

DB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 10 2012
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
43-4118	Yes ☐		Yes ☐		Yes ☐
43-10235	Yes ☐		Yes ☐		Yes ☐
43-7213	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Arthur Whitaker and La Rene Whitaker
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Hank T Higley
Name of each new owner as listed on the conveyance document
- Lacey Higley
New owner continued Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 652
Mailing address
- Malta ID 83342
City State ZIP
- _____
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: 3/29/12

6. 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.

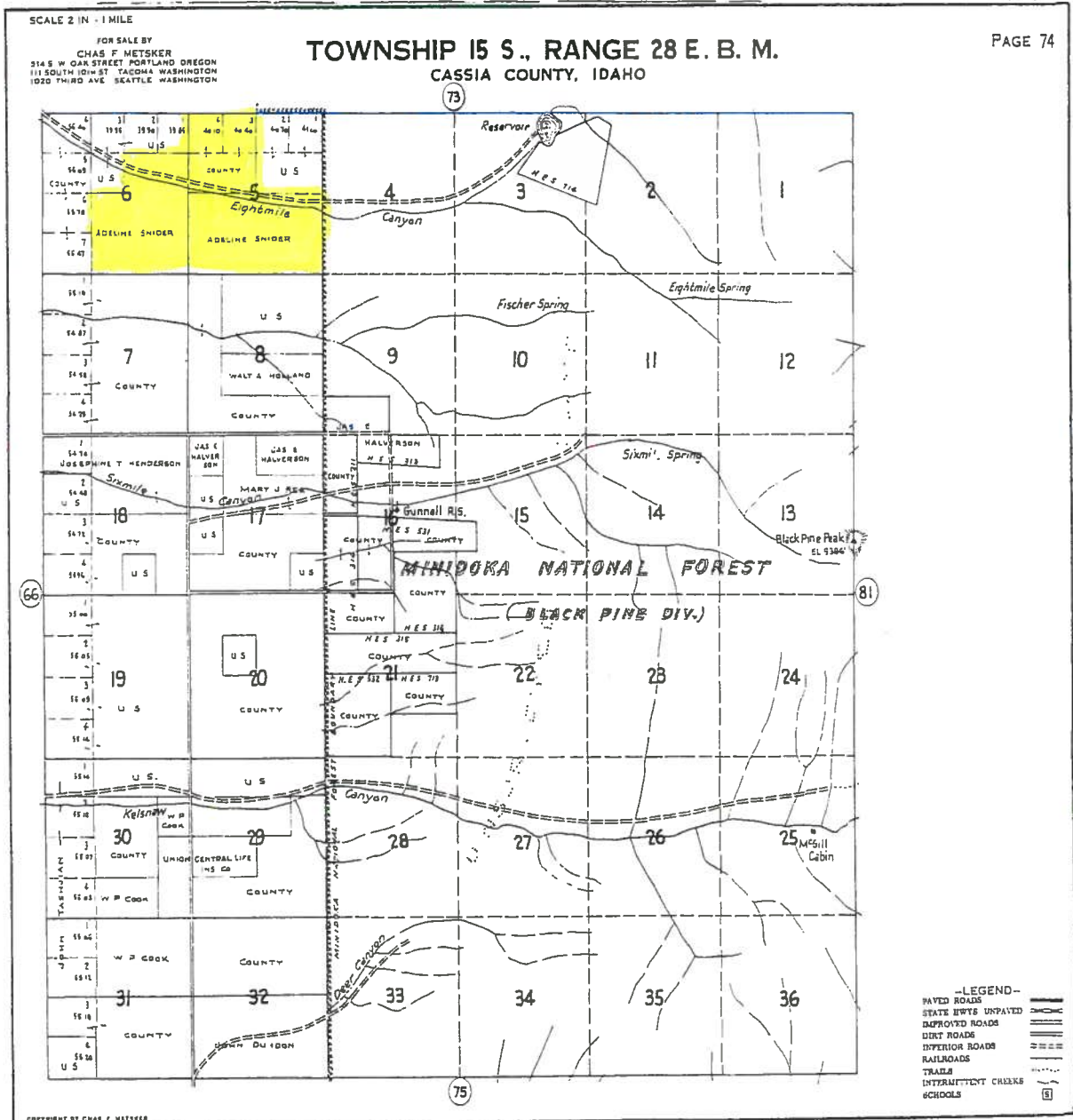
7. Signature: [Signature] Title, if applicable _____ Date 3/29/12
Signature of new owner/claimant
- Signature: [Signature] Title, if applicable _____ Date 3/29/12
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DB Date 4-11-2012 Receipt No. S032477 Receipt Amt. \$75-

Approved by _____ Processed by _____ Date _____

Pols 1+2



PERSONAL REPRESENTATIVE'S DEED

#49050

For Value Received

COPY

JUSTIN A. WHITAKER, Personal Representative for the ESTATE OF LARENE W. WHITAKER, also known as LARENE WHITAKER, also known as LARENE KAY WHITAKER, deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

HANK T. HIGLEY and LACEY G. HIGLEY, husband and wife as community property with right of survivorship
Mailing Address: P.O. Box 652, Malta, ID 83342

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See Attached Exhibit "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2012 and subsequent years.

Assessments levied, or to be levied, by Raft River Ground Water District.

Oil and Gas Lease, dated March 10, 1950, by and between O. John Nye and Heber E. Bingham, recorded April 25, 1950 as Instrument No. 169079 in Book 7 of B.S. & A. on Page 511, records of Cassia County, Idaho. NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25 and SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, all in Township 13 South, Range 26, East of the Boise Meridian.

Oil, Gas and Mineral Lease between Harvey Wight and Sarah Wight, husband and wife, as Lessor, and Standard American Co, as Lessee, dated November 9, 1973 and recorded November 14, 1973 as Instrument No. 73348 on Film No. 85, records of Cassia County, Idaho, covering the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, and the S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 6, all in Township 15 South, Range 28 East, Boise, Meridian.

Agreement For Purchase of Power, dated May 5, 1974, between Raft River Rural Electric Cooperative, Inc., and Glen Kunau, recorded May 7, 1976 as Instrument No. 90453 on Film No. 101, records of Cassia County, Idaho. NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 13 South, Range 26, East of the Boise Meridian and W $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 Township 13 South, Range 27, East of the Boise Meridian and has a well on the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20.

Subject to the interest of O. J. Thacker and Edith S. Thacker, husband and wife, as evidenced by Warranty Deed, recorded July 28, 1977 as Instrument No. 100580 on Film No. 110, records of Cassia County, Idaho for "The Right of Use of a Water Well for domestic purposes and easement for power, water lines and a 25 foot wide service road from the County Road to the well site located approximately 268 feet East from the centerline of old U.S. Highway 30 South and 421 feet North of the centerline of the County Road."

Oil & Gas Lease, dated July 13, 1979, by and between Glen R. Kunau and Dona Kunau, husband and wife, and Adobe Oil & Gas Corporation, recorded October 22, 1979 as Instrument No. 120816 on Film No. 129, records of Cassia County, Idaho.

CASSIA COUNTY
Recorded for:
LAND TITLE AND ESCROW
2:24:16 pm 03-30-2012
2012-001341
No. Pages: 4 Fee: \$19.00
JOSEPH W. LARSEN
County Clerk
Deputy: VIKI

Ratification of Oil and Gas Lease executed by Sarah Wight, a widow, dated November 3, 1981 and recorded January 18, 1982 as Instrument No. 140641 on Film No. 147, records of Cassia County, Idaho.

Oil And Gas Lease between Arthur D. Whitaker and LaRene W. Whitaker and Gulf Oil Corporation, dated November 3, 1981 and recorded January 18, 1982 as Instrument No. 140642 on Film No. 147, records of Cassia County, Idaho.

Agreement For Purchase of Power, dated July 28, 1977, between Raft River Rural Electric Cooperative, Inc., and O.J. Thacker and Ray Thacker, recorded March 19, 1982 as Instrument No. 141991 on Film No. 148, records of Cassia County, Idaho. SW¼ of Section 25, Township 13 South, Range 26, East of the Boise Meridian, and has domestic and commercial service on the SW¼NE¼ of Section 25.

Reservations contained in U.S. Patent to Hal T. Anderson, Brooke R. Anderson, Jack A. Rampton, and Alice B. Rampton, dated June 15, 1987 and recorded November 4, 1988 as Instrument No. 198675 on Film No. 202, records of Cassia County, Idaho.

Agreement For Electric Service Trailer Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Lester C. Thorne, Consumer, dated March 21, 1991 and recorded April 29, 1991 as Instrument No. 213149 on Film No. 225, records of Cassia County, Idaho, covering the SE¼NW¼ of Section 25, Township 13 South, Range 26 East of the Boise Meridian.

Agreement For Electric Service, dated February 25, 1993, between Raft River Rural Electric Cooperative, Inc., and Glen Kunau, recorded April 5, 1993 as Instrument No. 223883 on Film No. 243, records of Cassia County, Idaho. NE¼ of Section 25, Township 13 South, Range 26, East of the Boise Meridian and has a well on the NE¼NE¼ of Section 25.

Grant of Easement to Golden Gardiner and Barbara E. Gardiner, husband and wife, dated April 21, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded May 25, 1993 as Instrument No. 224724 on Film No. 245, records of Cassia County, Idaho.

Grant of Easement to Rodney N. Hall and Doris J. Hall, husband and wife, dated March 12, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded May 25, 1993 as Instrument No. 224729 on Film No. 245, records of Cassia County, Idaho.

Electric Line Right-of-Way Easement to Raft River Rural Electric Cooperative, Inc., dated April 21, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded June 10, 1993 as Instrument No. 225051 on Film No. 245, records of Cassia County, Idaho.

Agreement for Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative and Inez Barlow Estate, dated March 17, 1994 and recorded April 4, 1994 as Instrument No. 230055 on Film No. 254, records of Cassia County, Idaho, covering SW¼SW¼ Section 1 Township 13 South Range 26 East of the Boise Meridian.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Alan/Wendy Jensen, Consumer, dated October 20, 1994 and recorded October 28, 1994 as Instrument No. 233633 on Film No. 260, records of Cassia County, Idaho, covering the SE¼NW¼ of Section 25, Township 13 South, Range 26 East of the Boise Meridian.

Agreement For Electrical Service And Easement between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Blair Keetch and Teresa Keetch, Consumer, dated November 17, 2004 and recorded February 3, 2005 as Instrument No. 300279, records of Cassia County, Idaho, covering the SE¼NW¼ of Section 25, Township 13 South, Range 26 East of the Boise Meridian.

Agreement For Electrical Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and P Bar S Company aka P Bar S Dairy Inc, Peter Grush and Sylvia Grush., Consumer, dated January 26, 2006 and recorded February 27, 2006 as Instrument No. 306903, records of Cassia County, Idaho. (Covers SW¼NE¼ of Section 25 Township 13 South, Range 26 East of the Boise Meridian.)

Agreement For Electrical Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Ted Higley, Betty Ann Higley and Hank T. Higley, Consumer, dated May 31, 2006 and recorded June 5, 2006 as Instrument No. 308936, records of Cassia County, Idaho. (Covers Tax #7106, NW¼NW¼ of Section 12, Township 13 South, Range 26 East of the Boise Meridian.)

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Hank Higley, Consumer, dated April 10, 2008 and recorded May 5, 2008 as Instrument No. 2008-002782, records of Cassia County, Idaho. (Covers the NE¼SE¼ of Section 25, Township 13 South, Range 26 East of the Boise Meridian.)

This deed is executed pursuant to Letters Testamentary for the Estate of Larene Kay Whitaker, also known as Larene W. Whitaker, also known as Larene Whitaker, dated September 27, 2010 and recorded September 27, 2010 as Instrument No. 2010-004581 records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 29, 2012

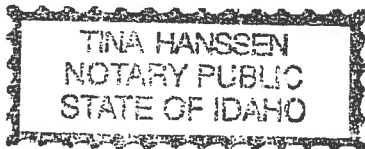
ESTATE OF LARENE W. WHITAKER, also known
as LARENE KAY WHITAKER, also known as
LARENE WHITAKER

BY: Justin A. Whitaker

JUSTIN A. WHITAKER, Personal Representative

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 29th day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Justin A. Whitaker, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Larene W. Whitaker, and acknowledged to me that he executed the same as such Personal Representative.



Tina Hanssen
Notary Public
Residing at: Boise, ID
My Commission expires 05/07/15

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 5: W½ and SE¼

PARCEL NO. 2:

TOWNSHIP 15 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: S½NE¼; E½SW¼ and SE¼



Land Title and Escrow, Inc.

Focused on Service, Positioned for the Future

April 9, 2012

Idaho Department of Water Resources
1341 Fillmore Street, STE #200
Twin Falls, ID 83301

RECEIVED
APR 10 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: File No. 49050

Dear Trish:

Please find enclosed a Land Title and Escrow, Inc. trust account check in the amount of \$75.00 which reflects the payment for the water transfer fee for Hank Higley.

Should you have any questions concerning this letter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.


Nicole Bruesch
Escrow Assistant

✓ Box 177 • Burley, Idaho • 83318
Ph: 208.878.3524
Fx: 208.878.4435
lteb@pmt.org

Box 473 • Gooding, Idaho • 83330
Ph: 208.934.8477
Fx: 208.934.5890
lteg@pmt.org

Box 349 • Jerome, Idaho • 83338
Ph: 208.324.3357
Fx: 208.324.8961
ltej@pmt.org

Box 5375 • Twin Falls, Idaho • 83303-5375
Ph: 208.933.2650
Fx: 208.933.2655
ltetf@pmt.org

Box 111 • Rupert, Idaho • 83350
Ph: 208.436.0606
Fx: 208.436.1199
lter@pmt.org