

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER }

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 2nd day of June, 1977 the date of last publication being the 9th day of June, 1977

(Signed)

Subscribed and sworn to before me this

10th day of June, 1977

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL) day of , 19

JUN 13 1977

Eastern District Office

Legal Notice

Published in the Power County Press, American Falls, Idaho on June 2, and June 9, 1977

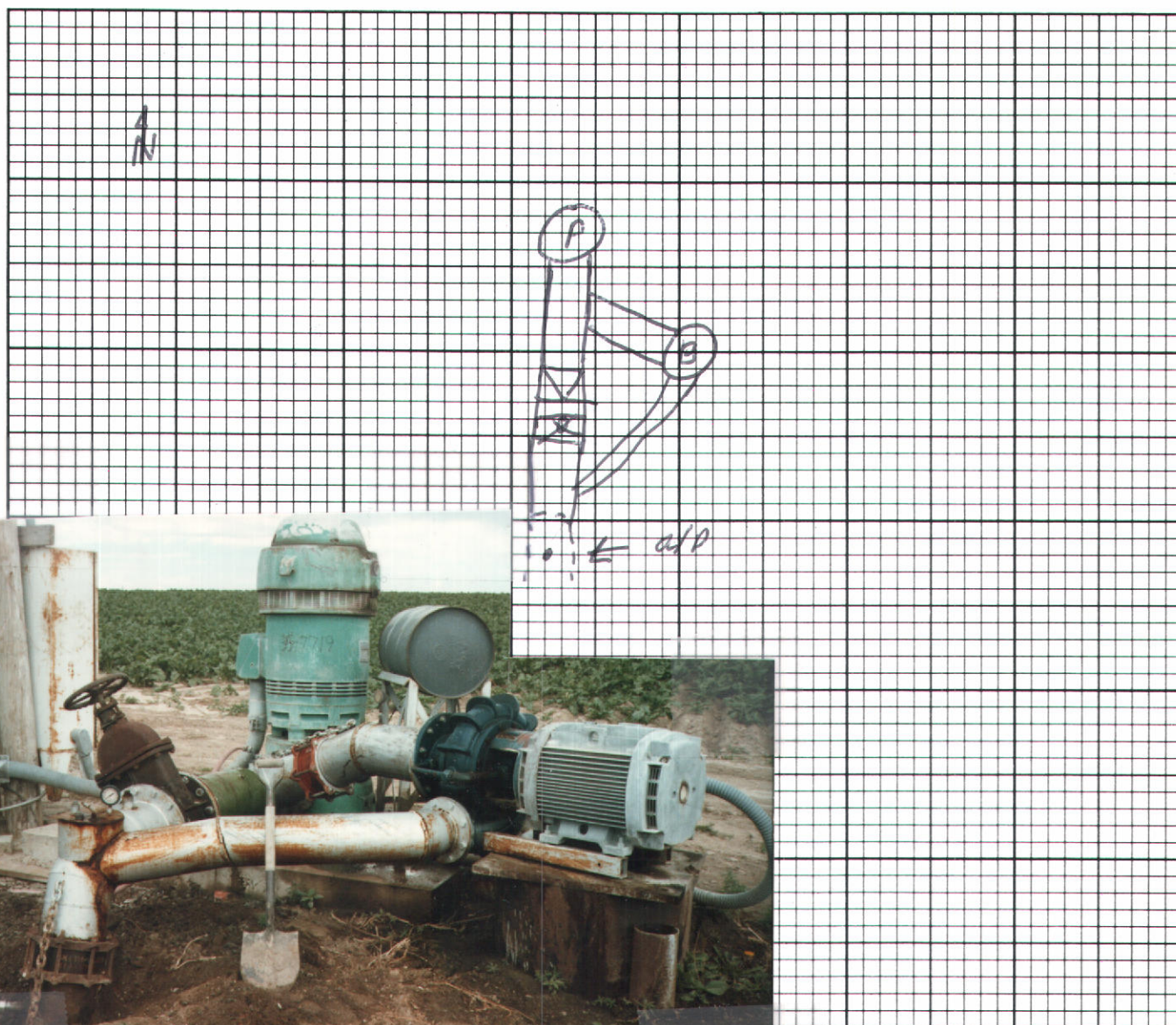
NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin R. Funk, American Falls, Idaho has on 5-18-77 submitted Application No. 35-7719 for a permit to appropriate 0.80 cubic foot per second of water from a ground water source by means of well and pump within the SE1/4 Sec. 19, T. 7N, R. 30E, S14, Power County, to be used from Apr. 1 to Nov. 1 for the irrigation of 40 acres within the SW1/4 Sec. 20, T. 7N, R. 30E, S14.

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 Street, Boise, Idaho, 83701, on or before June 20, 1977.

C. Stephen Allen
Director

10. Other water rights on these lands None
11. Other water right diverted from same p.d. 35-7115 + 35-7239
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

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

14. Remarks System serves entire NE 1/4 of sec 19
T 7S R 30E and NW 1/4, SW 1/4, NE 1/4 of sec
20 T 7S R 30E. Permit 35-7976 was also filed on this
property by mistake. I have advised Bunk Farms & will send them
a relinquishment for Permit 35-7976

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature [Signature] W Aramburi Date 8-5-86

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

SEP 25 1987

CONSULTANT SEAL

T-7S, R30E

35-7719

A-161
Fred Tiede

1571

A-1581

B-372

A-263
Otto Tiede

County Rd.

R30E

B-586
B-186

E-57
E-176

1318 1537

119

1920

T7S

35-7719

County Rd

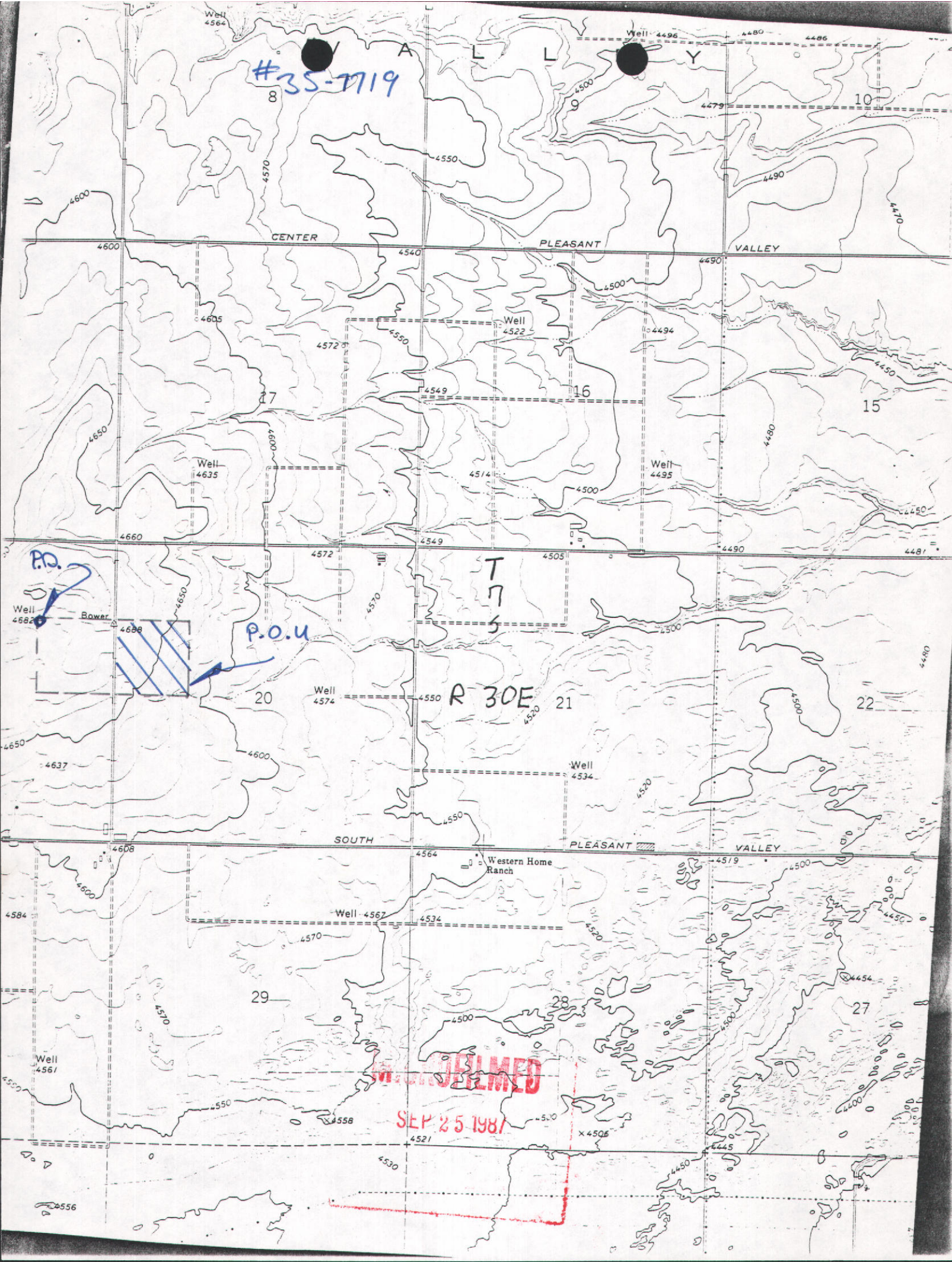
other gravel under Fmg at
time of exam

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SEP 25 1987

1920

2419 310.9
2530



#35-7719

P.O.

P.O.U.

R 30E

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SEP 25 1981

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-7719

Priority: May 2, 1983

Amount: .78 CFS

136.5 AFA

This is to certify, that MELVIN R. FUNK

RT. 1 BOX 142

AMERICAN FALLS, ID 83211

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 18, 1977, and has submitted proof to the Department of Water Resources on May 2, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 3.00 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>	
Irrigation	04/01 to 11/01	.78 cfs	136.5 afa	
<u>LOCATION OF POINT OF DIVERSION(S):</u> SENE, Sec. 19, Township 7S, Range 30E Power County				
<u>PLACE OF USE:</u> Irrigation				
<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
7S 30E 20	SWNW 39			39
Total number of acres irrigated:				39

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The maximum combined rate of diversion under this right & Right Nos. 35-7115 & 35-7239 shall not exceed 3.84 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29 day of August, 1987.

