

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/24/2023

Water Right 29-604A

After Split

Owner Type **Name and Address**
Current Owner RICHARD FELLOWS
 PO BOX 3064
 POCATELLO, ID 83206
 (208) 241-0661

Current Owner JENNIFER FELLOWS
 PO BOX 3064
 POCATELLO, ID 83206
 (208) 241-0661

Priority Date: 2/16/1869

Basis: Decreed

Status: Active

Source	Tributary			
INDIAN CREEK	PORTNEUF RIVER			
Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.250 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
	Total Diversion		0.250 CFS	

Source and Point(s) of Diversion:

INDIAN CREEK	SENWNW	Sec. 28, Twp 07S, Rge 36E, BANNOCK County
INDIAN CREEK	SENWNW	Sec. 28, Twp 07S, Rge 36E, BANNOCK County

Place Of Use:

STOCKWATER Same as IRRIGATION

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	28																		14.0

POU Total Acres: 14.0

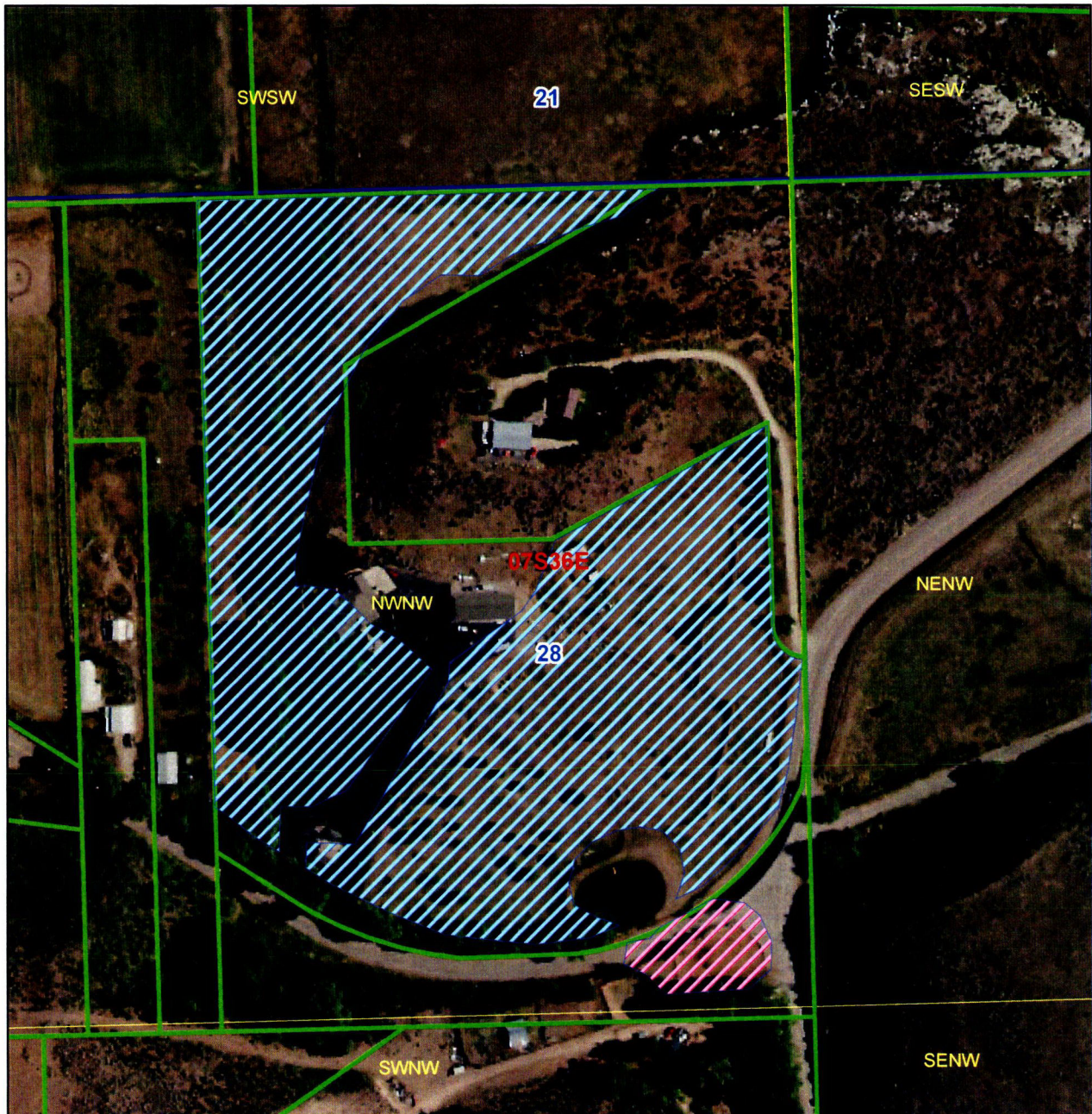
Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.0 ACRES IN A SINGLE IRRIGATION SEASON.
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.
3. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. Rights 29-604A and 29-14515 when combined shall not exceed a total diversion rate of 0.02 cfs for stockwater.

Comments:

1 jbailey 8/23/2023 Ownership Change
Water right 29-604A was split into 29-604A and 29-14515.

