

JUL 29 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

*See
next
page
for
more*

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-13608 ✓	Yes ☐	Yes ☐	35-14081 ✓	Yes ☐	Yes ☐
35-14082 ✓	Yes ☐	Yes ☐	35-14084 ✓	Yes ☐	Yes ☐
35-14085 ✓	Yes ☐	Yes ☐	35-14089 ✓	Yes ☐	Yes ☐
35-14090 ✓	Yes ☐	Yes ☐	35-14092 ✓	Yes ☐	Yes ☐
35-14093 ✓	Yes ☐	Yes ☐	35-14198 ✓	Yes ☐	Yes ☐

2. Previous Owner's Name: Lance Funk & Lisa Funk
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Farmland Reserve, Inc.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
79 S Main Street Salt Lake City UT 84111
Mailing address City State Zip
801-715-9100 naturalresources@farmlandreserve.org
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: 12/20/2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. 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):
o \$25 per undivided water right. **37 X \$25 = \$925**
o \$100 per split water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 35-2632

8. Signature: Rex Burgener Vice President, Land Jul 22, 2022
Signature of new owner/claimant Title, if applicable Date
Rex Burgener
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:
Received by m. Pettis Date 7-29-22 Receipt No. E048360 Receipt Amt. 925.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 9/27/22

SCANNED
OCT 11 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COPY

TRANSFER OF WATER RIGHT
TRANSFER NO. 83781

This is to certify that: LANCE FUNK
2765 FAIRGROUNDS ROAD
AMERICAN FALLS, ID 83211

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7914	WR/DECREED	9/8/1980	3.650 cfs	1184.0 af	N/A	296.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-7973	WR/DECREED	4/14/1981	4.810 cfs	1264.0 af		316.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

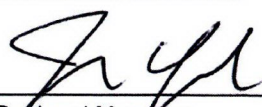
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-7914	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-7914	35-14654	0.580 cfs	186.8 af	N/A	46.7	35-7914	3.070 cfs	997.2 af	N/A	249.3
COMBINED TOTALS		0.580 cfs	186.8 af	N/A	46.7		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 16th day of April, 2020.


Regional Manager

Transfer No. 83781

Support Data
In File # 35-7914

WATER RIGHT NO. 35-7914
As Modified by Transfer No. 83781

In accordance with the approval of Transfer No. 83781, Water Right No. 35-7914 is now described as follows:

Right Holder: LANCE FUNK
 2765 FAIRGROUNDS ROAD
 AMERICAN FALLS, ID 83211

Priority Date: 9/8/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	3.070 cfs	997.2 af
			3.070 cfs	997.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L2 (NENWNE)	Sec 5 Twp 07S Rge 29E POWER County
GROUND WATER	L1 (NENE)	Sec 6 Twp 07S Rge 29E POWER County
GROUND WATER	NWNNWNE	Sec 7 Twp 07S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	29E	6																13.3	13.3
07S	29E	7	30.0	32.0	32.0	30.0	37.0	20.0	19.0	36.0									236.0
								L 1	L 2										

POU Total Acres: 249.3

CONDITIONS OF APPROVAL

1. Diversion of water from the additional well authorized under Transfer 81174 located in Lot 1 (NENE), Sec. 6, T07S, R29E shall not exceed a total combined maximum diversion rate of 4.32 cfs.
2. Rights 35-7914 and 35-14241 when combined shall not exceed a total diversion rate of 6.46 cfs.
3. Rights 35-7914, 35-14241, and 35-14655 when combined shall not exceed a total diversion rate of 6.61 cfs.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83781

WATER RIGHT NO. 35-7914
As Modified by Transfer No. 83781

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 81174, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-14654

As Modified by Transfer No. 83781

In accordance with the approval of Transfer No. 83781, Water Right No. 35-14654 is now described as follows:

Right Holder: LANCE FUNK
2765 FAIRGROUNDS ROAD
AMERICAN FALLS, ID 83211

Priority Date: 9/8/1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.580 cfs	186.8 af
			0.580 cfs	186.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 1 Twp 07S Rge 28E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	28E	12					31.9	14.8											46.7

POU Total Acres: 46.7

CONDITIONS OF APPROVAL

1. Rights 35-7973, 35-14240, and 35-14654 when combined shall not exceed a total diversion rate of 5.39 cfs.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. Prior to the diversion and use of water under Transfer approval 83781, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 83781

WATER RIGHT NO. 35-14654
As Modified by Transfer No. 83781

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 35-7973

As Modified by Transfer No. 83781

In accordance with the approval of Transfer No. 83781, Water Right No. 35-7973 is now described as follows:

Right Holder: LANCE FUNK
2765 FAIRGROUNDS ROAD
AMERICAN FALLS, ID 83211

Priority Date: 4/14/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	4.810 cfs	1264.0 af
			4.810 cfs	1264.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 1 Twp 07S Rge 28E POWER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	28E	1									31.0	30.0	29.0	29.0	31.0	31.0	29.0	29.0	239.0
07S	28E	12						16.0	30.0	31.0									77.0

POU Total Acres: 316.0

CONDITIONS OF APPROVAL

1. Rights 35-7973 and 35-14240 when combined shall not exceed a total diversion rate of 4.81 cfs.
2. Rights 35-7973, 35-14240, and 35-14654 when combined shall not exceed a total diversion rate of 5.39 cfs.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 78039, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 83781

