

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.

| 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"/> | 29-14348 | 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"/> | 29-14351 | 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): Demar W. Gilbert or Donna B. Gilbert
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- PO BOX 6 Inkom Idaho 83245
Mailing address City State ZIP
(208) 716-7006 bardg@q.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):
☐ \$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: Demar W. Gilbert Owner 1 Sep. 2020
Signature of new owner/claimant Title, if applicable Date

Signature: Donna B. Gilbert Owner Sept. 1, 2020
Signature of new owner/claimant Title, if applicable Date

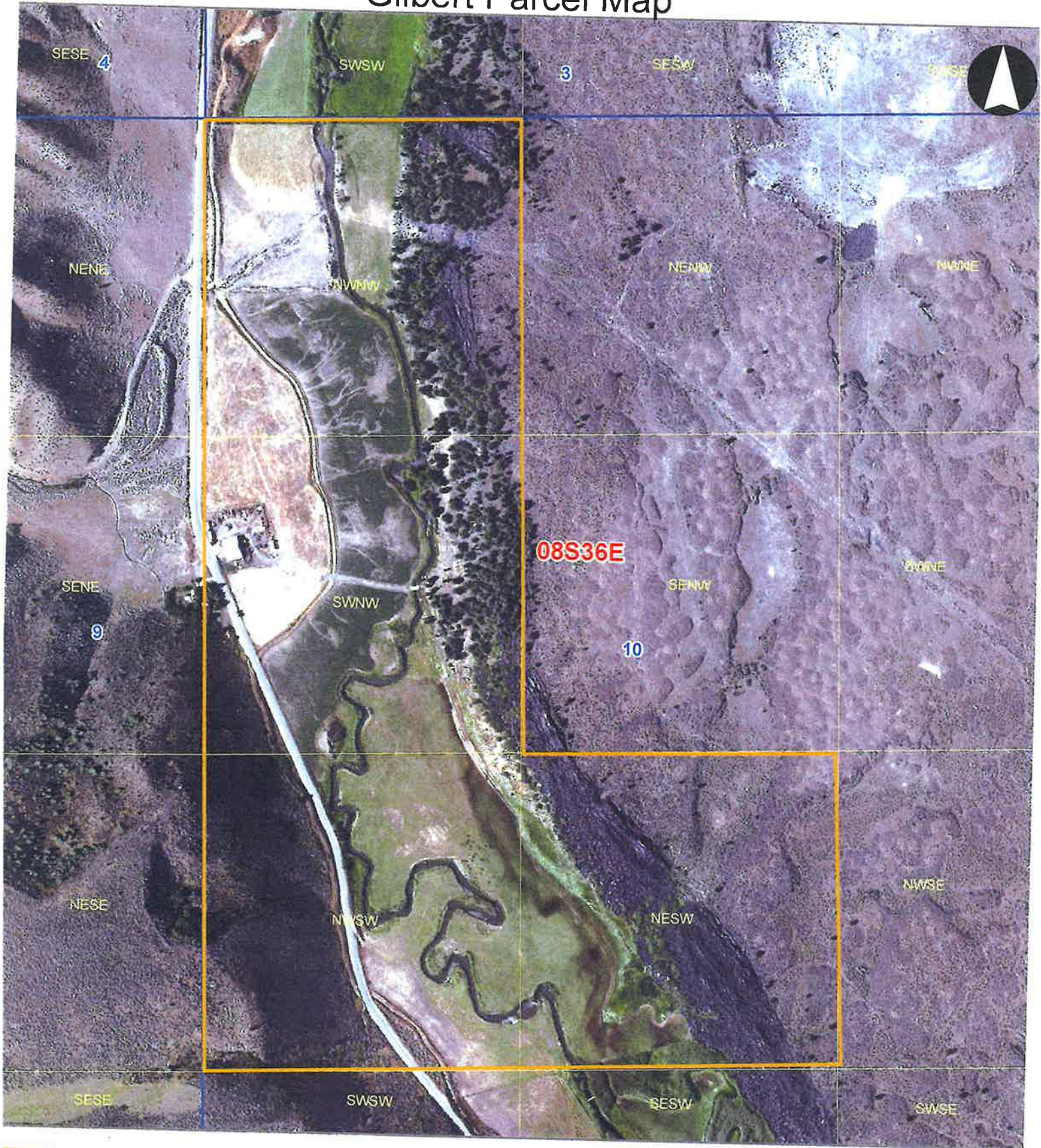
For IDWR Office Use Only:

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 12/2/20

Gilbert Parcel Map



- Parcel
- Township/Range
- Sections
- QQ

0 325 650 1,300 Feet

$$\left. \begin{array}{l} \text{SS:} \\ \text{SS:} \end{array} \right\}$$

SS :

GP

THIS INDENTURE, made this 20th day of December in the year of our Lord, One Thousand Nine Hundred and Seventy Two , between

DeMAR H. GILBERT and HARRIET W. GILBERT, husband and wife,
of Inkom , County of Bannock , State of Idaho,
the parties of the first part, and

DeMAR W. GILBERT and DONNA B. GILBERT, husband and wife,
of Inkom , County of Bannock , State of Idaho
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION-----~~DOLLARS~~, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All th at certain lot , piece or parcel of land situate, lying and being in the County of Bannock , State of Idaho, bounded and more particularly described as follows, to-wit:

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

Section 4: S 1/2 SE 1/4
Section 9: E 1/2 NE 1/4
Section 10: W 1/2 NW 1/4, N 1/2 SW 1/4...

Also including Permit No. 645, a perpetual right, dating from December 4, 1904, to the use of six (6) cubic feet per second of the waters of Marsh Creek on the following described property: 18 acres in SW4 of NW4, 28 acres in NW4 of SW4 & 34 acres in NE4 of SW4 Sec. 10, T. 8 S. R. 36 E. B. M., for the purpose of irrigation and domestic use.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs and assigns shall warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, and their heirs and assigns against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

_____ } DeMar H. Gilbert [SEAL]
_____ } Harriet W. Gilbert [SEAL]
_____ } _____ [SEAL]
_____ } _____ [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

DEMAR GILBERT
DONNA GILBERT
PO BOX 6
INKOM ID 83245

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
GRADYN STALEY
WATER DISTRICT 29H