

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

RECEIVED
 JAN 06 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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 Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
72-7071					
72-10223					
72-10224					
72-10367					
72-10372					

2. 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 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)

GERALD D HERRICK, KATHRYN S HERRICK
12992 N. TOWN RIDGE RD
BOISE, ID 83714

4. New Owner/Claimant(s)

HIGH MOUNTAIN RANCHES LIMITED PARTNERSHIP
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

12992 N. TOWN RIDGE RD

City, State and ZIP Code

BOISE, ID 83714

New Telephone Number

(208) 345-0235 Email: TEWALTHER@HOTMAIL.COM

5. Date you acquired the property

JUNE 17, 1997

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)

*Steve D. Walther**Partner*

(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 *[Signature]*
 Received by *[Signature]*
 Processed by AJ

Date 1/6/09
 Date 1/7/09
 Date

Receipt Amt. 425
 Receipt No. 5030604
 WR Date

COPY

ORIGINAL IN
H & H VAULT

AMENDED BARGAIN AND SALE DEED

0213673

THIS INDENTURE, made the 17th day of June, 1997, between GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife, "Grantors," and HIGH MOUNTAIN RANCHES LIMITED PARTNERSHIP, an Idaho limited partnership, "Grantee."

W I T N E S S E T H:

WHEREAS, Grantors transferred title to the property described herein to Grantee pursuant to a Bargain and Sale Deed dated March 3, 1997 and recorded in Custer County, Idaho under Instrument No. 0212975 on March 7, 1997, and

WHEREAS, the parties have determined that there is an error in the legal description, and

WHEREAS, the parties intend by this deed to correct the legal description for said property.

The Grantors for good and valuable consideration, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Grantee, and to its heirs and assigns, forever, all of that certain piece or parcels of land situate, lying and being located in the County of Custer, State of Idaho, particularly described as follows, to-wit:

See Exhibit A attached hereto.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest in the property, possession, claim and demand whatsoever, as well in law as in equity of the Grantors, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said Grantee and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.


GERALD D. HERRICK


KATHRYN S. HERRICK

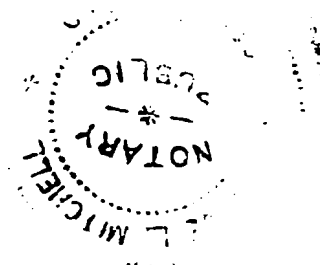
STATE OF IDAHO)
 : ss.
 County of Ada)

On this 17th day of June, 1997, before me, a notary public in and for said State, personally appeared GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife, known or identified to me to be the persons who executed the instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Joyce L. Mitchell
 Notary Public for Idaho
 Residing at: Basco, Idaho
 My Commission Expires: 11/01/2000

WP 71426



213673
Center County Reg. of
Holland and Hart

Time 10:05 A.M.

6-23 1997
Wanda J. Murphy
• 12th

TRACT I:

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

TOWNSHIP 12 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 36: Lots 5 and 6.

TRACT II:

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 11: Lots 6 and 7.

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 and 4.

EXHIBIT

A

TOWNSHIP 11-NORTH, RANGE 18 EAST, BOISE MERIDIAN

Section 1: Lots 5, 6, and 7.

Section 2: Lot 9.

Section 11: Lots 1, 4, 5, and 8.

EXCEPTING THEREFROM:

The following described parcels from said Lot 5 and Lot 8.

A tract of land in Lots 5 and 8, Section 11, Township 11 North, Range 18 East of the Boise Meridian, described as:

Commencing at the intersection of the Southerly boundary of said Section 11 and the Westerly right-of-way line of U.S. Highway No. 93; thence Northeasterly along said Right-of-way line 1,112.7 feet to the TRUE POINT OF BEGINNING; continuing thence Northeasterly along said Right-of-way line a distance of 392.5 feet; thence North $66^{\circ}19'$ West, 680.0 feet to a point on the Easterly bank of the Salmon River; thence South $9^{\circ}58'$ East along the Easterly bank of the Salmon River 457.9 feet; thence South $66^{\circ}19'$ East, 434.8 feet to the TRUE POINT OF BEGINNING.

AND ALSO EXCEPTING:

A fraction of Lot 5, Section 11, Township 11 North, Range 18 East of the Boise Meridian, described as:

Commencing at the intersection of the Southerly boundary of said Section 11, and the Westerly right-of-way line of U.S. Highway No. 93; thence Northeasterly along the Westerly Right-of-way line of U.S. Highway No. 93, a distance of 1505.2 feet to the POINT OF BEGINNING, which is also the Northeast corner of the land described in the Deed to George Bryan Forestier, et. ux., recorded as instrument No. 134996, records of Custer County, Idaho, continuing thence Northeasterly along said Right-of-way line 469.0 feet; thence North $66^{\circ}19'$ West, 1166.7 feet to a point on the Easterly bank of the Salmon River; thence meandering said bank in a Southerly direction 670.0 feet, more or less, to a point which lies North $66^{\circ}19'$ West, from the POINT OF BEGINNING, which point is also the Northwest corner of said Forestier land; thence South $66^{\circ}19'$ East 680.0 feet along the Northeasterly boundary line of said Forestier land to the POINT OF BEGINNING.

ALSO EXCEPTING:

A parcel of land being a portion of Government Lot 5 of Section 11, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at the Northeast corner of Government Lot 5 of Section 11, Township 11 North Range 18 East, Boise Meridian, thence South $0^{\circ}00'16''$ East along the East line of said Government Lot 5 a distance of 610.51 feet to a point in the Westerly right of way line of existing State Highway No. 75; thence South $25^{\circ}02'00''$ West along said existing Westerly right of way line 275.29 feet to Grantor's most Southerly property corner; said point also being the Northeast corner of the land described in the deed dated July 16, 1979, Pamela C. Moorhead, grantor to Stephen C. Moorhead, recorded August 10, 1979, as instrument No. 150767, records of Custer County, Idaho, thence North $66^{\circ}11'25''$ West along said Northerly property line 627.35 feet; thence North $28^{\circ}16'49''$ East, 688.58 feet to a point in the North line of said Government Lot 5; thence North $89^{\circ}57'10''$ East along said North line 364.16 feet to the PLACE OF BEGINNING.

ALSO EXCEPTING:

A fraction of Lot 8 in Section 11, Township 11 North, Range 18 East of the Boise Meridian more particularly described as follows, to-wit:

Beginning at the meander corner of the Easterly bank of the Salmon River on the line between Section 11 and 14, run thence East along the South boundary of Section 11 a distance of 215.3 feet, more or less, to a point on the Westerly right-of-way line of U.S. Highway No. 93, thence North $25^{\circ}02'$ East, along the Westerly right-of-way line of U.S. Highway No. 93 a distance of 1,112.7 feet; thence North $66^{\circ}19'$ West 434.8 feet to a point on the Easterly bank of the Salmon River; thence meandering the Easterly bank of the Salmon River in a Southwesterly direction as follows: South $12^{\circ}49'$ West 365.4 feet; thence South $12^{\circ}31'$ West 443.6 feet; thence South $17^{\circ}33'$ West 409.3 feet to the POINT OF BEGINNING.