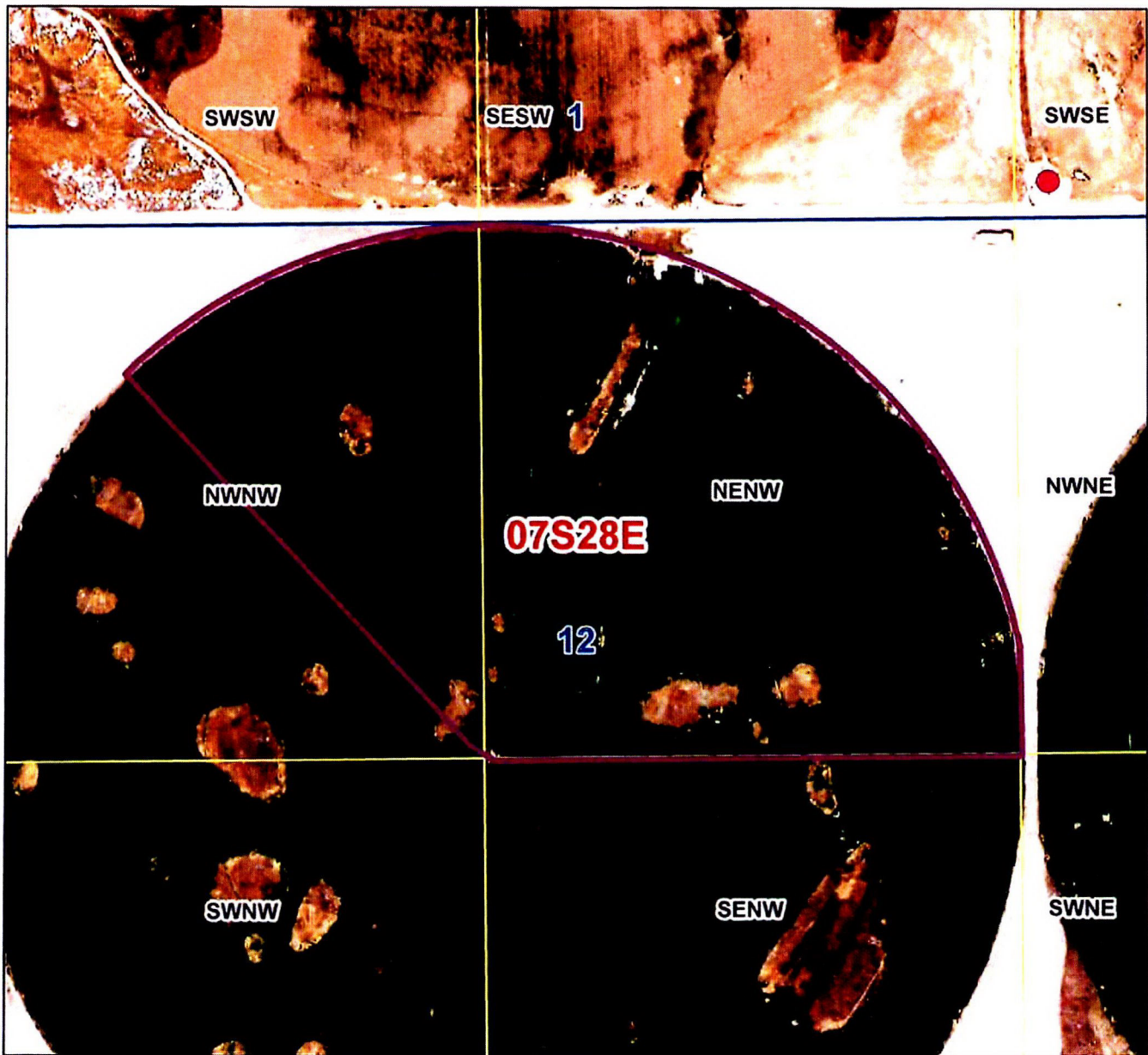
WATER RIGHT NO. 35-7973
As Modified by Transfer No. 83781

CONDITIONS OF APPROVAL

6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 83781

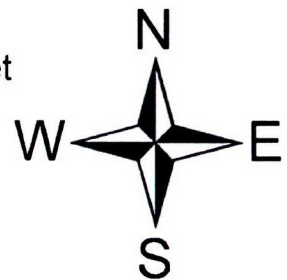
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- Water Right POD
- Water Right POU
- Township/Range
- Sections
- QQ

0 250 500 1,000 Feet



Date: 4/16/2020



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 28, 2022

FARMLAND RESERVE INC
79 S MAIN ST STE 1000
SALT LAKE CTY UT 84111-1945

Re: Change in Ownership for Water Right No(s): 35-13608, 35-14082, 35-14085, 35-14090, 35-14093, 35-14081, 35-14084, 35-14089, 35-14092, 35-14198, 35-14200, 35-14202, 35-14204, 35-14206, 35-14208, 35-14240, 35-14654, 35-7973, 35-14241, 35-7914, 35-14655, 35-14242, 35-14243, 35-14317, 35-14318, 35-14319, 35-14320, 35-14442, 35-14443, 35-2632, 35-4020A, 35-7596, 35-7611A, 35-7611B, 35-7632A, 35-7969, 35-8218

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions regarding this matter, please contact me at (208)287-4921 or email me at Sidney.palmer@idwr.idaho.gov.

Sincerely,

Sidney Palmer

Sidney Palmer
Technical Records Specialist 1

Enclosure(s)

c: RABO AGRIFINANCE LLC

SCANNED
OCT 11 2022