

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 17 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP
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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
13-29	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: B.M Burbank and Caroline J Allred
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dan Burbank/ Daniel Mark Burbank/Joshua Dan Burbank
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 4957 East Cub River Rd Preston ID 83263
Mailing address City State Zip
208-852-1144
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: Feb. 2, 1977
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: Joshua Dan Burbank Title, if applicable: _____ Date: April 12 2023
Signature of new owner/claimant
Joshua Dan Burbank
Print name

Signature: Dan A. Burbank Title, if applicable: _____ Date: 4/12/2023
Signature of new owner/claimant
Dan A. Burbank
Print name

Received by M. Pether Date 4-17-23 Receipt No. E049093 Refund Requested 4/28/2023
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
Name on W-9 _____ Approved by _____ Processed by _____ Date _____
Receipt Amt. 100.00
W-9 received? Yes ☐ No ☐

Returned Unprocessed.

Return to: 162 Larsen Dr #4

Preston ID 83263

230047

Recorded at the request of

DAN BURBANK

____ a.m. JUN 06 2005 p.m. 5:05

V. ELLIOTT LARSEN, RECORDER
By SHAUNA GEDDES Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received Dan Alvaro Burbank
and Vondella Burbank, Grantor(s),
do(es) hereby convey, release, remise and forever quit claim unto
Joshua Dan Burbank and Jennifer Burbank, Grantee(s),
the following described premises, to-wit:

A parcel of land located in the Southeast quarter of Section 26, Township 15 South,
Range 40 East, Boise Meridian, Franklin County, Idaho, and more particularly described as
follows:

Commencing at the South quarter corner of said Section 26, from which the Southeast
corner of Section 26 bears South 89° 55' 51" East
Thence North 11° 22' 07" East 2254.15 feet to a point on a 430.00 foot radius non-tangent curve
concave to the Southwest, whose center bears South 60° 56' 12" West, said point being on the
easterly right of way line of Spring Creek Road, and being the Point of Beginning.
Thence northwesterly along said curve (right of way line) through a central angle of 09° 20' 42"
a distance of 70.13 feet to the point of tangency (chord = North 33° 44' 09" West 70.05 feet);
Thence North 38° 24' 30" West 105.28 feet along said right of way line to the beginning of a
200.00 foot radius curve concave to the Northeast;
Thence Northwest along said curve (right of way line) through a central angle of 36° 41' 46"
a distance of 128.09 feet to a 5/8" rebar and cap (chord = North 20° 03' 37" West 125.92 feet);
Thence South 77° 57' 56" East 216.63 feet to a 5/8" rebar and cap;
Thence South 35° 00' 00" East 182.00 feet to a 5/8" rebar and cap;
Thence South 69° 00' 00" West 180.76 feet to the Point of Beginning.
Containing approximately 1.00 acre.

together with their appurtenances.

Dated: 6/6/05

X Dan A. Burbank

X Vondella Burbank

State of IDAHO
County of FRANKLIN

On this 6 day of June, 2005, before me, a Notary Public in and for said State, personally
appeared Dan A Burbank & Vondella, 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 the same. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate
first above written.



Shauna T. Geddes
Notary Public State of IDAHO
Residing at: PRESTON
Commission Expires: 11-08-06

NTF-115608
Daniel Mark Burbank

369 Shelley Ln
Grantsville, UT 84029

289107
Page 1 of 2

Recorded at the request of
Northern Title Company of Idaho
11 08 2021 04:02 PM Fee: \$15.00
CAMILLE LARSEN, RECORDER
By H. H. H. Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

Daniel Mark Burbank

Grantor(s) of Preston, County of Franklin, State of Idaho, hereby **CONVEY AND WARRANT** to

Daniel Mark Burbank and Kira Burbank, Husband and Wife as community property with right of survivorship

Grantee(s) of Preston, County of Franklin, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of ID:

*SEE ATTACHED EXHIBIT "A"

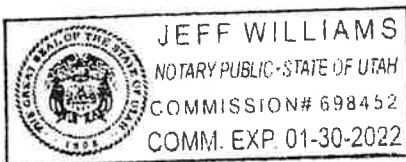
Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

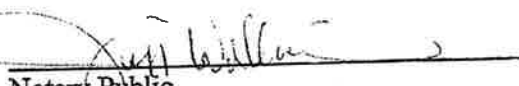
Witness, the hand(s) of said Grantor(s), this November 5, 2021.


