

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 14 2017

Department of Water Resources
Eastern 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?
35-2690-A OK	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: WANDA I KOIBET
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Charles E McBurney
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 741 W 150 N Blackfoot Idaho 83221
Mailing address City State ZIP
- 208 680 0775 Chuck @ hiring.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: 2000
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: Charles E McBurney Title, if applicable: _____ Date: 7-11-17
 Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 7/14/2017 Receipt No. E043189 Receipt Amt. \$25 -
 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 JB Processed by JB Date 8/4/2017

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

6/14/2017

WATER RIGHT NO. 35-2690A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WANDA I KOLBET 751 W 160 N MORELAND, ID 83256 2086844849
Original Owner	J R DAWSON
Original Owner	OSCAR H KOLBET MORELAND, ID 83256

Priority Date: 09/08/1961

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>
IRRIGATION	4/01	10/31	1.36 CFS	136 AFA
Total Diversion			1.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNW|Sec. 26|Township 02S|Range 34E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM 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>
02S	34E	26		SWNW	17		SENE	18						

Total Acres: 35

Conditions of Approval:

1. 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.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

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: OR

Water District Number: 120

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

EXHIBIT "A"

The portion of the South Half of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-six (26), Township Two (2) South, Range Thirty-four (34), East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at the Northwest corner of the East Half of the Southwest Quarter of the Northwest Quarter ($E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$) of said Section Twenty-six (26); thence running South to the center of the South Town Ditch; thence South $79^{\circ}03'$ East 349 feet; thence North $85^{\circ}10'$ East 545 feet; thence South $78^{\circ}09'$ East to the East line of the West Half of the Southeast Quarter of the Northwest Quarter ($W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$) of said Section Twenty-six (26); thence North to the Northeast corner of said West Half of the Southeast Quarter of the Northwest Quarter ($W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$); thence West to the Point of Beginning.

EXCEPT the right of way of the South Town Ditch, and EXCEPT an undivided one-half interest in Beginning at a point twenty-eight (28) feet South of the Northwest corner of the East Half of the Southwest Quarter of the Northwest Quarter ($E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$) of said Section Twenty-six (26); thence East six (6) feet; thence South fifteen (15) feet; thence West six (6) feet; thence North fifteen (15) feet to the Point of Beginning.

490356

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE BUREAU OF VITAL RECORDS AND HEALTH STATISTICS CERTIFICATE OF DEATH

Only a copy of this document certified by the State Registrar, with the next of kin's signature, shall be valid as proof of death.

State File No. _____
Local Reg. No. 170

TYPE OR PRINT IN PERMANENT BLACK INK. DO NOT USE FELT TIP PEN. NAME OF DECEASED FOR use by physician or funeral home.	DECEDENT - NAME FIRST <u>Constance</u> LAST <u>McBurney</u> SEX <u>Female</u>		DATE OF BIRTH (Month, Day, Year) <u>June 17, 1951</u>		DATE OF DEATH (Month, Day, Year) <u>October 11, 2002</u>	
	SOCIAL SECURITY NUMBER _____		AGE - Last Birthday <u>45</u>		PLACE OF BIRTH (City and State or Foreign Country) <u>St. Paul, MN.</u>	
	WAS DECEASED EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No		PLACE OF DEATH (Check only one) (1) ☐ Inpatient (2) ☐ Outpatient (3) ☐ DCA (4) ☐ Long-Term Care Facility (5) ☐ Other Private Residence (6) ☒ Own Residence (7) ☐ Other (Specify) _____			
	RESIDENCE ADDRESS (If not a hospital, enter street or place, street and number) <u>741 W. 150 N.</u>		CITY, TOWN OR LOCATION OF DEATH <u>Blackfoot</u>		COUNTY OF DEATH <u>Bingham</u>	
MARRIAGE STATUS - Married, Never Married, Widowed, Divorced (Specify) <u>Married</u>		SPOUSE'S NAME (If wife, give maiden name) <u>Charles E. McBurney</u>		DECEASED'S USUAL OCCUPATION (Give best if not done) KIND OF BUSINESS / INDUSTRY <u>Foreign Language Teacher Education</u>		
RESIDENCE STATE <u>Idaho</u> COUNTY <u>Bingham</u> CITY, TOWN OR LOCATION <u>Blackfoot</u>		STREET AND NUMBER <u>741 W. 150 N.</u>		ZIP CODE <u>83221</u>		
INSIDE CITY LIMITS? ☒ Yes ☐ No		WAS DECEASED OF HISPANIC ORIGIN? (Specify race or the -- if not, specify Cuban, Mexican, Puerto Rican, etc.) ☐ Yes ☒ No		RACE - American Indian, Black, Japanese, White, etc. (Specify) <u>White</u>		
OTHER - NAME _____ BIRTHPLACE <u>Minnesota</u>		MOTHER - FULL MAIDEN NAME <u>Carol F. Waggoner</u> BIRTHPLACE <u>Texas</u>				
INFORMANT'S NAME (Typed) <u>Chuck McBurney</u>		MAILING ADDRESS (Street and Number or Rural Route, Mailing City or Town, State, Zip Code) <u>741 W. 150 N. Blackfoot, Idaho 83221</u>				
METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Removal from Idaho ☐ Donation ☐ Other (Specify) _____		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) <u>Grove City Cemetery</u>		LOCATION - City or Town, State <u>Blackfoot, Idaho</u>		
SIGNATURE OF FUNERAL HOME OR PERSON ACTING AS SUCH <u>[Signature]</u>		LICENSE NUMBER OF FUNERAL HOME <u>M-734</u>		NAME AND ADDRESS OF FUNERAL HOME <u>Hawker, Hill Funeral Home 214 S. University Blackfoot, Idaho 83221</u>		
TIME OF DEATH <u>8:30 A.M.</u> DATE, PRECEDING DEATH (Month, Day, Year) <u>10-11-02</u>		WAS CASE RETURNED TO CORONER? ☐ Yes ☒ No		MANNER OF DEATH (Check one) ☐ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined		
27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as asphyxiation or respiratory arrest, shock, or heart failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) <u>Colon Cancer</u>						
28. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I. _____						
WERE AN AUTOPSY PERFORMED? ☐ Yes ☒ No						
WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No						
CERTIFIER (Check only one) ☒ PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ CORONER - On the basis of examination under investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.						
SIGNATURE AND TITLE OF CERTIFIER <u>[Signature]</u>		LICENSE NUMBER <u>M5414</u>		DATE SIGNED (Month, Day, Year) <u>10/18/02</u>		
NAME AND ADDRESS OF CERTIFIER (Printed) <u>Dr. Brian Carrigan 366 Poplar Blackfoot, Idaho 83221</u>						
DATE OF INJURY (Month, Day, Year) _____		NATURE OF INJURY _____		DESCRIBE HOW INJURY OCCURRED _____		
INQUIRY AT WORK? ☐ Yes ☒ No		IF TRANSPORTATION ACCIDENT, Specify: ☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other _____		PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify) _____		
CORONER'S REVIEW (Check one) ☒ I have reviewed and/or amended, and certified.		CORONER'S SIGNATURE _____		DATE SIGNED (Month, Day, Year) _____		
REGISTRAR'S SIGNATURE <u>[Signature]</u>		DATE FILED (Month, Day, Year) <u>October 18, 2002</u>				

VITAL STATISTICS COPY

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: October 18, 2002

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

300000680-L

490356

FILE No. 686L

INSTRUMENT NO.

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED WANDA I KOLBET, AN UNMARRIED PERSON Grantor(s), do hereby grant, bargain, sell and convey unto CHARLES E MCBURNEY and CONSTANCE C. MCBURNEY, HUSBAND AND WIFE Grantee(s), whose current address is :

741 W. 150 N. BLACKFOOT, ID 83221, the following described real estate situated in BINGHAM County, State of Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHOFEE 6.00 DEP 250

2000 MAY 18 PM 12:41

RECORDED AT THE REQUEST OF

ALLIANCE TITLE & ESCROW

TO HAVE AND TO HOLD the described premises, together with all tenements, hereditaments and appurtenances therunto belonging, unto the Grantee, his/her/it successors and assigns forever, Grantor does hereby covenant to and with the Grantee that he/she is the owner in fee simple of said premises and that he/she will warrant and defend the same from all lawful claims whatsoever.

DATED: MAY 15, 2000

Wanda I. Kolbet
WANDA I KOLBET

STATE OF IDAHO

COUNTY OF BONNEVILLE

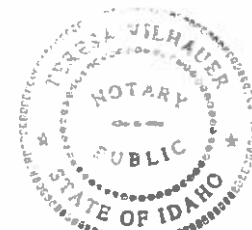
} SS

On this 15TH day of MAY, 2000, before me, the undersigned, a Notary Public in and for the State personally appeared WANDA I KOLBET, 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 executed the same.

James L. Hansen

Notary Public
Residing at: RIGBY, ID
My Commission Expires:

THIS SPACE FOR COUNTY RECORDERS USE ONLY



Residing in Jefferson County
Commission Expires 8-19-02

Idaho Title & Trust
400 Memorial Drive, PO BOX 50367, Idaho Falls, ID 83402

WARRANTY DEED

Instrument # 603653

BINGHAM COUNTY

2-20-2009 09:21:32 No. of Pages: 1

Recorded for : CHUCK MCBURNEY

SARA J. STAUB Fee: 3.00

Ex-Officio Recorder Deputy

FOR VALUE RECEIVED

WANDA I KOLBET, a single person

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

CHARLES E MCBURNEY, a single person
whose current address is

741 W 150 N BLACKFOOT IDAHO 83221

the Grantee(s), the following described premises in Bingham County, Idaho, TO-WIT:

A parcel of land lying in Section 26, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows:

Commencing at the Center Quarter of Section 26, Township 2 South, Range 34 East, Boise Meridian, thence N 00°33'37" E 665.72 to the intersection of 1st West and 1st South of the Grimmitt Addition of the Moreland Townsite, thence N 89°37'23" W 664.20 feet along the centerline of 1st South of said Grimmitt Addition to the west line of 2nd West of said Grimmitt Addition, thence S 00°34'33" W 49.50 feet to a point lying on the said west line of 2nd West said point being the True Point of Beginning.

Thence N 89°37'23" E 202.21 feet along the north line of Lot 2, Block D of said Grimmitt Addition, Moreland Townsite,

Thence S 00°33'37" W 216.39 feet to the north line of a parcel as described in Book 99, page 56 of the Bingham County Records,

Thence N 89°26'23" W 3.00 feet along the north line of said parcel,

Thence S 00°33'37" W 187.23 feet along the west line of said parcel to the centerline of the South Town Ditch, as currently located,

Thence N 79°39'57" W 200.21 feet along said ditch centerline to the west line of 2nd West of said Grimmitt Addition also being the west line of a vacated street,

Thence N 00°34'33" E 368.98 feet along said west line to the Point of Beginning.

Parcel containing ±1.77 acres and subject to a ditch easement along the south line of said parcel

SKW/CDB

February 16, 2009

4922 Yellowstone, Suite "J"
Chubbuck, Idaho 83202
208-237-7171



742 West Bridge St. Suite "D"
Blackfoot, Idaho 83221
208-782-9700

INCLUDES 2 SHARES
OF WATER OUT OF
SOUTH TOWN DITCH

TO HAVE AND TO HOLD the said premises, with its/their 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.

DATED THIS 19 day of FEB, 2009.

Wanda I Kolbet
Grantor

Grantor

STATE OF Idaho

} ss.

COUNTY OF Bingham

On this 19 day of February, 2009, before me the undersigned, a Notary Public in and for said State personally appeared Wanda I Kolbet known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that

the Grantee(s), the following described premises in 11744141 County, 177-0, 10-111.

A parcel of land lying in Section 26, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows:

Commencing at the Center Quarter of Section 26, Township 2 South, Range 34 East, Boise Meridian, thence N 00°33'37" E 665.72 to the intersection of 1st West and 1st South of the Grimmett Addition of the Moreland Townsite, thence N 89°37'23" W 664.20 feet along the centerline of 1st South of said Grimmett Addition to the west line of 2nd West of said Grimmett Addition, thence S 00°34'33" W 49.50 feet to a point lying on the said west line of 2nd West said point being the True Point of Beginning.

Thence S 89°37'23" E 202.21 feet along the north line of Lot 2, Block D of said Grimmett Addition, Moreland Townsite,

Thence S 00°33'37" W 216.39 feet to the north line of a parcel as described in Book 99, page 56 of the Bingham County Records,

Thence N 89°26'23" W 5.00 feet along the north line of said parcel,

Thence S 00°33'37" W 187.23 feet along the west line of said parcel to the centerline of the South Town Ditch, as currently located,

Thence N 79°39'57" W 200.21 feet along said ditch centerline to the west line of 2nd West of said Grimmett Addition also being the west line of a vacated street,

Thence N 00°34'33" E 368.98 feet along said west line to the Point of Beginning.

Parcel containing ±1.77 acres and subject to a ditch easement along the south line of said parcel

SKW/CDB

February 16, 2009

4923 Yellowstone, Suite "J"
Chubbuck, Idaho 83202
208-237-7173



1742 West Bridge St, Suite "D"
Blackfoot, Idaho 83221
208-782-9700

INCLUDES 2 SHARES
OF WATER OUT OF
SOUTH TOWN DITCH

TO HAVE AND TO HOLD the said premises, with its/their 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.

DATED THIS 19 day of FEB, 2009.

Wanda I. Kolbet
Grantor

Grantor

STATE OF Idaho
} ss.

COUNTY OF Bingham

On this 19 day of February, 2009, before me the undersigned, a Notary Public in and for said State personally appeared Wanda I Kolbet known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Lori Frederick
Notary Public for Idaho
Residing at: Blackfoot, Idaho
My Commission Expires: 8-16-2010

603653



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 4, 2017

C.L. "BUTCH" OTTER
Governor

Charles McBurney
741 W 150 N
Blackfoot ID 83221

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 35-2690A

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 120
Bingham Ground Water District