

NOV 10 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern 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. **DEV**

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 34-42A OK	Yes ☒	Yes ☐	✓ 34-14342 OK	Yes ☒	Yes ☐
✓ 34-452A OK	Yes ☒	Yes ☐	34-42 A (Split into 34-42 A and 34-14858)		☐
✓ 34-2300 OK	Yes ☒	Yes ☐	34-452A (Split into 34-452A and 34-14859)		☐
✓ 34-7194 OK	Yes ☒	Yes ☐	34-2300 (Split into 34-2300 and 34-14860)		☐
✓ 34-13761 OK	Yes ☒	Yes ☐	34-7194 (Split into 34-7194 and 34-14861)		☐
			34-13761 (Split into 34-13761 and 34-14862)		☐
			34-14342 (Split into 34-14342 and 34-14863)		☐

2. Previous Owner's Name: Melvin Mary Hintze and Dada Ann Hintze
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): John Q McKelvey and Margaret Eubale McKelvey
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- Mailing address: P.O. Box 491
City: Mackay State: ID ZIP: 83251
- Telephone: 208-716-2598, 208-589-2598
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: 3-28-13
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 #

34-42A

8. Signature: John Q. McKelvey Title, if applicable: _____ Date: 11-1-2021
Signature of new owner/claimant
- Signature: Margaret E. McKelvey Title, if applicable: _____ Date: 11/2/2021
Signature of new owner/claimant

For IDWR Office Use Only:

Received by: JB Date: 11/10/2021 Receipt No. E047526 Receipt Amt. \$600.-

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: JB Processed by: JB Date: 1/19/2022

Custer County Reg. of

Myelin m + Darla a Hintze

Time 8:43 A M Date 3-28, 2013

Barbara C. Tierney, Clerk.

Deputy Donnie Crisp \$13.00

I affixed my official seal the day and year in
Bozeman, Montana
 Notary Public for IDAHO
 Residing at MACKAY 83251
 My Commission Expires: 4-25-17

247096

Exhibit A

A Tract of Land Situated Southeasterly of Houston Road, Southwesterly of US Highway No. 93A, Being a part of the SW1/4 of Section 35 T7N., R. 24 E., B.M., Custer County, State of Idaho; Being more particularly described as follows;

Beginning at a 5/8" rebar with aluminum cap (P.L.S. #3577 - see record of survey, inst. #207793) marking the south quarter corner of Sec. 35, T7N., R24 E., B.M., Custer County, State of Idaho; from which a 5/8 rebar with aluminum cap (P.L.S. #3577 - see record of survey Inst. #207793) marking the southwest corner of said sec. 35 bears S 89° 32' 39" /w, 2664.27 feet; thence, S 89° 32' 39" W 2159.23 feet on or along the south line of the SW1/4 of said Sec. 35 to a point lying on or along the southeasterly right-of-way line of Houston road (said right-of-way line being 33 feet, measured at right angles, from the existing road centerline); thence, leaving said south line N 30° 30' 29" E, 2431.09 feet on or along said right-of-way line to a set 5/8 x 30" rebar with plastic cap (P.L.S. #3577) lying on or along the southwesterly right-of-way line of U.S. Highway No 93A; thence S 65° 06' 52" E 621.56 feet along said right-of-way line to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577), The point of beginning; thence, continuing along said right-of-way line S 65° 06' 52" E. 313.67 feet to a found 1/2" iron rod; Thence, leaving said right-of-way line S 29° 43' 58" W. 324.42 feet to a found 1/2" iron rod lying on or along an existing fence; Thence N 89° 38' 28" W. 347.91 feet on or along said fence to a set 5/8" X 30" rebar with plastic cap (P.L.S. #3577); Thence, N 28° 35' 14" E. 468.66 feet along said fence to the point of beginning.

