

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 24 2021
Department of Water Resources
Eastern Region

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. **DE/**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 34-14232 ok	Yes ☒	Yes ☐	34-14232/34-14039	Yes ☐	Yes ☐
✓ 34-14234 ok	Yes ☒	Yes ☐	34-14234/34-14042	Yes ☐	Yes ☐
✓ 34-14236 ok	Yes ☒	Yes ☐	34-14236/34-14045	Yes ☐	Yes ☐
✓ 34-14238 ok	Yes ☒	Yes ☐	34-14238/34-14048	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Wilburn, Darrell
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Burns Family Trust Trustee is Thomas Burns
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 1885 Greengate St. Guba City CA 95991
Mailing address City State ZIP
- 530 682 9463 tburnsplsttering@gmail.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: Nov. 30 2020

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):
- 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: Thomas F Burns Trustee for Burns 5-21-2021
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 5/24/2021 Receipt No. E046986 Receipt Amt. \$ 400. -

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 JC Processed by JC Date 7/23/2021

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 259364
CHALLIS, CUSTER, IDAHO
12-01-2020 09:15:55 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: KW

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **938643-B (tr)**

Date: **November 30, 2020**

For Value Received, **Darrell G. Wilburn and Karen L. Wilburn, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Thomas F Burns and Mary E Burns, husband and wife**, hereinafter called the Grantee, whose current address is **1885 Greengate St, Yuba City, CA 95991**, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL 1:

LOT 7, LONESOME DOVE SUBDIVISION, CUSTER COUNTY, IDAHO, AS SHOWN ON THE PLAT RECORDED NOVEMBER 13, 2006, AS INSTRUMENT NO. 235303.

PARCEL 2:

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PROPERTY;

A PORTION OF A QUIT CLAIM DEED, CUSTER COUNTY, IDAHO, INSTRUMENT #259291, FILED NOVEMBER 13, 2020 AND INSTRUMENT #255442, RECORDED OCTOBER 4, 2018

PART OF W $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF SECTION 12 TOWNSHIP 6 NORTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 12 FROM WHICH THE WEST $\frac{1}{4}$ CORNER OF SAID SECTION BEARING N.00°04'09" E. 2673.18 FEET, THE BASIS OF BEARING FOR DESCRIPTION;

THENCE N00°04'09"E 543.13 FEET ALONG SAID SECTION LINE TO A POINT MARKED BY A 2" ALUMINUM CAP STAMPED PLS 4735, THE SOUTHEAST CORNER OF LOT 7, LONESOME DOVE SUBDIVISION, CUSTER COUNTY INSTRUMENT 235303 FILED NOVEMBER 3, 2006, SAID POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SECTION N00°04'09"E 264.02 FEET TO THE SOUTHEAST CORNER OF LOT 6 ALSO BEING THE NORTHEAST CORNER OF LOT 7 OF SAID SUBDIVISION,

THENCE S89°55'51"E 46.99 FEET TO THE CENTERLINE OF A COUNTY ROAD COMMONLY KNOWN AS 3700 W;

THENCE S.01°16'44"E 264.09 FEET ALONG SAID CENTERLINE;

THENCE N.89°55'51"W 53.20 FEET TO SAID SOUTHEAST CORNER OF LOT 7 AND THE POINT OF BEGINNING

Date: 11/17/2020

Warranty Deed
- continued

File No.: 938643-B (tr)

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

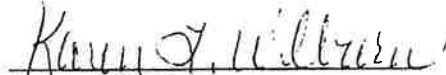
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 11/17/2020

Warranty Deed
- continued

File No.: 938643-8 (tr)


Darrell G. Wilburn


Karen L. Wilburn

STATE OF Idaho Oregon)
COUNTY OF Multnomah) ss.

On this 25 day of November, 2020, before me, a Notary Public in and for said State, personally appeared **Darrell G. Wilburn and Karen L. Wilburn**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.




Notary Public for the State of Idaho Oregon
Residing at: Grassham OR ID (city/state)
My Commission Expires: 12/5/2021

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Hyatt McIntire & Associates

PAULLA HYATT-MCINTIRE
950 Tharp Road, Suite 701
Yuba City, CA 95993

MAIL TAX STATEMENTS TO:

Thomas and Mary Burns, Trustees
1885 Greengate St.
Yuba City, CA 95991

260251

Custer County Req. of

Hyatt McIntire & Associates

Time *12:11 P M* Date *April 8, 2021*

Lura H. Baker, Clerk

Spencer Walker \$15.00
Deputy

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Quitclaim Deed

The undersigned Grantors declare:

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

THOMAS F. BURNS and MARY E. BURNS, husband and wife, hereby remise, release and forever quitclaim to

THOMAS F. BURNS and MARY E. BURNS, Trustees of the Burns Family Trust, under Declaration of Trust executed March 10, 2021,

whose address is 1885 Greengate Street, Yuba City, CA 95991

the following described real property in the County of Custer, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR LEGAL DESCRIPTION

Dated: March 10, 2021

Thomas F Burns
THOMAS F. BURNS

Mary E Burns
MARY E. BURNS

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sutter

On March 10, 2021, before me, RACHEL A. TODD, a Notary Public, personally appeared THOMAS F. BURNS and MARY E. BURNS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s), is/are subscribed to the within instrument and acknowledged that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Rachel A Todd



See attached certificate

260251

ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature Rachel A. Todd (Seal)



260251

EXHIBIT "A"

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THE POINT OF BEGINNING**

Contact Information:

Thomas Burns

1885 Greengate Street

Yuba City, CA 95991

530-682-9463 mobile

Idaho Property

Burns Family Trust-Thomas Burns-Trustee

4013 N 3700 W

Mackay, ID 83251



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 23, 2021

BURNS FAMILY TRUST
1885 GREENGATE ST
YUBA CITY CA 95991-1288

Re: Change in Water Right Ownership: 34-14232 (Split into 34-14232 and 34-14839), 34-14234 (Split into 34-14234 and 34-14842), 34-14236 (Split into 34-14236 and 34-14845), 34-14238 (Split into 34-14238 and 34-14848),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: KAREN WILBURN
DARRELL WILBURN
WATER DISTRICT 34
BIG LOST RIVER IRRIGATION DISTRICT