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NOV 02 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/NORTHERN

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
95-14943	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:

Ken Burch

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Heather Burch

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or

P.O. Box 225

Mailing address

St. Albans

City

ID

State

83661

ZIP

505-389-0387

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: Oct 6 2017

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):
☐ \$25 per undivided water right.
☐ \$100 per split water right.
☐ 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:

Heather Burch

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by N/A Date N/A Receipt No. N/A Receipt Amt. N/A

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 Date 11-2-2020

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-14943

Date Received: 3-4-11

Receipt No: 2026743

Received By: W

RECEIVED

MAR 14 2011

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/NORTHERN

1. Name of Claimant(s) Kenneth Burch Phone 509-994-1723

Mailing Address PO Box 18 St. Maries ID Zip 83861
Street or Box City State

2. Date of Priority: (Only one per claim) MAY 15 1945
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township _____, Range _____, Section _____,
_____ 1/4 of _____ 1/4, or Govt. Lot _____ BM. County of _____

Parcel (PIN) no. RP 45 N04W 120506A

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

well & pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from JAN 1 to Dec 1 amount .04 cfs (X) or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (X) or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 Home

SCANNED
MAR 14 2011

FILED
BENEWAH COUNTY

2017 OCT -6 PM 1:31

BY: MB DEPUTY

MORRIS & WOLFF, P.A.
Nancy A. Wolff (ISB #2930)
Mariah R. Dunham (ISB #7287)
722 Main Avenue
St. Maries, Idaho 83861
Telephone: (208) 245-2523
Facsimile: (208) 245-4392
Electronic Service: morriswolff@morriswolff.net

Attorneys for Personal Representative, Heather Burch

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BENEWAH

In the Matter of the Estate of	)	Case No. CV 2015-291
	)	
KENNETH LESLIE BURCH	)	ESTATE CLOSING ORDER
	)	
Deceased.	)	(I.C. 15-3-1001)
	)	
	)	
	)	
	)	

Upon consideration of the Petition for Order Approving Final Settlement and Distribution filed by Heather Burch, the personal representative of the estate of the above-named decedent, the Court determines and finds that:

1. The time for presenting claims which arose prior to the death of the decedent has expired, and notice to creditors was published as required by law. The claim filed by Potlatch Number One Federal Credit Union was paid in full.

2. Petitioner has fully administered the estate of the decedent by collecting and managing the assets of the estate, preparing an inventory of property owned by the decedent at the date of death of the decedent, making payment, settlement, or other disposition of all lawful claims

against the estate, and performing all other acts required of the petitioner by the laws of the State of Idaho pertaining to estates of decedents.

3. Any accounting required under I.C. 15-3-1001 or 15-3-1002 has been waived by all of the distributees, as evidenced by the written consents previously filed.

4. The decedent died intestate. The Court has previously informally appointed petitioner as personal representative of the estate of the decedent. Petitioner affirmed the statements set forth in the petitioner's application for informal appointment heretofore filed. Petitioner seeks a determination that the heirs of the estate are the decedent's adult children Heather Burch and Devon Scott.

5. The estate is not required to file a federal estate tax return; that no Idaho estate tax is due and owing under the Estate and Transfer Tax Reform Act of 1988, I.C. 14-401 et seq.; and that the estate is not subject to the restrictions of I.C. 14-411(1).

6. Petitioner has filed with the Petition a Schedule of Distribution setting forth prior distributions made and final distribution to be made. After making final settlement and distribution according to the Schedule of Distribution, petitioner should be discharged as personal representative and the administration of this estate should be closed.

