

RECEIVED

AUG 14 2023

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PARCEL #  
RPR4015031801

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 #7 of the instructions.

DE ✓

| Water Right/Claim No. | Split?                                  | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|-----------------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 29-12002              | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-2016A              | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-11620A             | Yes <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 29-11620A 29-14519    | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | 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: David Staley

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): R & J Rental, LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

1205 College Rd.  
Mailing address  
208-251-3504  
Telephone

Pocatello ID 83204  
City State Zip  
Idahohamms@aol.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: 05/24/2011

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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.

SUPPORT DATA

IN FILE # 29-2016A

8. Signature: Randy Hamm Title, if applicable: MANAGER Date: 8-10-23
- Signature: Joanne Hamm Title, if applicable: MANAGER Date: 8-10-23

For IDWR Office Use Only:

Received by M. Pettis Date 8-14-23 Receipt No. E049414 Receipt Amt. 75.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing

Name on W-9 Joanne Hamm Approved by JB Processed by JB Date 9/19/2023



135 N. Arthur Ave. / Pocatello, Idaho 83204  
(208) 233-9595



Order No. 20110519 SMK LW

## WARRANTY DEED

For Value Received

David Staley, also known as David Reed Staley

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

R & J Rentals, LLC

hereinafter referred to as Grantee, whose current address is ~~50~~

*RA*

1515 East Clark, Pocatello, ID 83201

the following described premises, to-wit:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) his heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all claims whatsoever.

Dated: May 23, 2011

*David Staley*  
David Staley

*Janis L. Staley*  
Janis L. Staley

By my signature above, I am conveying my homestead rights as set forth in Section 55-1007 of the Idaho Code and for no other purpose as I have no interest in the subject property.

STATE OF IDAHO

S.

COUNTY OF BANNOCK

On this 24th day of MAY, in the year of 2011, before me MELINDA OBRAV, notary public personally appeared DAVID STALEY and JANIS L. STALEY known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



*Melinda Obvay*  
MELINDA OBRAV  
Notary Public of IDAHO  
Residing at POCATELLO, ID  
Commission expires: February 15, 2013

SCANNED

SEP 19 2023

These 3 parcels have now been  
Combined into 1.  
Parcel # RPR 4015031801

EXHIBIT A

Parcel 1:

A parcel of real property, commencing at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 34, Township 7 South, Range 36 E.B.M., in Bannock County, Idaho:

Running thence North 89°47' East along the South line of said Section 34, 225.9 feet; thence North 34°20' East 650 feet to the True Point of Beginning:

Thence due North 265 feet; thence at right angles West 195 feet, more or less to a point on the East line of Marsh Creek Road, thence Southerly along said East line of Marsh Creek Road 300 feet, thence North 89°47' East 330 feet, more or less to the point of beginning.

Parcel 2:

A parcel of land located in the Southwest ¼ of Section 34, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho and more particularly described as follows:

Commencing at the South ¼ corner of Section 34, being marked with a Bannock County Monument as described in Corner Perpetuation Instrument No. 20322787; thence South 89°54'07" West, along the South line of Section 34, a distance of 1105.57 feet to the Southeast corner of deed Instrument No. 20411535; thence North 37°27'07" East, along the East line of said deed a distance of 589.64 feet to a ½ inch rebar, said point be the TRUE POINT OF BEGINNING;

Thence continuing along the East line of said deed, North 34°27'07" East a distance of 60.36 feet to a ½ inch rebar, said point being the Northeast corner of said deed and the Southeast corner of deed instrument No. 20327467;

Thence North 00°07'07" East, along the East line of deed Instrument No. 20327467, a distance of 265.00 feet to a ½ inch rebar, said point being the Northeast corner of said deed;

Thence North 89°52'53" West, along the North line of said deed, a distance of 167.50 feet to a ½ inch rebar, said point being the Easterly Right of Way of Marsh Creek Road;

Thence North 29°19'34" East, along the Easterly Right of Way of Marsh Creek Road, a distance of 371.59 feet to a ½ inch rebar;

The next six courses follow an existing fence;

(1) South 27°14'13" East a distance of 61.10 feet to a ½ inch rebar,

(2) South 21°11'56" East a distance of 136.42 feet to a ½ inch rebar,

(3) South 03°55'43" East a distance of 142.55 feet to a ½ inch rebar,

(4) South 09°59'41" West a distance of 149.21 feet to ½ inch rebar,

(5) South 00°30'04" West a distance of 53.97 feet to a ½ inch rebar,

(6) South 33°06'24" West a distance of 136.77 feet to a ½ inch rebar,

Thence North 89°48'42" West a distance of 35.17 feet to a ½ inch rebar, said point being the TRUE POINT OF BEGINNING.

Parcel 3;

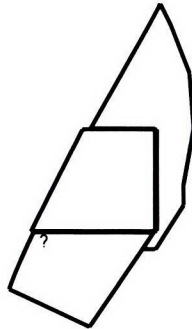
A parcel of land located with deed instrument 20411535, in the Southeast ¼ of the Southwest ¼ of Section 34, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho and more particularly described as follows:

Commencing at the South ¼ corner of Section 34, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, thence South 89°54'05" West (Basis of Bearing per the Central Meridian of the East zone of the Idaho State Plane Coordinate system) along the South line of Section 34, a distance of 1105.56 to a point on the Easterly right of way line of Marsh Creek Road, said point being North 89°54'05" East a distance of 111.64 feet from the E 1/16 corner of the South line of Section 34, point also being the South West point of deed instrument 20411535; thence North 89°54'05" East along the South line of Section 34, a distance of 114.30 feet; thence North 34°27'08" East, along the easterly line of deed instrument 20411535, a distance of 352.71 feet to THE POINT OF BEGINNING; thence continuing North 34°27'08" East, along the Easterly line of said deed to the Southeast corner of deed instrument 20367467, a distance of 297.29 feet; thence South 89°54'07" West along the common boundary line of deed instrument 20367467 and deed instrument 20411535 to a point on the Easterly right of way line of Marsh Creek Road, a distance of 313.58 feet to a point on a 1613.11 foot radius curve which bears South 63°48'00" East; thence Southwesterly along the easterly right of way line of Marsh Creek Road to the left through a central angle of 05°42'13" an arc distance of 160.58 feet; thence South 65°02'59" East a distance of 230.52 feet to the POINT OF BEGINNING.

PS  
JS  
RA  
JK

SCANNED

SEP 19 2023



8/15/2023

Scale: 1 inch= 500 feet

File:

Tract 1: 1.5997 Acres (69684 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/344748), Perimeter=1089 ft.

Tract 2: 1.6304 Acres (71021 Sq. Feet), Closure: n68.3121w 0.01 ft. (1/128695), Perimeter=1580 ft.

Tract 3: 1.3108 Acres (57098 Sq. Feet), Closure: n65.5623e 0.01 ft. (1/187264), Perimeter=1002 ft.

01 /sw,se,sw,34,7s,36e

02 /n89.47e 225

03 /n34.20e 650

04 n00e 265

05 n90w 195

06 s26.5312w 298.52

07 n89.47e 330

08 @0

09 /se,sw,34,7s,36e

10 /s89.5407w 1145.57

11 /n37.2707e 620

12 n34.2707e 60.36

13 n00.0707e 265.00

14 n89.5253w 167.50

15 n29.1934e 371.59

16 s27.1413e 61.10

17 s21.1156e 136.42

18 s03.5543e 142.55

19 s09.5941w 149.21

20 s00.3004w 53.97

21 s33.0624w 136.77

22 n89.4842w 35.17

23 @0

24 /se,sw,34,7s,36e

25 /s89.5405w 1220.00

26 /n89.5405e 114.30

27 /n34.2708e 352.71

28 n34.2708e 297.29

29 s89.5407w 313.58

30 Lt, r=1613.11, delta=005.4213, arc=160.58, radial=s63.4800e

31 s65.0259e 230.52

SCANNED

SEP 19 2023

# Idaho Department of Water Resources



## Legend

-  R & J Rental Property
-  29-2016A, 29-11620A POU
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

SEP 19 2023

SCANNED

AUG 15 2023

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

9/19/2023

Water Right 29-2016A *After Split*

**Owner Type**      **Name and Address**  
Current Owner      DEMAR W GILBERT  
                                 PO BOX 6  
                                 INKOM, ID 83245-0006  
                                 (208) 775-3692

Current Owner      GRADYN D STALEY  
                                 PO BOX 222  
                                 INKOM, ID 83245-0222  
                                 (208) 251-8661

**Priority Date:** 12/4/1904

**Basis:** Decreed

**Status:** Active

**Source**

MARSH CREEK

**Beneficial Use**

IRRIGATION

**Tributary**

PORTNEUF RIVER

**Diversion Rate**

0.040 CFS

**Volume**

0.040 CFS

**From**      **To**  
04/01      10/31  
**Total Diversion**

**Source and Point(s) of Diversion:**

|             |      |                                           |
|-------------|------|-------------------------------------------|
| MARSH CREEK | SWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 15, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NESW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 34, Twp 07S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |

**Place Of Use:**

IRRIGATION within BANNOCK 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  |        |
| 07S | 36E | 34  |    |    |    |    |    |    |           |    |    |    |    |    |    |    |    | 1.5 | 1.5    |
| 08S | 36E | 3   |    |    |    |    |    |    | 0.4<br>L3 |    |    |    |    |    |    |    |    |     | 0.4    |

POU Total Acres: 1.9

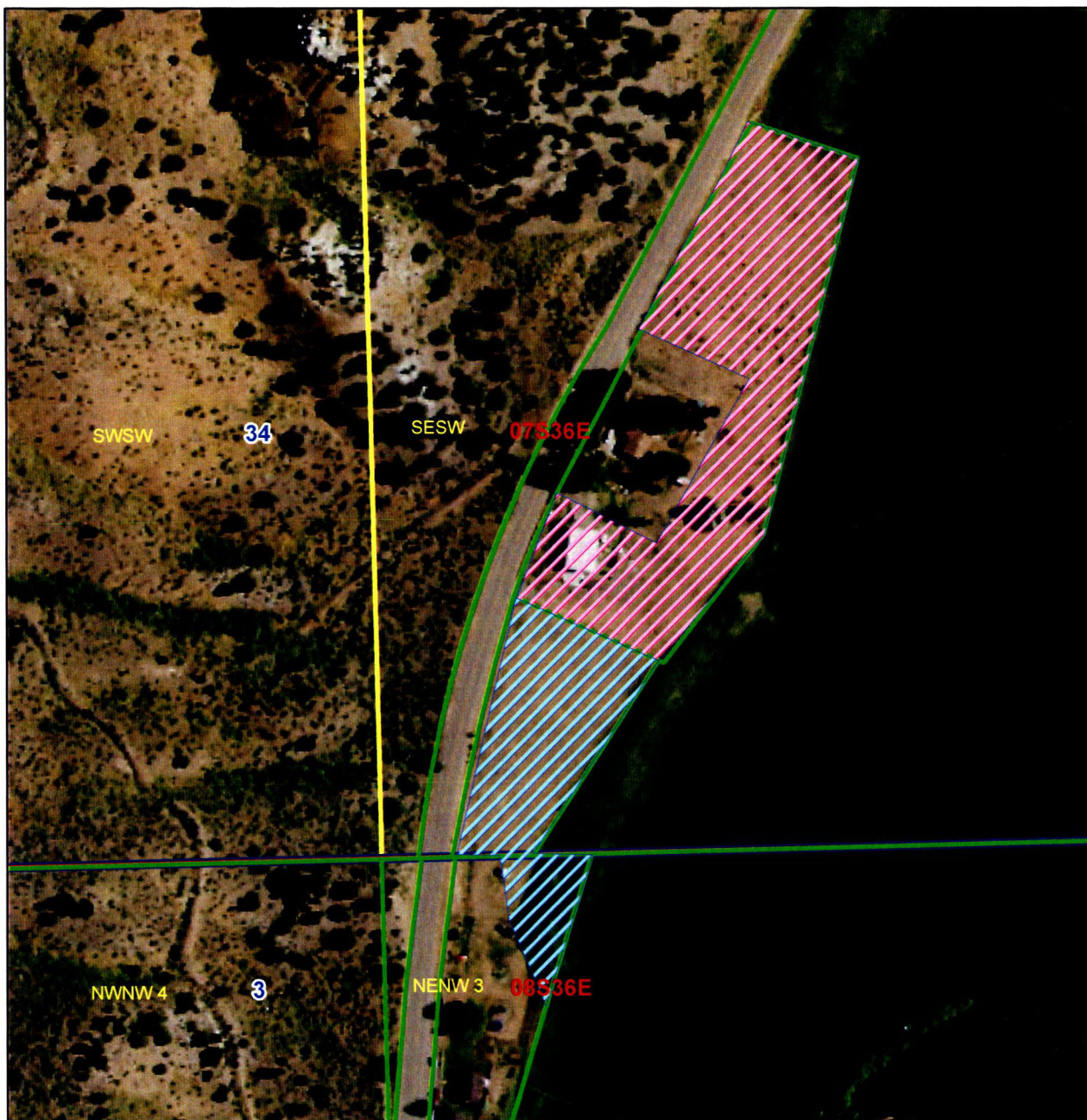
**Conditions of Approval:**

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02016A, 29-11620A
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

**Comments:**

4 jbailey      9/19/2023      Ownership Change  
Water right 29-2016A was split into 29-2016a and 29-14518.

# Idaho Department of Water Resources



## Legend

-  POU 29-14518 and 29-14519
-  POU 29-2016A and 29-11620A After Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

SEP 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

9/14/2023

Water Right 29-2016A *Before Split*

**Owner Type**      **Name and Address**  
Current Owner      DEMAR W GILBERT  
                         PO BOX 6  
                         INKOM, ID 83245-0006  
                         (208) 775-3692

Current Owner      GRADYN D STALEY  
                         PO BOX 222  
                         INKOM, ID 83245-0222  
                         (208) 251-8661

**Priority Date:** 12/4/1904

**Basis:** Decreed

**Status:** Active

|                       |                        |                  |                       |
|-----------------------|------------------------|------------------|-----------------------|
| <b>Source</b>         |                        | <b>Tributary</b> |                       |
| MARSH CREEK           |                        | PORTNEUF RIVER   |                       |
| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b>        | <b>Diversion Rate</b> |
| IRRIGATION            | 04/01                  | 10/31            | 0.110 CFS             |
|                       | <b>Total Diversion</b> |                  | 0.110 CFS             |

**Source and Point(s) of Diversion:**

|             |      |                                           |
|-------------|------|-------------------------------------------|
| MARSH CREEK | SWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 15, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NESW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 34, Twp 07S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |

**Place Of Use:**

IRRIGATION within BANNOCK 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 |        |
| 07S | 36E | 34  |    |    |    |    |    |    |     |    |    |    |    | 4.9 |    |    |    |    | 4.9    |
| 08S | 36E | 3   |    |    |    |    |    |    | 0.4 |    |    |    |    |     |    |    |    |    | 0.4    |

POU Total Acres: 5.3

**Conditions of Approval:**

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02016A, 29-11620A
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

**9/14/2023**

4. C18

PURSUANT TO SECTION 42-1425, IDAHO CODE.  
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO  
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-  
1412(6), IDAHO CODE.

# Idaho Department of Water Resources



## Legend

-  POU 29-2016A and 29-11620A Before Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

BOONVILLE  
SEP 19 2023

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

9/19/2023

Water Right 29-11620A

*After Split*

**Owner Type**      **Name and Address**  
Current Owner      DEMAR W GILBERT  
                                 PO BOX 6  
                                 INKOM, ID 83245-0006  
                                 (208) 775-3692

Current Owner      GRADYN D STALEY  
                                 PO BOX 222  
                                 INKOM, ID 83245-0222  
                                 (208) 251-8661

**Priority Date:** 4/1/1924

**Basis:** Decreed

**Status:** Active

**Source**  
MARSH CREEK

**Tributary**  
PORTNEUF RIVER

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01                  | 10/31     | 0.030 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.030 CFS             |               |

**Source and Point(s) of Diversion:**

|             |      |                                           |
|-------------|------|-------------------------------------------|
| MARSH CREEK | SENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 34, Twp 07S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NESW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSE | Sec. 15, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |

**Place Of Use:**

IRRIGATION within BANNOCK County

|     |     |     | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE  |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|-----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE  | NW | SW | SE | Totals |
| 07S | 36E | 34  |    |    |    |    |    |    |     |    |    |    |    |    | 1.5 |    |    |    | 1.5    |
| 08S | 36E | 3   |    |    |    |    |    |    | 0.4 |    |    |    |    |    |     |    |    |    | 0.4    |

POU Total Acres: 1.9

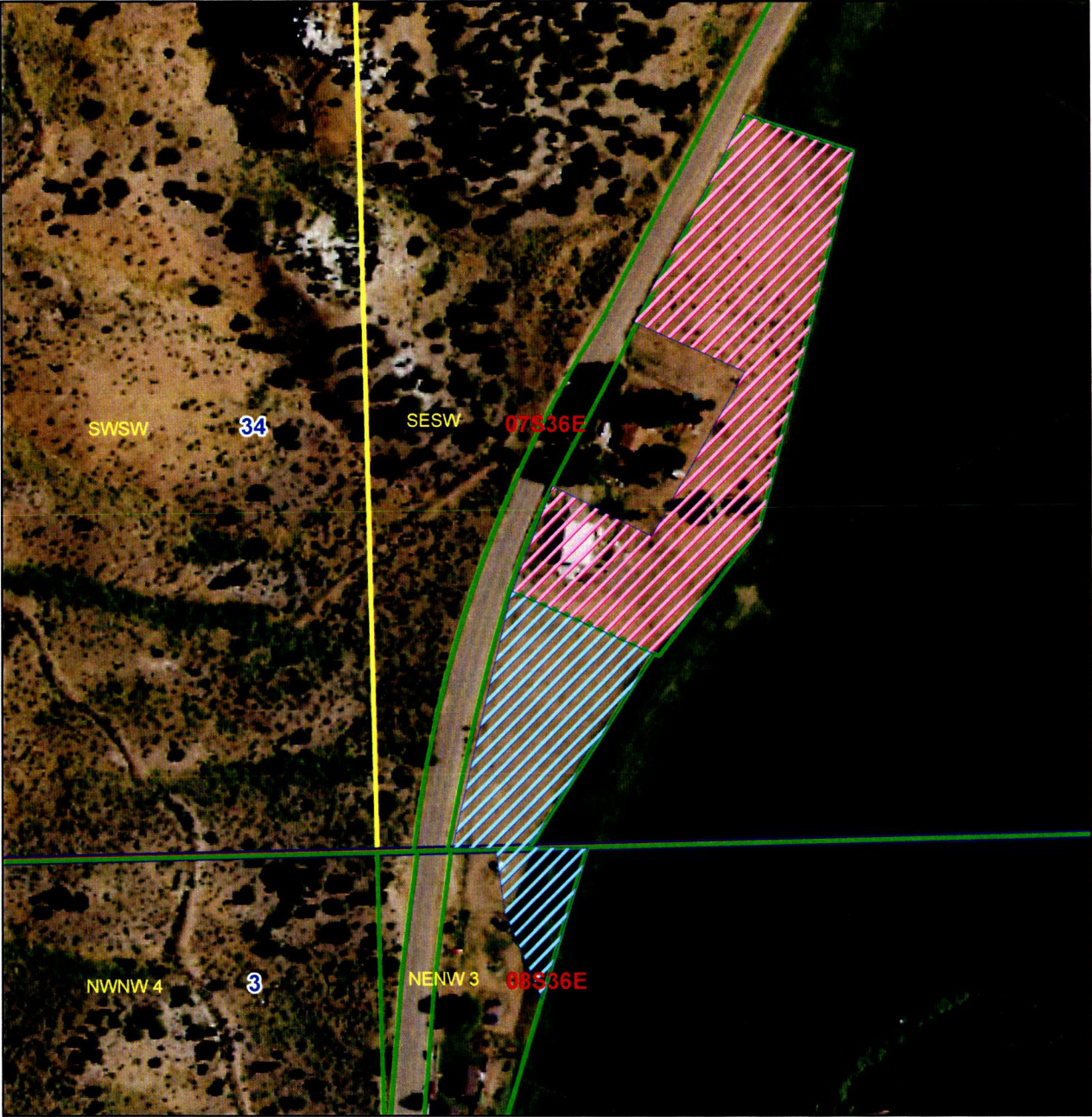
**Conditions of Approval:**

- E56      USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02016A, 29-11620A
- C18      THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

**Comments:**

5      jbailey      9/19/2023      Ownership Change  
Water right 29-11620A was split into 29-11620A and 29-14519.

# Idaho Department of Water Resources



## Legend

-  POU 29-14518 and 29-14519
-  POU 29-2016A and 29-11620A After Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

8048127

SEP 19 2023

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

9/14/2023

Water Right 29-11620A *Before Split*

**Owner Type** **Name and Address**  
Current Owner DEMAR W GILBERT  
PO BOX 6  
INKOM, ID 83245-0006  
(208) 775-3692

Current Owner GRADYN D STALEY  
PO BOX 222  
INKOM, ID 83245-0222  
(208) 251-8661

**Priority Date:** 4/1/1924

**Basis:** Decreed

**Status:** Active

**Source**

MARSH CREEK

**Beneficial Use**

IRRIGATION

**From**

04/01

**To**

10/31

**Total Diversion**

**Tributary**

PORTNEUF RIVER

**Diversion Rate**

0.090 CFS

**Volume**

0.090 CFS

**Source and Point(s) of Diversion:**

|             |      |                                           |
|-------------|------|-------------------------------------------|
| MARSH CREEK | SENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 34, Twp 07S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NESW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSE | Sec. 15, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |

**Place Of Use:**

IRRIGATION within BANNOCK 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  |        |
| 07S | 36E | 34  |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    | 4.9 | 4.9    |
| 08S | 36E | 3   |    |    |    |    |    |    | 0.4 |    |    |    |    |    |    |    |    |     | 0.4    |

POU Total Acres: .

**Conditions of Approval:**

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02016A, 29-11620A
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

# Idaho Department of Water Resources



## Legend

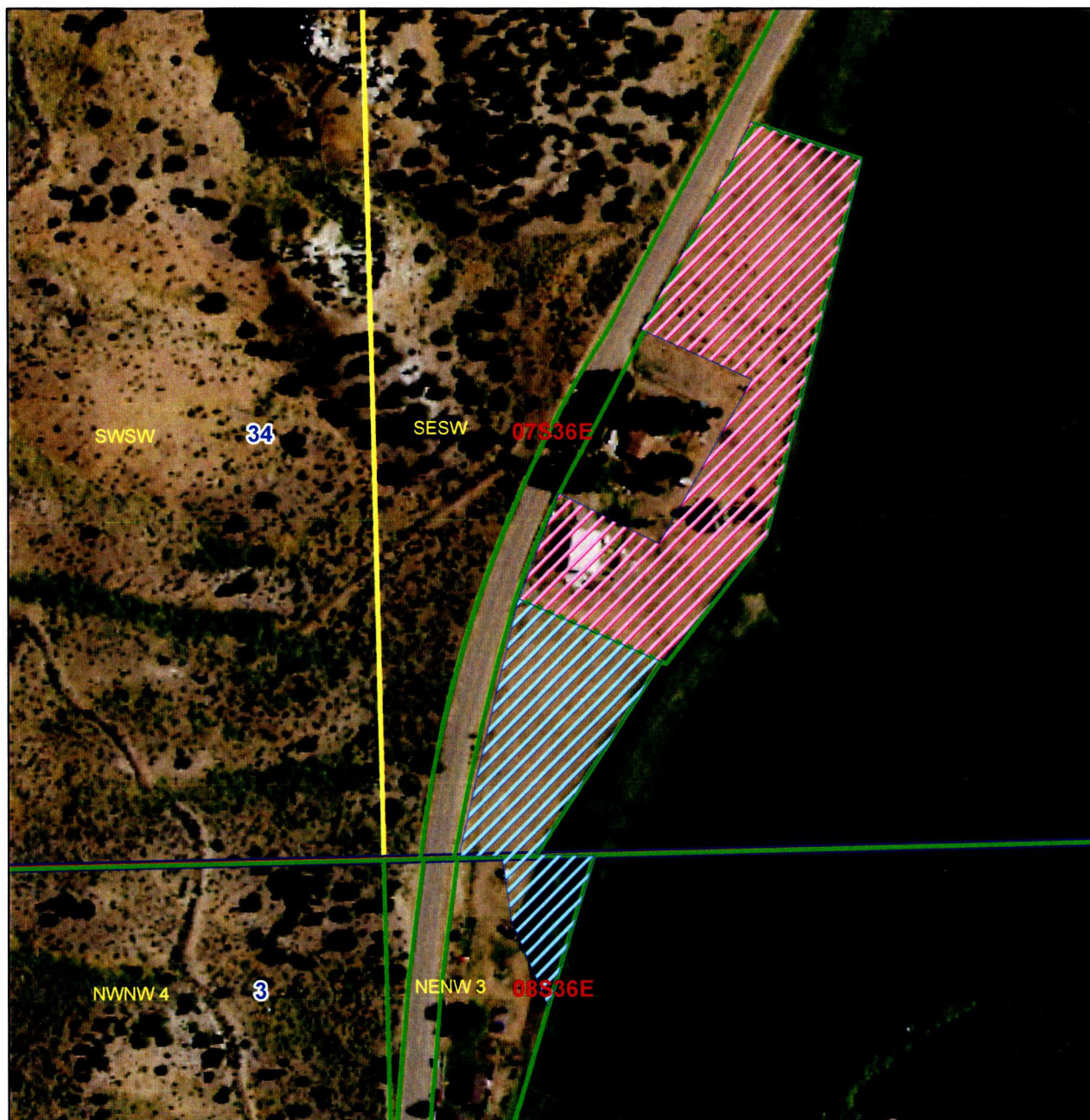
-  POU 29-2016A and 29-11620A Before Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

SEP 19 2023

**9/19/2023**

29-14519

# Idaho Department of Water Resources



## Legend

-  POU 29-14518 and 29-14519
-  POU 29-2016A and 29-11620A After Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

SEP 19 2023

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

**9/19/2023**

**Water Right 29-14519**

**Owner Type**                      **Name and Address**  
Current Owner                      R & J RENTAL LLC  
                                                 1205 COLLEGE RD  
                                                 POCATELLO, ID 83204-5021  
                                                 (208) 251-3504

**Priority Date:** 4/1/1924

**Basis:** Decreed

**Status:** Active

|                       |                        |                  |               |
|-----------------------|------------------------|------------------|---------------|
| <b>Source</b>         |                        | <b>Tributary</b> |               |
| MARSH CREEK           |                        | PORTNEUF RIVER   |               |
| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b>        | <b>Volume</b> |
| IRRIGATION            | 04/01                  | 10/31            | 0.060 CFS     |
|                       | <b>Total Diversion</b> |                  | 0.060 CFS     |

**Source and Point(s) of Diversion:**

|             |      |                                           |
|-------------|------|-------------------------------------------|
| MARSH CREEK | SENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NWSE | Sec. 34, Twp 07S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWNW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NENW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | NESW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSW | Sec. 10, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | NWSE | Sec. 15, Twp 08S, Rge 36E, BANNOCK County |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |
| MARSH CREEK | SWSW | Sec. 3, Twp 08S, Rge 36E, BANNOCK County  |

**Place Of Use:**

IRRIGATION within BANNOCK 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  |        |
| 07S | 36E | 34  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3.4 | 3.4    |

POU Total Acres: 3.4

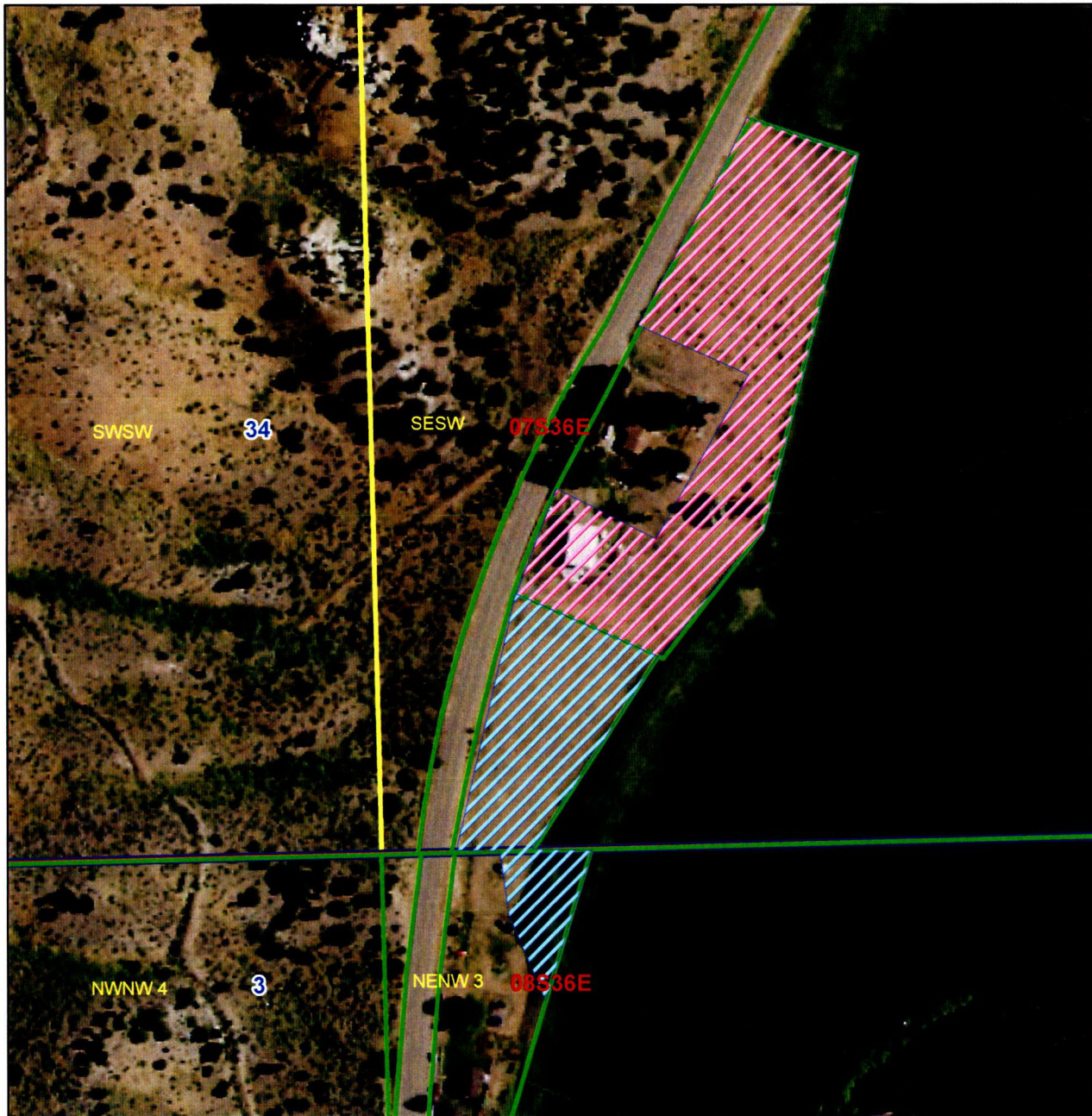
**Conditions of Approval:**

1.            E56            USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-14518, 29-14519.
2.            C18            THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

**Comments:**

- 1            jbaily            9/19/2023            Ownership Change  
Water right 29-11620A was split into 29-11620A and 29-14519.
- 2            jbaily            9/19/2023            POU  
Updated Shape

# Idaho Department of Water Resources



## Legend

-  POU 29-14518 and 29-14519
-  POU 29-2016A and 29-11620A After Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

5/20/2010  
2:14 PM



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

September 19, 2023

R & J RENTAL LLC  
1205 COLLEGE RD  
POCATELLO ID 83204-5021

Re: Change in Water Right Ownership: 29-12002 (No Split) 29-2016 A (Split into 29-2016 A and 29-14518), 29-11620A (Split into 29-11620A and 29-14519)

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 Baily  
Technical Records Specialist 1

Enclosure(s)

cc: DEMAR W GILBERT  
GRADYN D STALEY  
WATER DISTRICT 29H

SCANNED  
SEP 19 2023



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](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

August 15, 2023

R & J RENTAL LLC  
1205 COLLEGE RD  
POCATELLO ID 83204

RE: Change in Ownership Water Right No. 29-12002, 29-2016A, 29-11620A

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. The department received sufficient evidence of ownership for 29-12002, however it appears a split is required for 29-2016A, 29-11620A.

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

\*\*\*\* **Additional filing fee (Split):** According the information received with you ownership change application 2 of the water rights will require a split. Please review the map attached and the proof reports provided for your review. The filing fee for a split ownership change is 100 per water rights therefore the total fee would be \$225.00. The department already received \$75.00, therefore an additional \$150.00 would be required.

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](http://www.idwr.idaho.gov).

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

Sincerely,

Jonie Bailly  
Technical Records Specialist

SCANNED

SEP 19 2023

SCANNED

AUG 15 2023