

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

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?
25-14444	☒ Yes ☐	☐ Yes ☐		☐ Yes ☐	☐ Yes ☐
	☐ Yes ☐	☐ Yes ☐		☐ Yes ☐	☐ Yes ☐
	☐ Yes ☐	☐ Yes ☐		☐ Yes ☐	☐ Yes ☐
	☐ Yes ☐	☐ Yes ☐		☐ Yes ☐	☐ Yes ☐
	☐ Yes ☐	☐ Yes ☐		☐ Yes ☐	☐ Yes ☐

2. Previous Owner's Name: Robert Rowland
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Higley Developments LLC
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 282 North Pointe Drive Idaho Falls ID 83401
Mailing address City State ZIP
- 208-522-4505
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: December 8, 2016
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):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☐ 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.

8. Signature: K.H. [Signature] President 11/30/16
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 12/13/2016 Receipt No. E042654 Receipt Amt. \$25. -
 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 JB Processed by JB Date 12/16/2016

Instrument # 210173

POWER COUNTY, IDAHO

12-8-2016 01:25:28 PM No. of Pages: 2

Recorded for : ROBERT ROWLAND

SHARIE SPRAGUE

Ex-Officio Recorder Deputy

Fee: 13.00

Canal Anderson

SPECIAL WARRANTY DEED FOR WATER RIGHT

Robert Rowland of 1141 Rowland Rd, Pocatello, ID 83204, ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto **Higley Developments LLC** of 282 North Pointe Drive, Idaho Falls, ID 83401 ("Grantee"), and to Grantee's heirs, successors, and assigns forever, all of Grantor's right, title, and interest in the following described water right (hereinafter the "Water Right"),

Idaho Department of Water Resources (IDWR) Water Right License
No. 25-14444.

Source:	Groundwater
Purpose:	Irrigation
Priority:	October 28, 1953
Quantity (Diversion Rate):	0.05 cfs
Quantity (Volume):	11.2 acre-feet
Place of Use (Acreage):	2.8 acres.

Grantor assigns to Grantee any other interest it may have in the Water Right including any claim, permit, license, or shares of stock evidencing, claiming, or representing such Water Right.

To the extent the Water Right, or any of them, are represented by a permit or other property not conveyable by deed, this deed shall be deemed and shall operate as a bill of sale therefore.

Grantor retains no residual or reversionary interest in any of the Water Right.

Grantor hereby covenants and warrants to Grantee as follows:

- A. That Grantor is the owner in fee simple of the Water Right;
- B. That Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- C. That each of the Water Right is free from all liens, claims, or encumbrances;
- D. That Grantor has the authority to convey the Water Right to Grantee;
- E. The Grantor has disclosed to Grantee in good faith all relevant information known to Grantor bearing on the validity and extent of the Water Right.

Grantor makes no other covenants or warranties as to the Water Right.

IN WITNESS WHEREOF, the undersigned have caused their names to be hereunto subscribed on the date shown by each name.

GRANTOR:

DATE: 12/8/16

Robert Rowland
ROBERT ROWLAND

STATE OF IDAHO)
)ss.
County of Tower)

On this 8 day of Dec, 2016, before me Jennifer Rupp a notary public in and for said State, personally appeared Robert Rowland known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same. .

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

(seal)



Jennifer Rupp
Notary Public for Idaho
Residing at: American Falls
My commission expires: 1-2-2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

December 16, 2016

C.L. "BUTCH" OTTER
Governor

Higley Developments LLC
282 North Point Dr
Idaho Falls ID 83401

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 25-14444

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120