

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

JAN 04 2019

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?
15-7361 ?	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"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Thomas Dennis, Joseph W Laws, Ives Jones, Jenkin Jones, Roy Daniels, Paul H Mills

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kirk E Nielsen & Jaclyn Shaw

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

2112 West Center St

Malad City

ID

83252

Mailing address

City

State

ZIP

208-554-6582

jac.nielsen14@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: \_\_\_\_\_

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.

8. Signature: Jaclyn N. Shaw

Signature of new owner/claimant

N/A

Title, if applicable

Date

12/28/18

Signature: Kirk E Nielsen

Signature of new owner/claimant

N/A

Title, if applicable

Date

12-28-18

## For IDWR Office Use Only:

Received by JB Date 1/14/19Receipt No. E044645Receipt Amt. \$200.-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 Returned

Processed by \_\_\_\_\_

Date \_\_\_\_\_

SUPPORT DATA

IN FILE # 15-7153

Request \$25.- refund

\$25.- for this apt

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 04 2019

## Notice of Change in Water Right Ownership

Department of Water Resources

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?
15-2071 <i>OK Complete</i>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
15-7005 <i>OK Complete</i>	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
15-7153 ?	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: Eugene L Colton, Elden D Nielsen,  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kirk E Nielsen & Jaclyn Shaw  
New owner(s) as listed on the conveyance document
- 2112 West Center St Malad City Name connector ☐ and ☐ or ☐ and/or  
Mailing address ID 83252  
208-554-6582 City State ZIP  
Telephone jac.nielsen14@gmail.com  
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: \_\_\_\_\_
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.

8. Signature: Jaclyn N. Shaw N/A  
 Signature of new owner/claimant  
Kirk Nielsen N/A  
 Signature of new owner/claimant  
 Title, if applicable  
 Date 12/28/18  
 Date 12-28-18

### For IDWR Office Use Only:

Received by JB Date 1/4/2019 Receipt No. E044645 Receipt Amt. \$200.-

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 \_\_\_\_\_ Date \_\_\_\_\_

*\$75 - for this app. 2 wr complete \$25 - refund*  
*15-7153 Returned unprocessed*

NTO-87854  
Jaclyn Naomi Shaw  
2112 West Center  
Malad City, ID 83252

Instrument # 157428

MALAD, ONEIDA, IDAHO  
12-28-2018 03:50:00 PM No. of Pages: 4  
Recorded for : NORTHERN TITLE CO  
MATTHEW L COLTON Fee: 15.00  
Ex-Officio Recorder Deputy *Natalie Murphy*

## WARRANTY DEED

**Elden D. Nielsen and Joan Nielsen, Trustees of the Nielsen Family Trust U/A/D February 28, 1997 and Elden D. Nielsen and Joan T. Nielsen, Husband and Wife and Elden Nielsen and Joan Nielsen, Husband and Wife**

Grantor(s) of Malad City, County of Oneida, State of Idaho, hereby **CONVEY AND WARRANT** to

**Jaclyn Naomi Shaw and Kirk Elden Nielsen, Wife and Husband**

Grantee(s) of Malad City, County of Oneida, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See Attached Exhibit A

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this December 28, 2018.

*Elden D. Nielsen*

Elden D. Nielsen, Trustee of the Nielsen Family Trust U/A/D February 28, 1997

a/k/a Elden D. Nielsen

a/k/a/Elden Nielsen

*Joan Nielsen*

Joan Nielsen, Trustee of the Nielsen Family Trust U/A/D February 28, 1997

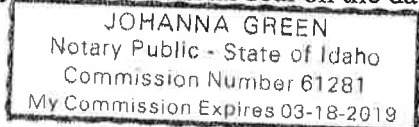
a/k/a Joan T. Nielsen

a/k/a Joan Nielsen

State of: ID

County of: Oneida

On December 28, 2018, before me the undersigned, a Notary Public in and for said state, personally appeared **Elden D. Nielsen and Joan Nielsen, Trustees of the Nielsen Family Trust U/A/D February 28, 1997 and Elden D. Nielsen and Joan T. Nielsen**, known or 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 duly acknowledged to me that he/she/they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.



*Johanna Green*  
Notary Public  
Residing: Malad City



WEST 75.60 RODS TO THE POINT OF BEGINNING ((T-1788 & T-1789) (RP0323900 & RP0326701)

EXCEPTING THEREFROM:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO THENCE RUNNING NORTH 68.84 RODS TO THE CENTER OF THE COUNTY ROAD, THENCE NORTH 61°40' EAST ALONG THE CENTER OF COUNTY ROAD 108 RODS, THENCE SOUTH 26°06' EAST 119 RODS MORE OR LESS TO FENCE LINE THENCE SOUTH 64°06' WEST 987.2 FEET, THENCE NORTH 54°05' WEST 28 RODS THENCE WEST 75.6 RODS TO THE PLACE OF BEGINNING. (T-3437 & T-2911)

PARCEL 5:

COMMENCING AT A POINT 18.5 RODS EAST AND NORTH 58° 00' EAST 1114.01 FEET FROM THE SECTION CORNER BETWEEN SECTIONS 20 AND 28, TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO; THENCE RUNNING NORTH 58° 00' EAST 527.74 FEET; THENCE SOUTH 11° 20' EAST 247.5 FEET; THENCE SOUTH 58° 00' WEST 527.74 FEET; THENCE NORTH 11° 20' WEST 247.5 FEET TO THE POINT OF BEGINNING. (T-1766)

COMMENCING AT A POINT 18.5 RODS EAST, 371.25 FEET SOUTH 58° 00' WEST, AND 616.5 FEET SOUTH 14° 00' EAST OF THE CORNER BETWEEN SECTIONS 20 AND 28, TOWNSHIP 14 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO THENCE RUNNING NORTH 59°58' EAST 1958 FEET, THENCE SOUTH 6°41' EAST 475 FEET, THENCE SOUTH 5°46' WEST 227.5 FEET, THENCE SOUTH 60°55' WEST 1800 FEET, THENCE NORTH 14°00' WEST 616.6 FEET TO THE POINT OF BEGINNING. (T-2790) (RP0323600 & RP0315400)

PARCEL 6:

COMMENCING AT A POINT 18.50 RODS EAST OF THE SECTION CORNER BETWEEN SECTIONS 20 AND 28, TOWNSHIP 14 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO; AND RUNNING THENCE NORTH 58°00' EAST 1641.75 FEET; THENCE SOUTH 11°20' EAST 700 FEET; THENCE SOUTH 59°58' WEST 1958 FEET; THENCE NORTH 14°00' WEST 616.50 FEET; THENCE NORTH 58°00' EAST 371.25 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.(T-1797) (RP0324300)

TOGETHER WITH A RIGHT OF ROADWAY FROM THE SAMARIA LANE TO THE ABOVE DESCRIBED TRACT OF LAND SAID ROADWAY HAS BEEN USED FOR THE LAST FIFTY YEARS, WHICH SAID ROADWAY IS USED IN COMMON WITH OTHERS.

EXCEPTING THEREFROM:

COMMENCING AT A POINT 18.5 RODS EAST AND NORTH 58° 00' EAST 1114.01 FEET FROM THE SECTION CORNER BETWEEN SECTIONS 20 AND 28, TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO; THENCE RUNNING NORTH 58° 00' EAST 527.74 FEET; THENCE SOUTH 11° 20' EAST 247.5 FEET; THENCE SOUTH 58° 00' WEST 527.74 FEET; THENCE NORTH 11° 20' WEST 247.5 FEET TO THE POINT OF BEGINNING. (T-1766)

PARCEL 7:

BEGINNING AT THE SECTION CORNER BETWEEN SECTIONS 21 AND 28, TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO; THENCE RUNNING EAST 18.50 RODS; THENCE NORTH 58°00' EAST 1114.01 FEET FOR POINT OF BEGINNING; AND THENCE RUNNING NORTH 58°00' EAST 210.37 FEET TO THE SOUTHWEST CORNER OF THE IVAS E. JONES PROPERTY; THENCE NORTH 34°00' WEST 690 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE SAMARIA LANE; THENCE SOUTH 59°45' WEST ALONG THE SOUTH SIDE OF SAMARIA LANE 210.37 FEET; THENCE SOUTH 34°02' EAST 695 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. LESS A ROADWAY ON THE WEST SIDE OF SAID TRACT. (T-2752) (RP0316201)

NTO-88183  
Jaclyn Naomi Shaw  
2112 West Center  
Malad City, ID 83252

Instrument # 157432

MALAD, ONEIDA, IDAHO

12-28-2018 04:10:00 PM No. of Pages: 2

Recorded for : NORTHERN TITLE CO

MATTHEW L COLTON

Ex-Officio Recorder Deputy Fee: 15.00

*Matthew L. Colton*

## WARRANTY DEED

**Kirk Elden Nielsen**

Grantor(s) of Malad City, County of Oneida, State of Idaho, hereby **CONVEY AND WARRANT** to

**Jaclyn Naomi Shaw and Kirk Elden Nielsen, Wife and Husband**

Grantee(s) of Malad City, County of Oneida, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

**See Attached Exhibit A**

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this December 28, 2018.

*Kirk Elden Nielsen*

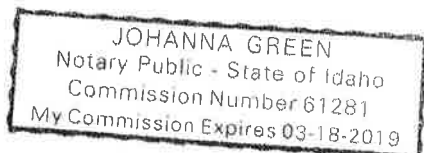
**Kirk Elden Nielsen**

*Jaclyn Naomi Shaw*

**Jaclyn Naomi Shaw (Spouse of Grantor)**

State of: ID )  
County of: Oneida )

On December 28, 2018, before me the undersigned, a Notary Public in and for said state, personally appeared, known or 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 duly acknowledged to me that he/she/they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.



*Johanna Green*

**Notary Public**

**Residing: Malad City**

**Commission Expiration: 3/18/2019**

NTO-88183  
Jaclyn Naomi Shaw  
2112 West Center  
Malad City, ID 83252

**Instrument # 157432**

**MALAD, ONEIDA, IDAHO**

**12-28-2018 04:10:00 PM No. of Pages: 2**

**Recorded for : NORTHERN TITLE CO**

**MATTHEW L COLTON**

**Fee: 15.00**

**Ex-Officio Recorder Deputy**

*Matthew L. Colton*

## **WARRANTY DEED**

**Kirk Elden Nielsen**

Grantor(s) of Malad City, County of Oneida , State of Idaho , hereby **CONVEY AND WARRANT** to

**Jaclyn Naomi Shaw and Kirk Elden Nielsen, Wife and Husband**

Grantee(s) of Malad City, County of Oneida, State of Idaho, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

**See Attached Exhibit A**

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this December 28, 2018.

