

AUG 20 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department 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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
15-41770K	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Remove previous owner only	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Elden Nielsen and Joan T Nielsen
Name of current water right holder/claimant

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

Mailing address: 1331 N. 2100 W. City: Malad State: ID ZIP: 83252
Telephone: 208-764-2370 Email: Cmacheb33@aol.com

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: June 2004

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. Just Removed Elden Nielsen's name
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: Casey B McClellan Title, if applicable: Owner Date: 8-18-2021
Signature: Marla McClellan Title, if applicable: Owner Date: 8-18-2021

For IDWR Office Use Only:

Received by: m. petta Date: 8-20-21 Receipt No.: E047284 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: JB Processed by: JB Date: 9/1/2021

136251

Microfilm No.

25 Day June 2004

At 9:50 O'clock A.M.

Diana Hudson
Oneida Co. Recorder

Fee \$ 6.00 Deputy

Recorded at Request of
Dillon Land Title Co.**WARRANTY DEED**

For Value Received, **ELDEN D. NIELSEN** and **JOAN T. NIELSEN**, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto **CASEY McCLELLAN** and **MARLA McCLELLAN**, husband and wife, the Grantees, whose current address is 1331 North 2100 West, Malad City, Idaho, the real property situated in Oneida County, Idaho, described in the SCHEDULE "A" attached hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will Warrant and Defend the same from all lawful claims.

Dated June 23, 2004.

Elden D. Nielsen
ELDEN D. NIELSEN

Joan T. Nielsen
JOAN T. NIELSEN

STATE OF IDAHO

COUNTY OF ONEIDA,

SS

On this 23rd day of June, 2004, before me, a Notary Public in and for said State, personally appeared **ELDEN D. NIELSEN**, and **JOAN T. NIELSEN**, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Joan Williams
Notary Public
Residing at Malad City, Idaho
My Commission Expires 5-6-2009

SCHEDULE "A"

A parcel of land located in the Southwest quarter of the Southwest quarter of Section 17, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho and more particularly described as follows:

Commencing at the Southwest corner of said Section 17, from which the South quarter corner of Section 17 bears South $89^{\circ}45'13''$ East 2640.72 feet; thence South $89^{\circ}45'13''$ East 1430.36 feet along the South boundary of said SW $\frac{1}{4}$; thence North $00^{\circ}06'52''$ West 33.00 feet to a 5/8" rebar and cap labeled "Brian Allen, PLS 9163" set on the North right of way line of the St. Johns Road (Project M.P. 731); thence North $89^{\circ}45'13''$ West 588.91 feet along said right of way line to the beginning of a 815.83 foot radius curve concave to the Northeast; thence Northwesterly along said curve through a central angle of $01^{\circ}34'18''$ a distance of 22.38 feet to a 5/8" rebar and cap set at the southerly extension of a fence line (chord = North $88^{\circ}58'04''$ West 22.38 feet), said point being the True Point of Beginning; thence continuing Northwesterly along said curve (right of way line) through a central angle of $32^{\circ}10'45''$ a distance of 458.20 feet to a 5/8" rebar and cap (chord = North $72^{\circ}05'33''$ West 452.20 feet); thence South $89^{\circ}45'13''$ East 430.23 feet to a 5/8" rebar and cap; thence South $00^{\circ}01'31''$ East 137.19 feet to the True Point of Beginning. T-5327

ALSO

Commencing at a point 40 feet East and South 437 feet along the east side of County Road of the Northwest corner of the SW $\frac{1}{4}$ of Section 17, Township 14 South, Range 36 East, Boise Meridian, and running thence East 340 feet, thence North $66^{\circ}14'$ East 378.10 feet, thence South 9 and 1/3 rods, thence East 6 rods, thence South 123 rods, thence West 440 feet, more or less, to the North side of said County Road, thence following the curve of Road to point 1394 feet south of the point of beginning, thence East 10 feet, thence North $39^{\circ}15'$ East 113.6 feet, thence North $07^{\circ}30'$ East 188 feet, thence North 156.5 feet, thence north $51^{\circ}31'$ East 157.07 feet, thence North 230 feet, thence South $88^{\circ}06'$ West 229.5 feet to the East side of said Road, thence North along said road 643 feet to the point of beginning. T-3872

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND:

Commencing at a point 40 feet East and South 437 feet along the East side of County Road from the Northwest Corner of the SW $\frac{1}{4}$ of Section 17; Township 14 South, Range 36 East, Boise Meridian, and running thence East 208.7 feet; thence South 208.7 feet; thence West to the East right-of-way line of County Road 208.7 feet; thence North along said right-of-way line 208.7 feet to the point of beginning. T-3933



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

September 01, 2021

CASEY MC CLELLAN
MARLA MC CLELLAN
1331 N 2100 W
MALAD CITY ID 83252-6511

Re: Change in Ownership for Water Right No(s): 15-4177

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)