

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 08 2015

DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) PEP, L.L.C. Phone (208) 709-1645
Mailing address 1356 S. 3000 W. Aberdeen, ID 83210 Email pepfarms@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Jason C. Helms, P.E. Phone (208) 308-2109
Mailing address 6755 N. Albert Lane Idaho Falls, ID 83401 Email jasoncivil@alumni.nd.edu

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

CHRIS PRATT
Print Name and Title if applicable

10-5-2015
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create permissible place of use

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This application seeks to move the point of diversion and place of use for existing water right 35-8362 to new land associated with recent rentals. Total irrigation within the proposed permissible place of use will remain within the limit of the existing water right including set-aside to accommodate remaining water bank rental obligations.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-8362	2.47 / 760.0	irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.47 cfs and/or 760.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.47 cubic feet per second and/or 760.0 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
n		NW	SW	NE	33	4S	30E	BINGHAM	GROUND WATER	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	30E	32	40	40	40	40													160
		33	40	40	40	40	40	40	40	40									320
Total Acres (for irrigation use)																			480ppu

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Existing well with pump, motor and distribution piping. Diversion can be measured and reported utilizing calibrated power consumption coefficient (PCC).

- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☒ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Land at existing place of use will no longer be irrigated. Calculated ESPA impacts related to the proposed change are less than 10% for significant reaches (Attachment #5).
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Existing stock water right 35-13272. No other permanent irrigation water rights although land has been irrigated as authorized by water supply bank rentals in 2013-2015 irrigation seasons.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☒ ☐ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Correspondence with the Idaho Water Supply Bank indicates a 151.5 acre portion of this water right is leased to water supply bank through 2017 with 71 acres rented through 2015. The leased portion of the water right will not be used until formally released from the water supply bank following transfer approval.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 35-8362

Current Owner: PEP LLC
 Priority Date: 10/23/1984
 Origin: Water Right
 Status: Water Supply Bank Active
 Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.47 CFS	760 AF
	Total Diversion	2.47 CFS	760 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 6, Twp 04S, Rge 31E B.M.
 BINGHAM County

Place of Use

IRRIGATION Within BINGHAM County

T04S R31E S6	Lot 2	NWNE	23.00	T04S R31E S6		SWNE	29.00
T04S R31E S6	Lot 3	NENW	36.00	T04S R31E S6	Lot 4	NWNW	12.00
T04S R31E S6		SWNW	23.00	T04S R31E S6		SENE	40.00
T04S R31E S6		NESW	18.00	T04S R31E S6		NWSW	3.00
T04S R31E S6		NWSE	6.00				

Total Acres: 190

Conditions of Approval:

1. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Licensed Date: 4/14/1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$1660⁰⁰ Date 10-8-15 Received by di Receipt # C101075

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT WSB: TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
35-8362	12/31/2017	1.97	606.0	151.5	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☒ Yes ☐ No

☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.

☒ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: 35-8362

TRANSFER NAME: PEP 2015 PPU

PREPARED BY: Jason C. Helms, P.E.

DATE: 9/28/2015

Transfer Tool Version 3.1

WATER RIGHTS INVOLVED:

Group 1		Group 2	
Transfer Rights	Additional Mitigation Rights	Right No.	Priority Date
35-8362	10/23/1984		

HISTORIC BENEFICIAL USE:

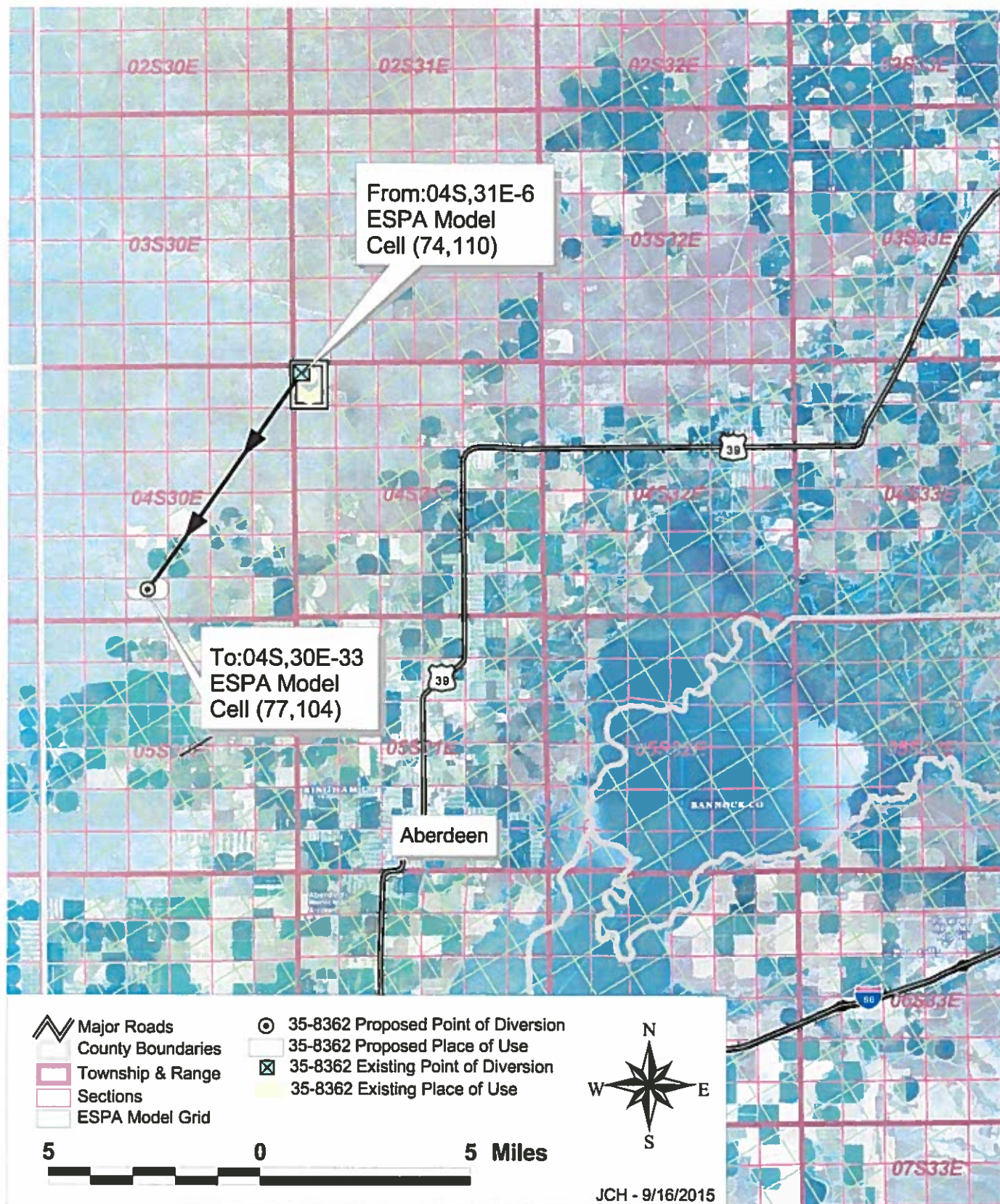
Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (af/yr)	Total (af/yr)
35-8362	190.0	760.0	760.0

MODEL CELL LOCATIONS:

TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW 77	74	0	0
COLUMN 104	110	0	0

80446

TO Well (Projected Use)	Start Date		End Date		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Annual (af/yr)	Trimester (af/trimester)		
FROM1 Well (With Transfer)	Summer	1984	Winter	2015	0.0	0.0	0.0	No use prior to transfer. New use potentially begins Spring, 2016 and continues through model period.
	Spring	2016	Spring	2134	760.0	253.3	190.0	
	Summer	1984	Winter	1984	0.0	0.0	0.0	
	Spring	1985	Winter	2007	760.0	253.3	190.0	
FROM1 Well (Without Transfer)	Spring	2008	Winter	2015	154.0	51.3	38.5	No use before priority date. Diversions begin spring after priority date. 606 af placed into water supply bank. No use after transfer approval.
	Spring	2016	Spring	2134	0.0	0.0	0.0	
	Summer	1984	Winter	1984	0.0	0.0	0.0	
	Spring	1985	Winter	2007	760.0	253.3	190.0	
FROM2 Well	Spring	2008	Winter	2015	760.0	253.3	190.0	No use before priority date Authorized diversions begin in spring following priority date of water right and continue with no transfer.
	Spring	2016	Spring	2134	760.0	253.3	190.0	
	Summer	1984	Winter	1984	0.0	0.0	0.0	
	Spring	1985	Winter	2007	760.0	253.3	190.0	
FROM3 Well	Spring	2008	Winter	2015	760.0	253.3	190.0	not used
	Spring	2016	Spring	2134	760.0	253.3	190.0	
	Summer	1984	Winter	1984	0.0	0.0	0.0	
	Spring	1985	Winter	2007	760.0	253.3	190.0	



PEP, LLC Water Right Transfer 35-8362

Attachment #5

80446

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE | IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

1

2

3

4

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

35-8362

YEAR

TRANSFER NAME:

SEASON

PEP 2015 PPU

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	77	74		
COLUMN	104	110		

35-8362

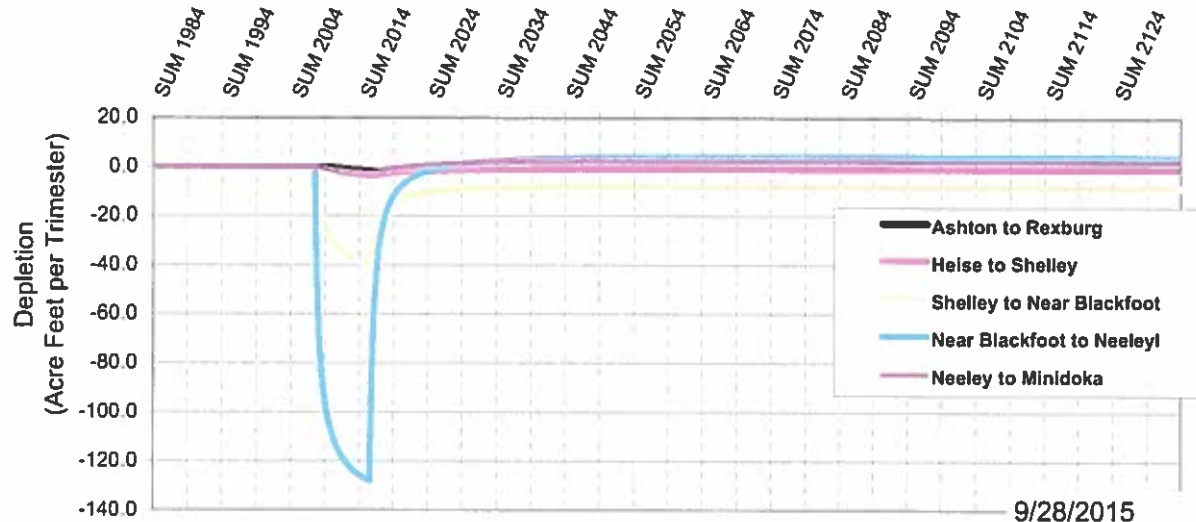
10/23/1984

760.0

760.0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1984	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1984	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1985	0.0	253.3	253.3	0.0	0.0	0.0	0.0
SUM 1985	0.0	253.3	253.3	0.0	0.0	0.0	0.0
WIN 1985	0.0	253.3	253.3	0.0	0.0	0.0	0.0
SPR 1986	0.0	253.3	253.3	0.0	0.0	0.0	0.0
SPR 2007	0.0	253.3	253.3	0.0	0.0	0.0	0.0
SUM 2007	0.0	253.3	253.3	0.0	0.0	0.0	0.0
WIN 2007	0.0	253.3	253.3	0.0	0.0	0.0	0.0
SPR 2008		Water Bank 606 afa 2008-2015	51.3	253.3	0.0	0.0	0.0
SUM 2008			51.3	253.3	0.0	0.0	0.0
WIN 2008			51.3	253.3	0.0	0.0	0.0
SPR 2009	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2009	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2009	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2010	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2010	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2010	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2011	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2011	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2011	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2012	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2012	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2012	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2013	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2013	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2013	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2014	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2014	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2014	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2015	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SUM 2015	0.0	51.3	253.3	0.0	0.0	0.0	0.0
WIN 2015	0.0	51.3	253.3	0.0	0.0	0.0	0.0
SPR 2016	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SUM 2016	253.3	0.0	253.3	0.0	0.0	0.0	0.0
WIN 2016	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SPR 2017	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SUM 2132	253.3	0.0	253.3	0.0	0.0	0.0	0.0
WIN 2132	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SPR 2133	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SUM 2133	253.3	0.0	253.3	0.0	0.0	0.0	0.0
WIN 2133	253.3	0.0	253.3	0.0	0.0	0.0	0.0
SPR 2134	253.3	0.0	253.3	0.0	0.0	0.0	0.0

