

JUL 27 2001

Department of Water Resources

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

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

- 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 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
65-10512	39576	_____	_____	_____	_____
65-10516	39576	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- The appropriate **FILING FEE**. See instructions for fee amounts.
- 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**.
- 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) Gene Brumbaugh and Robert F. Brumbaugh
Route 2, Caldwell, ID 83605
- New Owner/Claimant(s) Larry D. Fitzgerald and Elizabeth J. Fitzgerald
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address Box 22359
City, State and ZIP Code Nashville, TN 37202
New Telephone Number (615) 322-9493
- Date you acquired the property August 31, 1998

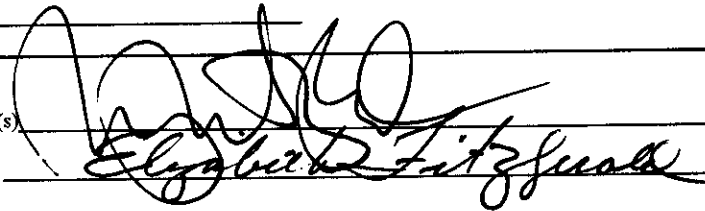
SUPPORT DATA
IN FILE # 65-10512

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)


 Elizabeth Fitzgibbon

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.

For Office Use Only		
Received by <u>J. Mason</u>	Date <u>7/27/01</u>	Fee <u>\$ 50.00</u>
Received by <u>J. Mason</u>	Date <u>7/27/01</u>	Receipt No. <u>0055159</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

Rerecorded to correct legal description

WARRANTY DEED

For Value Received, GENE BRUMBAUGH and ROBERTA F. BRUMBAUGH, HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto LARRY D. FITZGERALD and ELIZABETH J. FITZGERALD, HUSBAND AND WIFE

whose address is:

the grantee , the following described premises, to-wit:

THE WEST HALF (W1/2) OF THE SOUTHEAST QUARTER (SE1/4), AND ALL OF THE SOUTHWEST QUARTER (SW1/4), ALL IN SECTION 4, TOWNSHIP 11 NORTH, RANGE 4 EAST, B.M., VALLEY COUNTY, IDAHO

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 1998 taxes and assessments and subject to matters of record and easements visable upon the ground and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-31-98

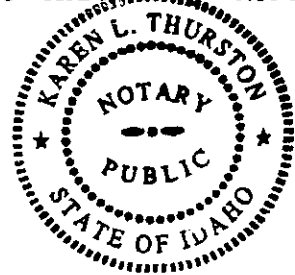
Gene Brumbaugh
GENE BRUMBAUGH

Roberta F. Brumbaugh
ROBERTA F. BRUMBAUGH

State of Idaho)
County of Valley)ss

On the 31 day of Aug , 1998 before me, Karen L. Thurston a notary public in and for said State, personally appeared GENE BRUMBAUGH and ROBERTA F. BRUMBAUGH known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen L. Thurston
Notary Public
Residing at: Chaseville
Commission Expires: 7-10-03



Commission expires July 10.



Harley D. Hinshaw

VALLEY COUNTY ASSESSOR

• P.O. Box 758 • CASCADE, IDAHO 83611 •

• ED-VALOREM (208) 382-4295 • DEPT. OF MOTOR VEHICLE (208) 382-4247 •



MEMBER
INTERNATIONAL
ASSOCIATION
OF ASSESSING
OFFICERS

October 1, 1998

Gene and Roberta F. Brumbaugh
5544 S.E. 9th Ave.
Caldwell, Idaho 83605

RE: Warranty Deed
Instrument No. 235167

*Re-recorded
235788*

Dear Mr. and Mrs. Brumbaugh:

This office is in receipt of a copy of the above referenced document whereby you are transferring your interest to Larry D. and Elizabeth J. Fitzgerald on W1/2SE and SW of Twp. 11N Range 03E Section 04, Valley County, Idaho. I have enclosed copies for you.

Please be aware that we cannot transfer the ownership as requested due to an incorrect legal description. Our records indicate that you do not own property in Twp. 11N Range 03E Section 04. However in our research, we do show you owning property in Twp. 11N Range 04E Section 04.

