



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: [www.idwr.state.id.us](http://www.idwr.state.id.us)

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

May 6, 2004

NEIL & ELIZABETH BROWN  
2933 W 1800 S  
ABERDEEN ID 83210

RE: Notice of Change of Water Right Ownership (NCO) for  
35-2470 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Brown:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

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

In Re SRBA )

Water Rights: 35-2470 split into 35-  
13507 & 35-13508

Case No. 39576 )

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

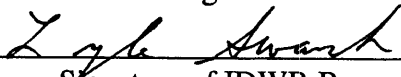
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (Split Right) **FUNK- FUNK & BROWN**
- ☐ I.C. § 42-222 transfer
  - ☐ point of diversion      ☐ place of use
  - ☐ period of use      ☐ nature of use
  - ☐ split of water right      ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 5/7/04

  
Signature of IDWR Representative

### CERTIFICATE OF MAILING

I certify that on May 7, 2004, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
PO Box 2707  
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:  
RAYMOND & BETTY FUNK  
2066 S 2950 W  
ABERDEEN ID 83210

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:  
RAYMOND & BETTY FUNK  
2066 S 2950 W  
ABERDEEN ID 83210

NEIL & ELIZABETH BROWN  
2933 W 1800 S  
ABERDEEN ID 83210

4. One copy to:

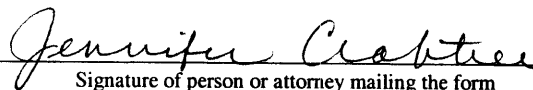
Each party in the subcase, or attorney of record  
ROGER LING  
LING NIELSEN & ROBINSON  
PO BOX 396  
RUPERT ID 83350

5. One copy each to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
Signature of person or attorney mailing the form

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

MAR 11 2004

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources  
 Eastern Region  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | <u>Split</u> | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|--------------|-----------------------|------------------------------|-------|
| \$100-35-2521         |                              | yes          |                       |                              |       |
| \$100-35-2542         |                              | yes          |                       |                              |       |
| \$25-35-11076         |                              | no           |                       |                              |       |
| \$0-<br>[REDACTED]    |                              | yes          |                       |                              |       |
|                       | needs NCAP                   |              |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$225-
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Raymond & Betty Funk

4. New Owner/Claimant(s)

Neil E & Elizabeth L Brown

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

2933 W 18005

City, State and ZIP Code

Aberdeen ID 83210

New Telephone Number

(208) 397 5251

5. Date you acquired the property

January 12, 2004

536480

## WARRANTY DEED

For Value Received **Raymond F. Funk**, who acquired title as **Raymond F. Fund and Betty L. Funk**, husband and wife

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

**Neil E. Brown and Elizabeth L. Brown**, husband and wife

whose address is: **2933 W. 1800 S., Aberdeen, ID 83210**

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

A parcel of land in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 18, Township 6 South, Range 31 E.B.M., Bingham County, Idaho, described as follows: Beginning at the SE corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  (SC1/16 corner); thence S. 89°44'16" W. along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ , a distance of 521.74 feet; thence N. 00°11'29" W. leaving said South line, 596.32 feet; thence N. 89°05'01" E. 521.78 feet to a point on the East line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence S. 00°11'29" E. along said East line 602.28 feet to the Point of Beginning. EXCEPTING road.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 12, 2004

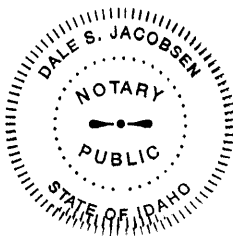
Raymond F. Funk  
Raymond F. Funk

Betty L. Funk  
Betty L. Funk

STATE OF IDAHO )  
 )ss.  
COUNTY OF ADA )

On this 13 day of January, 2004, before me the undersigned, a notary public, personally appeared Raymond F. Funk and Betty L. Funk, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Dee S. Jacobsen  
Notary Public of Idaho  
Residing at Boyle, ID  
Commission Expires: 4-9-2008



2004 JAN 14 PM 3:54  
RECORDED AT THE REQUEST OF  
FIRST AMERICAN TITLE COMPANY  
BINGHAM COUNTY RECORDER  
BLAINE, IDAHO  
FEE 3.00

536480

74  
504

NHEL

2  
79.2

NHEL

12  
13

Nasser Rd 3000 W

T24425  
3750

1  
67.9

T25814  
4379

1  
1658

T24700  
3750

1  
76.1

T2276  
4110

2  
24.1

1  
52.2

2  
18.2

erred  
to power 2/06

T25450  
3403

1  
1.000

T25816  
4379

1  
152.9

1  
37.8

1  
45.4

2  
81.7

13  
24

See D25

2  
38.4

High Line Canal

Fairview Rd 2900 W

18 17  
19 20



State of Idaho

## DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

March 12, 2004

NEIL & ELIZABETH BROWN  
2933 W 1800 S  
ABERDEEN ID 83210

RE: CHANGE OF WATER RIGHT OWNERSHIP 35-2470, 35-2521, 35-2542, &  
35-11076

Dear Mr. & Mrs. Brown:

Enclosed is your change of ownership request. I will process 35-2470 but the other three rights require fees to change. Please submit a check for \$225 made payable to IDWR and send your request to Kari Lynn Townsend, IDWR, 1301 N. Orchard, Boise, ID 83706.

Respectfully,

Jennifer Crabtree  
Technical Records Specialist

Enclosure

# 35-13508

## Neil & Elizabeth Brown



0.03 0 0.03 0.06 Miles

-  POU-RecChecked Out POU
-  Bingham taxlots
-  GCDB06S31E GCDB
-  POD - AJ RecRecommendation POD