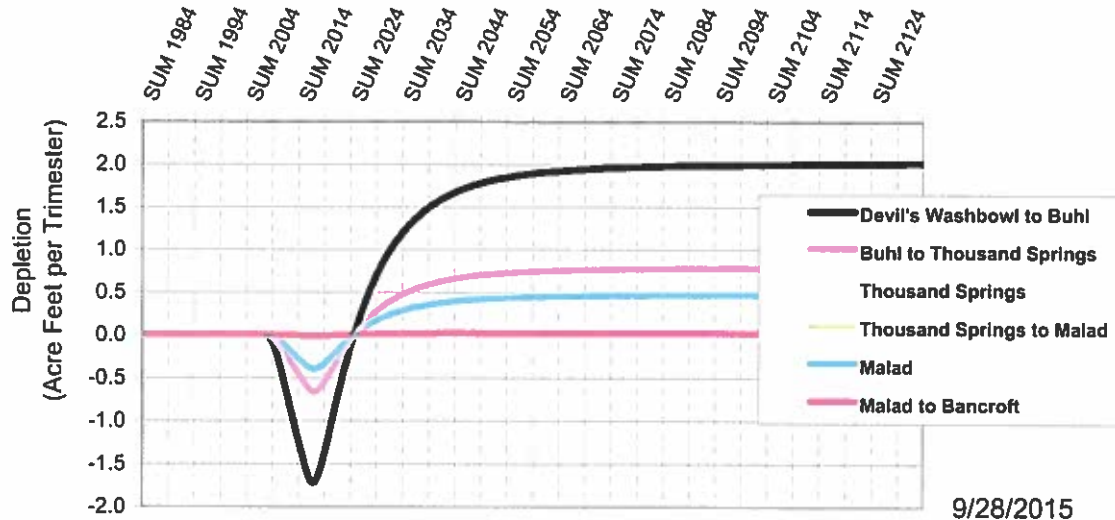
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: PEP 2015 PPU

Transfer No: 35-8362

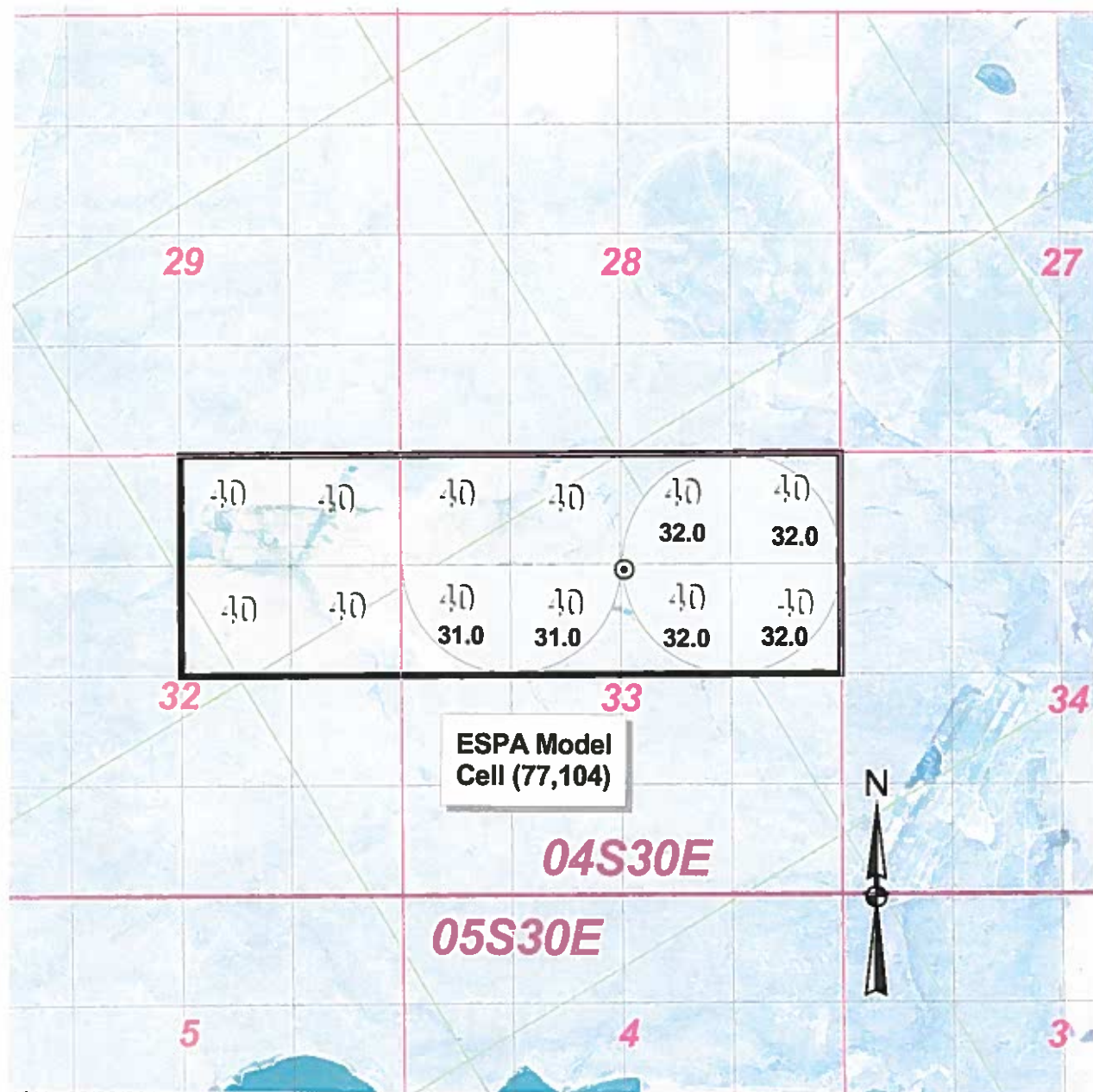
Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



9/28/2015
Version 3.1

Customer Name: PEP 2015 PPU

Transfer No: 35-8362



JCH - 09/28/2015

2013 NAIP Aerial Photo

0.25 0 0.25 0.5 0.75 1 Miles

40 Proposed Permissible Place of Use (PPU)

Well 35-8362

8.0 Proposed irrigation within PPU

Township/Range

Sections

40s

PEP, LLC Water Right Transfer 35-8362

Attachment #7a

80446

No. W 15317	Due no later than May 31, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. PEP, L.L.C. MARC ELLIOTT 2804 W. 1400 S. ABERDEEN ID 83210 USA		CHRIS PRATT 2948 W. 2100 S. ABERDEEN 83210			
			3. New Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MEMBER	CHRIS PRATT	2948W 2100 S	ABERDEEN	ID	USA	83210
MEMBER	JOHN PRATT	645 BANNOCK AVE	AMERICAN FALLS	ID	USA	83211
MEMBER	MARC ELLIOTT	2804 W. 1400 S.	ABERDEEN	ID	USA	83210
5. Organized Under the Laws of: ID W 15317		6. Annual Report must be signed.* Signature: Marc Elliott Name (type or print): Marc Elliott Date: 03/21/2015 Title: Member				
Processed 03/21/2015		* Electronically provided signatures are accepted as original signatures.				

80446

Instrument # 665994

BINGHAM COUNTY, IDAHO

2015-04-01 03:06:33 PM No. of Pages: 3

Recorded for: ALLIANCE TITLE - BLACKFOOT OFF

PAMELA W. ECKHARDT Fee: \$16.00

Ex-Officio Recorder Deputy JPulley

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

RECORDING REQUESTED BY:

**Baker & Harris
268 W Bridge
Blackfoot, ID 83221**

space above this line for Recording use only

WARRANTY DEED

For Value Received this 21st day of March, 2015, HERMAN ALAN FUNK and CONNIE GENEICE FUNK, husband and wife, as to Parcel I and H. ALAN FUNK and CONNIE G. FUNK, Trustees, or the Successor Trustee, of the ALAN and CONNIE FUNK REVOCABLE TRUST, being a Trust created under Instrument dated September 26, 2014, as to Parcel II, the Grantors, do hereby grant, bargain, sell, and convey unto PEP, LLC, an Idaho Limited Liability Company, of 2948 W 2100 S, Aberdeen, Idaho 83210, the Grantee, the following-described premises, to-wit:

PARCEL I:

Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho. Section 6: South Half Northwest Quarter; Southwest Quarter; Lots 3 and 4.

