

RECEIVED
DEC 22 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 21 2011

By _____ Clerk
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Right Claims: 29-02009A & 29-14005
	)	
Case No. 39576	)	ORDER GRANTING MOTIONS TO FILE
	)	LATE NOTICE OF CLAIMS
	)	
	)	

On August 29, 2011, Brian and Michelle Stanger filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on December 20, 2011. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated: December 21, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on December
21, 2011, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

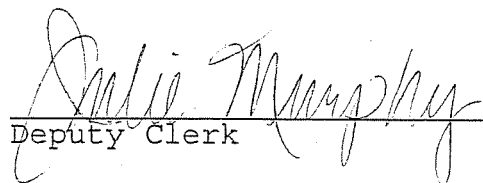
BRIAN STANGER
MICHELLE STANGER
2769 CHESTERFIELD RD
BANCROFT, ID 83217
Phone: 208-648-0822

ORDER

Page 1 12/21/11

FILE COPY FOR 00537

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Shelia Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

Case 39576

Subcase 29-14005

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

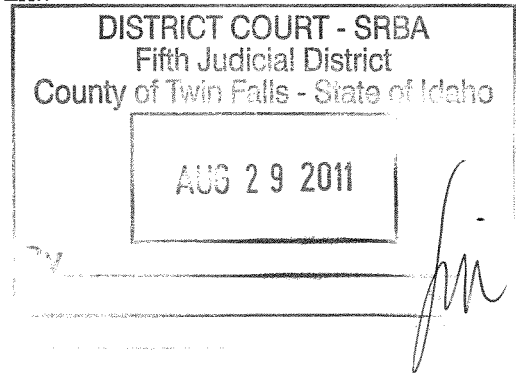
Ident. Number 29-14005
Date Received: 7/27/2011
Receipt No: C094480
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHELLE STANGER Phone: (208) 648-0822
2769 CHESTERFIELD RD
BANCROFT ID USA 83217

BRIAN STANGER Phone: (208) 221-9406
2769 CHESTERFIELD RD
BANCROFT ID USA 83217



2. Date of Priority: 10/25/1961

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	39E	15	SE NW	CARIBOU	

5. Description of diverting works:

16 INCH WELL TO PUMP TO HAND LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2.47	

7. Total Quantity Appropriated is:

2.47 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	39E	15	NE	NW	IRRIGATION	37.6
			NW	NW	IRRIGATION	26
			SW	NW	IRRIGATION	34
			SE	NW	IRRIGATION	26
Section Acres						123.6
Total Acres						123.6

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

AWAITING ACCEPTANCE OF LATE CLAIM BY SRBA COURT.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct

Signature of Claimant(s): Michelle L. Stange Date: 8/25/2011

8/25/2011 J. A. Stange Date: _____

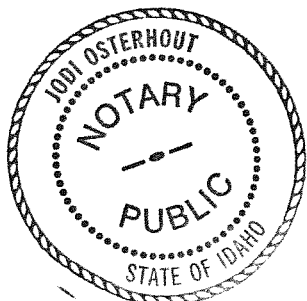
State of Idaho)
County of Banner) SS.

Subscribed and sworn (or affirmed) before me this 25th
of August 2011

[Signature]
Notary Public

Residing at Inkom

My commission Expires 11/16/2012



Michelle & Brian Stanger
2769 Chesterfield Rd.
Bancroft, ID 83217
Phone: 208-648-0822

August 19, 2011

To Whom It May Concern:

We purchased our property on March 18, 2010.

We are filing for a Late Notice of Claim on water from a sixteen-inch irrigation well constructed on October 25, 1961, and located at Township 07S Range 39E Section 15 Tract SWNW.

We are submitting a Notice of Late Claim due to the previous owners, Lawrence and Marjorie Holbrook, failing to complete the proper paper work during the 1988 adjudication. It is our understanding that their health was failing, and that they were also elderly at the time of the adjudication, as well at the fact that the land was not being actively farmed at that time.

The property was enrolled into CRP (Conservation Reserve Program) from 1987-2009 with the USDA Farm Service Agency in Caribou County, Idaho. This Property would have not been irrigated during the Adjudication Process in 1988. Please see the attached FSA documents and crop reports.

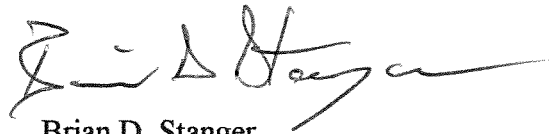
Attached pictures show the well. Please also find signed statements from neighbors that this property was irrigated with sprinkler pipe prior to its time in CRP. Also attached is a copy of the original well drillers permit issued by the Idaho Department of Water Resources, where it is listed as an Irrigation well.

We will provide any additional information before the December 20, 2011 motion hearing, or upon request.

Respectfully,



Michelle L. Stanger



Brian D. Stanger



16-Inch Cased Irrigation Well

See Attached Map

RECEIVED

JUL 27 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-10199	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: LAWRENCE HOLBROOK
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MICHELLE L. STANGER and Brian D. Stanger
Name of each new owner as listed on the conveyance document

New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
2769 Chesterfield Rd
Mailing address
BANCROFT
City ID 83217
State ZIP
208-648-0822 HATTTRANCL@AOL.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. 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.

