

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
AUG 16 2023  
AUG 14 2023  
WATER RESOURCES  
WESTERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 79-10241              | 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"/> |
|                       | 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"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: WALTER D DALY  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MICHAEL C MEDLEY  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO BOX 172 WHITE BIRD IDAHO 83554  
Mailing address City State Zip
- 208-791-3418 M Medley 2506@gmail.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: 09-10-2021
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐  
☐ 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):
    - ☒ \$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: Michael C Medley Owner 7/31/23  
Signature of new owner/claimant Title, if applicable Date
- MICHAEL C MEDLEY  
Print name

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

\_\_\_\_\_  
Print name

**For IDWR Office Use Only:**

Received by DM Date 8-14-23 Receipt No. W051467 Receipt Amt. \$25.00

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 DM Processed by DM Date 8-25-23

WARRANTY DEED

GRANTOR, BRAD ALDON DeFORD, also known as BRAD DeFORD, an unmarried person, of 225 Cooper Str., White Bird, ID 83554, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to MICHAEL C. MEDLEY, a single man, of 475 Weissenfels Ridge Rd., Asotin, WA 99402, and the Grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and incorporated herein by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

*SUBJECT TO:*

- 1) General Taxes for the year 2021, which are a lien, not yet due and payable.
- 2) All matters, covenants, provisions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the recorded plat of said subdivision as recorded in the official Idaho County records, but deleting any covenant, provision or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, provisions or restrictions violate 42 USC §3604(c).
- 3) Any adverse claims based on the assertion that the location of White Bird Creek has moved subsequent to its adoption as a title boundary.
- 4) Rights and easements in favor of the public for recreational uses of White Bird Creek.
- 5) Easement Deed, including the terms and provisions thereof, by and between M. F. DALY, and FLOOD CONTROL DISTRICT NO. 6, a quasi-municipal corporation, recorded November 18, 1964, under Instrument No. 217597, Book 102 page 44, records of Idaho County, Idaho.
- 6) Terms and provisions as contained in Warranty Deed, by and between MARINE TWOGOOD, a widow, and STATE OF IDAHO, recorded October 27, 1969, under Instrument No. 235700, records of Idaho County, Idaho.



- 7) Terms and provisions as contained in Warranty Deed, by and between WALTER D. DALY, a single man, and STATE OF IDAHO, recorded October 27, 1969, under Instrument No. 235702, records of Idaho County, Idaho.
- 8) Terms and provisions as contained in Warranty Deed, by and between STATE OF IDAHO, and WALTER D. DALY, a single man, recorded December 10, 1969, under Instrument No. 236081, records of Idaho County, Idaho.
- 9) Easement, including the terms and provisions thereof, by and between WALTER D. DALY, and CITY OF WHITE BIRD, recorded May 5, 1980, under Instrument No. 283987, records of Idaho County, Idaho.
- 10) Matters as shown on Survey No. S-1099, recorded February 6, 1996, under Instrument No. 385062; Survey No. S-2370, recorded November 18, 2005, under Instrument No. 445111; Survey No. S-2899, recorded December 31, 2009, under Instrument No. 470370; Survey No. S-2900, recorded December 31, 2009, under Instrument No. 470371; Survey No. S-3018, recorded April 1, 2011, under Instrument No. 477873; Survey No. S-3215, recorded April 29, 2014, under Instrument No. 494423; Survey No. S-3430, recorded January 5, 2017, under Instrument No. 507451; and Survey S-3440, recorded March 21, 2017, under Instrument No. 508256; all records of Idaho County, Idaho.
- 11) Right of Way Easement, including the terms and provisions thereof, by and between BRAD DEFORD, and IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOCIATION, INC., recorded January 30, 2013, under Instrument No. 487736, records of Idaho County, Idaho.
- 12) Agreement, including the terms and provisions thereof, by and between STATE OF IDAHO and CITY OF WHITE BIRD, a Municipal Corporation, recorded September 16, 2015, under Instrument No. 501281, records of Idaho County, Idaho.

