

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 11 2020

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. ✓ DB

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
✓ 29-2016 A	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	29-2016A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
✓ 29-11620 A	Yes <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	29-14349	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	29-11620A	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>	29-14352	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: Demar W. Gilbert Or Grady D. Staley
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Grady D. Staley
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO BOX 222 Inkom Idaho 83245
Mailing address City State ZIP
- (208) 251-8661 dave-racing@hotmail.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: Grady D. Staley Owner 9-11-20
 Signature of new owner/claimant Title, if applicable Date

Signature: _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 9/11/20 Receipt No. E046284 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 JB Processed by JC Date 12/1/20

Staley Parcel Map



- Parcel
- Township/Range
- Sections
- QQ

20013482

8-1
AFFIDAVIT OF HEIRSHIP

STATE OF IDAHO)
 :SS
County of Bannock)

Gradyn Staley, being first duly sworn states:

1. I am Gradyn Staley, also known as Gradyn David Staley.
2. My wife was Carol Ann Staley.
3. Attached hereto is the original of her Last Will and Testament.
4. Carol Ann Staley died December 13, 1996.
5. Attached and listed on Exhibit "A" is the real estate owned by Carol Ann Staley and I at the time of her death.
6. The property described on Exhibit "A" passed to me as her husband and the devisee under her Will which is attached.

DATED This 6 day of July, 2000.

Gradyn Staley
Gradyn Staley

SUBSCRIBED AND SWORN TO, before me, the undersigned Notary Public, this 6th day of July, 2000.



NO **20013482**
RECORDED AT REQUEST OF
Thomas Holmes
2000 AUG 22 AM 10 19

Lorna C. Bartlett
NOTARY PUBLIC-STATE OF IDAHO
My Commission Expires: 11-16-2000

8-2

20013482

EXHIBIT A

1-16137-42

WARRANTY DEED

518350

For Value Received

EDGAR ELIASON and LUCILLE ELIASON, husband and wife

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

GRADYN D. STALEY

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

Township 8 South, Range 36 East of the Boise Meridian, Bannock County, Idaho,

Section 3: W $\frac{1}{2}$ SW $\frac{1}{4}$, Also: Beginning at the Southwest Corner SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Thence North 953 feet, thence South 69°25' East 1863.98 feet to the left bank of Marsh Creek, thence upstream to the intersection of said bank with the South Boundary line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Thence West 1568.8 feet to the Point of Beginning, NE $\frac{1}{4}$ SW $\frac{1}{4}$...

Section 10: S $\frac{1}{2}$ SW $\frac{1}{4}$...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, Grady D. Staley 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 except those recorded of record in the Recorder's Office for the Bannock County, State of Idaho,

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

Dated: 5th day of June, 1973

STATE OF IDAHO, COUNTY OF Bannock
On this 22nd day of June, 1973,
before me, a notary public in and for said State, personally
appeared Edgar Elison and Lucille
Elison

NOTARY SEAL

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

Notary Public
Idaho

518350

And P. Land Title Co.

1973 JUN 22

EXHIBIT A

8-3
EXHIBIT A

20013482

1706 3-1 96003206
DEED OF GIFT

THIS INDENTURE, made this 12th day of February 1996, by and between ALICE K. STALEY, Mother, the Grantor, and GRADYN D. STALEY, Son, of 952 S Marsh Creek Road, Inkom, Bannock County, Idaho, the Grantee:

WITNESSETH:

The Grantor, for and in consideration of the love and affection which she bears towards her son, GRADYN D. STALEY, Grantee, does hereby give, grant, alien, and convey to her son, GRADYN D. STALEY, the Grantee, and to his heirs and assigns, forever, all of the Grantor's interest in the certain real property described and located in the County of Bannock, State of Idaho, described as follows, to-wit:

A parcel of land located in the NW 1/4, Section 3, T 8 S, R 36 E, B M, Bannock County, Idaho, being a portion of Deed Number 811450 described as follows:

Commencing at the East 1/4 corner of Section 3, being marked by a Bannock County Monument as described in the Bannock County Recording Number 789477; Thence N 0° 33' 00" W, along the West line of Section 3, a distance of 953.00 feet as shown in Deed Number 510350; Thence S 69° 58' 00" E a distance of 1006.09 feet to the East line of Marsh Creek Road (said line being the property line between Deed Number 510350 and Deed Number 9301372) and to a 1/2 inch iron rebar which is the TRUE POINT OF BEGINNING; Thence continuing S 69° 58' 00" E a distance of 857.79 feet to a 1/2 inch iron rebar and the NE corner of Deed Number 510350 on the West bank of Marsh Creek; Thence N 10° 44' 43" E a distance of 1151.47 feet to a 1/2 inch iron rebar on the West bank of Marsh

EXHIBIT A

4-4

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EXHIBIT A

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~~9600206~~

Creek; Thence N 77° 57' 02" W, partly following an old fence line, a distance of 661.83 feet to the West line of Marsh Creek Road and a 1/2 inch iron rebar; Thence S 0° 01' 00" W, along the West line of Marsh Creek Road, a distance of 33.46 feet to a 1/2 inch iron rebar; Thence S 21° 35' 56" W, along the West line of Marsh Creek Road, a distance of 1013.40 feet to the TRUE POINT OF BEGINNING.

The Grantor specifically reserves therefrom an easement for the purpose of ingress and egress, for all public and private utilities, and for the maintenance thereof, over the North 25 feet of above described property between Marsh Creek Road and Marsh Creek to be retained for her, her heirs and assigns forever.

The Grantor does also convey unto the Grantee the Marsh Creek water rights for the above described property as established on the priority date of December 4, 1904, water license 645.