7. All of the allegations and statements in the petition are true.

8. All required notices have been given or waived.

9. The estate has been administered according to the laws of this State and the orders of this Court and should be closed.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED THAT:

1. The decedent died intestate. The heirs of the decedent are Heather Burch and Devon Scott.

2. The Waiver of Final Accounting, Waiver of Hearing and Consent to Closing Estate executed by Heather Burch is approved.
3. The Waiver of Final Accounting, Waiver of Hearing and Consent to Closing Estate executed by Devon Scott is approved.
4. The final accounting is waived.
5. Petitioner is hereby authorized and directed to deliver and distribute title and possession of the assets of the estate to the distributees in the amount and the manner set forth in the annexed Schedule of Distribution, and all prior distributions shown in the Schedule of Distribution are hereby approved.
6. Upon making such delivery and distribution, petitioner shall be fully and finally released and discharged from petitioner's office and trust as personal representative, shall be released and discharged from petitioner's bond, if any, and from any and all liability arising in connection with the performance of petitioner's duties as personal representative and from further claim or demand of any interested person, and the administration of this estate shall be closed.

DATED this 6 day of October, 2017.


HONORABLE DOUGLAS P. PAYNE

SCHEDULE OF DISTRIBUTION:

The following schedule of distribution has been agreed upon and approved by HEATHER BURCH, acting in her capacity as Personal Representative of the ESTATE OF KENNETH LESLIE BURCH and by HEATHER BURCH and DEVON SCOTT, who are heirs, devisees and legatees of the Estate of Kenneth Leslie Burch.

Real Property:

a. To HEATHER BURCH and DEVON SCOTT as tenants in common:

The real property located in Benewah County, Idaho, commonly known as 116 Lost Trail Road, St. Maries, Idaho 83861 and more particularly described in "Exhibit A Parcel 2" attached hereto, subject to a Deed of Trust benefiting Washington Mutual Bank in the approximate amount of \$58,000, and also subject to a reservation of easement retained by the owner, and all heirs and assigns of owner, for the share use and maintenance of the existing domestic well, waterline, piping and related waterworks, and sewer system and related sewer line and works, located on said real property to serve and Benewah an adjacent parcel of real property owned by Owner situate in Benewah County, State of Idaho described in "Exhibit A Parcel 1" attached hereto.

Provide however, HEATHER BURCH shall pay the Washington Mutual Bank Deed of Trust, and shall lien or claim for reimbursement against the real property for said payment, in the amount of \$60,000, to be paid if the parties ever decide to sell or otherwise dispose of the property.

b. To HEATHER BURCH as her sole and separate property:

Real property located in Benewah County, Idaho, commonly known as 810 Whitetail Draw Road, St. Maries, Idaho 83861 and more particularly described in "Exhibit A Parcel 1" attached hereto, together with a reservation of easement retained by the Owner, for the shared use of the existing well and sewer system located on an adjacent parcel of real property owned by Owner, situate in Benewah County, State of Idaho, described in "Exhibit A Parcel 2" attached hereto.

Vehicles:

a. To DEVON SCOTT as his sole and separate property:

2004 Dodge Ram Pickup 2500, VIN: 3D7KU28C14G145689
2012 Yamaha 4-wheeler, VIN: 5Y4AM41Y9DA101470
2001 green Yamaha ATV, VIN: JY4AJ03Y31A004069

b. To HEATHER BURCH as her sole and separate property:

2012 Yamaha 4-wheeler, VIN: 5Y4AM41Y5DA101269

Miscellaneous:

- a. To **HEATHER BURCH and DEVON SCOTT jointly or to divide amount themselves as they may agree:** Firearms, ammunition and related items.
- b. To **HEATHER BURCH and DEVON SCOTT jointly or to divide amount themselves as they may agree:** Miscellaneous personal belongings and household furnishings belonging.
- c. To **DEVON SCOTT as his sole and separate property:** Snowplow blade.

Certain personal property and household possessions have been distributed to HEATHER BURCH and DEVON SCOTT in accordance with their wishes, and to other family members requesting certain items. The parties agree to the division and distribution of personal property and household possessions in their custody and waive any claims thereto.