Daniel Mark Burbank

State of Utah)
County of Salt Lake)§

On November 5, 2021, before me, a Notary Public in and for said county and state, personally appeared Daniel Mark Burbank, known or proved to me to be the person(s) who executed the foregoing instrument, and duly acknowledged to me that he/she/they executed the same.




Notary Public

Resides: Salt Lake

Commission expires: 1/30/22

EXHIBIT "A"

PARCEL 1

A Parcel of land located in Section 26, Township 15 South, Range 40 East, Boise Meridian, Franklin county, Idaho, and more particularly described as follows:

Beginning at the South Quarter corner of said Section 26, from which the Southeast corner bears North 89° 14' 46" East 2571.56 feet;
Thence North 10° 32' 45" East 2254.15 feet to the a found rebar with cap True Point of Beginning;
Thence North 68° 10' 37" East 113.04 feet to a 5/8" rebar with cap labeled "AA Hudson PLS 13173" set on the South line of the property owned by Joshua and Jennifer Burbank currently described in instr. # 230045 in the official records of Franklin County (ORFC);
Thence South 18° 01' 44" East 214.96 feet to a 5/8" rebar with cap;
Thence South 84° 49' 13" East 99.96 feet to a 5/8" rebar with cap set on the West line of the property owned by Matt and Cindy Hull currently described in instr. # 234714 in the ORFC;
Thence following along said Hull property the following 5 courses;
Thence South 39° 53' 16" West 39.67 feet;
Thence South 22° 09' 34" West 50.03 feet;
Thence South 06° 51' 46" West 76.71 feet;
Thence South 00° 13' 42" East 164.02 feet;
Thence South 58° 25' 07" East 160.93 feet to a 5/8" rebar with cap;
Thence South 40° 39' 36" West 12.14 feet to the Northeast corner of the Burbank parcel described in instr. # 283532 in the ORFC;
Thence South 64° 23' 57" West 76.07 feet along the North line of said Burbank parcel and following said North line the following 4 courses;
Thence South 67° 54' 27" West 35.69 feet;
Thence South 62° 19' 05" West 14.75 feet;
Thence South 62° 33' 19" West 19.43 feet;
Thence South 64° 26' 17" West 79.10 feet to the East line of property previously surveyed as shown on record of survey instr. # 237362 in the ORFC and following said East line the following 5 courses;
Thence North 00° 13' 26" East 161.89 feet;
Thence North 19° 36' 53" West 145.50 feet;
Thence North 04° 00' 23" West 270.50 feet;
Thence North 25° 34' 23" West 34.00 feet;
Thence North 38° 23' 01" West 100.29 feet to the True Point of Beginning.

Together with and subject to an easement for Ingress, Egress, and Utilities located in Section 26, Township 15 South, Range 40 East, Boise Meridian, Franklin county, Idaho, and more particularly described as follows:

Beginning at the South Quarter corner of said Section 26, from which the Southeast corner bears North 89° 14' 46" East 2571.56 feet;
Thence North 10° 32' 45" East 2254.15 feet to the a found rebar with cap found at the Southwest corner of the property owned by Joshua and Jennifer Burbank currently described in instr # 230045 in the official records of Franklin County (ORFC), True Point of Beginning;
Said point being the on a 430.00 feet radius non tangent curve whose center bears South 60° 06' 49" West;
Thence along said curve 70.13 feet through a central angel of 9° 20' 42" (chord = North 34° 33' 42" West 70.06 feet);
Thence North 39° 13' 53" West 105.28 feet to the beginning of a 200.00 feet radius tangent curve to the right;
Thence along said curve a distance of 86.89 feet through a central angle of 24° 53' 31" (chord = North 26° 47' 08" West 86.21 feet);
Thence North 75° 39' 37" East 30.00 feet;
Thence South 34° 17' 58" East 256.83 feet to the South line of the said Burbank parcel;
Thence North 68° 10' 37" East 82.22 feet along said South line to a 5/8" rebar with cap;
Thence South 18° 01' 44" East 214.96 feet to a 5/8" rebar with cap;
Thence North 52° 30' 27" West 137.63 feet;
Thence North 38° 23' 01" West 100.29 along the East line of record of survey instr. # 237362 in the ORFC;

a.m. MAR 16 1992 2:10 p.m.

