



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Mathew Weaver

July 28, 2026

KIRK NIELSEN
JACLYN NIELSEN
2112 W CENTER
MALAD ID 83252

RE: Change in Ownership Water Right No. 15-7153, 15-7361

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. information required is indicated below:

**** **Evidence of Ownership/Filing Fee:** On May 22, 2026, you submitted a Notice of Change in Water Right Ownership. During our review the department found that additional information is required in order to update your application. According to the notes on the file the department contacted you on May 22, 2026, and May 26, 2026 via email to request the additional information (copy attached). We need you to send notice to property owners who own land within the place of use boundary. Also, as we looked through the ownership change, we found we needed additional evidence of ownership. We need a quit claim deed from Jaclyn Shaw to Jaclyn Nielsen. If there is not a deed from Jaclyn Shaw to Jaclyn Nielson the department will have to update the ownership to Jaclyn Naomi Shaw and Kirk Elden Nielsen, since that is the way the deed reads, or you can provide evidence of a name change. The department will also require a full chain of title for parcel RP0313800, the deed we received is from Dee Ray and Lou Dell Nielsen. Also, it appears water right 15-7361 will require a split, if a split is required an additional filing fee is required the split fee is \$100.00 per water right, therefore you would owe an additional \$75.00. Also, a full chain of title is required for 15-7361 I have attached the proof report so you can see the current owner of the water right. We did receive older deeds, but it is not a full chain of title. Also, the deed we received from Marla McClellan is not recorded. We have one deed instrument number 162796 which was signed and recorded with the same legal description; however, the other deed that is not signed or recorded shows a 50% interest from Marla McClelland to Kirk E and Jaclyn Nielen. As we have previously discussed you will still need to file a claim in the BRBA.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at:

www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Baily
Technical Records Specialist

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/29/2026

Water Right 15-7153

Owner Type **Name and Address**
 Current Owner ELDEN D NIELSEN
 930 W SAMARIA LN
 MALAD CITY, ID 83252
 (208) 766-4070

Security Interest IDAHO AG CREDIT FLCA
 PO BOX 985
 BLACKFOOT, ID 83221-0985
 (208) 785-1510

Priority Date: 4/9/1996

Basis: License

Status: Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.490 CFS	435.1 AF
	<u>Total Diversion</u>		2.490 CFS	435.1 AF

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 21, Twp 14S, Rge 36E, ONEIDA County

Place Of Use:

IRRIGATION within ONEIDA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	36E	20																10.0	10.0
14S	36E	21											19.3	10.0					29.3
14S	36E	28					2.5	16.0	1.0										19.5
14S	36E	29	32.0	3.5	14.0	16.0													65.5
																			POU Total Acres: 124.3

Conditions of Approval:

1. X35 Rights 13-7153 and 13-7361 when combined shall not exceed the irrigation of 209.2 acres.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted

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3. R63 and shall annually report the information to the Department.
This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. 104 If the surface water right(s) appurtenant to the place of use is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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Proof Report

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Water Right 15-7361

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IVES JONES MALAD CITY, ID
Current Owner	ROY DANIELS , ZZ
Current Owner	THOMAS DENNIS , ID
Current Owner	JENKIN JONES MALAD CITY, ID
Current Owner	PAUL H MILLS , ZZ
Current Owner	JOSEPH W LAWS , ID
Security Interest	IDAHO AG CREDIT FLCA PO BOX 985 BLACKFOOT, ID 83221-0985 (208) 785-1510

Priority Date: 4/15/1954

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

1.000 CFS

Volume

Total Diversion

1.000 CFS

Source and Point(s) of Diversion:

GROUND WATER

SENW

Sec. 21, Twp 14S, Rge 36E, ONEIDA County

Place Of Use:

IRRIGATION within ONEIDA County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	36E	20													0.5		5.0	3.0	8.5
14S	36E	21									4.5	4.5	25.3	10.0					44.3
14S	36E	28					7.0	34.0	6.0			6.0							53.0
POU Total Acres: 105.8																			

Conditions of Approval: