

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 21 2023

DEPARTMENT OF
WATER RESOURCES

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-33505	Yes ☒	Yes ☐		Yes ☐	Yes ☐
not a split	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: KEVIN O'NEIL
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): STUART FAMILY TRUST DATED 9/26/2016
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

3705 ELMORE ROAD PARMA ID 83660
Mailing address City State Zip
(408) 219 8410 / (757) 679 8790 deu1014@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: 9-15-2023
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):
 - ☐ \$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: Diane E. Stuart owner 9-12-2023
 Signature of new owner/claimant Title, if applicable Date
Diane E Stuart
 Print name

Signature: Clark Stuart 09-14-2023
 Signature of new owner/claimant Title, if applicable Date
Clark Stuart
 Print name

For IDWR Office Use Only:

Received by KM Date 9-21-23 Receipt No. C117070 Receipt Amt. \$100-

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 Janh Processed by Date 10-13-23

refund \$75 not a split

Instrument # 452546
PAYETTE COUNTY
2023-09-15 02:31:42 PM No. of Pages: 3
Recorded for: TITLEONE BOISE
LINDSEY BRATCHER Fee: \$15.00
Ex-Officio Recorder Deputy Teri Nicholls
Index To: WARRANTY DEED
Electronically Recorded by Simplifile



Order Number: 23483573

Warranty Deed

For value received,

Kevin O'Neil, a married man, as his sole and separate property

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

Clark D. Stuart Jr. and Diane E. Stuart, Trustees of the Stuart Family Trust, dated September 26, 2016, and any amendments thereto

whose current address is 3705 Elmore Rd Parma, ID 83660

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

See Exhibit A, attached hereto and incorporated herein.

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: September 7, 2023

Kevin O'Neil

Stephanie Storrs

State of Idaho, County of Payette, ss.

On this 14 day of September in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Kevin O'Neil and Stephanie Storrs, 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.

Kathy McDonald
Notary Public

Residing In: Weiser

My Commission Expires:
(seal)

5-27-2029

KATHY MCDONALD
Commission #20638
Notary Public
State of Idaho
My Commission Expires: 05/27/2029

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel I:

All that portion of the Southeast Quarter Northeast Quarter of Section 35, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho, lying South and West of the West bank of the A-28.4 Canal and the "A" Line Black Canyon Canal

Excepting therefrom:

The South 400 feet of the Southeast Quarter of the Northeast Quarter of Section 35, Township 7 North, Range 5 West of the Boise Meridian, lying West of the A 28.4 irrigation lateral.

Parcel I-A:

An easement for ingress and egress on the existing road as set forth in Warranty Deed recorded May 23, 2001 as Instrument No. 293826, Official Records.

Also together with a 50 foot road easement along the West side of ditch lateral #A 28.4.

Parcel II:

All that portion of the Northeast Quarter Southeast Quarter of Section 35 Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho, lying North and East of the East bank of the A-28.4 Canal and the "A" Line Black Canyon Canal.

Parcel III:

All that portion of the Northeast Quarter Southeast Quarter of Section 35, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho, lying South and West of the West bank of the A-28.4 Canal and the "A" Line Black Canyon Canal;

Excepting therefrom:

The East 610 feet of the West 700 feet of the South 715 feet of the Northeast Quarter Southeast Quarter of Section 35, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho

Parcel IV:

The East 610 feet of the West 700 feet of the South 715 feet of the Northeast Quarter Southeast Quarter of Section 35, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho.

Instrument # 452256

PAYETTE COUNTY

2023-08-23 01:31:28 PM No. of Pages: 3

Recorded for: TITLEONE BOISE

LINDSEY BRATCHER Fee: \$15.00

Ex-Officio Recorder Deputy Teri Nicholls

Index To: QUITCLAIM DEED

Electronically Recorded by Simplifile



File # 23483573

Quitclaim Deed

For value received, **Elise N. Robertson, who acquired title as Lisa N O'Neil, former spouse of Kevin O'Neil**

Does hereby convey, release, remise, and forever quit claim unto

Kevin O'Neil, a single person, as his sole and separate property

whose current address is 3705 Elmore Rd, Parma, ID 83660,

the following described premises:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, unto the said grantees, heirs and assigns forever.

Remainder of this page intentionally left blank.

Date: 08/22/2023

Elise N. Robertson
Elise N. Robertson

State of Idaho, County of payette, ss.

On this 23rd day of August in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **Elise N. Robertson** known or identified to me to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

Amberlee Coley Notary Public
Residing at: payette
My Commission Expires: 10/07/2025
(seal)

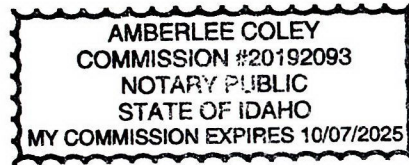


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TitleOne
a title & escrow co.

868 E. Riverside Dr., Suite 100
Eagle, ID 83616
Ph. (208) 489-7264
Fx. (866) 456-7661
www.titleonecorp.com

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720

RECEIVED

SEP 21 2023

**DEPARTMENT OF
WATER RESOURCES**

Date: September 18, 2023

Re: Escrow No. 23483573

In connection with the above referenced transaction, I am enclosing the following:

- Deeds in Chain of title
- check for 100.00 for split
- Please let us know if you need any more deeds for transfer

Your business is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Sincerely,

Becky Shubert
(208) 614-6509

bshubert@titleonecorp.com



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

October 13, 2023

STUART FAMILY TRUST
3705 ELMORE RD
PARMA ID 83660-6166

Re: Change in Ownership for Water Right No(s): 63-33505

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.

TitleOne submitted a filing fee of \$100 to split this water right. The water right did not need to be divided. A refund of **\$75** has been requested and will be sent to TitleOne under separate cover from the State Controller's Office.

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: TitleOne

Hersley, Jean

From: Hersley, Jean
Sent: Friday, October 13, 2023 11:04 AM
To: IdwrPayable
Subject: refund
Attachments: TitleOne for STUART FAMILY TRUST.docx

Please process the attached refund as soon as possible. Thank you.



Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

Idaho Department of Water Resources Receipt

Receipt ID: C117070

Payment Amount	\$100.00	Date Received	9/21/2023	Region	STATE
Payment Type	Check	Check Number	71158		
Payer	TITLEONE - STUART FAMILY TRUST				
Comments	CHANGE OF OWNERSHIP FOR: STUART FAMILY TRUST DATED 9/26/2016 WR: 63-33505 (SPLIT) DOCUMENT NUMBER: D9510				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Signature Line (Department Representative)

Please issue a refund of **\$75** to TitleOne. They paid for a split and the water didn't need to be split.

TITLEONE
868 E RIVERSIDE DR STE 100
EAGLE ID 83616

Thanks,

Jean