

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 24 2024

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES

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 #7 of the instructions. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
X 6523196	Yes ☐	Yes ☐		Yes ☐	Yes ☐
✓ 65-24006	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Michael and Rebecca Burgess

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Seremy Payne Jessica Payne

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or

192 Porter Creek Rd

Horseshoe Bend

IO

83829

Mailing address

City

State

Zip

2503-756-5317

Email

docpayne2@gmail.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: 5/17/2024

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Print name

- Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by _____ Date _____

Receipt No. C119505

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 _____

Processed by DM

Date 12-4-24



File Number: V2412246

Warranty Deed

For value received,

Michael A. Burgess and Rebecca A. Burgess, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Jeremy L. Payne and Jessica Payne, husband and wife

whose current address is 12737 N. 9th Ave, Boise, ID 83714,

the grantee, the following described premises, in Boise County, Idaho, to wit:

See Attached Exhibit A

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: April 26, 2024

Michael A. Burgess
Michael A. Burgess

Rebecca A. Burgess
Rebecca A. Burgess

State of Idaho,
County of ~~Boise~~, ss:
Ada

This record was signed or acknowledged before me on this 29th day of April 2024, by Michael A. Burgess and Rebecca A. Burgess.

Justin Robertson
Notary Public
Residing In: *Meridian, ID*
My Commission Expires: *10/28/29*
(seal)

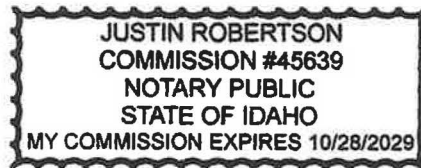


Exhibit A

Legal Description of the Premises

Parcel 2 of Record of Survey recorded October 4, 2016, as Instrument No. 252541, lying within the West half of Section 7, Township 7 North, Range 3 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the West quarter corner of said Section 7; thence along the West boundary line of said Section 7

South 00°03'11" West, 586.30 feet; thence departing said West boundary line

South 89°57'43" East, 609.03 feet; thence

North 00°03'03" East, 164.51 feet to the centerline of Porter Creek Road; thence along said centerline the following courses and distances:

South 74° 42'14" East, 50.65 feet;

South 69°07'49" East, 102.46;

210.64 feet along a tangent curve to the left, said curve having a radius of 300.00 feet, a delta angle of 40°13'48", a long chord which bears South 89°14'43" East 206.34 feet to the Point of Beginning; thence departing said centerline

North 19°21'37" West, 30.00 feet; thence

North 04°54'56" West, 762.64 feet to the centerline of Porter Creek; thence along said centerline the following courses and distances:

South 83°44'00" East, 79.00 feet;

South 24°06'00" West, 26.00 feet;

North 71°22'00" East, 113.00 feet;

North 55°22'00" East, 91.70 feet; thence departing said centerline of said Porter Creek

South 00°21'20" West, 218.97 feet; thence

South 20°38'28" East, 597.92 feet; thence

South 04°16'39" West, 30.00 feet to the centerline of Porter Creek Road; thence along said centerline of said Porter Creek Road

North 86°47'43" West, 202.91 feet; thence continuing along said centerline, 78.77 feet along a tangent curve to the left, said curve having a radius of 200.00 feet, a delta angle of 22°33'54", a long chord which bears South 81°55'20" West, 78.26 feet; thence continuing along said centerline

South 70°38'23" West, 108.37 feet to the Point of Beginning.

Aerial Map



TitleOne
a title & escrow co.

Parcel ID: RP07N03E075402

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Street Map



TitleOne
a title & escrow co.

Parcel ID: RP07N03E075402

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IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 05, 2024

JEREMY L PAYNE
JESSICA PAYNE
192 PORTER CREEK RD
HORSESHOE BND ID 83629-8064

Re: Change in Ownership for Water Right No(s): **65-24006**

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/4/2024

Water Right 65-24006

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEREMY L PAYNE 192 PORTER CREEK RD HORSESHOE BND, ID 83629-8064 (503) 756-5317
Current Owner	JESSICA PAYNE 192 PORTER CREEK RD HORSESHOE BND, ID 83629-8064 (503) 756-5317
Original Owner	PATRICIA L ADAMS MILLER C/O K STARK MILLER 4488 N CRIMSON PL BOISE, ID 83703 (208) 793-3288
Previous Owner	MICHAEL BURGESS 192 PORTER CREEK RD HORSESHOE BEND, ID 83629-8064 (509) 521-3296
Previous Owner	REBECCA BURGESS 192 PORTER CREEK RD HORSESHOE BEND, ID 83629-8064 (509) 521-3296

Priority Date: 4/1/1885

Basis: Decreed

Status: Active

Source
PORTER CREEK

Tributary
PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.050 CFS	
	<u>Total Diversion</u>		0.050 CFS	

Source and Point(s) of Diversion:

PORTER CREEK SWNE

Sec. 7, Twp 07N, Rge 03E, BOISE County

Place Of Use:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/4/2024

IRRIGATION within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	03E	7							0.5 L2	0.1	1.6	1.9 L3							4.1

POU Total Acres: 4.1

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.
2. 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 successor 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.
3. F05 Right Nos. 65-23197 and 65-24027 are also diverted through point of diversion described above.

Dates and Other Information:

Decreed Date: 5/6/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 65B
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A



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WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

November 15, 2024

JEREMY L PAYNE
JESSICA PAYNE
192 PORTER CREEK RD
HORSESHOE BND ID 83629-8064

RE: Change in Ownership for Water Right No(s): **65-24006**

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Filing Fee of \$25

There was no filing fee received with your Notice. 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**.

Please Note: The water right that was indicated on your received Notice was 65-23196. Water right 65-23196 is not an appurtenance to your property and is not under the current ownership of Michael Burgess and Rebecca Burgess. The water right that is an appurtenance to your property is 65-24006. I have enclosed an electronic report and map of this water right for your reference.

Because the Department cannot process the Notice 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.

If you have any questions regarding this matter, please contact me at (208)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

Mansfield, Debra

From: Mansfield, Debra
Sent: Thursday, November 14, 2024 1:51 PM
To: 'docpayne2@gmail.com'
Subject: RE: Received Change in Water Right Ownership
Attachments: Regarding Received Ownership Change, 65-24006.pdf

Hello,

Please see the attached letter regarding you received Notice of Change in Water Right Ownership for water right 65-24006. This letter is also being mailed via USPS, per Department procedure.

If you have any questions, feel free to reply to this email, or contact me at (208)287-4921.

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov