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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 09 2016

Notice of Change in Water Right Ownership

MAR - 7 2016

DEPARTMENT OF
WATER RESOURCES

IDWR/NORTHERN

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
85-7202	Yes ☐		Yes ☐		Yes ☐
85-7204	Yes ☐		Yes ☐		Yes ☐
85-7316	Yes ☐		Yes ☐		Yes ☐
85-10666	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: WAYNE NEWMAN
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Philip C. BURNETT
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

2345 LUKES Gulch ROAD STITES ID. 83552
Mailing address City State ZIP

208-926-4636 / 801-866-2785 Philip.BURNETT@ITD.IDAHO.GOV
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: 13 Aug. 2015

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

SUPPORT DATA

IN FILE # 85-7202

8. Signature: [Signature] 11 1 MARCH 2016
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 [Signature] Date 3/7/16 Receipt No. N031757 Receipt Amt. \$100.00
Approved by _____ Processed by [Signature] Date 10-20-16

WARRANTY DEED

GRANTOR, LARRY G. NEWMAN, a single man, of 77728 North Ash Road, Stanfield, OR 97875, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to PHILIP C. BURNETT, a single man, of 4243 Highway 12, Kamiah, ID 83536, as GRANTEE, and the Grantee's successors and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein by this reference;
Together with the rights in Water Right License No. 85-7204, dated June 14, 1979, State of Idaho Department of Water Resources, associated with the above-described real property.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2015, which are a lien, not yet due and payable.
- 2) Rights and easements in favor of the public for recreational uses of the South Fork Clearwater River.
- 3) Right of Way Easement, including the terms and conditions thereof, by and between G. W. Eimers and Cora H. Eimers, husband and wife, to The Washington Water Power Company, recorded August 21, 1952 under Instrument No. 174227, Book 85 page 341, records of Idaho County, Idaho.
- 4) Right of Way Easement, including the terms and conditions thereof, by and between G. W. Eimers and Cora H. Eimers, husband and wife, to The Washington Water Power Company, recorded May 29, 1953 under Instrument No. 176660, Book 86 page 304, records of Idaho County, Idaho.
- 5) Right of Way Easement, including the terms and provisions thereof, by and between Wayne Newman and Enid Newman and The Washington Water Power Company, a corporation, recorded December 7, 1976 under Instrument No. 266046, records of Idaho County, Idaho.
- 6) Matters as shown on Survey No. S-771, recorded November 13, 1992 under Instrument No. 366120; Survey No. S-1239, recorded November 15, 1996, under Instrument No. 390185; Survey No. S-1726, recorded February



1, 2000 under Instrument No. 410419; Survey No. S-1915, recorded November 13, 2001 under Instrument No. 419674; Survey No. S-2125, recorded January 28, 2004 under Instrument No. 433692; Survey No. S-2831, recorded May 8, 2009 under Instrument No. 466592; and Survey No. 2833, recorded May 8, 2009 under Instrument No. 466594, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his successors and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises; that it is free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes for the year 2015 and easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantor hereby declares, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantor shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantor, it was not the intent of Grantor, by permitting or suffering such possession, use, or occupation to thereby define property boundaries or ownership thereof.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal.


LARRY G. NEWMAN

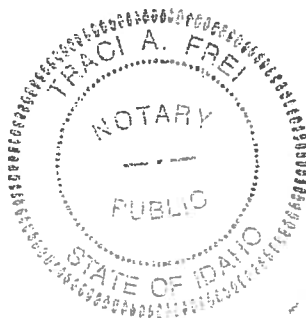
STATE OF Idaho)
County of Idaho)

SS

On this 13th day of August, 2015, before me, a Notary Public in and for said County and State, personally appeared LARRY G. NEWMAN, a single man, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he freely executed the same.

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

(Notary Seal)



Traci A. Frei
Notary Public for the State of Idaho
Residing at Grangeville, therein.
My commission expires 2/1/2017.

File No.: 26315

SCHEDULE C

Township 31 North, Range 4 East, Boise Meridian, Idaho County, Idaho
Section 5:

A parcel of land located in the W 1/2 of Government Lot 2, more particularly described as follows:

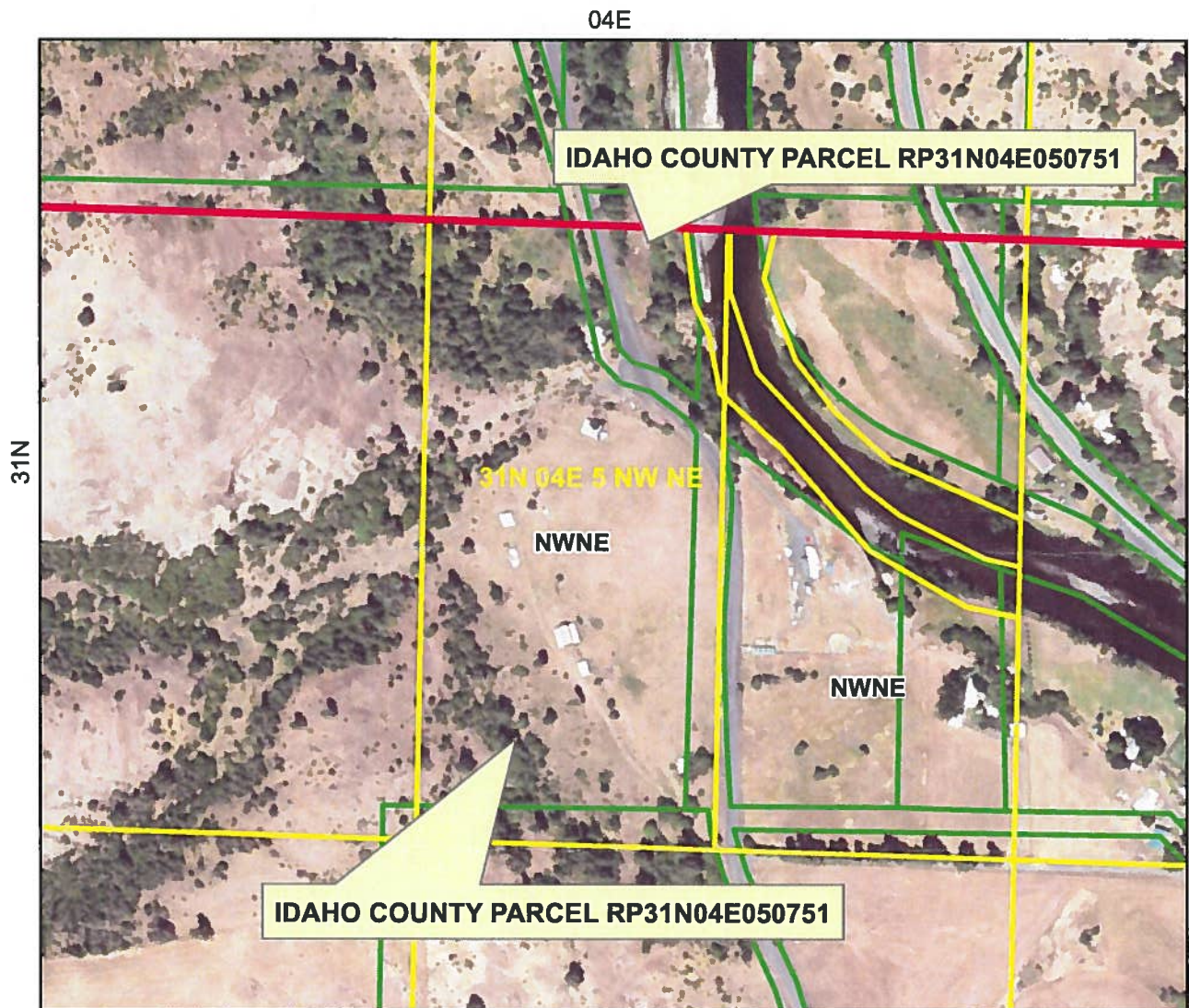
Beginning at the Northwest corner of said Government Lot 2 (N 1/4 corner of Section 5), a found 5/8" diameter rebar with aluminum cap;
thence S 89°24'59" E along the North boundary of said Government Lot 2, 656.20 feet to the Northeast corner of said West 1/2 Government Lot 2, which falls in the South Fork Clearwater River, and from which a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627 bears N 89°24'59" W, 270.83 feet;
thence S 00°03'24" E along the East boundary of said West 1/2, 478.89 feet to a point from which a found 5/8" diameter rebar bears S 67°39'27" W, 0.26 feet;
thence S 67°39'27" W, 75.42 feet to a point on line a 1/2"x24" rebar set with a plastic cap stamped L.S. 3627;
thence S 67°39'27" W, 361.49 feet to a 5/8"x30" rebar set with a plastic cap stamped L.S. 3627;
thence N 56°36'18" W, 301.49 feet to a point on the West boundary of said Government Lot 2, a 5/8"x30" rebar set with plastic cap stamped L.S. 3627;
thence N 00°05'49" W along said West boundary 485.71 feet to the Point of Beginning.

