



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 10, 1999

Lois Willis  
3917-A E 3000 N  
Hansen, ID  
83334

RE: Water Rights For Brent Funk On Property Purchased From  
Crockett's

Dear Ms. Willis;

Upon further review of the water rights for Brent on his canyon property, I found that Transfer #5021 was filed by the Crockett's in January of 1998 and approved in November of 1998. This transfer added diversion points and clarified the place of use for their water rights; a copy is enclosed for your information. Brent's land is included in this transfer, and his proportional share of these rights is about 8.4 inches of 4-1-1880 water and 4.9 inches of 7-13-1907 water. Some of the water pumped by him also serves other land, and the watermaster told me that Brent is pumping about 20 inches now.

What I told you was correct concerning the 1878 water that Brent tried to transfer to this property. I was not aware of the second transfer when we spoke, however, but the watermaster was aware of it. So Brent can legally operate his pump in the East Ditch with 1880-priority water. Chuck told me that the East Ditch loses a lot of water as it runs through a boggy area behind the Rock Creek Ranch, especially later in the season. Efforts have been made to seal the ditch in this area, but apparently leakage is still a problem here. So this appears to be the main reason why your re-diversion from the East Ditch is short of water at times, although we have not done a detailed study of the ditch to confirm this.

Although Idaho law now requires that a change of ownership be filed with IDWR when water rights change hands, Brent has not done this. I will be contacting him on this matter.

Regards,

James E. Stanton  
Sr. Water Resource Agent

cc: Allen Merritt, IDWR  
Chuck Helman