

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

RECEIVED

SEP 30 2009

DEPARTMENT OF  
WATER RESOURCES

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. 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 IDWR will produce new water right number(s) for the split(s).

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split(s) | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split(s) |
|-----------------------|------------------------------|----------|-----------------------|------------------------------|----------|
| 65-10513              |                              |          |                       |                              |          |
| 65-10514              |                              |          |                       |                              |          |
| 65-10515              |                              |          |                       |                              |          |
| 65-12132              |                              |          |                       |                              |          |
| 65-12378              |                              |          |                       |                              |          |
|                       |                              |          |                       |                              |          |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$125<sup>00</sup>
- 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 on file with the county Planning and Zoning or Recorder's Office).  
**OR**
- D. 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 or equivalent **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**.

3. Name and Address of Former  
Owner/Claimant(s)

*Gene Brumbaugh - Roberta J Brumbaugh*  
5544 SE. 9th Avenue  
Caldwell, Idaho 83605

4. New Owner/Claimant(s)

*Highland Livestock and Land Company*  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 488

City, State and ZIP Code

Emmett, Idaho 83617

5. New Telephone Number

(208) 365-4611 Email: dcalittle61@hotmail.com

5. Date you acquired the property

10-31-2000 (closing date)

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<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| Totals                                                                                                               |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| 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) David A. Little <sup>manager/shareholder</sup> for Highland Livestock & Land  
(title if applicable)  
(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 \_\_\_\_\_ Date \_\_\_\_\_  
Received by SRX Date 9-30-2009  
Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_

Receipt Amt. \$125  
Receipt No. CO 89385  
WR \_\_\_\_\_ Date \_\_\_\_\_

ISSUED BY

OWNER'S POLICY OF TITLE INSURANCE

**Lawyers Title Insurance Corporation**  
A LANDAMERICA COMPANY

POLICY NUMBER  
A 75-0014968

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, LAWYERS TITLE INSURANCE CORPORATION has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

LAWYERS TITLE INSURANCE CORPORATION

Attest:

Secretary



By:

President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:  
(a) created, suffered, assumed or agreed to by the insured claimant;  
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;  
(c) resulting in no loss or damage to the insured claimant;  
(d) attaching or created subsequent to Date of Policy; or  
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws that is based on:  
(a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or  
(b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:  
(i) to timely record the instrument of transfer; or  
(ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

## OWNER'S POLICY

|                                                                                                               |                                         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |                |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|----------------|
| LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC LTIC |                                         |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |                |
| Policy 136                                                                                                    | This Policy is invalid unless the cover |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 035-0-136-0000 |
| AI.TA Owner's Policy (10-17-92)                                                                               | Sheet and Schedule R are attached       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |                |



## Exhibit A - continued

Policy No. A75-0014968

### Parcel 5

S2 NW1/4, Section 4, Township 11 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel 6

SE1/4 NE1/4, Section 5, Township 11 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel 7

SW1/4 SE1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel 8

SE1/4 SW1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

## Parcel 9

W2 NE1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

## Parcel A

NW1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel B

NE1/4 SW1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel C

NW1/4 SE1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel D

W2 SW1/4, Section 33, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel E

W2 SW1/4, Section 28, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.

### Parcel F

E2 SE1/4, Section 29, Township 12 North, Range 4 East, Boise Meridian, Valley County, Idaho.





20-224 276 886

Parcel 0  
Govt Lot 1  
4-11-4

Parcel 1  
Govt Lot 2  
4-11-4

Parcel 2  
Govt Lot 3  
4-11-4

Parcel 3  
Govt Lot 4  
4-11-4  
0003

529.14 0004  
342.22 217.4 3  
(#1)

Parcel 5  
S2 NW  
4-11-4

Gene & Roberta F.  
Brumbaugh

Parcel 4  
S2 NE  
4-11-4

7305

7305

7305

Evelyn J.  
Little

LOT 4

LOT 3

LOT 2

LOT 1

4/6  
Arthur E. and  
Faye Brake

SECTION  
T I I N

CAMP

CREEK

104 1205  
Gene & Roberta F.  
Brumback  
Parcel 6  
SENE 5-11-4

Sec 6

#1 Fredrick

STEBBINS FAMILY LIMITED PARTNERSHIP I

5

CREEK

Sec 7.

