

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 <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| <i>not a split</i>    | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

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

IN

83660

Mailing address

City

State

Zip

(408) 219 8410 / (757) 679 8750

Email

deu1014@gmail.com

Telephone

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):  
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: Diane E. Stuart

Signature of new owner/claimant

Title, if applicable

Date

Diane E Stuart

Print name

- Signature: Clark Stuart

Signature of new owner/claimant

Title, if applicable

Date

Clark Stuart

Print name

refund \$75 not a split

Received by ku Date 9-21-23

For IDWR Office Use Only:

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

Processed by [Signature]

Date 10-13-23

**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



**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 23<sup>rd</sup> 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)

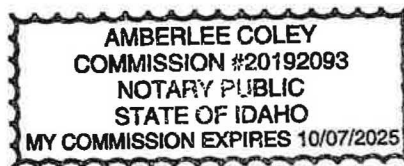


**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PREMISES**

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**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.



868 E. Riverside Dr., Suite 100  
Eagle, ID 83616  
Ph. (208) 489-7264  
Fx. (866) 456-7661  
[www.titleonecorp.com](http://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](mailto: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](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://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

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**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

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|                |                                                                                                                   |               |           |        |       |
|----------------|-------------------------------------------------------------------------------------------------------------------|---------------|-----------|--------|-------|
| 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<br>FOR: STUART FAMILY TRUST DATED 9/26/2016<br>WR: 63-33505 (SPLIT)<br>DOCUMENT NUMBER: D9510 |               |           |        |       |

## Fee Details

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

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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