LARA E. JOHNSON, RECORDER

By Ruth K. Pauling Deputy
FRANKLIN COUNTY, IDAHOReception ☐
Indexed ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

For Value Received ALVARO G. BURBANK AND VENETA B. BURBANK

the grantor , do hereby grant, bargain, sell and convey unto DAN AND VONDELLA
BURBANKthe grantee , the following described premises, in FRANKLIN County, Idaho, to wit:

SEE EXHIBIT A ATTACHED HERE TO:

THIS DEED IS RECORDED TO CORRECT A DESCRIPTION RECORDED ON DEED #185216

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee , heirs and assigns forever. And the said Grantor do hereby covenant
to and with the said Grantee , that he the owner in fee simple of said premises;
that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

16 Mar. 1992Alvaro H. BurbankVeneta B. Burbank

(NOTARY SEAL)



State of Idaho

County of Franklinss On the 16th day of March A.D. 1992personally appeared before me Alvaro H. Burbank &
Veneta B. Burbankthe signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.Carol Baker

(NOTARY PUBLIC)

Residing at: Clifton, IdMy Commission expires: Sept. 29, 1994

Mail deed to:

Mail tax notice to:

Section 26, Township 15, Range 40 East of the Boise Meridian.

Beginning at the East quarter corner and running thence West 4 rods 853 feet South, 80 rods West, North 195.25 feet to the West boundary of the county road and South 33° and 40' West 551 feet along said county road to the true point of beginning, thence south 34° 17' 30" West 377 feet, thence North 78° 8' West 123.75 feet, thence North 15° and 30' West 305 feet, thence North 17° and 30' West 140 feet, thence North 2° and 30' West 442 feet, thence North 34° and 45' West 339 feet, thence North 33° East 178 feet, thence South 74° and 30' East 100 feet, thence North 80° and 30' East 110.65 feet, thence North 86° East 100 feet, thence North 65° East 100 feet, thence South 5° East 77 feet, thence South 0° East 410 feet, thence South 38° West 186 feet, thence South 4° 30' West 220 feet, thence South 58° and 35' East 372.3 feet to the true point of beginning.

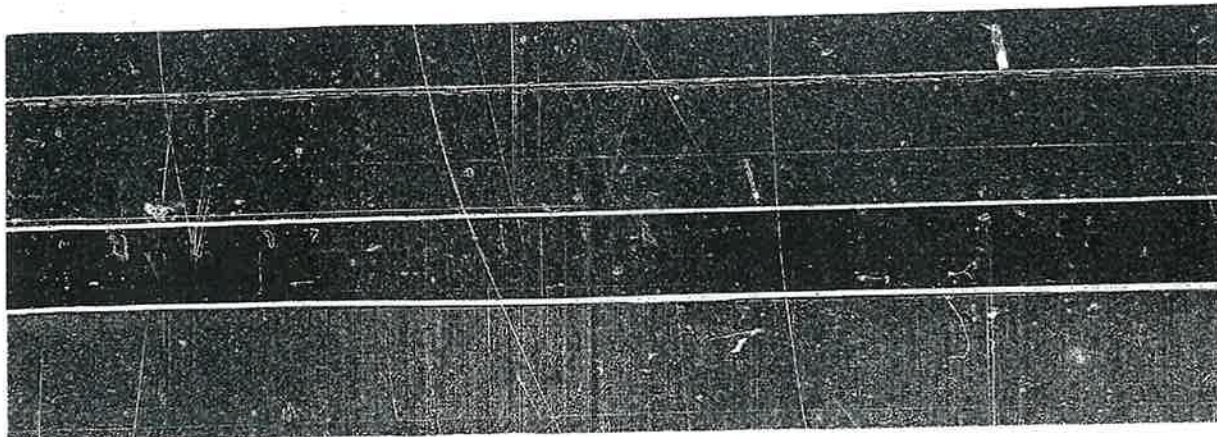
*Need deed
plotter*

ALSO EXCEPTING THE FOLLOWING THREE PARCELS:

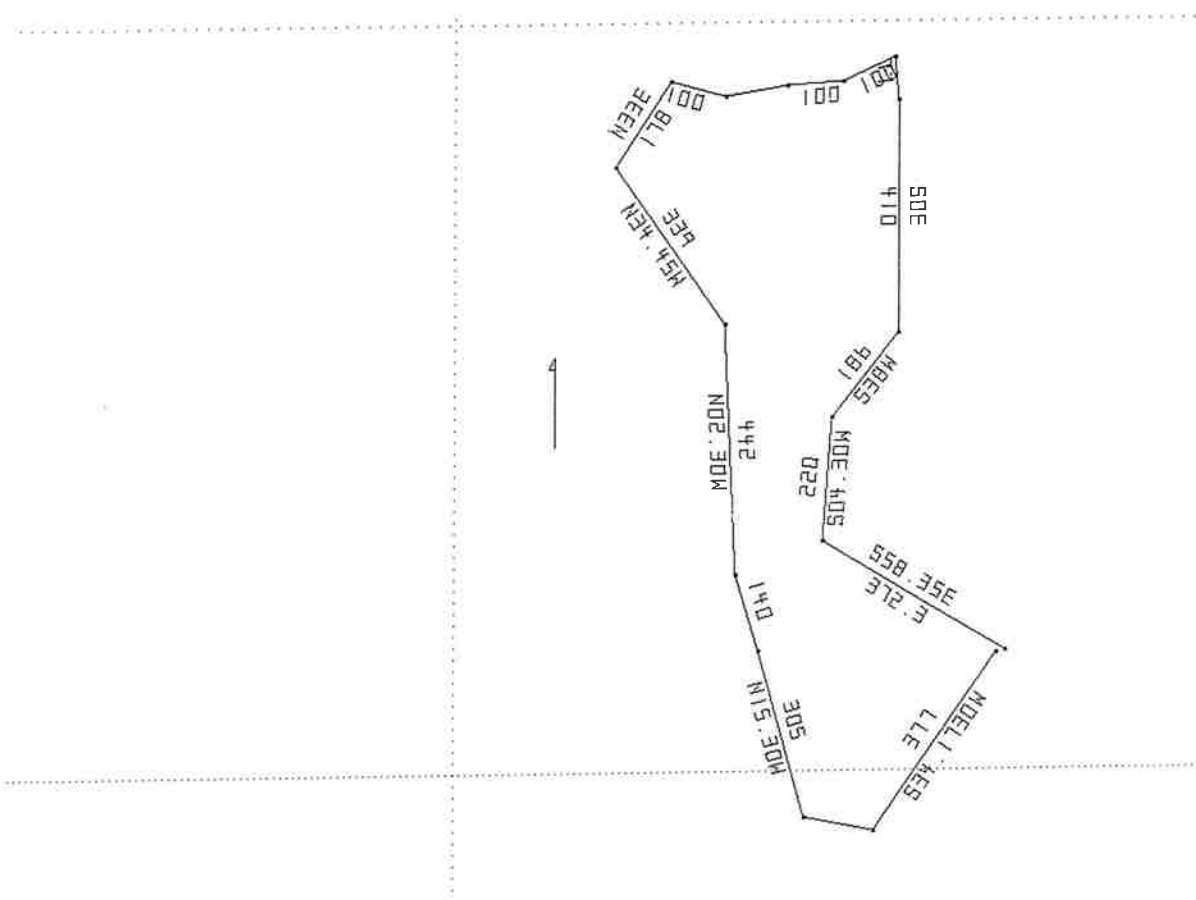
Township 15 South, Section 26, Range 40 East of the Boise Meridian. Commencing at a point 4 rods West and 853 feet South, 80 rods West, 195.25 feet North to the West boundary of the County road, South 33° 40' West 551 feet along said County road, South 34° 17' 30" West 377 feet along County road for the TRUE POINT OF BEGINNING, of the East quarter corner of Section 26, and running thence South 28° West 122 feet along County road, thence West 49 feet to the East side of a roadway thence North 6° 21' West 134 feet along said roadway, thence South 78° 08' East 123.75 feet to the TRUE POINT OF BEGINNING.

