

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

RECEIVED

AUG 20 2019

WATER RESOURCES  
WESTERN REGION

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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 01-12138              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Pamela J. and Peter J. Fitzsimmons  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Joel D. and/or Annie J. Burnett  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- Mailing address: 413 NW Sandpiper Ave City: Mtn. Home State: Id ZIP: 83405
- Telephone: 406-925-0852 Email: JCBURNETT1@MSN.COM

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: August 16, 2019
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: Joel D. Burnett Title, if applicable: \_\_\_\_\_ Date: 8-18-2019  
Signature of new owner/claimant
- Signature: Annie J. Burnett Title, if applicable: \_\_\_\_\_ Date: 8/18/2019  
Signature of new owner/claimant

### For IDWR Office Use Only:

Received by: KT Date: 8/20/19 Receipt No.: W047681 Receipt Amt: \$ 25.00

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: KT Processed by: KT Date: 9/4/19

## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:448394

### FOR VALUE RECEIVED

**Peter G. Fitzsimmons and Pamela J. Fitzsimmons, husband and wife as community property with right of survivorship**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Joel D. Burnett and Connie J. Burnett, husband and wife**

whose current address is

**443 NW Sandpiper Ave.  
Mountain Home, ID 83647**

the grantee(s), the following described premises, in Elmore County, Idaho, TO WIT:

**See attached Exhibit 'A'**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 14, 2019



Peter G. Fitzsimmons

*Pamela J. Fitzsimmons by Peter G. Fitzsimmons, her attorney in fact*  
Pamela Fitzsimmons by Peter G. Fitzsimmons, her attorney in fact

State of Idaho  
County of Boone

On 8/10/19, before me, the undersigned a Notary Public, in and for said State, personally appeared Peter G. Fitzsimmons, known or identified to me to be the person whose name is subscribed to the within instrument as the Attorney in Fact of Pamela J. Fitzsimmons, and acknowledged to me that he/she subscribed the name of Pamela J. Fitzsimmons hereto as principal, and his/her own name as Attorney-in-Fact.

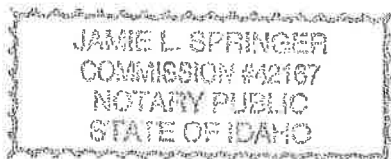


Jamie Springer  
Notary Public  
Residing at:  
Commission Expires:

Residing In: Mountain Home, Idaho  
My commission expires: 05/19/2022

State of Idaho  
County of Boone

On 8/10/19, before me, the undersigned a Notary Public, in and for said State, personally appeared Peter G. Fitzsimmons, personally 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.



Jamie Springer  
Notary Public  
Residing at:  
Commission Expires:

Residing In: Mountain Home, Idaho  
My commission expires: 05/19/2022

File No. 448394

**Exhibit 'A'**

**Parcel I**

Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho

Section 1: West Half of the South Half of the North Half of the Southeast Quarter of the Southeast Quarter

**Parcel II**

Easement for the benefit of Parcel I as created by Warranty Deed recorded September 20, 2007 as Instrument No. 391292 for a perpetual and assignable 30 foot ingress/egress and utility easement running over, under and across the land described as follows: the northerly 30 feet of the East half of the South Half of the North Half of the Southeast Quarter of the Southeast Quarter of Section 1, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho. Subject to the terms, provisions and conditions set forth in said instrument.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

September 04, 2019

JOEL D BURNETT  
CONNIE J BURNETT  
443 NW SANDPIPER AVE  
MOUNTAIN HOME ID 83647-2450

**Re: Change in Ownership for Water Right No(s): 61-12138**

Dear Water Right Holder(s):

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

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) 334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft  
Office Specialist 2

Enclosure(s)