

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-00167
Date Received: 1/13/1989
Receipt No: C005095
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L FUNK 208-432-5270
Address: 3245 N 4700 E
MURTAUGH ID 83344

AND

Name: SHIRLENE FUNK 208-432-5270
Address: 3245 N 4700 E
MURTAUGH ID 83344

2. Date of Priority: MAR 14, 1892

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	36		SE	SW		TWIN FALLS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	26	SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	26	SE	SW		IRR	40.0
Section Acres							80.0
Total Acres							80.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

A. D. NORTON ET AL
Decree Plaintiff

NEPHI LARSEN ET AL
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~AGEGIB: B. ANDRWS~~
Governor PHIL BATT

R. KEITH HIGGINSON
Director

January 4, 1995

DAVID L & SHIRLENE FUNK
3245 N 4700 E
MURTAUGH ID 83344

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS. A47-00124A, A47-00167, A47-14263, A47-00118 & A47-00161

DEAR MR. & MRS. FUNK,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

If you have any further corrections or questions please contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Water Resource Agent

ENC:

NOV 28 1996

RECEIVED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAR 10 1993

Please print or type
(see instructions on back of page)

Department of Water Resources
Southern Region Office

DATE OF CLOSING: 12/10/92

LEGAL DESCRIPTION OF PROPERTY: Township 11 South Range 18 East
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. See attached.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A47-00124A, A47-00167, A47-14263, A47-00118, and A47-00161
- [] Name and Address of Former Owner/Claimant(s)(Seller): THE TRAVELERS INSURANCE COMPANY
One Tower Square - 2 BP
Hartford, CT 06183-2021
- [] New Owner/Claimant (Purchaser): David L. and Shirlene Funk
- [] New Mailing Address: 3245 N. 4700 E.
Murtaugh, ID 83344
- [] New Telephone Number: (208) 432-5270
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): David L. Funk Shirlene Funk Atty. In-Fact Date 2-24-93
Shirlene Funk Date 2-24-93
- [] Signature of Former Owner/Claimant(s): THE TRAVELERS INSURANCE COMPANY Date 12/14/92
Marion E. Blackwood Jr. Date 12/14/92
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-4-95 By: SCC

Further Action Needed:

NONE

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 28 1992

MEMO

TO: SRBA CLAIMS A47-00124A, A47-00167, A47-14263, A47-00118
& A47-00161
FROM: STEVE CLELLAND
DATE: January 4, 1995

RE: CHANGE OF OWNERSHIP

=====

FORM 42-1409(7) WAS SUBMITTED WITH SIGNATURES OF BOTH PARTIES TO CHANGE THE OWNERSHIP OF THE CLAIMS LISTED ABOVE AND THIS IS THE BASIS FOR THE CHANGES MADE. HOWEVER, THE SPECIAL WARRANTY DEED INCLUDED RESERVES THE WATER RIGHTS AND CLAIMS AND THEN MENTIONS THEY ARE CONVEYED BY QUITCLAIM DEED AS DESCRIBED ON THE FORM OF OWNERSHIP CHANGE. NO COPY WAS GIVEN OF THE QUITCLAIM DEED AND WAS NOT NEEDED TO ACCOMPLISH THE CHANGES, BUT IF QUESTIONS ARISE REGARDING THESE CLAIMS OR THIS PROCEEDURE A COPY SHOULD BE OBTAINED.

NOV 28 1995

RECEIVED

MAR 10 1993

MAY & MAY LAW OFFICES
P.O. BOX 1846 - 516 2ND STREET EAST
TWIN FALLS, IDAHO 83303-1846

Department of Water Resources
Southern Region Office

JAY D. SUDWEEKS
J. DEE MAY
MARK D. STUBBS
THOMAS D. KERSHAW, JR.
BART D. BROWNING

TELEPHONE
(208) 733-7180

TELEFAX
(208) 733-7967

March 5, 1993

Idaho Department of Water Resources
220 Shoshone East
Twin Falls, ID 83301

RE: David and Shirlene Funk

Gentlemen:

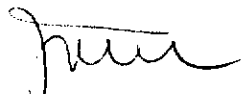
I have enclosed the New Property Owner Notice of change of Water Right Ownership with an accompanying special Warranty Deed from Travelers Insurance Company to David L. Funk and Shirlene Funk from the former owner, Travelers Insurance Company.

All further notifications under the Snake River Basin Adjudication should be sent to Mr. and Mrs. David L. Funk, 3245 N. 4700 E., Murtaugh, Idaho, 83344.

If there is anything further that you need with regard to changing ownership, please let me know.

Very truly yours,

MAY & MAY LAW OFFICES


J. DEE MAY

JDM:mab

Enclosures

NOV 28 1996

COPY
RECEIVED

SPECIAL WARRANTY DEED

MAR 10 1993

Department of Water Resources
Southern Region Office

THIS INDENTURE, made this 14th day of December, 1992,
between THE TRAVELERS INSURANCE COMPANY, a Connecticut
corporation, the Grantor, and DAVID L. FUNK and SHIRLENE FUNK,
husband and wife, the Grantees, whose mailing address is 3245 N.
4700 E., Murtaugh, Idaho 83344,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the
payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE
CONSIDERATION, by the said Grantees, the receipt and sufficiency
whereof are hereby acknowledged, has granted, bargained, and
sold, and by these presents does grant, bargain, sell, convey and
confirm unto the said Grantees, and to their successors and
assigns forever, the real estate situate in the County of Twin
Falls, State of Idaho, more particularly described in Exhibit A,
attached hereto and made a part hereof.

TOGETHER, With all and singular the tenements,
hereditaments and appurtenances thereunto belonging or in anywise
appertaining, the reversion and reversions, remainder and
remainders, rents, issues and profits thereof; and all estate,
right, title and interest in and to the real property hereby
conveyed or transferred as well in law as in equity of the said
Grantor, which shall include, without limiting the generality of
the foregoing, the following:

NOV 28 1996

All easements and rights of way; all fixtures; all rights of homestead, and all contingent rights in and to said premises; BUT EXCLUDING a payment of rent in the sum of \$11,515.00 which is to be paid to or retained by the Grantor;

All buildings and the plumbing, heating, cooling, humidifying, ventilating and lighting systems and equipment therein; all wells, dams, diversion works, ditches, flumes, siphons, pipelines, ponds, pumps, motors, valves, screens, and any facilities used in connection with the operation of any of the foregoing facilities or necessary for the proper and effective operation and use of any of the foregoing or for the proper irrigation or drainage of the portions of the described lands which are used for agricultural production;

Specifically, and without limiting the scope of the preceding descriptions, any items listed in Exhibit B, Irrigation Equipment, attached hereto and made a part hereof, which are or which may be determined to be fixtures or are otherwise part of the real property described in Exhibit A. An identical list of irrigation equipment is attached as an exhibit to a certain Bill of Sale from Grantor to Grantee of even date herewith.

EXCEPT, specifically excluded from this conveyance are any and all mineral rights and interests of Grantor, which are reserved by Grantor and are conveyed by Grantor to Grantee by Quitclaim Deed of even date herewith.