*Kirk Elden Nielsen*

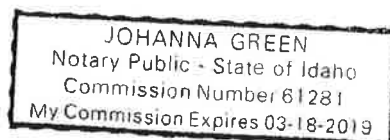
**Kirk Elden Nielsen**

*Jaclyn Naomi Shaw*

**Jaclyn Naomi Shaw (Spouse of Grantor)**

State of: ID )  
County of: Oneida )

On December 28, 2018, before me the undersigned, a Notary Public in and for said state, personally appeared , known or 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 duly acknowledged to me that he/she/they executed the same. IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.



*Johanna Green*

**Notary Public**

**Residing: Malad City**

**Commission Expiration: 3/18/2019**

**EXHIBIT A**

1 5 7 4 3 2

TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO:  
SECTION 30: WEST ONE HALF OF THE NORTHEAST QUARTER; NORTHEAST QUARTER OF THE  
NORTHEAST QUARTER.(RP0329400)

# QUITCLAIM DEED

For Value Received

**Kirk Elden Nielsen and Kristy K. Nielsen, as Trustees of the Kirk Elden Nielsen and Kristy K. Nielsen Revocable Trust,**

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

**Kirk Elden Nielsen,**

whose current address is

**2112 West Center, Malad, Idaho 83252,**

the following described premises, to-wit:

Township 14 South, Range 36 East, Boise Meridian:

Section 30: W1/2NE1/4; NE1/4NE/14

Together with a one-half interest in and to the deep irrigation well, its pipe lines, pump and fixtures, situated in the Northwest corner of the NW1/4NW1/4 of Section 29, Twp. 14 S., R. 36 E.B.M. and together with the right of ingress and egress thereto from the premises owned by Grantees immediately West therefrom to said well for the purpose of operating and maintaining the same,

together with their appurtenances.

Dated:

9/26/2007

9/26/2007

Kirk Elden Nielsen  
**KIRK ELDEN NIELSEN, Co-Trustee**

Kristy K. Nielsen  
**KRISTY K. NIELSEN, Co-Trustee**

Microfilm No. **141707**  
12 Day October 2007  
At 3:45 O'clock P M  
Debbie Alderman  
Debbie Alderman  
Fee \$ 300 Recorded at Request of Northern Title Company

STATE OF IDAHO, COUNTY OF

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

**KIRK ELDEN NIELSEN**

known to me to be the person(s) who(se)  
name(s) subscribed to the within instrument,  
and acknowledged to me that he  
executed the same.

M. Brent Morgan  
Notary Public

/Comm. Expires 7/27/2010

**M. BRENT MORGAN**

**NOTARY PUBLIC  
STATE OF IDAHO**

STATE OF IDAHO, COUNTY OF

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

**KRISTY K. NIELSEN**

known to me to be the person(s) who(se)  
name(s) subscribed to the within instrument, and  
acknowledged to me that she  
executed the same.

M. Brent Morgan  
Notary Public

/Comm. Expires 7/27/2010

**M. BRENT MORGAN**

**NOTARY PUBLIC  
STATE OF IDAHO**



AFTER RECORDING PLEASE RETURN TO:  
BEARNSON & PECK, L.C.  
74 WEST 100 NORTH  
P O BOX 675  
LOGAN UT 84321

## QUIT CLAIM DEED

Meridian No 135639  
17 Day February 2004  
At 1:00 O'clock P  
Shirley Baskett  
Onida Co. Recorder  
Fee \$ 3.00 Deputy  
Recorded at Request of Bearson + Peck L.C.

KIRK E. NIELSEN and KRISTY K. NIELSEN, Grantors of Oneida County, State of Idaho, hereby QUIT CLAIM to KIRK ELDEN NIELSEN and KRISTY K. NIELSEN, or their Successors, as Trustees of the KIRK ELDEN NIELSEN AND KRISTY K. NIELSEN REVOCABLE TRUST dated the 10<sup>th</sup> day of February, 2004, Grantees of Malad, Idaho, for the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the following described tract of land in Oneida County, State of Idaho:

Parcel 1:

Township 14 South, Range 35 East, Boise Meridian:  
Section 34: NE1/4NE1/4

Parcel 2:

Township 14 South, Range 36 East, Boise Meridian:  
Section 30: W1/2NE1/4; NE1/4NE1/4

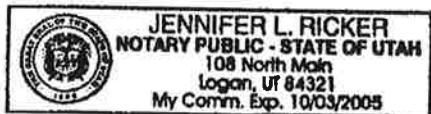
Together with a one-half interest in and to the deep irrigation well, it's pipe lines, pump and fixtures, situated in the Northwest corner of the NW1/4NW1/4 of Section 29, Twp. 14 S., R. 36 E.B.M. and together with the right of ingress and egress thereto from the premises owned by Grantees immediately West therefrom to ~~said well~~ for the purpose of operating and maintaining the same.

Shirley Baskett  
Witness

Kirk E. Nielsen  
KIRK E. NIELSEN  
Kristy K. Nielsen  
KRISTY K. NIELSEN

STATE OF UTAH )  
: ss.  
County of Cache )

On the 10<sup>th</sup> day of February, 2004, personally appeared before me KIRK E. NIELSEN and KRISTY K. NIELSEN, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Jennifer L. Ricker  
Notary Public

**TRUSTEE'S DEED CORRECTED**

For Value Received, **ELDEN D. NIELSEN** and **JOAN NIELSEN**, Trustees of the **Nielsen Family Trust**, do hereby grant, bargain, sell and convey unto **KIRK E. NIELSEN** and **KRISTY K. NIELSEN**, husband and wife, whose current address is 2112 West Center, Malad City, Idaho, the Grantees, the following described premises in Oneida County, Idaho, to-wit:

**Township 14 South, Range 36 East, Boise Meridian:  
Section 30: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$**

Together with a one-half interest in and to the deep irrigation well, it's pipe lines, pump and fixtures, situated in the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29, Twp. 14 S., R. 36 E.B.M. and together with the right of ingress and egress thereto from the premises owned by Grantees immediately West therefrom to said well for the purpose of operating and maintaining the same.

This Deed is given to correct the description contained in that certain Trustee's Deed dated February 14, 2000, and found of record on film as Instrument No. 128927 in the office of the County Recorder of Oneida County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that the said Trust is the owner in fee simple of said premises; that they are free from all encumbrances and that he will Warrant and Defend the same from all lawful claims.

Dated March 15, 2000

Migration No. 129527  
27 Day June 2000  
At 11:10 O'clock AM  
Shirley Blawie  
County Clerk Recorder  
Fee \$ 300  
Recorded at Request of  
C. L. Scott

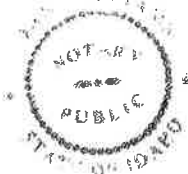
**THE NIELSEN FAMILY TRUST**

By Elden D. Nielsen Trustee  
**ELDEN D. NIELSEN**  
Joan Nielsen Trustee  
**JOAN NIELSEN**

STATE OF IDAHO  
COUNTY OF ONEIDA.

ss

On this 27th day of June, 2000, before me, a Notary Public in and for said State, personally appeared **ELDEN D. NIELSEN** and **JOAN NIELSEN**, known to me to be the Trustees of **THE NIELSEN FAMILY TRUST**, and the persons whose names are subscribed to the within instrument and acknowledged to me that she executed the same as such Trustees.



Shirley Blawie  
Notary Public  
Residing at Malad City, Idaho  
My Commission Expires 5-6-2003

When Recorded Mail to:  
ELDEN D. NIELSEN  
930 West Samaria Lane  
Malad, ID 83252

12-184  
07 April 97  
10:05  
Shelley Skabelund  
12:00  
Shelley Skabelund

### WARRANTY DEED

ELDEN D. NIELSEN and JOAN NIELSEN (aka Joan T. Nielsen), husband and wife, grantors of Malad, Oneida County, State of Idaho, hereby WARRANT AND CONVEY all of their interest to ELDEN D. NIELSEN and JOAN NIELSEN, Trustees (and to their Successors in trust) of the NIELSEN FAMILY TRUST U/A/D February 28, 1997, grantee of 930 West Samaria Lane, Malad, Idaho 83252, for the sum of \$10.00, and other valuable consideration, in the following described tract of land in Oneida County, State of Idaho:

See Exhibit "A" attached hereto and incorporated herein.

The Grantees have full power to sell, mortgage, or otherwise hypothecate the property described.

WITNESS the hand of said grantors, this 28 day of February, 1997.

Elden D. Nielsen  
ELDEN D. NIELSEN

Joan Nielsen  
JOAN NIELSEN

STATE OF UTAH

COUNTY OF CACHE

)  
: ss.  
)

On the 28 day of February, 1997, personally appeared before me, ELDEN D. NIELSEN and JOAN NIELSEN, the signers of the foregoing instrument, who duly acknowledge to me that they executed the same.

Steven R. Skabelund  
Notary Public

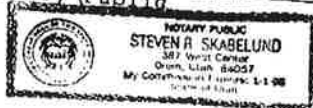


Exhibit A

72-116-1

Parcel 1:

Owned exclusively by Eldon D. Nielsen

Commencing at a point 14.50 rods South of the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 14 South, Range 36 E.B.M., in Idaho, and running thence South 64.50 rods; West 80 rods; North 79 rods; East 59 rods; South 55°30' East 26 rods, more or less to place of beginning, containing 38.42 acres.

Together with all water rights.

Parcel 2:

Beginning at the Section Corner between Sections 21 and 28, Township 14 South, Range 36 East, Boise Meridian; thence running East 18.50 rods; thence North 58°00' East 1114.01 feet for point of beginning; and thence running North 58°00' East 210.37' to the Southwest Corner of the Ivas E. Jones property; thence North 34°00' West 690 feet, more or less, to the South line of the Samaria Lane; thence South 59°45' West along the South side of Samaria Lane; 210.37 feet; thence South 34°02' East 695 feet, more or less, to the point of beginning.

Parcel 3:

Township 14 South, Range 36 East of the Boise Meridian  
Section 17: Commencing at a point 40 feet East and South 437 feet along the East side of County Road of the Northwest corner of the Southwest quarter of Section 17, and running thence East 340 feet, thence North 66°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 a point 1394 feet South of the point of beginning, thence East 10 feet, thence North 39°15' East 113.6 feet, thence North 7°30' East 188 feet, thence North 156.5 feet, thence North 51°31' East 157.07 feet, thence North 230 feet, thence South 88°06' West 229.5 feet to the East side of said Road, thence North along said road 643 feet to the point of beginning, containing 36.93 acres, more or less. ALSO, a one-fourth (1/4) interest in and to that certain deep well, pump and pumping equipment and overnite reservoir, water rights and rights in ditches, canals and laterals and rights of way appurtenant to said premises and used to convey water from said well to the above-described premises.

Parcel 4:

Township 14 South, Range 33 East, Boise Meridian The West half (1/2) of the Northeast quarter (1/4), the East half (1/2) of the Northwest quarter (1/4), the Northwest quarter (1/4) of The Northwest quarter (1/4), the South half (1/2) of the Southwest quarter (1/4) and the South half (1/2) of the Southeast quarter (1/4) of Section 27.