Therefore the ownership will remain in your name until a corrected document is recorded. We might suggest that you notify Mountain Title and Escrow Co. of this error as they can help you in correcting this error.

If we can be of any further help, please don't hesitate to contact this office.

Sincerely,

Sue Probst-

Sue Probst
Valley County Cartographer

enclosure

cc: Larry D. and Elizabeth J. Fitzgerald
Mountain Title and Escrow

WARRANTY DEED

For Value Received, GENE BRUMBAUGH and ROBERTA F. BRUMBAUGH,
HUSBAND AND WIFE

the Grantors, do hereby grant, bargain, sell and convey unto
LARRY D. FITZGERALD and ELIZABETH J. FITZGERALD, HUSBAND AND WIFE

whose address is: 30+ 22359 Nashville, TN 37202

the grantee, the following described premises, to-wit:

THE WEST HALF (W1/2) OF THE SOUTHEAST QUARTER (SE1/4), AND
ALL OF THE SOUTHWEST QUARTER (SW1/4), ALL IN SECTION 4, TOWNSHIP 11
NORTH, RANGE 3 EAST, B.M., VALLEY COUNTY, IDAHO

TO HAVE AND TO HOLD the premises with their appurtenances unto the
said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 1998 taxes and
assessments and subject to matters of record and easements visible
upon the ground and that they will warrant and defend the same from
all lawful claims whatsoever.

Dated: 8-31-98

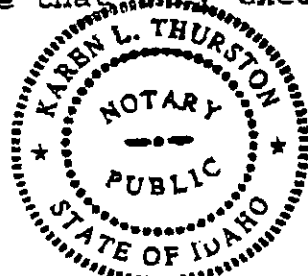
Gene Brumbaugh
GENE BRUMBAUGH

Roberta F. Brumbaugh
ROBERTA F. BRUMBAUGH

State of Idaho)
County of Valley) ss

On the 31 day of Aug, 1998 before me, Karen L. Thurston
~~Karen L. Thurston~~ a notary public in and for said State,
personally appeared GENE BRUMBAUGH and ROBERTA F. BRUMBAUGH
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Karen L. Thurston
Notary Public
Residing at: Chase
Commission Expires: 7-10-03



Commission expires July 10.

235167

TYPE: Deeds

LIB. ...

VALLEY COUNTY RECORDER

BY: [Signature]

