

RECEIVED

JAN 4 1978

Department of Water Resources  
Eastern District Office

## AFFIDAVIT of PUBLICATION

County of Bingham )

State of Idaho )  
I, David Mark Brown ) ss.

solemnly do

Publisher

swear that I am the \_\_\_\_\_ 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  
154 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 within 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 two consecutive weeks,

the first publication having been made on the

15th day of December, 19 77,

and the last publication having been made on the

22nd day of December, 19 77;

that said notice was published in the regular and en-  
tire 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 M. Brown  
Subscribed and sworn to before me this 30th

day of December, 19 77.

Patricia A. Johnson

Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct. 20, 1980

### NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that  
Raymond F. and-or Betty N.  
Funk, Aberdeen, Idaho have on  
12-08-77 submitted Application  
No. 35-7760 for a permit to  
appropriate 1.60 cubic feet per  
second of water from a ground-  
water source by means of well  
and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 17, T. 6S, R. 31E, B.M.,  
Bingham County; to be used  
from Apr. 1 to Nov. 1 for the  
irrigation of 80 acres within the  
W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 17, T. 6S, R. 31E,  
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 January 2, 1978.

C. STEPHEN ALLRED  
Director

(5400)  
Pub: 12-15, 22

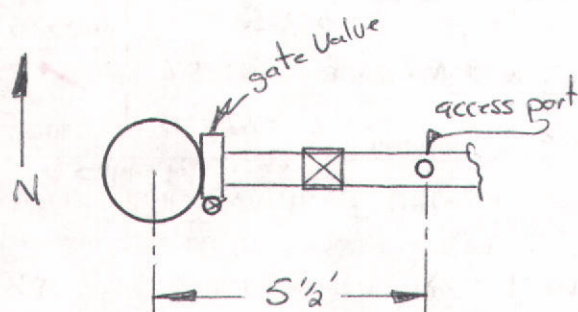
31

MICROFILMED

|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

A hand-drawn map on a grid. The grid is 10 units wide and 10 units high. The map shows a point of oversight. The text "Point of Oversight" is written in the 4th row, 4th column. An arrow points from this text to a blue dot located in the 5th row, 5th column. The 5th row, 5th column is shaded with red diagonal lines. The text "17" is written in the 4th row, 5th column. The text "TGIS" is written in the 4th row, 3rd column. The text "R 31E" is written in the 3rd row, 5th column.

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



Point(s) of diversion: ✓ SW 1/4 SE 1/4 Sect. 17 T6S R31E

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None  
☐ Other

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Examiner's Signature

Checked by

Approved by

Date \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

1-4-84

9 Nov 1984

8-13-86

35-7760



**State of Idaho**  
**Department of Water Resources**

**WATER RIGHT LICENSE**

(Late Proof)

License of Water Right No. 35-7760 Priority December 16, 1977 Amount 1.26 cfs

THIS IS TO CERTIFY, that Raymond F. &/or Betty N. Funk  
of Aberdeen, Idaho, has complied with the terms and conditions of Permit  
No. 35-7760 issued pursuant to Application for Permit dated December 8, 1977,  
and has submitted proof to the Department of Water Resources on March 9, 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 1.26 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          |
|----------------|------------------------------------------|------------------------|------------------------|
| Irrigation     | from <u>April 1</u> to <u>November 1</u> | at <u>1.26</u> cfs and | <u>276.5</u> acre feet |
|                | from _____ to _____                      | at _____ cfs and       | _____                  |
|                | from _____ to _____                      | at _____ cfs and       | _____                  |

(both dates inclusive)

Subject, however, to the condition that no more than 1.26 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  
276.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 17,  
Twp 6S, Rge 31E in the County of Bingham

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   | 31E   | 17   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 39               |                  | 79     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 79

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 1986.

\_\_\_\_\_  
Jeffrey D. Flowers  
Director

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Sim  
447

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7760 IN THE )  
NAME OF RAYMOND F. &/OR BETTY N. FUNK ) ORDER OF REINSTATEMENT  
\_\_\_\_\_ )

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1983; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on March 9, 1983;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7760 be REINSTATED and the priority advanced to December 16, 1977.

Dated this 11<sup>th</sup> day of March, 1983.



L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. 35-7760

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "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"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1<sup>st</sup> day of June 1981.

