

DEV

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. 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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 35-13511	OK Completed		AM 35-0760	OK will be completed in eastern	
WR 35-13513	OK Completed		AM N 35-2072	OK will be completed in eastern	
WR 35-2423	OK Completed		WR 35-8791	OK Completed	
WR 35-2306	OK Completed				
WR 35-8197	OK Completed				
WR 35-11074	OK Completed				

RECEIVED

FEB 20 2009

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

Department of Water Resources
Eastern Region

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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) Ray Funk Farms Limited Partnership /
Raymond and Betty Lou Revocable Trust
4. New Owner/Claimant(s) MPH Farms, an Idaho General Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2050 South 2950 West
- City, State and ZIP Code Aberdeen, ID 83210
- New Telephone Number (208) 226-2500 Email: daryle@bullydog.com

SUPPORT DATA

IN FILE # 35-2306

5. Date you acquired the property

02-05-2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

WMA Farms 

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

 Received by BML
 Received by BML
 Processed by AJ

 Date 2/20/09
 Date 2/20/09
 Date 2/20/09

 Receipt Amt. \$175.00
 Receipt No. E034825
 WR Date

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Instrument # 603196
BINGHAM COUNTY, IDAHO
02-05-2009 02:01:00 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - BL
SARA J. STAUB Fee: 12.00
Ex-Officio Recorder Deputy CMiles
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 267526-P (ci)

Date: January 27, 2009

For Value Received, **Ray Funk Farms Family Limited Partnership**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MPH Farms, an Idaho General Partnership**, hereinafter called the Grantee, whose current address is 205D S. 295D West, **Aberdeen, ID 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 12: LOTS 1 AND 2, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$

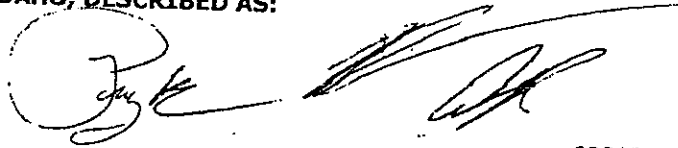
SECTION 18: LOTS 2, 3 AND 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, AND A PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ DESCRIBED AS:
BEGINNING AT THE NW CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 18; AND RUNNING THENCE EAST 30 RODS; THENCE SOUTH 80 RODS; THENCE WEST 30 RODS; THENCE NORTH 80 RODS TO THE POINT OF BEGINNING.

EXCEPT: A PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT THE CENTER OF SAID SECTION 18, AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 50 RODS, TO A POINT 30 RODS EAST OF THE SW CORNER OF SAID SE $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE NORTH 25 FEET; THENCE EAST 50 RODS TO THE N-E SECTION CENTERLINE; THENCE SOUTH 25 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT THE NE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE WEST 154 FEET; THENCE SOUTH 124 FEET; THENCE EAST 154 FEET; THENCE NORTH 124 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT A POINT 124 FEET SOUTH OF THE NE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE WEST 154 FEET; THENCE NORTH 124 FEET; THENCE WEST 151 FEET; THENCE SOUTH 155 FEET; THENCE EAST 305 FEET; THENCE NORTH 31 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: A PORTION OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:



603196

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Recorded Electronically	
ID	603196
County	BINGHAM
Date	2/5/09 Time 2:01 pm
Simplifile.com 800.460.5657	

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 267526-P (ci)

Date: January 27, 2009

For Value Received, **Ray Funk Farms Family Limited Partnership**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MPH Farms, an Idaho General Partnership**, hereinafter called the Grantee, whose current address is 2050 S. 2950 West, **Aberdeen, ID 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 12: LOTS 1 AND 2, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$

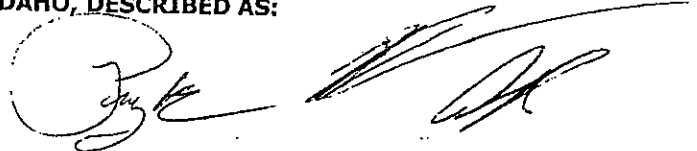
SECTION 18: LOTS 2, 3 AND 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, AND A PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ DESCRIBED AS:
BEGINNING AT THE NW CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 18; AND RUNNING THENCE EAST 30 RODS; THENCE SOUTH 80 RODS; THENCE WEST 30 RODS; THENCE NORTH 80 RODS TO THE POINT OF BEGINNING.

EXCEPT: A PORTION OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT THE CENTER OF SAID SECTION 18, AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 50 RODS, TO A POINT 30 RODS EAST OF THE SW CORNER OF SAID SE $\frac{1}{4}$ NW $\frac{1}{4}$; THENCE NORTH 25 FEET; THENCE EAST 50 RODS TO THE N-E SECTION CENTERLINE; THENCE SOUTH 25 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT THE NE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE WEST 154 FEET; THENCE SOUTH 124 FEET; THENCE EAST 154 FEET; THENCE NORTH 124 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT A POINT 124 FEET SOUTH OF THE NE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE WEST 154 FEET; THENCE NORTH 124 FEET; THENCE WEST 151 FEET; THENCE SOUTH 155 FEET; THENCE EAST 305 FEET; THENCE NORTH 31 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: A PORTION OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:



BEGINNING 155 FEET SOUTH OF THE NE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18 AND RUNNING WEST 305 FEET; THENCE SOUTH 128 FEET; THENCE EAST 305 FEET; THENCE NORTH 128 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: A PARCEL OF LAND IN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT THE SE CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ (SC 1/16 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 THE 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.

SECTION 19: COMMENCING AT THE SW CORNER OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, AND RUNNING THENCE N. 89°47'00" E. 2048.97 FEET ALONG THE SECTION LINE TO THE CENTER LINE OF THE HIGH LINE CANAL; THENCE ALONG SAID CENTERLINE THE FOLLOWING TEN (10) COURSES: N. 69°59'02" E. 573.99 FEET; THENCE N. 41°47'25" W. 389.99 FEET; THENCE N. 20°17'25" W. 203.39 FEET; THENCE N. 01°42'21" W. 331.04 FEET; THENCE N. 24°23'36" W. 444.90 FEET; THENCE N. 33°45'26" W. 320.90 FEET; THENCE N. 77°08'09" W. 418.38 FEET; THENCE N. 29°12'52" W. 361.72 FEET; THENCE N. 25°16'28" E. 299.83 FEET; THENCE N. 13°58'04" E. 319.38 FEET TO THE END OF SAID CENTERLINE; THENCE N. 89°34'49" E. 888.29 FEET; THENCE N. 00°18'11" E. 2694.94 FEET TO THE N $\frac{1}{4}$ CORNER OF SAID SECTION 19; THENCE S. 89°38'12" W. 2471.89 FEET ALONG THE SECTION LINE TO THE NW CORNER OF SAID SECTION 19; THENCE S. 00°40'09" E. 2681.35 FEET ALONG THE SECTION LINE TO THE W $\frac{1}{4}$ CORNER OF SAID SECTION 19; THENCE S. 00°40'09" E. 2683.33 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

EXCEPT: A PARCEL OF LAND IN THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS: COMMENCING AT THE NW CORNER OF SAID SECTION 19 WHICH IS MONUMENTED WITH A 5/8" REBAR WITH THE ALUMINUM CAP PLS 843; THENCE N. 89°51'05" E. ALONG THE NORTH LINE OF SAID SECTION 1039.07 FEET; THENCE S. 02°15'42" E. 201.00 FEET TO A 1/2" REBAR WITH PLASTIC CAP PLS 843; THENCE S. 89°51'05" W. 1044.78 FEET TO THE WEST LINE OF SAID SECTION 19; THENCE N. 00°37'55" W. ALONG SAID WEST LINE 200.87 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT A POINT 595 FEET EAST AND 25 FEET NORTH OF THE SW CORNER OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO AND RUNNING THENCE EAST ALONG THE COUNTY ROAD 900 FEET; THENCE NORTH 10 FEET; THENCE WEST 900 FEET; THENCE SOUTH 10 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO SAID LANDS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

THOSE CERTAIN WATER RIGHTS DESCRIBED AS:

35-13511 (OLD #35-02521) - PRIORITY DATE 12-12-1957
DECREED DATE 01/31/2002
1.1 CFS 282 AFY

35-13511 (OLD # 35-02470) - PRIORITY DATE 7-23-1956
DECREED DATE 1-31-2002
.88 CFS 208 AFY

35-13513 (OLD # 35-0252) - PRIORITY DATE 7-14-1958
DECREED 1-31-2001
1.6 CFS 292 AFY

35-2423 - PRIORITY DATE 5-11-1955
DECREED DATE 1-31-2002
2.60 CFS 544.0 APY

35-2306 - PRIORITY DATE 03-03-1953
DECREED 1-31-2002
35-8197 - PRIORITY DATE 5-11-1989 - LICENSE 7-7-1995
DOMESTIC 35-11074 FOR .04 CFS - PRIORITY DATE 6-1-1925
TOTAL AMOUNT FOR IRRIGATION 3.94 CFS

ABERDEEN/SPRINGFIELD CANAL CO. - 80 SHARES
CERTIFICATE #4011

35-07760 - PRIORITY DATE 12-16-1977
LICENSE DATE 9-18-1986

ABERDEEN/SPRINGFIELD CANAL CO. - 80 SHARES
CERTIFICATE #4433

NORTH 35-2072 - PRIORITY DATE 03-17-1947
1.2 CFS - 304 AFY

SOUTH 35-8791 - PRIORITY DATE 6-2-1989
PERMIT DATE 6-12-1991
LICENSE DATE 9-24-1996
1.55 CFS

TOTAL CFS = 2.75

ABERDEEN/SPRINGFIELD CANAL 160 SHARES
CERTIFICATE # 5263

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.

Ray Funk Farms Family Limited Partnership

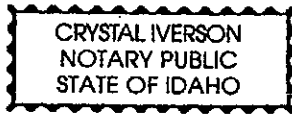
By: Raymond F. Funk, Partner
Raymond F. Funk, Partner

Ray Funk Farms Family Limited Partnership

By: Betty L. Funk, Partner
Betty L. Funk, Partner

COUNTY OF Bannock)

On this 21st day of January, 2009, before me, a Notary Public in and for said State, personally appeared **Raymond F. Funk, partner and Betty L. Funk, partner**, known or identified to me to be one of the partners in the partnership of **Ray Funk Farms Family Limited Partnership**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.



Notary Public of Idaho
Residing at: Pocatello, ID
Commission Expires: 4/23/10

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Instrument # 603197
BINGHAM COUNTY, IDAHO
02-06-2009 02:01:00 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BL
SARA J. STAUB Fee: 6.00
Ex-Officio Recorder Deputy CMiles
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, Raymond F. Funk and Betty Lou Funk, Trustee or the successor Trustee, of the Raymond and Betty Lou Funk Revocable Trust, being a trust created under instrument dated February 14, 1990, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto MPH Farms, an Idaho General Partnership, hereinafter called the Grantee, whose current address is 2050 S 2950 West, Aberdeen, ID 83210, the following described premises, situated in Bingham County, Idaho, to-wit:

TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 17: W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPT: A PORTION OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT A POINT ON THE WEST LINE OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31, EAST, BOISE MERIDIAN WHICH POINT BEARS S. 0°15' E. A DISTANCE OF 2.0 FEET FROM THE W $\frac{1}{4}$ CORNER OF SAID SECTION 17 (WHICH POINT OF BEGINNING LIES 34.0 FEET SOUTH AND 58.5 FEET WEST OF THE SW CORNER OF A DWELLING, AND WHICH SAME POINT IS APPROXIMATELY COINCIDENT WITH OLD HIGHWAY NO 39, STATE AID PROJECT NO. 134-E, STATION 1007-50); THENCE N. 89°40' E. A DISTANCE OF 184.2 FEET; THENCE N. 0°44' W. A DISTANCE OF 122.9 FEET; THENCE N. 89°32' W. A DISTANCE OF 183.1 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 17; THENCE S. 0°15' E. A DISTANCE OF 125.5 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 17 TO THE POINT OF BEGINNING.

ALSO EXCEPT: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS:
BEGINNING AT A POINT ON THE WEST LINE OF SECTION 17, WHICH POINT BEARS N. 0°15' W. A DISTANCE OF 722.70 FEET FROM THE W $\frac{1}{4}$ CORNER OF SAID SECTION 17, THE TRUE POINT OF BEGINNING; THENCE N. 89°03' E. A DISTANCE OF 331.20 FEET; THENCE N. 0°15' W. A DISTANCE OF 232.50 FEET; THENCE N. 89°21' W. A DISTANCE OF 328.50 FEET, MORE OR LESS, TO THE WEST LINE OF SECTION 17; THENCE S. 0°15' E. A DISTANCE OF 239.40 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO SAID LANDS,
INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

THOSE CERTAIN WATER RIGHTS DESCRIBED AS:

35-13511 (OLD #35-02521) - PRIORITY DATE 12-12-1957
DECREED DATE 01/31/2002
1.1 CFS 282 AFY

35-13511 (OLD # 35-02470) - PRIORITY DATE 7-23-1956
DECREED DATE 1-31-2002
.88 CFS 208 AFY

35-13513 (OLD # 35-0252) - PRIORITY DATE 7-14-1958
DECREED 1-31-2001
1.6 CFS 292 AFY

35-2423 - PRIORITY DATE 1-11-1955
DECREED DATE 1-31-2002
2.60 CFS 544.0 APY

35-2306 - PRIORITY DATE 03-03-1953
DECREED 1-31-2002
35-8197 - PRIORITY DATE 5-11-1989 - LICENSE 7-7-1995
DOMESTIC 35-11074 FOR .04 CFS - PRIORITY DATE 6-1-1925
TOTAL AMOUNT FOR IRRIGATION 3.94 CFS

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201



Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Raymond F. Funk and Betty Lou Funk**, Trustee or the successor Trustee, of the **Raymond and Betty Lou Funk Revocable Trust**, being a trust created under instrument dated **February 14, 1990**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MPH Farms, an Idaho General Partnership**, hereinafter called the Grantee, whose current address is 2050 S 2950 West, **Aberdeen, ID 83210**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

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SECTION 17: W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPT: A PORTION OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, DESCRIBED AS:
BEGINNING AT A POINT ON THE WEST LINE OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31, EAST, BOISE MERIDIAN WHICH POINT BEARS S. 0°15' E. A DISTANCE OF 2.0 FEET FROM THE W $\frac{1}{4}$ CORNER OF SAID SECTION 17 (WHICH POINT OF BEGINNING LIES 34.0 FEET SOUTH AND 58.5 FEET WEST OF THE SW CORNER OF A DWELLING, AND WHICH SAME POINT IS APPROXIMATELY COINCIDENT WITH OLD HIGHWAY NO 39, STATE AID PROJECT NO. 134-E, STATION 1007-50); THENCE N. 89°40' E. A DISTANCE OF 184.2 FEET; THENCE N. 0°44' W. A DISTANCE OF 122.9 FEET; THENCE N. 89°32' W. A DISTANCE OF 183.1 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 17; THENCE S. 0°15' E. A DISTANCE OF 125.5 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID SECTION 17 TO THE POINT OF BEGINNING.

ALSO EXCEPT: A PARCEL OF LAND LOCATED IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 31 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS:
BEGINNING AT A POINT ON THE WEST LINE OF SECTION 17, WHICH POINT BEARS N. 0°15' W. A DISTANCE OF 722.70 FEET FROM THE W $\frac{1}{4}$ CORNER OF SAID SECTION 17, THE TRUE POINT OF BEGINNING; THENCE N. 89°03' E. A DISTANCE OF 331.20 FEET; THENCE N. 0°15' W. A DISTANCE OF 232.50 FEET; THENCE N. 89°21' W. A DISTANCE OF 328.50 FEET, MORE OR LESS, TO THE WEST LINE OF SECTION 17; THENCE S. 0°15' E. A DISTANCE OF 239.40 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO SAID LANDS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

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DECREED DATE 01/31/2002
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DECREED DATE 1-31-2002
.88 CFS 208 APY

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DECREED 1-31-2001
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DECREED 1-31-2002

35-8197 - PRIORITY DATE 5-11-1989 - LICENSE 7-7-1995
DOMESTIC 35-11074 FOR .04 CFS - PRIORITY DATE 6-1-1925
TOTAL AMOUNT FOR IRRIGATION 3.94 CFS

PK
PK

APN:

Warranty Deed
- continued

File No.: 267526-P (cl)
Date: 01/27/2009

**ABERDEEN/SPRINGFIELD CANAL CO. - 80 SHARES
CERTIFICATE #4011**

**35-07760 - PRIORITY DATE 12-16-1977
LICENSE DATE 9-18-1986**

**ABERDEEN/SPRINGFIELD CANAL CO. - 80 SHARES
CERTIFICATE #4433**

**NORTH 35-2072 - PRIORITY DATE 03-17-1947
1.2 CFS - 304 AFY**

**SOUTH 35-8791 - PRIORITY DATE 6-2-1989
PERMIT DATE 6-12-1991
LICENSE DATE 9-24-1996
1.55 CFS**

TOTAL CFS = 2.75

**ABERDEEN/SPRINGFIELD CANAL 160 SHARES
CERTIFICATE # 5263**

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.

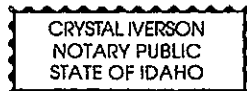
Raymond and Betty Lou Funk Revocable Trust

Raymond F. Funk, Trustee
Raymond F. Funk, Trustee

Betty Lou Funk, Trustee
Betty Lou Funk, Trustee

STATE OF Idaho)
SS.
COUNTY OF Bannock)

On this 29th day of January, 2009, before me, a Notary Public in and for said State, personally appeared **Raymond F. Funk and Betty Lou Funk**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Raymond and Betty Lou Funk Revocable Trust**, and acknowledged to me that they executed the same as such Trustees.



Crystal Iverson
Notary Public of Idaho
Residing at: Pocatello, ID
Commission Expires: 4/23/10