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DEVELOPED

T-6S

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7917 Priority September 11, 1980 Amount 4.11 cfs

THIS IS TO CERTIFY, that Elmer Funk Jr.
of Aberdeen, Idaho, has complied with the terms and conditions of Permit
No. 35-7917 issued pursuant to Application for Permit dated September 11, 1980,
and has submitted proof to the Department of Water Resources on May 19, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.11 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from April 1 to November 1</u>	<u>at 4.11 cfs</u>	<u>and 857.5 acre feet</u>
	<u>from _____ to _____</u>	<u>_____ cfs</u>	<u>and _____</u>
	<u>from _____ to _____</u>	<u>_____ cfs</u>	<u>and _____</u>

(both dates inclusive)

Subject, however, to the condition that no more than 4.11 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
857.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13,
Twp 6S, Rge 29E in the County of Power

Description and location of 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									32	24	34	35					125
		24					31	35	28	26									120

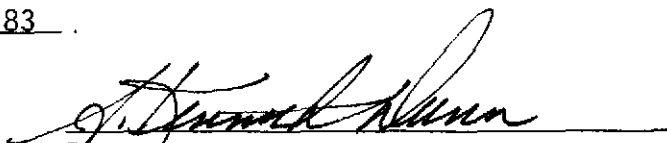
Total number of acres irrigated 245

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of

August, 19 83.


Director

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 Elmer Funk, Jr. Phone 397-4960

Post office address Rt. #1, Box 94, Aberdeen, Idaho 83210

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 6S

Range 29E B.M. Power County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.4 cfs for Irrigation purposes from Apr. 1 to Nov. 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:

a. 6.4 cfs. cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 350 H.P. pump, 2 mainlines, 2 center pivots

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 _____ inches; proposed depth of well is _____ 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: _____

MICROFILMED

[illegible]

320

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

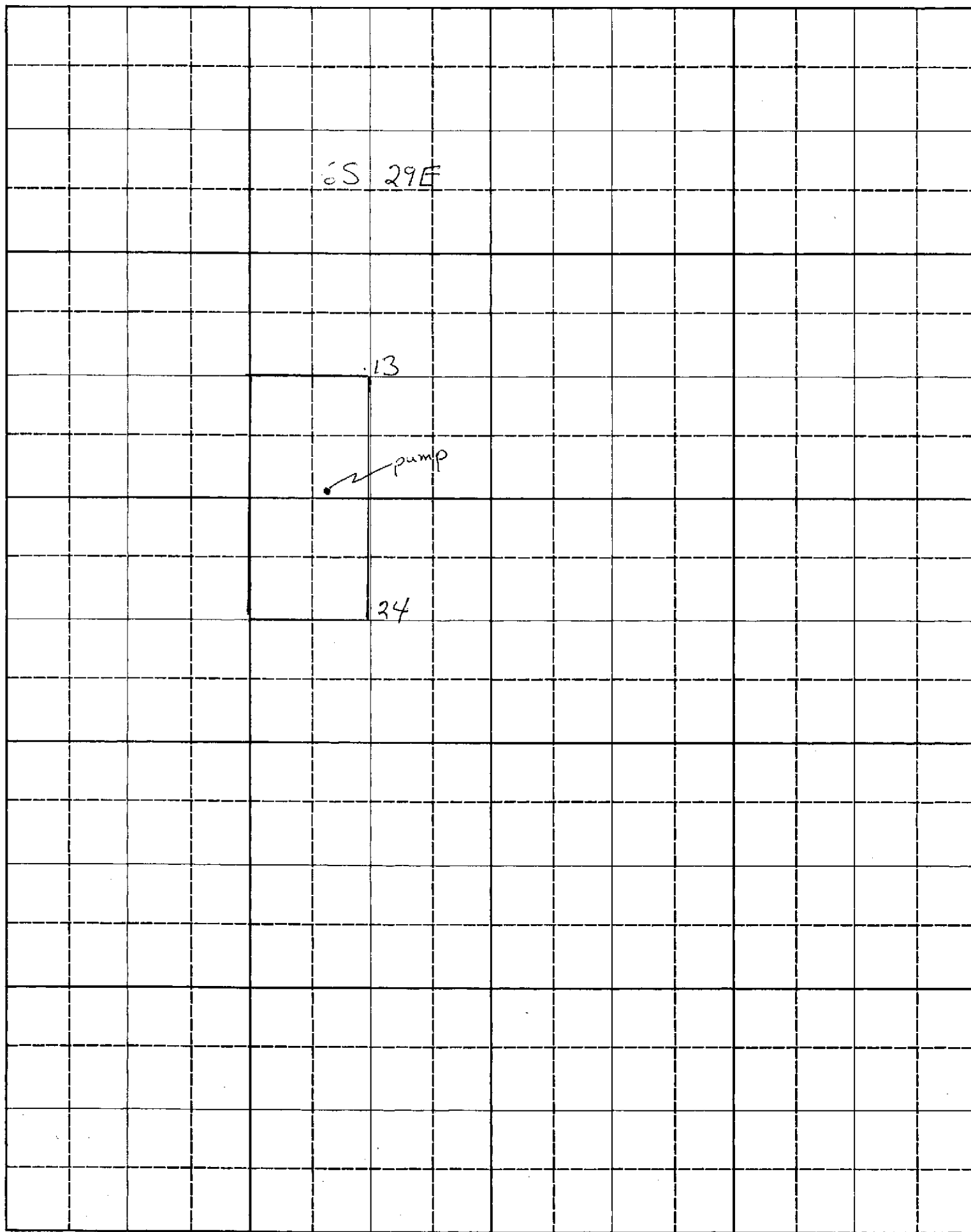
Who owns the property at the point of diversion

