

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 03 2022
DEPARTMENT OF
WATER RESOURCES

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-8050	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: Rodney A. Higgins

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Higgins Ranch Properties LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

PO Box 8567

Boise

ID

83707

Mailing address

City

State

Zip

208-871-7132

RODH@HIGGINSRUTLEDGE.COM

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: 08-03-2022
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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.

8. Signature: Rodney A. Higgins Manager 9/21/2022

Signature of new owner/claimant

Title, if applicable

Date

Rodney A. Higgins

Print name

- Signature: Rodney A. Higgins manager 9/21/2022

Signature of new owner/claimant

Title, if applicable

Date

Rodney A. Higgins

Print name

For IDWR Office Use Only:

Received by KU Date 10.3.22 Receipt No. 2114165 Receipt Amt. 25.00

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 dj Date 10/21/22

SCANNED

OCT 27 2022

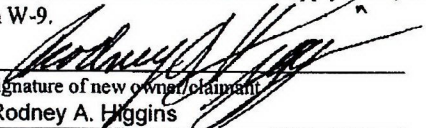
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-8050	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: Rodney A. Higgins
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Higgins Family Trust dated May 24, 2020
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 8567 Boise ID 83707
Mailing address City State Zip
- 208-871-7132 RODH@HIGGINSRUTLEDGE.COM
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: 06-01-2020
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
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.

8. Signature:  Trustee 10/19/2022
 Signature of new owner/claimant Title, if applicable Date
Rodney A. Higgins
 Print name

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

 Print name

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

SCANNED
OCT 27 2022

WHEN RECORDED

RETURN TO:

Jason Melville
Hawley Troxell Ennis & Hawley
P.O. Box 1617
Boise, Idaho 83701-1617

ACCOMMODATION

SEND TAX NOTICES TO:

The Higgins Family Trust
Attn: Rodney A. Higgins and Wanda Christine Higgins, Trustees
521 W. Water Grove Drive
Eagle, Idaho 83616

SPECIAL WARRANTY DEED

GRANTORS, Rodney A. Higgins and Wanda C. Higgins, husband and wife, do hereby REMISE, RELEASE and forever TRANSFER, SELL, AND CONVEY, unto GRANTEE Rodney A. Higgins and Wanda Christine Higgins, Trustees, The Higgins Family Trust, dated May 24, 2020, whose current address is 521 W. Water Grove Drive, Eagle, Idaho 83616, and to Grantee's successors and assigns, all of Grantors' right, title and interest in and to the real property situated in Valley County, Idaho, more particularly described as follows:

A PARCEL OF LAND SITUATED IN VALLEY COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE SOUTH LINE OF LOT 2, SECTION 3, TOWNSHIP 15 NORTH RANGE 3 EAST, BOISE MERIDIAN, WHICH LIES 316 FEET EAST FROM THE SW CORNER THEREOF, THENCE EAST IN SAID LINE 25 RODS, FOUR FEET AND TEN INCHES; THENCE NORTH 25 RODS, FOUR FEET AND TEN INCHES; THENCE WEST 25 RODS, FOUR FEET AND TEN INCHES; THENCE SOUTH 25 RODS, FOUR FEET AND TEN INCHES TO THE POINT OF BEGINNING.

TOGETHER with all mineral, oil, natural gas, water and other rights running with the land, as well as all rights, tenements, hereditaments and appurtenances there unto belonging.

SUBJECT to all encumbrances, easements, reservations of oil, gas, and minerals, all present and subsequent years' taxes, levies and assessments, all rights reserved in federal patents and state deeds or in acts authorizing the issuance thereof, all building and zoning regulations and ordinances of any governmental unit, and all encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records, and other matters of record running with said land.

