

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

#47258

RECEIVED

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

MAR 04 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
43-242					
43-243					
43-2530A					
43-10237					

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former Owner/Claimant(s) R. Reed and Carolyn B. Call
1395 North 1500 East
Provo, UT 84604

New Owner/Claimant(s) Hank T. Higley and Lacey G. Higley
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address P. O. Box 652

City, State and ZIP Code Malta, ID 83342

New Telephone Number (208) _____

Date you acquired the property February 19, 2010

SUPPORT DATA

IN FILE # 43-232

5. Date you acquired the property February 19, 2010

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) Hank T. Higley (title if applicable)
Lacey G. Higley (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by Claire
 Processed by _____ AJ

Date 3-4-2010
 Date 3/1/2010
 Date _____

Receipt Amt. \$100
 Receipt No. 081307
 WR _____ Date _____

COPY

WARRANTY DEED

#47258

For Value Received

R. Reed Call and Carolyn B. Call, by and through R. Reed Call, her Attorney-in-Fact, husband and wife

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

Hank T. Higley and Lacey G. Higley, husband and wife

**Address: P. O. Box 652
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 12: SE $\frac{1}{4}$

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 Adjudication No. 43-242, 43-243, 43-2530A and 43-10237.

SUBJECT TO:

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

Taxes for 2010 and subsequent years.

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

Right of Way Deed - State Highway by and between H. F. Deardorff and Rose V. Deardorff, his wife, Grantors and State of Idaho, Grantee dated August 25, 1933 and recorded October 17, 1933 as Instrument No. 110385, in Book 42 of Deeds, Page 561, records of Cassia County, Idaho.

Agreement for Purchase of Power between the Raft River Rural Electric Cooperative, Inc., Seller and Harvey J. Wight, Consumer dated July 1, 1966 and recorded August 29, 1967 as Instrument No. 36598, on Film No. 51, records of Cassia County, Idaho.

Right granted in Warranty Deed from Harvey Wight and Sarah D. Wight, husband and wife, to Arthur Whitaker and Larene Whitaker, husband and wife, dated January 18, 1979 and recorded January 22, 1979 as Instrument No. 113737, Film No. 123, records of Cassia County, Idaho, which reads as follows: "TOGETHER with the right to the use of $\frac{1}{3}$ of the water pumped from a well situated in the Southwest corner of the SE $\frac{1}{4}$ of said Section 12."

Reservation and Easement contained in Warranty Deed from Sarah D. Wight, Individually, and Sarah D. Wight, Personal Representative of the Estate of Harvey Wight, deceased, to Rodney N. Hall and Doris J. Hall, husband and wife, dated September 4, 1981 and recorded October 7, 1981 as Instrument No. 138714, Film No. 145, records of Cassia County, Idaho, which reads as follows: "RESERVING unto the Grantor the remaining 130 inches of water under said permit, and also granting decreed water of Cassia Creek - .80 cfs priority May 1, 1884, and 2.40 cfs priority April 1, 1894, SUBJECT TO an easement for irrigation ditch along the west boundary thereof."

Effects of Quitclaim Deed from D. Morris Hall and Rachel Hall, husband and wife, to Marvin Clark Hall and Ann Hall, his wife, dated August 25, 1983 and recorded August 26, 1983 as Instrument No. 154469 on Film No. 159, records of Cassia County, Idaho, conveying a $\frac{1}{2}$ interest in the irrigation well and 250 horsepower electric pump located in the Southwest corner of the SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 26 East of the Boise Meridian, together with $\frac{1}{2}$ of the water right associated with said well, and together with an access easement around the West of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
3:14:08 pm 02-26-2010
2010-000962
NO. PAGES: 2 FEE: \$6.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: VIKI

Section 12, Township 13 South, Range 26 East of the Boise Meridian, so as to insure the right of use of the N½SE¼ of said Section 12.

Agreement for Electric Service by and between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative, Seller and Reed Call and Carolyn Call, Consumer dated May 2, 2001 and recorded June 18, 2001 as Instrument No. 275606, records of Cassia County, Idaho.

Effects of Resolution of the Cassia County Planning and Zoning Commissions Resolution 2007-10-01, dated October 4, 2007 and recorded October 10, 2007 as Instrument No. 2007-318703, records of Cassia County, wherein an Application for Confined Animal Feeding Operation Permit as well as a Request for Variance from setback requirements are requested.

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: February 19, 2010

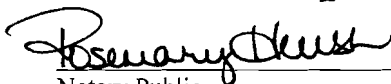

R. Reed Call

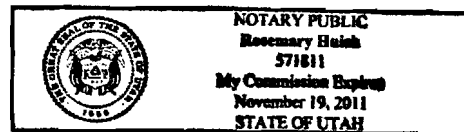

Carolyn B. Call


R. Reed Call, her Attorney-in-Fact

STATE OF ~~IDAHO~~ ^{UTAH})
COUNTY OF ~~Cassia~~ ^{UTAH}) ss.

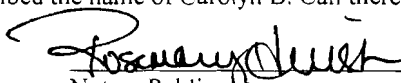
On this 25th day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared R. Reed Call, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public ^{Prov. Utah}
Residing at: ~~Rupert, ID~~
My Commission expires: ~~5-7-2015~~ 11/19/11



STATE OF ~~IDAHO~~ ^{UTAH})
COUNTY OF ~~Cassia~~ ^{UTAH}) ss.

On this 25th day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared R. Reed Call, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Carolyn B. Call and acknowledged to me that he subscribed the name of Carolyn B. Call thereto as principal, and his own name as Attorney-In-Fact.


Notary Public ^{Prov. Ut.}
Residing at: ~~Rupert, ID~~
My Commission expires: ~~5-7-2015~~ 11/19/11