Applicant

Who owns the property at the point of diversion	Applicant
Who owns the land to be irrigated or place of use	Applicant

10. Remarks	

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.

Edward F. Smith
(Applicant)

Proposed Priority 9/11/80

Received by CU Date 9/11/80 Time 1:55
Preliminary check by #J Fee \$ 165.00
Received by CU Date 9/22/80 # 16019
Publication prepared by CU Date 9/25/80
Published in Power Co. Record
Publication dates 10/2 + 10/9/80
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date, _____
Recommended for approval denial by SMC RA

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. 35-7917, 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 _____ November 1, 19 85.
- 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.

Witness my hand this 16th day of November, 19 80.

D. Allen Saylor

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER }

s.s.

.....Brett Crompton..... being first duly sworn

on oath, states:

Thathe..... is theManager Editor.....
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 for2.....
successive weekly issues thereof, the date of the first publica-

tion being the1..... day ofOct....., 1980

the date of last publication being the

.....9..... day ofOct....., 1980

(Signed) Brett Crompton

Subscribed and sworn to before me this

.....9th..... day ofOct....., 1980

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

My Commission expires the

(SEAL)

.....1st..... day ofApril....., 1981

Legal notice

Published in the Power County
Press Oct. 1, 1980 and Oct. 9, 1980.

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.

35-7917

FUNK, JR., ELMER
RT. 1 BOX 94, ABERDEEN, ID
83210

Source: GROUNDWATER

Date Filed: 09/11/1980

Amount: 6.40 CFS

Diversion Point: SESW Sec 13 T

06S R 29E, POWER Co.

Use: IRRIGATION (6.40 CFS)

from 04/01 to 11/01

Place of Use: NESW NWSW

SWSW SESW Sec 13 T 06S R 29E

NENW NWNW SWNW SENW Sec

24 T 06S R 29E FOR 320 ACRES

Diversion Means: WELL, PUMP &
PIPELINE

If issued, the permit(s) will be
subject to all prior water rights. Pro-
tests against the granting of any per-
mit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Fall, Idaho 83401 on or
before OCTOBER 20, 1980.

C. STEPHEN ALLRED
Director

RECEIVED

OCT 14 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS JUL 20 1982

Permit No. 35-7917 Department of Water Resources
Name(s) of Permit Holder(s): ELMER FUNK JR Eastern District Office
Post Office Address: RT #1 BOX 94 ABERDEEN
IDAHO Tel. 397-4870

☒ I hereby certify that construction of diversions for the above referenced permit began on 1 JULY 1982. 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 diverting works on the above referenced project has not yet begun due to the following reason beyond my control:~~
LICENSING EXAM HAS BEEN COMPLETED
AND SENT TO BOISE 7/29/82

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

Date

Signature of Permit Holder

PLACE
STAMP
HERE

RECEIVED



MICROFILMED

JUL 26 1988

JUL 23 1988

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources

August 17, 1983

RE: Permit No. 35-7917

Elmer Funk Jr.
Route 1, Box 94
Aberdeen, ID 83210

Dear Mr. Funk:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED



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

June 24, 1983

Elmer Funk, Jr.
Rt. 1, Box 94
Aberdeen, ID 83210

Dear Mr. Funk:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7917, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 4.11 cfs Source: groundwater

The maximum quantity diverted shall not exceed 857.5 acre feet
per year.