#1 Curtis

#2 Lola B. Hays

#3 C. Howard

SEC. 8

#1 EARL E & SHIRLEY J  
and L. KENNET

County Road

5

5

33

0605

0006

3005

ROAD

33

34

Lot 1

see inst. NO. 177793 for  
easement from Morgan to  
Boise Cascade

Gene &amp; Roberta F.

Parcel A  
NW  
33-12-4

Brumbaugh

Parcel 9  
W 2 NE  
33-12-4

CREEK

1324.18'

LOT 2

1397.09'

TIMBERIM SUB.

ROUND

VALLEY

5405

ROUND VALLEY

Parcel B  
NESW  
33-12-4

Parcel C  
NWSE  
33-12-4

1555.56'

BRUMBAUGH & CO  
deed 81963

Gene and  
Roberta F.  
Brumbaugh

Parcel D  
W 2 SW  
33-12-4

Parcel 8  
SESW  
33-12-4

Parcel 7  
SWSE  
33-12-4

0605

see survey 423  
deed #85174  
1467.84'

LOT 4  
45.40'  
W 2 SW

6005

TAX NO. 5

deed 881618

6560

Kening.

Bonnie

Crill

6365

Evans

Family

Trust

16156

Rlyn &amp;

Elaine

Foyall

Give Brumbaugh

see easement

33

34

352.56'

709.09'

A

Myron L. Herrick  
Testamentary Trust  
and  
Myrtle Herrick

Vickie Daughton

STATE  
BLM

LOT 2

5405

4805

7805

LOT 3

Parcel E  
Harold Gene and  
Robert F.  
Brumbaugh

Wancy Darnell

Susan Shorban

9005

Lot 4

6005

W2 SW

28-12-4

Kyle Kerby

28

COUNTY

28

27

33

0605

0006

ROAD

33

34

LOT 1

3005

SECTIONS 29, 30.  
T 12 N R 4

Myron L. Herrick Testamentary  
Trust & Myrtle Herrick

Sec 29

#3 Roger W. and D.

#2 Dorothy Reip

Sec 31

#1 Alex Conger et

#2 Raymond E. & Sha

#3 Raymond E. & Sha

Sec

#1 William O. A. D.

#2 Donald Ward Pige

#3A Sandra A. Six

#3 Jerry L. Betch

#4 Edmund and Patr

20ft. m. Newell  
Herson, et al

10 DARST

EST AT TAX #4

400.58  
6400

CL. 6  
H. 6  
105

660'

330'

3005

3551

2426

2405

CLAD  
FARMER

Roger W. & Debra A. Taylor

Norman Fuller  
see survey 1-124

C/3  
Ernest  
SITZ

Harold Gene and  
Roberta F. Brumbaugh

Parcel F  
E2 S2  
29-12-4

29

32

survey 4-165

0006

32

1321.01 4075

327.58

370.00  
EASEMENT

4975

4951

4805

29

2

7205

5405

40 acres

NORMAN  
FULLER  
C/3

Tax  
10.3

6000

3551

2426

2405

989.54'

