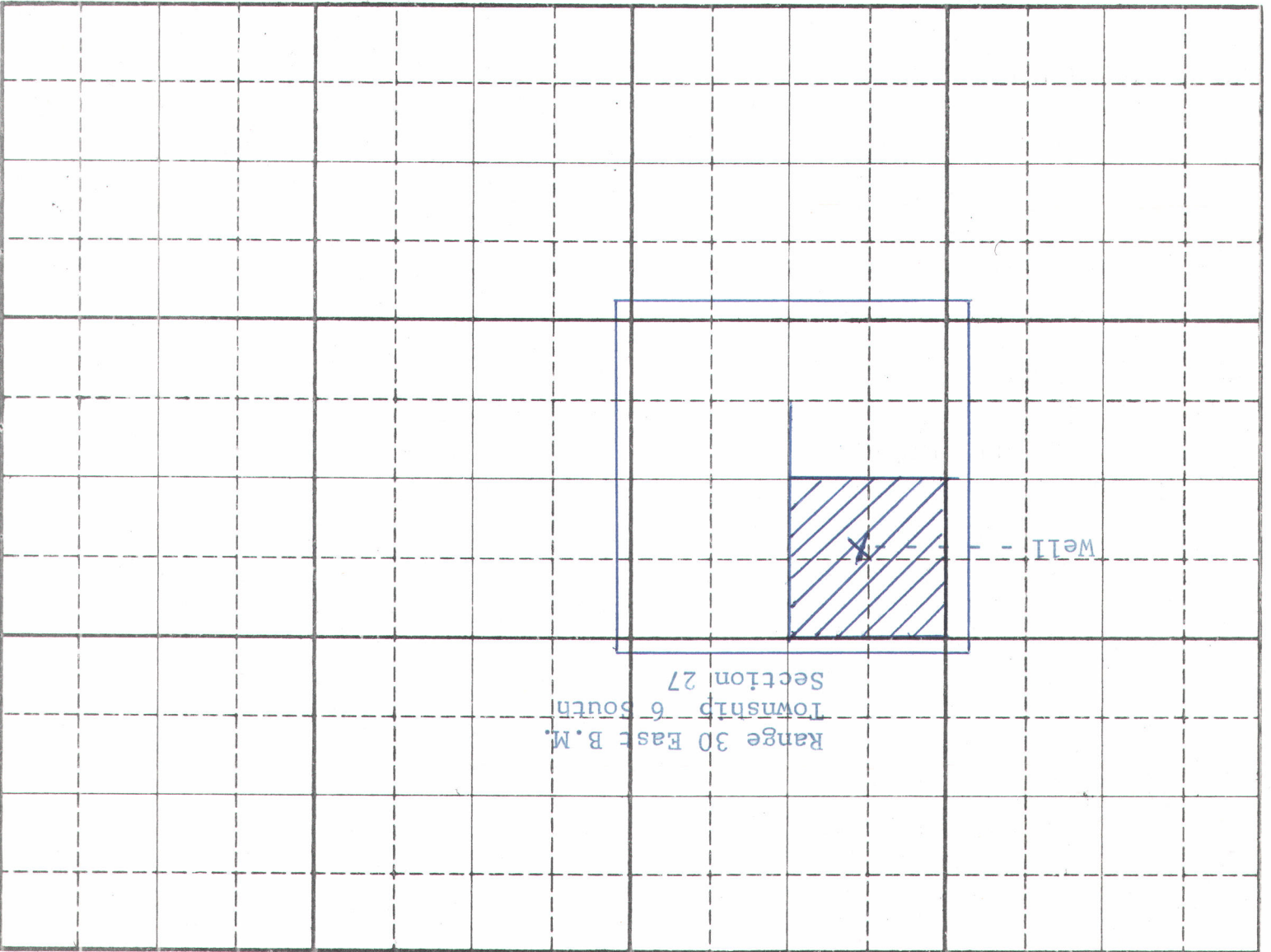


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

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

Signed at American Falls, Idaho, this 4th day of May, 19 70.

David A. Furr
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,

hereby

approve the above application for amendment for Permit No. 35-7105.