SPECIAL WARRANTY DEED (Donnelly to Trust) - 1

07740.0001.10664446.1

SCANNED
OCT 27 2022

SCANNED
OCT 27 2022

ACCOMMODATION

WHEN RECORDED

RETURN TO:

Jason Melville

Hawley Troxell Ennis & Hawley LLP

P.O. Box 1617

Boise, Idaho 83701-1617

QUITCLAIM DEED

GRANTOR, Higgins Ranch Family Limited Partnership, an Idaho limited partnership, does hereby REMISE, RELEASE and forever TRANSFER, QUITCLAIM AND CONVEY unto GRANTEE Higgins Ranch Properties LLC, an Idaho limited liability company, whose current address is P.O. Box 8567, Boise, Idaho 83707, and to Grantee's successors and assigns, all of Grantor's right, title and interest in and to the real property situated in Valley County, Idaho, more particularly described as follows:

See Exhibit 1 attached hereto.

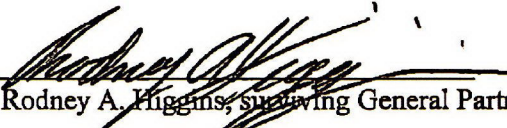
TOGETHER with all mineral, oil, natural gas, water and other rights running with the land, as well as all rights, tenements, hereditaments and appurtenances there unto belonging.

SUBJECT to all encumbrances, easements, reservations of oil, gas, and minerals, all present and subsequent years' taxes, levies and assessments, all rights reserved in federal patents and state deeds or in acts authorizing the issuance thereof, all building and zoning regulations and ordinances of any governmental unit, and all encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records, and other matters of record running with said land.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 19 day of November, 2021.

HIGGINS RANCH FAMILY LIMITED
PARTNERSHIP

By:

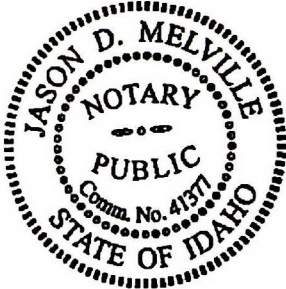

Rodney A. Higgins, surviving General Partner

STATE OF IDAHO)

: ss.

County of Ada)

On this 19 day of November, 2021, before me, the undersigned, a Notary Public, personally appeared **Rodney A. Higgins**, acting in his official capacity as the surviving General Partner of Higgins Ranch Family Limited Partnership, known to me 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 and in such capacity.



A handwritten signature in black ink, appearing to read "Jason D. Melville", written over a horizontal line.

Notary Public for Idaho

Residing at: Boise Idaho

My commission expires: 12/26/2027

LEGAL DESCRIPTIONS

Parcel 1

Said real property consists of approximately .86 acres and has been identified by Valley County as the following parcel numbers: RP 15N03E025570A. Said real property is more particularly described as follows:

Beginning at the NW Corner of SW1/4, Section 2, Township 15 North, Range 3 East, B.M. Also identified by a steel pin in the center of Old State Road; thence east on section line common to SW1/4 and NW1/4 Section 2, 50 feet to the real point of beginning; thence continuing on same bearing a distance of 250 feet; thence south 150 feet; thence west 250 feet; thence north 150 feet to the real point of beginning.

Parcel 2

Lots 1 and 2 in Section 3, Township 15 N., Range 3 E. B.M. less 4 acres owned by Rodney A. Higgins identified as Tax #5 in Government Lot 2, Section 3, Township 15 N., Range 3 E., and existing roads and less that portion of Paradise Cove subdivision lying and being Government Lot 2 which is approximately 2.71 acres.

Parcel 3

Only that portion of the following described parcel lying within government Lot 2 in Section 3, T. 15 N., R. 3 E., B.M., Valley County, Idaho: A parcel of land located in Section 3, T. 15 N. R. 3 E., B.M. , Valley County, Idaho being more particularly described as follows:

Commencing at a set aluminum pipe monument marking the north 1/4 corner of said Section 3 being the TRUE POINT OF BEGINNING.