0625

survey 4-165

0006

32

# IDAHO DEPT OF WATER RESOURCES



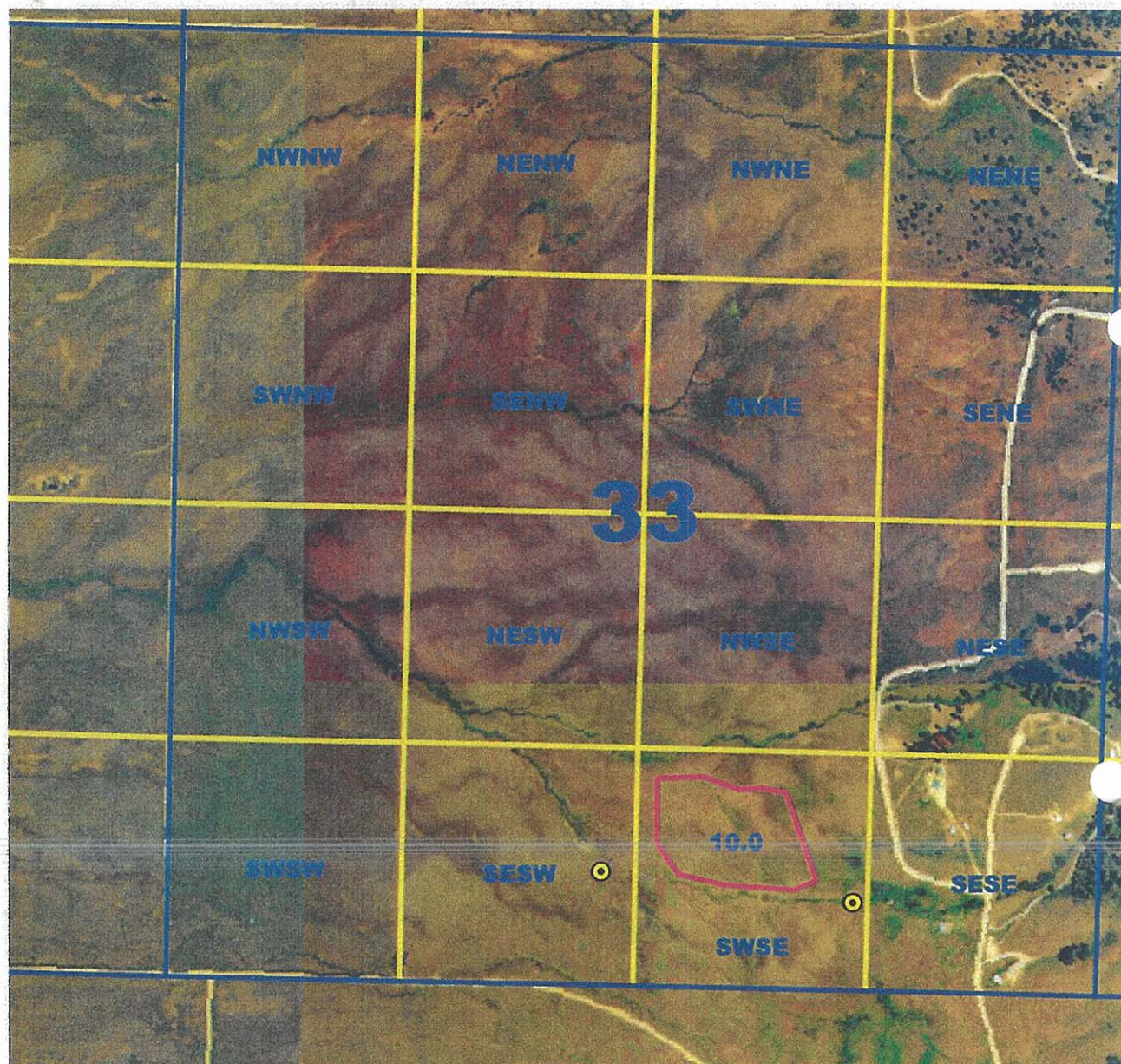
**CLAIM(S): 65-10513**

T12N, R04E, Sec. 33

Owner(s): Brumbaugh

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's

Prepared by: KAY WALKER  
