

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

Page 1
RECEIVED

DEC 30 2015

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?
#43-02471 OK	Yes ☐	Yes ☐	#43-02504 OK	Yes ☐	Yes ☐
#43-02472 OK	Yes ☐	Yes ☐	#43-02505 OK	Yes ☐	Yes ☐
#43-02475 OK	Yes ☐	Yes ☐	#43-02516 OK	Yes ☐	Yes ☐
#43-02488 OK	Yes ☐	Yes ☐	#43-02517 OK	Yes ☐	Yes ☐
#43-02489 OK	Yes ☐	Yes ☐	#43-02519 OK	Yes ☐	Yes ☐

2. Previous Owner's Name: Murphy Land Company LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lance & Lisa Funk
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 310 American Falls ID 83211
Mailing address City State ZIP
208-226-5551 lance@lancefunkfarms.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: July 23, 2015
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.

SUPPORT DATA
IN FILE # 43-2471

8. Signature: Lance & Lisa Funk December 30, 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ December 30, 2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JA Date 12-31-2015 Receipt No. EO41722 Receipt Amt. \$450.00
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 1/6/2016

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
#43-02575 <i>OK</i>	Yes ☐	Yes ☐	#43-13578 <i>OK</i>	Yes ☐	Yes ☐
#43-04199 <i>OK</i>	Yes ☐	Yes ☐	#43-13603 <i>OK</i>	Yes ☐	Yes ☐
#43-13351 <i>OK</i>	Yes ☐	Yes ☐	#43-13604 <i>OK</i>	Yes ☐	Yes ☐
#43-13352 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
#43-13577 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Murphy Land Company LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lance & Lisa Funk
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 310 American Falls ID 83211
Mailing address City State ZIP
- 208-226-5551 lance@lancefunkfarms.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: July 23, 2015
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: *Lance & Lisa Funk* December 30, 2015
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ December 30, 2015
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____

CASSIA COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE - BURLEY
12:50:43 PM 07-27-2015
2015-003302
NO. PAGES: 8 FEE: \$31.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: HYoung
Electronically Recorded by Simplifile

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

Recording Requested By and
When Recorded Return to:
Lance D. Funk
2765 Fairgrounds Road
American Falls, ID 83211

SPACE ABOVE THIS LINE FOR
RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

Murphy Land Company, LLC, an Idaho limited liability company ("Grantor"), for valuable consideration given by Lance D. Funk and Lisa I. Funk, husband and wife, whose mailing address is 2765 Fairgrounds Road, American Falls, Idaho 83211 ("Grantees"), does hereby sell, transfer and convey unto Grantees, their successors and assigns, all of Grantor's right, title and interest in and to the real property located in Cassia County, Idaho, legally described as follows:

SEE EXHIBIT A, attached hereto and incorporated herein.

TOGETHER WITH all water and water rights, ditches and ditch rights, all buildings, fixtures, and improvements thereon, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, possession, claim and demand whatsoever, as well in law as in equity ("Property").

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantees and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, except for and subject to, however, any and all easements, restrictions, agreements, liens and encumbrances of record as of the date of this instrument.

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEES AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PROPERTY.

EXHIBIT A - LEGAL DESCRIPTION**PARCEL NO. 1:**

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

**Thence North 0°01' West for 208.71 feet along the Section line to a point;
Thence South 89°55' East for 208.71 feet to a point;
Thence South 0°01' East for 208.71 feet to a point on the Section line;
Thence North 89°55' West for 208.71 feet to the True Point of Beginning.**

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S $\frac{1}{4}$ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.063 meters (2647.84 feet) to a point on the West boundary of the SE $\frac{1}{4}$ of said Section 30, Station 70+93.910, 12.192 (40.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.910 meters (1817.29 feet), Station 65+40.000, 12.192 (40.00 feet) left of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 308.773 meters (1013.03 feet), Station 62+31.227, 13.716 (45.00 feet) left of said Project centerline;

Thence South 00°26'47" East for a distance of 15.824 meters (51.92 feet) to the True Point of Beginning.

PARCEL NO. 2:**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO****Section 31: NE¼, NE¼NW¼, Lots 1 and 2****LESS, part of Lot 1 and Lot 2 of said Section 31, described as follows:****Beginning at the Southwest corner of Lot 2 of said Section 31, which shall be the True Point of Beginning;****Thence North 0°01' West along section line for 1617.50 feet to a point;****Thence South 89°54' East for 1394.28 feet to a point;****Thence South 0°01'30" East for 1617.50 feet to a point on the South line of Lot 2;****Thence North 89°54'30" West along said South line for 1395.0 feet to the True Point of Beginning.****ALSO EXCEPTING THEREFROM the following described tract:****Beginning at the Northwest corner of said Section 31, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project centerline;****Thence North 89°37'26" East along the North boundary of said Section 31 for a distance of 926.189 meters (3038.67 feet) to the N¼ corner of said Section 31, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;****Thence North 89°35'47" East along the North boundary of said Section 31 for a distance of 807.070 meters (2647.86 feet) to the Northeast corner of said Section 31, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;****Thence South 00°32'10" East along the East boundary of the NE¼ of said Section for a distance of 9.438 meters (30.97 feet), Station 79+01.011, 12.192 meters (40.00 feet) right of said Project centerline;****Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.105 meters (2647.98 feet) to a point on the West boundary of the NE¼ of said Section 31, Station 70+93.876, 12.192 (40.00 feet) right of said Project centerline;****Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.876 meters (1817.17 feet), Station 65+40.000, 12.192 (40.00 feet) right of said Project centerline;****Thence South 00°28'55" East for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) right of said Project centerline;****Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 280.000 meters (918.63 feet), Station 62+60.000, 13.716 (45.00 feet) right of said Project centerline;****Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 62+60.000, 12.192 (40.00 feet) right of said Project centerline;****Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 92.290 meters (302.79 feet) to a point on the West boundary of Government Lot 1 of said Section 31, Station 61+67.714, 12.192 (40.00 feet) right of said Project centerline;****Thence North 00°28'14" West along the West boundary of Government Lot 1 for a distance of 10.202 meters (33.47 feet) to the Northwest corner of said Section 31 and being the Point of Beginning.**

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼

PARCEL NO. 4:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: SE¼NW¼, SAVE AND EXCEPT, the following described parcel:

Beginning at the W¼ section corner of said Section 31, said corner marked by a US BLM aluminum pipe with a cap; Thence South 89°55'11" East along the South line of the NW¼ of Section 31 for a distance of 1394.26 feet to the Point of Beginning;
Thence North 00°00'00" East for a distance of 1365.91 feet;
Thence South 89°51'32" East for a distance of 28.52 feet to a ½ inch rebar;
Thence South 00°09'35" East for a distance of 978.70 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 1222.71 feet to a ½ inch rebar on the South line of the NW¼, said curve having a radius of 1531.45 feet and a central angle of 45°44'41" and a long chord bearing South 70°56'23" East for a distance of 1190.49 feet;
Thence North 89°55'11" West along the South line of the NW¼ for a distance of 1156.47 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: N¼

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at the Northwest corner of said Section 32, Station 79+00.978, 2,754 meters (9.04 feet) right of said Project centerline;
Thence North 89°45'08" East along the North boundary of said Section 32 for a distance of 808.396 meters (2652.22 feet) to the N¼ corner of said Section 32, Station 87+09.374, 4,006 meters (13.14 feet) right of said Project centerline;
Thence North 89°37'03" East along the North boundary of said Section 32 for a distance of 493.668 meters (1619.64 feet), Station 92+03.095, 0.628 meters (2.06 feet) left of said Project centerline;
Thence South 00°20'12" East for a distance of 13.201 meters (43.31 feet), Station 92+03.095, 12.573 (41.25 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 163.383 meters (536.03 feet), Station 90+40.000, 16.165 (53.03 feet) right of said Project centerline;
Thence North 00°51'22" East for a distance of 4.620 meters (15.16 feet), Station 90+40.00, 11.545 (37.88 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 330.355 meters (1083.84 feet) to a point on the West boundary of the NE¼ of said Section 32, Station 87+09.400, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 808.389 meters (2652.19 feet) to a point on the West boundary of the NW¼ of said Section 32, Station 79+01.011, 12.192 (40.00 feet) right of said Project centerline;
Thence North 00°32'10" West along the West boundary of NW¼ of said Section 32 for a distance of 9.438 meters (30.97 feet) to the Northwest corner of said Section 32 and being the Point of Beginning.

