

DE✓

#48880

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 01 2011

DEPT. OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
43-91	Yes ☐		Yes ☐		Yes ☐
43-92	Yes ☐		Yes ☐		Yes ☐
43-4102	Yes ☐		Yes ☐		Yes ☐
43-10173	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Leonard Hall and Pearl Hall
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Heath T. Higley and Dawn M. Higley
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
1971 South 2350 East
Mailing address
Malta, ID 83342
City State ZIP
208-645-2436 _____
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: November 30, 2011

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] 11/30/2011
Signature of new owner/claimant Title, if applicable Date

Signature: [Signature] 11/30/2011
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:
Signature of new owner/claimant
Dawn M. Higley

Received by DB Date 12-1-2011 Receipt No. 5032250 Receipt Amt. \$100 -

Approved by _____ Processed by _____ Date _____

WARRANTY DEED

CASSIA COUNTY

Recorded for:

LAND TITLE AND ESCROW

1:29:33 pm 11-30-2011

2011-004917

#48880

No. Pages: 2

Fee: \$13.00

JOSEPH W. LARSEN

County Clerk

Deputy: VIKI

For Value Received

Coleen A. Galliher-Claw, also known as Coleen Hall Galliher, a married woman contracting with her sole and separate property

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

Heath T. Higley and Dawn M. Higley, husband and wife, as community property with rights of survivorship

**Address: 1971 South 2350 East
Malta, Idaho 83342**

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

**TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 14: SE¼SE¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Water Adjudication Nos. 43-91, 43-92, 43-4102 and 43-10173.

SUBJECT TO:

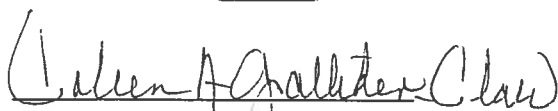
All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 2011.

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

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.

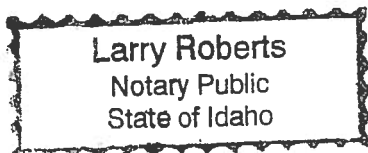
Dated: November 30th, 2011

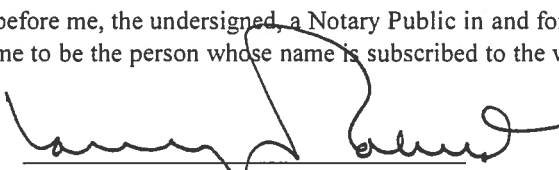


Coleen A. Galliher-Claw, also
known as Coleen Hall Galliher

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 30th day of November, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Coleen A. Galliher-Claw, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.





Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-15



Land Title and Escrow, Inc.

Focused on Service, Positioned for the Future

RECEIVED

DEC 01 2011

DEPT. OF WATER RESOURCES
SOUTHERN REGION

November 30, 2011

Trish Fawcett
ID Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: File No. 48880

Dear Trish:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership on property in Cassia County, Idaho.
2. A copy of the recorded Warranty Deed.
3. Land Title and Escrow's trust account check no. 7775 payable to Idaho Dept. of Water Resources in the amount of \$100.00.

Would you please make the necessary changes in the records to indicate the new owner as Heath T. Higley and Dawn M. Higley for future water assessments and notices. Please send a receipt copy to this office.

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

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett
Administrative Assistant

/nrg
enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

December 5, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DAWN AND HEATH HIGLEY
1971 S 2350 E
MALTA ID 83342

RE: Change of Ownership for Water Right Nos. 43-91, 43-92, 43-10173

Dear Water Right Holders:

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

Please note right 43-4102 was not changed. This right was combined into 43-10173 and claimed in the adjudication. I have requested a fee return of \$25 to Land Title and Escrow to be sent by fiscal.

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 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,

Carrie Hahn
Clerk

Enclosures