

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

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 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
47-137A			47-2509		
47-175			47-4107B		
47-176			47-7529		
47-188			47-12300 - P. D.		
47-2496A					
47-2496B					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Brent A. Funk and Magic Milk Dairy, Inc.
2911 North 4000 East
Hansen, ID 83334
4. New Owner/Claimant(s) Luis M. Bettencourt and Sharon Bettencourt
 Name Connector (Check one): [] and, [] or, [] and/or
P. O. Box 587
Jerome, ID 83338
 New Mailing Address
 City, State and ZIP Code
 New Telephone Number 208-536-6182
5. Date you acquired the property July 2, 2004

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**DEPARTMENT OF
 WATER RESOURCES**

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6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(Include title if applicable)

[Handwritten Signature]
[Handwritten Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature]
 Receipted by KWS
 Processed by _____ AJ

Date 7/14/05
 Date 6-28-06
 Date _____

Fee \$25.00
 Receipt No. C081576
 WR _____ Date _____

Recd for:
TITLE TRUST INC

12:07pm Jul.02,2004

2004-014350

No. of Pages: 4 Fee: \$12.00
KRISTINA GLASCOCK
County Clerk
Deputy: KM

WARRANTY DEED

THIS INDENTURE, made this 2nd day of July, 2004, between **BRENT A. FUNK and CHALET FUNK**, husband and wife, ("Grantor"), whose address is 2786 B Rock Creek Road, Hansen, Idaho 83334 and **LUIS M. BETTENCOURT and SHARON BETTENCOURT**, husband and wife, d.b.a. **BETTENCOURT DAIRY SOUTHSIDE**, whose address is P.O. Box 587, Jerome, Idaho 83338, ("Grantee").

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Twin Falls, State of Idaho, to-wit:

Township 11 South, Range 19 East, Section 31, East ½, Twin Falls County, Idaho and all water rights appurtenant, including, but not limited to, the water rights described on Exhibit A attached, subject to:

SUBJECT TO:

Taxes for 2004

Highway District right of way

Power Line Easement from Garnett Kidd and Alice Kidd, husband and wife, to the Idaho Power Company dated December 17, 1976, recorded February 16, 1977, as Instrument No. 710139, records of Twin Falls County, Idaho.

Power Line Easement from Garnett Kidd and Alice Kidd, and Dean Kidd and Rita Kidd, to the Idaho Power Company dated April 26, 1977, recorded September 14, 1977, as Instrument No. 722222, records of Twin Falls County, Idaho.

Underground Power Line Easement from Brent Funk, to the Idaho Power Company dated September 15, 1993, recorded August 15, 1994, as Instrument No. 1994-014529, records of Twin Falls County, Idaho.

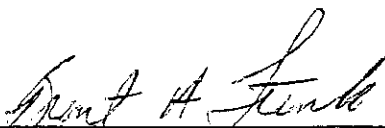
Grant of Easement and Joint Use Agreement between Magic Milk Company, a partnership and Brent and Chalet Funk, recorded May 16, 1996, as Instrument No. 1996-008472, records of Twin Falls County, Idaho.

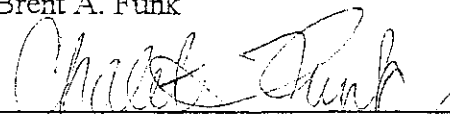
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

The Grantor shall and will warrant and by these presents will forever defend the said premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of Grantee against all and every person and persons whomsoever lawfully claiming the same, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

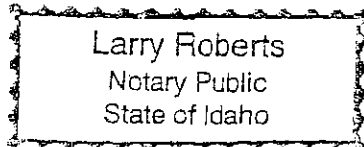

Brent A. Funk

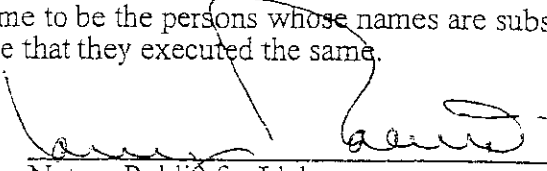

Chalet Funk

STATE OF IDAHO)
County of Cassia) ss

On this 2nd day of July, in the year 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared **BRENT A. FUNK and**

1
2
3 CHALET FUNK, known or identified to me to be the persons whose names are subscribed to the
4 within instrument, and acknowledged to me that they executed the same.




Notary Public for Idaho

Residing at Burley, ID

My commission expires on 6-30-09

WATER RIGHTS TO BE TRANSFERRED

WR #	TYPE	AMOUNT	BASIS	PRIORITY DATE	USE
47 2496 A	WELL	69.5	IN LICENSE	12/13/1943	IRRIGATION
47 2509	WELL	26	IN LICENSE	5/31/1947	IRRIGATION
47 7529	ROCK CRK	199	IN LICENSE	12/1/1967	IRRIGATION
47 188	ROCK CRK	68.5	IN DECREEED	11/29/1918	IRRIGATION
47 137 A	ROCK CRK	60	IN DECREEED	4/20/1880	IRRIGATION
47 176	ROCK CRK	80	IN DECREEED	9/23/1929	IRRIGATION
47 175	ROCK CRK	20	IN DECREEED	1/1/1918	IRRIGATION
47 2496 B	WELL	13.5	IN LICENSE	12/13/1943	DAIRY
* 47 12300	WELL	2	IN DECREEED	12/31/1940	DOMESTIC