FEE: 3.00

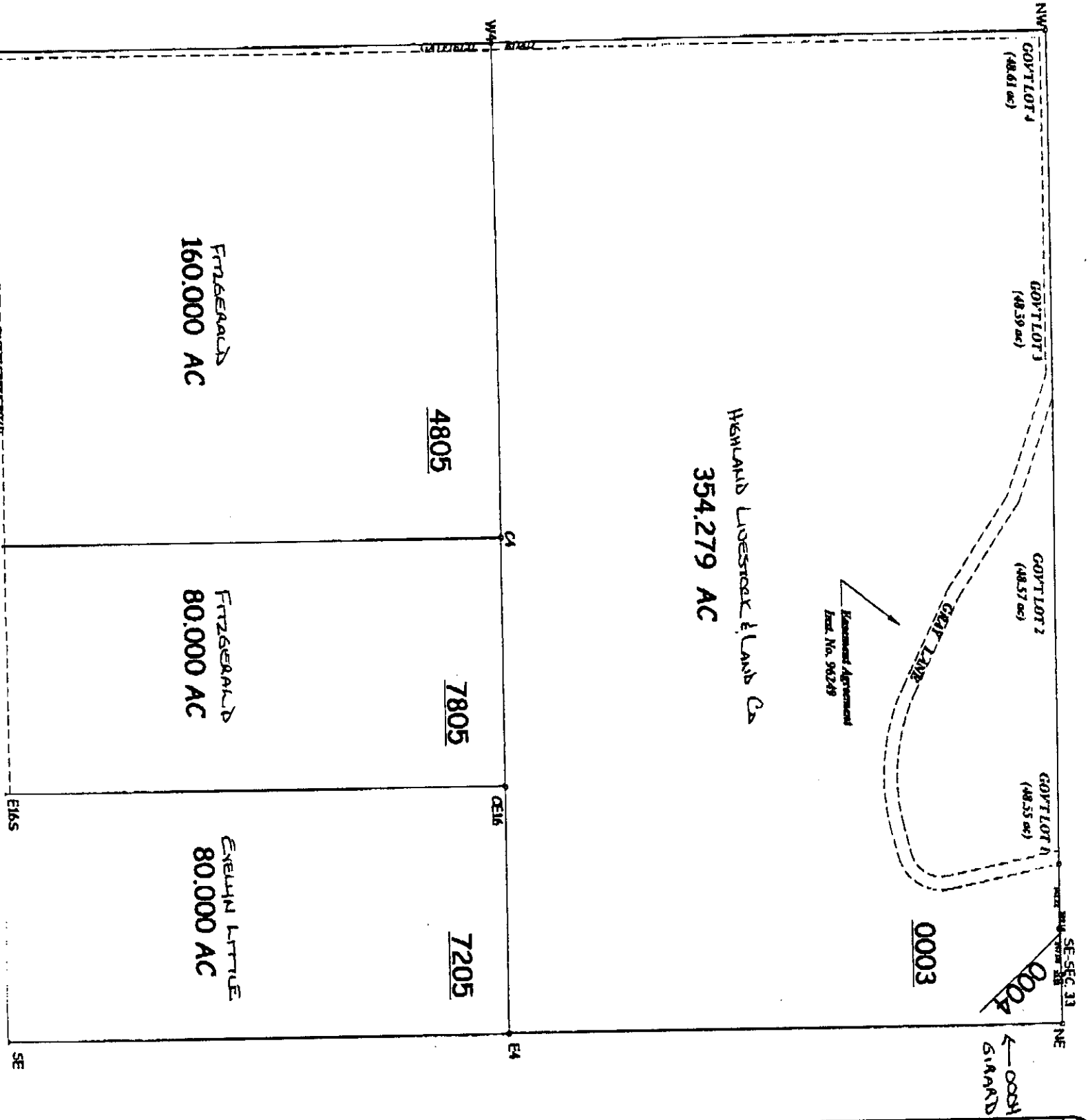
38 SEP 14 PM 12 51

MOUNTAIN TITLE & RECORDS

REQUESTED BY _____

RECORDED

... as to its effect, sufficiency, completeness or any other matters that might be referred to or implied therein.



T W P . 1 1 N R O 4 E S E C . 0 4

PLAT TITLE

VALLEY COUNTY
 Assessor's Office
 Cartography Dept.
 Cascade, ID 83611

Scale: 1" = 400 ft.
 Date: 3-12-01
 Drawn by: S Probst

RP11N04E044805A
FITZGERALD, LARRY D.
BOX 22359
NASHVILLE, TN 37202

Taxes: 86.64

Deed Info: 19981013 235788 165323 163212

Legal Description
SW/4
S4 T11N R4E

Other Names
FITZGERALD, LARRY D.
FITZGERALD, ELIZABETH J.

Description	Cat	Value	Quantity	Unit
Dry Grazing Land.	5	11773	156.9	AC
Waste. Public Rights	19	0	3.0	AC
total		11773		

RP11N04E047805A 290 GRAY LN
FITZGERALD, LARRY D.
BOX 22359
NASHVILLE, TN 37202

Taxes: 51.50

Deed Info: 19981013 235788 206805 206000 165323 163212

Legal Description
W/2 SE4
S4 T11N R4E

Other Names
FITZGERALD, LARRY D.
FITZGERALD, ELIZABETH J.

Description	Cat	Value	Quantity	Unit
Meadow Land	4	1748	9.2	AC
Dry Grazing Land.	5	5250	70.0	AC
Waste. Public Rights	19	0	.7	AC
total		6998		

RP11N04E047205A
LITTLE, EVELYN J.
6420 LITTLE LN.
NEW PLYMOUTH, ID 83655

Taxes: 56.64

Deed Info: 19911211 184677

Legal Description
E/2 SE/4 S4 T11N R4E

Other Names
LITTLE, EVELYN J.