Tract No. 2

All that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 6:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: **S½, SAVE AND EXCEPT** that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: **N¼N¼, SAVE AND EXCEPT** that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

ALSO EXCEPTING the following described tract:

Commencing at a brass cap marking the Northwest corner of said Section 33; thence along the west boundary of the said NW¼NW¼ of Section 33, Thence South 00°01'16" East for 32.98 feet to an iron pin on the south right of way line of Yale Road, said point marking the Point of Beginning;

Thence leaving said west boundary along said south right of way line South 89°51'44" East for 211.55 feet to an iron pin;

Thence continuing South 89°47'15" East for 225.23 feet to an iron pin;

Thence leaving said south right of way line along a line easterly of and parallel with said west boundary of the NW¼NW¼ of Section 33, Thence South 00°01'16" East for 298.25 feet to an iron pin;

Thence along a line south of and parallel with the north boundary of said NW¼NW¼ of Section 33, Thence South 89°56'49" West for 436.77 feet to an iron pin on said west boundary of the NW¼NW¼ of Section 33;

Thence along said west boundary North 00°01'16" West for 300.00 feet to the Point of Beginning.

PARCEL NO. 8:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: **SW¼**

PARCEL NO. 9:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 1: ALL, SAVE AND EXCEPTING the following described tract:

Beginning at an iron pin marking the Southwest corner of said Section 1; Thence along the west boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 00°02'22" East for 247.04 feet to an iron pin; thence leaving said west boundary along a line north of and parallel with the south boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 89°29'54" East for 529.00 feet to an iron pin; Thence along a line east of and parallel with said west boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 00°02'22" West for 247.04 feet to an iron pin on said south boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 89°29'54" West for 529.00 feet to the Point of Beginning.

PARCEL NO. 10:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 12: NW $\frac{1}{4}$

LESS, commencing at the Northwest corner of said Section 12, running Thence South 50 feet; Thence East on a line parallel with the North boundary line of the said Section 12 and 50 feet South therefrom to the East boundary line of the NW $\frac{1}{4}$ of said Section 12; Thence North 50 feet to the North boundary line of said Section 12; Thence West 2640 feet along the North boundary line of said Section 12 to the Point of Beginning.

PARCEL NO. 11:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 4: ALL

PARCEL NO. 12:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 5: ALL

PARCEL NO. 13:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: E $\frac{1}{2}$

PARCEL NO. 14:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: W $\frac{1}{2}$

PARCEL NO. 15:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 8: ALL

PARCEL NO. 16:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 33: S½NW¼ and SE¼

PARCEL NO. 17:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: Part of the NW¼, more particularly described as follows:

Beginning at the W¼ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with cap; Thence North 00°00'25" East along the West line of Section 31 for a distance of 1367.40 feet to the Point of Beginning;
Thence North 00°00'25" East along the West line of Section 31 for a distance of 254.97 feet;
Thence South 89°51'32" East for a distance of 24.56 feet to a 3/8 inch rebar;
Thence South 89°51'32" East for a distance of 1369.51 feet to a ½ inch rebar;
Thence South 00°00'00" West for a distance of 254.97 feet;
Thence North 89°51'32" West for a distance of 1369.10 feet to a ½ inch rebar;
Thence North 89°51'32" West for a distance of 25.00 feet to the Point of Beginning

Recording Requested By and
When Recorded Return to:
Lance D. Funk
2765 Fairgrounds Road
American Falls, ID 83211

SPACE ABOVE THIS LINE FOR
RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

Murphy Land Company, LLC, an Idaho limited liability company ("Grantor"), for valuable consideration given by Lance D. Funk and Lisa I. Funk, husband and wife, whose mailing address is 2765 Fairgrounds Road, American Falls, Idaho 83211 ("Grantees"), does hereby sell, transfer and convey unto Grantees, their successors and assigns, all of Grantor's right, title and interest in and to the real property located in Cassia County, Idaho, legally described as follows:

SEE EXHIBIT A, attached hereto and incorporated herein.

TOGETHER WITH all water and water rights, ditches and ditch rights, all buildings, fixtures, and improvements thereon, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the property, possession, claim and demand whatsoever, as well in law as in equity ("Property").

Grantor makes no covenants or warranties with respect to title, express or implied, other than that previous to the date of this instrument, Grantor has not conveyed the same estate to any person other than Grantees and that such estate is at the time of the execution of this instrument free from encumbrances done, made or suffered by the Grantor, or any person claiming under Grantor, except for and subject to, however, any and all easements, restrictions, agreements, liens and encumbrances of record as of the date of this instrument.

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEES AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PROPERTY.

EXHIBIT A - LEGAL DESCRIPTION

PARCEL NO. 1:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 30: Lots 2, 3, and 4, SE¼SW¼, SW¼SE¼ and E¼SE¼, EXCEPTING Part of Lot 4 of Section 30, described as follows:

Beginning at the Southwest corner of Lot 4 of said Section 30, which shall be the True Point of Beginning;

Thence North 0°01' West for 208.71 feet along the Section line to a point;

Thence South 89°55' East for 208.71 feet to a point;

Thence South 0°01' East for 208.71 feet to a point on the Section line;

Thence North 89°55' West for 208.71 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 30, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project center line; thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 63.505 meters (208.35 feet), Station 62+31.217, 2.108 meters (6.92 feet) right of said Project centerline and being the True Point of Beginning;

Thence North 89°37'26" East along the South boundary of said Section 30 for a distance of 862.684 meters (2830.32 feet) to the S¼ corner of said Section 30, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the South boundary of said Section 30 for a distance of 807.070 meters (2647.86 feet) to the Southeast corner of said Section 30, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence North 00°28'50" West along the East boundary of the SE¼SE¼ of said Section 30 for a distance of 14.946 meters (49.04 feet), Station 79+00.941, 12.192 meters (40.00 feet) left of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.063 meters (2647.84 feet) to a point on the West boundary of the SE¼ of said Section 30, Station 70+93.910, 12.192 (40.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.910 meters (1817.29 feet), Station 65+40.000, 12.192 (40.00 feet) left of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) left of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 308.773 meters (1013.03 feet), Station 62+31.227, 13.716 (45.00 feet) left of said Project centerline;

Thence South 00°26'47" East for a distance of 15.824 meters (51.92 feet) to the True Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 31: NE¼, NE¼NW¼, Lots 1 and 2

LESS, part of Lot 1 and Lot 2 of said Section 31, described as follows:

Beginning at the Southwest corner of Lot 2 of said Section 31, which shall be the True Point of Beginning;

Thence North 0°01' West along section line for 1617.50 feet to a point;

Thence South 89°54' East for 1394.28 feet to a point;

Thence South 0°01'30" East for 1617.50 feet to a point on the South line of Lot 2;

Thence North 89°54'30" West along said South line for 1395.0 feet to the True Point of Beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said Section 31, Station 61+67.712, 1.990 meters (6.53 feet) right of said Project centerline;

Thence North 89°37'26" East along the North boundary of said Section 31 for a distance of 926.189 meters (3038.67 feet) to the N¼ corner of said Section 31, Station 70+93.909, 3.699 meters (12.14 feet) right of said Project centerline;

Thence North 89°35'47" East along the North boundary of said Section 31 for a distance of 807.070 meters (2647.86 feet) to the Northeast corner of said Section 31, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;

Thence South 00°32'10" East along the East boundary of the NE¼ of said Section for a distance of 9.438 meters (30.97 feet), Station 79+01.011, 12.192 meters (40.00 feet) right of said Project centerline;

Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 807.105 meters (2647.98 feet) to a point on the West boundary of the NE¼ of said Section 31, Station 70+93.876, 12.192 (40.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 553.876 meters (1817.17 feet), Station 65+40.000, 12.192 (40.00 feet) right of said Project centerline;

Thence South 00°28'55" East for a distance of 1.524 meters (5.00 feet), Station 65+40.000, 13.716 (45.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 280.000 meters (918.63 feet), Station 62+60.000, 13.716 (45.00 feet) right of said Project centerline;

Thence North 00°28'55" West for a distance of 1.524 meters (5.00 feet), Station 62+60.000, 12.192 (40.00 feet) right of said Project centerline;

Thence South 89°31'05" West and being parallel with the centerline of said Project for a distance of 92.290 meters (302.79 feet) to a point on the West boundary of Government Lot 1 of said Section 31, Station 61+67.714, 12.192 (40.00 feet) right of said Project centerline;

Thence North 00°28'14" West along the West boundary of Government Lot 1 for a distance of 10.202 meters (33.47 feet) to the Northwest corner of said Section 31 and being the Point of Beginning.

PARCEL NO. 3:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: SE¼

PARCEL NO. 4:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: SE¼NW¼, SAVE AND EXCEPT, the following described parcel:

Beginning at the W¼ section corner of said Section 31, said corner marked by a US BLM aluminum pipe with a cap; Thence South 89°55'11" East along the South line of the NW¼ of Section 31 for a distance of 1394.26 feet to the Point of Beginning;
Thence North 00°00'00" East for a distance of 1365.91 feet;
Thence South 89°51'32" East for a distance of 28.52 feet to a ½ inch rebar;
Thence South 00°09'35" East for a distance of 978.70 feet to a ½ inch rebar;
Thence along a non-tangent curve to the right for a distance of 1222.71 feet to a ½ inch rebar on the South line of the NW¼, said curve having a radius of 1531.45 feet and a central angle of 45°44'41" and a long chord bearing South 70°56'23" East for a distance of 1190.49 feet;
Thence North 89°55'11" West along the South line of the NW¼ for a distance of 1156.47 feet to the Point of Beginning.

PARCEL NO. 5:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 32: N¼

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at the Northwest corner of said Section 32, Station 79+00.978, 2.754 meters (9.04 feet) right of said Project centerline;
Thence North 89°45'08" East along the North boundary of said Section 32 for a distance of 808.396 meters (2652.22 feet) to the N¼ corner of said Section 32, Station 87+09.374, 4.006 meters (13.14 feet) right of said Project centerline;
Thence North 89°37'03" East along the North boundary of said Section 32 for a distance of 493.668 meters (1619.64 feet), Station 92+03.095, 0.628 meters (2.06 feet) left of said Project centerline;
Thence South 00°20'12" East for a distance of 13.201 meters (43.31 feet), Station 92+03.095, 12.573 (41.25 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 163.383 meters (536.03 feet), Station 90+40.000, 16.165 (53.03 feet) right of said Project centerline;
Thence North 00°51'22" East for a distance of 4.620 meters (15.16 feet), Station 90+40.00, 11.545 (37.88 feet) right of said Project centerline;
Thence South 89°39'48" West for a distance of 330.355 meters (1083.84 feet) to a point on the West boundary of the NE¼ of said Section 32, Station 87+09.400, 12.192 (40.00 feet) right of said Project centerline;
Thence South 89°39'48" West and being parallel with the centerline of said Project for a distance of 808.389 meters (2652.19 feet) to a point on the West boundary of the NW¼ of said Section 32, Station 79+01.011, 12.192 (40.00 feet) right of said Project centerline;
Thence North 00°32'10" West along the West boundary of NW¼ of said Section 32 for a distance of 9.438 meters (30.97 feet) to the Northwest corner of said Section 32 and being the Point of Beginning.

Tract No. 2

All that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 6:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 32: S½, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

PARCEL NO. 7:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: N½N½, SAVE AND EXCEPT that portion deeded to the Burley Highway District for highway purposes as disclosed by Warranty Deed, by and between Wood River Investments, L.L.C., an Idaho limited liability company, as Grantor and Burley Highway District, a body corporate and politic, as Grantee, dated July 8, 2005 and recorded September 20, 2007 as Instrument No. 2007-318345, records of Cassia County, Idaho.

ALSO EXCEPTING the following described tract:

Commencing at a brass cap marking the Northwest corner of said Section 33; thence along the west boundary of the said NW¼NW¼ of Section 33, Thence South 00°01'16" East for 32.98 feet to an iron pin on the south right of way line of Yale Road, said point marking the Point of Beginning;

Thence leaving said west boundary along said south right of way line South 89°51'44" East for 211.55 feet to an iron pin;

Thence continuing South 89°47'15" East for 225.23 feet to an iron pin;

Thence leaving said south right of way line along a line easterly of and parallel with said west boundary of the NW¼NW¼ of Section 33, Thence South 00°01'16" East for 298.25 feet to an iron pin;

Thence along a line south of and parallel with the north boundary of said NW¼NW¼ of Section 33, Thence South 89°56'49" West for 436.77 feet to an iron pin on said west boundary of the NW¼NW¼ of Section 33;

Thence along said west boundary North 00°01'16" West for 300.00 feet to the Point of Beginning.

PARCEL NO. 8:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: SW¼

PARCEL NO. 9:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 1: ALL, SAVE AND EXCEPTING the following described tract:

Beginning at an iron pin marking the Southwest corner of said Section 1; Thence along the west boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 00°02'22" East for 247.04 feet to an iron pin; thence leaving said west boundary along a line north of and parallel with the south boundary of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 89°29'54" East for 529.00 feet to an iron pin; Thence along a line east of and parallel with said west boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence South 00°02'22" West for 247.04 feet to an iron pin on said south boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; Thence North 89°29'54" West for 529.00 feet to the Point of Beginning.

PARCEL NO. 10:

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 12: NW $\frac{1}{4}$

LESS, commencing at the Northwest corner of said Section 12, running Thence South 50 feet; Thence East on a line parallel with the North boundary line of the said Section 12 and 50 feet South therefrom to the East boundary line of the NW $\frac{1}{4}$ of said Section 12; Thence North 50 feet to the North boundary line of said Section 12; Thence West 2640 feet along the North boundary line of said Section 12 to the Point of Beginning;

PARCEL NO. 11:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 4: ALL

PARCEL NO. 12:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 5: ALL

PARCEL NO. 13:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: E $\frac{1}{2}$

PARCEL NO. 14:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 6: W $\frac{1}{2}$