TRACT DESCRIPTION

Tract 07-159

Parcel Number: RP07N24E354808A

Buyer: McKelvey, John & Margaret

Instrument Number: 247096

224198 224200 232039

Seller: Hintze, Melvin & Darla

Instrument Number: Survey

Seller: Hintze, Melvin & Darla

Date: 01/14/2002

A Tract of Land Situated Southeasterly of Houston Road, Southwesterly of US Highway No. 93A, Being a part of the SW1/4 of Section 35 T7N., R. 24 E., B.M., Custer County, State of Idaho; Being more particularly described as follows;

Beginning at a 5/8" rebar with aluminum cap (P.L.S. #3577 – see record of survey, inst. #207793) marking the south quarter corner of Sec. 35, T7N., R24 E., B.M., Custer County, State of Idaho; from which a 5/8 rebar with aluminum cap (P.L.S. #3577 – see record of survey Inst. #207793) marking the southwest corner of said sec. 35 bears S 89° 32' 39" /w, 2664.27 feet; thence, S 89° 32' 39" W 2159.23 feet on or along the south line of the SW1/4 of said Sec. 35 to a point lying on or along the southeasterly right-of-way line of Houston road (said right-of-way line being 33 feet, measured at right angles, from the existing road centerline); thence, leaving said south line N 30° 30' 29" E, 2431.09 feet on or along said right-of-way line to a set 5/8 x 30" rebar with plastic cap (P.L.S. #3577) lying on or along the southwesterly right-of-way line of U.S. Highway No 93A: thence S 65° 06' 52" E 621.56 feet along said right-of-way line to a set 5/8" x 30" rebar with plastic cap (P.L.S. #3577), The point of beginning; thence, continuing along said right-of-way line S 65° 06' 52" E. 313.67 feet to a found 1/2" iron rod; Thence, leaving said right-of-way line S 29° 43' 58" W. 324.42 feet to a found 1/2" iron rod lying on or along an existing fence; Thence N 89° 38' 28" W. 347.91 feet on or along said fence to a set 5/8" X 30" rebar with plastic cap (P.L.S. #3577); Thence, N 28° 35' 14" E. 468.66 feet along said fence to the point of beginning.

This parcel contains 2.813 acres more or less

NOTE: Legal taken off of survey ONLY---No deed recorded (split done to adjust land between John McKelvey, John McKnight, Robert Pittman and Marx Hintz)

**This tract card replaces
A portion of the SW4
(Please refer to this old tract for deed history)**

Gift Deed 03/28/2013

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED Melvin Marx Hintze
and Darla Ann Hintze, the Grantor,
 does hereby grant, bargain, sell and convey unto John Quinn McKelvey and
Margaret Eula Le McKelvey, the Grantee,
 whose current address is 917 College Ave., Mackay, Idaho 83251
 the following described real estate situated in Custer County,

State of Idaho, to-wit: A parcel of land generally described as being a portion of the southwest quarter of Section 35, Township 7 North, Range 24 East of the Boise Meridian, Custer County, Idaho, and being more particularly described as follows:

Commencing at the south one-quarter corner of said Section 35, (said corner being monumented by an aluminum capped 5/8 inch diameter steel rod, L.S. 826), from which the southwest corner of said Section 35, (aluminum capped steel rod, L.S. 4107), bears South 89° 21' 46" West, 2653.16 feet; thence from the south one-quarter corner of said Section 35, North 00° 04' 28" East along the east boundary of the southwest quarter of said Section 35, a distance of 1265.92 feet to a half inch diameter steel rod and the POINT OF BEGINNING.

Thence continuing along the east boundary of the southwest quarter of said Section 35, North 00° 04' 28" East, a distance of 311.89 feet to a half inch diameter steel rod on the southerly boundary of the U.S. Highway 93A right-of-way; thence North 65° 13' 08" West along the southerly boundary of said highway right-of-way, a distance of 125.67 feet to a half inch diameter steel rod; thence South 29° 52' 35" West, a distance of 324.47 feet to a half inch diameter steel rod; thence South 73° 10' 57" East, a distance of 287.62 feet to the east boundary of the southwest quarter of said Section 35, and the POINT OF BEGINNING.

The above described parcel of land contains 1.45 acres, more or less.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereinto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 24 August 2001
Melvin Marx Hintze
Darla Ann Hintze

STATE OF Idaho, County of Idaho 2001
 On this 24 day of August 01
 before me, Nancy R. Stewart, a
 Notary Public in and for the said State personally
 appeared Melvin Marx Hintze
Darla Ann Hintze

Known to me to be the person(s) whose name(s)
 subscribed to the within instrument, and acknowl-
 edges to me that they executed the same.

