

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

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

on oath, states:

Thathe..... is theEditor.....
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 the23..... day ofDec....., 19.....81

the date of last publication being the

.....30..... day ofDec....., 19.....81

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....30..... day ofDec....., 19.....81

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

My Commission expires the

(SEAL)

.....*Life*..... day of19.....

Legal Notice

Published in the Power County
Press Dec. 23 and Dec. 30, 1981.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 35-7786 *OK*

Notice is hereby given that Melvin
R. Funk, American Falls, Idaho has
applied to the Department of Water
Resources for a change in the point
of diversion of the waters of a
groundwater source. The right
sought to be changed is evidenced by
License No. 35-7786 and is recorded
as follows:

AMOUNT: 1.20 cfs

PRIORITY: 2/13/1978

POINT OF DIVERSION:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 6S, R. 29E,
B.M., Power County.

The water is used to irrigate 60
acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within
the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 6S, R.
29E, B.M., Power County.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
150 Shoup, Idaho Falls, Idaho,
83402, on or before January 11,
1982.

A. KENNETH DUNN
Director

RECEIVED

DEC 31 1981

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

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newspaper and not in any supplement thereof for2.....
successive weekly issues thereof, the date of the first publica-

tion being the1..... day ofApril....., 1981

the date of last publication being the

.....8..... day ofApril....., 1981

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....2..... day ofApril....., 1981

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

My Commission expires the

(SEAL)

.....life..... day ofApril....., 19.....

RECEIVED

APR 14 1981

Department of Water Resources
Eastern District Office

Legal Notice

Published in the Power County
Press April 1, 1981 and April 8, 1981.
NOTICE OF PROPOSED AMEN-
DING OF WATER PERMIT

Notice is hereby given that Permit
No. 35-7786 in the name of Melvin
R. Funk was issued for the diversion
of 2.4 cfs of water from ground-
water sources with the points of
diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
25; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36;
T. 6S, R. 29E, Power County; to be
used for the irrigation of 120 acres
from April 1 to November 1 within
the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25,
T. 6S, R. 29E.

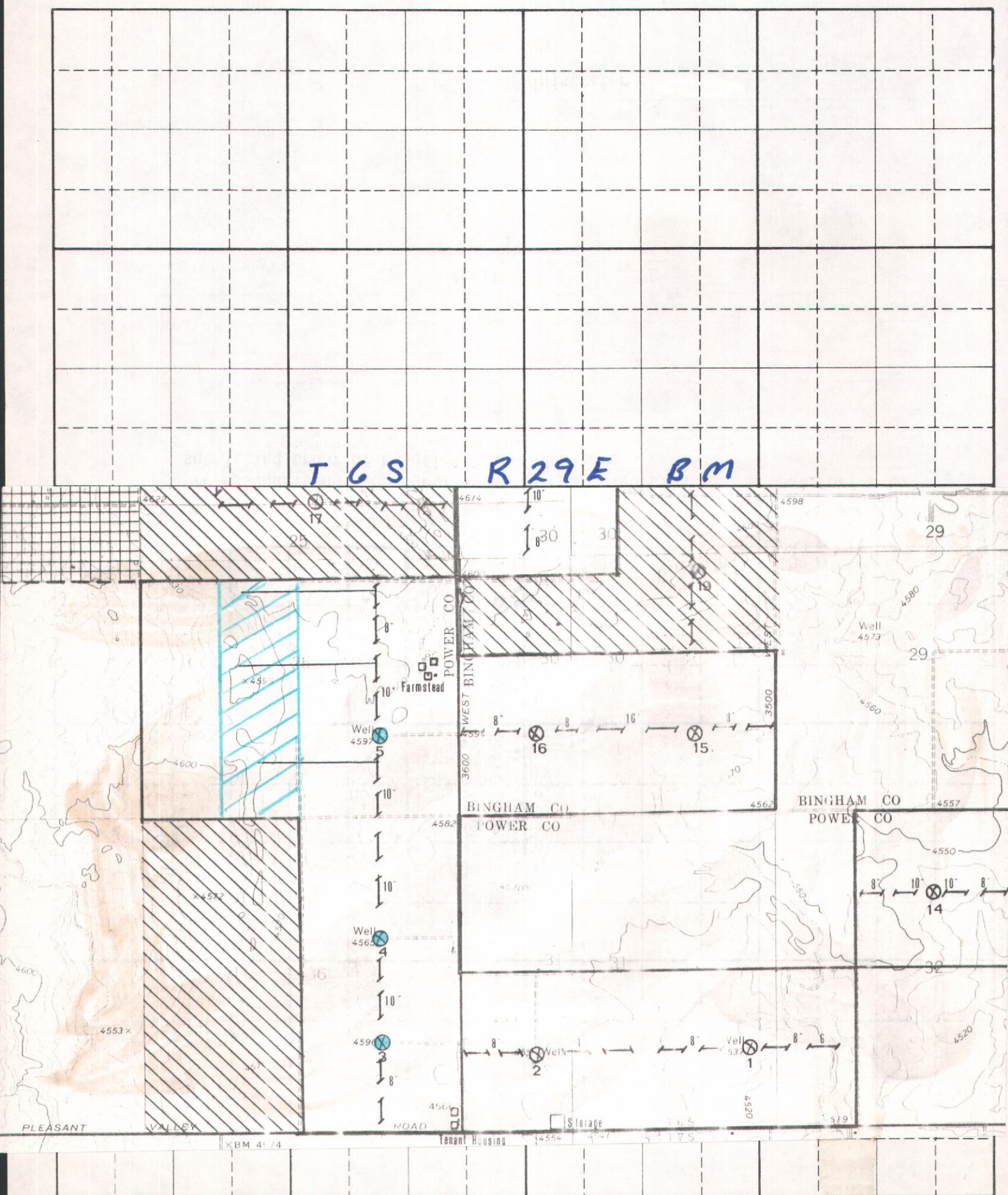
The permit holder now proposes
to amend Permit No. 35-7786 chang-
ing the point of diversion to within
the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 6S, R.
29E, Power County.

Any protest to the proposed
amending of the permit must be filed
with the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho
Falls, Idaho, 83401, on or before
April 20, 1981.

C. STEPHEN ALLRED
Director

VOID

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
Melvin R. Funk
(Applicant)

Affidavit of Publication

STATE OF IDAHO
COUNTY OF POWER } S.S.

RECEIVED

MAR 6 1978

Department of Water Resources
Eastern District Office

Phyllis Ringe being first duly sworn
on oath, states:

That ~~she~~ is the ~~principal clerk of~~ the printer
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 23rd day of February, 1978

the date of last publication being the

~~and~~ day of March, 1978

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

3rd day of MARCH, 1978

Anita Sheard
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

15th day of MARCH, 1978

Legal notice

Published in the Power County Press
February 23 and March 2, 1978

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin R.
Funk, American Falls, Idaho has on
2-13-78 submitted Application No. 35-7786
for a permit to appropriate 2.40 cubic
feet per second of water from ground-
water sources by means of wells and pumps
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 6S, R. 29E, B.M.,
Power County; to be used from Apr. 1
to Nov. 1 for the irrigation of 120 acres
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25,
T. 6S, R. 29E, B.M.

If issued, this permit will be subject to
all prior water rights. Protests against the
granting of the permit must be filed with
the Idaho Department of Water Resources,
1515 Lincoln Road, Idaho Falls, Idaho,
83401 on or before March 13, 1978.

C. Stephen Allred
Director

Rge 29E

Rge 30E

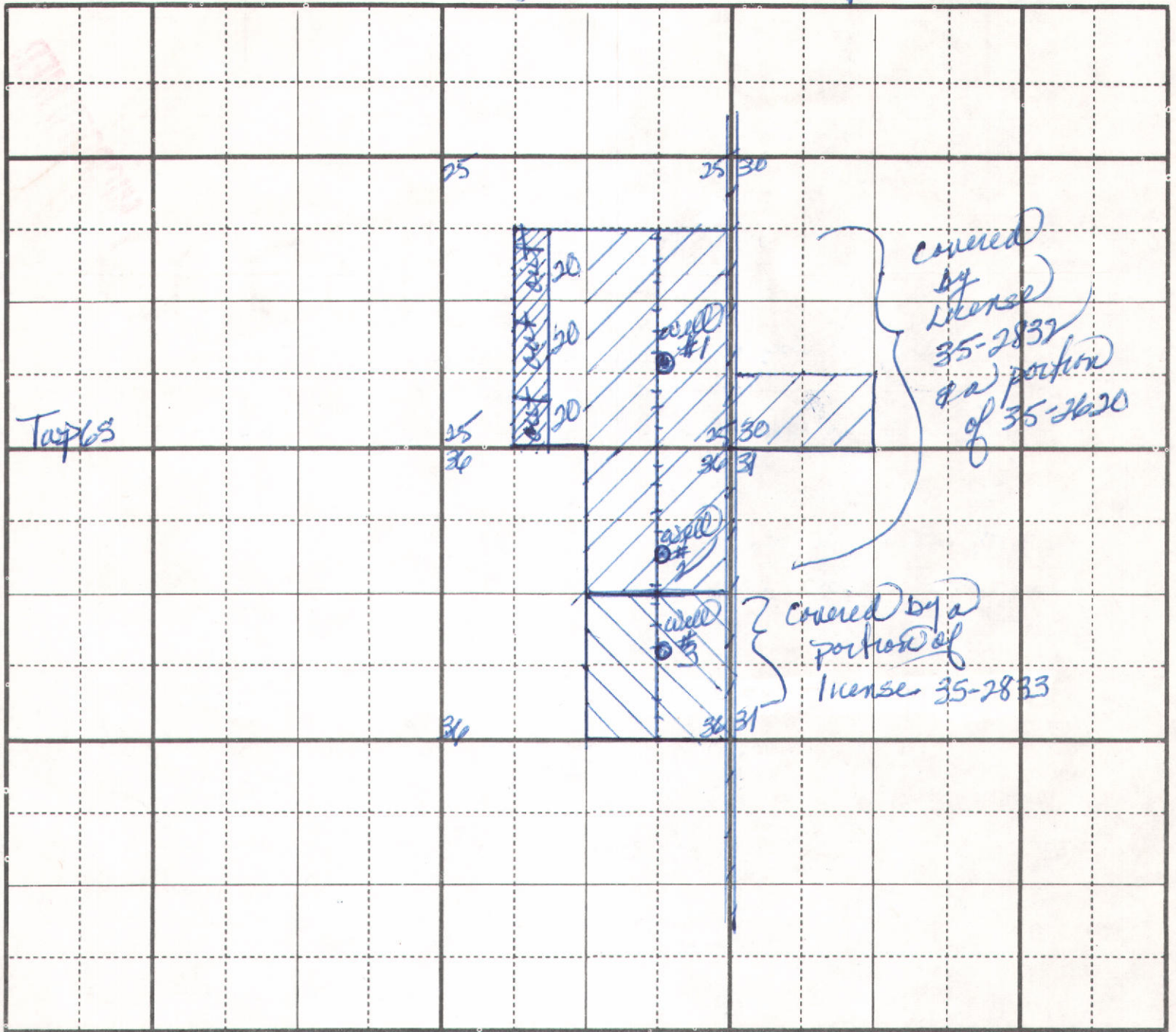
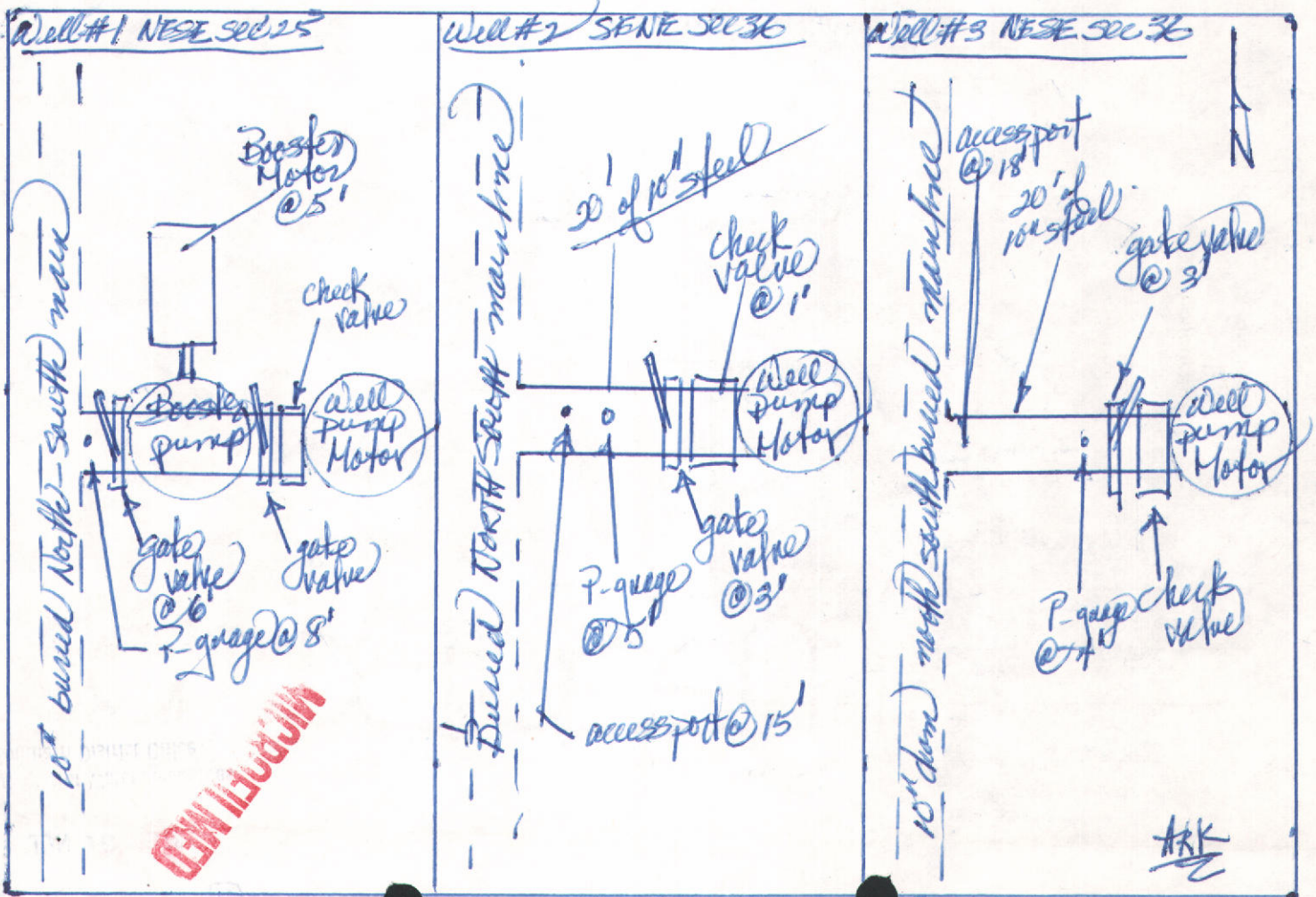


Diagram of System



35-7786

□ - L-35-2832 ^{a portion of 35-2020}

□ - L-35-2833

23 24
26 25

24 19
25 30

A
142.1

A-323 4.2

60a developed
under
35-7786

out 200

out 200

out 200

737

F
74.2

Wells
#1

HD
536

J
82.8

26 25
35 36

A
103.8

25 31

B
155.8

Wells
#2

Q
93.8

Wells
#3

V
92.1

Portion of
L-35-2833

MICROFILMED

35 36
2

ARK

Overlap Review for 35-7786

License 35-2620

P/D NESE Sec 25 Well #1

P/U see attached copy

$$\frac{4.42 \text{ cfs}}{388 \text{ Ac}} = .011 \text{ cfs/Ac}$$

License 35-2833

P/D NESE Sec 36 Well #3

* Also 2 P/D in Sec 31 (Does not apply to this overlap)
P/U see attached copy

$$\frac{6.40 \text{ cfs}}{531 \text{ Ac}} = .012 \text{ cfs/Ac}$$

License 35-2832

P/D SENE Sec 36 Well #2

P/U see attached copy

$$\frac{3.99 \text{ cfs}}{436 \text{ Ac}} = .009 \text{ cfs/Ac}$$

This right 35-7786

P/D NESE Sec 25 Well #1

SENE Sec 36 Well #2

NESE Sec 36 Well #3

P/U see field exam

$$\frac{1.2 \text{ cfs}}{60 \text{ Ac}} = .02 \text{ cfs/Ac}$$

Conclusion

All rights cover different acreage.
Total of cfs licensed now under the 4 rights
still is less than the capacity of the 3
well system.

$$4.42 + \frac{6.40}{3.5} + 3.99 + 1.2 = 16.01 \text{ cfs}$$
$$13.11 \text{ cfs}$$

4/15/81

* Tumble

Transfer No. 2620

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

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 _____Post Office address Rt. #1, Box 142 American Falls, Idaho 83211

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 35-7786 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 I acquired right through purchase of property.

3. Source of water Groundwater tributary to _____4. Date of priority 2/13/1978

5. Water is used for the following purposes:

amount 1.2cfs 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. 1.2cfs cubic feet per second
&/or
b. 210.0 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25
Township 6S Range 29E, B.M., in Power County
Additional points of diversion, if any SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Twp. 6S
Range 29E

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	25								20	20			20					60

Total number of acres to be irrigated 609. Describe any other water rights used for the same purpose as described above None

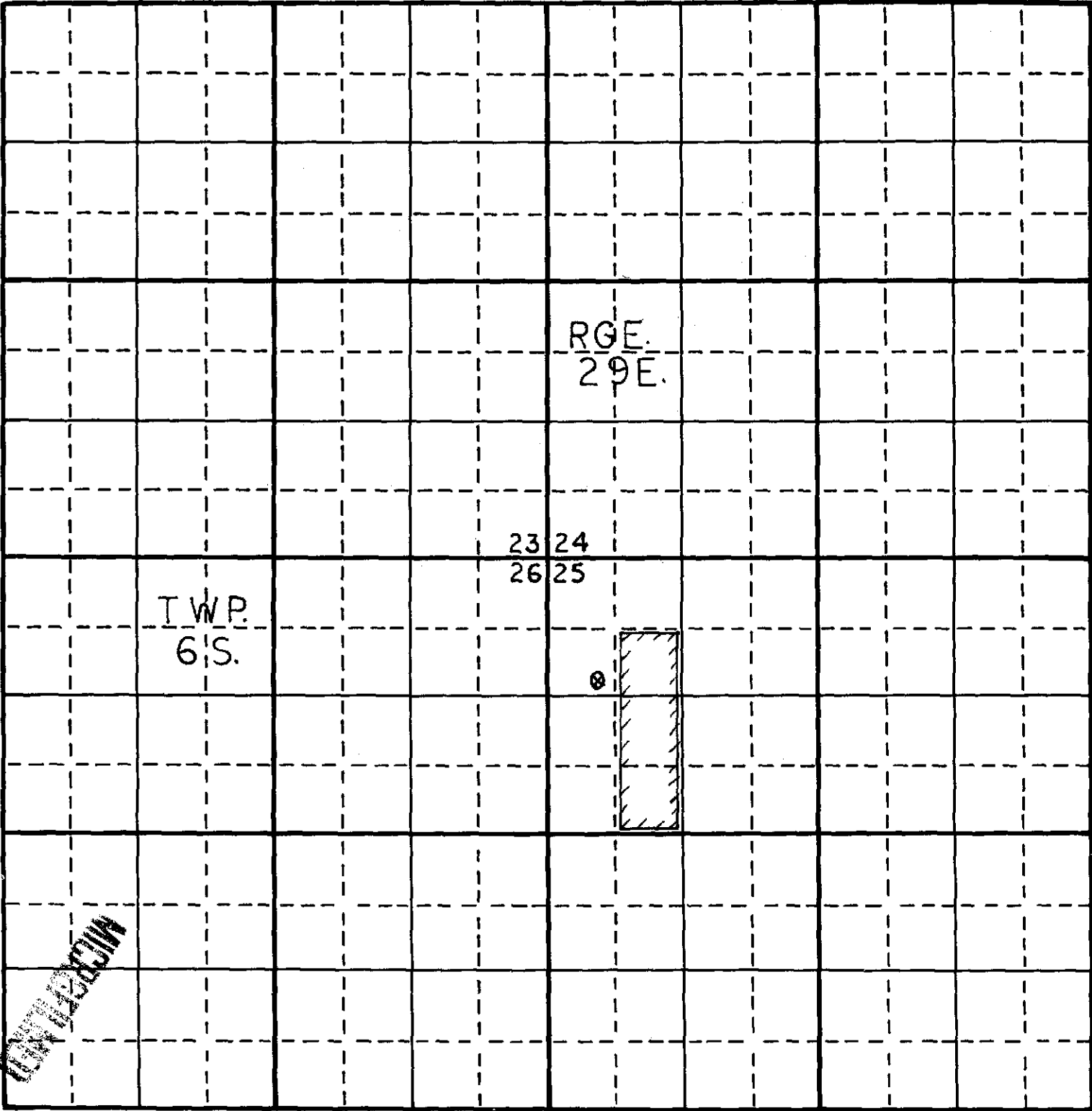
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

c. Describe the land place of use to which the right will be transferred:

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	29E	25								20	20			20					60

Total number of acres to be irrigated 60

4. Describe any other water rights used for the same purpose as described above. None
5. 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.



I hereby assert that no one will be injured by such change and that 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. I understand that any willful misrepresentations made in this application may result in voiding its approval.

M. R. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of December, 1981

Mary C. Colville
(Notary Public) Power County
Mary C. Colville

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-7786 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 28th day of January, 1982

D. Allen Saylor
Chief, Operations Bureau

See letter dated 11/10-81 for FOR DEPARTMENT USE ONLY

Received by AW additional filing fee. Credited 12-10-81 Date 12-10-81 Fee \$30.00
Prelim. check by KAW
Received by AW Date 12-11-81 # 7905
Published in Clatsop County News Pub. dates 12/24 + 12/31/81
Watermaster's recommendation requested on 12/1
Recommended for AW approval Denial by AW
Hearing held by AW Date 12/24
Copies of protest forwarded by AW

RECEIVED

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

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tion being the23..... day ofDec....., 19.....81

the date of last publication being the

.....30..... day ofDec....., 19.....81

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....10..... day ofDec....., 19.....81

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

My Commission expires the

(SEAL)

.....*Life*..... day of19.....

Published in the Power County
Press Dec. 22 and Dec. 29, 1981

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 35-7786

Notice is hereby given that Melvin
R. Funk, American Falls, Idaho has
applied to the Department of Water
Resources for a change in the point
of diversion of the waters of a
groundwater source. The right
sought to be changed is evidenced by
License No. 35-7786 and is recorded
as follows:

AMOUNT: 1.20 cfs

PRIORITY: 2/13/1978

POINT OF DIVERSION:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E,

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 6S, R. 29E,

B.M., Power County.

The water is used to irrigate 60
acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E,
B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within
the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 6S, R.
29E, B.M., Power County.

Any protest against approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources,
150 Shoup, Idaho Falls, Idaho
83402, on or before January 11,

RECEIVED
DEC 31 1981

Department of Water Resources
Eastern District Office

Affidavit of Publication

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COUNTY OF POWER

s.s.

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successive weekly issues thereof, the date of the first publica-

tion being the1..... day ofApril....., 1981

the date of last publication being the

.....8..... day ofApril....., 1981

(Signed) *Brett Crompton*

Subscribed and sworn to before me this

.....9..... day ofApril....., 1981

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

My Commission expires the

(SEAL)

.....life..... day of19.....

RECEIVED

APR 14 1981

Department of Water Resources
Eastern District Office

Legal Notice

Published in the Power County
Press April 8, 1981 and April 8, 1981.
NOTICE OF PROPOSED AMEN-
DING OF WATER PERMIT

Notice is hereby given that Permit
No. 35-7786 in the name of Melvin
R. Funk was issued for the diversion
of 2.4 cfs. of water from ground-
water sources with the points of
diversion within the NE 1/4 SE 1/4, Sec.
25; SE 1/4 NE 1/4, NE 1/4 SE 1/4, Sec. 36;
T. 6S, R. 29E, Power County; to be
used for the irrigation of 120 acres
from April 1 to November 1 within
the SE 1/4 NW 1/4, Sec. 25, T. 6S, R.
29E.

The permit holder now proposes
to amend Permit No. 35-7786 chang-
ing the point of diversion to within
the SW 1/4 NW 1/4, Sec. 25, T. 6S, R.
29E, Power County.

Any protest to the proposed
amending of the permit must be filed
with the Idaho Department of Water
Resources, 150 Shoup Ave., Idaho
Falls, Idaho 83401, on or before
April 20, 1981.

VOID

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that CONNECTICUT GENERAL LIFE INSURANCE CO.

Total number of acres irrigated 60

Director

DRT

State of Idaho
Department of Water Resources

RECEIVED

JUN 2 1978 *ok*
Department of Water Resources

ASSIGNMENT OF PERMIT

I, MELVIN R. FUNK, hereby assign to CONNECTICUT GENERAL LIFE
INSURANCE COMPANY
of 910 Stemmons Tower North, Dallas, Texas 75207
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35-7786
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)

This assignment is given as collateral security for Loan
7806100 from Assignee to Assignor and his wife, secured by
Mortgage dated May 5, 1978 from Assignor and his wife to
Assignee covering the lands described in said permit, and
other lands.