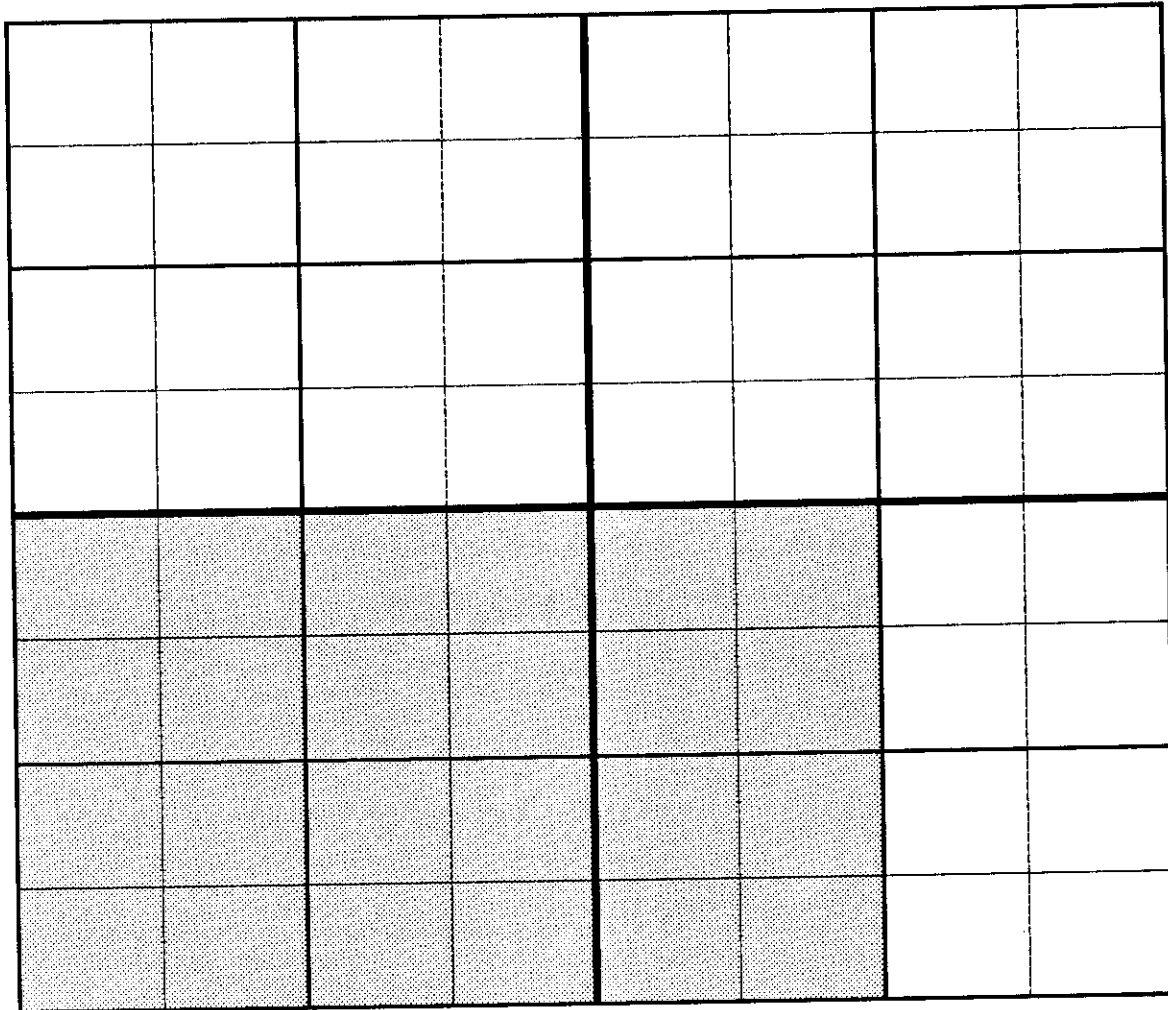
Description	Cat	Value	Quantity	Unit
Dry Grazing Land.	5	6000	80.0	AC
total		6000		

**FITZGERALD OWNERSHIP
T11N, R4E, SECTION 4
(Water Right Nos. 65-10512 and 65-10516
Adjudication Claim No. 39576)**

N

W

E



S



Deed from Gene & Roberta Brumbaugh to Larry and Elizabeth Fitzgerald, 8/31/98