Date: June 8, 1999



# IDAHO DEPT OF WATER RESOURCES



**CLAIM(S): 65-10514**

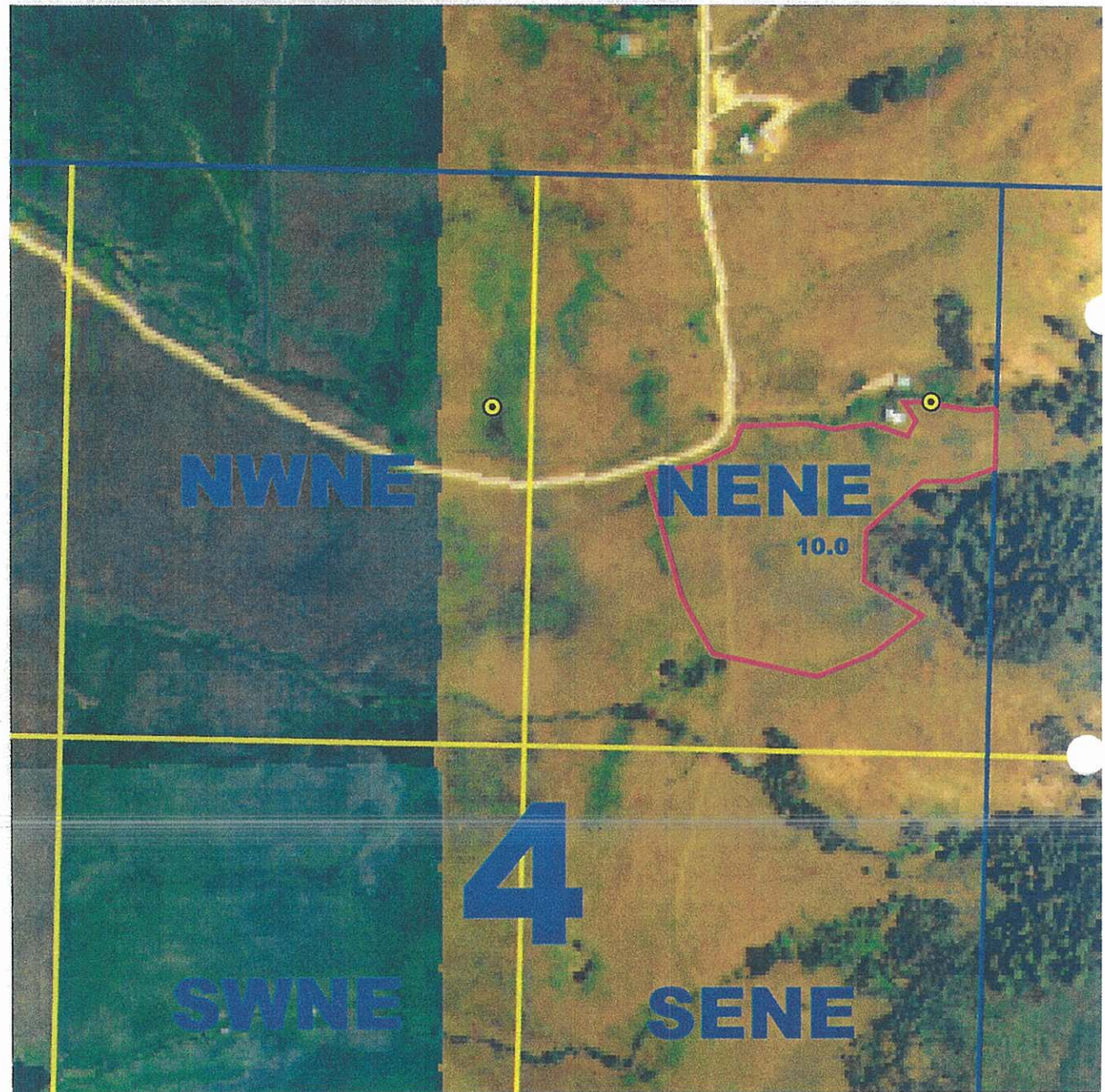
T11N, R04E, Sec. 4

Owner(s): Brumbaugh

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's

Prepared by: KAY WALKER