EXCEPT, specifically excluded from this conveyance are any and all water rights or claims to rights appurtenant to the real property described in Exhibit A, which are reserved to Grantor and conveyed by Grantor to Grantee by Quitclaim Deed of even date herewith.

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEES IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT. FURTHER, GRANTOR DOES NOT REPRESENT THAT ANY ITEM OR ITEMS OF IRRIGATION EQUIPMENT LISTED IN EXHIBIT B ARE PRESENTLY ON SUBJECT PROPERTY, LEAVING IT TO GRANTEE

THROUGH INSPECTION OF THE SUBJECT PROPERTY TO ASCERTAIN WHICH LISTED ITEMS ARE ON THE SUBJECT PROPERTY AND THEREBY CONVEYED HEREIN.

Said described real property is conveyed subject to (1) all taxes and assessments for the year 1993 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all licenses, profits, easements and rights of way visible on the property or appearing of record in the office of the County Recorder of Twin Falls County, Idaho, or ascertainable by inquiry to parties rightfully using any such interest in the property, (4) all covenants and restrictions appearing of record in the office of said Recorder, and (5) all items listed as exceptions in Commitment for Title Insurance No. 32517 issued by Lawyers Title Insurance Corporation through TitleFact, Inc., on October 13, 1992, as shown in the copy of Schedule B-Section 2 thereof which is attached hereto and made a part hereof.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantees and to their successors and assigns forever.

Grantor warrants to the Grantees, and their successors in title, that previous to the time of the execution of this

instrument, the Grantor has not conveyed the same estate, or any right, title or interest therein, to any person other than the Grantees, and that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons; PROVIDED HOWEVER, that such warranty shall not include mineral rights or mineral interests which are conveyed by Quitclaim Deed of even date herewith, nor shall such warranty include water rights or claims to rights appurtenant to said real property which are also conveyed by Quitclaim Deed of even date herewith.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY,
A Connecticut corporation

By Marion E. Blackwood Jr.
MARION E. BLACKWOOD JR.
REGIONAL DIRECTOR

ATTEST:

Roberta F. Fennelly
ROBERTA F. FENNELLY
ASSISTANT SECRETARY

CLAY COUNTY, IDAHO

TITLEFACT, Inc.

1997 FEB 24 A 11:34

19930025111

OFFICE RECORDED

FEE: 27.00 DEPUTY: LP

GRANTEES' ADDRESS:

3245 N. 4700 E.
Murtaugh, ID 83344

STATE OF CONNECTICUT

COUNTY OF HARTFORD

)
) ss. Farmington
)

On this 14th day of December, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Marion E. Brooks and Beverly E. Pease, known to me to be the President and Assistant Secretary, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for the State of Connecticut
Residing at HARTFORD, Connecticut
My commission expires: _____

RUDY MUNOZ
NOTARY PUBLIC
STATE OF CONNECTICUT
MY COMMISSION EXPIRES MARCH 31, 1995



Township 11 South, Range 18 E., 3.M., Twin Falls County, Idaho
Section 26: That part of the S½SW¼ lying South of and above the Twin Falls Canal Company's
Highline Canal right of way.

SUBJECT TO: Twin Falls County Highway Right of Way

Section 27: The SE¼

EXCEPT

A parcel of land located in Section 27, Township 11 South, Range 18 E., 3.M., Twin Falls County,
Idaho and more particularly described as follows:

COMMENCING at the West ¼ corner of said Section 27 and being the TRUE POINT OF BEGINNING;

THENCE North 0°00'00" West along the West boundary of the NW¼ of Section 27 for a distance
of 1318.30 feet to the Northwest corner of the SW¼NW¼ of Section 27;

THENCE South 89°11'32" East along the North boundary of the SW¼NW¼ for a distance of
1319.12 feet to the Northeast corner of SW¼NW¼;

THENCE South 0°03'57" East along the East boundary of the SW¼NW¼ for a distance of
1319.89 feet to the Southeast corner of the SW¼NW¼;

THENCE South 89°09'17" East along the North boundary of the S½ of Section 27 for a distance
of 2730.01 feet;

THENCE South 0°01'12" West for a distance of 580.43 feet;

THENCE North 89°05'23" West for a distance of 278.04 feet;

THENCE South 0°08'29" East for a distance of 586.98 feet;

THENCE South 89°42'08" West for a distance of 297.55 feet;

THENCE North 76°29'37" West for a distance of 41.44 feet;

THENCE South 1°26'49" West for a distance of 21.34 feet to a point on the Northerly side of the
Northerly bank of the Highline Canal Bank Road;

THENCE North 89°41'20" West along the Northerly side of the Canal Bank Road for a distance of
582.47 feet;

THENCE South 32°06'10" West along the Northerly side of the Canal Bank Road for a distance of
210.37 feet to the Southeast corner of the NE¼SW¼ of Section 27;

THENCE North 89°10'36" West along the South boundary of the NE¼SW¼ for a distance of
1320.78 feet to the Southwest Corner of the NE¼SW¼;

THENCE North 0°07'25" West along the West boundary of the NE¼SW¼ for a distance of
1307.30 feet to a point that is South 0°07'25" East, 16.0 feet from the Northwest corner of the
NE¼SW¼;

THENCE North 89°09'17" West parallel with and 16.0 feet Southerly of the Northerly boundary of
the NW¼SW¼ of Section 27 for a distance of 1320.55 feet to a point on the Westerly boundary
of the NW¼SW¼;

THENCE North 0°07'20" West along the Westerly boundary of the NW¼SW¼ for a distance of
16.0 feet to the West 1/4 corner of Section 27 and being the TRUE POINT OF BEGINNING.

SUBJECT TO: Twin Falls County Highway Right of Way

EXHIBIT "B"

DESCRIPTION OF IRRIGATION EQUIPMENT LIST

One (1) - 40 H.P. Gould Century Horizontal Electric Motor -
Serial # 6-323053-1 and Berkley Centrifical Pump.

Together with all wiring, switch panels, column, shafting,
tubing, bowls, suction pipe cones, valves, etc., used in
conjunction with or pertaining to the above listed pumps and
motors.

Five (5) - 1/4 mile Aluminum Side-Roll Wheel Lines - complete.

Approx. 8,220 feet of 6" to 10" Portable Aluminum Mainline
with risers.

Together with all valves, reducers, sprinkler heads, end plugs,
etc., used in conjunction with or pertaining to the above listed
mainlines, handlines and wheel lines.

LAWYERS TITLE INSURANCE CORPORATION

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - Section 2

EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records of attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Taxes for the year 1992 and all subsequent years, which are an accruing lien, due and payable on or before December 20th of said year. Liability for added assessments and subsequent tax billings, if any, pursuant to Idaho Code Section 63-403 and 63-3906.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts Authorizing the issuance thereof, water rights, claims or title to water.
8. Warranty Deed from Thomas M. Atkin to Twin Falls Land and Water Company, dated January 22, 1910, recorded January 22, 1910, in Book 14 of Deeds, page 182, for Canal Right of Way on each side of centerline of Highline Canal in the E $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 11 South, Range 18 E., S.M.
9. Agreement between Ola G. Butler, a widow and Curtis Bower and Marguerite Bower, husband and wife, dated September 28, 1961, recorded September 29, 1961, as Instrument No. 506874, in Book 17 of Contracts, Agreements and Bonds, page 271, records of Twin Falls County, Idaho. (Agreement affecting waste water running from the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 11 South, Range 18 E., S.M.)

