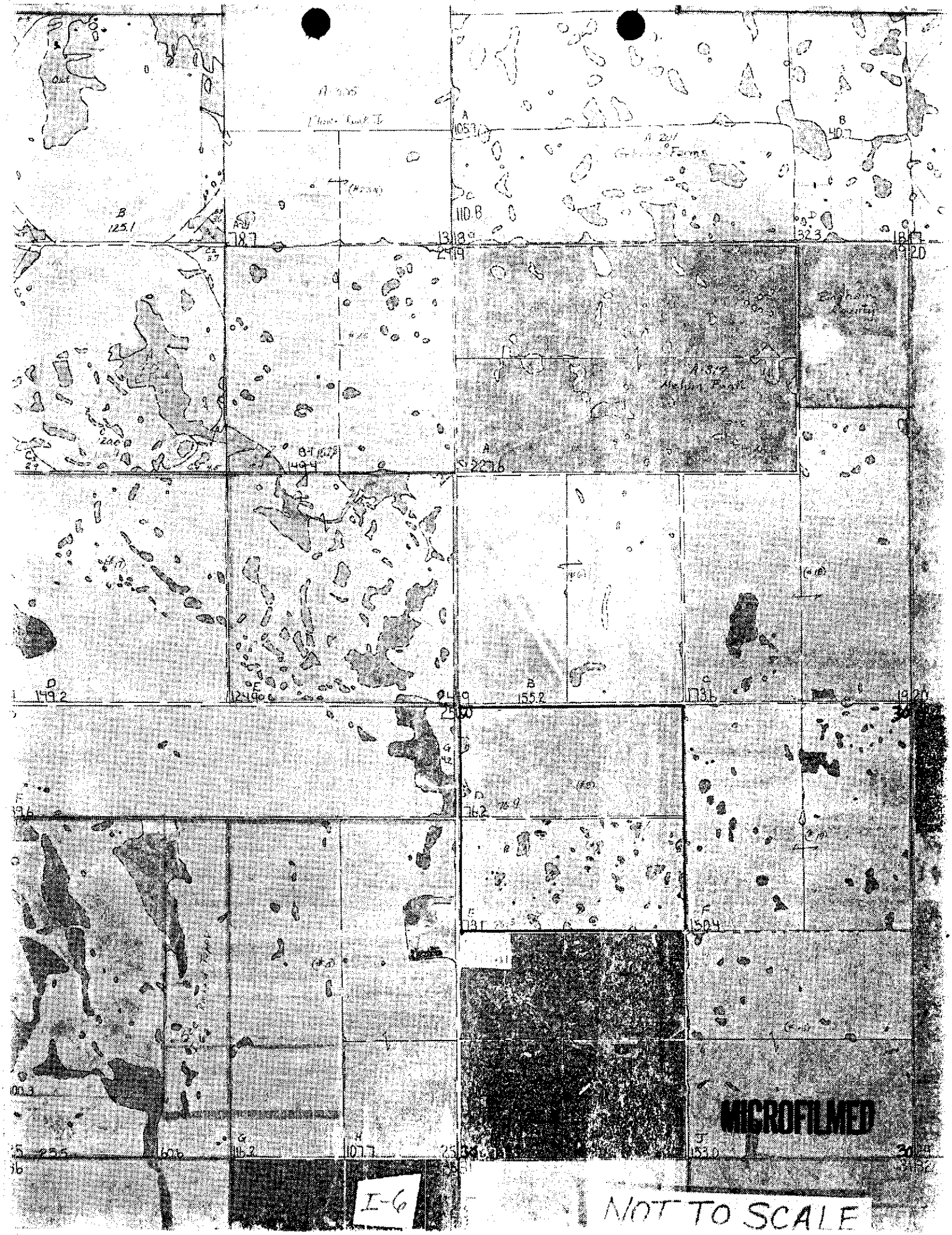
SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter 9.75 Length



MICROFILMED

35-7466



MICROFILMED

I-6

NOT TO SCALE

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 5/26/83

TO Ernie Carlsen

SUBJECT

Per our discussion, please have someone examine the actual output of Mr Funks irr systems. If Skip could measure more than one the results would be more credible.

Thanks, Dave

SIGNATURE

[redacted]

ACTION REQUIRED

5/25/83

FROM: Norm

TO: Tuthill

(1) These apps will be subject to approval when Gov. + Ipco sign contract and Ipco drops these filings from the lawsuit. This could happen on rather short notice. If measurements are made they should be made soon.

(2) Verl's arguments on management are well taken except that on a large g.w. reservoir diversion rate is not all that important if seasonal volume

is limited to prevent waste. Perhaps ultimately our decision ought to be guided by the Wolfenboard review of G.W. policy.

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 5/11/83

TO Norm Young

SUBJECT (See Verl King's memo)

Since there is much controversy on this excessive rate of flow, and since there is no rush to approve these apps in light of Swan Falls, and since as you mentioned, the precedence in allowing > 1"/acre for a g w right with a sprinkler system is critical to us, I suggest that we have an examiner measure the output on one of these systems this summer.

Dave

SIGNATURE

To: Dave Tulhill 10 May 1983

FROM: [redacted]

SUBJECT: Check on Ms. Funk Water Needs

CHECK:

2.5 AC-IN / 5.5 DAYS = 0.4545"/DAY

(= 0.3182"/DAY @ 70%)

0.4545"/DAY = 0.0189 CFS/AC FOR 24 HR. DAY.

ASSUMING 22 HRS/DAY IRR. Q = 0.0206 CFS/AC.

@ 23 HRS/DAY " " = 0.0198 " "

I have problem with the 20 hr. day or 10 hr sets used by Ms. Funk in his system operation. Normally 30 minutes should be more than needed to move a wheel line. Allowing an hours for the move shows his use would about equal the 0.02 CFS/ac allowed.

This matter is similar to others we have encountered in the past. Should the state allow additional water use to replace irrigation management? Assume Ms. Funk wanted to shut off his sprinklers for a week-end during the peak season to go fishing (a legitimate reason!). Should the state allow him to have a larger flow right so he can catch up on his irrigation after the week-end?

MICROFILMED

MEMORANDUM

TO: Veal King
FROM: Dave Tuthill
Date: May 6, 1983

Mr Funk has contended that his system operation is as follows:

each wheel line has 2 sets/day, 10 hrs/set
11 total sets/line, so irr freq. = 5.5 days

He estimated that each set receives 123 hrs of irr/yr, with an app. rate of .25 in/hr. This amounts to 30.75"/yr.

Bulletin 516 shows the Consumptive irr reqmt (max) for potatoes to be 21.30". Therefore Mr. Funk's figures are reasonable if irrigation eff = ~70%.

The rate of flow required to provide $\frac{2.5 \text{ ac-in}}{\text{acre}}$ per 5.5 days is:

$$\frac{2.5 \frac{\text{ac-in}}{\text{acre}}}{5.5 \text{ days}} \times \frac{1 \text{ ft}}{12 \text{ in}} \times \frac{43560 \text{ ft}^2}{\text{acre}} \times \frac{1 \text{ day}}{24 \text{ hrs}} \times \frac{1 \text{ hr}}{3600 \text{ sec}} = 0.0191 \frac{\text{cfs}}{\text{acre}}$$

If irrigation is @ 20 hrs/day, then rate req'd = $0.0191 \times \frac{24}{20} = 0.0229 \frac{\text{cfs}}{\text{acre}}$ (1.14 "/ac)

Check

@ 0.0229 cfs/acre, the amt of water applied in 123 hrs x 11 sets = 1353 hrs

would be: $1353 \text{ hrs} \times \frac{1 \text{ day}}{24 \text{ hrs}} = 56.4 \text{ days} \times 0.0229 \frac{\text{cfs}}{\text{acre}} \times 1.98 \frac{\text{AF}}{\text{cfs day}} =$

$= 2.56 \text{ ft} \times \frac{12"}{\text{ft}} = 30.7"$ ✓

MICROFILMED

Check max demand:

Per Jim Wright (ARS in Kimberly), max weekly ET demand in the Kimberly area for potatoes = .32"/day

Bulletin 561 shows consumptive use for Aberdeen to be only about .80 of that at Twin Falls, but to be conservative, assume they are the same.

∴ to satisfy peak demand, each 5.5 days there should be added to the soil moisture $.32"/day \times 5.5\ days = 1.76"$,

If 2.5" are added at each set, then eff must be $\frac{1.76}{2.5} = 70\%$ to satisfy this, which is attainable with sprinklers.

MICROFILMED

ACTION REQUIRED

FROM: [illegible]

TO: Tuthill

5/3/83

Have Verl look @

Qex. again.

Form No. 202a
3/79

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7966

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: Funk 35-7966

CHECK:

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

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Needs Justification (Amount of Permit 3.56 cfs too large only 3.2 cfs for 1"/acre.

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☑ No Platted by: _____ Map No. _____
- ☐ Yes ☑ No Other rights on same place of use. _____
- ☑ Yes ☐ No* In form for advertising.
  Final date for protests: April 20
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: _____
- ☐ 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? 01
- 3/23/81 Date of priority recommended.

Special conditions of approval or cover letter. _____

app. dismissed 6/28/85 - kw

By: _____ Date: _____

STATE OFFICE REVIEW:

L03, L05, L17 26 01C

☐ See attached sheet for more information.
By: kw Date: 6/28/85

not released in S-1180 contract
kw 1/18/85
not released 6/19/85 kw

MICROFILMED

RECEIVED
MAY 02 1983
Department of Water Resources

CONVERSATION MEMORANDUM

DATE April 28, 1983

FILE 35-7966/7967/7969/7972

NAME OF PARTY Mrs. Sheila Funkhouser

EMPLOYEE Ernie

RE: While talking with Mrs. Sheila Funkhouser, secretary for Mel Funk Farms, this morning by telephone, I advised her the State Office had completed its review of the above captioned applications and concluded they should not be approved for more than 1 inch per acre. Furthermore, I advised her the applications would be held in the Eastern Regional Office until the issue of subordination of Idaho Power's water rights on Swan Falls has been resolved. I indicated when final action could be taken I would forward the applications with a recommendation that they be approved for one inch per acre unless Mr. Funk provided additional information in the meantime.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

TO ERNIE CARLSEN

RECEIVED
APR 27 1983
Department of Water Resources
Eastern District Office

DATE 4/22/83

SUBJECT

Attached

Mr Funk never visited this office, to the knowledge of Glen, Bob, Norm & myself. I suggest we place copies of Verl's memo in each of the four attached files & treat them as we do other Swan Falls trib apps. (You may wish to contact Mr. Funk)

Dave
SIGNATURE

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

Tuthill Dnr

April 18, 1983

RECEIVED
APR 27 1983
Department of Water Resources
Eastern District Office

MEMO

TO: Norm Young (NY)

FROM: Verl G. King

SUBJECT: MELVIN R. FUNK WATER PERMITS

I have reviewed the Dale D. Stukenholtz, Ph.D. letter on water requirements for irrigating potatoes and have the following comments.

It is unrealistic to consider sporadic evapotranspiration measurements when designing an irrigation system. We base our analysis on maintaining at least 50% of the available soil moisture in the soil profile at the end of the irrigation rotation period. This is to prevent moisture stress on the plant and provide for a high quality potato. The only way a temporary moisture stress could be prevented for evapotranspiration of the rate suggested (0.40 acre inches per hour - I feel he must have his units or decimal in error) is to have a solid set system in full operation at the time of peak use. A lateral system would only protect the area of the field where the laterals are set.

I feel our method of analyzing water needs is realistic and based on sound data. The comments of Dr. Stukenholtz do not change this.

VGK:mb

MICROFILMED

ACTION REQUIRED

FROM: Ernie

April 6, 1983.

TO: Dave Tuthill

RE: 35-7966/7967/7969/7972

These applications are all q. excessive. Mr. Funk, who is a very large operator (farmer) in the American Falls area, had been relying on one of his employees to follow thru on these requests. Unfortunately the employee quit and justification was never received. Recently, after several phone calls over the past couple of years by myself, Mr. Funk finally submitted justification. However, with the ~~Idaho~~ ~~Dam~~ Falls decision, I advised him of the Dept.'s position on approving new permits. Since failure to get these permits issued, ~~at~~ even at 0.02 c/s/ac. could financially bankrupt Mr. Funk., he will probably make a special trip to Boise to contact legislators and lobby for a subordination bill and to meet with Dept. staff about recommending final action on these applications. I don't know the date he will be in Boise, but it probably would benefit Mr. King if he or one of his staff ~~had~~ reviewed these prior to meeting with Mr. Funk. Please see that these applications are routed to the appropriate individual.

Thanks.

DIRECTOR DEPARTMENT OF WATER RESOURCES!

I HEREBY SUBMIT THESE LETTERS FROM STUKENHOLTZ LABORATORY AS JUSTIFICATION FOR THE EXCESSIVE AMOUNT REQUESTED IN THE APPLICATION NO'S. 35-7966 35-7967 35-7969, 35-7972

Melvin K. Funk

RECEIVED
MAR 8 1983
Department of Water Resources
Eastern District Office

MICROFILMED

Stukenholtz Laboratory

DIVISION OF AGRI-SCIENCE CONSULTING, INC.

ADDISON AVENUE EAST • BOX 353 • 734-3050

TWIN FALLS, IDAHO 83301

RECEIVED

MAR 8 1983

Department of Water Resources
Eastern District Office

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 peroid 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.

MICROFILMED

At adequate pressure of about 60 psi, these 14 lines will require 2460 gpm which is 5.47 cfs on 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 dificiency 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

MICROFILMED

CONVERSATION MEMORANDUM

DATE 8-12-82

FILE 35-7966/7967/7964/7972

NAME OF PARTY _____

EMPLOYEE Ernie.

RE: Shoda Funkhouser has been retained by Funk Farms to complete the paper work on Mr. Funk's 2 rights. She is fully called for an explanation on why they removed the 7 cards which are to be used for notifying the Dept. that construction of the diversion works has been started. Following my explanation I asked her if she knew what Mr. Funk wanted done with the 4 applications we were still holding for justification of the water in excess of one inch / acre. She did not know but indicated she would speak to Mr. Funk about the applications.

MICROFILMED

35-7969.

INTER-DEPARTMENT MEMO — 1

FROM Ernest

DATE July 20, 1981.

TO Dave.

SUBJECT Appl. for Permit 35-7974/7975, Melvin Funk.

On 5/26/81 the above app.s were forwarded to the state office along with the justification for excessive Q. Three other app.s by the same individual requiring similar justification are being retained in Eastern pending a determination regarding the ~~acceptabi~~ justification. We would appreciate some info. on status of state office review.

Thanks.

SIGNATURE

Hold file 35-7966/7967/7969

April 23, 1981

Melvin R. Funk
Rt. #1, Box 142
American Falls, Idaho 83211

RE: Applications of Permit 35-7969; 35-7967; and 35-7966

Dear Mr. Funk:

The Eastern Regional Office has completed the initial processing of the above mentioned applications. However, before they can be forwarded to the State Office for final action, you will need to provide justification for the water requested in excess of one miners inch per acre.

To prevent unnecessary delays, it is hoped yourcan give this matter your immediate attention. Feel free to contact me should you have any questions.

Respectfully submitted,

ERNEST M. CARLSEN
Sr. Resource Analyst

EMC:brs

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

---

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MARCH 27, 1981

The Blackfoot News
P. O. Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 20, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

35-7966_

FUNK, MELVIN R.

RT. 1 BOX 142, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 03/23/1981

Amount: 3.56 CFS

Diversion Point: NWNW Sec 30 T 06S R 30E, BINGHAM Co.

Use: IRRIGATION (3.56 CFS) from 04/01 to 11/01

Place of Use: NENW NWNW SWNW SENW Sec 30 T 06S R 30E FOR 160 ACRES

Diversion Means: WELL, PUMP & SPRINKLERS.

MICROFILMED