

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 07 2005

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>3-4008B</u>	<u>3-4008B</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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**.

3. Name and Address of Former Owner/Claimant(s)

MC Shelley Family Trust (Frank & Melita Shelley)
960 NW 14th Ave Payette, ID 83661

4. New Owner/Claimant(s)

Robert L & Marjorie V. STEWART
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

6960 Eagle Creek Ct.

City, State and ZIP Code

RENO, NEVADA 89509

New Telephone Number

(775) 746-4493

5. Date you acquired the property

Nov. 24, 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

322520

P 19168

WARRANTY DEED

For Value Received

FRANKLIN JEFFERSON SHELLEY, A MARRIED MAN, AS HIS SOLE AND SEPARATE PROPERTY, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST, AND MELITA ELLEN SHELLEY, A SINGLE WOMAN, AS HER SOLE AND SEPARATE PROPERTY, AS TO AN UNDIVIDED $\frac{1}{2}$ INTEREST, AS TENANTS IN COMMON

hereby GRANT, BARGAIN, SELL AND CONVEY unto

ROBERT L. STEWART AND MARJORIE V. STEWART, HUSBAND AND WIFE

whose current address is 6960 EAGLE CR. CT.
RENO, NV 89509

the following described premises, to-wit:

SEE EXHIBIT ~~XX~~ ATTACHED HERETO.

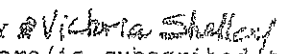
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee(s), his/her/their heirs and assigns forever. And the said grantor(s) do(es) hereby covenant to and with the said grantee(s) that he/she/they are/is the owner(s) in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

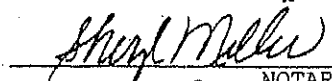
Dated: 11/23/04


FRANKLIN JEFFERSON SHELLEY MELITA ELLEN SHELLEY

Victoria Shelley

STATE OF IDAHO, COUNTY OF PAYETTE

On this 24th day of NOVEMBER, 2004, before me, a notary public in and for said State, personally appeared
FRANKLIN JEFFERSON SHELLEY AND MELITA ELLEN SHELLEY 
known to me to be the person(s) who(se) name(s) are/is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.


NOTARY PUBLIC
Residing at Payette, Idaho
Comm. Expires: 3-3-06

Instrument # 322520

PAYETTE COUNTY

2004-11-24

03:55:00 No. of Pages: 2

Recorded for: AMERITITLE

BETTY J DRESSER

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 6.00



322520

EXHIBIT A

In Township 9 North, Range 5 West, Boise Meridian, Payette County, Idaho:

In Section 32: A parcel of land located within Government Lots 4 and 5 and the Northeast quarter of the Southwest quarter, more particularly described as follows:

Lots 4 and 5 and from said Northeast quarter of the Southwest quarter the following described tract of land:

Beginning at the Southeast corner of said Northeast quarter of the Southwest quarter of Section 32, Township 9 North, range 5 West, Boise Meridian;
thence North $0^{\circ}00'22''$ East 720.02 feet along the East line of said Northeast quarter of the Southwest quarter;
thence North $85^{\circ}05'20''$ West 528.96 feet;
thence North $8^{\circ}26'10''$ East 454.94 feet;
thence North $43^{\circ}28'39''$ West 65.91 feet;
thence North $58^{\circ}29'07''$ West 374.66 feet to a point within said Lot 4;
thence South $28^{\circ}05'43''$ West 456.29 feet to a point within said Northeast quarter of the Southwest quarter;
thence North $84^{\circ}21'34''$ West 648.70 feet to a point within said Lot 5;
thence South $8^{\circ}23'09''$ West 484.82 feet;
thence North $87^{\circ}31'01''$ West 316.33 feet;
thence South $1^{\circ}10'55''$ East 654.90 feet to a point on the South line of said Lot 5;
thence North $89^{\circ}59'12''$ East 2058.62 feet along the South line of said Lot 5 and the South line of said Northeast quarter of the Southwest quarter to the Point of Beginning.