Any now unknown or hereafter discovered or acquired assets and any income net of reasonable administration expenses received, subsequent to the date hereof, shall be distributed to HEATHER BURCH and DEVON SCOTT, jointly or to divide amount themselves as they may agree.

The foregoing distribution is subject to any remaining reasonable administration expenses of the estate incurred prior to closing and/or final distribution.


HEATHER BURCH,
Personal Representative of the Estate of
Kenneth Leslie Burch


DEVON SCOTT,
Heir, Devisee and Legatee of the Estate of
Kenneth Leslie Burch


HEATHER BURCH,
Heir, Devisee and Legatee of the Estate of
Kenneth Leslie Burch

Exhibit "A"

Real property in the County of Benewah, State of Idaho, described as follows:

Parcel 1

All of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 12, Township 45 North, Range 4 West, Boise Meridian, Benewah County, Idaho lying Southwesterly of said County Road except the following parcels:

EXCEPTING THEREFROM that parcel described in the Warranty Deed by and between J.T. Brandon and Betty Brandon, husband and wife and Jeremy Bedwell and Lorraine Bedwell, husband and wife, recorded May 31, 1996 as Instrument No. 204541, records of Benewah County, Idaho which is described as: That portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 12, Township 45 North, Range 4 West, Boise Meridian, Benewah County, Idaho, more particularly described as follows: Starting at the Northwest Corner of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) thence South 930 feet thence East 1029 feet to the County Road then Northwest along said County Road to the Point of Beginning.

ALSO EXCEPTING THEREFROM that parcel described in the Warranty Deed by and between J.T. Brandon and Betty Brandon, husband and wife and John S. Peregrina and Virginia Peregrina, husband and wife, recorded September 13, 1996 as Instrument No. 205561, records of Benewah County, Idaho which is described as: A part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 45 North, Range 4 West of the Boise Meridian, Benewah County, Idaho more particularly described as: Beginning at the southwest corner of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 12;

thence East to the easterly boundary of said Section 12;

thence North a distance of 129 feet;

thence West a distance of 312 feet;

thence North a distance of 263 feet to the southerly boundary of that parcel described in Warranty Deed, by and between J.T. Brandon, et ux, and Jeremy Bedwell, et ux, recorded May 31, 1996 as Instrument No. 204541, records of Benewah County, Idaho;

thence West a distance of 1,008 feet to the westerly boundary of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 12;

thence S 00°01'30" W, a distance of 391.96 feet to the Point of Beginning.

Parcel 2

The land referred to in this commitment is situated in the County of Benewah, State of Idaho and is described as follows:

A part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 45 North, Range 4 West, Boise Meridian, more particularly described as follows:

Beginning at the Southwest corner of said Northeast Quarter of the Northeast Quarter of Section 12;

thence east to the easterly boundary of said Section 12;

thence North a distance of 129 feet;

thence West a distance of 312 feet;

thence North a distance of 263 feet to the southerly boundary that parcel described in Warranty Deed, by and between J.T. Brandon, et ux, and Jeremy Bedwell, et ux, recorded May 31, 1996 as Instrument No. 204541, records of Benewah County, Idaho;

thence West a distance of 1,008 feet to the westerly boundary of the Northeast Quarter of the Northeast Quarter of said Section 12;

thence S 00°01'30" W, a distance of 391.96 feet to the Point of Beginning.

CERTIFICATE OF SERVICE

I hereby certify that on the 6 day of October, 2017, I caused a true and correct copy of the foregoing document to be served by the method indicated below, and addressed to each of the following:

Mariah R. Dunham
Morris and Wolff, P.A.
722 Main Avenue
St. Maries, Idaho 83861

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Courthouse Mail
☐ Electronic Mail:
morriswolff@morriswolff.net

Heather Burch
P.O. Box 225
St. Maries, Idaho 83861

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail

Devon Scott
c/o Heather Burch
P.O. Box 225
St. Maries, Idaho 83861

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail

CLERK OF THE COURT

By: JS/ [Signature]
Deputy Clerk

