

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUN 30 2021
DEPT. OF WATER RESOURCES
SOUTHERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-577CM	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8793	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Thomas Stewart Family Trust, Thomas Peter Thomas, Jacqueline Sue Stewart
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Matthew O'Brien, Jamie O'Brien
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 1126 W. Montana Chicago IL 60614
Mailing address City State ZIP
6154180254 jamiestoneobrien@gmail.com
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: 17 December 2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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.

SUPPORT DATA

IN FILE # 37-577CM

8. Signature: Matthew O'Brien 6/22/2021
Signature of new owner/claimant Title, if applicable Date
Matthew O'Brien 6/22/2021
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 6/30/21 Receipt No. 5038678 Receipt Amt. \$50.00
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 JB Date 7-14-21



WARRANTY DEED

For Value Received

Jacqueline Sue Stewart, Trustee of the Thomas-Stewart Family Trust Dated October 16, 1996 as amended and restated,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Matthew O'Brien and Jamie O'Brien, husband and wife

the Grantee, whose current address is: 1126 W Montana, Chicago, IL 60614

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

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 to and those made, suffered or done by the Grantee; and subject to all existing patent reservations; restrictions in railroad deeds of record; easements and rights of way established and of record; protective covenants of record; zoning ordinances and applicable building codes, use restrictions, ordinances, laws and regulations of any governmental unit; 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.

Dated this 16 day of December, 2020.

Thomas-Stewart Family Trust Dated October 16, 1996


Jacqueline Sue Stewart, Trustee

State of California
County of San Mateo

This record was acknowledged before me on 16 day of December, 2020, by
Jacqueline Sue Stewart, as the Trustee(s) of the Thomas-Stewart Family Trust Dated October 16, 1996
as amended and restated.

Betina Lee
Notary Public BETINE LEE
My Commission Expires: 4-12-21

(STAMP)

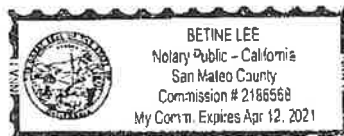


EXHIBIT "A"
LEGAL DESCRIPTION

File No.: 2022889

Lot 4, Block 1 of A REPLAT OF LOT 4, OF A REPLAT OF LOTS 3, 4 & 5, BLOCK 1, GIMLET TERRACE
SUBDIVISION, as shown on the official plat thereof, recorded as Instrument No. 341986, records of
Blaine County, Idaho.



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

July 14, 2021

MATTHEW O BRIEN
JAMIE O BRIEN
1126 W MONTANA ST
CHICAGO IL 60614-2221

Re: Change in Ownership for Water Right No(s): 37-577CM & 37-8793

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) 293-9909.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Bitzenburg', is written over a horizontal line.

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-37; Fritz Haemmerle, Haemmerle Law, PLLC

HAEMMERLE LAW, P.L.L.C

Attorney & Counselor at Law

Fritz X. Haemmerle
fxh@haemlaw.com

P.O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

June 23, 2021

RECEIVED

JUN 30 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Dept. of Water Resources
Southern Region
650 Addison Ave W., Ste 500
Twin Falls, ID 83301-5858

Re: Notice of Change of Water Right Ownership

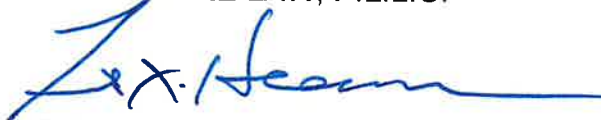
To Whom It May Concern:

This firm represents Matthew and Jamie O'Brien. Please find enclosed; (1) the completed and signed Notice of Change in Water Right Ownership; (2) a check for \$50.00 for the fees; and (3) a copy of the conveyance document.

If you require any further information, please advise.

Sincerely,

HAEMMERLE LAW, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
Encl.
cc: client