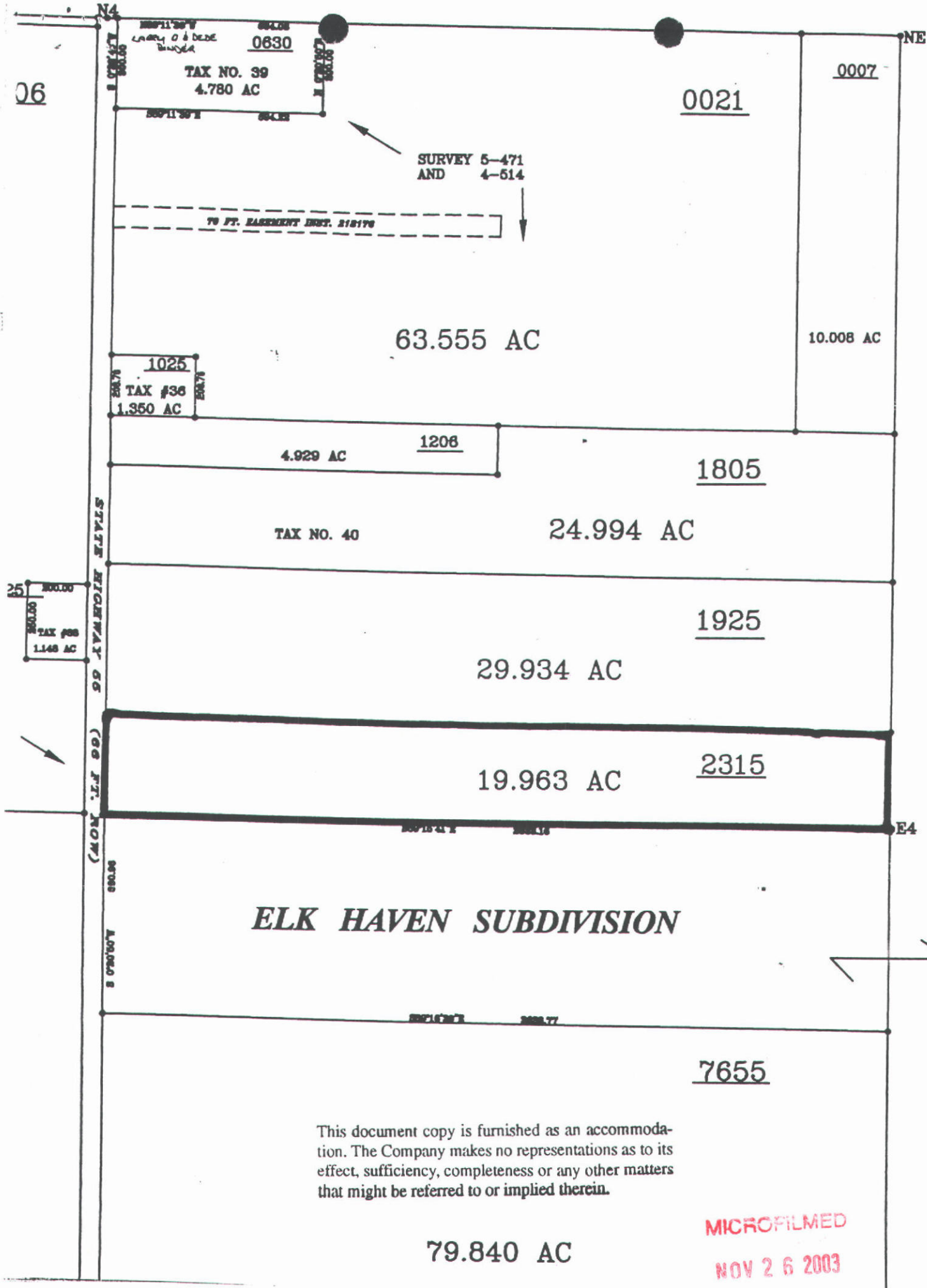




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NOV 26 2003

RECEIVED

JAN 16 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returnedReceipt #
C071559
RECEIVED\$25.00
11.10.031 Water Right No(s) 65-03211C
Adjudication Claim No(s) domestic water 65-18578 JAN 18 2001