Nancy R. Stewart
Nancy R. Stewart
 Notary Public
 Idaho
 Residing at American Fork, Utah
 Comm. # 111111
 175 EAST MAIN STREET
 AMERICAN FORK, UT 84203
 CALL EXT. 1-5-2005

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

0223406

John McKelvey
9:24 AM Date 8-29-01
Edith P. Peck
 Deputy

IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance

QUITCLAIM DEED

For Value Received

Robert Pittman & Judy Pittman

do hereby convey, release, remise and forever quitclaim unto

John Q. McKelvey & Margaret E. McKelvey

whose current address is

4474 West Houston Rd., P.O. Box 491 Mackay, Idaho 83251

the following described premises, to-wit:

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE S1/2, SECTION 15, T 7 N., R. 24 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE S1/4 CORNER OF SAID SECTION 15, FROM WHICH THE SE CORNER OF SAID SECTION BEARS N 89°48'48"E A DISTANCE OF 2664.48 FT. THE BASIS OF BEARING OF THIS DESCRIPTION RUN THENCE N 60°17'57"W A DISTANCE OF 1203.20 FT. TO THE POINT OF BEGINNING.
 THENCE N 50°54'44"W A DISTANCE OF 146.25 FT.
 THENCE N 50°59'51"W A DISTANCE OF 32.81 FT.
 THENCE N 73°12'45"W A DISTANCE OF 153.05 FT.
 THENCE N 29°49'13"E A DISTANCE OF 324.43 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;
 THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY:
 S 65°13'32"E 149.49 FT.; S 65°04'42"E 19.85 FT.
 THENCE S 07°17'50"W A DISTANCE OF 413.95 FT.
 THENCE S 89°53'23"W A DISTANCE OF 35.85 FT. TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.82 ACRES

together with their appurtenances.

Dated: APRIL 26, 2007


 ROBERT E. PITTMAN


 JUDY PITTMAN
STATE OF ~~IDAHO~~ ^{CALIFORNIA} COUNTY OF ~~RIVERSIDE~~

On this 26 day of April, 2007, before me, a notary public in and for the said State, personally appeared

ROBERT PITTMAN
JUDY PITTMAN

known to me to be the persons, who's names subscribed to the within instrument, and acknowledged to me that they executed the same.

JOHN W. ZUNIGA

Notary Public

Residing at MANAETA
Comm. Expires 9-20-2011

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at the request of Margaret McKelvey

at 20 minutes past 4:00 o'clock P.M.,
this 15th day of June, 2007, in my office, and duly recorded in Book of Deeds at Page

 Ex-Officio Recorder

By

Fees \$ 6.00
Mail to:

Deputy.

NOT PUBLIC DOCUMENT

236729

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of RIVERSIDE

} ss.

On APRIL 26, 2007

Date

before me,

JOHN W. ZUNIGA, NOTARY PUBLIC

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

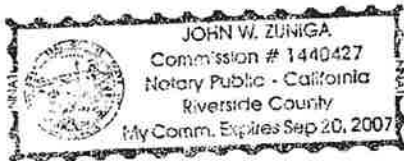
personally appeared

ROBERT PITTMAN

Name(s) of Signer(s)

JUDY PITTMAN☐ personally known to me

☒ I proved to me on the basis of satisfactory evidence 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 his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

QUITCLAIM DEED

For Value Received

Melvin Marx Hintze & Darla Ann Hintze

do hereby convey, release, remise and forever quitclaim unto

John Q. McKelvey & Margaret E. McKelvey

whose current address is

4474 West Houston Rd., P.O. Box 491 Mackay, Idaho 83251

the following described premises, to-wit:

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE S1/2, SECTION 35, T. 1 N., R. 24 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE S1/4 CORNER OF SAID SECTION 35, FROM WHICH THE SE CORNER OF SAID SECTION BEARS N 89°40'48"E A DISTANCE OF 2664.48 FT. THE BASIS OF BEARING OF THIS DESCRIPTION RUN THENCE N 00°17'57"W A DISTANCE OF 1203.20 FT. TO THE POINT OF BEGINNING,
 THENCE N 20°54'41"W A DISTANCE OF 146.25 FT.,
 THENCE N 55°59'51"W A DISTANCE OF 32.81 FT.,
 THENCE N 73°12'45"W A DISTANCE OF 153.05 FT.,
 THENCE N 29°49'15"E A DISTANCE OF 324.43 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;
 THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY,
 S 65°13'32"E 149.89 FT.; S 65°04'42"E 19.85 FT.,
 THENCE S 07°12'50"W A DISTANCE OF 412.95 FT.,
 THENCE S 49°53'23"W A DISTANCE OF 35.85 FT. TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.82 ACRES

together with their appurtenances.