Witness my hand this 25th day of June, 19 70

State Reclamation Engineer

RECEIVED

JAN 2 1970

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and 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: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 19th day of December, 1969,

and the last publication having been made on the

26th day of December, 1969; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown
Subscribed and sworn to before me this 26th

day of December, 1969

Ray Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

~~June 1, 1969~~ November 10, 1972

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that

Ewald A. Funk, Box 305, Athena, Oregon, has on November 18, 1969, applied for permit under application No. 35-7105 to divert 3.22 cubic feet per second of water from a groundwater source. Water will be diverted by well, pump, motor and sprinkler system within the SW1/4 NW1/4 of Sec. 27, T. 6S, R. 30E, B.M., Bingham County, and is to be used from April 1 to October 31 for irrigation in the NW1/4 of Sec. 27, T. 6S, R. 30E, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2251)
Pub.: Dec. 19 and 26

Bill submitted
1-5-70
dw

35 7105

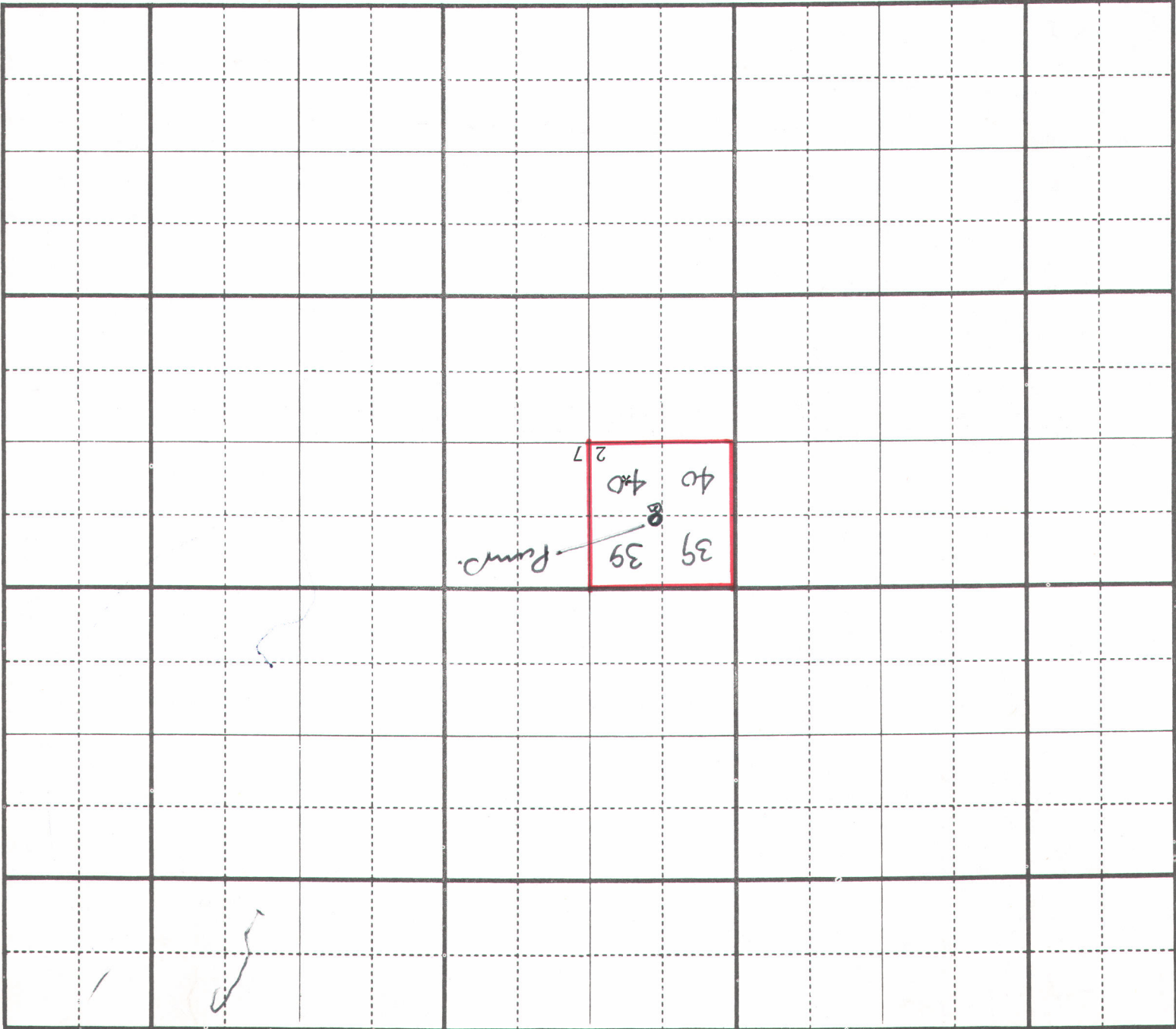


Diagram of System



Upd line w/ 32 pos/line
Both 10-5 of main

Pump

main

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7105 Priority November 18, 1969 Amount 3.11 cfs

THIS IS TO CERTIFY, that EWALD A. FUNK
of Athena, Oregon, has complied with the terms and conditions of Permit
No. 35-7105 issued pursuant to Application for Permit dated November 18, 1969,
and has submitted proof to the Department of Water Resources on December 13, 1974,
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 3.11 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>October 31</u>	at <u>3.11</u> cfs and	<u>553.0 acre feet</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.11 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
553 acre feet per year, said waters to be diverted within the SE 1/4, Sec. 27, Twp. 6S,
Rge. 30E, B. M. in the County of Bingham

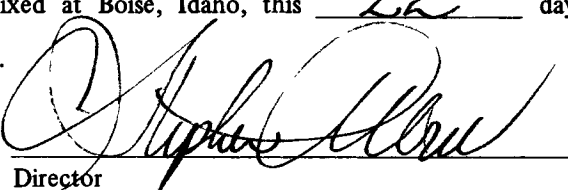
Description and location of place of use:

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	
6S	30E	27					39	39	40	40									158

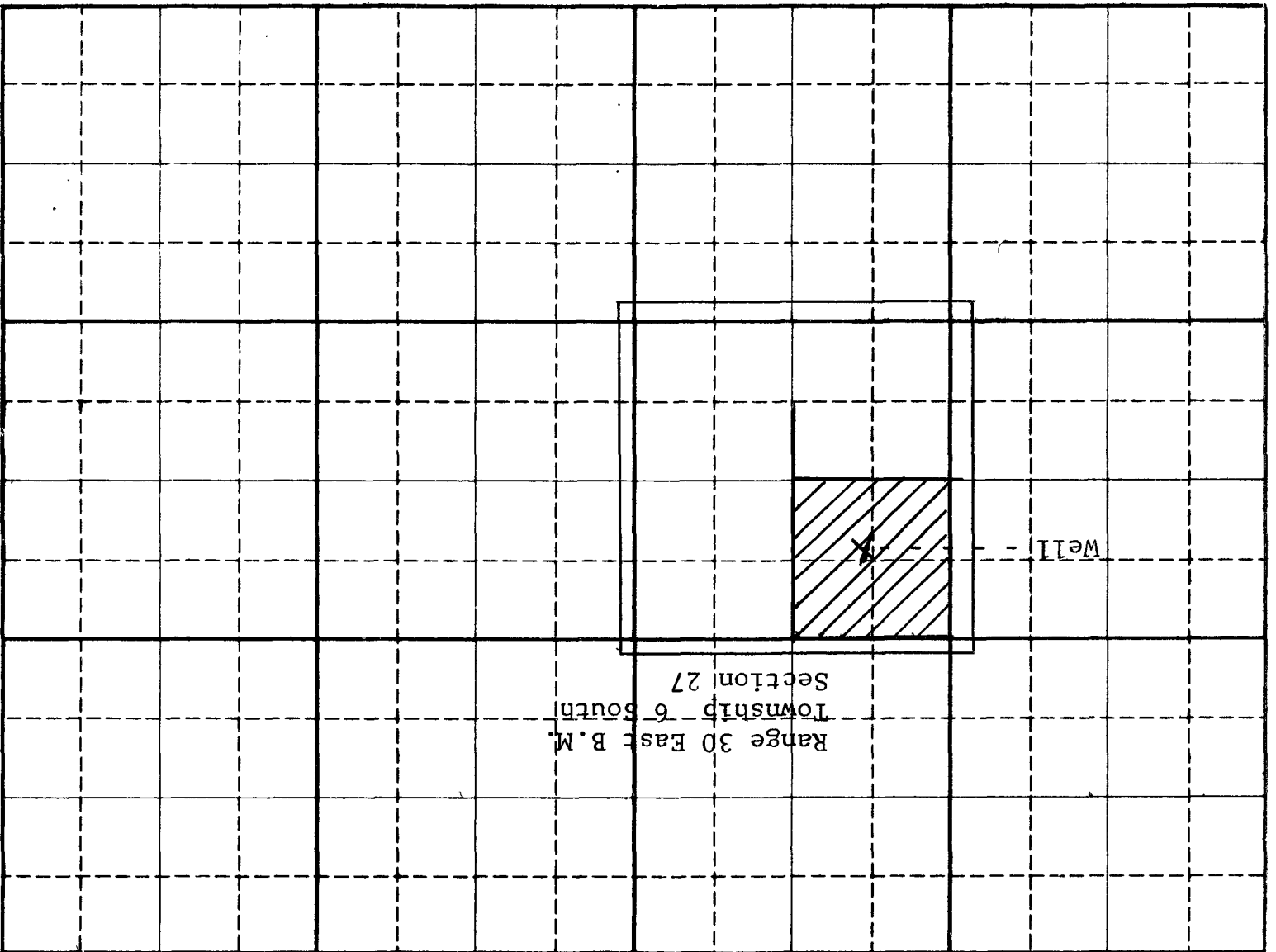
Total number of acres irrigated 158

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 22 day of
September, 19 78.

Director

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



Scale: 2 inches equal 1 mile

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

Signed at American Falls, Idaho, this 4th day of May, 19 70.

Donald C. Frank
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 35-7105.

Witness my hand this 25th day of June, 19 70.

State Reclamation Engineer

Donald C. Frank

Identification No. 35-7105

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant EWALD A. FUNK
post office address Box 305, Athena Oregon
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is Southwest North west 27 Township 6 S
Range 30 E. B.M. Bingham County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into N/A 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 100% for irrigation purpose from April 1 to October 31st (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:
3.2
a. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works: Well
a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump, motor and sprinkler system

b. Height of storage dam None 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 18 inches; proposed depth of well is 250 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 \$ 37,000.00.
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: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	30 E	27					40	40	40	40									160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes None on this property

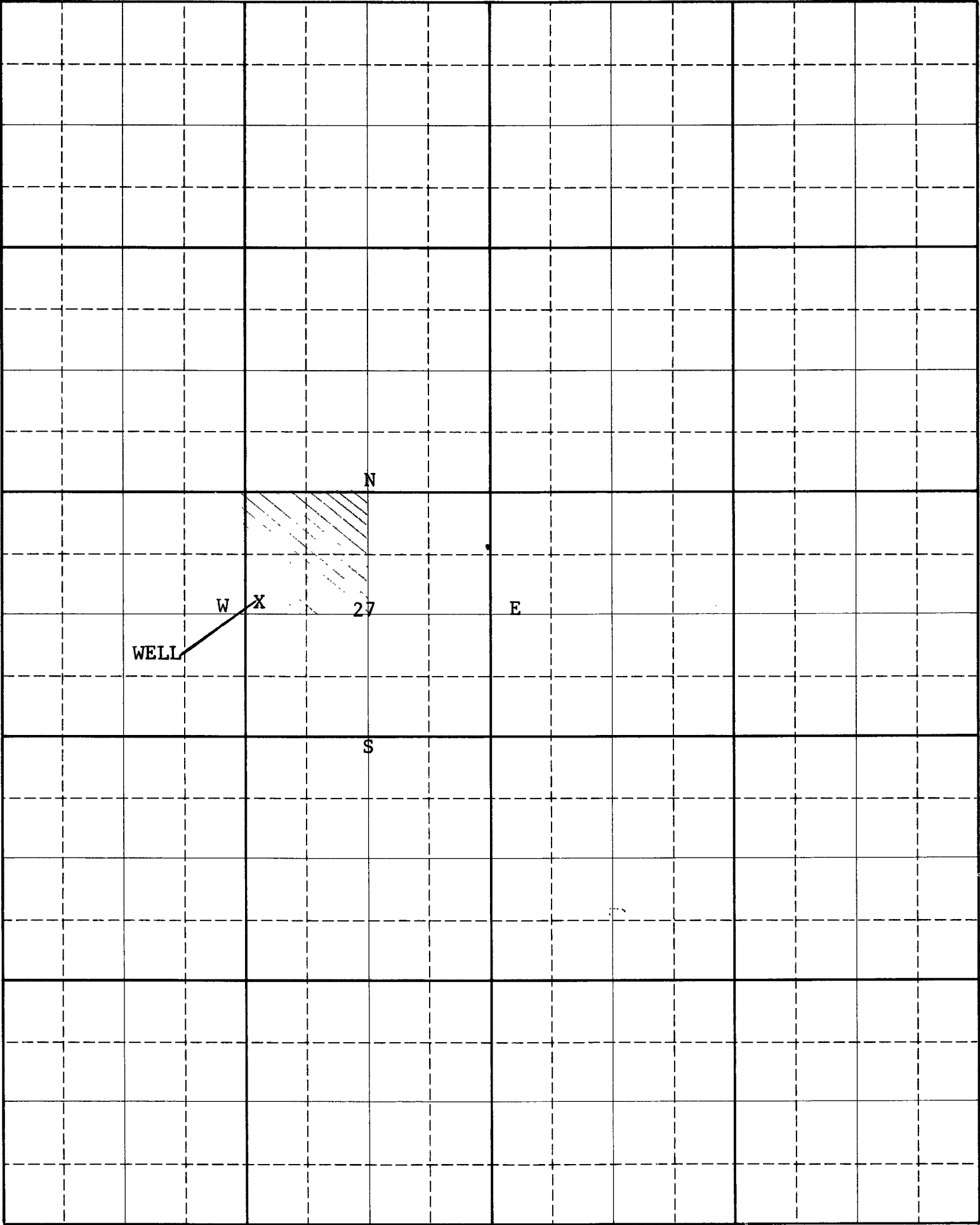
9. a. Who owns the property at the point of diversion Ewald A. Funk

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

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

10. Remarks None

11. Map of proposed project:



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.

Ewald A. Funk
(Applicant)

Received by _____ Date 11-18-69 Time 9:00 am
Preliminary check by DWC Fee \$ 35.00

Receipted by _____ Date 11-19-69

Publication prepared by Mr. Date 12-9-69

Published in Blackfoot Times

Publication dates 12-14 + 25-69

Publication approved Mr. Date 1-5-70

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DPMC Det R.W.H. NY

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7105, 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 January 1, 19 75.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15th day of January, 19 70.

[Signature]
State Reclamation Engineer

NOTICE OF APPEAL
that
Ewald
Athe-
ber 18,
der
of
source. water, and
by well, pump, and
riner system with
NW1/4 of Sec. 2
30E, B.M., Bingham
is to be used
to October
NW1/4 of Sec. 2
30E, B.M., Bingham
this application
with the Department of Recla-
mation within ten days from the
last date of this notice.
R. KEITH HARRISON,
State Reclamation Engineer
(2251)
Pub. Dec. 19 and 26
24

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of
The Blackfoot News which is a daily newspaper of gen-
eral circulation published each day except Saturday and
Sunday at Blackfoot, Bingham County, Idaho, said news-
paper having been so published at Blackfoot aforesaid
for more than one year past; that said newspaper here-
tofore 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 re-
quired by law or by the order of any Court of compe-
tent jurisdiction within the State of Idaho shall be pub-
lished to-wit: Friday of each week; that the notice at-
tached hereto and which is a part of this affidavit and
part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 19th day of December, 1969,

and the last publication having been made on the

26th day of December, 1969; that said
notice was published in the regular and entire issue of
every number of the paper as aforesaid during the per-
iod and time of publication, and that notice was pub-
lished in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 26th

day of December, 1969

George D. Langston
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires

XXXXXXX November 10, 1972



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

September 29, 1978

Re: Permit No. 35-7105

Ewald A. Funk
Box 305
Athena, OR 97813

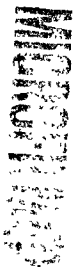
Dear Mr. Funk:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

29 August 1978

Ewald A. Funk
Box 305
Athena OR 97813

RE: Permit No. 35-7105

A representative of this Department made a ^{re-}~~an~~ examination of the works covered by your Permit No. 35-7105 ~~XX~~, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **3.11 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **553** acre feet per year.

Point of diversion: **SE~~1~~ NW~~1~~, Sec. 27, Twp 6S, Rgw. 30E, B.M.**

Beneficial use: **Irrigation of 158 acres within the NW~~1~~, Sec. 27, Twp. 6S, Rge. 30E, B.M.**

Priority date established: **November 18, 1969**

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,

JAN GROVER
Water Rights Supervisor

JG/kw



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

December 13, 1979

RE: Permit No. 35-7105

Rex Vias &/or Wilda Vias
Wayan, Idaho 83245

Dear Mr. & Mrs. Vias:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

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 eastern regional office.

Very truly yours,

JACKIE S. DENNING
Senior Clerk

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED
FEB 23 1978

1. Name of permit holder Ewald A. Funk

Post office address Box 305, Athena, OR

Person to contact Bob Knudsen

Department of Water Resources
Phone Eastern District Office

RECEIVED
JAN 29 1978

2. Source of water supply: Groundwater ☒ Surface water ☐

(not a spring, stream, etc.)

Tributary to _____

Department of Water Resources
Eastern District Office

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(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. 35-7105
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6S N/S, Range 30E E/W, B.M., Section 27, Subdivision SE $\frac{1}{4}$ NW $\frac{1}{4}$, Bingham
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: 150 hp elec. motor, 7 stage Berkeley pump w/10" bowls, 2640' mainline w/45 risers, 18" well, pumping level 170', 250' deep well.

Measuring device required: yes ☒ no ☐

6. Lands to be 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	30E	27					40	40	40	40									160

TOTAL ACREAGE 160

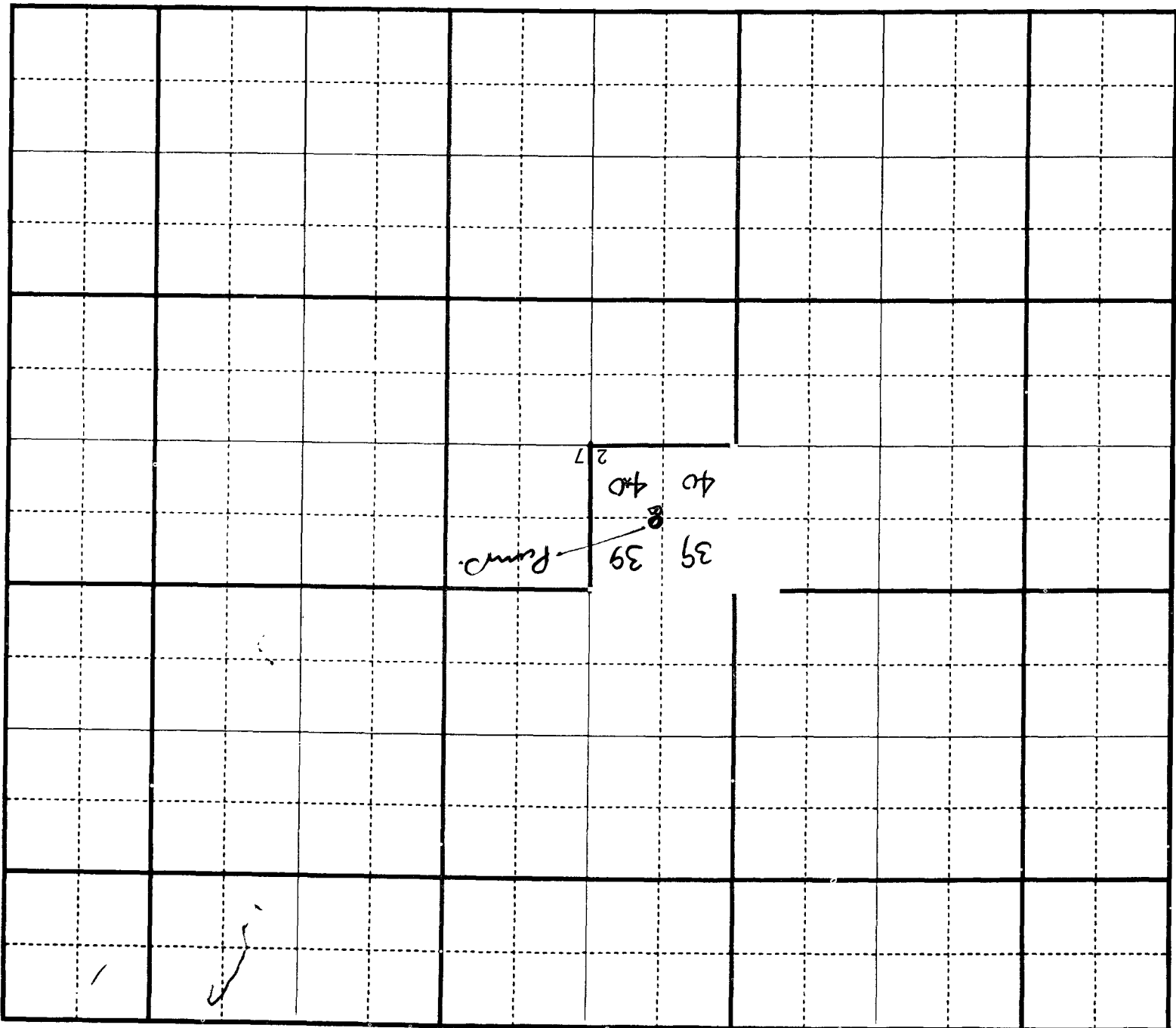


Diagram of System



40/32 1002/line
Booth no 5 of main

main
Pump

20 21

29 28

B
796

A
778

21 22
28 27

39

39

Runn

40

40

B
1539

A 317

1511

2.70

29

33

C
765

D
742

33 34

152.1

C
781

D
765

33

33 34

43

#1 T6S R30E

Sec 19

P.D. NW 8E

~~SE 1/4, NW 1/4 SE 1/4~~

SE 1/4 (160A)

