

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 07 2021

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern 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?
29-139590*	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: USA Fertilizer

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lance Funk and Lisa Funk

New owner(s) as listed on the conveyance document

Name connector

☐ and☐ or☐ and/or

Mailing address

Telephone

City

State

ZIP

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: July 16th, 2020

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]

Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date

5/7/2021

Receipt No.

E046924

Receipt Amt.

\$50.-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 [Signature]Processed by [Signature]

Date

5/21/2021

ATEC Order No. 494686

CORPORATION DEED

For Value Received

USA FERTILIZER, INC.

a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby Grant, Bargain, Sell and convey unto

Lance Funk and Lisa Funk, husband and wife,

whose current address is: 2960 Cedar Lane
American Falls, ID 83211

the following described real estate, to-wit:

Parcel 1:

A portion of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 21, Township 7 South, Range 31 East, Boise Meridian, Power County, Idaho, described as:

BEGINNING at the East $\frac{1}{4}$ corner of said Section 21;
Thence South $00^{\circ}05'28''$ East along the East line of said Section 21, 590.08 feet to the North line of a County Road;
Thence South $63^{\circ}11'41''$ West along said North line 695.00 feet to the TRUE POINT OF BEGINNING;
Thence continuing South $63^{\circ}11'41''$ West along said North line, 150.00 feet;
Thence North $26^{\circ}48'19''$ West 150.00 feet;
Thence North $63^{\circ}11'41''$ East 150.00 feet;
Thence South $26^{\circ}48'19''$ East 150.00 feet to the POINT OF BEGINNING.

Parcel 2:

That portion of Lots 3 and 4, Block 2, Falls Industrial Park, Power County, Idaho, as shown on the plat recorded April 26, 1993 as Instrument No. 159135, being more particularly described as follows:

COMMENCING at the East $\frac{1}{4}$ of Section 21, Township 7 South, Range 31 East, Boise Meridian Power County, Idaho;
Thence South $63^{\circ}17'52''$ West along the Northwesternly line of said Block 2, a distance of 1037.49 feet to the most Northerly corner of said Lot 3;
Thence South $26^{\circ}21'26''$ East along the line common to said Lots 3 and 4, a distance of 222.12 feet to the TRUE POINT OF BEGINNING;
Thence South $63^{\circ}38'34''$ West 150.00 feet;
Thence South $26^{\circ}21'26''$ East 300.00 feet to the Northwesternly side of Fairgrounds Road;
Thence North $63^{\circ}38'34''$ East along the side of said road, 75.00 feet to the most Southerly corner of a tract of land described in Instrument No. 130568;
Thence North $26^{\circ}21'26''$ West along the Southwesterly line of said tract, 150.00 feet to the most Westerly corner of said tract;
Thence North $63^{\circ}38'34''$ East along the Northwesternly line of said tract, 150.00 feet to the most Northerly corner of said Tract;
Thence South $26^{\circ}21'26''$ East along the Northeasterly line of said tract, 150.00 feet to the most Easterly corner of said tract, said corner also being on the Northwesternly side of said Fairgrounds Road;
Thence North $63^{\circ}38'34''$ East, along the side of said road, 75.00 feet;
Thence North $26^{\circ}21'26''$ West 300.00 feet;
Thence South $63^{\circ}38'34''$ West 150.00 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee(s), that it is the owner of said premises; that they are free from all encumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed July 15, 2020.

USA FERTILIZER, INC.

By: Cheri Nielson Starkie
Its: Director

By: Gordon A. Nielson
Its: Director

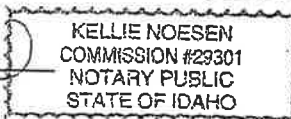
State of Idaho }
 } ss.

County of Blaine

On this 16 day of July, in the year 2020, before me, Kellie Noesen, a Notary Public in and for said state, personally appeared Gordon A. Nielson and Cheri Nielson Starkie, known to me to be the Directors of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name.

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

Kellie Noesen
Notary Public for the State of Idaho
Residing at: Pocatello, ID
Commission Expires: 2/24/2022





Water District 120

900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402-1718

Invoice

Date	Invoice #
3/22/2021	2021-0327

Bill To
LANCE FUNK FARMS 2763 FAIRGROUNDS RD AMERICAN FALLS, ID 83211

WELL LOCATION
WATER RIGHT 29-13959 2763 FAIRGROUNDS RD AMERICAN FALLS, ID 83211

Terms	Due Date
NET 30	4/21/2021

Description	Qty	Rate	Amount
Minimum Assessments <= 0.24 cfs; <= 5.0 acres Ownership for water right 29-13959 can be updated into your name by filling out the ownership change application attached to this invoice.	1	50.00	50.00
		Total	\$50.00

Assessments not paid by the due date shall accrue an initial penalty in the amount of 10% of the total due plus interest in the amount of 1% per month, as provided pursuant to Idaho Code 42-617.

Please make checks payable to Water District 120.

Payments/Credits	\$0.00
Balance Due	\$50.00
Customer Total Balance	\$50.00

Phone #	Fax #	E-mail
208-525-7161	208-525-7177	Blake.Jordan@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 21, 2021

LANCE FUNK
LISA FUNK
2960 CEDAR LN
AMERICAN FLS ID 83211-4907

Re: Change in Ownership for Water Right No(s): 29-13959

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.

Please note your application was received with a \$50.00 check, the fee for an ownership change is \$25.00 per water right for a non-split. There was also a bill for Water District 120 for \$50.00. Unfortunately they are separate entities. If you have not sent another check for Water District 120, please send one addressed to them. Because the fee for the ownership change is only \$25.00 you are entitled to a partial refund. The department has initiated the refund and it should arrive from the state office in couple of weeks. The department did attempt to contact you via phone on May 19, 2021.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT

Barg, Jonie

From: Barg, Jonie
Sent: Friday, May 21, 2021 12:43 PM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt.pdf

Good afternoon!!

I have a refund request as follows:

Receipt number: E046924
Amount: \$25.00
Payable to: LANCE FUNK
LISA FUNK
2960 CEDAR LN
AMERICAN FALLS ID 83211

Reason: Ownership Change filed for 1 non-split water right paid \$50.00. The filing fee for the application is \$25.00, therefore they are entitled to a partial refund of \$25.00.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Phone number: (208)525-7161
Fax number: (208)525-7177
Email address: jonie.barg@idwr.idaho.gov