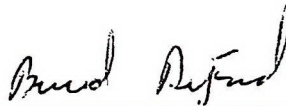
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that they are the owner in fee simple of said premises; that it is free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes, easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantor hereby declares, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantor shall have permitted or suffered, at any time prior to the making of this instrument, any person

or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantor, it was not the intent of Grantor, by permitting or suffering such possession, use, or occupation to thereby define property boundaries or ownership thereof.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine, and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand and seal.

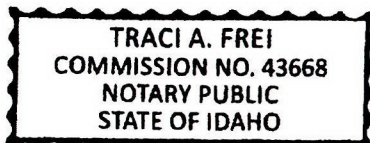


BRAD ALDON DeFORD,  
also known as BRAD DeFORD

STATE OF Idaho )  
County of Idaho )<sup>SS</sup>

On this 10<sup>th</sup> day of September, 2021, before me, a Notary Public in and for said County and State, personally appeared BRAD ALDON DeFORD, also known as BRAD DeFORD, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they freely executed the same.

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



Notary Public for the State of Idaho  
Residing at Grangeville therein.  
My commission expires 2/1/2023.

File No.: 32277

### SCHEDULE C

Lot 3 and the Westerly 25 feet of Lot 2, Block D of the Town of White Bird, Idaho County, State of Idaho, according to the recorded plat thereof.

AND INCLUDING:

Lot 4 and the East 30 feet of Lot 5, Block D of the Town of White Bird, Idaho County, State of Idaho, according to the recorded plat thereof.

Said East 30 feet of Lot 5 is more particularly described as follows:

Beginning at the Northeast corner of said Lot 5 and running thence to the Southeast corner of said Lot 5; thence running West on the South line of said Lot 5, 30 feet; thence parallel with the East line of said Lot 5 North to the North side of said Lot 5; thence East along the North line of said Lot 5 to the Place of Beginning.

LESS:

A portion of the said East 30 feet of said Lot 5, Block D, more particularly described as follows:

Beginning at the Northeast corner of Lot 5, Block D, of said Original Town of White Bird, Idaho County, State of Idaho; thence S 67°09'08" W, 36.68 feet to a point in the West line of the East 30.0 feet of said Lot 5 and bears S 14°30'11" E, 30.0 feet from Station 5+35.99 of the U.S. Highway No. 95 Relocation Survey as shown on the plans of said U.S. Highway No. 95, project No. F-4113(32) Highway Survey; thence N 12°16'20" E along said West line 21.10 feet to the Northwest corner of the East 30.0 feet of said Lot 5; thence S 77°43'40" E along the North line of the East 30.0 feet of said Lot 5, 30.0 feet to the Place of Beginning.

U.S. Highway No. 95 Relocation Survey Station Reference: 5+35.99 to 5+76.70.

AND INCLUDING:

A parcel of land being on the southeasterly side of the centerline of U.S. Highway No. 95 Relocation Survey as shown on the plans of U.S. Highway No. 95 Project No. F-4113(32) Highway Survey now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the West 20.0 feet of Lot 5 and a portion of Lot 6, Block D of the Original Town of White Bird according to the plat thereof now on file and of record in the Office of the County Recorder of Idaho County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of the West 20.0 feet of Lot 5, Block D of said Original Town of White Bird; thence N 12°16'20" E along the East line of the West 20.0 feet of said Lot 5, 78.90 feet to a point that bears S 14°30'11" E, 30.0 feet from Station 5+35.99 of U.S. Highway No. 95 Relocation Survey as shown on the plans of said U.S. Highway No. 95 Project No. F-4113(32) Highway Survey; thence S 47°37'47" W, 96.74 feet to a point in the South line of said Block D; thence S 77°43'40" E along said South line 55.98 feet to the Place of Beginning.

Highway Station Reference 4+20.69 to 5+35.99.