*Glen Saxton*

GLEN SAXTON  
Chief, Operations Bureau

Identification No. 35 7760  
Application No. \_\_\_\_\_

**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 Raymond F. &/or Betty N. Funk Phone: 397-4506  
post office address Rt. #1, Box 77, Aberdeen, Idaho 83210
2. Source of water supply ground water which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 17 Township 6S  
Range 31E B.M. Bingham County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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 1.60 for Irrigation purpose from Apr. 1 to Nov. 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. 1.60 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, 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 during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is 16 inches; proposed depth of well is 150 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 \$ 36,000.00.
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

Y.  
6  
S

R. 31E

17

17

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.

Bryant Hunt  
(Applicant)

Subscribed and sworn to before me this 7th day of December 1977.

Dwight Lake  
Notary Public

My commission expires October 16, 1980

Proposed Priority 12/08/77

Received by OW Date 12-08-77 Time 11:10A

Preliminary check by EMC Fee \$ 35.00

Received by OW Date 12-08-77

Publication prepared by OW Date 12-08-77

Published in Blackfoot News

Publication dates Dec. 15+22-1977

Publication approved OW Date 1-04-78

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by WMM

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

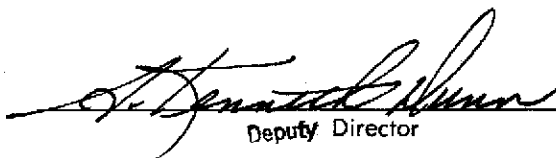
This is to certify that I have examined\* Application for Permit to appropriate the public waters of the State of Idaho No. 35-7760, and said application is hereby APPROVED.

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 March 1, 19 83.
- 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 Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 8 day of March, 19 78.

  
Deputy Director

RECEIVED

JAN 4 1978

Department of Water Resources  
Eastern District Office

## AFFIDAVIT of PUBLICATION

County of Bingham )

State of Idaho )  
I, David Mark Brown )

solemnly

Publisher

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  
154 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 within 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 two consecutive weeks

the first publication having been made on the  
15th day of December, 19 77

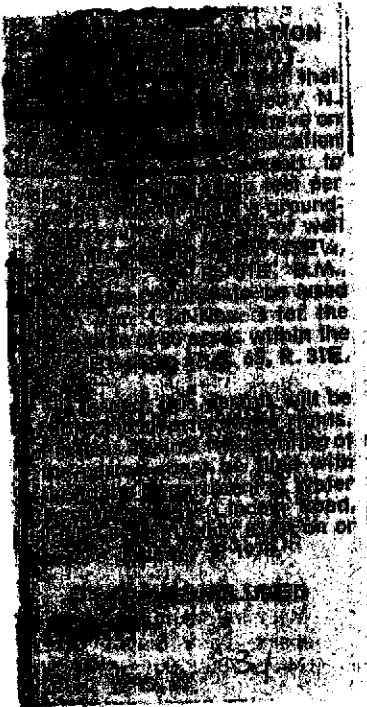
and the last publication having been made on the  
22nd day of December, 19 77

that said notice was published in the regular and en-  
tire 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 30th

day of December, 19 77

Patricia A. Johnson  
Notary Public for the State of Idaho,  
Residing at Blackfoot, Idaho  
My commission expires  
Oct. 20, 1980



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

September 22, 1986

RE: Permit No. 35-7760

Raymond F. &/or Betty N. Funk  
2066 S. 2950 W.  
Aberdeen, ID 83210

Dear Mr. and Mrs. Funk:

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

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:sc

Enclosure

**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

August 25, 1986

RE: Permit No. 35-7760

Raymond F. &/or Betty N. Funk  
2066 S. 2950 W.  
Aberdeen, ID 83210

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**

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

RECEIVED  
NOV 16 1984

Department of Water Resources  
35-7760  
Permit No.

CONTACT WITH PERMIT HOLDER

|                                                                               | DATE | INITIALS | REMARKS |
|-------------------------------------------------------------------------------|------|----------|---------|
| <input type="checkbox"/> Appointment letter mailed:                           |      |          |         |
| <input type="checkbox"/> Telephone call made:<br>(List Telephone No. used)    |      |          |         |
| <input type="checkbox"/> Appointment scheduled for:<br>(Date, time, location) |      |          |         |