(20A) SENE

#2 P.D SW NE SE 30

NE 1/4 160



DATE OF EXAM June 27, 1975

ACREAGE
Found 158
Recommended 158

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 3.11 c.f.s. V = 553.0 AF/Ann. from Apr to Oct 31
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 ☒

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

Exchange? yes _____ no ☒

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 3.11 cts Method of measurement In Line meter

Total Q recommended 3.11 cts Meter No. N.A. Type Badger Condition Good

Total V recommended 553.0 Af/Ann

Recommended Amendments:

P.D. X Should be NE 1/4 NW 1/4 sec 27 T6S R30E
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$$Q = 1400 \text{ gal/min} = 3.11 \text{ cts}$$

$$V = 158 \times 3.5 = 553.0 \text{ Af/Ann}$$

SYSTEM DESCRIPTION:

U.S. MOTORS 150 Hp Ser# C1006446
Berkeley Pump Ser# 6920397
10" discharge North 8' To East-West 8" Burried main
8 wheel motor w 30w/latenat 5/32"

REMARKS:

System & land shown by Mel Enck

Examiner's Signature Bill Rhoads Date June 27, 1975

Checked by Ernest M Carlson Date Oct 22, 76

Approved by _____ Date _____

MEMORANDUM

TO: Jan Grover
FROM: Bill Rhoads *BR*
RE: Application No. 35-7105
DATE: August 14, 1978

*Please
pull*

I re-examined the above referenced permit as per your request. Assuming the section line runs down the center of the road and that it is approximately 15 ft. to the north border of his irrigated land, and there are 32 risers running north and south from the main line, and the well is located 10 ft. north of main line, then the point of diversion should be 5 ft. into the southern half of the NW $\frac{1}{4}$. I would still place some confidence in my original appraisal of the location of the well, but in order to avoid an actual land survey I would be willing to remove my request for a point of diversion amendment. Get it! If not call.

RECEIVED

FEB 23 1978

Department of Water Resources
Eastern District Office

INTER-DEPARTMENT MEMO — 1

DATE 2/22/78

FROM

Jan G.

TO

Bill R.

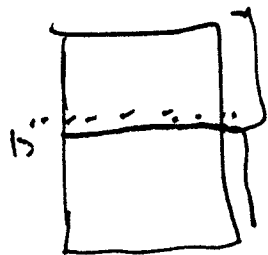
SUBJECT

Re-exam-Permit #35-7105

Ewald Funk stated that the road runs along the top of the N $\frac{1}{2}$ and consequently makes the North 40's shorter. Therefore, he believes the P. D. could have been in the top of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ rather than the bottom of the NE $\frac{1}{4}$ NW $\frac{1}{4}$. Get it? If not, call.

Jan

SIGNATURE



CONVERSATION MEMORANDUM

DATE 2/22/78FILE 35-7105NAME OF PARTY Ewald FunkEMPLOYEE Jan Grover

RE: Permit #35-7105 - Re-examination
Mrs. Funk disagrees with the place
of the pt. of diversion found by
the field examiner. Therefore, we
sent the field exam to Bill Rhodes,
Eastern Region for re-exam this
date.

MICROFILMED

January 3, 1975

Re: Permit No.'s 35-7104 & 35-8105

Ewald A. Funk
Box 305
Athena, OR 97813

Dear Mr. Funk:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

Before licenses can be issued, field examinations must be made by a representative of this Department. We cannot tell during which part of the irrigation season these examinations will be made, but our field examiner will try to contact you at the time he makes the exams so that you may show him the systems.

If you have any questions concerning the field exams, please contact our Eastern District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. 35-7105

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

ok joy

1. a) Name of Permit Holder Ewald A. Funk
b) Post Office Address P.O. Box 305 Athena, Oregon 97813
2. Permit Number 35-7105
3. Date of Priority that you are prepared to establish November 19, 1969
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27
Township 6 South, Range 30 East Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
Amount 3.2 cfs for irrigation purposes from Apr 1 to Oct 31 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 3.2 cfs 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: Applicant by computing the number of
lines and operating pressure and size of orifices & standard tables.
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:
None
b) Describe the agreement or understanding by which you take water from the works:
Not Applicable
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) 150 hp elec motor, 7 stage Berkley pump w/ 10" bowls, 2640' mainline w/ 45 risers, 18" well, pumping level 170', well 250' deep
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Water Meter
c) Give well driller's name and address and the date the well was completed: Paul Vollmer Well Drilling
Aberdeen, Idaho
December, 1969
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: NONE