The Northeast quarter (1/4) of Section 34.

Being a total of 520 acres.

Parcel 5:

Township 14 South, Range 36 East, Boise Meridian:  
Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 30: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel 6:

A parcel of land located in Section 21, Township 14 South, Range 36 East, Boise Meridian, Oneida County, Idaho, and further described as follows:

Beginning at the SW corner of said Section 21; thence North 00°21'16" East 776.12 feet (North 825.00 feet by record) along the West line of said Section 21 to a point on the North right-of-way line of Samaria Road; thence North 61°01'54" East 681.53 feet (North 60°00' East 445.42 feet by record) along said right-of-way line to a 5/8 rebar with cap labelled "A.A HUDSON PLS 4735" the True Point of Beginning; thence North 61°01'54" East 439.63 feet (North 60°00' East 438.50 feet by record) along said right-of-way line to a 5/8" rebar with a cap; thence North 00°01'12" East 766.16 feet (North 02°00' West 765.08 feet by record) along a fence line to a 5/8" rebar with cap set at a fence corner; thence South 59°07'02" West 437.88 (South 59°00' West 438.50 feet by record) feet along said fence line to a 5/8" rebar with cap set at a fence corner; thence South 00°41'27" West 754.38 feet (South 02°00' East 751.50 feet by record) along said fence line to the True Point of Beginning.

SUBJECT to existing easements and roadways.



Exhibit A continued

121164

Parcel 7:

Commencing at the Southwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29, Township 14 South, Range 36 East, Boise Meridian; thence running North 68.84 rods to center of County Road; thence North 61°40' East along center of County Road 108 rods; thence South 20°06' East 47 rods; thence North 59°50' East 92.44 rods; thence South 12°00' East 5 rods; thence North 59°50' East 49.80 rods; thence South 12°00' East 74.52 rods; thence South 64°06' West 191 rods; thence North 54°05' West 28 rods; thence West 75.60 rods to the point of beginning. (T-1788 and T-1789)

Commencing at a point 3.00 Chains South and 4.03 Chains South 57°30' West of the Section Corner between Sections 21 and 29, Township 14 South, Range 36 East, Boise Meridian; and thence running South 57°30' West 3.38 Chains; thence North 16°30' West 12.80 Chains; thence North 60°35' East 3.25 Chains; thence South 16°30' West 12.61 Chains to the point of beginning. (T-1440)

Parcel 8:

Commencing at a point 18.5 rods East and North 58°00' East 1114.01 feet from the Section Corner between Sections 20 and 28, Township 14 South, Range 36 East, Boise Meridian; thence running North 58°00' East 527.74 feet; thence South 11°20' East 247.5 feet; thence South 58°00' West 527.74 feet; thence North 11°20' West 247.5 feet to the point of beginning.

Parcel 9:

Commencing at a point 18.5 rods East, 371.25 feet South 58°00' West, and 616.5 feet South 14°00' East of the corner between Sections 20 and 28, Township 14 South, Range 36 E.B.M., thence running North 59°58' East 1958 feet, thence South 6°41' East 475 feet, thence South 5°46' West 227.5 feet, thence South 60°55' West 1800 feet, thence North 14°00' West 616.6 feet to the point of beginning.

Together with all appurtenant water rights including forty-eight (48) shares of stock in the Samaria Lane Pumping Company and together with all sheds, corrals grain bins, squeeze chute and other appurtenances including the rents, issues and profits thereof.

Parcel 10:

Commencing at the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 29, Township 14 South, Range 36 East, Boise Meridian; thence running North 81 rods, thence West 80 rods, thence South 81 rods, thence East 80 rods to point of beginning.

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to ELDEN D. NIELSEN and

JOAN T. NIELSEN

, Grantee, for the sum of \$83,600

all interest in the following described real estate situated in the County of Oneida

State of Idaho

, to-wit:

Township 14 South, Range 36 East, Boise Meridian:

Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 30: W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$

All irrigation equipment of every kind and character now used to irrigate the farm as follows:

4 Wade Rain  $\frac{1}{4}$ -mile wheel-lines

10 40' lengths of handlines

Including but not limited to pumps, pipes, motors, electrical panels, sprinkler systems, including specifically but not limited to GCU Pump #705496 and all other sprinkler equipment.

Subject to Attachment A. of exhibit A, "Conservation Easement . . ."



Microfilm No. **118210**  
Day June 19 92  
At 4:00 P.M. by Antonia T. Wright  
Oneida Co. Recorder  
Fees 21.00 Deputy  
Recorded at Request of E. J. Smith

(Rev. 10-6-74)

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

109252

DEED IN SATISFACTION OF MORTGAGE INDEBTEDNESS

FOR VALUE RECEIVED M. BARNARD JONES and JULIE K. JONES, husband and wife

Herein referred to as grantors, hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA, acting through the Farmers Home Administration, United States Department of Agriculture, herein referred to as grantees, the following described real property, with tenements, hereditaments and appurtenances, to wit:

ONEIDA COUNTY, STATE OF IDAHO


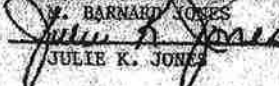
TOWNSHIP 14 SOUTH, RANGE 36 EAST, BOISE MERIDIAN:

SECTION 29: NW1/4, NE1/4

SECTION 30: SE1/4, NE1/4

TOGETHER WITH ALL WATER INFORMATION WHICH IS DESCRIBED IN ATTACHMENT #1 Grantors herein acknowledge that the property described herein is subject to a mortgage in favor of grantees and said mortgage is in default and subject to foreclosure. That this deed is executed and given in full satisfaction of said mortgage and is intended as a conveyance, absolute in legal effect as well as in form, of the title to said premises to the second party and not as a mortgage, trust conveyance, or security of any kind, and that possession of said premises is hereby surrendered to said party; and that in executing this deed the grantor is not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence, or misrepresentation by the second party, or its agent, or attorney:


Dated MARCH 13, 19 85

  
M. BARNARD JONES  
  
JULIE K. JONES

STATE OF }  
COUNTY OF ONEIDA } ss.