EXAMINATION

Date 8-19-83 Accompanied by Ray Funk Total Q measured 1.26 cfs ✓  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement Eagle Eye Meter # 091461 Meets Permit requirements? \_\_\_\_\_  
Calibrated 4-25-83

|                                                                                                                                                                                |                                                                                                                                                                                      |                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| Measurement calculations:<br>$V = 79 \text{ cfs} \times 3.5 \text{ afa} = 276.5 \text{ afa} \checkmark$<br>$V = 1.26 \text{ cfs} \times 1.9835 \times 214d = 534.8 \checkmark$ | $0.979 \times 7 \text{ " Annubar readings} = 6.853$<br>$(7.5 \text{ " ID})^2 \times 3.85 = \sqrt{6.853}$<br>$\frac{566.9 \text{ spm}}{448.8} = 1.26 \text{ cfs} \checkmark$ capacity | Q limited by 1.26 capacity |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|

| WELL/DIVERSION* NO. | HP | MOTOR MAKE | MOTOR SERIAL NO. | PUMP MAKE    | PUMP SERIAL NO. | MEASURING DEVICE TYPE | CONDITION OF MEAS. DEV. | REMARKS |
|---------------------|----|------------|------------------|--------------|-----------------|-----------------------|-------------------------|---------|
|                     | 50 | US Motors  | 1169710          | Layne-Barker | NA              | Annubar 6.05" #191117 |                         |         |

System Description well/pump + mainline to 4 wheel lines

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

RECOMMENDED AMOUNTS

|                            |                                       |                                    |
|----------------------------|---------------------------------------|------------------------------------|
| USE<br><u>Irrigation</u> ✓ | Irrigation requirement = <u>3.5</u> ✓ | AFA/Acre                           |
|                            | Q (cfs) <u>1.26</u> ✓                 | V (afa) <u>276.5</u> ✓             |
|                            |                                       | FROM <u>4-1</u> ✓ TO <u>11-1</u> ✓ |

Remarks R30 Total 1.26 cfs 276.5 AF  
R16 (3.5) ✓ No overlapping rights but canal water indicated on permit

P/D overlap per VAX: 35-4035-claim, no overlap

MICROFILMED

8-13-86  
9 Nov 1984  
78-7-1

**MICROFILM**

Place(s) of Use 

## SCHEMATIC DIAGRAM OF SYSTEM

MAP (Attach Aerial Photo)

35-7760

F  
786

D  
30.7

F-243

A  
66.9

F-254  
254F

(40)

(39)

RSIC  
T

TR. POWER CO.

ROAD

TR. POWER CO.

F-524  
1356F

A  
1357

B  
1359

POWER CO.

PERMIT NO. 35-7760

Ray Funk  
(Name)

EXAMINATION: DATE: 8-19-83 Accompanied by R. Funk

| Motor Make | HP | Motor Serial No. | Pump Make   | Pump Serial No. |
|------------|----|------------------|-------------|-----------------|
| usmdaws    | 50 | 1169710          | Layne-Barto | NA              |
|            |    |                  |             |                 |
|            |    |                  |             |                 |

Measuring Device Type: Annubar

Meter # Small Annubar#

Size # 6.05

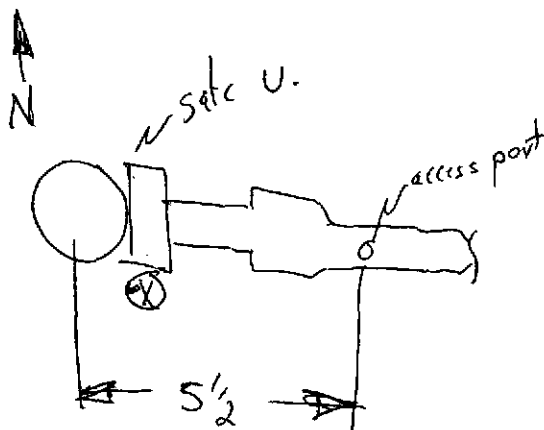
Remarks: 4 wheel lines

Measurement calculations:

7" Annubar

# SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter 7.5" Length





State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

July 11, 1985

Raymond F. & Betty N. Funk  
2066 S. 2950 W.  
Aberdeen, ID 83210

Re: Water Right Identification No. 35-7760

Dear Wateruser:

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

- ☒ Proof of beneficial use has already been submitted for the water right.
- ☐ Proof of beneficial use is not applicable for existing licensed rights.
- ☐ Proof of beneficial use is not applicable for existing decreed rights.
- ☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.
- ☐ Other:

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosure

cc: Region

**MICROFILMED**

March 17, 1983

Mr. Raymond F. Funk  
Rt. 1 Box 77  
Aberdeen, ID 83210

Dear Mr. Funk:

Re: Permit No. 35-7760

Pursuant to your request, enclosed is a copy of your water right permit along with an order changing the measuring device requirement.

This office acknowledges receipt of the Statement of Beneficial Use postcard and we have reinstated the permit. Enclosed is a copy of the Order reinstating your permit.

Before a license can be issued, a field examination of your water distribution system must be conducted by a representative from our regional office. We cannot tell just when this examination will be done, but our representative will try to contact you before he does the field examination.

If you have any questions concerning your permit, please feel free to contact this office or our Eastern Regional office in Idaho Falls.

Sincerely,

RITA I. FLECK  
Sr. Secretary

cc: Eastern Region

# CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 35-7760

DATE: Mar. 11, 1983

Date Proof Received

Proof Due

Number of Days Proof Late

68 Mar. 9  
40  
 8 Mar 1

Priority Date

Number of Days Proof Late

New Priority Date

342 Dec. 8, 1977  
8  
 350 = Dec. 16, 1977

Remarks

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 35-7760.

Name(s) of Permit Holder: Raymond F. & Betty N Funk

Post Office Address: Rt 1 Box 77

Tel. No. \_\_\_\_\_

## Source of Water:

Extent of Use: ☐ Domestic \_\_\_\_\_ (number of households)  
☐ Stockwater \_\_\_\_\_ (number and type of stock)  
☒ Irrigation 80 \_\_\_\_\_ (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.

3-1-83

Date

Raymond Funk  
 Signature of Permit Holder

PLACE  
3 CENT  
STAMP  
HERE

RECEIVED  
MAR 9 1987



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

Department of Water Resources

**Ray Funk Farms, Incorporated**

Route 1 Box 77  
Aberdeen, Idaho 83210  
Phone 397-4506

RECEIVED

MAR 9 1983

Department of Water Resources

Idaho Dep. of Water Resources

Statehouse

Boise - Idaho 83720

Rita Fleck  
SR. Secretary

Madam;

In Request to permit # 35-7760 Find  
enclosed card having information as to your Request.

I would also Request the Measuring Device be  
Removed in Line of Access Port.

In talk with you office at Idaho Falls I  
Find the permit has been issued. As of this  
Time all I have rec'd ~~only~~ <sup>photo</sup> then Date Dec.  
8, 1977 with reference to the Receipt #9124  
\$35.00 For the application. According to Idaho  
Falls the permit has been issued. Could you  
send ~~it~~ <sup>it</sup> to me? Thank you

enc. 1

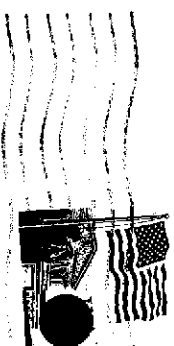
Sincerely

Raymond Funk

**Ray Funk Farms, Inc.**

Route 1, Box 77

Aberdeen, Idaho 83210



Idaho Department of Water Resources

State House

Boise, Idaho

83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

FUNK, RAYMOND F. & BETTY N.  
RT. 1 BOX 77  
ABERDEEN, ID 83210

LAPSE NOTICE

MARCH 03, 1983

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 35-7760 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED DECEMBER 31, 1982.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on March 7, 1983  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

[Signature]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL

138016

FUNK, RAYMOND F. & BETTY N.  
RT. 1 BOX 77  
ABERDEEN, ID 83210

DECEMBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7760 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENC: 1

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

November 17, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE  
Route #5, Box 203, Government Way  
Coeur d'Alene, Idaho 83814  
Telephone 667-6484

EASTERN REGION OFFICE  
150 Shoup Avenue  
Idaho Falls, Idaho 83401  
Telephone 525-7161

SOUTHERN REGION OFFICE  
1041 Blue Lake Boulevard North  
Twin Falls, Idaho 83301  
Telephone 734-3578

WESTERN REGION OFFICE  
92 South Cole Road  
Boise, Idaho 83709  
Telephone 334-2190

MICROFILMED



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

Dear Wateruser:

Forwarded for your information in regard to your water permit is a self-explanatory letter which this office is now forwarding to holders of recently issued water right permits.

This is being mailed retroactively for informational purposes to persons who submitted applications on approximately December 30, 1977 and later.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw  
Enclosure

MICROFILMED



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 14, 1978

Re: Permit No. 35-7760

Raymond F. &/or Betty N. Funk  
Route #1  
Aberdeen, ID 83210

Dear Mr. and Mrs. Funk:

Your approved copy of Application for Permit No. 35-7760 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.

MICROFILMED

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

MICROFILMED



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

John V. Evans  
Governor

C. Stephen Allred  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

March 14, 1978

Re: Permit No. 35-7760

Raymond F. &/or Betty N. Funk  
Route #1, Box 77  
Aberdeen, ID 83210

Dear Mr. and Mrs. Funk:

Enclosed is a copy of your approved Application for Permit No. 35-7760. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:KW

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. FUNK

g.w. Source  
✓ Point of Diversion  
✓ County  
1.60 Quantity of Water and Period of Use  
✓ Description of Diverting Works  
5 Time required for B/U of water  
80 Place of Use or Acres Irrigated  
✓ Map  
✓ Signature  
35.00 Fee

(1) ENC 12/7/77

In form to receipt YES

(2) " "

Send Copies to:

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

(3) " "

✓ Request Special Use Permit from U.S.F.S.  
✓ Request Easement from B.L.M.  
✓ Request Information from Applicant  
✓ Request Dam Safety Information

(4) " "

In form for advertising YES

(5) " "

Platted on Map No. 6S 31E

(6) " "

Located within Water District No. 35

(7) " "

Critical groundwater area: yes no ✓

(8) " "

Groundwater levels:

Declining, ✓ Stable, Increasing

(comment)

(9) " "

Other rights on the same place of use Surface rights

(10) " "

Comments: None  
None E.U.

(11) OW 1-04-78

Affidavit of Publication received (date) Jan. 4-1978

(12) OW 1-04-78

Final date for protests January 2-1978

Protests received: yes no ✓

(13) LH 1-4-78

All requested information received from agencies or applicant: yes no ✓

(14) LH 1-4-78

Action recommended:

✓ Approve Deny

12-877 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 1-4-78

Copy sent

MICROFILMED

Supplemental

January 3, 1978

RE: Application for Permit No. 35-7760 FUNK

Blackfoot News  
P.O. Box 70  
Blackfoot, ID 83221

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on December 15 and December 22, 1977.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON  
Supervisor  
Eastern Region

RDC:CD

December 9, 1977

RE: Application for Permit No. 35-7760 FUNK

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

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 1-04-78 by Cal

RDC:CW

Enc: Legal Notice (1)

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Raymond F. and-or Betty N. Funk, Aberdeen, Idaho have on 12-08-77 submitted Application No. 35-7760 for a permit to appropriate 1.60 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 17, T. 6S, R. 31E, B.M., Bingham County, to be used from Apr. 1 to Nov. 1 for the irrigation of 80 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 17, T. 6S, R. 31E, 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 January 2, 1978.

C. STEPHEN ALLRED  
Director

(5400)  
Pub: 12-15, 22

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Raymond F. &/or Betty N. Funk,  
Aberdeen, Idaho

have /// on 12-08-77 submitted Application No. 35-7760  
has on \_\_\_\_\_ submitted Application No. \_\_\_\_\_  
for a permit to appropriate 1.60 cubic feet per second XXXXXXXXXXXXXXXXXXXX  
of water from a ground-water source  
by means of well and pump  
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 17, T. 6S, R. 31E, B.M., Bingham County;

to be used from Apr. 1 to Nov. 1  
for the irrigation of 80 acres

within the W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 17, T. 6S, R. 31E, 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 \_\_\_\_\_  
January 2, 1978

C. STEPHEN ALLRED  
XXXXXXXXXXXXXXXXXXXX  
R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho  
on December 15 and December 22, 1977

aw-A.  
the-f.h.

December 8, 1977

RE: Application for Permit No. 35-7760

Ms. Betty Funk  
Rt. #1, Box 77  
Aberdeen, ID 83210

Dear Ms. Funk:

Attached herewith is Departmental receipt No. 9124 in the amount of \$35.00 for the above referenced application.

Very truly yours,

COLLEEN WRAY  
Secretary

CV:CD

Attachment

MICROFILMED

# Ray Funk Farms, Incorporated

Route 1 Box 77  
Aberdeen, Idaho 83210  
Phone 397-4506

December 5, 1977

State of Idaho  
Department of Water Resources  
Eastern Region  
1515 Lincoln Road  
Idaho Falls, Idaho 83401

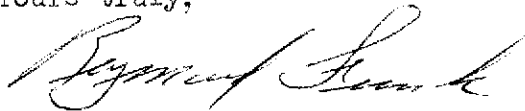
Dear Mr. Kozlowski,

Enclosed find application for permit for irrigation well and  
a check for \$35.00.

A correction was made in lay of the land from east-west to north south  
and initialed.

Thank you.

Yours truly,



Raymond F. Funk

Enclosures

35-9760



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans  
Governor

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

C. Stephen Allred  
Director

November 30, 1977

Mr. Raymond F. Funk  
Rt. #1, Box 77  
Aberdeen, Idaho 83210

Dear Mr. Funk:

Pursuant to our telephone conversation of this date, I have taken the liberty of typing an application from the information you supplied.

Please review this application for accuracy, and if it meets with your approval sign, and return with the statutory filing fee of \$35.00 for further processing.

Should you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

ANTHONY R. KOZLOWSKI  
Water Resource Agent

ARK:CW

Enclosure