PARCEL NO. 15:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 8: ALL

PARCEL NO. 16:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

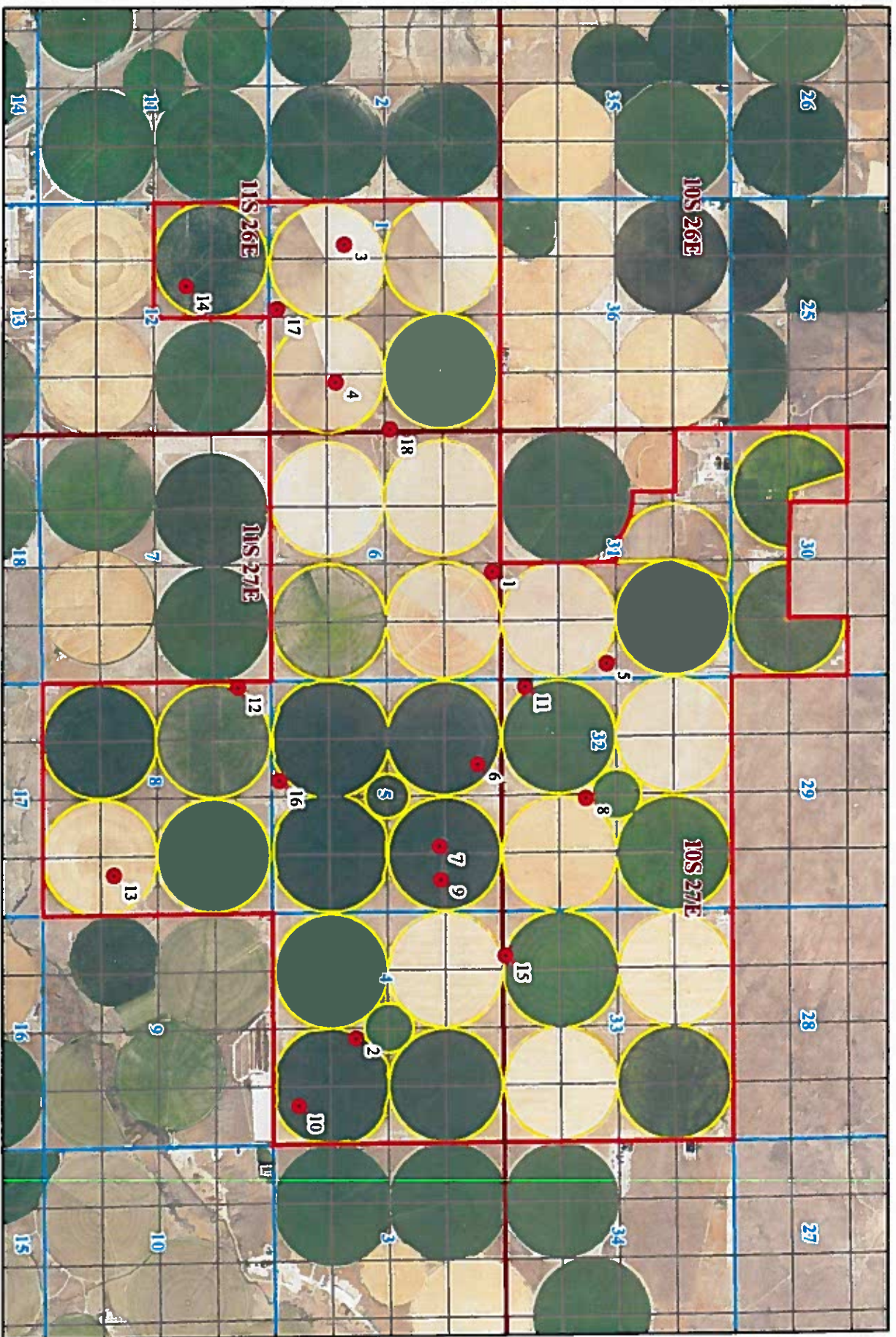
Section 33: S½N½ and SE¼

PARCEL NO. 17:

**TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 31: Part of the NW¼, more particularly described as follows:

**Beginning at the W¼ section Corner of Section 31, said corner marked by a US BLM aluminum pipe with cap; Thence North 00°00'25" East along the West line of Section 31 for a distance of 1367.40 feet to the Point of Beginning;
Thence North 00°00'25" East along the West line of Section 31 for a distance of 254.97 feet;
Thence South 89°51'32" East for a distance of 24.56 feet to a 3/8 inch rebar;
Thence South 89°51'32" East for a distance of 1369.51 feet to a ½ inch rebar;
Thence South 00°00'00" West for a distance of 254.97 feet;
Thence North 89°51'32" West for a distance of 1369.10 feet to a ½ inch rebar;
Thence North 89°51'32" West for a distance of 25.00 feet to the Point of Beginning**



0 0.25 0.5 1 Miles

CASSIA CREEK FARM

WELL LOCATIONS
NAIP 2013 AERIAL

- Legend
- Wells
 - Cassia_Crk_PPU
 - Cassia_Crk_Irr_2015
 - townshp
 - Sections
 - ladasc



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

January 6, 2016

Lance Funk
Lisa Funk
PO Box 310
American Falls ID 83211

RE: Change of Ownership for Water Right No(s). 43-2471, 43-2472, 43-2475, 43-2488, 43-2489, 43-2504, 43-2505, 43-2516, 43-2517, 43-2519, 43-2575, 43-4199, 43-13351, 43-13352, 43-13577, 43-13578, 43-13603 & 43-13604

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: Raft River Ground Water District

ec: Robert Walker (robert@lancefunkfarm.com)