On this 13TH day of MARCH, 19 85, before me, a Notary Public in and for said County and State, personally appeared M. BARNARD JONES and JULIE K. JONES his wife, to me known as to be the identical individual(s) as described in and who executed the within and foregoing instrument and whose name(s) ARE subscribed thereto, and acknowledged to me that he signed, and sealed and executed the same as THEIR free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

  
Notary Public in and for the State  
of IDAHO  
Residing at MALAD, ID  
My Commission expires LIFE

SEAL)

Until a change is requested, all tax statements shall be sent to the following address:

7 Made Rain Little Windy House

Together with the following irrigation equipment:

ATTACHMENT NUMBER 1

1997

Position 5

Form FHA 465-12  
(7-16-73)

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION  
QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

M. BARNARD JONES and JULIE K. JONES, husband and wife

for the sum of TWO HUNDRED THOUSAND AND NO/100-----

all interest in the following described real estate situated in the County of ONEIDA

State of IDAHO

, to-wit:

STATE OF IDAHO, COUNTY OF ONEIDA

Township 14 South, Range 35 East, Boise Meridian

Section 29: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 14 South, Range 36 East, Boise Meridian

Section 30: W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$

Together with the following irrigation equipment:

4 Wade Rain  $\frac{1}{2}$  mile wheel lines  
10 40' lengths of handlines

Including but not limited to pumps, pipes, motors, electrical panels, sprinkler systems, including specifically but not limited to GCU Pump #705496 and all other sprinkler equipment.

Also, including all water rights appurtenant thereto and specifically including all right and interest in and to water well Permit No. 15-2071, priority dated 2-2-67 issued by the Idaho State Department of Water Resources.

This deed is executed and delivered pursuant to the provisions of a Credit Sale of Government Inventory property formerly belonging to Dell J. and Faye Tuttle, 12-36-529504533, Advice No. 17281 and the

108345

Microfilm No. \_\_\_\_\_

20 Day \_\_\_\_\_ 19 74

At 7:30 O'clock P M

George H. Tindenberg  
Oneida Co Recorder

Fee \$ 4.00  
Recorded at Request of \_\_\_\_\_

authority set forth in 7 CFR 1800.22.

FHA 465-12 (7-16-73)



No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated August 7, 1984. ~~xxx~~

UNITED STATES OF AMERICA

By

*W.C. Norberg, Jr.*  
W.C. Norberg, Jr., State Director  
Farmers Home Administration  
United States Department of Agriculture

In the presence of:

\_\_\_\_\_

\_\_\_\_\_

ACKNOWLEDGMENT

STATE OF IDAHO     )  
                              )  
County of Ada     )

On this 7th day of August 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared W. C. Norberg, Jr., known to me to be the State Director, Farmers Home Administration, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.

*Dorothy L. Lee*  
DOROTHY L. LEE  
Notary Public in and for the  
State of Idaho  
Residing at Boise, Idaho  
My Bond Expires 5-11-86

(Rev. 10-6-76)

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

DEED IN SATISFACTION OF MORTGAGE INDEBTEDNESS

FOR VALUE RECEIVED

herein referred to as grantors, hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA, acting through the Farmers Home Administration, United States Department of Agriculture, herein referred to as grantees, the following described real property, with tenements, hereditaments and appurtenances, to wit:

SEE ATTACHMENT 1

Grantors herein acknowledge that the property described herein is subject to a mortgage in favor of grantees and said mortgage is in default and subject to foreclosure. That this deed is executed and given in full satisfaction of said mortgage and is intended as a conveyance, absolute in legal effect as well as in form, of the title to said premises to the second party and not as a mortgage, trust conveyance, or security of any kind, and that possession of said premises is hereby surrendered to said party, and that in executing this deed the grantor is not acting under any misapprehension as to the effect thereof, nor under any duress, undue influence, or misrepresentation by the second party, or its agent, or attorney.

Dated FEBRUARY 7, 19 84

STATE OF

COUNTY OF

ss.

On this 7th day of February, 19 84, before me, a Notary Public in and for said County and State, personally appeared WILLIAM J. TUTTLE and PAVE A. TUTTLE his wife, to me known as to be the identical individual(s) as described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that he signed, and sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

SEAL)

L. P. [Signature]  
Notary Public in and for the State  
of INDIAN  
Residing at MALAB, ID  
My Commission expires 10-15-86

Until a change is requested, all tax statements shall be sent to the following address:

ATTACHMENT 1

LEGAL DESCRIPTION

STATE OF IDAHO

COUNTY OF OREGON

Township 14 South, Range 36 East, Boise Meridian  
Section 19: N42E1/4, N42E1/4

Township 14 South, Range 36 East, Boise Meridian  
Section 30: N42E1/4, N42E1/4

TOGETHER with all irrigation equipment of every kind and character used in the irrigation of the above described property, including but not limited to pumps, pipes, motors, electrical panels, sprinkler systems, including specifically but not limited to the following: GCI Pump #705496 and all other sprinkler equipment.

Also, including all water rights appurtenant thereto and specifically including all right and interest in and to water well Permit No. 15-2071, priority date 2/2/67 issued by the Idaho State Department of Water Resources.

107767

RECEIVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
NOTED BY \_\_\_\_\_  
FILED BY \_\_\_\_\_  
E. L. \_\_\_\_\_



State of Idaho, County of Oneida: ss. 100356  
I hereby certify that this instrument was filed for record at  
request of J. W. [Signature] at 2 minutes past 3  
o'clock P. M. this 17 day of February A.D. 1979 in my office  
and duly recorded on Film as Inst. No. 100356

Fee

2.00

Ex-Officio Recorder

Reception ☐  
Indexed ☐

(DO NOT WRITE ABOVE THIS LINE)

Deputy

### WARRANTY DEED

For Value Received

ROBERT W. HESS and LOIS G. HESS, husband and wife  
the grantors, do hereby grant, bargain, sell and convey unto  
DELL J. TUTTLE and FAYE R. TUTTLE, husband and wife  
R/l, Malad, Idaho

the grantees, the following described premises, in Oneida County, Idaho, to wit:

Township 14 South, Range 38 East, Boise Meridian  
Section 29: NW1/4  
Section 30: W1/2, NE1/4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,  
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said  
Grantees, that they are the owner in fee simple of said premises; that they are free from all in-  
cumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 26, 1979

Robert W. Hess  
Lois G. Hess

(NOTARY SEAL)

State of Idaho }  
County of Oneida } ss On the 28th day of February A.D. 1979  
personally appeared before me Robert W. Hess and Lois G. Hess,  
husband and wife  
the signor(s) of the within instrument, who duly acknowledged to me that they  
executed the same.

Residing at: Malad, Idaho

My Commission expires:

Mail deed to:

Mail tax notice to:

State of Idaho, County of Oneida ss. 100355

I hereby certify that this instrument was filed for record at request of Eugene L. Colton at 45 minutes past 3 o'clock P.M. this 17 day of September, 1978 in my office and duly recorded on Film as Inst. No. 100355

Fee 2.00 Eugene L. Colton  
Ex-Officio Recorder

Reception ☐  
Indexed ☐

DO NOT WRITE ABOVE THIS LINE

Deputy

### WARRANTY DEED

For Value Received

EUGENE L. COLTON and ROSALIE W. COLTON, husband and wife  
the grantor(s) hereby grant, bargain, sell and convey unto  
ROBERT W. HESS and LOIS G. HESS, husband and wife  
Malad, Idaho

the grantees, the following described premises, in Oneida County, Idaho, to wit:

Township 14 South, Range 36 East, Boise Meridian  
Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Township 14 South, Range 36 East, Boise Meridian  
Section 30: W $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ , NE $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$

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 Grantee(s); that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 1, 1978

Eugene L. Colton  
Rosalie W. Colton

(NOTARY SEAL)

State of Idaho } ss On the 5th day of September A.D. 19 78  
County of Oneida }

personally appeared before me

Eugene L. Colton and Rosalie W. Colton, his wife  
(the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Residing at: Malad, Idaho

My Commission expires:

Mall deed to:

Mall tax notice to:



# WARRANTY DEED

For Value Received

ROSCOE COLTON and ETHEL L. COLTON, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

EUGENE L. COLTON

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

The Northwest quarter of the Northwest quarter of Section 29; the West half of the Northeast quarter and the Northeast quarter of the Northeast quarter of Section 30; Township 14 South, Range 36 East, Boise Meridian

REVENUE STAMPS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 1, 1968

*Roscoe Colton*  
*Ethel L. Colton*

STATE OF IDAHO, COUNTY OF Oneida

On this 1st day of October, 1968, before me, a notary public in and for said State, personally appeared

Roscoe Colton and Ethel L. Colton, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

*G. H. Scott*

Notary Public  
Idaho

Residing at *Malad*  
Comm. Expires *5/9/71*

State of Idaho, County of Oneida, ss.

I hereby certify that this instrument was filed for record at request of *Roscoe Colton* at *4:15* minutes past *4* o'clock, P.M. this *2nd* day of *Oct*, 1968, in my office and duly recorded on Film as Inst. No. *82389*

Fee *1.25*

*Valerie H. Swartz Jr.*  
Ex-Officio Recorder  
By *Melba Jensen*  
Deputy

87389

Furnished by the POCAHELLO TITLE CO.



**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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

February 13, 2020

KIRK ELDEN NIELSEN  
2112 W CENTER  
MALAD CITY ID 83252-6610

RE: Water Right No(s): 15-7361 & 15-7153,

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on January 14, 2019 for the above referenced water rights. The Notice could not be processed because additional evidence of ownership and/or filing fees is required.

On January 30, 2019 the Department requested the required information and additional fees from you. The department has been working with Idaho AgCredit to get the required information. Because of the complexity the information has not yet been submitted, they are still working to get the information put together but has requested the application and fees be returned because there is no way to know how long it will take to get everything submitted.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50.00 has been requested and will be mailed to Idaho AgCredit under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg  
Technical Records Specialist 1

Enclosure(s)

cc: IDAHO AG CREDIT FLCA

## Barg, Jonie

---

**To:** Pline, Treva; Steed, Susan  
**Subject:** Refund Request  
**Attachments:** Receipt(1)

Treva & Susan,

Good morning!!