EXHIBIT C

NOV 29 1995

10. Easement from Ola Butler to Edwin R. Smith, recorded March 25, 1982, as Instrument No. 818876, records of Twin Falls County, Idaho, for a right of way for a certain water irrigation line, over and across land situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 11 South, Range 18 E., B.M.
11. Reservation contained in unrecorded contract of sale between Clara Brose (Seller) and Raymond Butler and Esther Butler, husband and wife (Buyer), dated November 19, 1971, and reciting, "Seller reserves the residence, garage and yard during the term of her natural life".
12. Farm Lease and Option Agreement between The Travelers Insurance Company, as Lessor and Raymond E. and Esther F. Butler, husband and wife; Dennis W. and Virginia A. Butler, husband and wife and Terry R. and Linda J. Butler, husband and wife, Lessees, dated May 15, 1987, recorded September 30, 1987, as Instrument No. 928457, records of Twin Falls County, Idaho.

Exceptions numbered NONE are hereby omitted.

The Owner's Policy to be issued, if any, shall contain the following items in addition to the ones set forth above:

- (1) The Deed of Trust, if any, required under Schedule B-Section 1, Item (b)
- (2) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing issuance thereof; water rights claims or title to water.
- (3) Any and all unpaid taxes, assessments and unredeemed tax sales.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-00167
Date Received: 1-13-89
Receipt No: C005095
Received By: RAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRAVELERS REALTY INVESTMENT CO. 208-336-5900
Address: ATTN: JOE DANIELS
960 BROADWAY AVE., SUITE 310
BOISE, ID 83706

2. Date of Priority: MAR 14, 1892

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	18E	36	SE	SW			TWIN FALLS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	26	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
Section Acres							80.0

A47-00167

Page 1

Date: 01/11/89

MICROFILMED
MAR 11 1993

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

A. D. NORTON ET AL

Decree Plaintiff

vs

NEPHI LARSEN ET AL

Decree Defendant

MICROFILMED

MAR 11 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ General Manager _____ of
Title
The Travelers Insurance Company _____, that I have signed the foregoing
Organization
document in the space below as _____ General Manager _____ of
Title
The Travelers Insurance Company _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Donald S. Reed
Signature of Authorized Agent
General Manager
The Travelers Insurance Company
Title and Organization
January 11, 1989

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of January 19 89

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

Water Right Number - 47-00167 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - -

*** C - CURRENT OWNER ***
STEELE

JAMES

1 -
2 -
3 -
City-
Phone - State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/14/1892 17 D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
ROCK CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

11S 18E 36 SE SW (83) TWIN FALLS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
11S	18E	26	SW SW		40	01	IRRIGATION	(83) TWIN FALLS
11S	18E	26	SE SW		40	01	IRRIGATION	(83) TWIN FALLS
11S	18E	~~36~~	~~SE SW~~			01	IRRIGATION	(83) TWIN FALLS
11S	18E	~~36~~	~~SW SW~~			01	IRRIGATION	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -

Remarks - - - - -
P/D NOT GIVEN IN DECREE BUT SHOWN ON USGS MAP.

Conditions of Approval - - - - -
No Conditions of Approval found.

- - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
AND. NORTON ET AL NEPHI LARSEN ET AL 03/10/1904

MAR 11 1993

MICROFILMED

Water right number - 47-00167 Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 470
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 03/10/1904				

MICROFILMED
MAR 11 1993

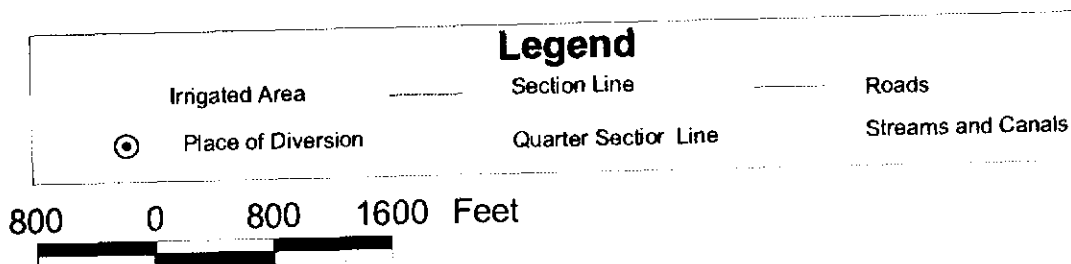
Log for claim A47-00167

Spatial Dynamics BTD

10/17/00

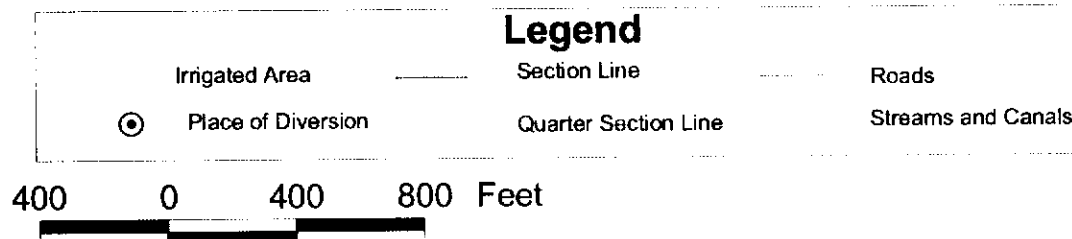
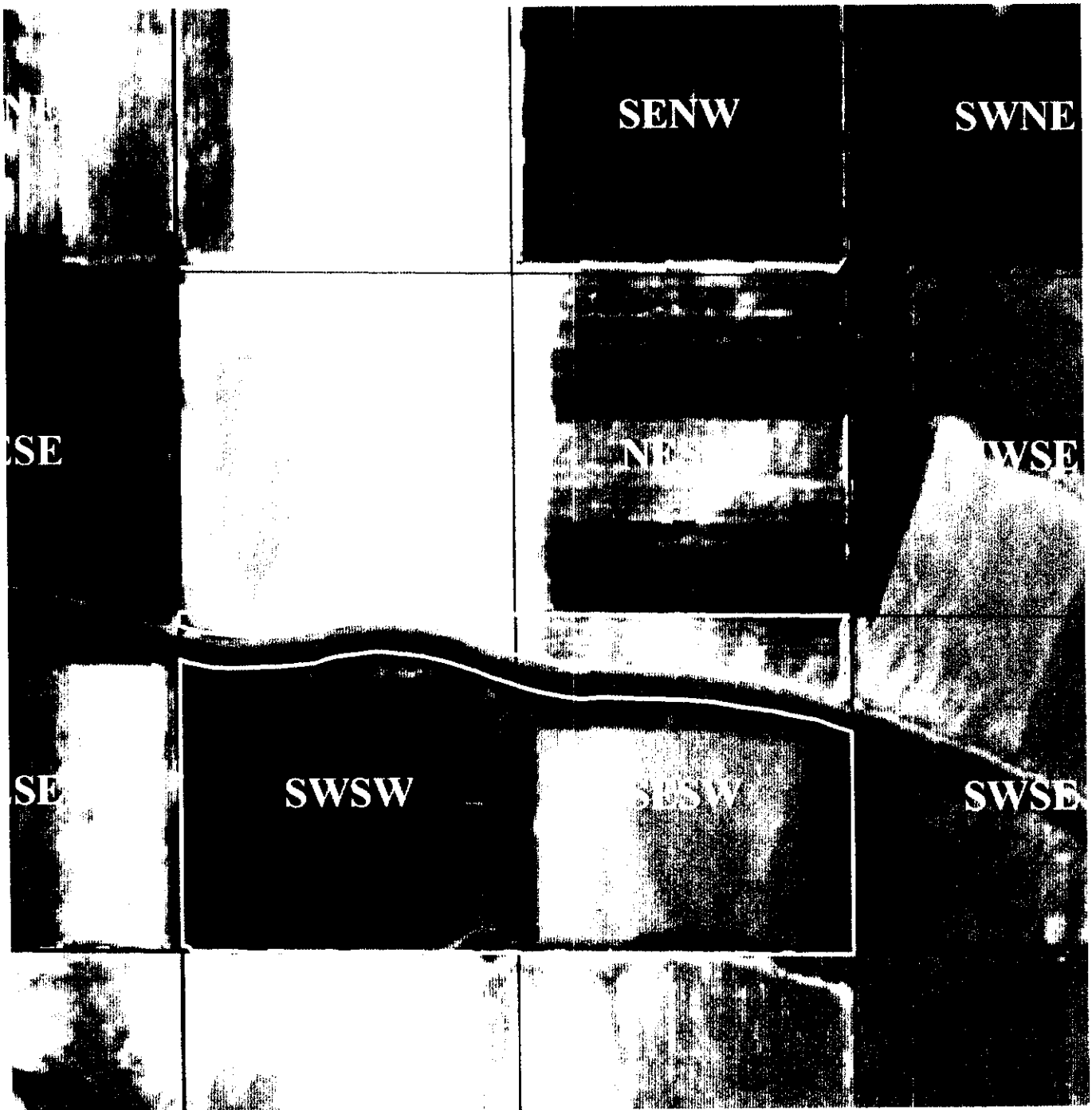
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11s18e	26	SESW	40	36	
Totals:			80	72	