Thence a bearing of S. 89° 58' 28" E, a distance of 21.00 feet to a set 5/8 inch rebar; Thence a bearing of S 0° 06' 47" W, a distance of 1406.33 feet to the east boundary of the former rail road right-of-way to a point; Thence a bearing of N 87° 19' 05" W, a distance of 95.94 feet on the as-built centerline of Day Star Lane to a point; Thence a bearing of N 1° 40' 43" E, a distance of 1076.65 feet to a set 5/8 inch rebar; Thence a bearing of S 90° 00' 00" W, a distance of 24.87 feet to a set 5/8 inch rebar; Thence a curve to the left, which curve has a radius of 60.00 feet, a length of 20.09 feet, and a chord which bears N 0° 05' 25" W, a distance of 20.00 feet to a set 5/8 inch rebar; Thence a bearing of N 90° 00' 00" E, a distance of 25.49 feet to a set 5/8 inch rebar; Thence a bearing of N 1° 40' 43" E a distance of 305.81 feet to a set 5/8 inch rebar; Thence a bearing of S 89° 58' 28" E, a distance of 36.53 feet to the POINT OF BEGINNING.

Said described parcel of land contains 2.48 acres, more or less together with and subject to rights-of-way and easements of record and/or use.

Parcel 4

The SW1/4 of the SW1/4 and the W1/2 of the SE1/4 of the SW1/4, Section 35, Township 16 N., Range 3 E., B.M., less three acres for roads and ditches.

Parcel 5

The SW1/4 of the SE1/4 and the E1/2 of the SE1/4 of the SW1/4, Section 35, Township 16 N., Range 3 E., B.M., less three acres for roads and canal.

Parcel 6

A parcel of land located in the SE1/4 of the SE1/4 of Section 35, T.16 N., R. 3 E., B.M., described by Record of Survey Book 11, page 69, Instrument No. 349209, records of Valley County, Idaho being more particularly described as follows:

Commencing at the southeast section corner of said Section 35, CPF Inst. #99670, corner records of said Valley County; Thence a bearing of N 0°23'06" E, a distance of 1325.40 feet on the east boundary of said Section 35 to a point being the S 1/16 corner of said Section 35 and Section 36 of said T. 16 N., R. 3 E., B.M.; Thence a bearing of N 89°47'51" W, a distance of 1317.85 feet on the north boundary of said SE1/4 of the SE1/4 of Section 35 to a set 5/8 inch rebar marking the SE 1/16 corner of said Section 35 being the TRUE POINT OF BEGINNING.

Thence a bearing of S 0°23'38" W, a distance of 497.61 feet on the west boundary of said SE1/4 of the SE1/4 of Section 35 to a set 5/8 inch rebar at the intersection of said west boundary with the west right-of-way boundary of Highway 55; Thence a bearing of N 4°09'05" E, a distance of 498.79 feet on said west right-of-way boundary of Highway 55 to a set 5/8 inch rebar at the intersection of said west right-of-way boundary of Highway 55 with said north boundary of the SE1/4 of the SE1/4 of Section 35; Thence a bearing of N 89°47'51" W, a distance of 32.69 feet on said north boundary of the SE1/4 of the SE1/4 of Section 35 in the POINT OF BEGINNING.

Said described parcel of land contains 0.19 acres, (8,133 sq. ft) together with and subject to rights-of-way and easements of record and/or use.

ACCOMMODATION

WHEN RECORDED

RETURN TO:

Jason Melville

Hawley Troxell Ennis & Hawley LLP

P.O. Box 1617

Boise, Idaho 83701-1617

QUITCLAIM DEED

GRANTORS, **Higgins Ranch Family Ltd (Limited) Partnership**, an Idaho limited partnership, and **Rodney A Higgins** (also known as Rodney A. Higgins), do hereby REMISE, RELEASE and forever TRANSFER, QUITCLAIM AND CONVEY unto

GRANTEE **Higgins Ranch Properties LLC**, an Idaho limited liability company, whose current address is P.O. Box 8567, Boise, Idaho 83707, and to Grantee's successors and assigns, all of Grantors' right, title and interest in and to the real property situated in Valley County, Idaho, more particularly described as follows:

See Exhibit 1 attached hereto.

Parcel No. RP15N03E030006

As to Grantor Higgins Ranch Family Ltd (Limited Partnership, this deed corrects the legal description for said parcel that was included in Valley County instrument no. 446677, recorded December 14, 2021.

