

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 23 2018
DEPT OF WATER RESOURCES
SOUTHERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
3806 43-323A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
805 43-4105B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
43-10107	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Delta Farms, LLC an Idaho limited liability company
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hank T. Higley and Lacey G. Higley
New owner(s) as listed on the conveyance document Name connector ☒ **and** ☐ **or** ☐ **and/or**
- | | | | |
|------------------------------------|--------------|--------------|--------------|
| <u>415 South Main P.O. Box 652</u> | <u>Malta</u> | ID | <u>83342</u> |
| Mailing address | City | State | ZIP |
| <u>Telephone</u> | | <u>Email</u> | |
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. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.
 - 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 # 43-323A

SUPPORT DATA

IN FILE # 43-323A

8. Signature: [Signature] Title, if applicable: _____ Date: 4-17-18
Signature: [Signature] Title, if applicable: _____ Date: 4.17.18

For IDWR Office Use Only:

Received by Am Date 4-23-2018 Receipt No. 5036702 Receipt Amt. \$425-
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 5-10-18



CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
10:43:07 AM 04-18-2018
2018-001503
NO. PAGES: 4 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Order Number: 18308903

WARRANTY DEED

For Value Received,

Delta Farms LLC, an Idaho limited liability company, the Grantor, does hereby grant, bargain sell and convey unto, Hank T. Higley and Lacey G. Higley, husband and wife, whose current address is 415 South Main, P.O. Box 652, Malta, ID 83342, the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

PARCEL NO. 1:
TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 24, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence South 0°00'19" West along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ for 659.54 feet to a ½ inch rebar;
Thence South 89°34'09" West for 330.00 feet to a ½ inch rebar;
Thence North 0°00'18" East for 659.94 feet to a ½ inch rebar on the South line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 89°38'19" East for 330.00 feet to the Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: Part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;
Thence North 89°41'09" East along the north line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ for a distance of 9.65 feet;
Thence South 01°34'42" East for a distance of 9.58 feet to a ½ inch rebar;
Thence South 01°34'42" East for a distance of 1309.62 feet to a ½ inch rebar on the south line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°32'56" West along said line for a distance of 47.03 feet to a 5/8 inch rebar at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;



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Thence South 01°34'42" East for a distance of 1309.62 feet to a ½ inch rebar on the south line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°32'56" West along said line for a distance of 47.03 feet to a 5/8 inch rebar at the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence North 00°02'44" East along the west line of the SE¼NE¼ for a distance of 1319.02 feet to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: 04/16/2018

BY: Rodney N Hall
Rodney N Hall, Member/Manager

BY: Doris Jane Hall
Doris Jane Hall, Member/Manager

BY: Michael Troy Lewis
Michael Troy Lewis, Member/Manager

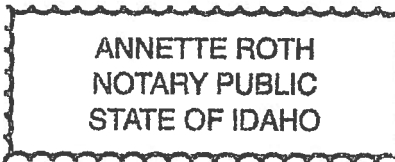
BY: Sherry Ann Lewis
Sherry Ann Lewis, Manager/Member

State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Rodney N. Hall, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Annette Roth
Notary Public for Idaho
Residing In: Rupert, ID
My Commission Expires: 8-4-2023

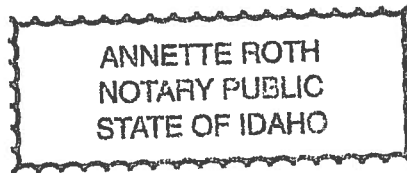


State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Doris Jane Hall, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Annette Roth
Notary Public for Idaho
Residing In: Rupert, Id
My Commission Expires: 8-4-2023

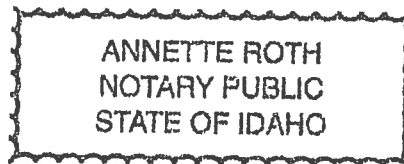


State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Troy Lewis, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Annette Roth
Notary Public for Idaho
Residing In: Rupert, Id
My Commission Expires: 8-4-2023