10/17/2000



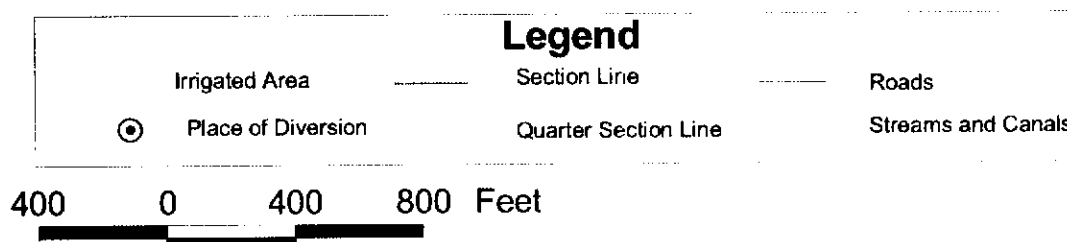
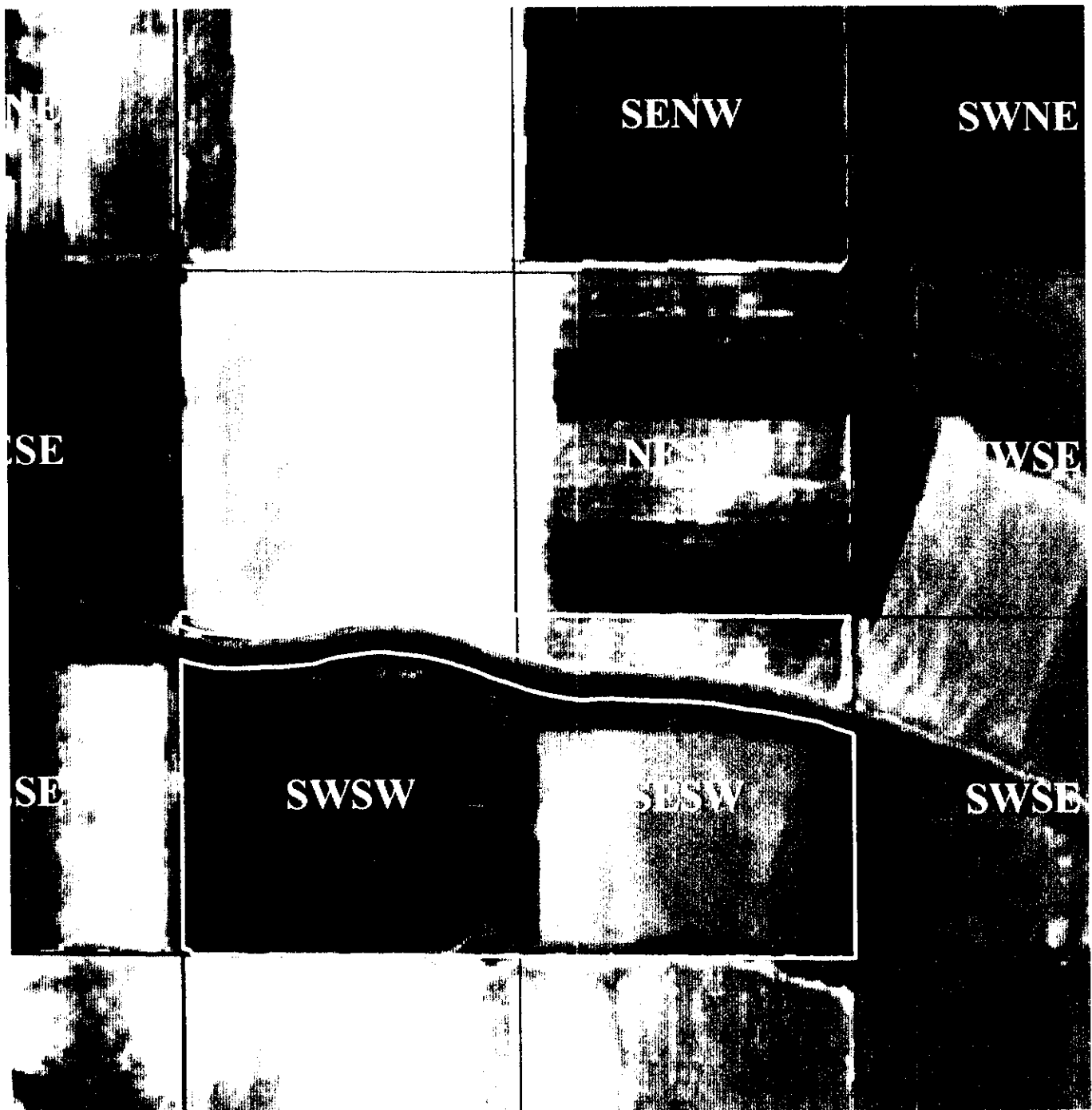
Water Right Claim Number A47-00167
Township , 11S18E

10/17/2000



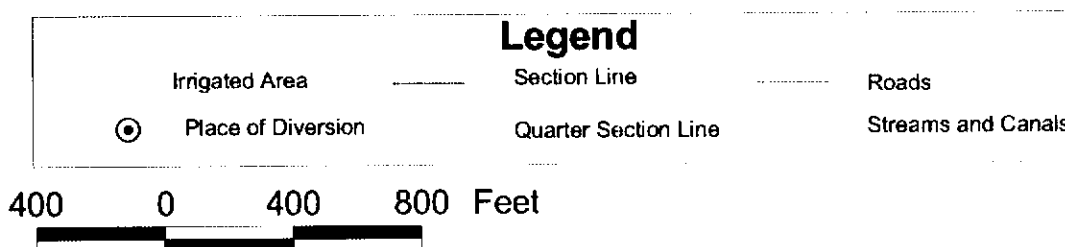
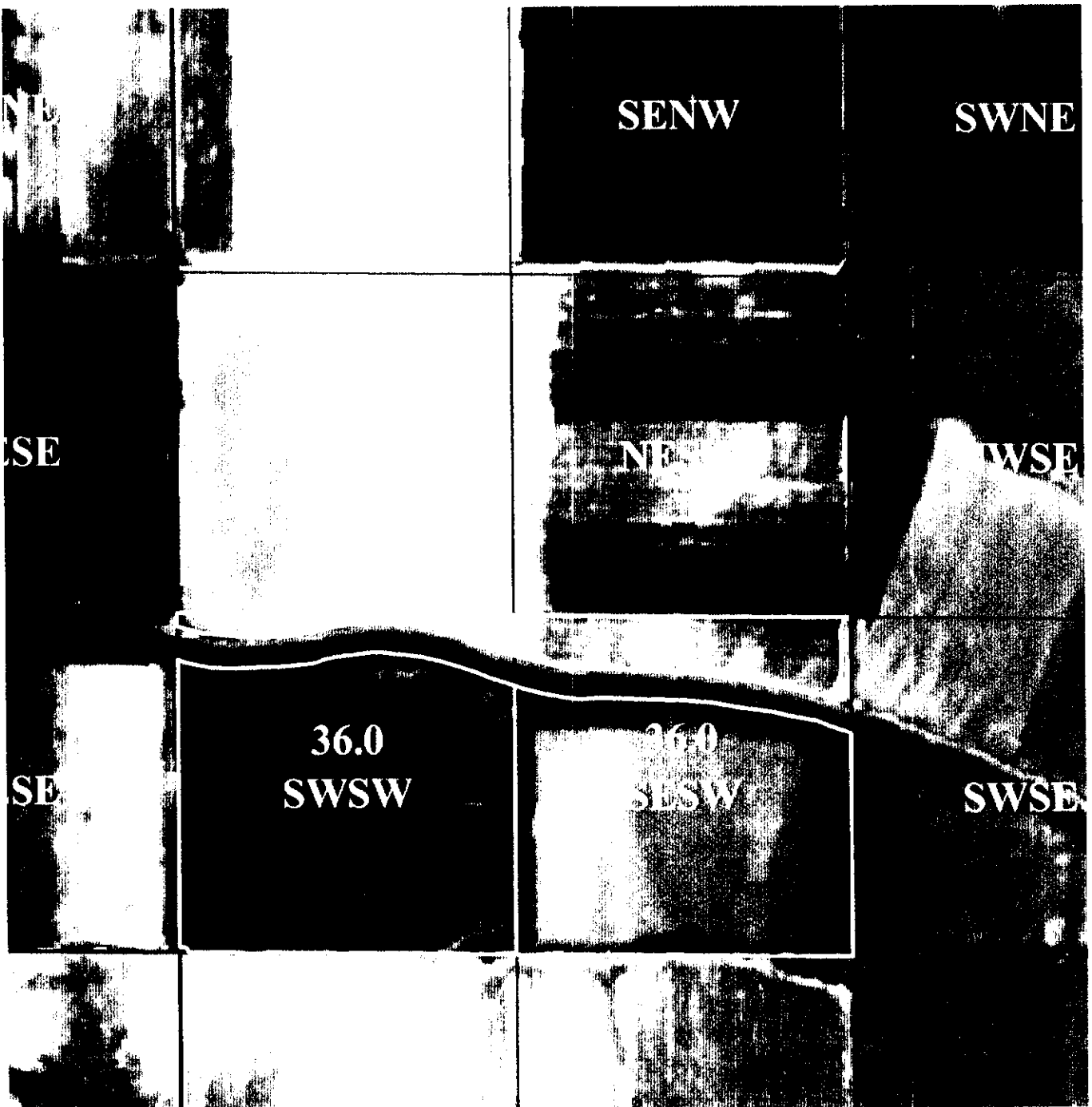
Water Right Claim Number A47-00167
Township , 11S18E

10/17/2000



Water Right Claim Number A47-00167
Township , 11S18E

10/17/2000



AJ5809NP
No. A47-00167

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 127

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID L FUNK	03/14/1892	IRRIGATION	00-00 00-00	2.000 CFS	
C	SHIRLENE FUNK					
	3245 N 4700 E					
	MURTAUGH ID 83344					
	(208) 432-5270					
				TOTAL DIVERSION:	2.000 CFS	

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T11S R18E S36

SESW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	18E	26	:																	:	80.0
																				TOTAL ACRES	80.0

POU County: TWIN FALLS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-00118	A47-00124A	A47-00124C	A47-00125A	A47-00125B	A47-00126A	A47-00126B	A47-00133B	A47-00133D	A47-00134A
A47-00134B	A47-00135	A47-00143	A47-00145	A47-00148A	A47-00148B	A47-00149A	A47-00149B	A47-00155	A47-00156A
A47-00156B	A47-00160A	A47-00161	A47-00162A	A47-00167A	A47-02480	A47-02481	A47-14630	A47-16392	A47-16767
R47-00133B	R47-00134A	R47-00134B	R47-00149A	R47-00149B	R47-00156B				

Other Water Rights Listing Overlapping Place(s) of Use:

A47-00124A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 01/13/89 HARRINGT 01/04/95 SCLELLAN 03/30/95 POST-STD

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-00167A
Date Received: 2/16/1989
Receipt No: S006311
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID FUNK 208-432-5270
Address: RT. 1
MURTAUGH, ID 83344

OR

Name: DARRELL FUNK 208-432-5386
Address: RT. 1
MURTAUGH, ID 83344

2. Date of Priority: MAR 14, 1892

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	18E	36	NE	SE	SW		TWIN FALLS

5. Description of diverting works:
DAM AND OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-00167A

Page 1

Date: 07/21/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	35	NE	NW		IRR	25.0
			NW	NW		IRR	25.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-02485, A47-00124A

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

A.D. NORTON
Decree Plaintiff

vs

NEPHI LARSEN
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-00167 A
Date Received: 2/16/1989
Receipt No: S006311
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID FUNK 208-432-5270
Address: RT. 1
MURTAUGH, ID 83344

OR
Name: DARRELL FUNK 208-432-5386
Address: RT. 1
MURTAUGH, ID 83344

2. Date of Priority: MAR 14, 1892

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	18E	36	NE	SE	SW		TWIN FALLS

5. Description of diverting works:
DAM AND OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A47-00167

Page 1

Date: 02/16/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	18E	35	NE	NW		IRR	25.0
			NW	NW		IRR	25.0
						Section Acres	50.0
						Total Acres	50.0

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-02485, A47-00124A

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 3/10/1904

A.D. NORTON

Decree Plaintiff

vs

NEPHI LARSEN

Decree Defendant

MICROFILMED

MAR 11 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Carroll Lunk Date: 2-16-89

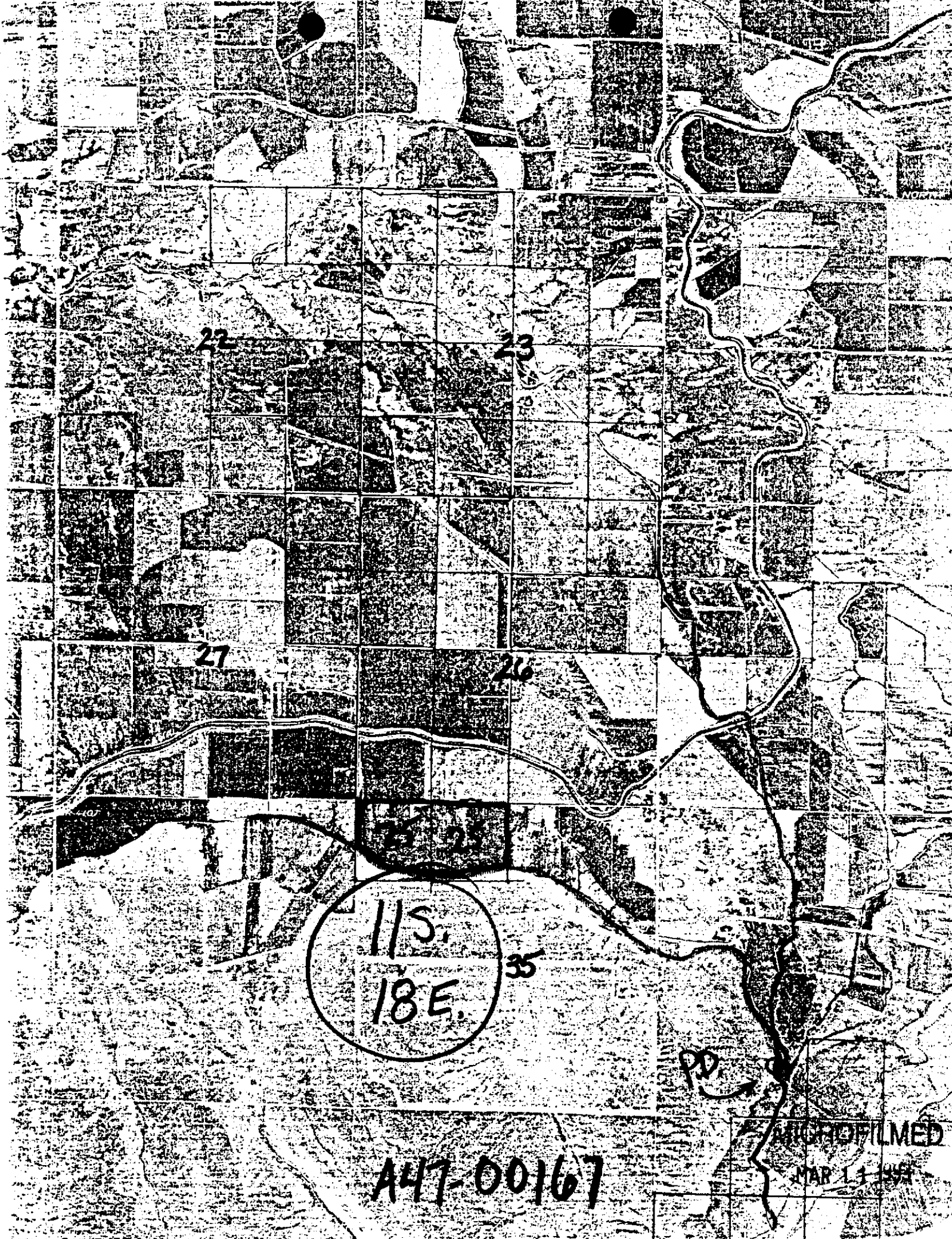
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of February 19 89 Steve [Signature]
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994



22

23

27

26

1/5.
18 E.

35

PD

A47-00167

MICROFILMED
MAR 13 1964

02/16/89
13:48:49

DOUBLE EAGLE, INC.

ADJUDICATION FEE 0410162 9337 6490 \$5,674.00

\$5,674.00

CHECK 4610

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A47-02345A	A45-02701B	A45-02571	A45-02540	A45-04245
A45-04070	A45-10235	A45-04102	A45-04103	A45-02275
A45-02326	A45-10211	A45-10212	A47-00125B	A47-00126B
A47-00148B	A47-07532	A47-14186	A47-07533	A47-00145
A47-07570	A47-02512	A47-00146	A47-14187	A47-14185
A47-02485	A47-00124C	A47-00167A	A47-00144	A47-00157
A47-14188	A47-14189	A47-14190	A47-14191	A47-14192
A47-02489	A45-02173	A45-10237	A45-10238	A45-10239
A45-10240	A45-02403	A45-02211A	A45-10236	A45-02517
A45-02337				

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

MICROFILMED

MAR 11 1993

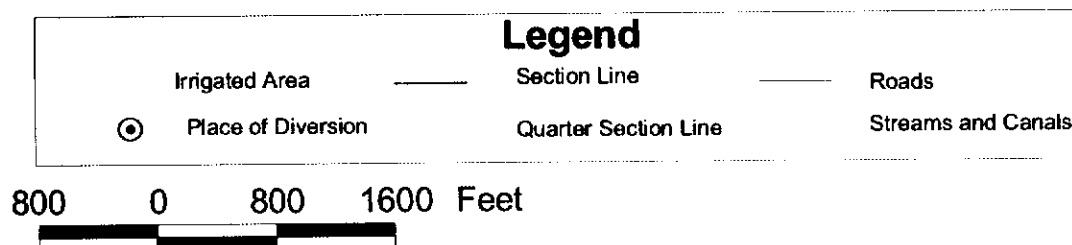
Log for claim A47-00167A

Spatial Dynamics BTD

10/17/00

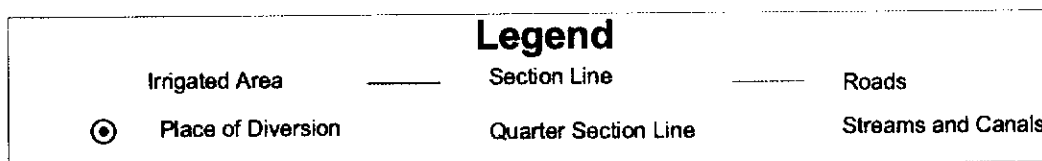
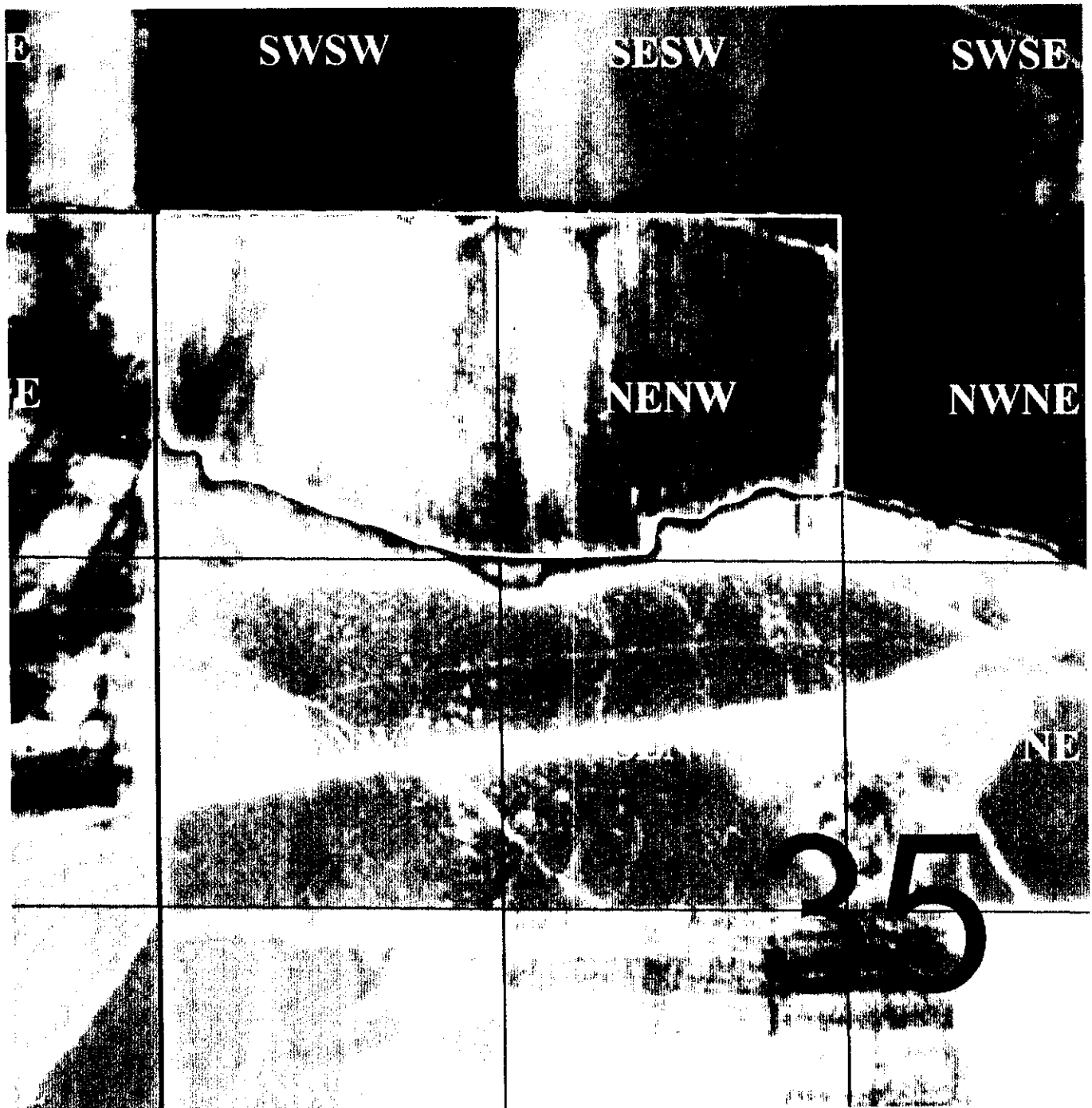
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
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11s18e	35	NWNW	25	33	Indiscernible
Totals:			50	69	

10/17/2000



Water Right Claim Number A47-00167A
Township , 11S18E

10/17/2000

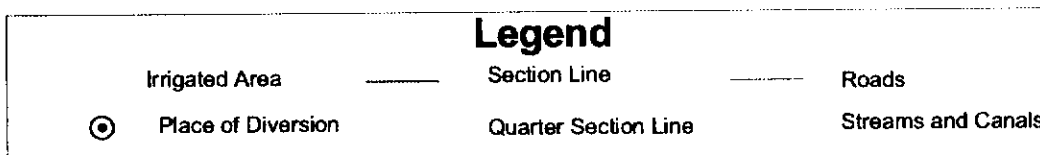
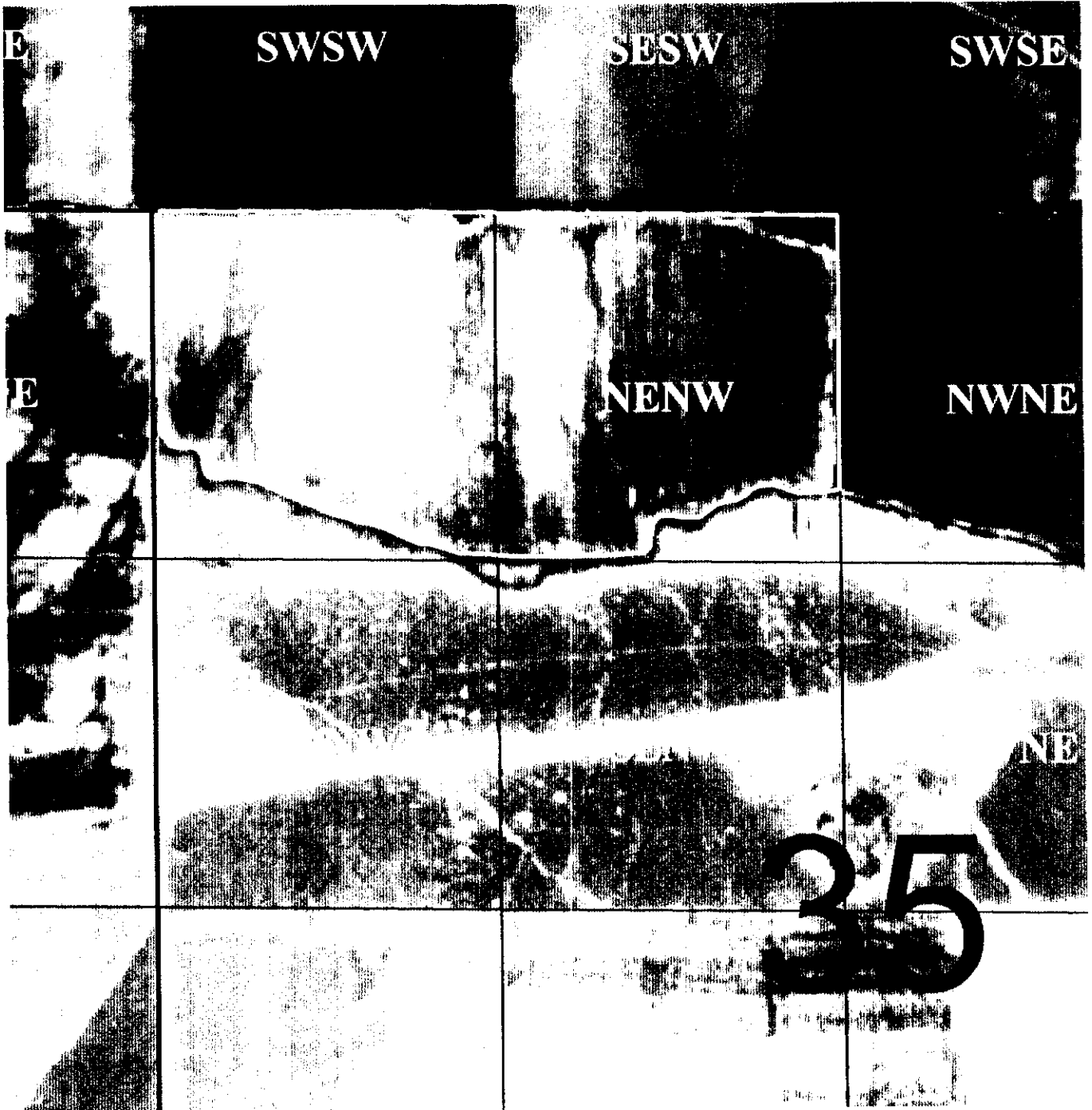


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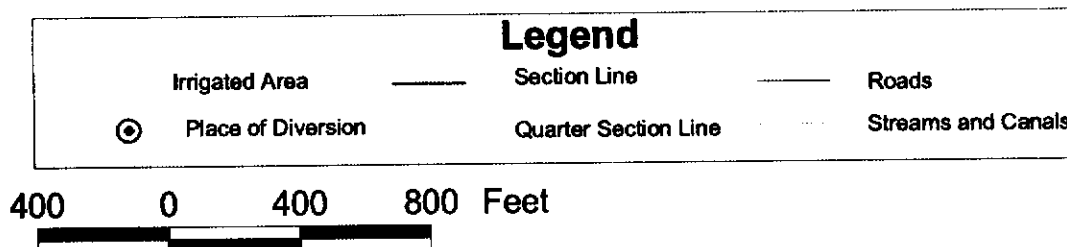
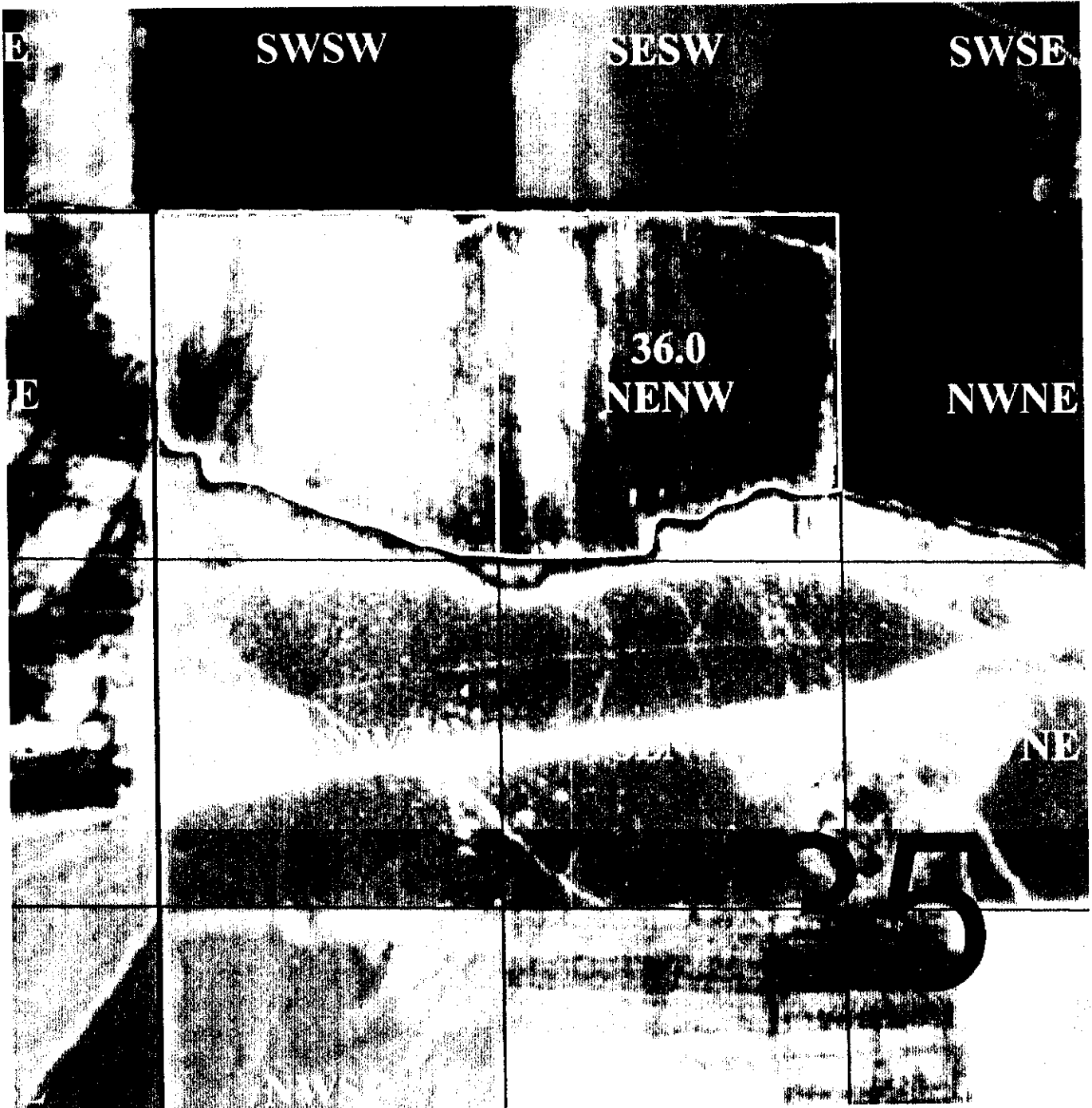
Water Right Claim Number A47-00167A
Township , 11S18E

10/17/2000



Water Right Claim Number A47-00167A
Township , 11S18E

10/17/2000



AJ5809NP
No. A47-00167A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 128

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID FUNK RT 1 MURTAUGH ID 83344 (208) 432-5270	03/14/1892	IRRIGATION	03-15 11-15	2.000 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	2.000 CFS	150.00 AFA
C	DARRELL FUNK RT 1 MURTAUGH ID 83344 (208) 432-5386					

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T11S R18E S36

NESESW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
11S	18E	35	:					:	25		25		:					:					:	50.0
																							TOTAL ACRES	50.0

POU County: TWIN FALLS

Other Rights: A47-02485, A47-00124A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A47-00118	A47-00124A	A47-00124C	A47-00125A	A47-00125B	A47-00126A	A47-00126B	A47-00133B	A47-00133D	A47-00134A
A47-00134B	A47-00135	A47-00143	A47-00145	A47-00148A	A47-00148B	A47-00149A	A47-00149B	A47-00155	A47-00156A
A47-00156B	A47-00160A	A47-00161	A47-00162A	A47-00167	A47-02480	A47-02481	A47-14630	A47-16392	A47-16767
R47-00133B	R47-00134A	R47-00134B	R47-00149A	R47-00149B	R47-00156B				

Other Water Rights Listing Overlapping Place(s) of Use:

A47-00124A A47-00124C A47-02485

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 00/00/00 MERRITT 03/30/95 POST-STD