

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>82-10077</u>	<u>A8210077</u>	<u>No</u>	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	<u>Elizabeth McLean</u> <u>HC 66, Box 286, Kooskia, ID 83539</u>
4. New Owner/Claimant(s)	<u>Robert McLean</u> Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>HC 66, Box 286, Kooskia, ID 83539</u>
City, State and ZIP Code	_____
New Telephone Number	<u>(208) 926-0869</u>
5. Date you acquired the property	<u>March 8, 1999</u>

SCANNED

DEC 29 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) Robert E. McLean
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by [Signature] Date 6/26/03 Fee 125.00
 Received by [Signature] Date 6/26/03 Receipt No. NO15739
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
DEC 29 2004

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Department of Water Resources

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PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made and entered into on this 8th day of September, 2002, by and between the ESTATE OF ELIZABETH ANN MCLEAN, deceased, by and through Robert E. McLean, Jr., Personal Representative, of HC 66 Box 286, Kooskia, Idaho 83539, acting under the authority of Letters Testamentary, and oath, issued out of Idaho County District Court, Case No. SP-00767, and recorded in Idaho County, as Instrument No. 389271, hereinafter referred to as the Grantor, and Robert E. McLean, Jr. hereinafter referred to as the Grantee.

WITNESSETH:

That the Grantor, pursuant to the authority granted to him under the laws of the State of Idaho, and the Idaho County District Court, under Case number above referenced and for Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged and pursuant to Idaho Law, does by these presents grant, bargain, sell, convey and confirm, unto the Grantee, a life estate for the life of Grantee in the non-exclusive right to draw water for domestic use purposes from that certain spring located on the real property being designated as Tract B-1 under a survey recorded as Idaho County Instrument No. 404826 situate in the County of Idaho, State of Idaho bearing Idaho State Water Right No. 82-10077.

TOGETHER WITH all hereditaments and appurtenances thereunto appertaining, and easements, reservations, restrictions and rights-of-way of record or in use.

THIS DEED is given by Grantor to Grantee not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantee to Grantor.

8th **IN WITNESS WHEREOF**, Grantor has hereunto subscribed his name to this instrument this day of Sept, 2002.

THE ESTATE OF ELIZABETH ANN MCLEAN

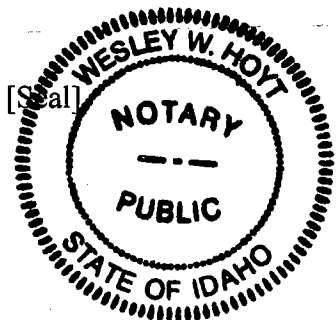
By: Robert E. McLean Jr., PR.
Robert E. McLean, Jr.,
Personal Representative

State of Idaho)
SS.

County of Idaho)

On this 8th day of Sept, 2002 before me, a Notary Public in and for such state personally appeared Robert E. McLean, Jr., known or identified to me to be the person whose name is subscribed to the within instrument as PERSONAL REPRESENTATIVE FOR THE ESTATE OF ELIZABETH ANN MCLEAN, Probate Case No. SP-00767, filed in Idaho County, Idaho, and he acknowledged to me that he executed the same as such PERSONAL REPRESENTATIVE FOR THE ESTATE OF ELIZABETH ANN MCLEAN.

In witness whereof I have hereunto set my hand and seal this 28th day of Sept, 2002.



Wesley W. Hoyt
Notary Public, State of Idaho
Residing at: Kooskia
My Comm. Exp. 05-13-05

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Name and address: Elizabeth McLean (deceased)
Robert E. McLean, Jr. Personal Representative
HC 66, Box 286
Kooskia, ID 83539

Phone: (208) 926-0869

1. Your water right claim number: 82-10077
2. Is this spring located on private property?
☒ Yes.
☐ No.
3. What is your primary use of the spring?
☐ Stockwatering.
☒ Domestic/human consumption.
☐ Other: _____
4. Is the spring a natural spring, or was it the result of development, such as blasting or excavation?
☐ Natural.
☒ Developed.