Commencing at a point 1402.5' North and 1970' West of the Southeast Corner of Section 26 Twp 15 Range 40 East of Boise Meridian, thence West 92.6' thence South 160', thence East 192.5' thence Northwest 146', more or less to the point of beginning, containing approximately .5 acres, more or less.

Township 15 South, Section 26, Range 40 East of the Boise Meridian. Commencing at a point 4 rods West and 853 feet South of the East quarter of Section 26, and running thence West 80 rods, thence North 195.25 feet to the West boundary of County road, thence South 33° 40' West 567.5 feet along said County road to the true point of beginning and running thence South 34° 17' 30" West 117 feet, thence North 58° 35' West 213.4 feet, thence North 34° 17' 30" East 137 feet, thence South 58° 35' East 213.4 feet to the true point of beginning.



Plat of Deed Calls for: BURBANK #185312



BURBANK #185312

Scale : 336 ft/in

North Shift: +0

East Shift : +0

DMS Rotated: +000.0000

..... AREA	
Acres	: 8.940 ±
Sq. Feet	: 389431 ±
Sq. Meters:	36179.3 ±
Perimeter :	3580.70

.. CLOSING ERROR ..

Bearing: S72.4612W

Feet : 16.61

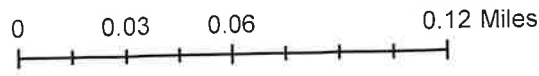
Meters : 5.062

Precision: 1/216

1. /SE,NE,NE,26,15S,40E
2. /S90W 4P
3. /S0W 853
4. /N0E 195.25
5. /S33.40W 551
6. S34.1730W 377
7. N78.08W 123.75
8. N15.30W 305
9. N17.30W 140
10. N02.30W 442
11. N34.45W 339
12. N33E 178
13. S74.30E 100
14. N80.30E 110.65
15. N86E 100

16. N65E 100
17. S05E 77
18. S0E 410
19. S38W 186
20. S04.30W 220
21. S58.35E 372.3

Dan/Daniel/Joshua Burbank
Change of Ownership Water Right Split





IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 28, 2023

DAN BURBANK
DANIEL MARK BURBANK
JOSHUA DAN BURBANK
4957 E CUB RIVER RD
PRESTON ID 83263

RE: Change in Ownership Water Right No. 13-29

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership on April 17, 2023, for the above-mentioned water rights. The Notice could not be processed because the department does not have sufficient evidence to split the water right. The original decree is very vague leaving a lot of ambiguity in the location of the place of use of the water right. To clean up any ambiguity in the water right, the department suggests you file a Notice of Claim in the BRBA.

Because the department is returning your application you are entitled to a full refund. The department has initiated the refund and it should arrive from the state office in a couple of weeks.

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 the Department if you have any questions.

Sincerely,

Jonie Bailly
Technical Records Specialist

Baily, Jonie

From: Baily, Jonie
Sent: Friday, April 28, 2023 11:06 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1).PDF

Good afternoon!

I have a refund request as follows:

Receipt number: E049093
Amount: \$100.00
Payable to **DAN BURBANK**
VONDELLA BURBANK
4957 E CUB RIVER RD
PRESTON ID 83263

Reason: Ownership Change filed for a Bear River Basin Water Right. The application could not be processed, recommended file a claim in the BRBA.

Let me know if you have any questions or need additional information. Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Baily | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov