



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

March 14, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Lance Funk
Lisa Funk
2960 Cedar Ln
American Falls ID 83211

RE: Notice of Change in Water Right Ownership
Water Rights: 35-7964

Dear Sir/Madam:

On June 15, 2011, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a deed for the entire place of use of the water right, which according to the tax lot data you own. Your application indicated a split would be required however our review indicated that you may own the entire place of use of water right number 35-7964. On February 3, 2012 we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$100.00). The refund from the state of Idaho will arrive at Rabo Agrifinance within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)
cc: Rabo Agrifinance

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
35-7964 <i>Parcel 4 Cedar</i>	Yes ☒ <i>OK</i>		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: The Travelers Insurance Company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lance Funk
Name of each new owner as listed on the conveyance document
Lisa Funk
New owner continued ☒ and ☐ or ☐ and/or
3853 East Road 2940 Cedar Lane L.I.F. L.I.F.
Mailing address
American Falls ID 83211
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. 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.

7. Signature: *[Signature]* Title, if applicable _____ Date 10-15-10
Signature of new owner/claimant
- Signature: *[Signature]* Title, if applicable _____ Date 10-15-10
Signature of new owner/claimant

For IDWR Office Use Only:

Received by *[Signature]* Date 10/15/2011 Receipt No. E0316749 Receipt Amt. \$375.-
Approved by _____ Processed by _____ Date _____ \$100 for this app.

Return to
Stephen E. Martin
P.O. Box 3189
Idaho Falls, ID 83403

Instrument # 196680
POWER COUNTY, IDAHO
7-30-2009 03:58:50 No. of Pages: 3
Recorded for: MARTIN & ESKELSON PLLC
CHRISTINE STEINLIGHT Reg: 9.00
Ex-Officio Recorder Deputy *Mona Ayala*

DEED OF DISTRIBUTION (Power County)

THIS DEED, made effective the 31st day of December, 2008, between Monty M. Funk and Lance D. Funk, not individually, but as co-personal representatives of the ESTATE OF DIANE A. FUNK, deceased, Grantor, and LANCE D. FUNK, individually, whose mailing address is P.O. Box 360, American Falls, Idaho 83211, Grantee.

WHEREAS, Monty M. Funk and Lance D. Funk are the duly appointed and acting co-personal representatives of the Estate of Diane A. Funk, deceased, Grantor; and

WHEREAS, Lance D. Funk, individually, Grantee, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of Diane A. Funk, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto Grantee, and to his heirs and assigns forever, all right, title and interest in that certain land, situate, lying and being in Power County, Idaho, and more particularly described as follows:

FIELD NO.	APPROXIMATE ACRES	LEGAL DESCRIPTION	COUNTY
2	154	Section 31 T6S R30E: SW1/4	Power
3	142	Section 36 T6S R29E: SE1/4	Power
27	128	Section 23 T6S R29E: NE1/4	Power

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, said premises, together with the appurtenances, unto Grantee, and to his heirs and assigns forever.

The property described herein is transferred to Grantee as the sole and separate property of Grantee and the income, rents and profits therefrom shall remain the sole and separate property of Grantee.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal the day and year first above written.

ESTATE OF DIANE A. FUNK

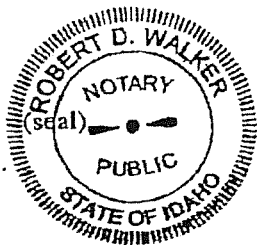
By: [Signature]
Monty M. Funk, Personal Representative

By: [Signature]
Lance D. Funk, Personal Representative

STATE OF IDAHO)
) ss.
County of POWER)

On the 11TH day of JUNE, 2009, before me, the undersigned, a notary public, in and for said State, personally appeared MONTY M. FUNK, known or identified to me to be the person whose name is subscribed to the within instrument as one of the co-personal representatives of the Estate of Diane A. Funk and acknowledged to me that he executed the same as such personal representative.

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

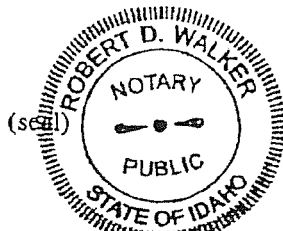


[Signature]
Notary Public for Idaho
Residing at: TOOTH FALLS
My Commission Expires: 10-29-2011

STATE OF IDAHO)
) ss.
County of POWER)

On the 11TH day of JUNE, 2009, before me, the undersigned, a notary public, in and for said State, personally appeared **LANCE D. FUNK**, known or identified to me to be the person whose name is subscribed to the within instrument as one of the co-personal representatives of the **Estate of Diane A. Funk** and acknowledged to me that he executed the same as such personal representative.

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



Robert D. Walker
Notary Public for Idaho
Residing at: IDAHO FALLS
My Commission Expires: 10-29-2011

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