RECEIVED
SEP 25 1987

for Director

DAVID B. SHAW

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 35-7719 IN THE NAME
OF MELVIN R. FUNK

ORDER OF REINSTATEMENT

WHEREAS, on August 22, 1977, the Director of the Department of Water Resources issued Permit No. 35-7719 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1978; and,

WHEREAS, on June 30, 1978, the Department sent a proof due notice to the permit holder; and,

WHEREAS, on September 7, 1978, the Department sent a lapse notice to the permit holder since neither proof of beneficial use nor a request for extension of time had been received from the permit holder; and,

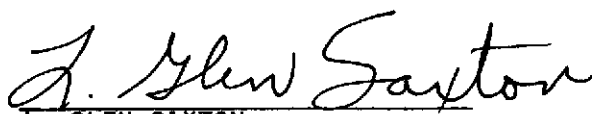
WHEREAS, on May 2, 1983, proof of beneficial use was submitted by the permit holder; and,

WHEREAS, amendments to Section 42-218A, Idaho Code, effective April 8, 1983, provide that the Director may reinstate a permit upon which proof has been submitted subsequent to the sixty day period after the notice of lapsing; and,

WHEREAS, permit holder has shown adequate cause that the permit can be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that permit No. 35-7719 be reinstated; and It Is Further ordered that the priority be advanced to May 2, 1983.

Dated this 15th day of March, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

Identification No. 35 7719

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Melvin P. 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 SE 1/4 of NE 1/4 of Section 19 Township 7S
Range 30E B.M. Power County addition points of diversion if any
- b. If water is not consumed it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.80 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. 0.80 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
c. Proposed well diameter is 20 inches, proposed depth of well is 400 feet
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years
b. Estimated construction cost is \$ _____
8. Description of proposed uses
a. If water is not for irrigation
(1) Give the place of use of water _____ 1/4 of _____ 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 _____

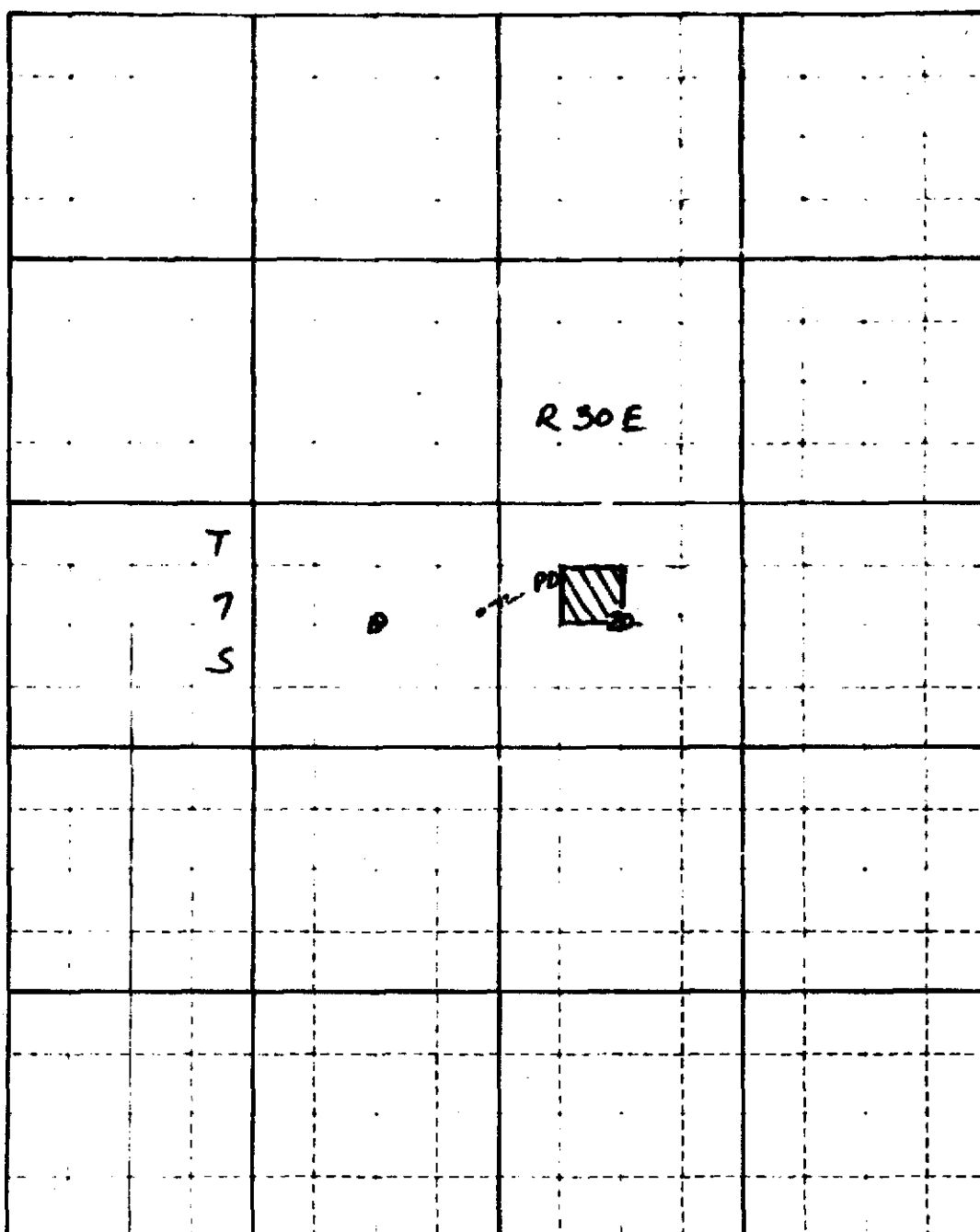
Year	Range	Sec.	Acres	Acres	Acres	Acres	Acres
75	30E	20		40			40

Total number of acres to be irrigated 40

Describe any other water right used for the same purpose as defined above None

- 9 a. Who owns the property at the point of diversion **Melvin Funk**
b. Who owns the land to be irrigated or place of use **Fred Tiede**
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing **verbal agreement**

10 Remarks **well is under 35-7225**



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.