PARCEL II:

Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho. Section 6: Lot 2, West Half Southeast Quarter, Southwest Quarter Northeast Quarter.

Together with Water Right License No. 35-08362

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

RECORDING REQUESTED BY:
Baker & Harris
268 W Bridge
Blackfoot, ID 83221

Recorded Electronically	
ID	665494
County	Bingham
Date	4-1-15 Time 3:06 pm
Simplifile.com 800.460.5657	

space above this line for Recording use only

WARRANTY DEED

For Value Received this 21st day of March, 2015, HERMAN ALAN FUNK and CONNIE GENEICE FUNK, husband and wife, as to Parcel I and H. ALAN FUNK and CONNIE G. FUNK, Trustees, or the Successor Trustee, of the ALAN and CONNIE FUNK REVOCABLE TRUST, being a Trust created under Instrument dated September 26, 2014, as to Parcel II, the Grantors, do hereby grant, bargain, sell, and convey unto PEP, LLC, an Idaho Limited Liability Company, of 2948 W 2100 S, Aberdeen, Idaho 83210, the Grantee, the following-described premises, to-wit:

PARCEL I:

Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho. Section 6: South Half Northwest Quarter; Southwest Quarter; Lots 3 and 4.

PARCEL II:

Township 4 South, Range 31 East, Boise Meridian, Bingham County, Idaho. Section 6: Lot 2, West Half Southeast Quarter, Southwest Quarter Northeast Quarter.

Together with Water Right License No. 35-08362

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEE, its heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 27 day of March, 2015.

Herman Alan Funk Connie Geneice Funk
Herman Alan Funk Connie Geneice Funk

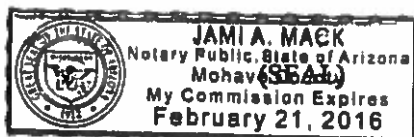
ALAN and CONNIE FUNK REVOCABLE TRUST

H. Alan Funk Trustee Connie G. Funk, Trustee
By: H. Alan Funk By: Connie G. Funk
Its: Trustee Its: Trustee

STATE OF ARIZONA)
: ss.
County of La Paz)

On this 27th day of March, 2015, before me, a Notary Public in and for the State of Arizona, personally appeared HERMAN ALAN FUNK and CONNIE GENEICE FUNK, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

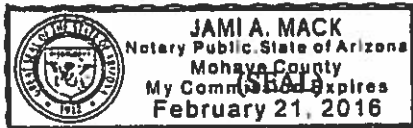


Jamie A. Mack
Notary Public for Arizona
Residing at: 9123 Riverside Dr #18, Park, AZ
My Commission Expires 2/21/16

STATE OF ARIZONA)
 : ss.
County of LAPAZ)

On this 27th day of March, 2015, before me, a Notary Public in and for the State of Arizona, personally appeared H. ALAN FUNK and CONNIE G. FUNK, known or identified to me, to be the persons whose names are subscribed to the within instrument as Trustees of the ALAN and CONNIE FUNK REVOCABLE TRUST, being a Trust created under Instrument dated September 26, 2014, and acknowledged to me that they executed the same as such Trustees of the ALAN and CONNIE FUNK REVOCABLE TRUST, being a Trust created under the Instrument dated September 26, 2014.

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



Jami A. Mack
Notary Public for Arizona
Residing at: 9122 Riverside Dr #18, Parker, AZ
My Commission Expires 2/21/16



United States Department of Agriculture
Farm Service Agency

March 01, 2012

Farm 4428
Tract 25857

Bingham County, ID
18,272



Disclaimer: Wetland identifiers do not represent the size, shape or geographic distribution of the area.
Refer to your original determination (FPA 10) and other data for exact wetland
boundaries and determinations, or contact USFWS.
For FSA Program Purposes Only

Sec - 31
TWN SHP - 03
Range - 31



United States Department of Agriculture
Farm Service Agency

March 01, 2012

Farm: 4426
Tract: 25856

Bingham County, ID
1:7,851



Disclaimer: Aerial and identifiers do not represent the size, shape or location determination of the area.
Refer to the original determination (FSA-026) and the text in the original report.
Data were not determined on, or dated 11/1/12
For FSA Program Funding Only