

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

RECEIVED  
OCT 13 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 47-2531               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Bruce & Kathy Bulcher

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brent & Chalet Funk

New owner(s) as listed on the conveyance document

Name connector

☐ and

☐ or

☐ and/or

2786 B Rock Creek Rd

Hansen

ID

83334

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: \_\_\_\_\_

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: x [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Signature: x [Signature]

Signature of new owner/claimant

Title, if applicable

Date

**For IDWR Office Use Only:**

Received by AM

Date

10-13-2017

Receipt No.

5036406

Receipt Amt.

\$25-

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

Case No. 70833sm

*TitleFact, Inc.*

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

\*\*\*\* SPACE ABOVE FOR RECORDER \*\*\*\*

## WARRANTY DEED

FOR VALUE RECEIVED **BRUCE L. BULCHER** and **KATHY JO BULCHER**, Trustees of **THE BRUCE L. and KATHY JO BULCHER TRUST DATED AUGUST 11, 2015**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **BRENT FUNK** and **CHALET FUNK**, husband and wife, hereinafter called Grantee, whose address is: 2786 B. Rock Creek Rd. Arrows ID 83324 the following described premises in Twin Falls County, Idaho; to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 3, 2017

**THE BRUCE L. and KATHY JO BULCHER TRUST DATED AUGUST 11, 2015**

*Bruce L. Bulcher*  
By: **BRUCE L. BULCHER**, Trustee

*Kathy Jo Bulcher*  
By: **KATHY JO BULCHER**, Trustee

\* \* \* \* \*

STATE OF IDAHO  
County of Twin Falls

On the 10<sup>th</sup> day of October, 2017, before me, a Notary Public in and for said State, personally appeared **BRUCE L. BULCHER** and **KATHY JO BULCHER**, known or identified to me to be the Trustees of **THE BRUCE L. and KATHY JO BULCHER TRUST DATED AUGUST 11, 2015** that executed this instrument, or the persons who executed the instrument on behalf of said Trust, and acknowledged to me that they executed the same as such Trustees.

*Senai Moore*  
Notary Public for Idaho  
Residing in Twin Falls  
Commission Expires 11/28/2020

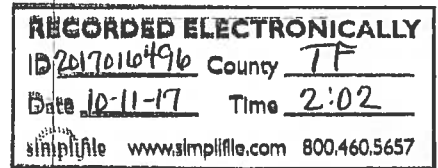


**TWIN FALLS COUNTY**  
RECORDED FOR:  
TITLEFACT, INC.  
02:02:05 PM 10-11-2017  
**2017016496**  
NO. PAGES 2 FEE: \$15.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: SW  
Electronically Recorded by Simplifile

Case No. 70833sm

*TitleFact, Inc.*  
163 Fourth Avenue North  
P.O. Box 486  
Twin Falls, Idaho 83303

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 3, 2017

**THE BRUCE L. and KATHY JO BULCHER TRUST DATED AUGUST 11, 2015**

*Bruce L. Bulcher*  
By: **BRUCE L. BULCHER**, Trustee

*Kathy Jo Bulcher*  
By: **KATHY JO BULCHER**, Trustee

\* \* \* \* \*

STATE OF IDAHO  
County of Twin Falls

On the 1<sup>st</sup> day of October, 2017, before me, a Notary Public in and for said State, personally appeared **BRUCE L. BULCHER and KATHY JO BULCHER**, known or identified to me to be the Trustees of **THE BRUCE L. and KATHY JO BULCHER TRUST DATED AUGUST 11, 2015** that executed this instrument, or the persons who executed the instrument on behalf of said Trust, and acknowledged to me that they executed the same as such Trustees.

*Senai Moore*  
Notary Public for Idaho  
Residing in Twin Falls  
Commission Expires 11/28/2020



**EXHIBIT "A"**

Township 11 South, Range 19 East, Boise Meridian, Twin Falls  
County, Idaho  
Section 18: E½ and SE¼SW¼  
SUBJECT TO Highway District right of way.

TOGETHER WITH easement for the construction and maintenance  
of an irrigation pipeline, as contained in Right of way Easement from  
William L. Allen and Marilyn Allen, to Louis Bulcher and Harold  
Bulcher, their heirs and assigns, recorded April 11, 1986, as  
Instrument No. 899093, records of Twin Falls County, Idaho, said  
easement described as follows:

A strip of land 30.00 feet in width situated in the NW¼ of Section 18,  
Township 11 South, Range 19 East, Boise Meridian, Twin Falls  
County, Idaho, and lying 15.00 feet on each side of the following  
described centerline:

BEGINNING at a point on the Easterly boundary of said NW¼,  
Section 18 bearing South 0°43'24" East 1545.06 feet along said  
Easterly boundary from the Northeast corner of said NW¼;

THENCE South 87°47'57" west 1731.3 feet to a point on the Easterly  
bank of the High Line Canal and the terminus of said 30 feet wide  
easement.

TOGETHER WITH Grantor's interest in Idaho Water Right #47-  
02531 and 279.97 shares of stock in the Twin Falls Canal Company.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 79578

This is to certify that: BRUCE L BULCHER AND  
KATHY J BULCHER  
3627 E 3300 N  
HANSEN, ID 83334

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 47-2531            | WR/DECREED          | 8/19/1950            | 0.700 cfs             | 320.0 af                | N/A               | 80.0               | GROUND WATER  |

Purpose of Transfer (Changes Proposed)

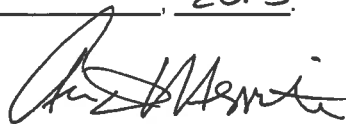
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 47-2531               | NO           | NO         | YES        | NO             | NO                   | NO                   |

Summary Of Water Rights After the Approved Change

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 47-2531                | 47-2531                          | 0.700 cfs            | 320.0 af               | 80.0              | 360.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.700 cfs</b>     | <b>320.0 af</b>        | <b>80.0</b>       | <b>360.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 24<sup>th</sup> day of February, 2015.



Southern Region Manager

**WATER RIGHT NO. 47-2531**

**As Modified by Transfer No. 79578**

In accordance with the approval of Transfer No. 79578, Water Right No. 47-2531 is now described as follows:

**Right Holder:** BRUCE L BULCHER AND  
KATHY J BULCHER  
3627 E 3300 N  
HANSEN, ID 83334

**Priority Date:** 8/19/1950

**Source:** GROUND WATER

**BENEFICIAL USE**  
IRRIGATION

**From** 03/15 **To** 11/15

**Diversion Rate**  
0.700 cfs  
0.700 cfs

**Diversion Volume**  
320.0 af  
320.0 af

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER SWNESE Sec 18 Twp 11S Rge 19E TWIN FALLS County

**PLACE OF USE: IRRIGATION**

|     |     |     |  | NE   |      |      |      | NW |    |    |    | SW |    |    |      | SE   |      |      |      | Totals |
|-----|-----|-----|--|------|------|------|------|----|----|----|----|----|----|----|------|------|------|------|------|--------|
| Twp | Rng | Sec |  | NE   | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE   | NE   | NW   | SW   | SE   |        |
| 11S | 19E | 18  |  | 40.0 | 40.0 | 40.0 | 40.0 |    |    |    |    |    |    |    | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 360.0  |

Right Acre Limit: 80.0  
POU Total Acres: 360.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of a specific 80.0 acres within the 360.0 acre place of use authorized by this right in a single irrigation season. The specific 80.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 80.0 acres to be irrigated within the 360.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

**WATER RIGHT NO. 47-2531**  
**As Modified by Transfer No. 79578**

**CONDITIONS OF APPROVAL**

4. This right is considered primary as long as it is not used on lands where Twin Falls Canal Co. shares are utilized within the designated permissible place of use.
5. If this right is combined with water from Twin Falls Canal Co. the right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall also limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 26, 2017

BRENT AND CHALET FUNK  
2786 B ROCK CREEK RD  
HANSEN ID 83334

RE: Change of Ownership for Water Right No. 47-2531

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Kent L. Aasa  
Water Resource Agent

Enclosure