I have a refund request as follows:

Receipt number: E044645  
Amount: \$50.00  
Payable to: Idaho AgCredit  
PO Box 985  
Blackfoot ID 83221

Reason: Total filing fee received \$200.00 for an ownership change and security interest in a Water Right. We did not receive sufficient evidence to update ownership on 2 water rights. The bank is working on the information, however was not sure a time frame, so we are returning the application, they will resubmit at a later date. Therefore the applicant is entitled to a partial refund (\$50.00).

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

*Jonie Barg*

Jonie Barg  
Technical Records Specialist  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

## Barg, Jonie

---

**To:** Robertson, Avery  
**Subject:** RE: Water Right Transfer

Avery:

Ok. I will request a refund for \$50.00 today and return the ownership changes for the 2 water rights (15-7361 and 15-7153) unprocessed. Thank you for all your work on this.



Jonie Barg  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

**From:** Robertson, Avery [mailto:[Avery.Robertson@idahoagcredit.com](mailto:Avery.Robertson@idahoagcredit.com)]  
**Sent:** Tuesday, February 11, 2020 3:53 PM  
**To:** Barg, Jonie <[Jonie.Barg@idwr.idaho.gov](mailto:Jonie.Barg@idwr.idaho.gov)>  
**Subject:** RE: Water Right Transfer

Jonie,

If you would like to return the unprocessed funds on the application you can. I am not sure what the timeline will be at this point.

Thanks,  
Avery

**From:** Barg, Jonie <[Jonie.Barg@idwr.idaho.gov](mailto:Jonie.Barg@idwr.idaho.gov)>  
**Sent:** Friday, September 06, 2019 1:24 PM  
**To:** Robertson, Avery <[Avery.Robertson@idahoagcredit.com](mailto:Avery.Robertson@idahoagcredit.com)>  
**Subject:** FW: Water Right Transfer

Reminder:

Just a reminder we are still holding on to this application and funds, until we receive additional information to process the application. Do you have a time frame it might be complete?



Jonie Barg  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

**From:** Barg, Jonie  
**Sent:** Friday, July 12, 2019 1:12 PM  
**To:** 'Robertson, Avery' <[Avery.Robertson@idahoagcredit.com](mailto:Avery.Robertson@idahoagcredit.com)>  
**Subject:** RE: Water Right Transfer

We have enough information to complete the ownership change for the two water rights, because they are on the same application normally I would hold off on completion until all the information is available. However I will make copies and complete the ownership change for 15-2071 and 15-7005 and security interest for all four water rights (we have sufficient evidence that you have an interest in at least a portion of the water right) and hold copies of the other two until you have a chance to look into the others a little further. So when you get the acknowledgement letter for the security interest two of the water rights will still show the previous owners name.



Jonie Barg  
Idaho Department of Water Resources  
900 N Skyline Ste A  
Idaho Falls ID 83402  
phone: (208) 525-7161  
fax: (208) 525-7177  
email: [jonie.barg@idwr.idaho.gov](mailto:jonie.barg@idwr.idaho.gov)

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~

**From:** Robertson, Avery [<mailto:Avery.Robertson@idahoagcredit.com>]  
**Sent:** Friday, July 12, 2019 12:00 PM  
**To:** Barg, Jonie <[Jonie.Barg@idwr.idaho.gov](mailto:Jonie.Barg@idwr.idaho.gov)>  
**Subject:** FW: Water Right Transfer

Hi Jonie,

I just wanted to confirm that you received this email below. If there is a better way you'd like me to make this request I'd be glad to do it.

Have a great weekend!

Avery



---

**From:** Robertson, Avery  
**Sent:** Tuesday, July 02, 2019 1:39 PM  
**To:** [Jonie.Barg@idwr.idaho.gov](mailto:Jonie.Barg@idwr.idaho.gov)  
**Subject:** Water Right Transfer

Hi Jonie,

I am writing in regards to Water Right 15-2071 and 15-7005. We had originally sent the Notice of Change in Water Right Ownership for 15-2071, 15-7005, 15-7153, and 15-7361 for Kirk Nielsen and Jaclyn Shaw but did not have complete evidence of ownership.

At this time we would like to complete the transfer for 15-2071 and 15-7005 for which you have received the complete chain of title. Please let me know if you need me to send the deeds again.

You should have received \$200 with the original application (\$100 for the transfer and \$100 for the notice of security interest). Can you process the transfer and notice of security interest for the two water rights at this time and hold onto the remaining funds until we have enough information for the last two water rights?

Thanks,



Avery Robertson

Loan Officer

PO Box 985

Blackfoot, ID 83221

O: (208) 785-1510

F: (208) 785-7066

[avery.robertson@idahoagcredit.com](mailto:avery.robertson@idahoagcredit.com)

CONFIDENTIALITY NOTICE: This email (including any attachments) may contain confidential information which is solely for the use of the intended recipients. Any review, copying, printing, disclosure, distribution or any other use by anyone else is strictly prohibited. If you have received this email in error, please immediately notify the sender by reply email and then permanently delete this email and any attachments. Thank you on behalf of Idaho AgCredit.

CONFIDENTIALITY NOTICE: This email (including any attachments) may contain confidential information which is solely for the use of the intended recipients. Any review, copying, printing, disclosure, distribution or any other use by anyone else is strictly prohibited. If you have received this email in error, please immediately notify the sender by reply email and then permanently delete this email and any attachments. Thank you on behalf of Idaho AgCredit.