Dated: 10-5-2006

Melvin Marx Hintze
Darla Ann Hintze

STATE OF IDAHO, COUNTY OF

On this 5th day of October, 2006,
 before me, a notary public in and for the said State, personally appeared



MELVIN MARX HINTZE
 DARLA ANN HINTZE

showing me to be the persons whose names
 subscribed to the within instrument, and acknowledged to
 executed the same.

James D. McKelvey

Residing at Mackay, Idaho
 Comm. Expires 6-2-2012

Notary Public
 , Idaho

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at
 the request of Margaret McKelvey

at 20 minutes past 4:00 o'clock P.M.,
 this 1 day of June
 2007, in my office, and duly recorded in Book
 of Deeds at Page

Paulina C. Bruckner
 Ex-Officio Recorder

By

Fees \$ 3⁰⁰
 Mail to:

Deputy.

NOT A VALID INSTRUMENT

QUITCLAIM DEED

For Value Received

William J. & DeLone McKnight

do hereby convey, release, remise and forever quitclaim unto John Q. McKelvey & Margaret E. McKelvey

whose current address is

the following described premises, to-wit: 4474 West Houston Rd., P.O. Box 491 Mackay, Idaho 83251

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE S1/2, SECTION 35, T 7 N., R. 24 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE S1/4 CORNER OF SAID SECTION 35, FROM WHICH THE SE CORNER OF SAID SECTION BEARS N 89°40'48"E A DISTANCE OF 7664.48 FT. THE BASIS OF BEARING ON THIS DESCRIPTION RUN THENCE N 00°17'57"W A DISTANCE OF 1203.20 FT. TO THE POINT OF BEGINNING,
 THENCE N 20°54'44"W A DISTANCE OF 146.25 FT.,
 THENCE N 36°59'51"W A DISTANCE OF 32.81 FT.,
 THENCE N 73°12'45"W A DISTANCE OF 153.05 FT.,
 THENCE N 29°49'15"E A DISTANCE OF 324.43 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;
 THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY,
 S 65°13'32"E 149.49 FT., S 65°04'42"E 19.86 FT.,
 THENCE S 07°12'50"W A DISTANCE OF 412.95 FT.,
 THENCE S 89°53'23"W A DISTANCE OF 35.85 FT. TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.82 ACRES

together with their appurtenances.

Dated: 10-5-06

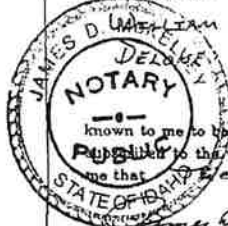
William J. McKnight
DeLone McKnight

STATE OF IDAHO, COUNTY OF

On this 5th day of October, 19 2006,
 before me, a notary public in and for the said State, personally appeared

WILLIAM J. MCKNIGHT

MCKNIGHT



known to me to be the person's whose names
 appear in the within instrument, and acknowledged to
 me that they executed the same.

John Q. McKelvey
Margaret E. McKelvey

Residing at Mackay
 Comm. Expires 6-2-2012

Notary Public
 , Idaho

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at
 the request of Margaret McKelvey

at 20 minutes past 4 o'clock P. M.,
 this 1st day of June,
 19 , in my office, and duly recorded in Book
 of Deeds at Page

Barbara C. Buechler
 Ex-Officio Recorder

By _____ Deputy.

Fees \$ 3.00
 Mail to:



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 19, 2022

JOHN MC KELVEY
MARGARET E MC KELVEY
PO BOX 491
MACKAY ID 83251-0491

Re: Change in Water Right Ownership: 34-42 A (Split into 34-42 A and 34-14858), 34-452A (Split into 34-452A and 34-14859), 34-2300 (Split into 34-2300 and 34-14860), 34-7194 (Split into 34-7194 and 34-14861), 34-13761 (Split into 34-13761 and 34-14862), 34-14342 (Split into 34-14342 and 34-14863)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: DARLA ANN HINTZE
MELVIN MARX HINTZE
BIG LOST RIVER GROUND WATER DISTRICT
WATER DISTRICT 34