Martin R. Jank
(Applicant)

Application No. 35-7719

Received by File Date 5-18-77 Time 4:20 P
Reviewed by DR Fee \$25.00
Received by File Date 5-18-77 25-7247
Application prepared by J. L. ...
Reviewed by ...
Fees paid ...
Application approved File Date 6-13-77
Priority reduced to ... Reason ...

Proposals filed by ...

Copies of proposals forwarded by ...

Hearing held by ... Date ...

Recommended for approval/denial by ...

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. 35-7719 and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 78.
- 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 issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 22 day of August, 19 77.


Deputy Director

Affidavit of Publication

STATE OF IOWA

COUNTY OF POWERS } ss.

Phyllis Ring

being first duly sworn

on oath, states:

That Phyllis Ring is the proprietor and printer of the Powers County Press, a newspaper published weekly at American Falls in Powers County, Idaho; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight years; prior to the first publication of the announced notice or advertisement:

That the announced notice or advertisement was published as per clipping attached to 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 2nd day of June, 1977

the date of last publication being the

2th day of June, 1977

(Signed) Phyllis Ring

Subscribed and sworn to before me this

10th day of June, 1977

Reese Ann Fink
Notary Public, residing at American Falls, Idaho

My Commission expires the

(SEAL) _____ day of _____, 19____

JUN 13 1977

Eastern Federal Office

September 1, 1987

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

RE: Permit No. 35-7719

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 25 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

January 28, 1987

RE: Permit No. 35-7719

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

Dear Permit Holder(s):

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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SEP 25 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

35-7719
Permit No.

1. **Measurement Calculations**

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

$$Q = (9.75 \pm 0)^2 \times 3.85 \sqrt{13.5} \text{ manometer Reading}$$

$$= 1344.7 \text{ spm or } 3.00 \text{ cfs (capacity)}$$

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OCT 30 1986
Department of Water Resources

use capacity of 3.84 cfs as recommended in 2(c).
 with 39 acres using a 0.02 cfs/acre - allow 0.78 cfs for licensing

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 39 \text{ acres} \times 3.5 \text{ af/yr} = 136.5 \text{ af}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.78 \times 214 \times 1.9835 = 331.1$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 136.5 \text{ af}$

c) Volume Calculations for Other Uses:

2. **Overlap Review**

a) Other water rights with same place of use: NA - Permit 35-7976 (will ask this be relinquished) OK

b) Other water rights with same point of diversion: 35-7115 + 35-7239

c) Analysis:

$R-17 (35-7115 + 35-7239) (3.84 \text{ cfs})$
 capacity from Exam 35-7115

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SEP 25 1987

pd. #100.
exam fee

RECOMMENDED AMOUNTS

10 day

35-7719	5-2-1983	0.78cfs	5-18-1977	5-2-1983	3.84 cfs
Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: Melvin R. Funk
Address: Rt. 1, Box 142, American Falls, ID 83211
5. Source: gw tributary to _____
6. Beneficial Use: Irrigation

Period of Use From 4-01 To 11-01
Rate of Diversion 0.78 cfs
Annual Volume 136.5 AF V (afa)

7. Point(s) of Diversion: ✓
Allowable Maximums: 0.78 cfs 136.5 AF

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
					SE NE	19	7S	Boyer

8. Place(s) of Use <u>✓</u>									
Total Acres <u>39</u>									
9. Recommended Conditions/Remarks: <u>R17(35-7115 & 35-7239, 3.84cfs)</u>									

10. Recommended Amendments
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____
11. Examiner's Signature: [Signature] Date: 8-25-86

Checked in Regional Office by [Signature] Date: 10-23-86

Approved in State Office by [Signature] Date: 12-3-86

OCT 30 1986

BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 35-7719

Phone No. 226-5207

1. Owner: Mel Funk Phone No. 226-5207
Current Address: Rt 1 Box 142 American Falls
2. Accompanied by: Brad Funk EXAM. DATE: 7-14-81
Address: _____ Phone No. _____
Relationship to Permit Holder: Son
3. Source: groundwater tributary to N/A

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Motors	300	CC 1009831	Johnston	GE 14023
Booster	G. E.	75	BT 063019	Cornell	33251

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

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well	with	booster	pumped to	14	thunderbird
wheel lines	5/32"	nozzles	32	birds	per line.
Rain bird	model	30,	400'	deep	well.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar				091400	7.98"	
Maxamute				2	46"	
Eagle Eye				091471	10-80	

