

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 16 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-8243	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: Brent Funk and Chalet Funk
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Top Notch Milk, Inc. an Idaho corporation
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1220 Cole Street Kimberly ID 83341
Mailing address City State ZIP
- _____
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: December 29, 2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
 - ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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: [Signature] President 4/13/21
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] Secretary 4/13/21
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SC Date 4/16/21 Receipt No. 5038534 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 BW Date 5-17-2021

TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE - TWIN FALLS
01:25:52 PM 12-31-2020
2020027066
NO. PAGES 4 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SB
Electronically Recorded by Simplifile



Order Number: 20393959

Warranty Deed

For Value Received,

Brent Funk and Chalet Funk, husband and wife, the Grantor, does hereby grant, bargain sell and convey unto, **Top Notch Milk, Inc., an Idaho corporation**, whose current address is **1220 Cole Street, Kimberly, ID 83341**, the Grantee, the following described premises, in **Twin Falls County, Idaho**, To Wit:

PARCEL NO. 1
TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35: Part of the NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the East one quarter (E $\frac{1}{4}$) corner of said Section 35, from which the Northeast corner of said Section 35 bears North 00°00'00" West, 2655.09 feet; Thence North 89°25'46" West along the South boundary of the NE $\frac{1}{4}$ of said Section 35 for a distance of 234.00 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 89°25'46" West along the South boundary of the NE $\frac{1}{4}$ of said Section 35 for a distance of 1075.49 feet to the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35;
Thence North 00°04'49" West along the West boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 35 for a distance of 506.25 feet;
Thence South 89°26'16" West for a distance of 825.71 feet to the center of an existing access road;
Thence along the center of the access road on the following courses:
North 01°39'41" West, 47.48 feet;
North 01°22'29" West, 99.20 feet;
North 01°44'54" West, 106.69 feet to the point of curvature of a curve left;
Northwesterly along the arc of the curve left for a distance of 82.73 feet to the point of tangent, said arc having a radius of 717.43 feet and a long chord bearing and distance of North 05°03'06" West, 82.68 feet;
North 08°21'18" West, 116.89 feet to the center of a county road known as the foothill road;
Thence South 68°02'47" West along the center of the foothill road for a distance of 173.42 feet;

Thence leaving the center of the foothill road on a bearing of North 13°58'13" West for a distance of 670.37 feet to the center of an existing ditch;

Thence along the center of the existing ditch on the following courses:

South 76°09'35" East, 52.25 feet;

South 75°13'13" East, 284.96 feet;

South 75°06'46" East, 156.40 feet;

South 76°10'23" East, 133.43 feet;

South 66°59'17" East, 132.60 feet;

South 64°12'51" East, 175.40 feet;

South 62°55'40" East, 160.43 feet;

South 61°59'44" East, 144.92 feet;

South 64°01'12" East, 63.76 feet;

Thence leaving the center of the foothill road on a bearing of North 00°25'51" East for a distance of 315.80 feet;

Thence North 89°05'55" East for a distance of 179.46 feet;

Thence South 34°56'08" East for a distance of 92.46 feet;

Thence South 39°25'40" East for a distance of 77.14 feet;

Thence South 05°05'51" East for a distance of 335.07 feet to a point on the centerline of the foothill road;

Thence South 67°26'00" East along the centerline of the foothill road for a distance of 181.85 feet to the point of curvature of a curve left;

Thence Southeasterly along the centerline of the foothill road and on the arc of the curve left for a distance of 306.33 feet to the point of tangent, said arc having a radius of 1145.92 feet and a long chord bearing and distance of South 75°05'30" East, 305.42 feet;

Thence South 82°45'00" East along the centerline of the foothill road for a distance of 39.03 feet to a point in the center of a ditch that existed in 1976;

Thence South 51°19'59" East along the center of the ditch that existed in 1976 for a distance of 25.53 feet;

Thence South 61°52'29" East along the center of the ditch that existed in 1976 for a distance of 35.68 feet to a point on the South right of way boundary of the foothill road;

Thence North 82°46'16" West along the South right of way boundary of the foothill road for a distance of 53.63 feet;

Thence leaving the South right of way boundary of the foothill road on a bearing of South 00°00'00" East for a distance of 325.26 feet;

Thence South 60°05'52" East for a distance of 203.58 feet;

Thence South 48°02'23" East for a distance of 67.85 feet;

Thence South 00°00'00" East for a distance of 289.46 feet to THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion deeded to Twin Falls Highway District under that certain Warranty Deed recorded on January 28, 1986 as Instrument No. 894836 in the official records of Twin Falls County, Idaho.

PARCEL NO. 2

TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35: Part of the N½, more particularly described as follows:

Beginning at the West (W¼) Quarter corner of said Section 35 (which lies South 00°07'18" East a distance of 2640.41 feet from the Northwest (NW) corner); Thence South 89°46'36" East for a distance of 3342.03 feet to THE TRUE POINT OF BEGINNING;

Thence North 26°58'09" West for a distance of 515.49 feet;

Thence North 56°12'13" West for a distance of 38.69 feet;

Thence South 89°38'19" West for a distance of 375.51 feet;
Thence North 45°21'41" West for a distance of 84.85 feet;
Thence North 00°21'41" West for a distance of 136.37 feet;
Thence North 44°38'19" East for a distance of 84.85 feet;
Thence North 00°21'41" West for a distance of 62.67 feet;
Thence North 68°26'51" East for a distance of 391.93 feet;
Thence South 08°41'13" East for a distance of 116.30 feet;
Thence on a curve to the right, said curve having a radius of 717.43, with an arc length of 82.73, with a chord bearing of South 05°23'02" East and a chord distance of 82.68 feet;
Thence South 02°04'49" East for a distance of 106.69 feet;
Thence South 01°42'24" East for a distance of 99.20 feet;
Thence South 01°59'36" East for a distance of 47.48 feet;
Thence North 89°06'21" East for a distance of 825.71 feet;
Thence South 00°24'13" East for a distance of 506.25 feet;
Thence North 89°46'36" West for a distance of 584.07 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:
TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 35: Part of the SE¼NE¼, described as follows:

Beginning at the East ¼ corner of Section 35 in Township 11 South, Range 18 East Boise Meridian, said corner marked by a 5/8 inch rebar; Thence North 89°47'04" West along the South line of the NE¼ for a distance of 33.14 feet to a ½ inch rebar on the Westerly right of way of Rock Creek Road which shall be THE POINT OF BEGINNING;

Thence North 89°47'04" West along said ¼ section line for a distance of 200.86 feet to a ½ inch rebar;
Thence North 00°20'40" West for a distance of 274.47 feet to a ½ inch rebar;
Thence North 00°20'40" West for a distance of 15.01 feet to the centerline of an irrigation lateral;
Thence South 48°23'04" East along said centerline for a distance of 8.55 feet;
Thence South 33°12'27" East along said centerline for a distance of 67.74 feet;
Thence South 74°38'57" East along said centerline for a distance of 39.84 feet;
Thence South 70°40'29" East along said centerline for a distance of 127.08 feet to the Westerly right of way of Rock Creek Road;
Thence South 00°15'11" East along said right of way for a distance of 25.21 feet to a ½ inch rebar;
Thence South 00°15'11" East along said right of way for a distance of 150.09 feet to THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of this page intentionally left blank.

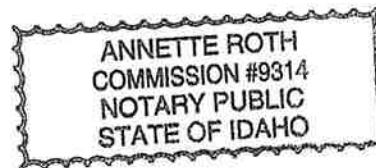
Dated: December 29, 2020

Brent Funk
Brent Funk
Chalet Funk
Chalet Funk

State of Idaho, County of Twin Falls, ss.

On this 29 day of December in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Brent Funk and Chalet Funk, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Annette Roth
Notary Public
Residing In: Rupert ID
My Commission Expires: 8-4-2023
(seal)





0003930064

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003930064

Date Filed: 7/5/2020 10:13:49 AM

B0522-3321 07/05/2020 10:13 AM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:								
Entity Name:	TOP NOTCH MILK, INC.							
The file number of this entity on the records of the Idaho Secretary of State is:	0000601526							
Address	1220 COLE ST KIMBERLY, ID 83341-5132							
Entity Details:								
Entity Status	Active - Good Standing							
This entity is organized under the laws of:	IDAHO							
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C199430							
The registered agent on record is:								
Registered Agent	CURTIS GILES Registered Agent Physical Address 1220 COLE ST KIMBERLY, ID 83341 Mailing Address							
Corporate Officers and Directors:								
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Business Address</th></tr></thead><tbody><tr><td> Whitney Giles</td><td>Secretary</td><td>1220 COLE ST. KIMBERLY, ID 83341</td></tr></tbody></table>			Name	Title	Business Address	Whitney Giles	Secretary	1220 COLE ST. KIMBERLY, ID 83341
Name	Title	Business Address						
Whitney Giles	Secretary	1220 COLE ST. KIMBERLY, ID 83341						
The annual report must be signed by an authorized signer of the entity.								
<u>Whitney Giles</u>		<u>07/05/2020</u>						
Sign Here		Date						
Job Title: Secretary								



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 17, 2021

TOP NOTCH MILK INC
1220 COLE ST
KIMBERLY ID 83341-5132

Re: Change in Ownership for Water Right No(s): 47-8243

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) 736-3033.

Sincerely,

Benny Walker
Senior Water Resource Agent,

Enclosure(s)

Cc: TitleOne, Burley, File: 20393959



211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Ave. W.
Suite 500
Twin Falls, ID 83301

RECEIVED

APR 16 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: April 15, 2021

Escrow No. 20393959

Greetings,

Enclosed please find the following:

- TitleOne Check No. 34327 in the amount of \$25.00 for Notice of Change in Ownership
- Original executed Notice of Change in Water Right Ownership
- Copy of original executed Warranty Deed recorded on 12/31/20 as Instrument No. 2020027066, records of Twin Falls Co., ID

Please make the necessary changes to your records and send a receipted copy to TitleOne, 211 W 13th St., Burley, ID, 83318 Attn: Ashley Martinkus.

Please feel free to contact us at the number above if you have any questions.

Best Regards,

TITLEONE

Ashley Martinkus

Ag Escrow Assistant

AR/am

Enc.

FedEx