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Department of Water Resources
Southern Region

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Department of Water Resources

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.

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
47-04314 - AS					
47-10533 - AS					
47-04361					
47-07870	WA				

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) US Bank National Association
4. New Owner/Claimant(s) David and Shirlene Funk
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3712 E 3100 N
- City, State and ZIP Code Kimberly, Id 83341
- New Telephone Number 208-423-4583
5. Date you acquired the property 07-30-03

SUPPORT DATA

IN FILE # 47-4361

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)

David L. Lusk
Shirley Lusk

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 <i>[Signature]</i>	Date <i>3/11/03</i>	Fee <i>\$50⁰⁰</i>	
Received by <i>TEAWCET</i>	Date <i>1/13/05</i>	Receipt No. <i>5027288</i>	
Processed by _____	Date _____	WR _____	Date _____

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SPECIAL WARRANTY DEED

Twin Falls County, Idaho

Recorded for:

TWIN FALLS TITLE

04:05pm

Jul.30,2003

2003-019797

No. of Pages: 3 Fee: \$9.00
KRISTINA GLASCOCK
County Clerk
Deputy: CN

T030839

THIS INDENTURE, made this 29th day of July, 2003, by and

between U.S. Bank National Association as Custodian/Trustee, Grantor, and David L. Funk and

Shirlene Funk, husband and wife, Grantees, whose address is

3712 E. 3100 N. Kimberly, ID 83341.

WITNESSETH:

The Grantor for good and valuable consideration does by these presents grant, bargain, sell and convey unto the Grantees, their successors and assigns, all of that certain tract and parcel of land situated in the County of Twin Falls, State of Idaho, more particularly described as follows, to-wit:

See Attached Exhibit "A"

The Grantor warrants that previous to the time of the execution of this deed the Grantor has not conveyed the same estate, or any right, title or interest therein, to any person. That such estate is at the time of the execution of the deed free from encumbrances done, made or suffered by the Grantor, or any person claiming under it.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed by it the day and year first above written.

U.S. Bank National Association, Successor by
Merger to U.S. Bank Trust National Association
As Custodian/Trustee
By Lend Lease Agri-Business, Inc. Its Attorney
In Fact

BY: G. Michael Smith
G. Michael Smith, Sr. Vice President

STATE OF MISSOURI)
) SS:
COUNTY OF ST. LOUIS)

BE IT REMEMBERED, that on this 29th day of July, 2003, before me, a Notary Public in and for the County and State aforesaid, personally appeared G. MICHAEL SMITH, Sr. Vice President, of Lend Lease Agri-Business, Inc., a Delaware corporation, as Attorney-in-Fact for U.S. Bank National Association, successor by merger to U.S. Bank Trust National Association as Custodian/Trustee who is personally known to me to be the said officer of said corporation, and the same person who executed the foregoing instrument, and he duly acknowledged the execution of the same for and on behalf of and as the act and deed of said corporation as Attorney-in-Fact for U.S. Bank National Association, successor by merger to U.S. Bank Trust National Association as Custodian/Trustee.

IN WITNESS WHEREOF, I have hereunto subscribed my name affixed my official seal, on the day and year last above written.

Shirley L. Dobbs Notary Public

SHIRLEY L. DOBBS
Notary Public - State of Missouri
County of St. Louis
My Commission Expires May 4, 2007

EXHIBIT A
T030839

PARCEL NO. 1

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPT the South 60 feet of the East 300 feet.

SUBJECT TO Twin Falls Highway District right of way.

PARCEL NO. 2

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: A parcel of land being described as the West 40.00 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$

SUBJECT TO Twin Falls Highway District right of way.

PARCEL NO. 3

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho

Section 34: South 60 feet of the East 300 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO Twin Falls Highway District right of way.