

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 20 2016

Department of Water Resources
Eastern Region

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-7226 <i>OK</i>	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: Midnight Sun Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Monty & Carolene Funk
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 2254 County Line Rd. American Falls ID 83211
Mailing address City State ZIP
- (208) 226-5207 monty@countylinefarms.com
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: 5/11/16
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: *Monty Funk* owner 5-18-2016
 Signature of new owner/claimant Title, if applicable Date

Signature: *Carolene Funk* Partner 5-18-2016
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 5/20/2016 Receipt No. E042106 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 *JB* Processed by *JB* Date 6/7/2016

AFTER RECORDING MAIL TO:

Monty Funk and Carolene Funk
2254 County Line Rd.
American Falls, ID 83211

Instrument # 209062

POWER COUNTY, IDAHO

05-11-2016 03:08:17 PM No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE - POCATEL

SHARIE SPRAGUE Fee: \$16.00

Ex-Officio Recorder Deputy: maureen schelske

Electronically Recorded by Simplifile

SPECIAL WARRANTY DEED

File No.: 579733-P (cl)

Date: May 06, 2016

For Value Received, Midnight Sun, Inc. IV, a Delaware corporation, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Monty Funk and Carolene Funk, husband and wife, hereinafter called the Grantee, whose current address is 2254 County Line Rd., American Falls, ID 83211, the following described premises, situated in Power County, Idaho, to-wit:

**THE E½NW¼ AND W½NE¼ OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 30 E.B.M.,
POWER COUNTY, IDAHO**

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(s), their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises. The Grantor(s) warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor(s), except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee(s) and any lien or encumbrance revived or placed on said premises by, through or under the Grantee(s), his heirs and assigns.

**ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT**

Accepted & Approved
 

Recorded Electronically	
ID	2090107
County	Power
Date	5-11-16
Time	9:08
Simplifile.com 800.460.5557	

AFTER RECORDING MAIL TO:

Monty Funk and Carolene Funk
2254 County Line Rd.
American Falls, ID 83211

SPECIAL WARRANTY DEED

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**THE E $\frac{1}{2}$ NW $\frac{1}{4}$ AND W $\frac{1}{2}$ NE $\frac{1}{4}$ OF SECTION 32, TOWNSHIP 6 SOUTH, RANGE 30 E.B.M.,
POWER COUNTY, IDAHO**

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(s), their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises. The Grantor(s) warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor(s), except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee(s) and any lien or encumbrance revived or placed on said premises by, through or under the Grantee(s), his heirs and assigns.

Accepted & Approved
[Signature] *[Signature]*

Date: 05/06/2016

Warranty Deed
- continued

File No.: 579735-P (d)

Midnight Sun, Inc. IV, a Delaware corporation

* By: J. Scott Haffner
Name: J. Scott Haffner
Title: Vice President

By: _____
Name: Charles W. Bryan, Jr.
Title: Vice President

STATE OF _____)
COUNTY OF _____)
ss.

On this ____ day of May, 2016, before me, a Notary Public in and for said State, personally appeared Charles W. Bryan, Jr., known or identified to me, to be the Vice President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Notary Public of _____
Residing at: _____
Commission Expires: _____

Notary
STATE OF Connecticut)
COUNTY OF Hartford)
ss.

On this 9th day of May, 2016, before me, a Notary Public in and for said State, personally appeared J. Scott Haffner, known or identified to me to be the Vice President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Ruthie Beaulin
Notary Public for the State of CT
Residing at: West Hartford, CT
My Commission Expires: 10-31-17

stamp:



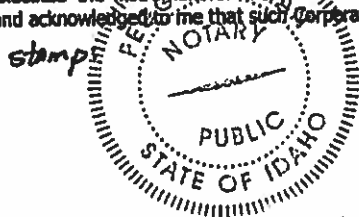
Midnight Sun, Inc. IV, a Delaware corporation

By: _____
 Name: J. Scott Haffner
 Title: Vice President

* By: Charles W. Bryan, Jr.
 Name: Charles W. Bryan, Jr.
 Title: Vice President

STATE OF Idaho)
) ss.
 COUNTY OF Canyon)

On this 9 day of May, 2016, before me, a Notary Public in and for said State, personally appeared Charles W. Bryan, Jr., known or identified to me, to be the Vice President of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.



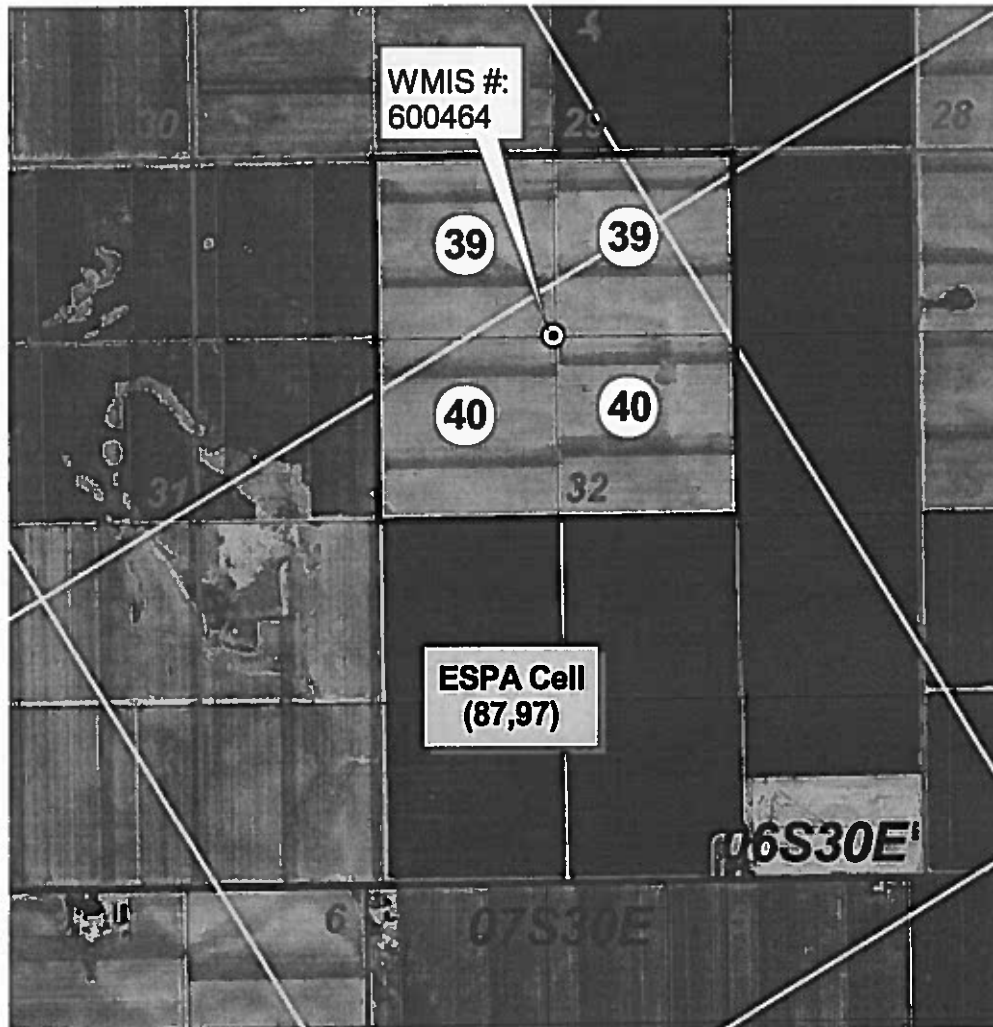
[Signature]
 Notary Public of Idaho
 Residing at: Canyon, Idaho
 Commission Expires: 12-1-17

STATE OF _____)
) ss.
 COUNTY OF _____)

On this _____ day of May, 2016, before me, a Notary Public in and for said State, personally appeared J. Scott Haffner, known or identified to me to be the Vice President of the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public for the State of _____
 Residing at: _____
 My Commission Expires: _____

Notice of Change in Water Right Ownership (Existing Place of Use)



JCH - 5/18/2016

NAIP 2015 Aerial Photo

0.25 0 0.25 0.5 Miles

-  ESPA Model Grid
-  Water Right 35-7226 Existing Well
-  Existing Place Of Use (158.0 ac)
-  Townships
-  Sections
-  40's (Power County)





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 8, 2016

MontyFunk
Carolene Funk
2254 County Line Rd
American Falls ID 83211

RE: Change of Ownership for Water Right No(s). 35-7226

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. 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 deliberately abandoned or 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.

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

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Aberdeen American Falls Ground Water District