

Transfer No. 70288
Receipt No.S025348

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information BRENT FUNK
2911 N 4000 E
HANSEN ID 83334
(208)731-4102

And

CHALET FUNK
2911 N 4000 E
HANSEN ID 83334
(208)423-4100

Will this transfer result in an ownership change? No

2. Current Water Right **Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
45-2633	AJC/License	1.30	316.0	79.0	383.0	GROUND WATER
45-2174A	AJC/License	1.60	320.0	80.0	383.0	GROUND WATER
45-12432	AJC/License	5.60	1,120.0	280.0	383.0	GROUND WATER
45-510	AJC/Decreed	0.80		109.0	383.0	DRY CREEK
45-2671	AJC/License	3.03	624.0	156.0	269.0	GROUND WATER
45-12878	AJC/Beneficial Use	1.30		113.0	269.0	GROUND WATER
45-13431	AJC/License	1.22	244.0		61.0	GROUND WATER

3. Purpose of Transfer (Change Proposed) **Part 3A Attached for Each Proposed Right**
Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2633	NO	NO	YES	YES	NO	NO
45-2174A	NO	NO	YES	YES	NO	NO
45-12432	NO	NO	YES	YES	NO	NO
45-510	NO	NO	YES	NO	NO	NO
45-2671	NO	NO	YES	YES	NO	NO
45-12878	NO	NO	YES	YES	NO	NO
45-13431	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Page 2

Two transfers are being filed by the owners of adjacent farms to square up each property and increase efficiency of each operation. Also, this transfer creates a ppu for all the land irrigated with this sprinkler system.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
45-2633	1.30 cfs	79.0	713.0	316.0 af
45-2174A	1.60 cfs	80.0	713.0	320.0 af
45-12432	5.60 cfs	280.0	713.0	1,120.0 af
45-510	0.80 cfs	109.0	713.0	
45-2671	3.03 cfs	156.0	713.0	624.0 af
45-12878	1.30 cfs	113.0	713.0	
45-13431	1.22 cfs	61.0	713.0	244.0 af
TOTAL	11.91 cfs	713.0	713.0	2,400.0 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Handwritten Signature]

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 5th day of December, 2002.

[Handwritten Signature]

(Notary Public)

My commission expires 10-25-2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chalet Pink

(Signature of Applicant)

Secretary

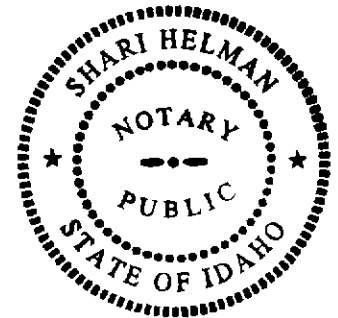
(Title of Office)

Subscribed and sworn to before me this 5th day of December, 2002

Shari Helman

(Notary Public)

My commission expires May 10, 2005



Transfer No. 70288
 Receipt No. S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 45-2671

Priority Date: October 13, 1961
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.03 CFS	624.0 AFA	
	Total Diversion	3.03 CFS	624.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER L4 (SWNWNW) Sec. 4 Twp 12S Rge 20E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	4					37.0	39.0											76.0
							L3	L4											
12S	20E	5	39.0	39.0			39.0	39.0		37.0									193.0
			L1	L2			L3	L4											

Total Acres: 269

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NO. 45-12878 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.03 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 624 AF.
3. RIGHT NO. 45-12878 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 156 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Documentation of Ownership of the Current Place of Use

Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

We are swapping 80 acres with Gordon Luke to square up both farms - see companion transfer.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 70288
Receipt No. S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-12878

Priority Date: June 30, 1985
Origin: Adjudication Recommendation
Basis: Beneficial Use
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.30 CFS		
	Total Diversion	1.30 CFS		

Source and Point(s) of Diversion:

GROUND WATER L4 (SWNWNW) Sec. 4 Twp 12S Rge 20E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	4					37.0	39.0											76.0
							L 3	L 4											
12S	20E	5	39.0	39.0			39.0	39.0	37.0										193.0
			L 1	L 2			L 3	L 4											

Total Acres: 269

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHT NO. 45-2671 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.03 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 624 AF.
3. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 45-2671 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 113 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

We are swapping 80 acres with Gordon Luke to square up both farms - see companion transfer.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 70288
Receipt No. S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-13431

Priority Date: July 15, 1910
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.22 CFS	244.0 AFA	
	Total Diversion	1.22 CFS	244.0 AFA	

Source and Point(s) of Diversion:

SESWSW Sec. 5 Twp 12S Rge 20E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 20E 5							39.0					22.0					61.0

Conditions/Remarks:

- Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No actual change. Transfer creates ppu with other land watered by this system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 70288
 Receipt No.S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 45-2174A

Priority Date: June 17, 1929
 Origin: Adjudication Recommendation
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.60 CFS	320.0 AFA	
Total Diversion		1.60 CFS	320.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNENW	Sec. 32 Twp 11S	Rge 20E	CASSIA County
GROUND WATER	SENESEW	Sec. 32 Twp 11S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0

Total Acres: 383

Conditions/Remarks:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432.

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3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.66 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1532 AF.
COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2366, 45-12432.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No actual change. Transfer creates ppu for all land watered with this system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 70288
Receipt No. S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-2633

Priority Date: February 12, 1961
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.30 CFS	316.0 AFA	
Total Diversion		1.30 CFS	316.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESE Sec. 31 Twp 11S Rge 20E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			39.0	79.0

Total Acres: 79

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.66 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1532 AF. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2366, 45-12432.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No actual change. Transfer creates ppu for all the land watered with this system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 70288
Receipt No.S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-12432

Priority Date: July 15, 1949
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	5.60 CFS	1,120.0 AFA	
	Total Diversion	5.60 CFS	1,120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENEENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESEW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
11S	20E	31																	40.0	38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0							305.0

Total Acres: 383

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.66 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1532 AF. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2366, 45-12432.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 280 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 45-2217 AND 45-2305.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No actual change. Transfer creates ppu for all the land watered with this system.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 45-510

Priority Date: April 02, 1916
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: DRY CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.80 CFS		
	Total Diversion	0.80 CFS		

Source and Point(s) of Diversion:

DRY CREEK NENENW Sec. 13 Twp 12S Rge 19E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
11S	20E	31																	38.0	38.0
11S	20E	32											32.0	39.0						71.0

Total Acres: 109

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2633, 45-12432.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.66 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1532 AF. COMBINED RIGHT NOS.: 45-510, 45-2174A, 45-2366, 45-12432.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Right will be tied into the existing sprinkler system to maximize efficiency of water use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-2633

Priority Date: February 12, 1961

Origin: Adjudication
 Recommendation

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.30 CFS	316.0 AFA	
	Total Diversion	1.30 CFS	316.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers

Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0	23.0								330.0
	L 1	L 2			L 3	L 4											

Total Acres: 713

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-2174A

Priority Date: June 17, 1929
Origin: Adjudication
Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	.03/15 11/15	1.60 CFS	320.0 AFA	
	Total Diversion	1.60 CFS	320.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers
Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers
Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers
Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers
Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0			23.0						330.0
	L 1	L 2			L 3	L 4											

Total Acres: 713

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-12432

Priority Date: July 15, 1949
 Origin: Adjudication
 Recommendation
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	5.60 CFS	1,120.0 AFA	
	Total Diversion	5.60 CFS	1,120.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers

Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0			23.0						330.0
	L 1	L 2			L 3	L 4											

Total Acres: 713

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-2671

Priority Date: October 13, 1961
Origin: Adjudication
Recommendation
Basis: License
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	3.03 CFS	624.0 AFA	
	Total Diversion	3.03 CFS	624.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers

Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0 L 1	39.0 L 2	38.0	37.0	39.0 L 3	39.0 L 4	39.0	37.0		23.0							330.0

Total Acres: 713

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-12878

Priority Date: June 30, 1985

Origin: Adjudication
 Recommendation

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.30 CFS		
	Total Diversion	1.30 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers

Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0	23.0								330.0
	L 1	L 2			L 3	L 4											

Total Acres: 713

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-13431

Priority Date: July 15, 1910
 Origin: Adjudication
 Recommendation
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.22 CFS	244.0 AFA	
	Total Diversion	1.22 CFS	244.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 31 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENENW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	SENESW	Sec. 32 Twp 11S	Rge 20E	TWIN FALLS County
GROUND WATER	L4 (SWNWNW)	Sec. 4 Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESWSW	Sec. 5 Twp 12S	Rge 20E	CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Well, 30 hp motor, pump, 7.5 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 2 Well, 40 hp motor, pump, 15 hp booster motor & pump, mainline to sprinklers

Point of Diversion # 3 Well, 125 hp motor, pump, mainline to sprinklers

Point of Diversion # 4 Well, 150 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

Point of Diversion # 5 Well, 300 hp motor, 50 hp booster motor, pumps, mainline to sprinklers

T70288

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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11S 20E 31													40.0			38.0	78.0
11S 20E 32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S 20E 5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0		23.0							330.0
	L 1	L 2			L 3	L 4											

Total Acres: 713

Transfer No. 70288
Receipt No. S025348

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 45-510

Priority Date: April 02, 1916

Origin: Adjudication
Recommendation

Basis: Decreed

Status: Active

Source: DRY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.80 CFS		
	Total Diversion	0.80 CFS		

Source and Point(s) of Diversion:

DRY CREEK NENENW Sec. 13 Twp 12S Rge 19E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Headgate & check dam to pond, pipeline from pond to existing mainline & sprinklers

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	20E	31													40.0			38.0	78.0
11S	20E	32					40.0	39.0	35.0	40.0	40.0	40.0	32.0	39.0					305.0
12S	20E	5	39.0	39.0	38.0	37.0	39.0	39.0	39.0	37.0		23.0							330.0
			L 1	L 2			L 3	L 4											

Total Acres: 713

WARRANTY DEED

For Value Received

C. Gordon Luke and Eola D. Luke, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Brent A. Funk and Chalet Funk, husband and wife

Address: 2911 North 4000 East

Hansen, Idaho 83334

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 5: S $\frac{1}{2}$ NE $\frac{1}{4}$ RESERVING UNTO the Grantors, their successors and assigns, an easement for irrigation pipeline over, under and across the East 25 feet of the S $\frac{1}{2}$ NE $\frac{1}{4}$ in Section 5, Township 12 south, Range 20 East, Boise Meridian, Cassia County, Idaho for the benefit of:TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 4: E $\frac{1}{2}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 5: S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Grantor retains all water rights with the Idaho Department of Water Resources.

SUBJECT TO:

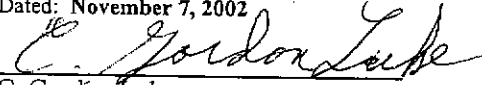
All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

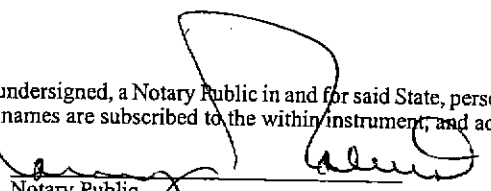
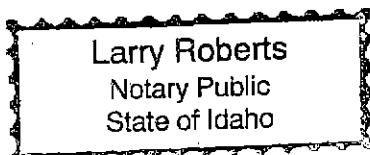
Dated: November 7, 2002


C. Gordon Luke
Eola D. Luke

STATE OF IDAHO)

COUNTY OF Cassia) ss.

On this 7th day of November, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared C. Gordon Luke and Eola D. Luke, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

PARCEL NO. 1: (owned by Funk to be exchanged to Luke)

TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 4: N $\frac{1}{2}$ NW $\frac{1}{4}$ EXCEPT

Tract I

Beginning at the Northeast corner of the NW $\frac{1}{4}$;
Thence South 470 feet;
Thence West 270 feet;
Thence North 470 feet;
Thence East 270 feet to the Point of Beginning.

Tract II

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ which is the Point of
Beginning;
Thence North 15 feet;
Thence East 250 feet;
Thence South 15 feet;
Thence West 250 feet to the Point of Beginning.

PARCEL NO. 2: (owned by Luke to be exchanged to Funk)

TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: S $\frac{1}{2}$ NE $\frac{1}{4}$

Luke shall retain a 25 foot wide easement for an irrigation pipeline along
the East 25 feet of the S $\frac{1}{2}$ NE $\frac{1}{4}$