

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 21 2019

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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?
63-21870	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: DONALD L. STUART AND SHELLEY R. STUART
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): CANYON COUNTY
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

1115 ALBANY STREET CALDWELL ID 83605
Mailing address City State ZIP
(208) 454-7391 PACIVILMAIL@CANYONCO.ORG
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: SEPTEMBER 27, 2019

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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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: SEE ATTACHED SIGNATURE PAGE
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KT Date 10/21/19 Receipt No. W047827 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 ☒

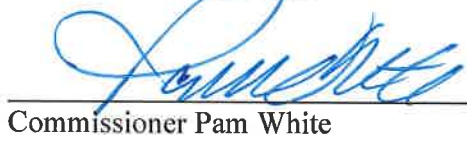
Name on W-9 _____ Approved by KT Processed by KT Date 11/13/19

DATED this 10 day of Oct., 2019.

BOARD OF CANYON COUNTY
COMMISSIONERS


Commissioner Leslie Van Beek


Commissioner Tom Dale


Commissioner Pam White

ATTEST: CHRIS YAMAMOTO, CLERK

By: 
Deputy Clerk

Date: 10-10-19

AFTER RECORDING MAIL TO:

Canyon County
1115 Albany St., Rm. 101
Caldwell, ID 83605

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

WARRANTY DEED

File No.: 4120-3320476 (KD)

Date: *September 25, 2015*

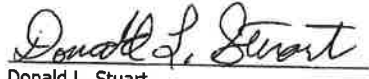
For Value Received, **Donald L. Stuart and Shelley R. Stuart, husband and wife**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Canyon County, a political subdivision of the State of Idaho**, hereinafter referred to as Grantee, whose current address is **1115 Albany St., Rm. 101, Caldwell, ID 83605**, the following described premises, situated in **Canyon County, Idaho**, to wit:

LEGAL DESCRIPTION: Real property in the County of Canyon, State of Idaho, described as follows:

(See Exhibit "A" attached hereto and made a part hereof by reference.)

APN: **30166000 0; 30166010 0; 30166011 0; 30166012 0**

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

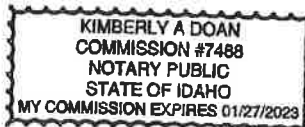

Donald L. Stuart

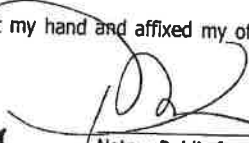

Shelley R. Stuart

STATE OF Idaho)
) ss.
COUNTY OF Canyon)

On this 25th day of **September, 2019**, before me, a Notary Public in and for said State, personally appeared **Donald L. Stuart and Shelley R. Stuart**, 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 hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





Notary Public for the State of Idaho
Residing at: ,
My Commission Expires:



First American

Exhibit A

ISSUED BY

First American Title Insurance Company

File No: 4120-3320476

Commitment File No.: 4120-3320476

The Land referred to herein below is situated in the County of Canyon, State of ID, and is described as follows:

Parcel 1

This parcel is a portion of the Northeast Quarter Northeast Quarter Northeast Quarter of Section 20, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter Northeast Quarter; Thence South $00^{\circ} 02' 23''$ East along the East boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 30.00 feet to the TRUE POINT OF BEGINNING; thence continuing South $00^{\circ} 02' 23''$ East along said East boundary a distance of 321.49 feet; thence South $89^{\circ} 21' 35''$ West parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 449.64 feet thence North $08^{\circ} 15' 45''$ East a distance of 325.39 feet to a point which lies 30.00 feet South of the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter; thence North $89^{\circ} 21' 35''$ East parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 402.66 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A parcel of land for right-of-way located in the Northeast Quarter of the Northeast Quarter of Section 20 Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho. Said right-of-way being described as follows:

Commencing at the Northeast corner of Section 20, Township 2 North, Range 3 West, Boise Meridian; Thence along the East line of the Northeast Quarter of Section 20, South $00^{\circ} 38' 40''$ West 30.00 feet, to a point 30.57 feet right of Deer Flat Road Centerline Station 20+55.88 and the TRUE POINT OF BEGINNING;

Thence continuing along said East line of the Northeast Quarter of Section 20, South $00^{\circ} 38' 40''$ West, 34.43 feet, to a point 65.00 feet right of Deer Flat Road Centerline Station 20+55.37; Thence leaving said East line North $89^{\circ} 43' 04''$ West, 407.64 feet;

Thence North $08^{\circ} 54' 10''$ East, 33.12 feet;

Thence South $89^{\circ} 57' 27''$ East, 402.90 feet to the TRUE POINT OF BEGINNING.

