

JUN 03 2022

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #7](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-7271 	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Lance Funk & Lisa Funk
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nevitt Farms, LLLP.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
22128 E. Cloud Rd. Queen Creek AZ 85142
Mailing address City State Zip
480-264-2267 Christian@mannaag.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: May 18, 2015
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:  Partner 5/31/22
Signature of new owner/claimant Title, if applicable Date
Monte Newitt
Print name

Signature: _____

Signature of new owner/claimant	Title, if applicable	Date
Print name		

For IDWR Office Use Only:
 Received by KY Date 6.3.22 Receipt No. C112940 Receipt Amt. \$25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒
Name on W-9 _____ Approved by _____ Processed by AP Date 7/6/22

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Instrument # 667311

BINGHAM COUNTY, IDAHO
2015-05-20 03:59:13 PM No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$19.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **546737-P (ci)**

Date: **May 18, 2015**

For Value Received, **Lance Funk and Lisa Funk, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Nevitt Farms, LLLP**, hereinafter called the Grantee, whose current address is **22128 E Cloud Rd., Queen Creek, AZ 85142**, the following described premises, situated in **Bingham County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201



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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.

* Lance Funk

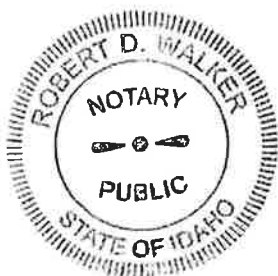
* Lisa Funk

STATE OF Idaho)

ss.

COUNTY OF Bingham)

On this 20TH day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Lance Funk and Lisa Funk**, known or Identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.



Robert D. Walker

Notary Public for the State of Idaho

Residing at: IDAHO FALLS

My Commission Expires: 11-7-2017

EXHIBIT A

Part of the West ½ Section 3 Township 5 South Range 31 East B.M. Bingham County, Idaho
Described as:

Commencing at the Southwest corner of Section 3; thence N 00°06'01" E 549.35 feet along the Section line to the point of beginning, Thence N 00°06'00" E 2104.72 feet along the section line to the West ¼ corner; thence N 00°06'00" E 1157.10 continuing along the section line to the southwest corner of deed instrument 617282; thence S 89°54'00" E 400.00 feet to the southeast corner of said deed; thence N 00°06'00" E 320.00 feet to the northeast corner of said deed; thence N 89°54'00" W 400.00 feet to the northwest corner of said deed; thence N 00°06'00" E 397.80 feet Along the section line to a point on the bank of the High Line Canal; thence along said bank the following courses S 64°08'02" E 145.00 feet; thence S 59°25'36" E 58.04 feet; thence S 45°43'58" E 54.34 feet; thence S 39°55'17" E 77.44 feet; thence S 32°00'15" E 136.32 feet; thence S 32°00'38" E 109.44 feet; thence S 30°18'23" E 179.03 feet; thence S 30°40'31" E 416.19 feet; thence S 26°11'39" E 73.53 feet; thence S 12°03'32" E 44.32 feet; thence S 04°36'54" W 32.84 feet; thence S 16°01'53" W 63.61 feet; thence S 29°29'09" W 61.76 feet; thence S 41°51'03" W 498.34 feet; thence S 32°17'07" W 44.27 feet; thence S 09°50'46" W 68.26 feet; thence S 11°44'40" E 111.93 feet; thence S 32°50'20" E 65.18 feet; thence S 49°34'49" E 47.85 feet; thence S 61°04'29" E 63.92 feet; thence S 61°38'10" E 73.49 feet; thence S 65°02'47" E 91.46 feet; thence S 67°16'54" E 25.25 feet; thence leaving said canal bank S 00°12'34" W 327.34 feet; thence S 23°09'35" W 49.49 feet; thence S 13°35'46" W 20.58 feet; thence S 02°53'38" W 165.91 feet; thence S 18°34'09" W 84.54 feet; thence S 01°31'14" E 20.84 feet; thence S 21°45'58" E 17.13 feet; thence S 29°29'31" E 64.74 feet; thence S 38°20'28" E 20.33 feet; thence S 57°57'18" E 20.32 feet; thence S 76°11'20" E 20.86 feet; thence N 85°34'43" E 20.74 feet; thence N 79°26'55" E 63.35 feet; thence S 86°59'26" E 31.28 feet; thence S 72°07'14" E 30.85 feet; thence S 54°44'01" E 31.38 feet; thence S 41°50'34" E 21.89 feet; thence S 36°14'34" E 93.71 feet; thence S 31°47'45" E 21.22 feet; thence S 21°50'48" E 21.14 feet; thence S 08°27'42" E 20.25 feet; thence S 01°13'55" W 30.79 feet; thence S 08°50'16" W 31.77 feet; thence S 18°46'44" W 31.98 feet; thence S 69°56'39" E 64.57 feet to a point on the Westerly bank of the Highline Canal; thence along said bank the following courses S 20°03'21" W 81.44 feet; thence S 23°08'42" W 72.83 feet; thence S 28°26'58" W 70.47 feet; thence S 31°15'34" W 73.10 feet; thence S 34°27'37" W 102.51 feet; thence S 30°17'13" W 94.42 feet; thence S 27°06'01" W 121.86 feet; thence S 17°44'42" W 147.74 feet; thence S 10°42'39" W 120.20 feet; thence S 07°41'03" W 106.46 feet; thence S 05°49'07" W 76.44 feet to the northeast corner of deed instrument 594990; thence N 89°58'26" W 609.15 feet along the extension of the North line of said deed to the point of beginning.

Subject to:

A 20 foot wide ingress-egress easement described as being 10 feet each side of the following described centerline:

Commencing at the southwest corner of Section 3; thence N 00°06'00" E 2626.78 feet along the section line; thence N 79°02'32" E 25.47 feet to a point on the easterly right of way line of a county road and the point of beginning of said centerline; thence N 79°02'32" E 64.71 feet; thence

N 89°30'26" E 148.98 feet; thence S 78°06'44" E 78.56 feet; thence S 61°41'49" E 68.49 feet; thence

S 54°01'14" E 69.47 feet; thence S 64°23'30" E 181.73 feet; thence S 49°51'21" E 72.33 feet to the point of terminus of said centerline.

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

**THOSE CERTAIN WATER RIGHTS DESCRIBED AND CONTAINED IN THE LICENSES
NUMBERED 35-7271 ISSUED BY THE DERPARTMENT OF WATER RESOURCES OF THE STATE
OF IDAHO.**

**ALSO THIRTY (30) SHARES OF CANAL WATER IN THE ABERDEEN-SPRINGFILED CANAL
COMPANY.**

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Instrument # 667310
BINGHAM COUNTY, IDAHO
2015-05-20 03:54:09 PM No. of Pages: 5
Recorded for: FIRST AMERICAN TITLE - BLACKFO
PAMELA W. ECKHARDT Fee: \$22.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **543922-P (ci)**

Date: **May 13, 2015**

For Value Received, **Douglas D. Williams also shown of record as Doug Williams, a single person**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Lance Funk and Lisa Funk, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 310, American Falls, ID 83211**, the following described premises, situated in **Bingham County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

Date: 05/13/2015

Warranty Deed
- continued

File No.: 543922-P (cl)

Douglas D. Williams
Douglas D. Williams

Lance Funk
Lance Funk

Lisa Funk
Lisa Funk

STATE OF Idaho)
COUNTY OF Blaine)
SS.

On this 10th day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Douglas D. Williams**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.



Amanda Carr
Notary Public of Idaho
Residing at: Blackfoot, ID.
Commission Expires: 10-21-2017

STATE OF Idaho)
COUNTY OF _____)
SS.

On this _____ day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Lance Funk and Lisa Funk**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho
Residing at: _____
Commission Expires: _____

Date: 05/13/2015

Warranty Deed
- continued

File No.: 543922-P (ci)

Douglas D. Williams

★ Lance Funk

★ Lisa Funk
Lisa Funk

STATE OF Idaho)
SS.
COUNTY OF _____)

On this _____ day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Douglas D. Williams**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public of Idaho

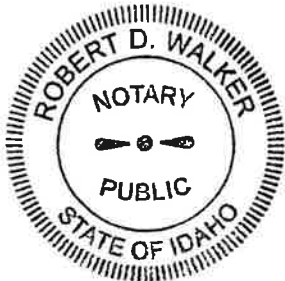
Residing at: _____

Commission _____

Expires: _____

Noting
STATE OF Idaho)
SS.
COUNTY OF Power)

On this 20TH day of May, 2015, before me, a Notary Public in and for said State, personally appeared **Lance Funk and Lisa Funk**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Robert D. Walker

Notary Public of Idaho

Residing at: IDAHO FALLS

Commission Expires: 11-7-2017

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**Part of the West ½ Section 3 Township 5 South Range 31 East B.M. Bingham County, Idaho
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Reserve unto Grantor:

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ALSO THIRTY (30) SHARES OF CANAL WATER IN THE ABERDEEN-SPRINGFILED CANAL COMPANY.



Satellite image from 2019



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 07, 2022

NEVITT FARMS LLLP
22128 E CLOUD RD
QUEEN CREEK AZ 85142-9396

Re: Change in Ownership for Water Right No(s): 35-7271

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4921.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s)