ALSO INCLUDING:

File No. 32277

**SCHEDULE C**  
(Continued)

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho  
Section 14:

A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Southeast corner of Lot 4, Block D of the Town of White Bird according to the recorded plat thereof;  
thence N 77°43'40" W, 135.98 feet along the southerly line of said Block D to U.S. Highway No. 95 Project No. F-4113(32);  
thence S 47°37'47" W, 65.61 feet along said U.S. Highway No. 95 Project No. F-4113(32) to Assessor's Tax No. 83;  
thence S 62°29'02" E, 145.50 feet along said Assessor's Tax No. 83;  
thence S 16°14'03" E along said Assessor's Tax No. 83 to White Bird Creek;  
thence easterly along White Bird Creek to the East line of said Lot 4 if extended to White Bird Creek;  
thence N 12°16'20" E, 100 feet, more or less, along the said extended line of Lot 4 to the Point of Beginning.  
Sometimes known as Assessor's Tax No. 115.

AND ALSO INCLUDING:

That portion of Assessor's Tax No. 6 described as:  
Beginning at the Southwest corner of Lot 3, Block D of the Original Townsite of White Bird and being the True Point of Beginning;  
thence South at right angles with said Block D to the North High water mark of White Bird Creek;  
thence easterly along White Bird Creek to a point due South of the Southeast corner of the West 25 feet of Lot 2, of Block D of Original Townsite of Whitebird;  
thence North to the South line of Block D and the Southeast corner of the West 25 feet of Lot 2, of Block D of Original Townsite of White Bird;  
thence Westerly along the South line of said Block D to the True Point of Beginning.  
Sometimes known as Assessor's Tax No. 119.

(end schedule c)

485383

WARRANTY DEED

GRANTOR, ELMER DeFORD, a married man, dealing with his sole and separate property, of P.O. Box 111433, Anchorage, AK 99511, for a good and valuable consideration, does hereby grant, bargain, sell and convey to BRAD ALDON DeFORD, a single man, of 155 Truck Route, Grangeville, ID, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit A attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2012, which are a lien, not yet due and payable.

2. Any adverse claims based on the assertion that the location of White Bird Creek has moved subsequent to its adoption as a title boundary.

3. Rights and easements in favor of the public for recreational uses of White Bird Creek.

4. Easement Deed, including the terms and conditions thereof, by and between M.F. DALY, and FLOOD CONTROL DISTRICT NO. 6, a quasi-municipal corporation, recorded November 18, 1964, under Instrument No. 217597, Book 102 page 44, records of Idaho County, Idaho.

5. Subject to the terms and conditions as contained in Warranty Deed, by and between MARINE TWOGOOD, a widow, and STATE OF IDAHO, recorded October 27, 1969, under Instrument No. 235699, records of Idaho County, Idaho.

6. Subject to the terms and conditions as contained in Warranty Deed, by and between MARINE TWOGOOD, a widow, and STATE OF IDAHO, recorded October 27, 1969, under Instrument No. 235700, records of Idaho County, Idaho.

7. Subject to the terms and conditions as contained in Warranty Deed, by and between WALTER D. DALY, a single man, and STATE OF IDAHO, recorded October 27, 1969, under Instrument No. 235702, records of Idaho County, Idaho.

8. Subject to the terms and conditions as contained in

WARRANTY DEED

B.D.

1

**Instrument # 485383**

IDAHO COUNTY, IDAHO,  
8-23-2012 03:02:21 No. of Pages: 5  
Recorded for: IDAHO COUNTY TOLLE  
KATHY M. ACKERMAN Fee: 22.00  
Ex-Officio Recorder Deputy

1 Warranty Deed, by and between STATE OF IDAHO, and WALTER D.  
2 DALY, a single man, recorded December 10, 1969, under  
Instrument No. 236081, records of Idaho County, Idaho.

3 9. Easement, including the terms and conditions thereof, by  
4 and between WALTER D. DALY, and CITY OF WHITE BIRD, recorded  
5 May 5, 1980, under Instrument No. 283987, records of Idaho  
County, Idaho.

6 10. Matters as shown on Survey No. S-1099, recorded February  
7 6, 1996, under instrument No. 385062; Survey No. S-2370,  
8 recorded November 18, 2005, under Instrument No. 445111;  
9 Survey No. S-2899, recorded December 31, 2009, under  
10 Instrument No. 470370; Survey No. S-2900, recorded December  
31, 2009, under Instrument No. 470371; and Survey No. S-3018,  
recorded April 1, 2011, under Instrument No. 477873; all  
records of Idaho County, Idaho.

11 TO HAVE AND TO HOLD the said premises, with their  
12 appurtenances, unto the said Grantees, their heirs and assigns  
13 forever. And the said Grantors do hereby covenant to and with the  
14 said Grantees that they are the owners in fee simple of said  
15 premises; that they are free from all encumbrances, and that they  
16 will warrant and defend the same from all lawful claims whatsoever,  
17 except general taxes for the year 2012, and easements,  
reservations, restrictions and rights-of-way of record or in use.

18 Except as otherwise expressly provided in this instrument,  
19 GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the  
20 Idaho Code, that in the event GRANTORS shall have permitted or  
21 suffered at any time prior to the making of this instrument, any  
22 person or entity to possess, use or occupy the above-described  
23 premises, or any portion thereof, for any purpose, with or without  
24 the knowledge of GRANTORS, it was not the intent of GRANTORS, by  
permitting or suffering such possession, use or occupation, to  
thereby define property boundaries or ownership thereof.

25 In construing this deed, and where the context so requires,  
26 the singular includes the plural and the masculine, the feminine  
27 and the neuter.  
28

1 IN WITNESS WHEREOF, Grantors have hereunto subscribed his name  
2 to this instrument this 3<sup>rd</sup> day of August, 2012.

3 Elmer DeFord  
4 ELMER DeFORD

5 STATE OF ALASKA)

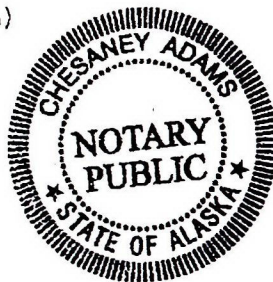
6 Borough of 3<sup>rd</sup> SS.

7 Judicial District  
8 On this 3<sup>rd</sup> day of August, 2012, before me,

9 Chesaney Adams, a Notary for the said Borough and  
10 State, personally appeared ELMER DeFORD, known or identified to me  
11 to be the person whose name is subscribed to the within instrument,  
12 and he acknowledged to me that he freely executed the same and that  
13 the statements therein contained are true.

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

16  
17 (NOTARY SEAL)



18 Chesaney Adams  
19 Notary Public for State of ALASKA.  
20 Residing at ANCHORAGE, therein.  
21 My commission expires on July 17<sup>th</sup>, 2015.

# EXHIBIT A

Lot 4 and the East 30 feet of Lot 5, Block D of the Town of White Bird, Idaho County, State of Idaho, according to the recorded plat thereof.

Said East 30 feet of Lot 5 is more particularly described as follows:

Beginning at the Northeast corner of said Lot 5 and running thence to the Southeast corner of said Lot 5; thence running West on the South line of said Lot 5, 30 feet; thence parallel with the East line of said Lot 5 North to the North side of said Lot 5; thence East along the North line of said Lot 5 to the Place of Beginning.

LESS:

A portion of the said East 30 feet of said Lot 5, Block D, more particularly described as follows:

Beginning at the Northeast corner of Lot 5, Block D, of said Original Town of White Bird, Idaho County, State of Idaho; thence S 67°09'08" W, 36.68 feet to a point in the West line of the East 30.0 feet of said Lot 5 and bears S 14°30'11" E, 30.0 feet from Station 5+35.99 of the U.S. Highway No. 95 Relocation Survey as shown on the plans of said U.S. Highway No. 95, project No. F-4113(32) Highway Survey; thence N 12°16'20" E along said West line 21.10 feet to the Northwest corner of the East 30.0 feet of said Lot 5; thence S 77°43'40" E along the North line of the East 30.0 feet of said Lot 5, 30.0 feet to the Place of Beginning.

U.S. Highway No. 95 Relocation Survey Station Reference: 5+35.99 to 5+76.70.

AND:

A parcel of land being on the southeasterly side of the centerline of U.S. Highway No. 95 Relocation Survey as shown on the plans of U.S. Highway No. 95 Project No. F-4113(32) Highway Survey now on file in the office of the Department of Highways of the State of Idaho, and being a portion of the West 20.0 feet of Lot 5 and a portion of Lot 6, Block D of the Original Town of White Bird according to the plat thereof now on file and of record in the Office of the County Recorder of Idaho County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of the West 20.0 feet of Lot 5, Block D of said Original Town of White Bird; thence N 12°16'20" E along the East line of the West 20.0 feet of said Lot 5, 78.90 feet to a point that bears S 14°30'11" E, 30.0 feet from Station 5+35.99 of U.S. Highway No. 95 Relocation Survey as shown on the plans of said U.S. Highway No. 95 Project No. F-4113(32) Highway Survey; thence S 47°37'47" W, 96.74 feet to a point in the South line of said Block D; thence S 77°43'40" E along said South line 55.98 feet to the Place of Beginning.

Highway Station Reference 4+20.69 to 5+35.99.

ALSO:

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho  
Section 14:

# EXHIBIT A

A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Southeast corner of Lot 4, Block D of the Town of White Bird according to the recorded plat thereof;  
thence N 77°43'40" W, 135.98 feet along the southerly line of said Block D to U.S. Highway No. 95 Project No. F-4113(32);  
thence S 47°37'47" W, 65.61 feet along said U.S. Highway No. 95 Project No. F-4113(32) to Assessor's Tax No. 83;  
thence S 62°29'02" E, 145.50 feet along said Assessor's Tax No. 83;  
thence S 16°14'03" E along said Assessor's Tax No. 83 to White Bird Creek;  
thence easterly along White Bird Creek to the East line of said Lot 4 if extended to White Bird Creek;  
thence N 12°16'20" E, 100 feet, more or less, along the said extended line of Lot 4 to the Point of Beginning.

(end schedule c)

378862

PERSONAL REPRESENTATIVE'S DEEDCOMPUTER  
INDEXED  
TRACTED  
FILMED  
SERIALS

THIS INDENTURE, made on this 16<sup>th</sup> day of February 1995, by and between ELMER DeFORD, as Personal Representative of the Estate of WALTER D. DALY, deceased, acting by virtue of Letters Testamentary issued to him in Idaho County Case No. SP00693, hereinafter referred to as the Party of the First Part, and ELMER DeFORD, in his individual capacity, of Post Office Box 111433, Anchorage, AK 99511, hereinafter referred to as the Party of the Second Part.

## WITNESSETH:

That the said Party of the First Part, by virtue of the authority vested in him by the laws of the State of Idaho, and in consideration of the Will of Walter D. Daly, does by these presents release, transfer, grant, and forever QUITCLAIM unto the Party of the Second Part, in his individual capacity, his heirs and assigns, the following described real property, situate in the County of Idaho, State of Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein by this reference.

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

TO HAVE AND TO HOLD, all and singular, the said premises with the appurtenances unto the said Party of the Second Part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set its hand and seal the day and year first above written.

|                                                         |                     |
|---------------------------------------------------------|---------------------|
| STATE OF IDAHO                                          | ss.                 |
| County of Idaho                                         |                     |
| Recorded at request of                                  | <u>Elmer DeFord</u> |
| at <u>15</u> minutes past <u>11</u> o'clock <u>A.M.</u> |                     |
| this <u>16</u> day of <u>Feb</u> 19 <u>95</u>           |                     |
| <u>ROSE E. GERRING</u>                                  |                     |
| By <u>Edith L. L. L. L. L.</u>                          | Recorder            |
| <u>goc</u>                                              | Deputy              |

THE ESTATE OF WALTER D. DALY,  
Deceased

By Elmer DeFord  
ELMER DeFORD,  
Personal Representative

Post Box 111433  
Anchorage, Ak, 99511

PERSONAL REPRESENTATIVE'S  
DEED

STATE OF IDAHO )  
 ) SS  
County of Idaho )

On this 16<sup>th</sup> day of February, 1995, before me, a Notary Public in and for said County and State, personally appeared ELMER DeFORD, Personal Representative of the Estate of Walter D. Daly, Deceased, known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he freely executed the same for and on behalf of said Estate.

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



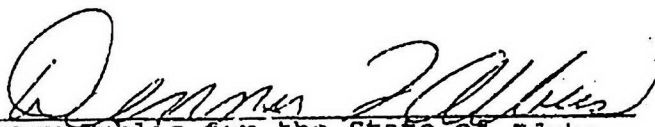
  
Notary Public for the State of Idaho,  
Residing at Grangeville, therein.  
My commission expires 12-25-2000

EXHIBIT A

Parcel A: City of White Bird Tax #34 which is specifically described as follows: Beginning at the SW corner of Lot 2, in Block D in the Original Town of White Bird, Idaho, running thence 450' to the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 14, Township 28 North, Range 1 East, B.M.; thence South 250' to White Bird Creek; thence up White Bird Creek in a Northeasterly direction 550' to the place of beginning.  
LESS TAX #83 AND LESS RIGHT OF WAY.

Parcel B: Lot 4 and those portions of Lots 5 and 6 South of Old U.S. Highway 95, all in Block D of the original City of White Bird, Idaho County, State of Idaho, according to the recorded plat thereof.

State of Idaho  
Department of Water Resources

# Water Right

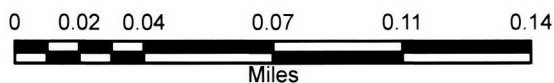
79-10241

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



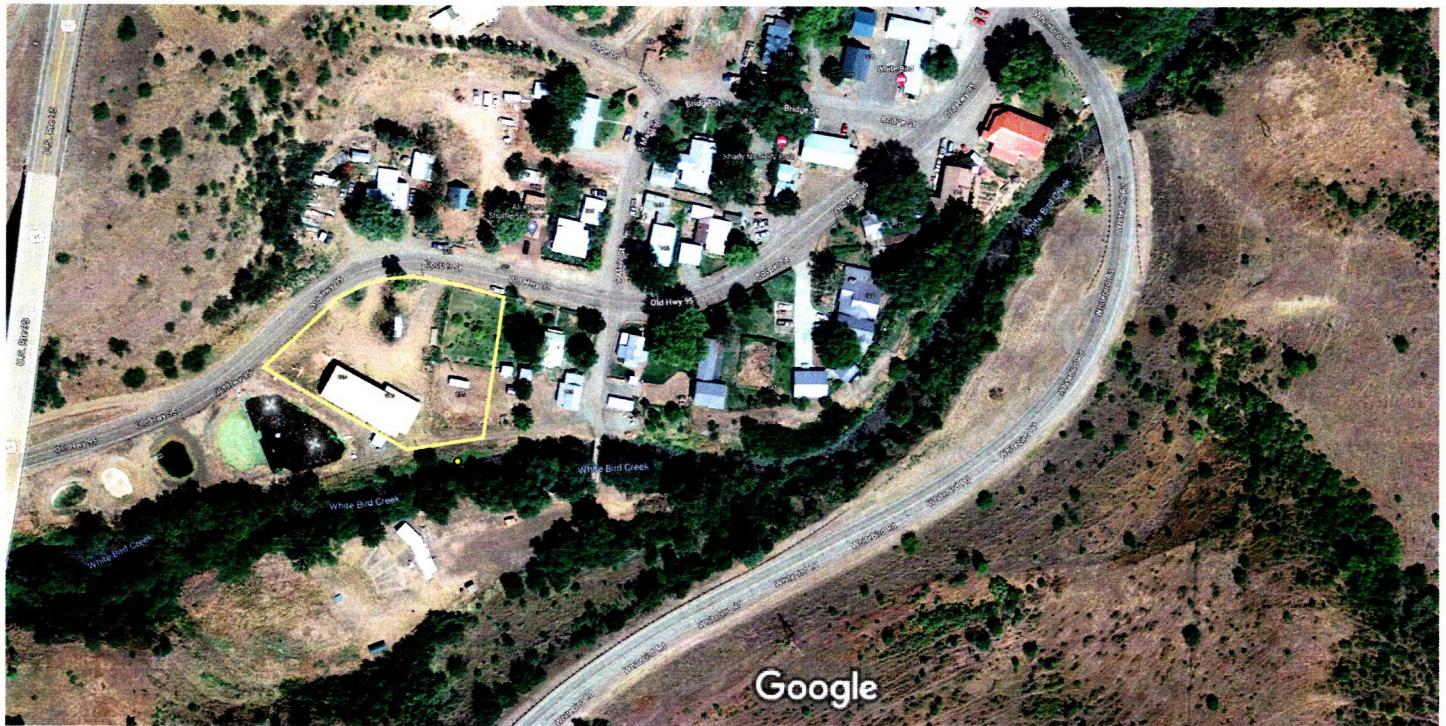
Date created: 7/27/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion





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Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: [westerninfo@idwr.idaho.gov](mailto:westerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

August 25, 2023

MICHAEL C MEDLEY  
PO BOX 172  
WHITE BIRD ID 83554-0172

Re: Change in Ownership for Water Right No(s): **79-10241**

Dear Water Right Holder(s):

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

~ During the ownership change process, **Water Right No. 79-4022** found to match the property described in the submitted deed. If you would like to claim ownership of this water right, please submit another Notice of Change in Water Right Ownership to the Department with the appropriate fee. There is no need to submit another deed, as the Department can use the one already on file for Water Right No. **79-10241**.

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)605-4620.

Sincerely,

Debra Mansfield  
Office Specialist II

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/25/2023

Water Right 79-10241

**Owner Type**      **Name and Address**  
Current Owner      MICHAEL C MEDLEY  
                         PO BOX 172  
                         WHITE BIRD, ID 83554-0172  
                         (208) 791-3418

Original Owner      WALTER D DALY  
                         PO BOX 33  
                         WHITE BIRD, ID 83554  
                         (208) 839-2472

**Priority Date:** 6/1/1950

**Basis:** Decreed

**Status:** Active

**Source**  
WHITE BIRD CREEK

**Tributary**  
SALMON RIVER

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| DOMESTIC                     | 1/01                          | 12/31            | 0.040 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.040 CFS                    |                      |

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

WHITE BIRD CREEK      SWSWSW      Sec. 14, Twp 28N, Rge 01E, IDAHO County

**Place Of Use:**

DOMESTIC within IDAHO 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 |        |
| 28N | 01E | 14  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |

**Conditions of Approval:**

1.      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.
2.      N13      THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.           DOMESTIC USE INCLUDES LAWN AND GARDEN.
4.      N11      THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/25/2023

5. PARCEL NO. W00000146330

**Dates and Other Information:**

Decreed Date: 12/29/2000  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: NWD  
Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

## 8/25/2023

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | WALTER D DALY<br>PO BOX 33<br>WHITE BIRD, ID 83554<br>(208) 839-2472 |

**Status:** Active

**Tributary**  
WHITEBIRD CREEK

**Source and Point(s) of Diversion:**  
SPRING SWSW Sec. 14, Twp 28N, Rge 01E, IDAHO 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 |
| 28N | 01E | 14  |    |    |    |    |    |    |    |    |    |    | 1.0 |    |    |    |    |    | 1.0    |

POU Total Acres: 1.0

1. AC, IRR=.5.

## Mitigation Plan: False

N/A

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

8/25/2023

Water Supply Bank:

N/A

# SRBA

## SUBCASE SUMMARY REPORT 79-10241

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SRBA  
01-04-2024

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 79-10241      FILE#: 00000  
CLAIMANT: DALY, WALTER D  
PO BOX 33

WHITE BIRD      ID      83554  
STATUS: PD UNDELIVERED      SPECIAL MASTER:  
WATER SOURCE: WHITE BIRD CREEK      TRIBUTARY: SALMON RIVER

**\*\*\*\* PARTIES INVOLVED \*\*\*\***

WALTER D DALY      C PRO SE

**\*\*\*\* ROA ENTRIES \*\*\*\***

12-29-2000 PARTIAL DECREE FILED  
03-13-2001 PARTIAL DECREE RETURNED UNDELIVERABLE

12-29-2000  
03-13-2001

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