Parcel 2

This parcel is a portion of the Northeast Quarter Northeast Quarter Northeast Quarter of Section 20, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter Northeast Quarter; thence South $00^{\circ} 02' 23''$ East along the East boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 30.00 feet; thence South $89^{\circ} 21' 35''$ West parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 402.66 feet to the TRUE POINT OF BEGINNING; thence South $08^{\circ} 15' 45''$ West a distance of 453.31 feet; thence South $89^{\circ} 21' 35''$ West parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 161.74 feet to a point which lies 30.00 feet East of the West boundary of said Northeast Quarter Northeast Quarter Northeast Quarter; thence North $00^{\circ} 03' 17''$ West parallel with the West boundary of said Northeast Quarter Northeast Quarter Northeast Quarter

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Form 5030016 (5-9-17)

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ALTA Commitment for Title Insurance (8-1-16)
Idaho

Quarter a distance of 447.87 feet to a point which lies 30.00 feet South of the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter; thence North 89° 21' 35" East parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 227.32 feet to the TRUE POINT OF BEGINNING.

Parcel 3

This parcel is a portion of the Northeast Quarter Northeast Quarter Northeast Quarter of Section 20, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Southwest corner of said Northeast Quarter Northeast Quarter Northeast Quarter; Thence North 89° 21' 13" East along the South boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 30.00 feet to the TRUE POINT OF BEGINNING;
Thence North 00° 03' 17" West parallel with the West boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 184.59 feet to a point which lies 477.87 feet South of the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter
Thence North 89° 21' 35" East parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 472.01 feet; thence South 00° 02' 23" East parallel the East boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 184.54 feet to a point on the South boundary of said Northeast Quarter Northeast Quarter Northeast Quarter; thence South 89° 21' 13" West along said South boundary a distance of 471.96 feet to the TRUE POINT OF BEGINNING.

Parcel 4

This parcel is a portion of the Northeast Quarter Northeast Quarter Northeast Quarter of Section 20, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Beginning at the Southeast corner of said Northeast Quarter Northeast Quarter Northeast Quarter; thence South 89° 21' 13" West along the South boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 157.85 feet to a point which lies 501.96 feet East of the Southwest corner of said Northeast Quarter Northeast Quarter Northeast Quarter; thence North 00° 02' 23" West parallel with the East boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 184.54 feet; thence South 89° 21' 35" West parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 310.27 feet to a point which lies 191.74 feet East of the West boundary of said Northeast Quarter Northeast Quarter Northeast Quarter;
thence North 08° 15' 45" East a distance of 127.92 feet;
thence North 89° 21' 35" East parallel with the North boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 449.64 feet to a point which lies 351.49 feet South of the Northeast corner of said Northeast Quarter Northeast Quarter Northeast Quarter; thence South 00° 02' 23" East along the East boundary of said Northeast Quarter Northeast Quarter Northeast Quarter a distance of 310.91 feet to the POINT OF BEGINNING.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 13, 2019

CANYON COUNTY
1115 ALBANY ST
CALDWELL ID 83605-3522

Re: Change in Ownership for Water Right No(s): 63-21870

Dear Water Right Holder:

The Department of Water Resources Western acknowledges the receipt of correspondence changing ownership of the above referenced water right 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) 334-2190.

Sincerely,

Kensie Thorneycroft
Office Specialist 2

Enclosure(s)



Canyon County Prosecuting Attorney

Bryan F. Taylor, JD, PhD

Canyon County Courthouse * 1115 Albany Street * Caldwell, ID 83605
Telephone: (208)454-7391 * General Fax: (208)454-7474 * Civil Fax: (208)455-5955



Christopher N. Topmiller
Chief Deputy
Criminal Division

Samuel B. Laugheed
Chief Deputy
Civil Division

October 17, 2019

RECEIVED

OCT 21 2019

WATER RESOURCES
WESTERN REGION

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

Re: Water Rights Transfer – 16241 Deer Flat Road, Caldwell, ID 83605

To Whom It May Concern:

Enclosed please find the completed Notice of Change in Water Right Ownership related to the above listed property and submitted by the Canyon County Board of Commissioners. Also enclosed is a check in the amount of \$25.00 for the filing fee. If you have any issues or questions, please contact me at (208) 454-7391 or bgoodsell@canyonco.org.

Sincerely,

Bradford D. Goodsell
Senior County Attorney

BDG/srh