Made this 15TH day of May, 19 78.

Melvin R. Funk
Permit Holder - MELVIN R. FUNK

Diane A. Funk
Spouse of Permit Holder - DIANE A. FUNK

State of Idaho)
County of BINGHAM) ss.

On this 15TH day of May, 19 78, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~(~~she~~) (they) executed the same.

seal

Michael M. Poirer
Notary Public residing at
Blackfoot, Idaho

My commission expires:

12-81

Identification No. _____
 Application No. 35 7786

Connecticut Gen. Life Ins. Co.
910 Stemmons Tower North
Dallas, Texas
6-1-78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Melvin R. Funk Phone: 226-5207
 post office address Rt. #1, Box 142, American Falls, ID 83211
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 6 S
 Range 29 E B.M. Power County; additional points of diversion if any: SE1/4NE1/4 Section 36, T6S, R29E, B.M. and NE1/4SE1/4 Section 36, T6S, R29E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 2.4 cfs for irrigation purpose from April 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. 2.4 cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. well and pump

 b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
 c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
 b. Estimated construction cost is \$ 45,000.00
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: _____ hp 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: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

10. Remarks -

applicant to make this filing-

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

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

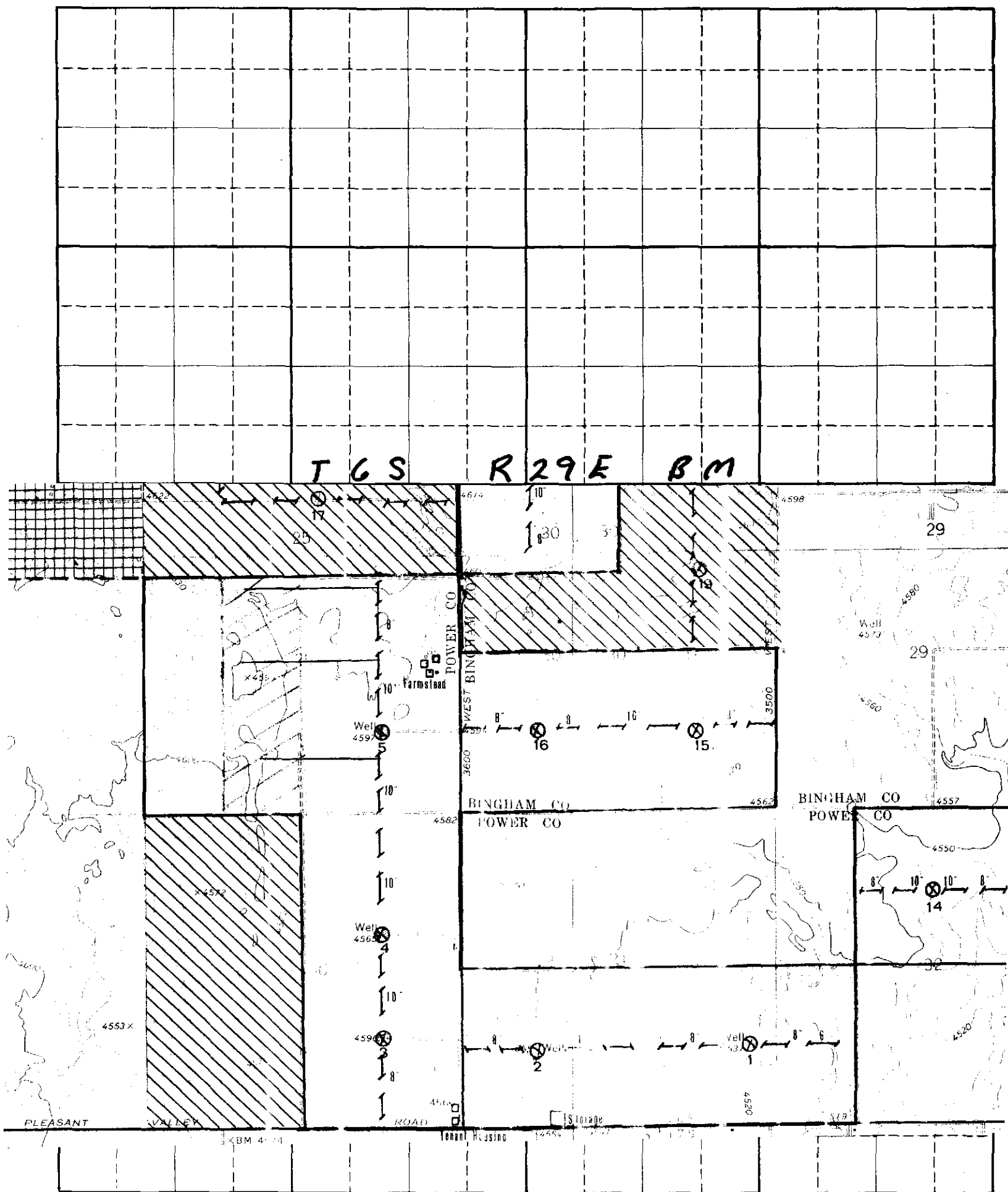
9. a. Who owns the property at the point of diversion _____ Applicant

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

Total number of acres to be irrigated 120

[illegible]

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
 Melvin R. Funk
 (Applicant)

Proposed Priority 2/13/78

Received by me 2/14/78 11:29 a.
Date 2/13/78 Time 10:35
Preliminary check by [signature] Fee \$ 45.00 # 10329
Received by [signature] Date 2/13/78
Publication prepared by [signature] Date 2-17-78
Published in [signature] County Record
Publication dates Feb. 23 & March 2, 1978
Publication approved by me Date March 6, 1978
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by [signature]

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. 35-7786, 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 April 1, 1983.
 - c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Dept. prior to submitting proof of beneficial use of water.
2. Denial of said application is for the following reasons:

Witness my hand this 24th day of April 1978

Administrator
[Signature]

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} S.S.

Phyllis Ringe

being first duly sworn

on oath, states:

That ~~she~~ is the ~~principal clerk of~~ the printer 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 publication being the 23rd day of February, 1978

the date of last publication being the

and day of March, 1978

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

3rd day of March, 1978

Unita Sheard
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

15th day of March, 1979

RECEIVED

MAR 6 1978

Department of Water Resources
Eastern District Office

Published in the Power County Press
February 23 and March 2, 1978

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin R. Funk, American Falls, Idaho has on 2-13-78 submitted Application No. 35-7786 for a permit to appropriate 2.40 cubic feet per second of water from ground water sources by means of wells and pumps within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 6S, R. 29E, B.M., Power County; to be used from Apr. 1 to Nov. 1 for the irrigation of 120 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, before March 13, 1978.

WATER RIGHT NUMBER 35-7786

OWNER LAST NAME - FUNK
ADDRESS LINE 1 - RT. 1 BOX 142
ADDRESS LINE 3 -
SOURCE - GROUNDWATER
STAGE - LJCEASE
TOTAL DIV. VOLUME - 210.00 AFA TRFR/AMEND - T WATER DIST. -
DIVERSION POINT - SWNW 25 06S 29E LOT REDIV -
FROM - 04-01 TO - 11-01 USE - IRRIGATION
USE - IRRIGATION
STATUS -
PRIORITY - 02-13-1978 COUNTY - POWER
DUE/CAREY ACT -
DUE DIV. RATE - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE - 1.2000 CFS USE DIV. VOLUME - 210.00 AFA
PLACE OF USE - TWN 06S RNG 29E SEC 25 TRACT SENW LOT AC 20 TRACT NESW LOT AC 20
TRIMUTARY OF -
FIRST NAME - MELVIN R. ORIG OWNER -
ADDRESS LINE 2 -
CITY - AMERICAN FALLS STATE - ID ZIP CODE - 83211
TOTAL DIV. RATE - 1.2000 -CFS
RIGHT BASIS -
DATE - TOTAL ACRES 60
DEGREE NAME -
REMARKS - TRANS. 2620.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 04-01-1983 PERMIT/DENIED - 04-29-1978 PROTESTED -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - WELL & PUMP.

WRD 417 35-7786

IDENT. NO. 35-7786

WATER RIGHT
DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
		Key punched by State Office
<i>D.W.</i>	<i>9/14/82</i>	<i>License update entered</i>
<i>D.W.</i>	<i>1/11/83</i>	<i>Trans. 2620 entered</i>
		G G MAY 14 1984 VERIFIED

February 1, 1982

RE: Application for Transfer of Water Right No. 35-7786

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

Dear Mr. Funk:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right. (Transfer No. 2620).

Sincerely,

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

DRT:kw
Enclosure

RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 35-7786

Notice is hereby given that Melvin R. Funk, American Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 35-7786 and is recorded as follows:

AMOUNT: 1.20 cfs

PRIORITY: 2/13/1978

POINT OF DIVERSION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36,
T. 6S, R. 29E, B.M., Power County.

The water is used to irrigate 60 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 25, T. 6S, R. 29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 6S, R
29E, B.M., Power County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before January 11, 1982.

A. KENNETH DUNN

Director

Published in the Power County Press, American Falls, Idaho on
December 24 and 31, 1981

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: K. C. Wilson

1. Right number 35-7786 Applicant Melvin R. Funk

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
b. ☒ Description of original point of diversion. 205
c. ☒ Description of original place of use. 205

5. Amount of land &/or water transferred:

- a. ☒ All of right.
b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
c. ☒ Check description of point(s) of diversion. 1 pt
d. ☒ Check description of place of use. 205
e. ☒ Check map (shows p.d. and p.u. after transfer).
f. ☒ Check for correct signature, notarization, and fee.
g. ☒ Check proof of ownership of right &/or land from which water is transferred.
h. ☒ Check for expansion in use of right. Comments _____

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 1.1.82 Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By [Signature] Date 1/12/82

RECEIVED
JAN 14 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

*File
See letter
1-10-81*

Comes now MELVIN R. FUNK

of (address) RT. #1, BOX 142, AMERICAN FALLS, IDAHO, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 35-7786, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ NW ¼, Section 25, Township 6S, Range 29E, B.M.,
County of POWER. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No change
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No change

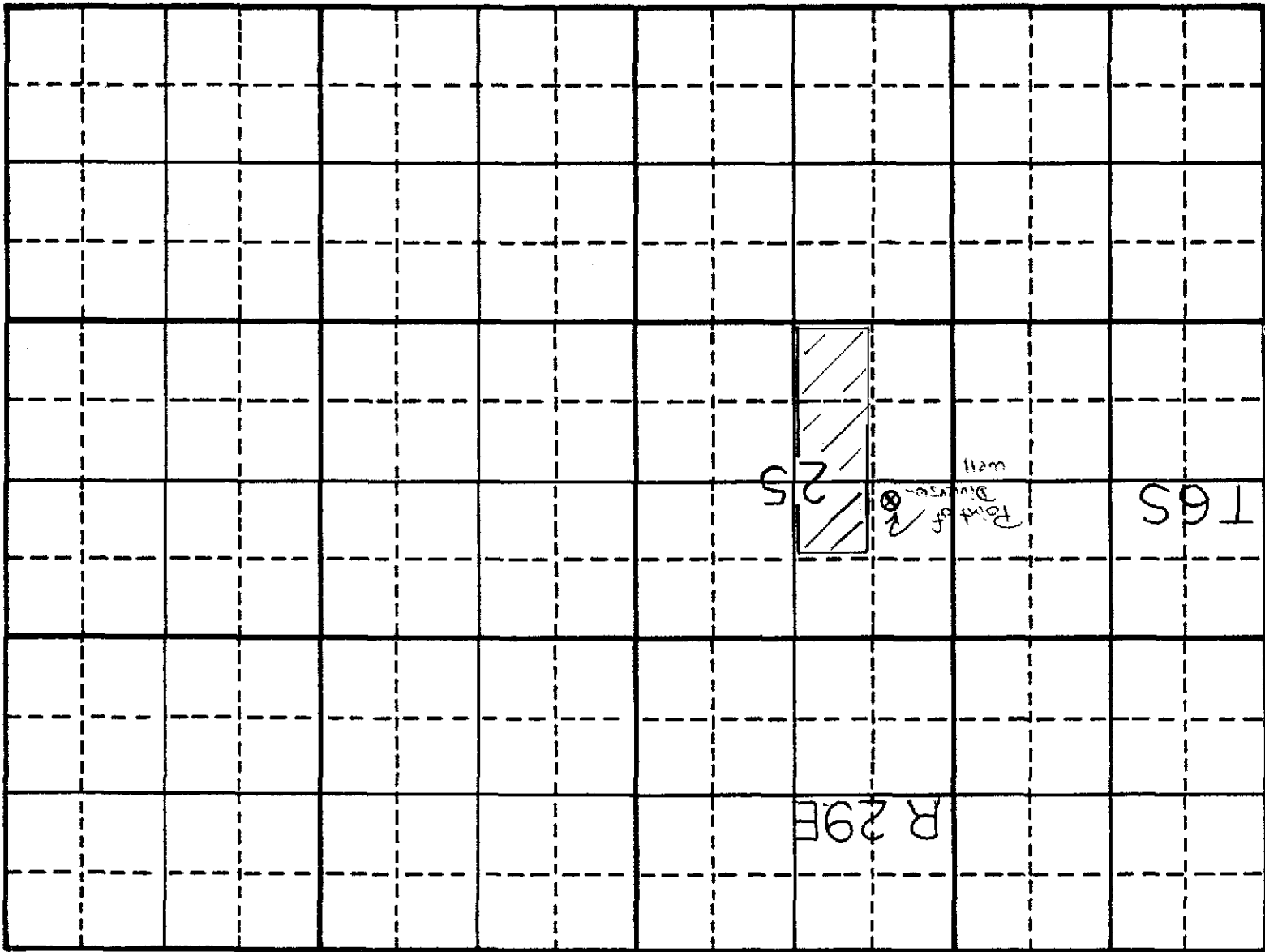
TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: _____

UNRECORDED

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at TANGE FALLS, IDAHO, this 23rd day of MARCH, 19 81.

(Signature)

William R. Ford

FOR DEPARTMENT USE ONLY

Preliminary check by RAW Fee = \$20.00 Date 3/23/81
Publication prepared by RAW Date 3/27/81
Published in POWER CO. RECORDS Date 3/26/81 # 17128
Publication dates 4/02 & 4/09/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 _____

Director

November 10, 1981

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

RE: Point of Diversion change for water right 35-7786

Dear Mr. Funk:

Several months ago I assisted you in filing an amendment to change the point of diversion on right #35-7786. This right, however, was licensed before the amendment was processed, thereby requiring that an application for transfer be submitted to implement any changes to the license.

For your convenience I have drafted an application to transfer the three points of diversion listed on the license to the single well listed on the amendment. This application is enclosed along with a copy of the license.

Since the amendment is of no value, the \$20 amendment fee will be applied toward the transfer fee of \$50. Therefore, once the application for transfer has been signed in the presence of a notary, return it to this office accompanied with a check for \$30.

Your cooperation in this matter will be appreciated.

Respectfully submitted,

ERNEST M. CARLSEN
Asst. Regional Supervisor

EMC:brs

enc: as stated

MEMO

TO: Ernest Carlsen

November 4, 1981

FROM: Jim Johnson *Jim*

RE: Amendment of Permit No. 35-7786

Attached is the amendment submitted by Mr. Funk on the above referenced permit. Per our telephone conversation I talked to Dave Tuthill about possible alternatives to correct the situation. He felt that we should void the amendment and request a transfer application from Mr. Funk. We can give Mr. Funk \$20.00 credit toward the transfer filing fee.

Dave was not receptive to any other alternatives.

Also attached is a copy of the license. Let me know if you have any problems.

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

Right Number 35-7786 Applicant Funk

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.
- Conditions Change code 01A to 01C

By Ernst Carlson Date April 22, 1981

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 35-7786 in the name of Melvin R. Funk was issued for the diversion of 2.4 cfs of water from groundwater sources with the points of diversion within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; T. 6S, R. 29E, Power County; to be used for the irrigation of 120 acres from April 1 to November 1 within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E.

The permit holder now proposes to amend Permit No. 35-7786 changing the point of diversion to within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E, Power County.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before April 20, 1981.

C. STEPHEN ALLRED

Director

Published in the Power County Press 4/02 and 4/09/81.

APR 15 1981
IDAHO DEPARTMENT OF WATER RESOURCES
SALT LAKE CITY, UT 84143



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~XX STEPHEN ALKED~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 1, 1987

Connecticut General Life Insurance Co.
670 Spawsons Tower North
Dallas, Texas 75207

Dear Sirs,

RE: License No. 35-7786

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

RECEIVED
JUN 1 1987
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

ASTEN WILKINSON
XXXXXXXXXXXX
Director

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

April 17, 1981

Connecticut General Life Insurance Co.
910 Stemmons Tower North
Dallas, Texas 75207

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 35-7786, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.2 cfs Source: groundwater

The maximum quantity diverted shall not exceed 210 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 6S,
Rge. 29E, B.M.

Beneficial use: Irrigation of 60 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25,
Twp. 6S, Rge. 29E.

Priority date established: February 13, 1978

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

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Connecticut General Hld. Lts Co.

Post office address 915 Stuyvesant North Dallas TX Phone

Person to contact Mr. R. Frank Phone 520-5207

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

JUN 20 1978

Amount 2.7 c.f.s. for 1st Report Card Department of Order Resources
 AF/Annum 5 (nature of use) Eastern District Office

Period of Use: from April 1 to Nov 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 22-106
Examination for 6/5

4. Total amount to be appropriated:

Max Rate of Diversion 2.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 66 N/S, Range 39 E/W, B.M., Section 25, Subdivision NE 1/4 SE 1/4, Range

Township 6S N/S, Range 29E E/W, B.M., Section 36, Subdivision 2E $\frac{1}{4}$ NE $\frac{1}{4}$ Town 4N

Township 12S N/S, Range 27E E/W, B.M., Section 36, Subdivision NE 1/4 SE 1/4 Range 12 County

Other Points of Diversions: _____

Description of diverting works: 250 HP U.S. Electric Motor, Ingersoll Pump, buried wrapped steel pipe, 20 HP U.S. Electric Motor, Bertha, 2 200 HP U.S. Electric Motors - two Ingersoll pumps

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 120

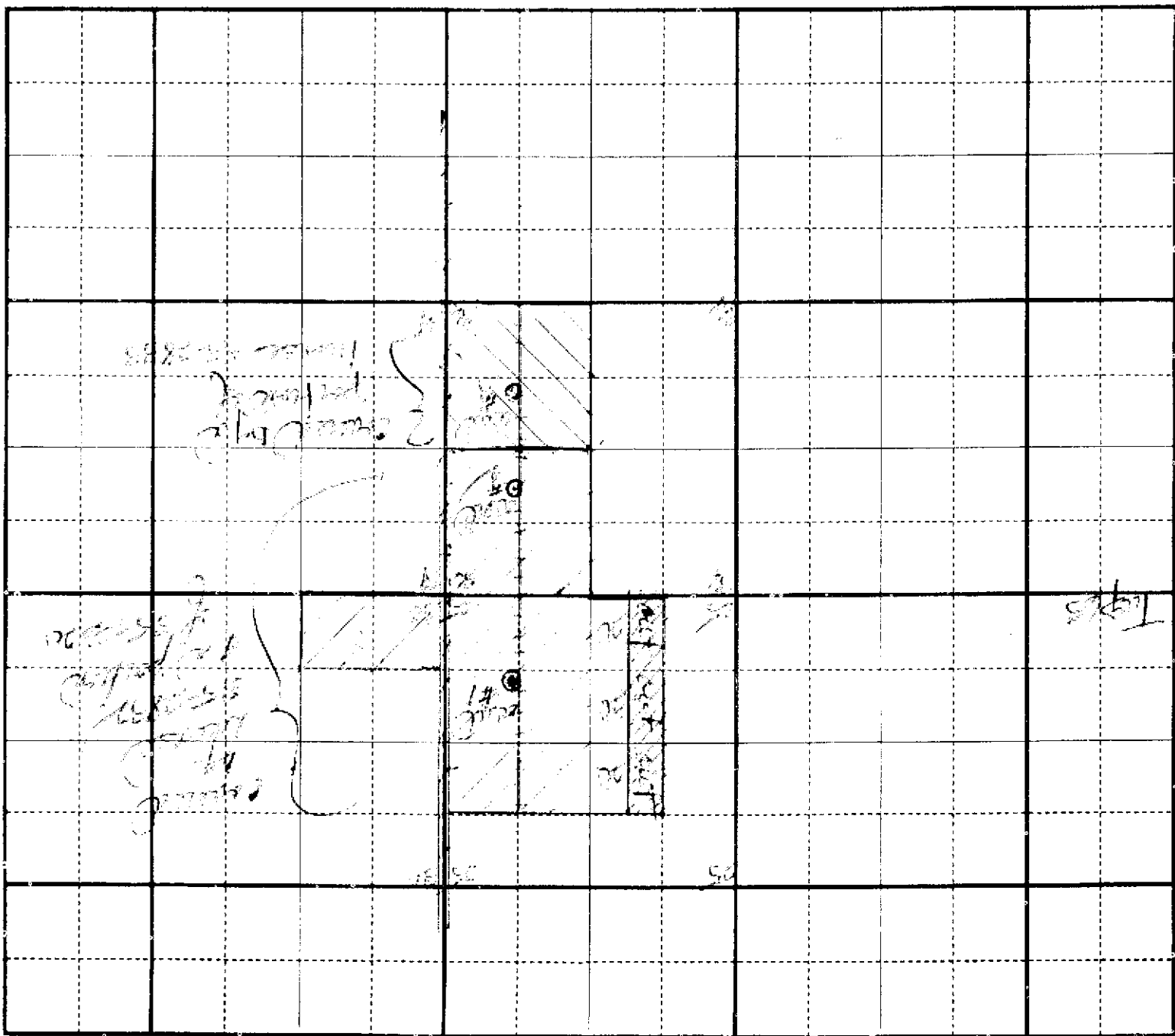
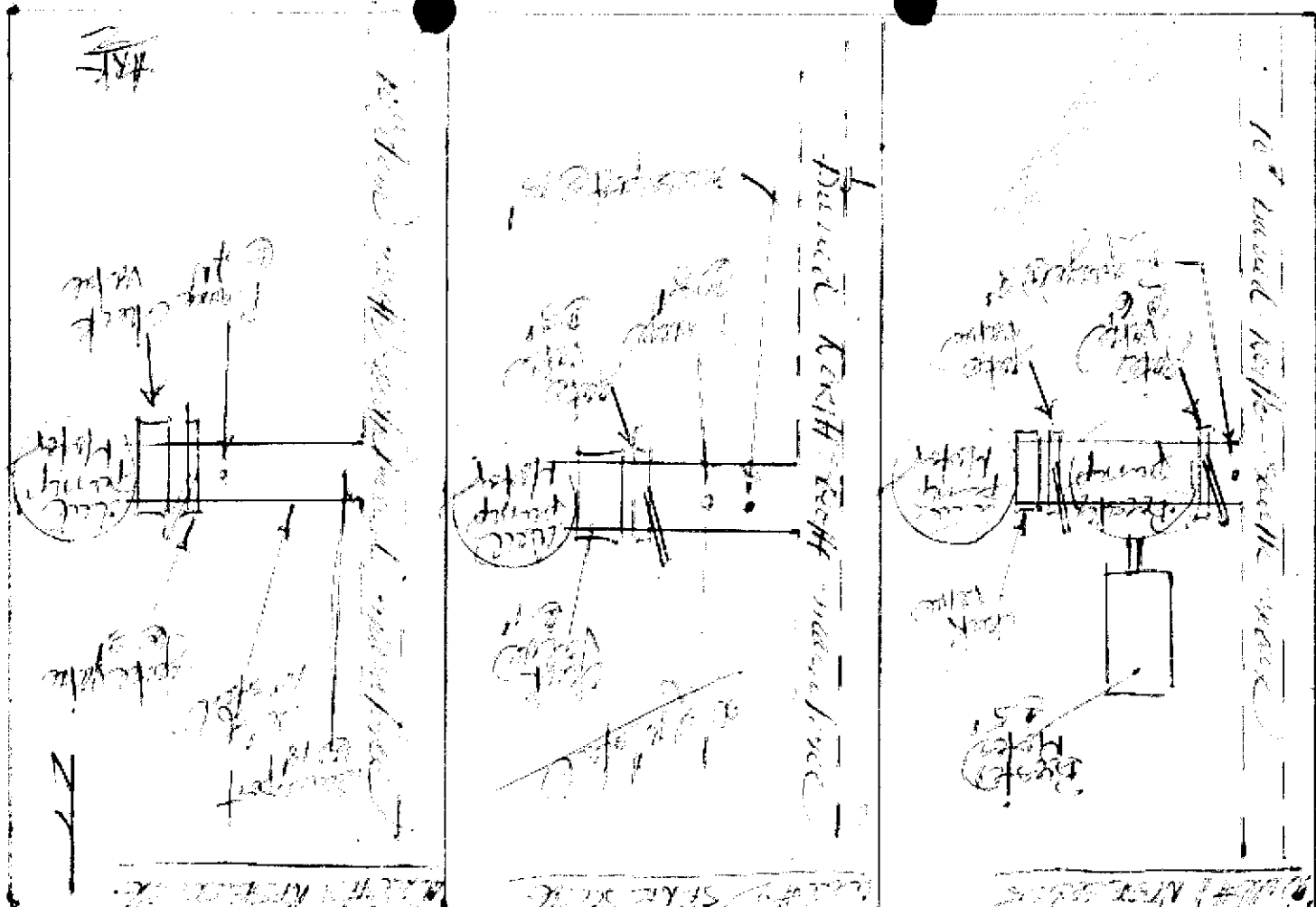


Diagram of System



Wm Ben Higgins

291

Wm Ben Higgins

35-7786

L-35-2832
L-35-2833

23 24
26 25

24 19
25 30

14.32 4.2

14.21

60' as
developed
under
35-7786

out
rat
out
rat

Well
#1

Course
to
Road

Well
#2

Well
#3

Port of
L-35-2833

35 26

93.8

92.1

14.50

TWP 35 S

DATE OF EXAM 20th day of May, 1979

593a covered by
License 35-2832
35-2833
35-2620

ACREAGE
Found 653a
Recommended 100

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.20 c.f.s. V = 240 AF/Ann. from April 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 16.21 cfs Method of measurement Annubar
Total Q recommended 1.20 cfs Meter No. 10.02 Type Eagle eye Condition std
Total V recommended 210 AF/yr

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None (X)

MEASUREMENT CALCULATION:

$$\text{Well \#1 (NESE 25)} - Q = (\text{pipe ID})^2 (\text{c/m of H}_2\text{O}) = (9.731)^2 (3.85) (152) = (94.69) (3.85) (7.48) \\ = 2726.88 - 448.89 \text{ pm/cfs} = 6.08 \text{ cfs}$$

$$\text{Well \#2 (SENE 36)} - Q = (9.731)^2 (3.85) (138) = (94.69) (3.85) (6.16) = 2245.67 - 448.89 \text{ pm/cfs} = 5.00 \text{ cfs}$$

$$\text{Well \#3 (NESE 36)} - Q = (9.731)^2 (3.85) (140) = (94.69) (3.85) (6.32) = 2304 - 448.89 \text{ pm/cfs} = 5.13 \text{ cfs}$$

$$Q_{\text{total}} = 16.21 \text{ cfs} \quad V = 60 \text{ ac} \times 3.5 \text{ AF/ac/yr} = 210 \text{ AF/yr}$$

$$1.4835 \times 120 \times 214 \text{ cfs} = 369.36 \text{ AF/yr}$$

$$Q = \text{Allow } 0.02 \text{ cfs/ac or } 60 \text{ ac} \times 0.02 = 1.2 \text{ cfs}$$

REMARKS: System shown, operated and described by Plaintiff George H. There are 3 licenses pertaining to the three wells described on this permit. The three wells are licensed for a total of 16.21 cfs. Therefore this license does not need to be conditioned. (See below)

Examiner's Signature Anthony R. Kozlowski Date 2/11/80

Checked by Joe J. Carlson Date 4/10/80

Approved by Ken Date 4/15/81

The three inactive pre-existing licenses are
L 35-2832, L 35-2833, L 35-2620. (See map of previous attached)

well #1 (NESE sec 25)

Groundwater is diverted by a 250 H.p. 3ph
U.S. Motors electrical pump motor s/n - 1233207
and by a Jacuzzi Vertical turbine pump
1445A5 T298.

Boosted system - 60 H.p. Lincoln 3ph Horizontal
motor s/n - 1862499 with a pacific centrifugal
pump - cat. no 24-80124 - C-4000, s/n - IADFB
P24203.

well #2 (SENE sec 36)

Groundwater is diverted by a 200 H.p. 3ph
U.S. electrical motors vertical pump motor
s/n - 1245515 and by a Jacuzzi vertical
turbine pump 1240A8 T297.

well #3 (NESE sec 36)

Groundwater is diverted by a 200 H.p. 3ph
U.S. motors vertical pump motor s/n - 1272209
and by a Jacuzzi vertical turbine
pump 1440B4 T425 URD371.

same as
well #3
on exam
for
35-2833

well #1 irrigates SE 1/4 of sec 25 & S 1/2 NE 1/4 sec 25

well #2 irrigates NE 1/4 of 36

well #3 irrigates SE 1/4 of sec 36.

all three wells are interconnected and
therefore any single well or combination of the
three can be used to irrigate the 60a
of additional land recommended herein.

Additional Acreage irrigated by 5 - 3/8 mi long
lateral sprinkler extending west from the
mainline ~~lateral~~ running north-south in the center
of the E 1/2 of sec 25.

ENCLOSURE

Overlap Review for 35-7786

License 35-2620

P/D NESE Sec 25 Well #1
P/U see attached copy

$$\frac{4.42 \text{ cfs}}{388 \text{ Ac}} = .011 \text{ cfs/Ac}$$

License 35-2833

P/D NESE Sec 36 Well #3
* Also 2 P/D in Sec 31 (Does not apply to this overlap)
P/U see attached copy

$$\frac{6.40 \text{ cfs}}{531 \text{ Ac}} = .012 \text{ cfs/Ac}$$

License 35-2832

P/D SENE Sec 36 Well #2
P/U see attached copy

$$\frac{3.99 \text{ cfs}}{436 \text{ Ac}} = .009 \text{ cfs/Ac}$$

This right 35-7786

P/D NESE Sec 25 Well #1
SENE Sec 36 Well #2
NESE Sec 36 Well #3
P/U see field exam

$$\frac{1.2 \text{ cfs}}{60 \text{ Ac}} = .02 \text{ cfs/Ac}$$

Conclusion

Microfilm
All rights cover different acreage.
Total of cfs licensed now under the 4 rights
still is less than the capacity of the 3
well system.

$$4.42 + \frac{6.40}{3.5} + 3.99 + 1.2 = 16.01 \text{ cfs}$$

$$13.11 \text{ cfs}$$

4/15/81

* TUMBLE

MICROFILMED

* Also note that the total cfs for license
35-2833 is ^(corrected) 3 point diversion.
Field Exam done by Bill Rhoads ⁽⁷⁻⁵⁻¹⁹⁷³⁾ explains
that the 2 points in Sec 31 are tied
together & the 1 point in Sec-36 (NESE)
can be tied into the other points.
Apparently the hooking up was
not done as Tony Kozlowski (2/11/80)
on field Exam for 35-7786 did not
identify this. In July 73 Bill
found the 1 point of diversion
in Sec 36 NESE capacity at 3.5 cfs,
so in calculating total capacity
for a ^{later} ~~limitation~~ use must only
use 3.5 ~~not~~ average the 2 points
in Sec 31.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32923/35-2832 Priority August 25, 1966 Amount 3.99 cfs
(late proof)

THIS IS TO CERTIFY, that OTTO FUNK
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 32923/35-2832 issued pursuant to Application for Permit dated June 10, 1966,
and has submitted proof to the Department of Water Administration on August 28, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.99 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 3.99 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 3.99 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE¹/₄NE¹/₄ Sec. 36, Twp. 6 S, Rge. 29 E, B.M.

in the county of Power, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,526 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S	29 E	25			37	30									36	38	40	40	221
		36	40	39	36	37													152
6 S	30 E	30											36	27					63

Total number of acres irrigated 436

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21st day of
February, 19 73.

Director

35 2832

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32924/35-2833 Priority August 25, 1966 Amount 6.40 cfs

THIS IS TO CERTIFY, that MELVIN R. FUNK
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 32924/35-2833 issued pursuant to Application for Permit dated June 10, 1966,
and has submitted proof to the Department of Water Resources on August 28, 1968 (late proof),
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 10.57 cfs of water from a ground water 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>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>6.40</u> cfs and	<u>1,858.5 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.40 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
* 1,858.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$ of

Sec. 31, Twp. 6 S, Rge. 30 E, B. M. -and- in the County of Power

NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, Twp. 6 S, Rge. 29 E, B. M.

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 $\frac{1}{4}$	
6 S	29 E	36													39	40	39	39	157
6 S	30 E	31									40	39	39	39	40	40	39	39	315
6 S	30 E	32									20	39							59

Total number of acres irrigated 531

* Subject to the condition that the maximum volume per year shall not exceed
1,858.5 acre feet when combined with License No. 26158/35-2448.

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of
May, 19 75.

Director

State of Idaho
License and Certificate of Water Right

Water License No. G-29163

Amount 4.42 c.f.s.

Water District No.

Priority November 28, 1960

THIS IS TO CERTIFY that

OTTO FUNK

of American Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 28, 1960; that Permit No. G-29163 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.42 second feet, was issued thereunder on June 30, 1965, showing that said works were completed on the 14th day of February, 1962; and that on the 14th day of February, 1962,

OTTO FUNK

of American Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-29163 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8174, on the 30 day of June, 1965; The right hereby confirmed dates from November 28, 1960;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 25, Tp. 6 S, R. 29 E, B. M. Power County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S	29 E	25	S 1/2 NE 1/4	80	80
			NE 1/4 SE 1/4	30	35
			NW 1/4 SE 1/4	38	40
		36	S 1/2 SE 1/4	80	80
			NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	34	36
			SW 1/4 NE 1/4	39	37
			Total number of acres to be irrigated:		388

No lands w/ overlap 35-7706

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of June, 1965.

CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

June 14, 1978

Re: Permit No. 35-7786

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

Dear Mr. Funk:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. on April 18, 1978.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights

cc: Connecticut General Life Ins. Co.

MICROFILMED

June 14, 1978

Re: Permit Nos. 35-7418 & 35-7786

Connecticut General Life Insurance Co.
910 Stemmons Tower North
Dallas, TX 75207

Gentlemen:

We acknowledge receipt of the assignments conveying the above referenced permits to you. The assignments have been entered into the Department's records.

If you have any questions concerning this matter, please contact us.

Sincerely,

RITA FLECK
Secretary

RF



RECEIVED

APR 18 1978

Department of Water Resources

5 April 1978

new app

State of Idaho
Department of Water Resources
Attention: Jan Grover
Statehouse
Boise, Idaho 83720

Re: Proof of Application of Water
to Beneficial Use of Permit 35-7786

Gentlemen:

Enclosed is a corrected Proof of Beneficial Use filing on the above referenced permit. This replaces the erroneous proof filed 4 April 1978 and reflects application of water to the SE1/4NW1/4 of Section 25 T. 6 S., R. 29 E., B.M. and not to the NE1/4NW1/4 of Section 25.

Thank you for your prompt action on this matter.

Very truly yours,

MEL FUNK FARMS

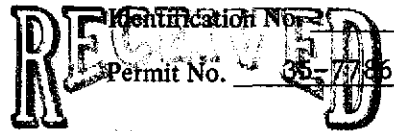
Melvin R. Funk

Melvin R. Funk

MRF:r

encl.

ENCLOSURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Melvin R. Funk
b) Post Office Address Route #1, Box 142, American Falls, Idaho 83211
2. Permit Number 35-7786
3. Date of Priority that you are prepared to establish February 16, 1978
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 25
Township 6S, Range 29E, Boise Meridian, Other points of diversion:
SE1/4NE1/4 Section 35, T6S, R29E, B.M. and NE1/4SE1/4 Section 36, T6S, R29E, B.M.
5. a) The amount of water and use to which the water has been applied:
Amount 2.4 cfs for irrigation purposes from April 1 to November 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: self, existing meter
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 250 H.P. US Electric Motor, Jacuzzi Pump, Buried Wrapped Steel Pipe, 30 H.P. US Electric Motor Booster, Two 200 H.P. US Electric Motors and two Jacuzzi Pumps.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Flowmeters on three separate wells
c) Give well driller's name and address and the date the well was completed: Old existing wells, well driller unknown.

for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

APPROPRIATED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	29E	25								40	40			40					120

Total number of acres irrigated 120

10. Remarks: _____

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

31 March 1978

(Date)

Melvin R. Funk
Melvin R. Funk (Signature)

State of Idaho)

County of Blaine) ss.

On this 5 day of April, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert B. Leary
Notary Public residing at Boise Idaho

My commission expires June

MICROFILMED

Wells 3, 4 & 5

Identification No. _____

Permit No. 35-7786

RECEIVED

APR 4 1978

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Melvin R. Funk
b) Post Office Address Route #1, Box 142, American Falls, Idaho 83211
2. Permit Number 35-7786
3. Date of Priority that you are prepared to establish February 16, 1978
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 25
Township 6 S, Range 29 E, Boise Meridian, Other points of diversion:
SE1/4NE1/4 Section 35, T6S, R29E, B.M. and NE1/4SE1/4 Section 36, T6S, R29E, B.M.
5. a) The amount of water and use to which the water has been applied:
Amount 2.4 cfs for irrigation purposes from April 1 to November 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: self, existing meter
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 250 H.P. USElectric Motor, Jacuzzi Pump, Buried Wrapped Steel Pipe, 30 H.P. USElectric Motor Booster, Two 200 HP USElectric Motors and two Jacuzzi Pumps.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Flowmeters on three separate wells

c) Give well driller's name and address and the date the well was completed: old existing wells, well driller unknown

8. Other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

April 25, 1978

Re: Permit No. 35-7786

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

Dear Mr. Funk:

Your approved copy of Application for Permit No. 35-7786 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

5 April 1978

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Application for Permit 35-7786

Gentlemen:

This letter is to authorize correction of the above referenced application to reflect application of water to the SE1/4NW1/4 of Section 25 T.6 S., R. 29 E., B.M. and not to the NE1/4NW1/4 of Section 25. Your prompt attention to remedying this error is appreciated.

Very truly yours,

MEL FUNK FARMS

Melvin R. Funk

Melvin R. Funk

encl.

r.



Tippet Land & Mortgage Co.

REAL ESTATE LOANS & SALES

LONNIE LEAVELL
BOISE, IDAHO 83704

1705 N. COLE ROAD
PHONE 208 375-6731
MOBILE 344-8688
UNIT 4334

INTER-DEPARTMENT MEMO — 1

DATE 3/31/78

FROM

TO

File 35-7786

SUBJECT

Send certified copy of approved
or denied permit to:

Leauee Bond & Mtg.

1705 N. Cole

Boise 83704

MICROFILMED

Martie

SIGNATURE

February 17, 1978

RE: Application for Permit No. 35-7786 FUNK
35-7788 TAYLOR
35-7789 "

Power County Press
174 Idaho Street
American Falls, Idaho 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 2-26-78 by CW

RDC:CW

Enc: Legal Notice (3)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin R. Funk,
American Falls, Idaho

has on 2-13-78 submitted Application No. 35-7786
for a permit to appropriate 2.40 cubic feet per second XXXXXXXXXXXXXXXXXXXX acre feet per annum
of water from ground-water sources
by means of wells and pumps
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 6S, R. 29E, B.M.,
Power County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 120 acres

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 6S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
March 13, 1978

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
R. KEITH HIGGINSON

Director
Power County Press, American Falls, Idaho

Published in the _____
February 23 and March 2, 1978
on _____

me. d.

CONVERSATION MEMORANDUM

DATE February 17, 1978

FILE 35-7786

NAME OF PARTY Leavell Land & Mortgage

EMPLOYEE Colleen

RE: Called the above and informed them of the number issued to
application for permit in the name of Melvin R. Funk.

Leavell Land & Mortgage

1705 North Cole Road

Boise, Idaho 83705

Ph. 377-4511

RECEIVED

February 17, 1978

RE: Application for Permit No. 35-7786

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

Dear Mr. Funk:

Attached herewith is Departmental receipt No. 10329 in the amount of \$45.00 for the above referenced application.

Very truly yours,

RONALD D. CARLS N
Supervisor
Eastern Region

RDC:Cd

Attachment

RECEIVED
FEB 21 1978
FBI - IDAHO

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. FUNK

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RDC 2/14/78

In form to receipt Received Boise 2/13/78

(2) 11 11

Send Copies to:

Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management

(3) 11 11

Leavell
Land & Mortg.

OK Request Special Use Permit from U.S.F.S.
OK Request Easement from B.L.M.
Request Information from Applicant

(4) 11 11

In form for advertising YES

(5) 11 11

Platted on Map No. 35-05296 NO quad

(6) 11 11

Located within Water District No. _____

(7) 11 11

Critical groundwater area: yes _____ no ☒

(8) 11 11

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) 11 11

Other rights on the same place of use _____

(10) RDC 11

Comments: NONE shown

(11) CW 3-06-78

Affidavit of Publication received (date) Mar 6-1978

(12) CW 3-13-78

Final date for protests March 13, 1978

Protests received: yes _____ no ☒

(13) LH 3-15-78

All requested information received from agencies or applicant: yes ☒ no _____

(14) LH 3-15-78

Action recommended:

☒ Approve _____ Deny

2-13-78 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E By Loren O'Halloran Date 3-15-78

MISPLACED

RECEIVED

MAR 16 1978

Department of Water Resources

Copy
Sent