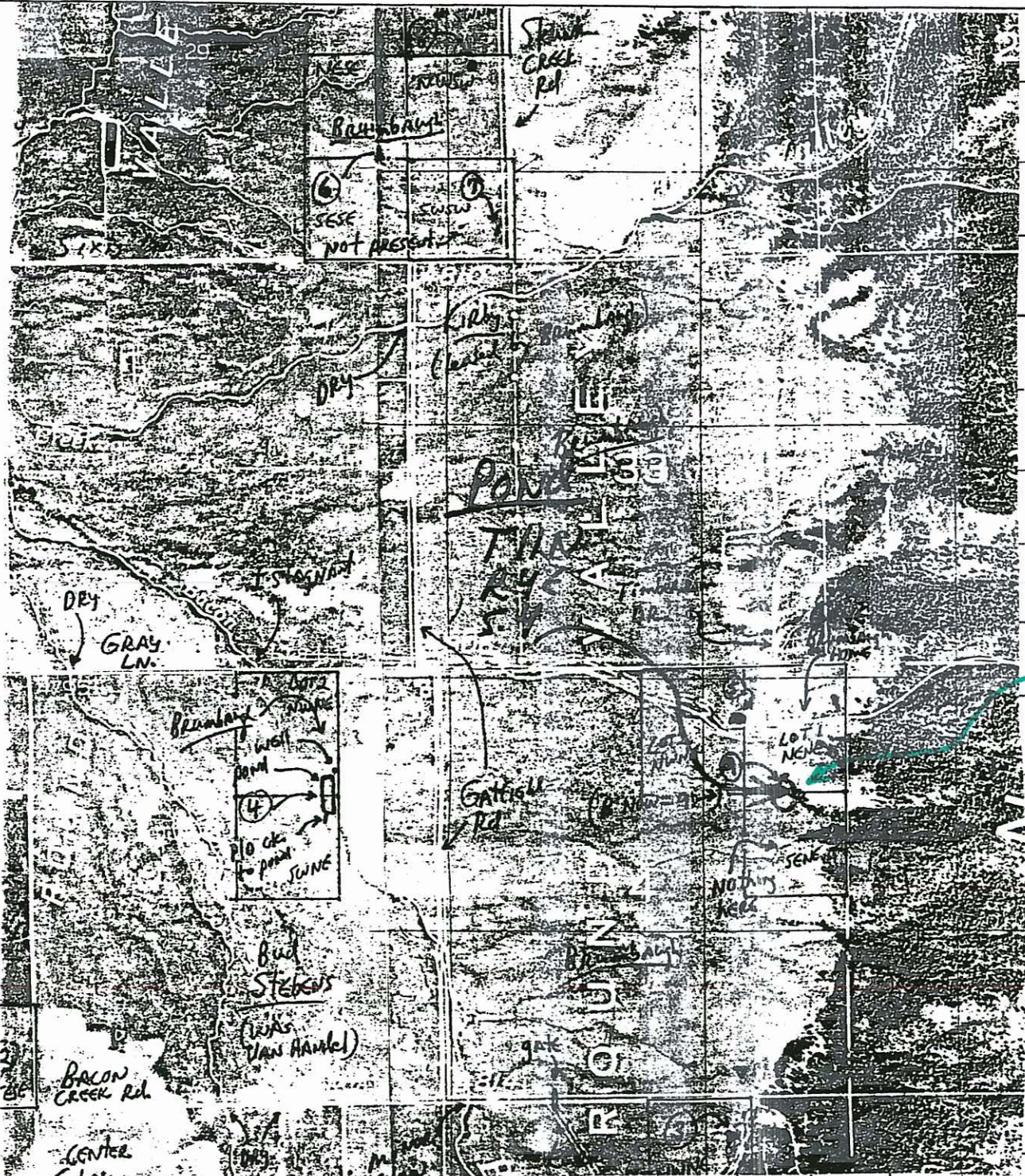
Date: June 8, 1999



0 0.25 Miles



13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

~~BE IT KNOWN~~ that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Copy from original  
JRBA claim

