Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
FEB 05 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

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 #6 of the instructions.

Split #s

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Split #s	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-17743 47-7673	Yes ☒	Yes ☐	47-17738	47-157A	Yes ☒	Yes ☐
47-17734 47-140	Yes ☒	Yes ☐	47-17739	47-2491	Yes ☒	Yes ☐
47-17735 47-141	Yes ☒	Yes ☐	47-17740	47-2511	Yes ☒	Yes ☐
47-17736 47-142	Yes ☒	Yes ☐	47-17742	47-2566	Yes ☒	Yes ☐
47-17737 47-143	Yes ☒	Yes ☐	47-17741	47-2546	Yes ☒	Yes ☐

2. Previous Owner's Name: ISE 555 Broadway, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brent Funk and Chalet Funk
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☒ and/or

3202 N 3900 E | Hansen | Idaho | 83334
Mailing address | City | State | ZIP

~~2084325502~~ 208-308-8080 |
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: 2/7/2012.

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: Brent Funk — Signature of new owner/claimant | Owner Pres. — Title, if applicable | Nov 20-2020 — Date

Signature: Chalet Funk — Signature of new owner/claimant | Owner Sec — Title, if applicable | Nov-20-2020 — Date

For IDWR Office Use Only:

Receipted by SG Date 2-5-2021 Receipt No. S038382 Receipt Amt. $1,000-

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 JB Date 2-22-21

SUPPORT DATA
IN FILE # 47-140

TWIN FALLS COUNTY
Recorded for:
WILLIAMS, MESERVY & LOTHSPE
3:36:41 PM 02-10-2012
2012-002599
No. Pages:2 Fee: $ 13.00
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

QUITCLAIM DEED

FOR VALUE RECEIVED, **L & S LAND HOLDINGS, LLC, an Idaho limited liability company,** hereinafter called the "Grantor", hereby remises, release, and forever quitclaims unto **BRENT FUNK and CHALET FUNK,** husband and wife, whose address is 845 S. 1800 W., Murtaugh, ID 83344 , hereinafter called the "Grantees", all right, title and interest in the following described real property located in Twin Falls County, State of Idaho, to-wit:

*See **EXHIBIT A** attached hereto.*

TO HAVE AND TO HOLD the premises, with their appurtenances unto said Grantee, and the Grantee's successors and assigns forever.

DATED this 7th day of February, 2012.

"GRANTOR"

L & S LAND HOLDINGS, LLC

THE LUIS M. AND SHARON BETTENCOURT 2008 TRUST, u/a/d March 5, 2008, Member of L & S Land Holdings, LLC

LUIS M. BETTENCOURT, Trustee

STATE OF IDAHO)
:ss.
County of Jerome)

On this 7th day of February 2012, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LUIS M. BETTENCOURT, as Trustee of THE LUIS M. AND SHARON BETTENCOURT 2008 TRUST, u/a/d March 5, 2008, Member of L & S LAND HOLDINGS, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same.

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

STEPHANIE BROWN NOTARY PUBLIC STATE OF IDAHO

NOTARY PUBLIC for Idaho
Residing at: Jerome
Commission Expires: 10/16/12

CONTINUATION

SCHEDULE A

Order Number: 3178

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

Section 36: Commencing at a 5/8-inch iron pin bearing a cap stamped LS 9858 marking the Southwest corner of the Southeast ¼ of Section 36;

Thence along the West line of the Southeast ¼ of said Section 36, North 0°14'44" West, a distance of 1322.49 feet to the Southwest corner of the Northwest ¼ of the Southeast ¼ of said Section 36, being also the corner of a tract of land conveyed to the Lucy Gray Living Trust by Instrument No. 1994-019750 as recorded in the Twin Falls County Recorder's Office and being also the POINT OF BEGINNING;

Thence along the West line of said Northwest ¼ of the Southeast ¼ and the boundary of said Gray Tract, North 00°14'44" West, a distance of 219.44 feet;

Thence along the boundary of said Gray tract, North 40°06'28" East, a distance of 847.90 feet;

Thence along the boundary of said Gray tract, South 68°11'43" East, a distance of 826.03 feet to the intersection with the East line of said Northwest ¼ of the Southeast ¼;

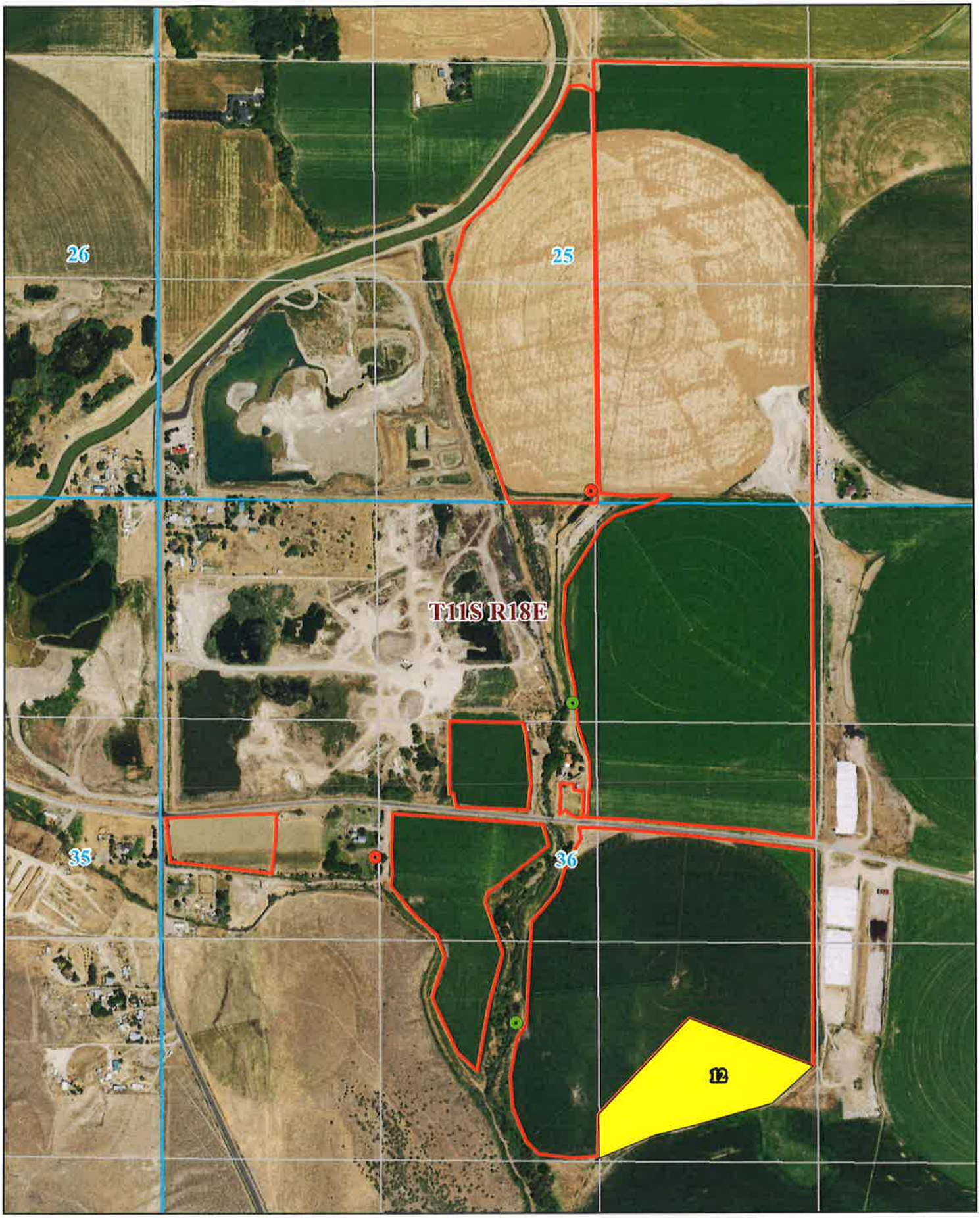
Thence South 49°21'48" West, a distance of 300.41 feet;

Thence South 71°29'14" West, a distance of 554.30 feet;

Thence South 78°35'29" West, a distance of 243.56 feet;

Thence South 66°10'13" West, a distance of 349.72 feet to the POINT OF BEGINNING.

Path: F:\Projects\Funk, Brent\Arcview\Brent Funk Farm.mxd



BRENT FUNK FARM
2019 IRRIGATION
NAIP 2019 AERIAL PHOTO

Legend
- Funk Rock Creek PODs
- Funk Ground Water PODs
- Deeded Acres
- Funk_WRs

N

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 10/28/2020

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

February 22, 2021

BRENT FUNK
CHALET FUNK
3202 N 3900 E
HANSEN ID 83334-5204

Re: Change in Water Right Ownership: 47-2511 (Split into 47-2511 and **47-17740**), 47-157A (Split into 47-157A and **47-17738**), 47-142 (Split into 47-142 and **47-17736**), 47-2546 (Split into 47-2546 and **47-17741**), 47-143 (Split into 47-143 and **47-17737**), 47-2491 (Split into 47-2491 and **47-17739**), 47-7673 (Split into 47-7673 and **47-17743**), 47-140 (Split into 47-140 and **47-17734**), 47-2566 (Split into 47-2566 and **47-17742**), and 47-141 (Split into 47-141 and **47-17735**).

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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.

Note that a combined acre limit condition was updated due to this ownership change split on rights 47-2526, 47-2536, 47-8379, 47-2554, 47-2556, 47-2557, 47-16392, 47-127A, and 47-2552, which were not included in this ownership change split. The update reduced the combined acre limit on a group of 18 rights from 1491 acres to 1479 acres.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-47O; Brockway Engineering, PLLC; Idaho Agri Investments, LLC; ISE 555 Broadway, LLC;

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
FEB 05 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

February 2, 2021

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

Re: Brent and Chalet Funk

Dear Mr. Skinner:

Brent and Chalet Funk desire to split water rights 47-7673, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2566 and 47-2546. The water rights split are based on the 2012 quitclaim deed from L & S Land Holdings, LLC.

Attached to this letter is a quitclaim deed from Brent and Chalet Funk regarding water rights 47-127A and 47-2552. These water rights current irrigation place of use identifies property owned by Brent and Chalet Funk but the water rights are owned by ISE 555 Broadway LLC. The quitclaim deed conveys all legal ownership of 47-127A and 47-2552 to ISE 555 Broadway LLC.

Attached to this letter is a notice of abandonment of water right. This document is being submitted on behalf of ISE 555 Broadway. Right now, the irrigation water rights owned by ISE 555 Broadway currently identify the 12.0 acres located in Township 11 South Range 18 East Section 36 NWSE in their irrigation place of use and 1,505.0 permissible place of use. This document will reduce the size of the irrigation place of use and permissible place of use by 12.0 acres. The abandonment document is not intended to reduce any diversion rate, annual volume or allowed acres to be irrigated.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Brent Funk
Enc: Aerial Map, Quit Claim Deed, Change of Ownership Form, Notice of Abandonment, Brockway Engineering Check #16269 for $1000.00.