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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

1. DEPT OF WATER RESOURCES

- 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?
65-18578	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-3211C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
~~65-3211C~~	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Oliver Wayne Burgess
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dustin Matthew Fee
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 13698 Highway 55 McCall ID 83638
Mailing address City State ZIP
- 208-315-1372 dustinfee@hotmail.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: 7-22-2016
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: Dustin Matthew Fee 7-
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 AK Date 8/6/2018 Receipt No. W096625 Receipt Amt. \$50.00

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 _____ Processed by gpk Date 8-21-18

QUITCLAIM DEED

FOR VALUE RECEIVED,

JOSIE DIANE BURGESS

do(es) hereby convey, release, remise and forever quitclaim unto

DUSTIN MATTHEW FEE

whose current address is: 13698 HWY 55

the following described premises: ~~TRACT 12 1/4 NW 1/4 S33 T18N R3E~~

~~JOHNSON~~

SEE EXHIBIT A PARCEL 1 AND PARCEL 2

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs
and assigns forever.

Dated:

07/22/16

Josie Diane Burgess

State of ID } ss
County of Valley }

On this 22 day of July, 2016, before me, Yolanda M Thomas
a Notary Public in and for said state, personally appeared

Josie Diane Burgess 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 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.

Yolanda M Thomas

Notary Public for the State of
Residing at: Cascade, ID
Commission Expires: 2/28/17



Exhibit A

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, made by JOSIE DIANE BURGESS, as Personal Representative of the Estate of OLIVER WAYNE BURGESS, deceased, Grantor, to JOSIE D. BURGESS, Grantee, whose current address is 13698 Highway 55, McCall, Idaho 83638.

WHEREAS, Grantor is the qualified Personal Representative of said Estate, filed as Case No. CV-09-557-C, in Valley County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Valley County, Idaho:

PARCEL 1

Beginning at the NW Corner of Section 33, T-18-N, R-3-EBM: thence East along the section line 825 feet to a point; thence South 264 feet to a point; thence West 825 feet, more or less, to a point on the West line of the section; thence North 264 feet, more or less, along the section line to the point of beginning.

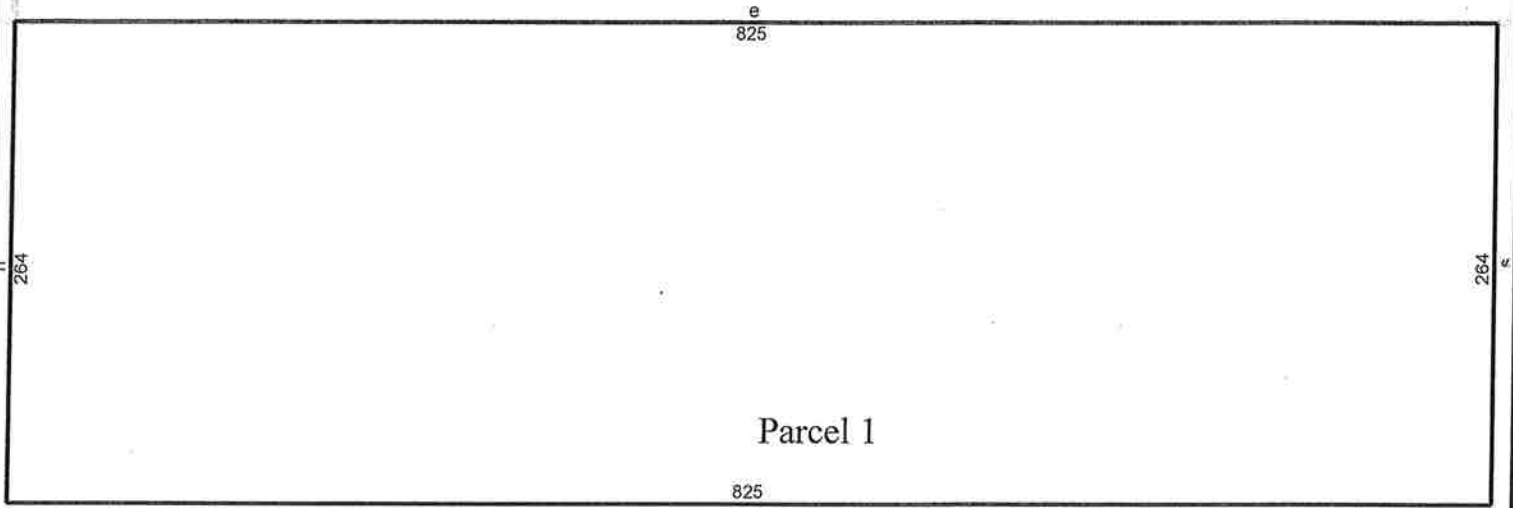
PARCEL 2

The Southerly 20 acres of the South half of the Northeast quarter (S1/2 S1/2 S1/2 NE1/4), Section 15, Township 17 North, Range 3 East, Boise Meridian, Valley County, Idaho.

with all appurtenances.

EXECUTED this 15th day of March, 2011.

[Signature: Josie Diane Burgess]
JOSIE DIANE BURGESS, Personal
Representative of the Estate of Oliver
Wayne Burgess, deceased.



8/1/2018

Scale: 1 inch= 106 feet

File:

Tract 1: 5.0000 Acres (217800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=2178 ft.

01 /nw,33,18n,3e

02 e 825

03 s 264

04 w 825

05 n 264

Instrument # 359152

VALLEY COUNTY, CASCADE, IDAHO

3-17-2011 02:10:56 No. of Pages: 2

Recorded for: MILLEMAN PITTENGER

ARCHE N. BANBURY Fee: 13.00

Ex-Officio Recorder Deputy: *Andy Eguin*
Index to: DEEDS

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Josie Diane Burgess
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Representative of the Estate of Oliver
Wayne Burgess, deceased.

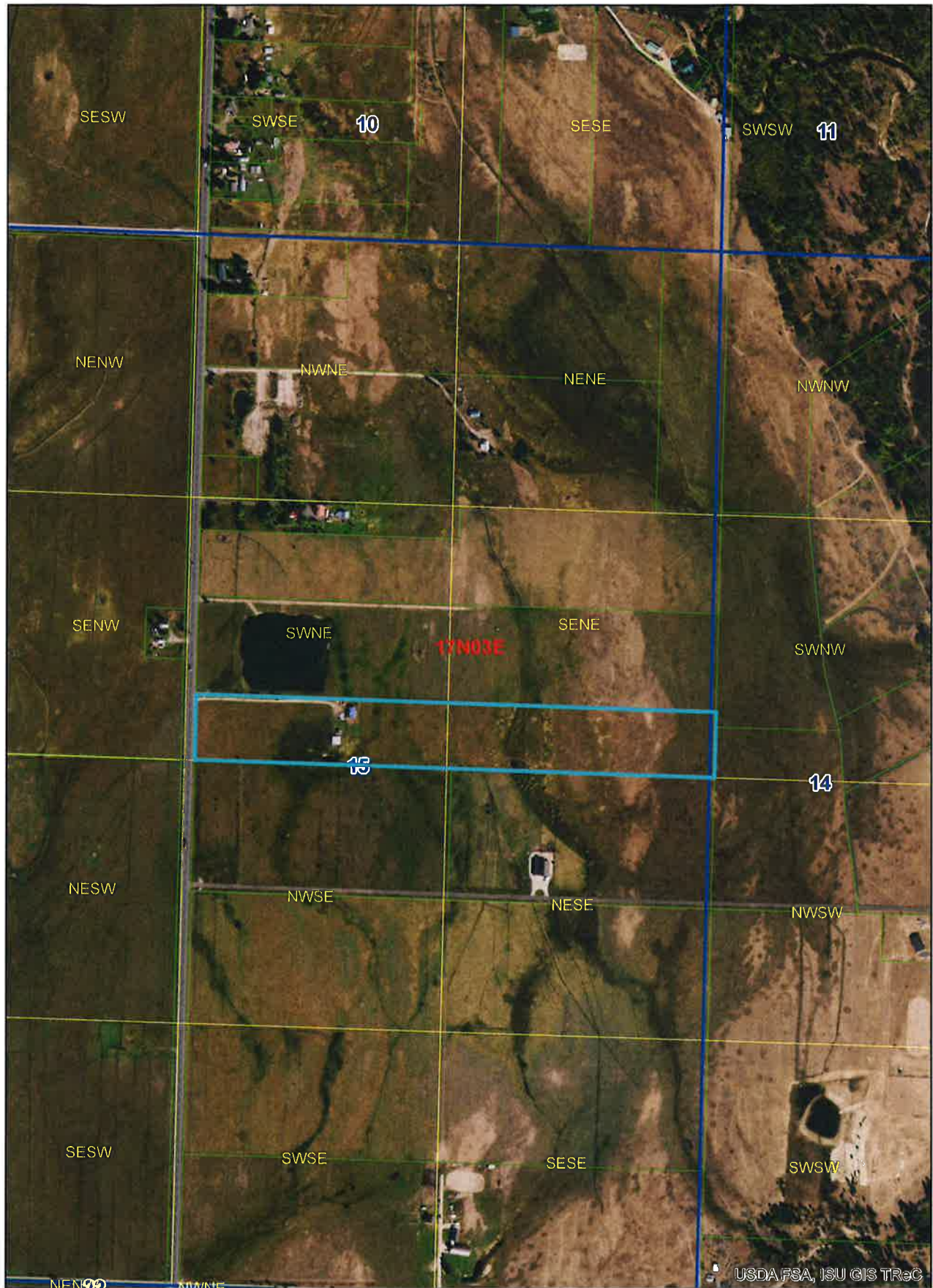
STATE OF IDAHO,)
 : ss
COUNTY OF VALLEY)