7. Measurements *9 3/4" i.d.* ☐ Additional data/computation sheets attached

Measurements 1 4 1.0. Additional data/computation sheets attached

Manometer $\Rightarrow 29.5'' - 16.0'' = 13.5''$ 36 44 39 psi

Eagle Eye $\Rightarrow 15''$ Pitot gauge $\Rightarrow 38$ psi

Pressure = 65 psi 35 psi 39

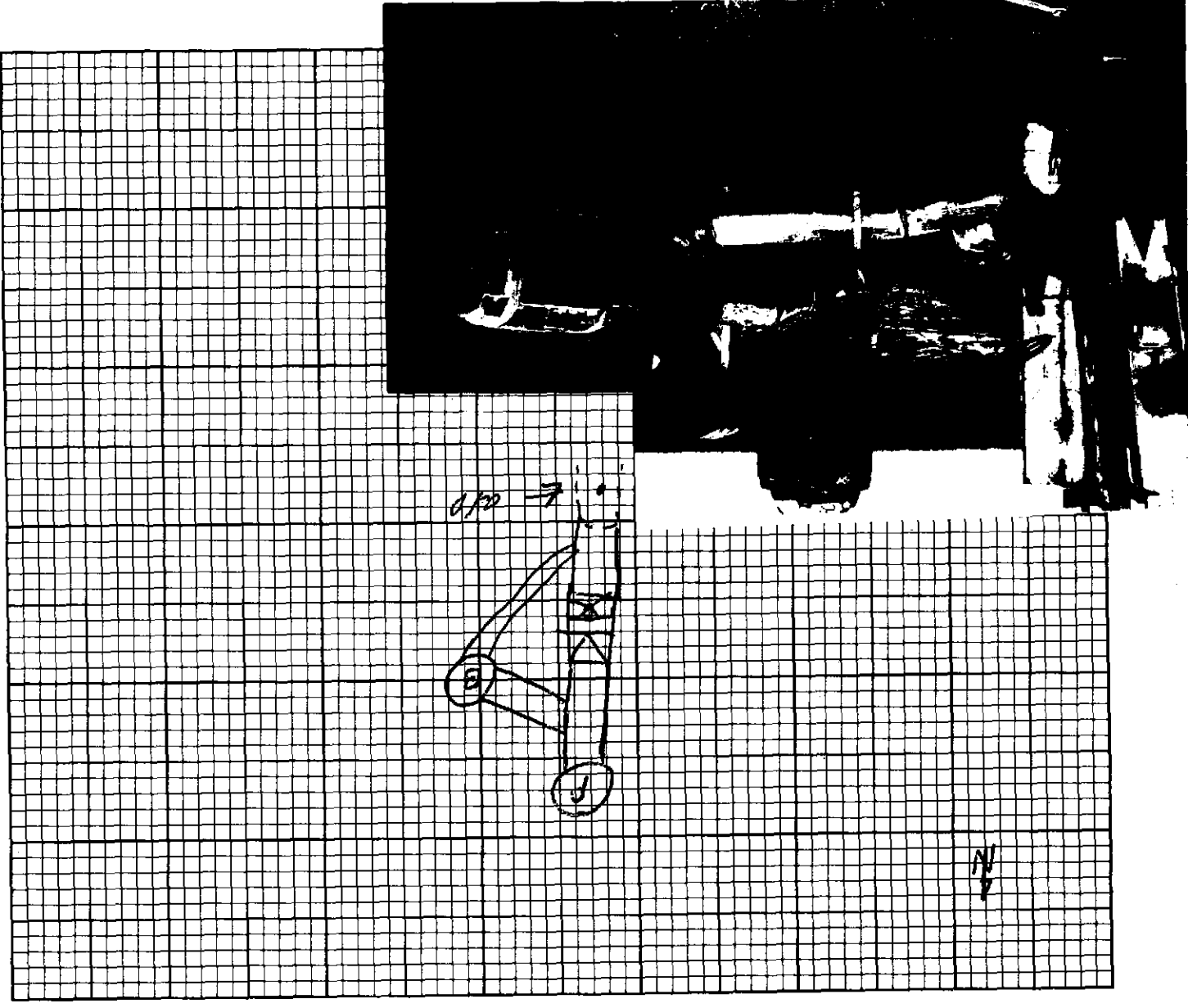
- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination <i>ASCS</i> |
|----|------------------|---|

Twp.	Rge.	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	
7S	30E	20																39	✓
Total Acres																		39	✓

10. Other water rights on these lands None
11. Other water right diverted from same p.d. 35-7115 + 35-7239
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



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

14. Remarks System serves entire NE 1/4 of Sec 19
T 75 R 30E and NW 1/4, SW NW, NE NW of Sec
20 T 75 R 30E Permit 35-7976 was also filed on this
property by mistake. I have advised Bank Farms & will send them
a relinquishment for Permit 35-7976

15. Recommended Amendments
☐ Change P.D. as reflected above
☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature [Signature] Consultant's License Number _____ IDWR Director's Authorization to Conduct _____ Beneficial Use Examination _____
Date _____ CONSULTANT SEAL

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 35-7115 Priority Feb. 2, 1970 Amount 3.11 cfs

THIS IS TO CERTIFY, that OTTO FUNK
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7115 issued pursuant to Application for Permit dated February 2, 1970,
and has submitted proof to the Department of Water Administration on June 20, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.84 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 3.11 cfs for Irrigation from April 1 to Oct. 15 (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 3.11 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE¹₄NE¹₄ Sec. 19, Twp. 7 S, Rge. 30 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 546 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	
7 S	30 E	19	38	39	40	39													156

Total number of acres irrigated 156

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 9 day of

August, 19 73.