A65-10515

BRUMBAUGH

OCT 21 1998

# IDAHO DEPT OF WATER RESOURCES



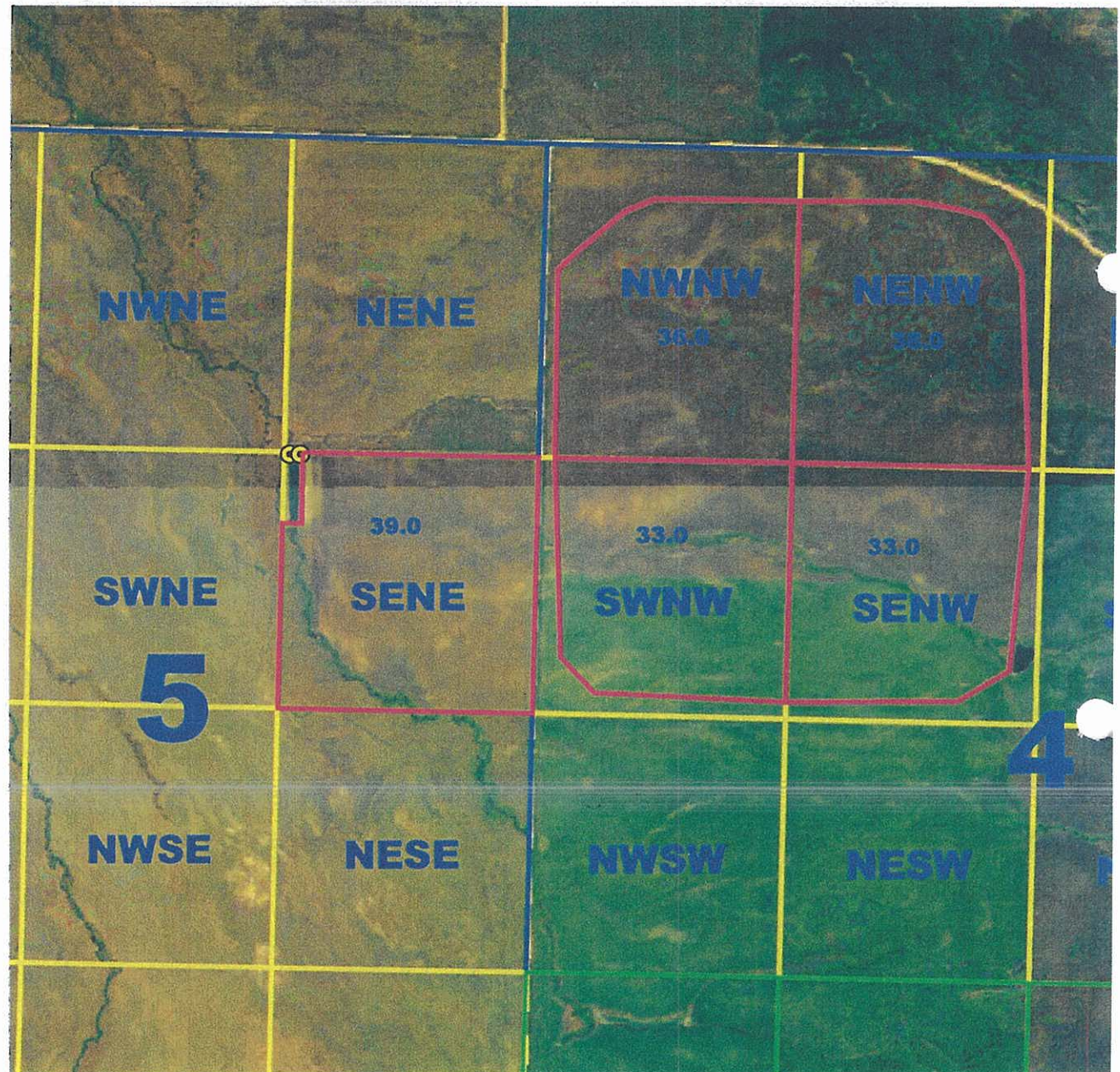
**CLAIM(S): 65-12132  
& 65-12378**

T11N, R04E, Sec. 4 & 5

Owner(s): Brumbaugh

-  Place of Use
-  Point(s) of Diversion
-  Section Lines
-  1/4 1/4's

Prepared by: KAY WALKER  
Date: June 7, 1999



0 0.25 0.5 0.75 Miles