MICROFILMED

Exam typed 7/6/75 By js

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	30E	27					40	40	40	40									160

Total number of acres irrigated 160

10. Remarks: None

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

December 9, 1974 Ewald A. Frank
(Date) (Signature)

State of Idaho)
) ss.
County of Power)

On this 9th day of December, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Bernard C. Carney
Notary Public residing at Am. Falls, Idaho

My commission expires 11/5/74

November 1, 1974

CERTIFIED MAIL

#26180
Card filed in
35-7104

Re: Permit No. 35-7104 & 35-7105

Ewald A. Funk
Box 305
Athena, OR

Dear Mr. Funk:

One of the conditions of approval of your water Permit No 35-7104 & 35-7105 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1975. Enclosed is an affidavit form which must 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 affidavit 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

June 25, 1970

C
Re: Permit No. 35-7105

O
Mr. Ewald A. Funk
Box 305
Athena, Oregon

Dear Mr. Funk:

P
Enclosed please find a copy of the APPROVED application for amendment in connection with the above referenced permit.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Y
DWM:DR

Enc: Copy of amendment

cc: Mr. Ben Cavaness

Enc: Copy of amendment

Receipt #4817

35-7105

May 20, 1970

C
O
P
Y
Re: Permit No. 35-7105

Mr. Ben Cavaness
SCHOU and CAVANESS
P. O. Box 38
American Falls, Idaho 83211

Dear Mr. Cavaness:

We are in receipt of the application for amendment submitted in connection with the above referenced permit. Please be advised that it seems to be in order, however, before we can begin processing, we need to be in receipt of a \$5 fee. We shall appreciate your prompt remittance.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:TG

Enc: none

35-7105

SCHOU and CAVANESS
Attorneys-At-Law
P. O. Box 38
American Falls, Idaho 83211

May 7, 1970

L. R. Schou
Ben Cavaness

RECEIVED

MAY 11 1970

Department of Reclamation
Telephone

Area Code 208
226-2562 or 226-2563

State Department of Reclamation
Statehouse Annex #2
Boise, Idaho

Re: Application for Amendment

Dear Sirs:

Enclosed please find an Application for Amendment on Permit No. 35-7105 amending the point of diversion. If the same meets with your approval please file the same, advising us of any fees involved and we will make prompt remittance.

Very truly yours,

SCHOU and CAVANESS

Ben Cavaness
Ben Cavaness

BC:mb

Enc1.

35-7105

See

Correspondence

in 35-7104.

35 7105

January 16, 1970

Re: Permit Nos. 35-7104 & 35-7105

Ewald A. Funk
Box 305
Athena Oregon

Dear Mr. Funk:

We enclose a copy of your approved application for permit ^{35-7105 &} ~~35-7104~~
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copies of permits
Receipt No. 3870 for \$25
Receipt No. 3872 for \$35
2 letters of information

P.S. Be sure to note that a special condition requiring you to install and maintain measuring devices at your points of diversion has been placed upon your permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

cc. Ben Cavaness
Attorney at Law
American Falls, Idaho

35 7105

NOTICE OF APPLICATION
FOR WATER

December 9, 1969

Re: Application for Permit No. 35-7104) - Ewald A. Funk
35-7105)

Blackfoot News
Box 70
Blackfoot, Idaho 83221

Gentlemen:

Notice is hereby given that Ewald A. Funk, Box 305, Athena, Oregon, has on November 18, 1969, applied for permit under application No. 35-7105 to divert 3.22 cubic feet per second of water from a groundwater source. Water will be diverted by well, pump, motor and sprinkler system within the SW1/4 of Sec. 27, T. 6S, R. 30E, B.M., Bingham County, and is to be used from April 1 to October 31 for irrigation in the NW1/4 of Sec. 27, T. 6S, R. 30E, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2251)
Pub.: Dec. 18 and 25

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 ample 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notices (2)

35 7105

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Ewald A. Funk, Box 305, Athena, Oregon,
has on November 18, 1969,
applied for permit under application No. 35-7105
to divert ~~1.11~~ 3.22 cubic feet per second ~~444/1111~~
of water from a groundwater source.
Water will be diverted by well, pump, motor and sprinkler system
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 27, T. 6S, R. 30E, B.M., Bingham County
and is to be used from April 1 to October 31 for irrigation
in the NW $\frac{1}{4}$ of Sec. 27, T. 6S, R. 30E, B.M.

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Blackfoot News, Blackfoot, Idaho,
on December 18 and December 25, 1969.

X H.