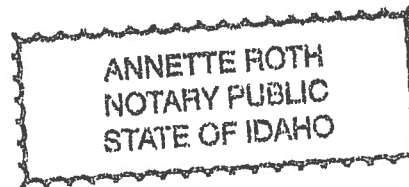


State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Sherry Ann Lewis, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Annette Roth
Notary Public for Idaho
Residing In: Rupert, Id
My Commission Expires: 8-4-2023

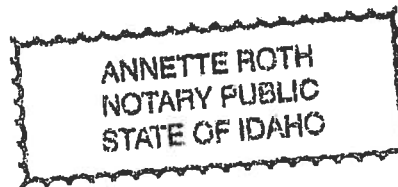


State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Sherry Ann Lewis, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that she executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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Residing In: Rupert, Id
My Commission Expires: 8-4-2023





Order Number: 18308903

WARRANTY DEED

For Value Received,

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CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
10:43:07 AM 04-18-2018
2018-001503
NO. PAGES: 4 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
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Dated: 04/16/2018

BY: Rodney N Hall
Rodney N Hall, Member/Manager

BY: Doris Jane Hall
Doris Jane Hall, Member/Manager

BY: Michael Troy Lewis
Michael Troy Lewis, Member/Manager

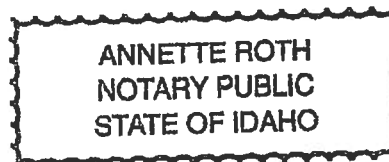
BY: Sherry Ann Lewis
Sherry Ann Lewis, Manager/Member

State of Idaho, County of Cassia, ss.

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

Annette Roth
Notary Public for Idaho
Residing In: Rupert, ID
My Commission Expires: 8-4-2023

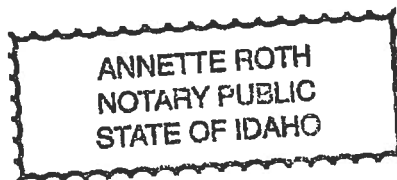


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Residing In: Rupert, ID
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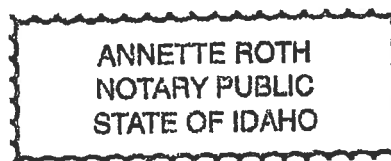


State of Idaho, County of Cassia, ss.

On this 16 day of April 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Troy Lewis, known or identified to me to be a Member/Manager of Delta Farms, LLC the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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Annette Roth
Notary Public for Idaho
Residing In: Rupert, ID
My Commission Expires: 8-4-2023





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 10, 2018

HANK T HIGLEY
PO BOX 652
MALTA ID 83342-0652

LACEY G HIGLEY
PO BOX 652
MALTA ID 83342-0652

Re: Change in Ownership for Water Right No: 43-10107

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right 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 concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent Senior

Enclosures

c: Delta Farms LLC; Ampelio & Alberta Montoya; TilleOne



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 10, 2018

HANK T & LACEY G HIGLEY
PO BOX 652
MALTA ID 83342-0652

Re: Change in Water Right Ownership: 43-323 A (Split into 43-323 A and **43-13806**) and 43-4105 B (Split into 43-4105 B and **43-13805**),

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water rights to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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 concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent Senior

Enclosures

c: Delta Farms LLC; Ampelio & Alberta Montoya; TilleOne



04/20/2018

Idaho Department of Water Resources
650 Addison Avenue West
Suite 500
Twin Falls, ID. 83301

RECEIVED

APR 23 2018

DEPT OF WATER RESO
SOUTHERN REGION

RE: TitleOne File No. 18308903

To whom it may concern;

Enclosed is TitleOne Corporations Trust Account Check No. 14492 for the amount of \$225.00 payable to Idaho Department of Water Resources for Notice of Change of Ownership.

Along with above referenced check, I am enclosing the originals of the following documents..

- Notice of Change of Water Right Ownership

Should you have any questions, or if TitleOne may be of any assistance, please do not hesitate to contact our office.

Thank you,
TITLEONE

Jess Davies
Escrow Assistant – Ag Team

AR/jd
Encl.
FedEx