7. Signature: Brian D. Stanger OWNER 7/27/2011
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 _____ Date _____ Receipt No. _____ Receipt Amt. _____
Approved by _____ Processed by _____ Date _____

DEPARTMENT OF WATER RESOURCES
**INSTRUCTIONS FOR FILING A
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at www.idwr.idaho.gov. In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the "Search Tools" and "Water Right & Adjudication Search" links at www.idwr.idaho.gov.

Please note:

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at www.idwr.idaho.gov, or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

LINE INSTRUCTIONS:

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.

4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.
5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

7. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800



Instrument 184891

CARIBOU COUNTY

3-18-2010 02:35:44 No. of Pages: 1

Recorded for : ALLIANCE TITLE

VEDA MASCARENAS

Ex-Officio Recorder Deputy

Index to WARRANTY DEED

Fee: 3.00

Shawley

WARRANTY DEED

Order No.: 3081041496KF

FOR VALUE RECEIVED

Lawrence E. and Marjorie B. Holbrook Family Trust

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michelle L Stanger and Brian D Stanger, Wife and Husband

whose current address is

1747 N. Indian Creek RD

Inkom, ID 83245

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

County of Caribou, State of Idaho:

The Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, and the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, and the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 15, Township 7 South, Range 39 East, Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 3/15/2010

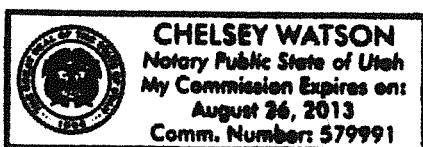
Lawrence E. and Marjorie B. Holbrook Family Trust

Sheila Mason
By: Sheila Mason, Successor Trustee

State of UTAH }
County of SALT LAKE } ss.

On this 16 day of March, 2010, before me, a Notary Public in and for said state, personally appeared Sheila Mason known or identified to me to be the person whose name is subscribed to the foregoing instrument as successor trustee of the Lawrence E. and Marjorie B. Holbrook Family Trust, and acknowledged to me that she executed the same as Successor Trustee.

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



Chelsey Watson
Notary Public for the State of UTAH
Residing at: Cyprus Credit Union
Commission Expires: August 26, 2013

Idaho Department of Water Resources Receipt

Receipt ID: E036846

Payment Amount \$125.00 Date Received 7/27/2011 2:53 PM Region EASTERN

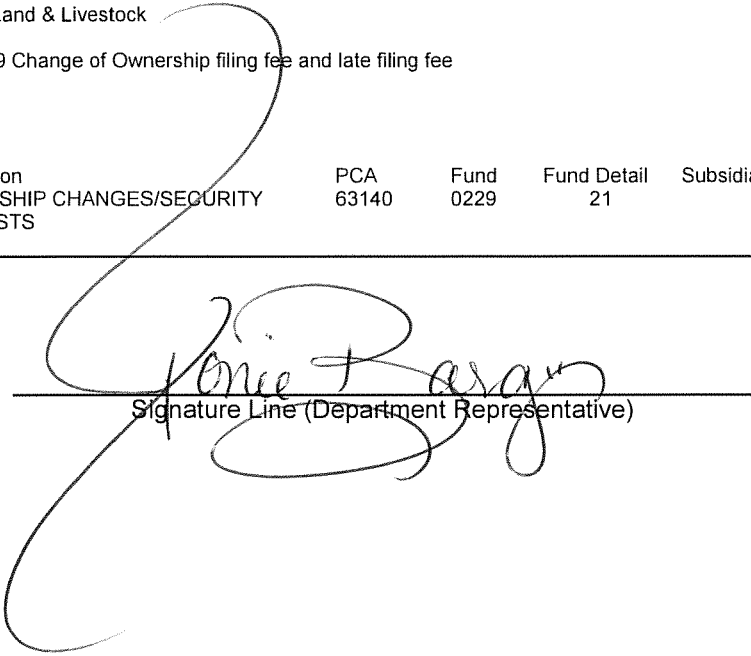
Payment Type Check Check Number 1806

Payer B D Stanger Land & Livestock

Comments 29-10199 Change of Ownership filing fee and late filing fee

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	OWNERSHIP CHANGES/SECURITY INTERESTS	63140	0229	21		1155


Signature Line (Department Representative)

IVAN BORTZ

LICENSED DRILLING CONTRACTOR
Grace, Idaho

Department of Reclamation

10/25/1961

Permit No. 853406 Well No. _____ County Caribou

Owner Lawrence Holbrook

Address Banoroft, Idaho

Driller Ivan Bortz

Address Grace, Idaho

Well location S/W 1/4 N/W 1/4 Sec. 15, T. 7 N/S, R. 39 E/W

Size of drilled hole 16"

Locate Well In Section

NW 1/4	NE 1/4
Sec. _____	
SW 1/4	SE 1/4

Total depth of well 111 ft.

Give depth to standing water from the ground 54 ft. Water temp. _____ °Fahr.

Test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet. Pump _____ Bail _____

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot _____

Thickness of casing 1/4" Casing material Black pipe
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 16" O.D. pipe, 2' to 6 1/2 ft.
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

Drilled with cable rig. Back filled with outtings,

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
16"	-2	-6 1/2		No casing on bottom

Number and size of perforations none located _____ feet to _____ feet from ground

ms Gd

[illegible]

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

By _____

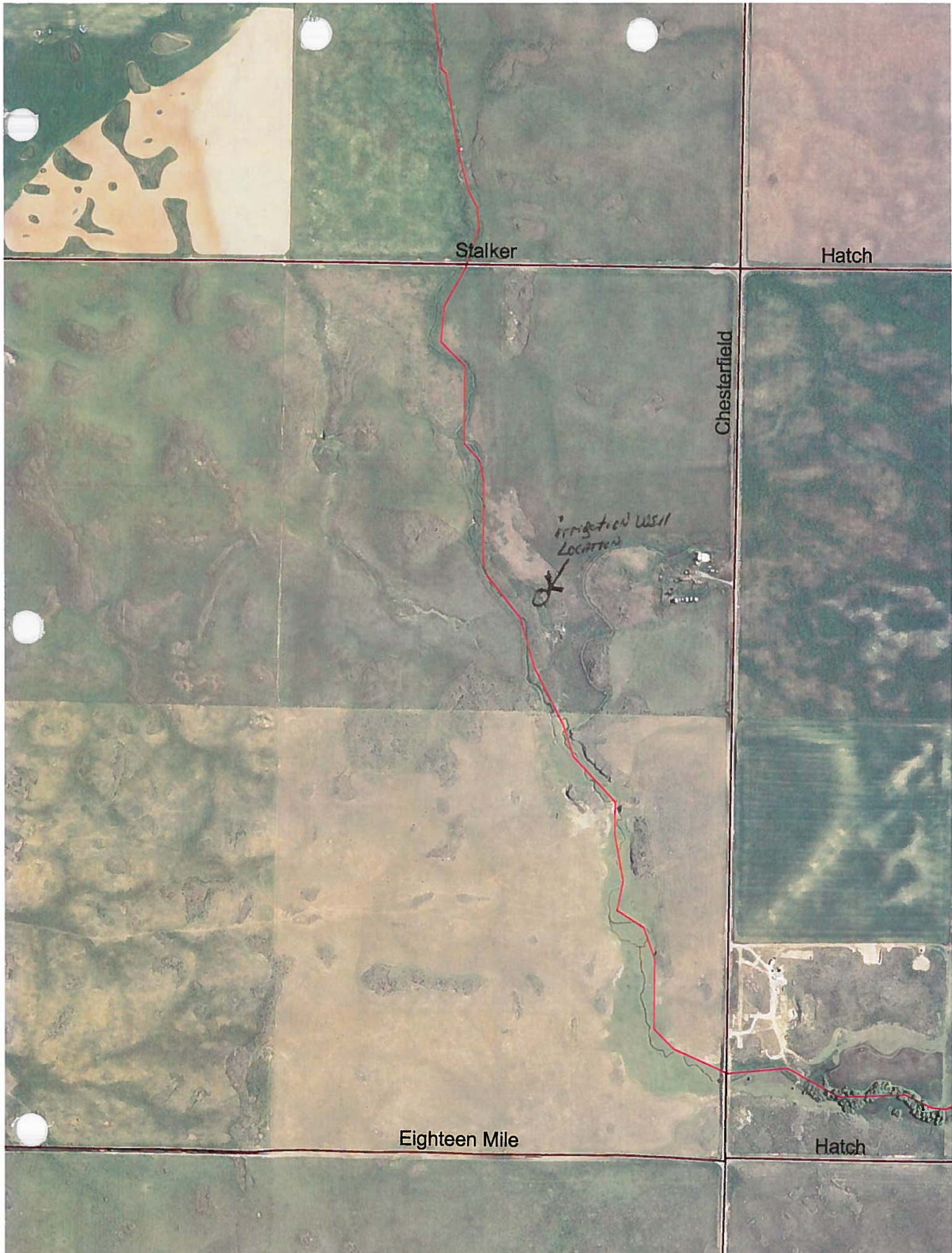
Dated _____, 19____.

Well Driller's Helper_____

Idaho Department of Water Resources

Listing of Driller Reports

Contact	Use	TWP	RNG	SEC	Tract	Gov. Lot	WellAddress	Sub	Bl	L	Gallons Per Minute	Static Water Level	Total Depth	Casing Depth	CSG. DIA.	Construction Date	Permit Number	Tag Number
HOLBROOK, LAWRENCE E	Irrigation	07S	39E	15	SWNW						0	54	111			10/25/1961	853406	
<u>Related Documents</u>																		
PURRINGTON, GARY	Domestic- Single Residence	07S	39E	15	SWSE		2714 CHESTERFIELD ROAD				20	65	115	115	8	6/25/2008	852003	D0049774
<u>Related Documents</u>																		



Stalker

Hatch

Chesterfield

irrigation well
location

Eighteen Mile

Hatch