MicroFILMED

SEP 20 1981

[Signature]
Director

35 7115

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 35-7239 Priority August 17, 1972 Amount 1.60 cfs

THIS IS TO CERTIFY, that MELVIN R. FUNK
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7239 issued pursuant to Application for Permit dated June 20, 1972,
and has submitted proof to the Department of Water Administration on October 29, 1973 (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 * 8.47 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
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>1.60</u> cfs and	<u>280 acre feet or</u> <u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.60 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
280 acre feet per year, said waters to be diverted within the SE¹/₄NE¹/₄ & SE¹/₄NW¹/₄ of
Sec. 19, Twp. 7 S, Rge. 30 E, B. M. in the County of Power

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	
7 S	30 E	20					40	40											80

Total number of acres irrigated 80

* Subject to the condition that the maximum rate of diversion shall not exceed
7.82 cfs when combined with Licenses No. 35-7115 & 35-7116.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

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 6th day of
September, 19 74.

MICROFILMED

SEP 25 1981

Director

By: A. KENNETH DUNN, Administrator

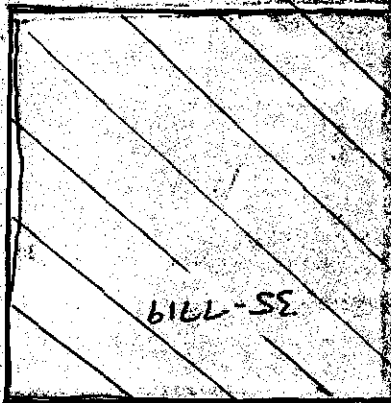
SEP 25 1987

UNCLASSIFIED

2530

3109

1920



35-7719

Bonus

main line

T7S

1920

1920

13151537

R30E

County

13151537

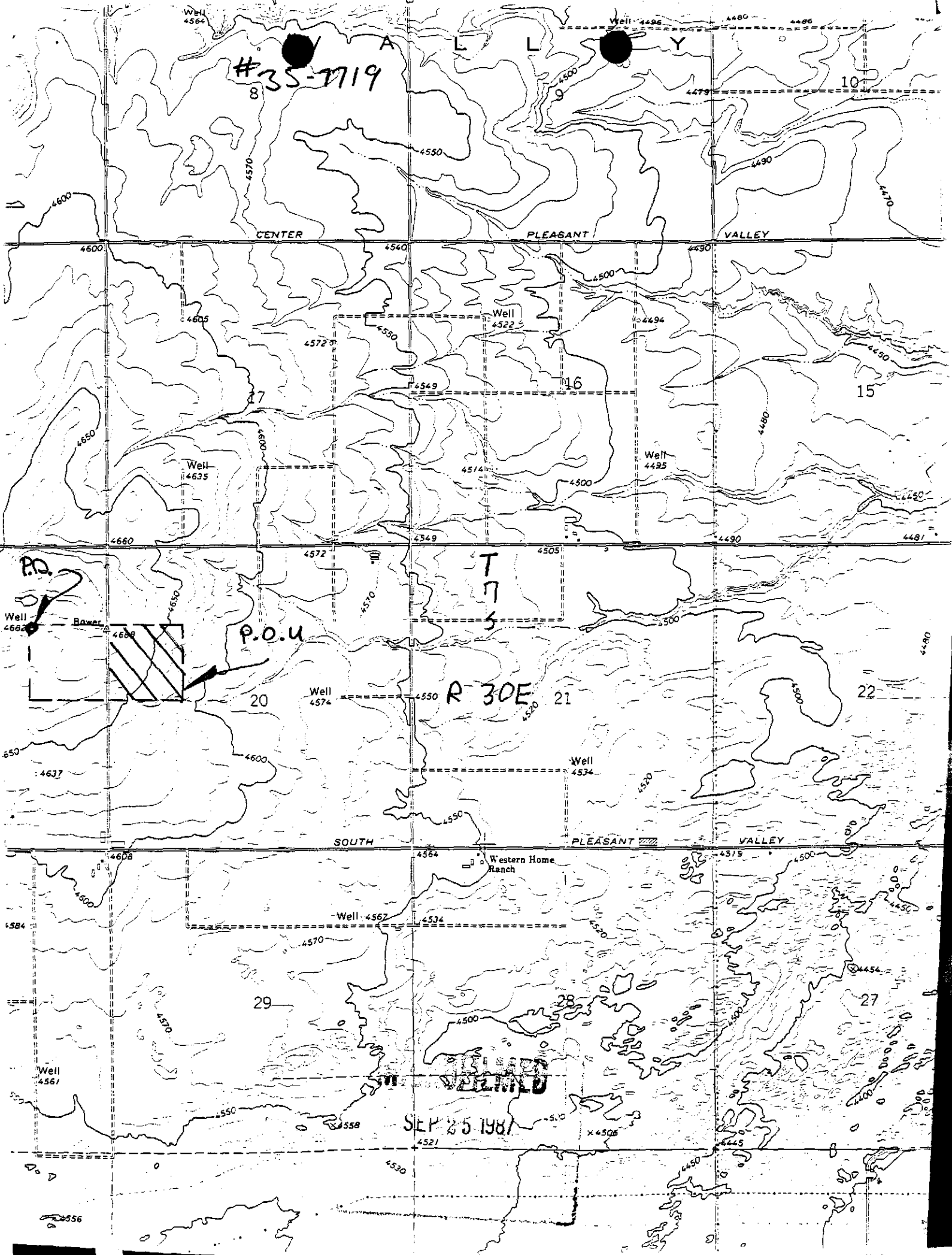
R-23

772

35-7719

T-7S, R30E

T-7S, R30E



#35-7719

P.O.U.

R 30E

SEP 25 1987

4/86

RECEIVED

JUN 16 1986

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

OK
G.C.
For Office Use Only
Fee Received 100.00
Date 6-16-86
Receipt # 39743
Receipt by ms
Sent to S.O. 7-16-86

RECEIVED

JUL 22 1986

1. Permit No. 35-7719

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

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

2. Permit Holder: Melvin R. Funk

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

Telephone No. (208) 226-5207

4. Source of Water: Groundwater

5. Extent of Use:

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

Irrigation 40 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted .80 cfs _____ acre-feet

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

5/18/77

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

Melvin R. Funk

(Name)

Rt. 1 Box 142, American Falls, ID 83211 (208) 226-5207

(Address)

(Telephone Number)

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

May 16, 1986

Date

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

copy retained for file



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720

35-7719
FUNK, MELVIN R.
RT. 1 BOX 142
AMERICAN FALLS, ID 83211

138586

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

SEP 25 1987

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

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

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

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

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

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

Northern Region

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

Eastern Region

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

Southern Region

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

Western Region

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

SEP 25 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

July 16, 1985

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

Re: Water Right Identification No. 35-7719

Dear Wateruser:

The proof of beneficial use 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

SEP 25 1987

March 22, 1984

RE: Permit Nos. 35-7718 & 35-7719

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

Dear Mr. Funk:

We acknowledge receipt of the statement of beneficial use postcards and the supporting documentation for reinstating the above referenced permits. Enclosed are copies of the Orders of Reinstatement. Please note that the priority dates have been advanced to May 2, 1983.

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

If you have any questions regarding this matter, please contact this office or our Eastern Regional Office at 525-7161.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Power County ASC Committee
P.O. Box 180
American Falls, Idaho 83211

June 13, 1983

RECEIVED
MAR 23 1984

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

Department of Water Resources
Western Region Office

Dear Melvin,

As requested by you, the following land that is operated by you, but owned by Fred Tiede has had the following crops planted. The land in question is in Sec. 20, T7S, Rge 30E.

	1977	1978	1979	1980	1981	1981
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Wht	Pot.	SB	Wht	SB	Wht
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Pot	SB	Wht	SB	Wht	Pot.
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Pot	SB	Wht	SB	Wht	Pot.

All fields are irrigated. Wht indicates either spring or fall wheat.
Pot. indicated potatoes. SB is sugar beets.

H. Norman Wright

H. Norman Wright
County Executive Director

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. 35-7719.

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

Post Office Address: RT1 Box 142

AMERICAN FALLS, IDAHO 83211 Tel. No. 226-5267

Source of Water: GROUNDWATER

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 40 (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.

4/27/83
Date

Melvin R. Funk
Signature of Permit Holder

ASCS

Reinstatement Review

P.N. 35-7719

DATE PROOF DUE: 9/1/78

PROOF SUBMITTED: 5/2/83

PROOF LETTER SENT: 6/30/78

LAPSE LETTER SENT: 9/7/78

Supporting Info:

Crop records for 1977-1981 from
Dept. of Agri.

Reason for submitting proof late stated in
letter dated 7/13/83; new employee failure
to send in proof; appears to be acceptable

35-7719

MEL FUNK FARMS

RECEIVED

ROUTE 1, BOX 142
AMERICAN FALLS, IDAHO 83211
42081 226-5207
IN POCATELLO, CALL 234-1212

JULY 13, 1983

TO WHOM IT MAY CONCERN:

UPON REQUEST, I AM WRITING THIS LETTER TO GIVE JUST CAUSE AS TO WHY THE PERMIT #7719 HAS LAPSED.

IN JUNE OF 1981, WHEN I ACCEPTED THE POSITION WITH MEL FUNK FARMS, I WAS ASSIGNED THE RESPONSIBILITY OF THE WATER PERMITS. NOT REALIZING THE URGENCY OR THE PROCEDURE, I DID NOT MAKE SURE THE PROPER INFORMATION WAS COMPLETED AND SENT IN ON TIME.

THAT BEING THE REASON, AND NOT THE FAULT OF MY EMPLOYER, I HOPE YOU WILL REINSTATE THE PERMIT.

Sheila M. Funkhouser
SHEILA M. FUNKHOUSER
MEL FUNK FARMS



United States
Department of
Agriculture

Agricultural
Stabilization and
Conservation Service

Power County ASC Committee
P.O. Box 180
American Falls, Idaho 83211

June 13, 1983

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

Dear Melvin,

As requested by you, the following land that is operated by you, but owned by Fred Tiede has had the following crops planted. The land in question is in Sec. 20, T7S, Rge 30E.

	1977	1978	1979	1980	1981	1981
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Wht	Pot.	SB	Wht	SB	Wht
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Pot	SB	Wht	SB	Wht	Pot.
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Pot	SB	Wht	SB	Wht	Pot.