If developed, please describe method of development: Back hoe
apx. 8-10 feet dep with cement rings

5. Does the flow from the spring reach any perennial stream?
☐ Yes.
☒ No.

6. Approximate distance to the nearest perennial stream:

- ☐ Less than a quarter mile.
☒ More than a quarter mile.
☐ Don't know.

7. Are you aware of any present or historic use of the spring by members of the Nez Perce Tribe?

- ☐ Yes.
☒ No.

If yes, please explain: _____

8. If you were required to share the use of this spring with the Nez Perce Tribe or its members in an amount up to one-half the natural flow, would it interfere with your use of the spring?

- ☒ Yes.
☐ No.

If yes, please explain: From seven months to about 2 months

there is not enough water to run the home and do laundry

9. Would you be willing to appear as a witness in this case?

- ☒ Yes., for my own case
☐ No.

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0404996

PERSONAL REPRESENTATIVE'S

LIFE ESTATE DEED

RECORDED	INDEXED
FILED	FILED
JUN 26 2003	
IDAHO COUNTY TITLE CO.	
1100 N. 11th St. Boise, ID 83725	
ROSE E. GEHRING	
Deputy	
9.00	

THIS INDENTURE, made and entered into on this 8th day of March, 1999, by and between the ESTATE OF ELIZABETH ANN MCLEAN, deceased, by and through Robert E. McLean, Jr., Personal Representative, of HC 66 Box 286, Kooskia, Idaho 83539, acting under the authority of Letters Testamentary, and oath, issued out of Idaho County District Court, Case No. SP-00767, and recorded in Idaho County, as Instrument No. 389271, hereinafter referred to as the Grantor, and Robert E. McLean, Jr., individually, an unmarried man of HC 66 Box 286, Kooskia, Idaho 83539, hereinafter referred to as the Grantee.

WITNESSETH:

That the Grantor, pursuant to the authority granted to him under the laws of the State of Idaho, and the Idaho County District Court, under Case number above referenced and for Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged and pursuant to Idaho Law, does by these presents grant a life estate unto the Grantee, in that certain parcel of real property, exclusive of mobile home and shed, totaling Two and Seven Hundred Sixty Five Thousandths (2.765) acres, more or less, being designated as Tract A-2 pursuant to the survey recorded with Idaho County under Instrument No. 404826, situate in the County of Idaho, State of Idaho, to wit:

See attached legal description as set forth on Exhibit "A".

TOGETHER WITH the use of all easements, hereditaments and appurtenances thereunto appertaining, for the life of Grantee, together with the responsibility to pay all general taxes for the year 1999 and future years thereon; and subject to a non-exclusive 50' wide permanent and perpetual easement for the benefit of Tract A-1, for access by ingress and egress over an existing road which traverses Tract A-2 and is appurtenant to Tract A-1, which easement is described in Instrument #174695, Book 85, Pages 457-458, records of Idaho County, Idaho, also known as State Easement #2022, and as shown on Instrument No. 404826; together with a waterline easement 15-foot wide over an existing water line that proceeds from the spring on Tract B-1 over and across Tract A-1 for the benefit of Tract A-2 as shown on Instrument No. 404826.

PERSONAL REPRESENTATIVE'S LIFE ESTATE DEED

PAGE 1

THE LIFE ESTATE granted hereunder shall include the right to remove timber from the land for the life tenant's personal use as firewood, in order of priority: first, down timber, second, standing dead timber and third, live but defective timber. In no event shall any actions of the life tenant or his agents on the property, associated with the normal activities of daily living, be considered to be waste. Life tenant may conduct himself and his affairs on the property as if he was the owner of said property in fee simple absolute.

IN WITNESS WHEREOF, Grantor has hereunto subscribed his name to this instrument this 8th day of March, 1999.

