

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 15 2017

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?
29-12521 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>update POW</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Richard Marsceau

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Everett L. and Yolanda McNee

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☒ and/or12850 fish Creek Rd.

Mailing address

Lava Hot Springs Id. 83246

City

State

ZIP

208-705-5194

Telephone

yolamenee@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: Oct. 29, 2013

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):
☐ \$25 per *undivided* water right.
☐ \$100 per *split* water right.
☒ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Everett L. McNee

Signature of new owner/claimant

Title, if applicable

Date

11-12-17

- Signature: Yolanda McNee

Signature of new owner/claimant

Title, if applicable

Date

11-12-17

For IDWR Office Use Only:

Received by JB

Date

10/25/2017

Receipt No.

E043506

Receipt Amt.

\$ 25 -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 JBProcessed by JBDate 11/14/2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 25 2017

Department of Water Resources
Eastern Region

Notice of Security Interest in a Water Right
and a request to be notified of a change in ownership or any proposed
or final action to amend, transfer, or otherwise modify the water right(s)

Attach pages with additional information. Incomplete forms will be returned.

1. Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.
29-12521			

2. The following **REQUIRED** information must be submitted with this form:

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.

B) A **FEE of \$25.00** per water right or adjudication claim.

3. Name and Mailing Address of Person or Company Holding Security Interest

Everett Layne McNee and/or
Yolanda McNee
12935 Fish Creek Rd.
Lava Hot Springs, Id. 83246
Phone 208-705-5194
Email yola.mcnee@gmail.com.

4. Name of Water Right Owner/Claimant(s)

Richard Marsceau

5. Expiration Date of Notification Period

Oct. 28, 2013 or Oct. 20, 2017

6. Is this a Renewal of Request for Notification?

☐ YES

☒ NO

7. Signature(s) of Security Interest Holder(s)

Title, if applicable

Everett Layne McNee
Yolanda McNee

For Office Use Only

Received by JB

Date

10/25/17

Receipt No.

E043506

Fee

\$25.00

Processed by AJ

Date

WR

Date

Wrong form receipt used for
Ownership Change

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

10/14/2017

WATER RIGHT NO. 29-12521

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD MARSCEAU BOX 7 LAVA HOT SPRINGS, ID 83246 2087765632

Priority Date: 01/06/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	FISH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.08 CFS	
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

SPRING|NENWNW|Sec. 25|Township 09S|Range 38E|BANNOCK County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	38E	25		NWNW										

Place of Use Legal Description: DOMESTIC BANNOCK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	38E	25		NWNW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. 4227016400 STOCKWATER, 2 HORSES

Dates:

Licensed Date:

Decreed Date: 06/24/1998

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close



First American Title Company
223 North 15th Avenue, Pocatello, Idaho 83201
(208)232-6224, (208)232-6257

Title Transmittal

Everett L. McNee and Yolanda McNee
12935 Fish Creek Rd.
Lava Hot Springs, ID 83246

October 28, 2013
File No.: 480353-P

PROPERTY: 12935 Fish Creek Rd., Lava Hot Springs, ID 83246

ENCLOSED please find the following for your records:

- Policy of Title Insurance - To Follow
- Deed of Trust

The new home or other real estate you have purchased is protected with a Policy of Title Insurance issued by First American Title Company. We have assigned the above number to your records to assure prompt processing of future title orders involving the property.

We appreciate the opportunity of serving you and will be glad to assist you in any way, remembering that **PROTECTION OF YOUR PROPERTY IS YOUR FIRST CONSIDERATION - AND OURS.**

Sincerely,

Terry Armatage

enc.

First American Title - Pocatello

21318588

2013 Oct 25 PM 04:23:00

Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

**ELECTRONICALLY RECORDED
DO NOT REMOVE
THE COUNTY STAMPED
FIRST PAGE AS IT IS NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT**

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **480353-P (ci)**

Date: **October 24, 2013**

For Value Received, **Fawn Potter and Brenda Potter, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Everett L. McNee and Yolanda McNee, husband and wife**, hereinafter called the Grantee, whose current address is **12935 Fish Creek Rd., Lava Hot Springs, ID 83246**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

*EXAM
YML*

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

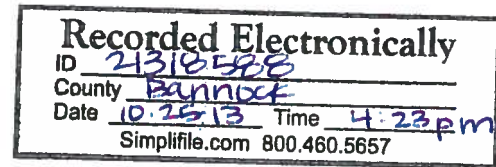
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


Fawn Potter


Brenda Potter

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201



Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **480353-P (ci)**

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exam you

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

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Fawn Potter

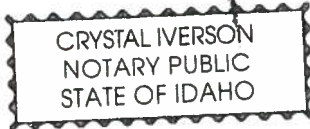

Brenda Potter

STATE OF Idaho)

ss.

COUNTY OF Bannock)

On this **Twenty-fifth day of October, 2013**, before me, a Notary Public in and for said State, personally appeared **Fawn Potter and Brenda Potter**, 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.





Notary Public for the State of Idaho
Residing at: POCA TELLO, IDAHO
My Commission Expires: 4/23/16

Date: **October 25, 2013**

File No.: **480353-P (ci)**

EXHIBIT 'A'

LEGAL DESCRIPTION:

**A PARCEL OF LAND LOCATED IN THE NW¼ OF SECTION 25 T.9S., R.38E. B.M. BANNOCK COUNTY, IDAHO. IT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NW CORNER OF SECTION 25, THE TRUE POINT OF BEGINNING.
THENCE S.0°00'18" W. ALONG THE WEST LINE OF SECTION 25 A DISTANCE OF 500.00 FEET:
THENCE N.60°55'23"E. A DISTANCE OF 244.21 FEET: THENCE S.85°23'54"E. A DISTANCE OF 287.50 FEET: THENCE N.0°00'18" E. A DISTANCE OF 405.38 FEET TO THE NORTH LINE OF SECTION 25:
THENCE S.89°53'08"W. ALONG THE NORTH LINE OF SECTION 25 A DISTANCE OF 500.00 FEET TO THE TRUE POINT OF BEGINNING.**