

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAY 08 2017
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?
37-23079 37-720	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23080 37-1176	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23081 37-4162	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23082 37-13318	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James V. Stewart Limited Liability Company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Glenn Patrick Funkhouser and Constance Ann Funkhouser
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 201 Fairfield ID 83327
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: 4-28-2017
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):
 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: Glenn Patrick Funkhouser Title, if applicable _____ Date 4-27-17
Signature: Constance Ann Funkhouser Title, if applicable _____ Date 4-27-17

SUPPORT DATA

IN FILE # 37-720

For IDWR Office Use Only:

Received by DM Date 5-8-2017 Receipt No. S036109 Receipt Amt. \$400-
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 _____ Date _____

Received - FSA

1 - MAY 2017

Jerome/Lincoln/Blaine

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 Second Ave. North/PO Box 7999
Ketchum, ID 83340

CAMAS COUNTY

RECORDED FOR:
Clerk

11:15:07 AM 04-28-2017

2017-087737

No. PAGES: 3 FEE: \$16.00

KORRI BLODGETT
COUNTY CLERK
DEPUTY: KB

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **627655K (rm)**

Date: **March 23, 2017**

For Value Received, **James V. Stewart Limited Liability Company, a Washington limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Glenn Patrick Funkhouser and Constance Ann Funkhouser, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 201, Fairfield, ID 83327**, the following described premises, situated in **Camas County, Idaho**, to-wit:

PARCEL NO. 1

Township 1 North, Range 13 East of the Boise Meridian, Camas County, Idaho

Section 32: Southwest Quarter AND 10 Acres in the Southwest Quarter of the Southeast Quarter more particularly described as follows:

COMMENCING at the South Quarter corner of said Section;
Thence running East 80 rods;
Thence North 20 rods;
Thence West 80 rods;
Thence South 20 rods to the **PLACE OF BEGINNING**.

PARCEL NO. 2

Township 1 North, Range 13 East of the ^{BOISE}Boise Meridian, Camas County, Idaho

Section 32: West one half of the Southeast Quarter EXCEPT 10 acres in the Southwest Quarter of the Southeast Quarter more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section;
Thence running East 80 rods;
Thence North 20 rods;
Thence West 80 rods;
Thence South 20 rods to the **PLACE OF BEGINNING**.

Together with a ninety percent (90%) interest in water right numbers A37-00720, 37-01176, 37-04162, 37-13318.



The Grantor herein reserves the remaining ten percent (10%) interest in water right numbers A37-00720, 37-01176, 37-04162, 37-13318 on the property described in Exhibit A attached hereto.



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.

JLH

James V. Stewart Limited Liability Company, a
Washington limited liability company

By: _____

Name: James V. Stewart

Title: Manager

STATE OF

WA

)
ss.

COUNTY OF

King

)

On this 26th day of April, 2017, before me, a Notary Public in and for said State, personally appeared **James V. Stewart**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers of the **James V. Stewart Limited Liability Company, a Washington limited liability company**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.

JILL J HERYFORD
Notary Public
State of Washington
My Appointment Expires May 23, 2020

Notary Public of

Washington

Residing at:

Vashon

Commission Expires:

May 23, 2020

Date: **April 25, 2017**

File No.: **627655K (rm)**

EXHIBIT 'A'

LEGAL DESCRIPTION:

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Thence South 20 rods to the PLACE OF BEGINNING.

Water Rights included but not limited to:

Department of Water Resources water right numbers

Decree 37-720

Decree 37-1176

Decree 37-4162

Decree 37-13318

Initial A.P.F. date 4-27-17

Coy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2018

GLENN PATRICK FUNKHOUSER
CONSTANCE FUNKHOUSER
PO BOX 201
FAIRFIELD ID 83327

Re: Change of Ownership/Split of Water Right 37-720, 37-1176, 37-4162 and 37-13318
Split into 37-720 (James V Stewart LLC) and 37-23079 (Funkhouser);
37-1176 (James V Stewart LLC) and 37-23080 (Funkhouser);
37-4162 (James V Stewart LLC) and 37-23081 (Funkhouser);
37-13318 (James V Stewart LLC) and 37-23082 (Funkhouser)

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.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

Cc: James V Stewart LLC