Point(s) of diversion: SESW, Sec. 13, T. 6 S., R. 29 E.

Beneficial use: Irrigation of 125 acres in the SW $\frac{1}{4}$, 120 acres in the NW $\frac{1}{4}$,
Sec. 13, T. 6 S., R. 29 E.

Priority date established: 9-11-1980

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

Q check ^{may be high}

$$Q = \frac{H_p (.8) (8.8)}{T_L + 2.3 (\text{psi})}$$

$$4.11 = \frac{350 \downarrow (.8) (8.8)}{T_L + 2.3 (80)} = \frac{2464}{T_L + 184}$$

$$T_L = \frac{2464 - 184}{4.11} = \frac{554.7}{\nearrow \text{extreme depth}}$$

Assumed efficiency

may be too high.

7-15-83

Jim

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

35-7917

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 7-14-80 Accompanied by Elmer Funk Total Q measured 4.11 cfs

If source is surface water, estimate total flow of source

Methods of measurement Annular Meets Permit requirements? YES

Measurement calculations:

$V = 245 \text{ acres} \times 3.05 \text{ af/y}$
 $\approx \underline{\underline{857.5 \text{ af/y}}}$ ✓

$(10^4 \text{ TD})^2 \times 3.85 \times \sqrt{23}$ capacity
 $1846 \text{ gpm} \div 448.8 = \underline{\underline{4.11 \text{ cfs}}}$

$245 \text{ acres at } 0.02 \text{ ds} = 4.90 \text{ cfs}$

$V = 4.11 \text{ cfs} \times 1.9835 \times 2146 \text{ yds}$
 ≈ 1744.5

[illegible]

System Description well/pump to mainline running North + South to 2 TNL
Pivots.

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

RECOMMENDED AMOUNTS

USE

Irrigation requirement = 3.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TO

Irrigation

4.10

857.5

4-1

11-1

Total

411

857.5

Remarks

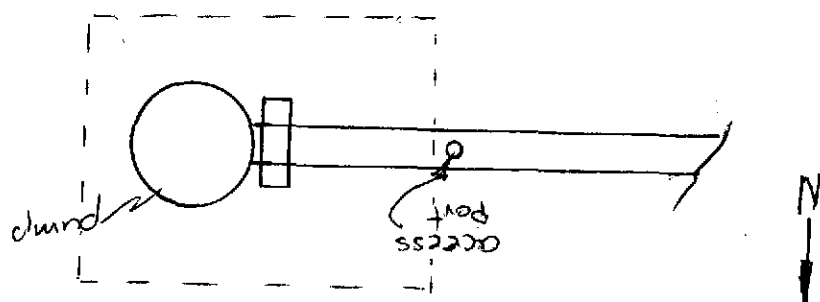
Remarks
No Overlapping rights

re
K. C. Jones

1-8-82
1-12-82
5/6/83

☒ NonePlace(s) of Use

Points of diversion: SE $1/4$ of SW $1/4$ Section 13 T6S R29E



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

SCHEMATIC DIAGRAM OF SYSTEM

A hand-drawn map on a grid showing a coastline. The coastline is represented by a series of connected line segments. Three points are marked on the coastline:

- Point 1: A small circle with an arrow pointing to it, labeled "Point of Diversion".
- Point 2: A small circle.
- Point 3: A larger circle.

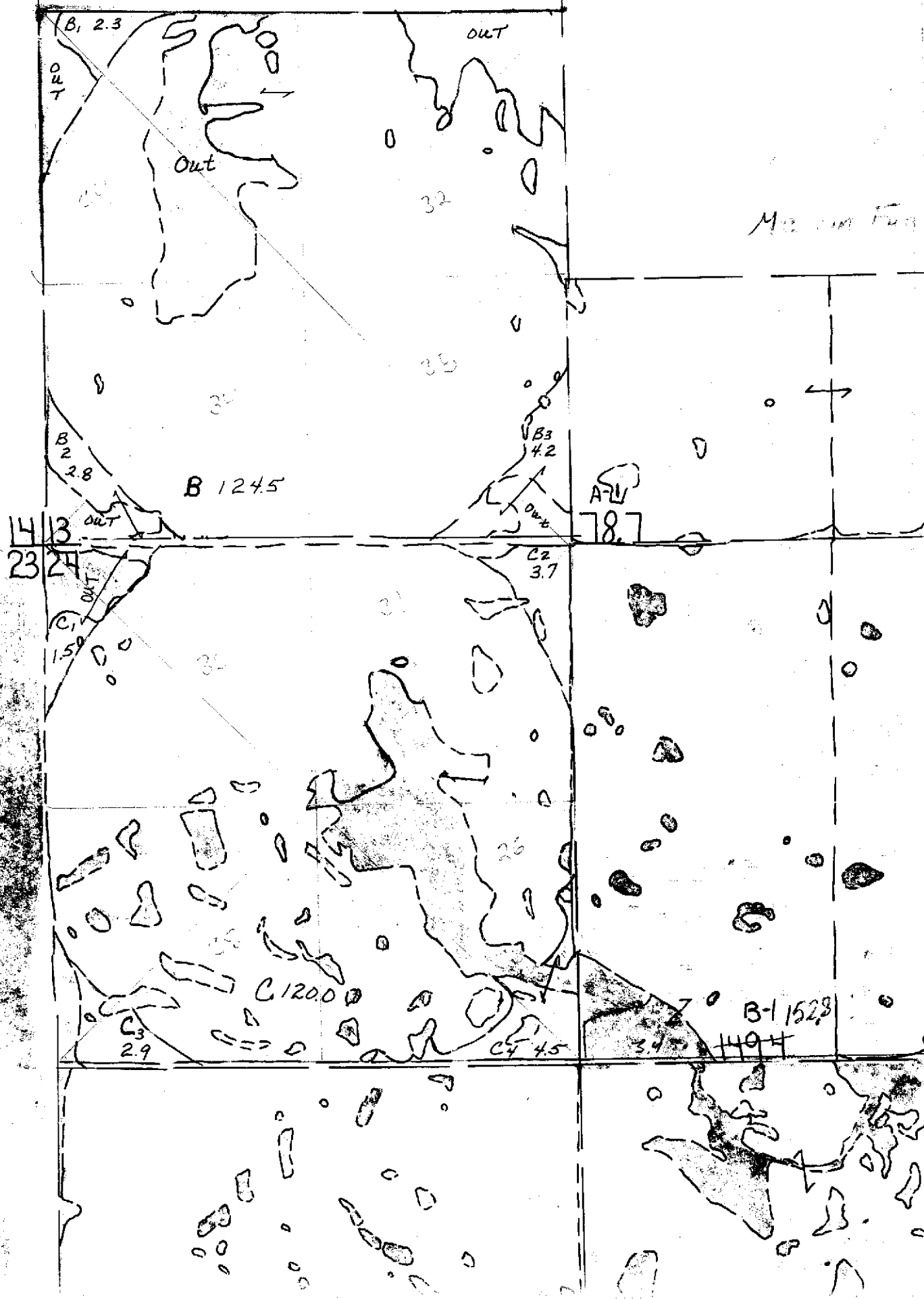
The text "R29E" is written near Point 2. A vertical stamp "MIP-2001" is on the right side of the grid.

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35-7917 HWT

R 29 E

CS1
Box 4
Slide 1



T-6S

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7917.

Name(s) of Permit Holder: Elmer Funk Jr.

Post Office Address: RR#1 Box 94

Aberdeen Idaho Tel. No. 397-4870

Source of Water: Snake River Aquifer

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>320</u>	(acres)
☐ Other	

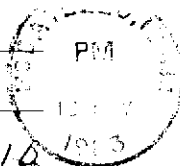
Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☒ No
Access Port:	Required?	☒ Yes ☐ No	Installed?	☒ Yes ☐ No

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

5-16-83
Date

Elmer Funk Jr.
Signature of Permit Holder

Elmer Fort Jr.
RR#1 Box 94
Aberdeen Idaho 83210



RECEIVED



1963

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES



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

May 12, 1983

RE: Permit No. 35-7917

Elmer Funk Jr.
Route #1, Box 94
Aberdeen, ID 83210

Dear Mr. Funk:

On July 14, 1980, a representative from our Eastern Regional Office conducted a field examination for the above referenced permit. However, in reviewing the file, I find that you have not submitted proof of beneficial use as of this date.