TOGETHER with all mineral, oil, natural gas, water and other rights running with the land, as well as all rights, tenements, hereditaments and appurtenances there unto belonging.

SUBJECT to all encumbrances, easements, reservations of oil, gas, and minerals, all present and subsequent years' taxes, levies and assessments, all rights reserved in federal patents and state deeds or in acts authorizing the issuance thereof, all building and zoning regulations and ordinances of any governmental unit, and all encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records, and other matters of record running with said land.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 3rd day of Aug, 2022.

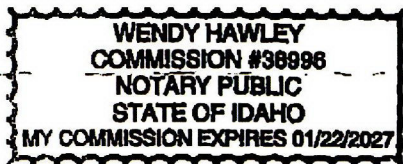
HIGGINS RANCH FAMILY LTD (LIMITED)
PARTNERSHIP

By: Rodney A. Higgins
Rodney A. Higgins, surviving General Partner

Rodney A. Higgins
Rodney A Higgins, also known as Rodney A. Higgins

STATE OF IDAHO)
: ss.
County of Ada)

On this 3rd day of August, 2022, before me, the undersigned, a Notary Public, personally appeared **Rodney A. Higgins**, acting in his official capacity as the surviving General Partner of Higgins Ranch Family Ltd (Limited) Partnership, and Rodney A Higgins (also known as Rodney A. Higgins), individually, known to me 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 and in such capacities.



Wendy Hawley
Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 1/22/2027

LEGAL DESCRIPTION

**Township 15 North, Range 3 E.B.M., Valley County, Idaho
Section 3: Lots 1 and 2,**

LESS: Commencing at a point in the South line of Lot 2, which lies 316 feet East from the Southwest corner thereof; thence East in said line 25 rods, 4 feet and 10 inches; thence North 25 rods, 4 feet and 10 inches; thence West 25 rods, 4 feet and 10 inches; thence South 25 rods, 4 feet and 10 inches to the point of beginning. (Tax 5)

ALSO LESS: Lots 1-7, inclusive, Block 3, Paradise Cove Subdivision, Valley County, Idaho, as shown on the plat recorded September 12, 1961, as Instrument No. 57309.

ALSO LESS: Paradise Lane and abandoned railroad right-of-way.

State of Idaho
Department of Water Resources

Water Right

65-8050

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/19/2022



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

SCANNED
OCT 27 2022

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WR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-08050

NAME AND ADDRESS: RODNEY A HIGGINS
PO BOX 8567
BOISE, ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T15N R03E S03 LOT 02 (NWNE) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS 1.20 AFY

PLACE OF USE: Domestic Within Valley County
T15N R03E S03 LOT 02 (NWNE)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication



IDAHO DEPARTMENT OF
WATER RESOURCES



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098

Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 26, 2022

HIGGINS FAMILY TRUST
PO BOX 8567
BOISE ID 83707-2567

Re: Change in Ownership for Water Right No: 65-8050

Dear Water Right Holder:

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) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c. Jason Melville – *via email*

SCANNED
OCT 27 2022



ATTORNEYS AND COUNSELORS

Hawley Troxell Ennis & Hawley LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617
208.344.6000
www.hawleytroxell.com

JASON D. MELVILLE
EMAIL: JMELVILLE@HAWLEYTROXELL.COM
DIRECT DIAL: 208-388-4971
DIRECT FAX: 208-954-5946

September 26, 2022

RECEIVED
OCT 03 2022
DEPARTMENT OF
WATER RESOURCES

IDWR State Office
P.O. Box 83720
Boise, ID 83720-0098

Re: Notice of Change in Water Right Ownership

Dear Sir or Madam:

Please find enclosed the following documents related to a water right ownership change for Rodney A. Higgins to new owner Higgins Ranch Properties LLC:

1. Completed Department form.
2. Recorded deeds transferring ownership to the new LLC owner (2 deeds).
4. Map.
5. Fee payable to IDWR in the amount of \$25.00 for the affected water right.

Please process the ownership change and contact me directly on behalf of the LLC with any questions or concerns. Thank you.

Sincerely,

Jason D. Melville

JM
Enclosures

SCANNED
OCT 27 2022