On this 15th day of March, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared, **JOSIE DIANE BURGESS**, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Oliver Wayne Burgess, deceased, and acknowledged to me that she executed the same as such Personal Representative.

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



Maria McConnell
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 6/30/2011



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/31/2018

WATER RIGHT NO. 65-3211C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OLIVER WAYNE BURGESS 71 JOHNSON LN MC CALL, ID 83638 2086345326
Directors Report Owner	BARBARA G SPENCE
Directors Report Owner	CHARLES E SPENCE 4572 S MISSION RD FALLBROOK, CA 92028 6197282245

Priority Date: 12/12/1903
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
LAKE FORK	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	9/15	0.365 CFS	
Total Diversion			0.365 CFS	

Location of Point(s) of Diversion:

LAKE FORK|NESENE|Sec. 03|Township 17N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	03E	15		SWNE	10		SENE	10						

Total Acres: 20

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or sucessor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. WATER IS DELIVERED THROUGH WEST SIDE DITCH.

Dates:

Licensed Date:

Decreed Date: 07/12/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65K

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/31/2018

WATER RIGHT NO. 65-18578

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OLIVER WAYNE BURGESS 71 JOHNSON LN MC CALL, ID 83638 2086345326
Original Owner	BARBARA G SPENCE
Original Owner	CHARLES E SPENCE 4572 S MISSION RD FALLBROOK, CA 92028 6197282245

Priority Date: 10/19/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNE|Sec. 15|Township 17N|Range 03E|VALLEY County

Place(s) of use:

Place of Use Legal Description: DOMESTIC VALLEY County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
17N	03E	15		SWNE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. 17N03E151575

Dates:

Licensed Date:

Decreed Date: 12/24/1998

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

August 21, 2018

DUSTIN MATTHEW FEE
13698 HIGHWAY 55
MCCALL ID 83638-5503

Re: Change in Ownership for Water Right No(s): 65-3211C, 65-17098 & 65-18578

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) 287-4942.

Sincerely,

Jean Hersley

Technical Records Specialist II

Enclosure(s)

c: Water District 65K