All fields are irrigated. Wht indicates either spring or fall wheat.
Pot. indicated potatoes. SB is sugar beets.

H. Norman Wright
County Executive Director

May 20, 1983

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

Dear Mr. Funk:

Re: Permit No. 35-7719

The Department received your proof of beneficial use postcard in connection with the above-referenced permit on May 2, 1983. The permit lapsed on September 1, 1978, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

- a) Evidence to show that beneficial use of the water did commence during the authorized permit period of August 22, 1977 to September 1, 1978. This evidence could be in several forms such as a convincing combination of a well driller's log, pumping or power records, affidavits, aerial photos, receipts, etc.
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use postcard together with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

MICROFILMED

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. 35-7719.

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

Post Office Address: RT1 Box 142

AMERICAN FALLS, IDAHO 83211 Tel. No. 226-5267

Source of Water: GROUNDWATER

Extent of Use: ☐ Domestic (number of households)

☐ Stockwater (number and type of stock)

☒ Irrigation 40 (acres)

☐ Other

Metering Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

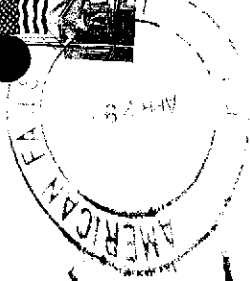
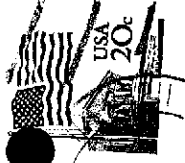
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

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

4/27/83 Date

Melvin R. Funk Signature of Permit Holder

Melvin R. Pink Larsen
Rt #1 Box 142
American Falls, Id 83204



RECEIVED
MAY 2 1985
STATEHOUSE

IDAHO DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO 83720

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 370 W. Baseline Street, Boise, Idaho

ADMINISTRATIVE
DIVISION

C. STEVEN ALLEN
Director

ADMINISTRATIVE
DIVISION
Boise, Idaho 83726
(208) 334-4100

September 7, 1978

Malvin R. Funk
Route 1, Box 142
American Falls, ID 83411

RE: Permit No. 35-7719

Dear Mr. Funk:

You are hereby notified that under the provisions of Section 45-210a of the Idaho Code, Permit No. 35-7719 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided form for that purpose in our notice to you dated June 26, 1978.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.


C. STEVEN ALLEN
Director

CSA:jfr

Encl.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
SHEE OFFICE, 500 W. Main Street, Boise, Idaho

RECEIVED

DATE

June 20, 1970

CERTIFIED MAIL

Re: Permit No. 22-7770

130021

Idaho R. Post
Boise, Idaho 83725
August 1970, 10 0000

Dear Mr. Smith:

One of the conditions of approval of your water permit is that you submit a report on the progress of your project. This report is required as proof of application of water to the project. It is to be submitted to the Department of Water Resources, Boise, Idaho, on or before the date specified in the permit.

If you have not fully completed your project, and you have no estimate of the completion of the project, you may request an extension of the time for submission of the report. This request must be submitted to the Department of Water Resources, Boise, Idaho, on or before the date specified in the permit. If you have not submitted the report by the date specified, the permit will lapse and be of no further force or effect.

Either the beneficial use affidavit or a request for an extension of this permit is required by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

[Signature]

Director

Enc: Proof affidavit

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DEPARTMENT OF WATER RESOURCES
- STATE AGENCIES -

Item Initial Date

Application No. _____

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

(1) Jef 5/19/77

In turn to receipt yes

(2) " "

So Copies to:
Idaho State Health Department
JB Idaho Fish and Game Department
Bureau of Land Management

(3) " "

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

(4) " "

In turn for advertising yes

(5) " "

Platted on Map No. 2,2,2,2,2

(6) " "

Located within Water District No. Basin 35

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels: Observed 20001 - 01-85

Declining, Stable, ☒ Increasing

(comment) Basin 27

(9) " " 245

Other rights on the same place of use None

(10) " "

Comments: in conflicting water rights

(11) Jef 6/12/77

Affidavit of Publication received (date) June 12, 1977

(12) " 6/22/77

Final date for protests June 22, 1977

Protests received: yes no ☒

(13) RCC 6/23/77

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

(14) " "

Action recommended:

☒ Approve Deny

Proposed Priority

Reason for Reduction

☒ Measuring device required

☒ See accountant for other conditions of approval

No special conditions for approval

Approval does not grant
access or easement to
the lands of another
Person

(15) District E By RDC Date 6/29/77

5/1

May 27, 1977

RE: Application for Permit No. 35-7713 FLOW
35-7713

Power County Press
174 Idaho Street
American Falls, Idaho 83201

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 6-13-77 by CW

RDC:CM

Enc: Legal Notice (2)

NOTICE OF APPLICATION FOR WATER PERMIT

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

has on 5-18-77 submitted Application No. 35-7719
for a permit to appropriate 0.80 cubic feet per second ~~8000 feet per second~~
of water from a ground-water source
by means of well and pump
within the SE1/4, Sec. 19, T. 7S, R. 30E, B.M., Power County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 40 acres

within the SW1/4, Sec. 20, T. 7S, R. 30E, 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 _____
June 20, 1977

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX
K. KEITH WILKINSON

Director

Published in the Power County Press, American Falls, Idaho
on June 2 and June 9, 1977

7-174