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.Charles Spence
Cheryl Proffitt3. Name and Address of Former Owner/Claimant
13698 Highway 55, Lakefork, Idaho 836384. New Owner/Claimant(s) Wayne Burgess
Name Connector (Check one). ☐ and, ☐ or, ☐ and/or
New Mailing Address 71 Johnson Lane
City, State and ZIP Code McCall, Idaho 83638New Telephone Number (208) 634-53265. Date you acquired the property 12-30-00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right 19.963 Number and type of stock _____
Diversion rate in CFS 18 Number of homes you acquired 1 Other uses _____7. Signature of New Owner(s) Oliver Wayne Burgess
or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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NOV 26 2003

WARRANTY DEED

For Value Received, Cheryl J. Proffitt, an unmarried woman

the Grantors, do hereby grant, bargain, sell and convey unto
Oliver Wayne Burgess, an unmarried man

whose address is: 71 Johnson Ln., McCall, ID 83638

the Grantee, the following described premises, to-wit:

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

TO HAVE AND TO HOLD the premises with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do
hereby covenant to and with the said Grantees, that they are the owners
in fee simple of said premises that said premises are free from all
encumbrances except the 2001 taxes and assessments and that they will
warrant and defend the same from all lawful claims whatsoever.

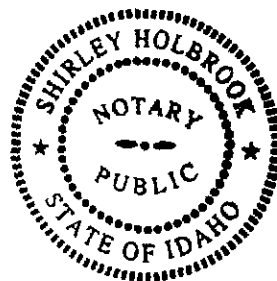
Dated: 12/27/00

Cheryl J. Proffitt
Cheryl J. Proffitt

State of Idaho)
) ss
County of Gem)

On the 27th day of December, 2000 before me,
Shirley Holbrook a notary public in and for said
State, personally appeared Cheryl J. Proffitt, proven or known to me to
be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

Shirley Holbrook
Notary Public
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006



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NOV 20 2003

099-6-2193

06

April 20 1978
LARRY O. DENNE
DUNDEE

0830

TAX NO. 39
4780 AC

0021

0007

**SURVEY 5-471
AND 4-514**

79 FT. EASTMENT BUD. 212170

63.555 AC

10.008 AC

1025
TAX #38
1.350 AC

4.920 AC

1206

1805

TAX NO. 40

24.994 AC

1925

29.934 AC

19.963 AC

2315

ELK HAVEN SUBDIVISION

7655

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79.840 AC

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SEP 10 1969

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-18578

NAME AND ADDRESS: CHERYL PROFFITT
SCOTT PROFFITT
13698 HWY 55
MC CALL, ID 83638

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T17N R03E S15 SWNE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

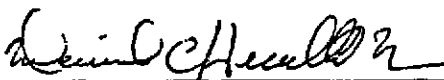
PLACE OF USE: Domestic Within Valley County
T17N R03E S15 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

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NOV 25 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 10, 2003

OLIVER WAYNE BURGESS
71 JOHNSON LN
MC CALL ID 83638

RE: Change of Ownership for Water Right 65-18578

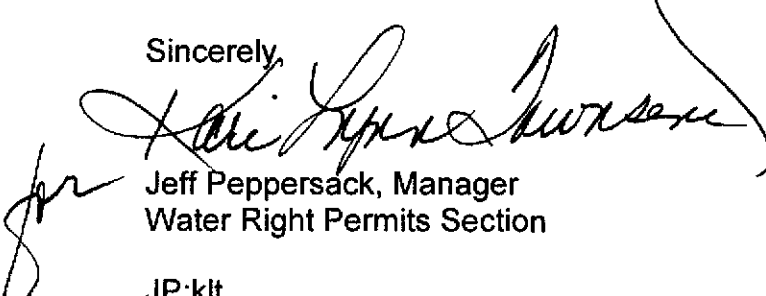
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please 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. Change reporting forms are available from any office of the department.

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

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 25 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 3, 2003

WAYNE BURGESS
71 JOHNSON LN
MC CALL ID 83638

RE: Change of Ownership for Water Right 65-18578

Dear Interested Parties:

Our letter of October 2, 2003 (copy enclosed) requesting the required \$25.00 filing fee remains unanswered. Therefore, I am returning the ownership change request. A copy of your ownership change information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required filing fee and we will be happy to complete the request for you.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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NOV 26 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 2, 2003

WAYNE BURGESS
71 JOHNSON LN
MC CALL ID 83638

RE: Change in Ownership for Decreed Water Right No. 65-18578

Dear Mr. Burgess:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

 X **Filing Fee** of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be **\$25.00**.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within **30 days** we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact me at 208-327-5452, if you have any questions.

Sincerely,

James F. Zokan
Senior Water Resource Agent

JFZ:klf

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NOV 26 2003