

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

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JUL 18 2005

WATER RESOURCES
WESTERN REGION

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

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
	A82-10098				
	~~A82-10099~~		Per Assessor - owned by Lester Gunter		

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) EARL H OR Esther L. SOTIN
HC 66 Box 287 Kooskia, ID 83539
4. New Owner/Claimant(s) PRESTON L. OR Charlene M. FUNKHOUSER
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address HC 66 Box 287
 City, State and ZIP Code KOOSKIA, ID 83539
 New Telephone Number (208) 986-4424
5. Date you acquired the property 03/15/2005

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 <u>A 82-10098</u>		
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	<u>.04 CFS</u>	<u>2 ACRES, DELETE PER CHARLONE</u>
Stock	<u>.04 CFS</u>	<u>30 HEAD STOCK</u>
Domestic	<u>.04 CFS</u>	<u>1 ACRE -</u>
Other		
Total	<u>0.04 CFS</u>	

NO SPLIT
FUNKHAUSER
PHONE CALL
7.28.05

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 <u>A 82-10099</u>		
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	<u>.02 CFS</u>	<u>RUNOFF TO POND</u>
Stock	<u>.02 CFS</u>	<u>30 HEAD CATTLE WATER</u>
Domestic		
Other		
Total	<u>.02 CFS</u>	

NO SPLIT

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Charles M. Funkhauser
[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 U
Receipted by U
Processed by U

Date 8.9.05
Date 8.9.05
Date 8.9.05

Fee \$25.00 x 2 = \$50.00
Receipt No. 6078814
WR Date

WARRANTY DEED

By <u>Sufany B. Sotin</u>	Recd. <u>900</u>
Fees \$ <u>m/pu</u>	Deputy

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AUG 09 2005

DEPARTMENT OF
WATER RESOURCES

THIS INDENTURE, made on this 7th day of March, 2005, by and between EARL H. SOTIN and ESTHER L. SOTIN, current Trustees, of the SOTIN FAMILY TRUST, dated May 8, 1998, also referred to as the Sotin Living Trust, of HC66 Box 287, Kooskia, ID 83539, hereinafter referred to as the Grantor, and PRESTON L. FUNKHOUSER and CHARLENE M. FUNKHOUSER, husband and wife, of P.O. Box 614, Cascade, ID 83611, hereinafter referred to as the Grantees.

WITNESSETH:

That the said 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 considerations to it in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Idaho, State of Idaho, to wit:

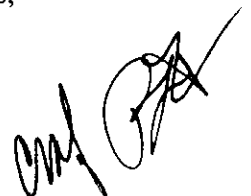
Township 31 North, Range 5 East, Boise Meridian, Idaho County, Idaho
Section 30: N $\frac{1}{2}$ NE $\frac{1}{4}$

LESS: That portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying Southerly of the following described boundary line: Commencing at the C-N 1/16th corner of said Section 30, being a set aluminum cap; thence N06°40'24" W. 31.76 feet to a fence corner, being the True Point of Beginning; thence N87°16'59" E. 1363.29 feet approximately along an existing fence line to a fence corner, which point bears N36°46'18" E. 53.48 feet from the NE 1/16th corner of said Section 30, and is 41.3 feet North of the 1/16th section line, which is the True Point of Ending of this Boundary Description.

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

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns,



that at the time of the encasing and delivery of these presents it was well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, *EXCEPT*:

- 1) General taxes for the year 2005, which are a lien, not yet due and payable.
- 2) Lien for any taxes deferred by virtue of the designation of the insured premises or any portion thereof as forest lands as provided in Section 63-1701 et seq., Idaho Code.
- 3) Easement Deed, including the terms and conditions thereof, by and between Earl H. Sotin and Esther L. Sotin, husband and wife, and Clearwater Water Association, Inc., a corporation, recorded September 28, 1949 under Instrument No. 164697, Book 82 page 199, records of Idaho County, Idaho.
- 4) Matters as shown on Survey No. S-589, recorded April 12, 1989 under Instrument No. 346806; and, Survey No. S-1216, recorded October 15, 1996 under Instrument No. 389658, all records of Idaho County, Idaho.
- 5) Rights and easements in favor of the public for recreational uses of the Sill Creek.
- 6) Public Road Easement, including the terms and conditions thereof, by and between United States of America and County of Idaho, recorded February 22, 1999 under Instrument No. 0404741; and, Agreement to Correct Deed, recorded October 29, 2001 under Instrument No. 419422, all records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

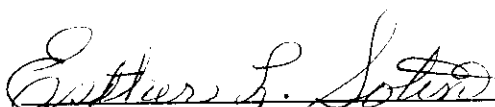
That this Deed is given by Grantor to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantor.

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

THE SOTIN FAMILY TRUST
Dated May 8, 1998

By:


EARL H. SOTIN, Current Trustee


ESTHER L. SOTIN, Current Trustee