I have enclosed the proof of beneficial use postcard for you to complete and return to our office. Once we are in receipt of the postcard, we will be able to issue a license based upon the field examination.

If you have any questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure

A vertical, rectangular stamp or mark, possibly a date stamp, is located below the signature block. It appears to contain some text, but it is too faint and oriented vertically to be legible.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FUNK, JR., ELMER
RT. 1 BOX 94
ABERDEEN, ID 83210

DECEMBER 01, 1980

RE: PERMIT NO. 35-7917

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

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7917

INITIAL REVIEW BY: Skip

APPLICATION NUMBER: Funk
35-7917

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.
☒ 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: _____

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
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: Skip Map No. GS 29E Basin 35
Other rights on same place of use. _____
In form for advertising. _____
Final date for protests: Oct. 20 ✓
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10-14-1980 ✓
☒ 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? _____
7-11-1980 Date of priority recommended.
Special conditions of approval or cover letter. _____

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By: Ernest Carlson

Date: 10-29-1980

STATE OFFICE REVIEW:

SLW/LO3

OIC

- ☐ See attached sheet for more information.

By: Robyn

Date: 11/7/80

September 26, 1980

RE: Application for Permit No. 35-7917

Elmer Funk, Jr.
Route #1, Box 94
Aberdeen, ID 83210

Dear Mr. Funk:

Attached herewith is Departmental Receipt No. 16019 in the amount of \$165.00 for the above referenced application for permit.

Sincerely,

KAY WALKER
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

SEPTEMBER 25, 1980

Power County Press
174 Idaho Street
American Falls, Idaho 83211

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 OCTOBER 20, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

Published in the Power County
Press Oct. 1, 1980 and Oct. 9, 1980.
**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.

35-7917

FUNK, JR., ELMER
RT. 1 BOX 94, ABERDEEN, ID
83210

Source: GROUNDWATER

Date Filed: 09/11/1980

Amount: 6.40 CFS

Diversion Point: SESW Sec 13 T
06S R 29E, POWER Co. *of 25*

Use: IRRIGATION (6.40 CFS)
from 04/01 to 11/01

Place of Use: NESW NWSW
SWSW SESW Sec 13 T 06S R 29E
NENW NWNW SWNW SENW Sec
24 T 06S R 29E FOR 320 ACRES
Diversion Means: WELL, PUMP &
PIPELINE

If issued, the permit(s) will be
subject to all prior water rights. Pro-
tests against the granting of any per-
mit must be filed with the Director
of the Idaho Department of Water
Resources, 1515 Lincoln Road,
Idaho Fall, Idaho 83401 on or
before OCTOBER 20, 1980.

C. STEPHEN ALLRED
Director

RECEIVED

SEP 30 1980

Department of Water Resources
Eastern District Office

35-2912-

FUNK, JR., ELMER

RT. 1 BOX 94, ABERDEEN, ID 83210

Source: GROUNDWATER

Date Filed: 09/11/1980

Amount: 6.40 CFS

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

Use: IRRIGATION (6.40 CFS) from 04/01 to 11/01

Place of Use: NESW NWSW SWSW SESW Sec 13 T 06S R 29E NENW NWNW SWNW SENW
Sec 24 T 06S R 29E FOR 320 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

September 2, 1980

Elmer Funk Jr.
Rt. #1, Box 94
Aberdeen, Idaho 83210

Dear Mr. Funk:

Enclosed you will find your application for permit. An application for 6.4 cfs. of water must be accompanied by a fee of \$165.

Since I have already done the examination and measurement of this system, it would be advantageous to return this as soon as possible to establish a priority date. If you have any questions, please feel free to call or contact this office.

Sincerely,

Harold W. Jones
Water Resource Agent

HWJ:brs

enclosure: 1

RECEIVED

SEP 11 1980

Department of Water Resources
Eastern District Office

MICROFILMED