LESS: County Road right of way.

(end schedule c)

State of Idaho
Department of Water Resources
Notice of Change In Water Right Ownership
85-XXXXXX

February 22, 2016



0 0.0475 0.095 0.19 Miles

 Townships
 Taxlots





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

October 20, 2016

PHILIP C BURNETT
2345 LUKES GULCH RD
STITES ID 83552

Re: Change of Ownership for Water Right/Permit No(s): 85-7202

Dear Water Right Holder(s):

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records to reflect this change in ownership and has enclosed a computer-generated report 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 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 § 42-222 and §42-223, Idaho Code.

Please note that after additional review, the ownership of water rights 85-7204, 85-7316 and 85-10666 was not updated. The Department wasn't able to determine if these rights were appurtenant to your property. The deed you provided specifically identified water right 85-7202. Since the Department only updated water right 85-7202, a refund of \$75 has been requested and will be sent to you under separate cover from the State Controller's Office within 10 days.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within **120 days** of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

MEMORANDUM

TO: Sascha Marston
FROM: Jean Hersley
DATE: October 20, 2016
RE: Refund: Ownership Change

Please refund \$75. Three rights were not updated

NAME: Philip C Burnett
ADDRESS: 2345 Lukes Gulch Rd
Stites ID 83552

RECEIPT #: N031757

Thank you.

Jean

Hersley, Jean

From: Philip Burnett <Philip.Burnett@itd.idaho.gov>
Sent: Monday, August 08, 2016 6:58 AM
To: Hersley, Jean
Subject: RE: Ownership change for 85-10666

Jean.

That is correct I made a mistake. Thank you for catching this.

Thanks, Phil

From: Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]
Sent: Thursday, August 04, 2016 1:36 PM
To: Philip Burnett
Subject: Ownership change for 85-10666

The Department received your request for an ownership change on water rights 85-7202, 85-7204, 85-7316 and 85-10666. The deed you provided does not include water right 85-10666. Water Right 85-10666 is located in Township 31N, Range 04E, Section 5, SWNW. The property described on the deed you provided is located in Township 31N, Range 04E, Section 5, NWNE. It is the north ½ of the West ½. (Which doesn't include water right 85-7316). According to the tax lot information available to the Department, Larry Newman is the current owner of the south ½ of the west ½. If you have additional deeds, please provide them to the Department within 30 days and the Department will continue processing your ownership change request. If the information requested is not provided, the Department will change the ownership of water rights 85-7202 and 85-7204 only.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Philip Burnett <Philip.Burnett@itd.idaho.gov>
Sent: Thursday, August 04, 2016 4:24 PM
To: Hersley, Jean
Subject: RE: Ownership change for 85-10666

I will double check.

Thank you. Jean

From: Hersley, Jean [mailto:Jean.Hersley@idwr.idaho.gov]
Sent: Thursday, August 04, 2016 1:36 PM
To: Philip Burnett
Subject: Ownership change for 85-10666

The Department received your request for an ownership change on water rights 85-7202, 85-7204, 85-7316 and 85-10666. The deed you provided does not include water right 85-10666. Water Right 85-10666 is located in Township 31N, Range 04E, Section 5, SWNW. The property described on the deed you provided is located in Township 31N, Range 04E, Section 5, NWNE. It is the north ½ of the West ½. (Which doesn't include water right 85-7316). According to the tax lot information available to the Department, Larry Newman is the current owner of the south ½ of the west ½. If you have additional deeds, please provide them to the Department within 30 days and the Department will continue processing your ownership change request. If the information requested is not provided, the Department will change the ownership of water rights 85-7202 and 85-7204 only.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*