Also, the well water rights as established from December 4, 1904 established by number ID A 29-003.

TOGETHER WITH all the singular, the tenements and hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversions, remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the above described premises, together with appurtenances, unto the said Grantees, their heirs and assigns forever.

EXHIBIT A

8-5
EXHIBIT A

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~~96003206~~

IN WITNESS WHEREOF, the Grantor has hereunto set her hand this day and year first above written.

Alice K. Staley
ALICE K. STALEY

STATE OF IDAHO)
Bannock : ss.
County of Bingham)

ON THIS 12th day of February, 1996, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared ALICE K. STALEY, Grantor, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Lorne C. Bartlett
Notary Public for Idaho
Residing in McCammon, Idaho
My Commission Expires: 11-16-2000

~~96003206~~
NO
RECORDED AT REQUEST OF
GRADYN D. STALEY
SS FEB 29 AM 8 43
OFFICIAL BOOK NO 659
BANNOCK COUNTY IDAHO
LARRY W GRAY RECORDER
FEE 9.00 DEPUTY MJ

NOTARY SEAL

EXHIBIT A

7-6

Last Will and Testament

OF

CAROL ANN STALEY

I, CAROL ANN STALEY, being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any persons whomsoever, do make, publish and declare this to be, my Last Will and Testament, and do hereby revoke all former Wills by me made.

FIRST: I declare that I am a married woman; that the name of my husband is GRADYN DAVID STALEY; and that my husband and I have two children, namely: CARISA KAY STALEY and DAVID REED STALEY.

SECOND: I hereby direct that my Personal Representative, hereinafter named, pay my just debts, funeral expenses and the costs of administration of my estate as soon after my death as may conveniently be done.

THIRD: I nominate and appoint my beloved husband, GRADYN DAVID STALEY, as Personal Representative of my Will and Estate. I direct that no bond be required of my husband while acting as Personal Representative. If my husband does not survive me, or for any reason fails or refuses to act, before the complete administration of my estate, then I do hereby appoint STEVEN REED STALEY, of Inkom, Idaho, as alternate Personal Representative of my estate, and direct that no bond be required of him while acting as Personal Representative of my estate.

FOURTH: I give, devise and bequeath all of my property, of whatever kind or character the same may be, and wheresoever situated, and howsoever held, to my beloved husband, GRADYN DAVID STALEY, to have and to hold to himself, his heirs and assigns forever, if he survives me.

Carol A. Staley 11/9/74

8-7
FIFTH: In the event my beloved husband should predecease me; or should he die as the result of the same calamity, accident or epidemic, or should he die within six months of my decease, from whatever cause, then, and in that event, I give, devise and bequeath all of my property, of whatsoever kind or character the same may be, to my children, CARISA KAY STALEY and DAVID REED STALEY, and to any after-born children, share and share alike, or the living issue of each of the latter, if any of them predecease me, by right of representation.

SIXTH: In the event my beloved husband does not survive me or dies at approximately the same time as my decease, then, and in that event, I hereby appoint STEVEN REED STALEY, of Inkom, Idaho, as the Guardian of the persons and the estates of my minor children, namely: CARISA KAY STALEY and DAVID REED STALEY, and any after-born children, during their joint minority. I hereby direct that said Guardian shall not, at any time, be required to furnish bond or other security for the faithful performance of said Guardian's duties or any other reason. If STEVEN REED STALEY for any reason fails or refuses to act as such Guardian, then I do hereby appoint my father-in-law, JOHN R. STALEY, of Inkom, Idaho, as alternate guardian of the persons and estates of my minor children, and direct that no bond be required of him while acting as such guardian.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14 day of January, 1974.


CAROL ANN STALEY

The foregoing instrument, consisting of three (3) pages, including this page, was, this 14 day of January, 1974, by the said CAROL ANN STALEY, signed, sealed and published as,

8-8

and declared to be, her Last Will and Testament, in the presence of us, who at her request, and in her presence, and in the presence of each other, have subscribed our names as Witnesses hereto.

Charlotte Irvin

Residing at: Pocatello, Idaho

Camille Hanks

Residing at: Pocatello, Idaho

STATE OF IDAHO,)
SS:)
County of Bannock)

WE, CAROL ANN STALEY, Charlotte Irvin and Camille Hanks, the Testatrix and the Witnesses, respectively, whose names are signed to the foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her Last Will and that she signed willingly, and that she executed it as her free and voluntary act for the purposes therein expressed; and that each of the Witnesses, in the presence and hearing of the Testatrix signed the Will as Witnesses, and to the best of their knowledge, the Testatrix was at the time an adult, of sound mind, and under no constraint or undue influence.

Carol Ann Staley
TESTATRIX

Charlotte Irvin
WITNESS

Camille Hanks
WITNESS

SUBSCRIBED AND SWORN to and acknowledged before me by CAROL ANN STALEY, the Testatrix, and subscribed and sworn to before me by Charlotte Irvin and Camille Hanks, Witnesses, this 14th day of January, 1974.

James J. Smith
NOTARY PUBLIC for Idaho
Residing at: Pocatello, Idaho

(NOTARY SEAL)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 01, 2020

GRADYN D STALEY
PO BOX 222
INKOM ID 83245-0222

Re: Change in Water Right Ownership: 29-2016 A (Split into 29-2016 A and 29-14348, 29-14349 & 29-14350) and 29-11620A (split into 29-11620A and 29-14351, 29-14352 & 14353)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: DEMAR W GILBERT
JAMES GUTHRIE JR
DEMAR GILBERT
DONNA GILBERT
WATER DISTRICT 29H