THE ESTATE OF ELIZABETH ANN MCLEAN

By: Robert E. McLean Jr.
Robert E. McLean, Jr.,
Personal Representative

State of Idaho)

ss.

County of Idaho)

On this 8th day of March, 1999, before me, a Notary Public in and for such state personally appeared Robert E. McLean, Jr., known or identified to me to be the person whose name is subscribed to the within instrument as PERSONAL REPRESENTATIVE FOR THE ESTATE OF ELIZABETH ANN MCLEAN, Probate Case No. SP-00767, filed in Idaho County, Idaho, and he acknowledged to me that he executed the same as such PERSONAL REPRESENTATIVE FOR THE ESTATE OF ELIZABETH ANN MCLEAN.

In witness whereof I have hereunto set my hand and seal this 8th day of March, 1999.



Wesley W. Hoyt
Notary Public, State of Idaho
Residing at: Kootenai
My Comm. Exp. 5-13-99

EXHIBIT "A"
Legal Description

TRACT A-2

A tract of land within the NW1/4 SE1/4 of Section 30, Township 31 North, Range 5 East, Boise Meridian, and more particularly described as follows:

Commencing at the center-south 1/16th corner of said Section 30; Thence N.20°44'04"E., 1024.59' on a blank line to the point of tangency of Curve #14 on the centerline of the Old Elk City Wagon Road (OECWR), the northwest corner of this Tract A-2, and the True Point of Beginning of this description;

Thence S.16°24'45"E., 53.91' along the OECWR to the point of curvature of Curve #15;

Thence 131.842' on Curve #15, to the left, having a radius of 110.720' and a delta angle of 68°13'34";

Thence S.84°38'19"E., 24.81' to the point of curvature of Curve #16;

Thence 109.497' on Curve #16, to the left, having a radius of 107.790' and a delta angle of 58°12'14";

Thence N.37°09'27"E., 153.02' to the point of curvature of Curve #17;

Thence 137.343' on Curve #17, to the left, having a radius of 288.342' and a delta angle of 27°17'28";

Thence N.9°51'59"E., 69.835' to the street intersection of this Old ECWR centerline with the centerline of the New ECWR, the northeast corner of Tract A-2, and the point of curvature of Curve #49;

Thence, along the centerline of the New ECWR, 62.781' on Curve #49, to the left, having a radius of 240.000' and a delta angle of 14°59'16";

Thence S.6°37'07"E., 28.45' to the point of curvature of Curve #50+51;

Thence 69.548' on Curve #50+51, to the right, having a radius of 249.908' and a delta angle of 15°56'42";

Thence S.9°19'35"W., 68.585' to the point of curvature of Curve #27;

Thence 119.409' on Curve #27, to the left, having a radius of 491.369' and a delta angle of 13°55'25";

Thence S.4°35'50"E., 152.11' to the point of curvature of Curve #28;

Thence 79.305' on Curve #28, to the right, having a radius of 245.808' and a delta angle of 18°29'07";

Thence S.13°53'17"W., 17.233' to the point of curvature of Curve #52;

Thence 49.298' on Curve #52, to the left, having a radius of 332.359', a delta angle of 8°29'55", chord distance of 49.253 and a chord bearing of S.9°38'20"W.;

Thence, leaving the New ECWR centerline, N.70°23'49"W, 444.19' to a fence line;

Thence N.8°46'21"E., 249.87' along an existing fence;

Thence, leaving the fence, N.28°32'30"E, 24.75' to the northwest corner of Tract A-2, the True Point of Beginning, and the end of this description;

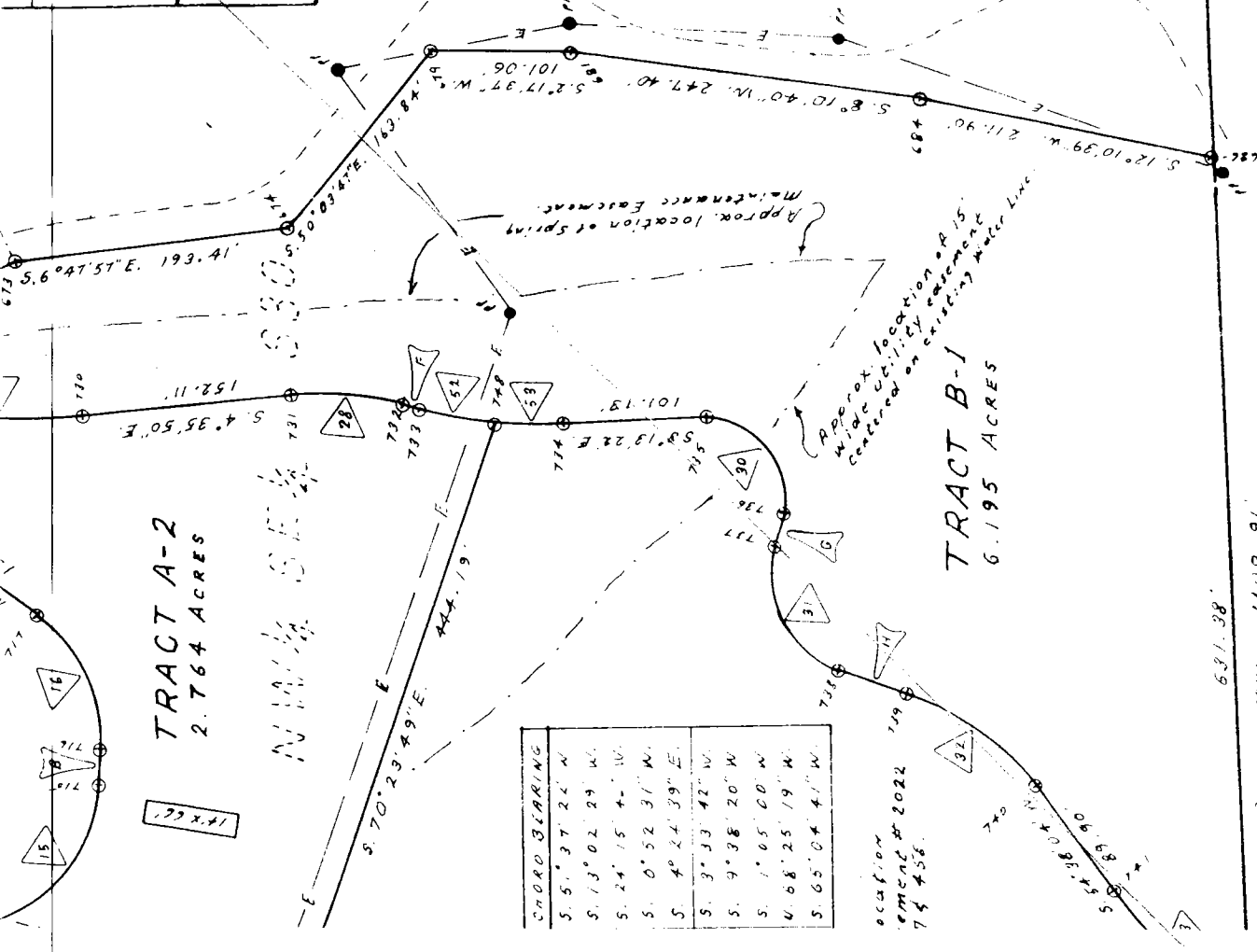
All as shown on Record of Survey No. 5-1616, on file at the Idaho County Recorder's Office as Instrument No. 404826;

CONTAINING: 2.764 Acres.

SUBJECT TO: State of Idaho Road Easement No. 2022, on file at the Idaho County Recorder's Office in Book 85, Page 457 and 458; 50' wide Highway and Utility Easements centered on the existing Elk City Wagon Roads; and all other bonafide easments.

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E	S. 9° 19' 35" W.	68.585'
F	S. 13° 53' 17" W.	77.233'
G	N. 7° 26' 25" W.	24.330'
H	S. 19° 41' 42" W.	54.345'
I	S. 44° 30' 47" W.	26.366'
J	N. 4° 33' 36" W.	24.820'
K	N. 4° 33' 36" W.	24.980'
L	S. 1° 11' 13" E.	19.788'
M	N. 66° 40' 05" E.	44.146'
N	N. 4° 18' 50" W.	30.388'
O	N. 4° 13' 50" W.	632.41'



Recorders Office as Instrument No. 080000,
S. 28° 16' 25" W.

SURVEY EQUIPMENT & METHODS

This survey was performed using a 5" Topcon GTS 3-B Total Station, Ser. #Q31714, with a precision in the primary control of 1:11,500.

COUNTY RECORDER'S CERTIFICATE

This plat was filed and recorded at the request of Chad Erickson at 4:15 O'Clock, P.M., this 24th day of February, 1999

By Chad Erickson deputy
Chad Erickson ex-official Auditor and Recorder

IDAHO COUNTY, IDAHO. FEE: \$5.00

Instrument Number 44826

SURVEYOR'S CERTIFICATE

I, Chad R. Erickson, do hereby certify that I am a Land Surveyor registered with the State of Idaho #7157, and that this plat represents a survey made by me.

Chad R. Erickson 12-25-98

ERICKSON LAND SURVEYS
PO BOX 37, HAMMAH, IDAHO 83536

RECORD OF SURVEY
SUBD. OF COURT DECREE CV 29440, EXHIBIT B, SEE R.O.S. #S-1216, WITHIN SECTION 30, T31N, R5E, S. PERFORMED FOR THE ELIZABETH MCLEAN ESTATE

DRAWN BY C.R.E.	DATE OF SURVEY	SHEET 1 OF 1
12-28-1998	DECEMBER 1998	

SCALE: 1"=100' FILE No. _____

S. 28° 16' 25" W. 1409.91'
BASIS OF BEARING

CE CHECK PAYABLE TO:
ARON A COX
AHO COUNTY TREAS. TAX COLL
O WEST MAIN, ROOM 2
ANGEVILLE, ID 83530-1994

2000 TAX BILL/RECEIPT
BILL# 15313
CODE AREA 118-00
L

PARCEL NUMBER
RP31N05E30131
24,1

1ST HALF DUE
30.91

2ND HALF DUE
30.91

FULL DUE
61.82

TOT MV
24,1

TAX
LATE
INT
COST
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TAX
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JUN 26 2003
IDWR/North ACS 2.7

MC LEAN ROBERT E JR ETAL
*
HC 66 BOX 286
KOOSKIA ID 83539

TAXING DISTRICT	RATE	AMOU
STATE	.000000000	
COUNTY	.002211872	53.
SCHOOL #241	.004777775	115.
COUNTY R & B	.000473119	11.
CLEARWTR CEM	.000029194	.
SYRINGA HOSP	.000380490	9.
LIBRARY	.000194513	4.
DISTRICT TOTAL	.008066963	194.
-CIRCUIT BREAKER EXEMPTION		133.
AMOUNT DUE		61.

T31N R5E SEC 30 2.765 AC
TAX # 79
(LIFE ESTATE)

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

YOU HAVE ANY QUESTIONS CALL 208-983-2801
\$10.00 FEE WILL BE ADDED FOR RETURNED CHECKS

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

LEAN, ROBERT E JR ETAL 2000
15313

MC LEAN, ROBERT E JR ETAL 20
153

2ND HALF

1ST HALF

FULL

AMOUNT DUE 30.91

AMOUNT DUE 30.91 61.

AHO COUNTY
31N05E301310A
118-00

LATE
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COST
TOT

IDAHO COUNTY
RP31N05E301310A
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LATE
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DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY
JUNE 20, 2001
CHECK #
CASH

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY
DECEMBER 20, 2000
CHECK #
CASH