Idaho Department of Water Resources



Legend

-  29-14515
-  29-604A After Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

AUG 24 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/22/2023

Water Right 29-604A *Byore Split*

Owner Type **Name and Address**
Current Owner R SCOTT WELLS
1922 W PORTNEUF RD
INKOM, ID 83245-1606
(208) 221-6026

Current Owner BRANDY WELLS
1922 W PORTNEUF RD
INKOM, ID 83245-1606
(208) 221-6026

Priority Date: 2/16/1869

Basis: Decreed

Status: Active

Source
INDIAN CREEK

Tributary
PORTNEUF RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.271 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
	Total Diversion		0.271 CFS	

Source and Point(s) of Diversion:

INDIAN CREEK	SENWNW	Sec. 28, Twp 07S, Rge 36E, BANNOCK County
INDIAN CREEK	SENWNW	Sec. 28, Twp 07S, Rge 36E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
07S	36E	28																	15.0

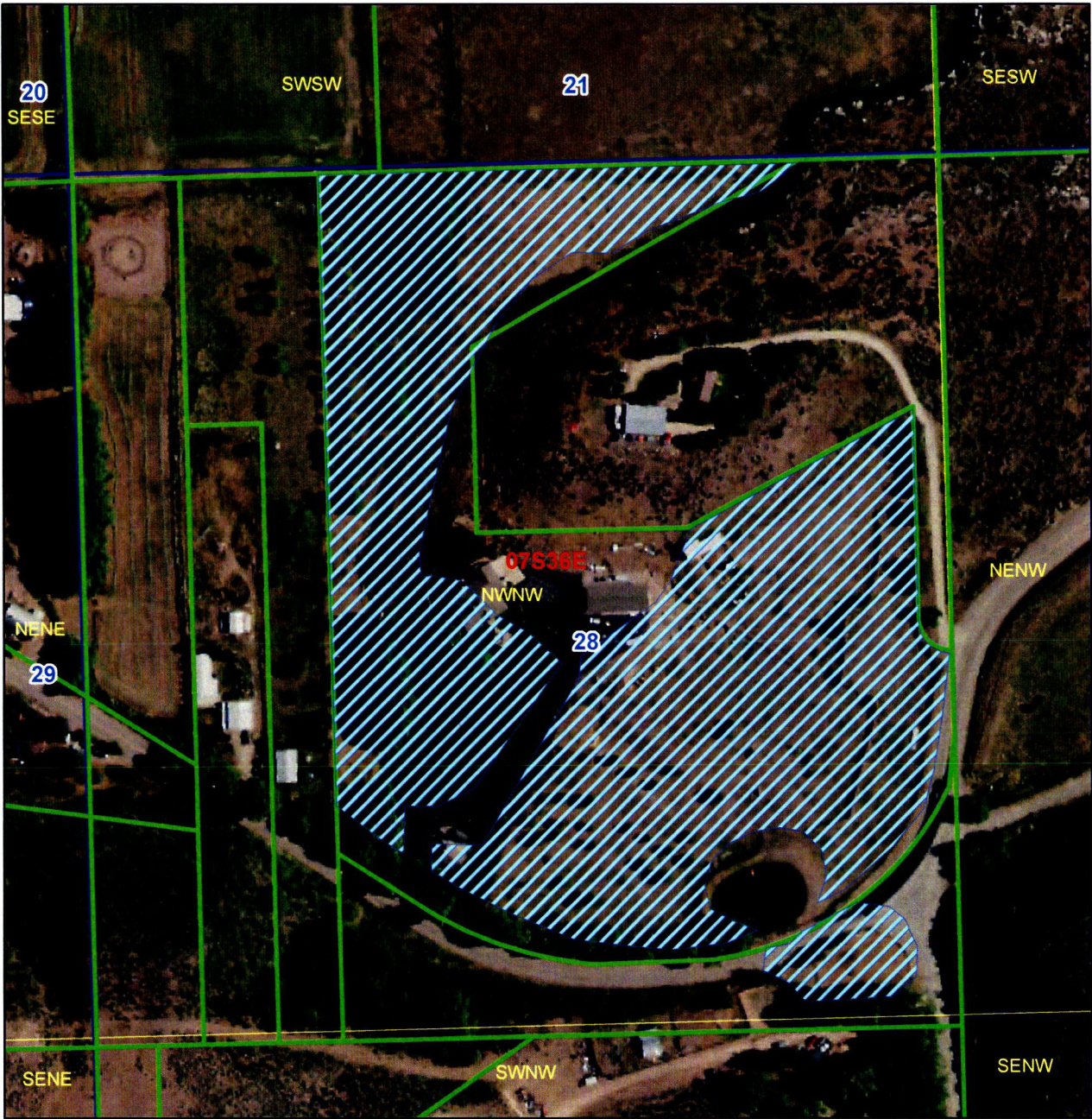
POU Total Acres: 15.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 15.0 ACRES IN A SINGLE IRRIGATION SEASON.
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.
3. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Idaho Department of Water Resources



Legend

-  29-604A Before Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

AUG 24 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 22 2023

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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
29-604A	Yes ☒	Yes ☐		Yes ☐	Yes ☐
29-604A 29-14515	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Richard & JENNIFER FELLOWS
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Brian & Michelle STANGER
New owner(s) as listed on the conveyance document

2769 Chesterfield Rd
Mailing address

BANCROFT IA 83217
City State Zip

208-425 6826
Telephone

Brian@stangerangus.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: 7/19/2023
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.

8. Signature: Brian D. Stanger 8/18/2023
 Signature of new owner/claimant Title, if applicable Date
Brian D. Stanger
 Print name

Signature: Michelle L. Stanger 8/18/2023
 Signature of new owner/claimant Title, if applicable Date
Michelle L. Stanger
 Print name

Received by JB Date 8/22/2023 For IDWR Office Use Only: Receipt No. E049438 Receipt Amt. \$100.-
 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 JB Approved by JB Processed by JB Date 8/24/2023

AUG 24 2023

STATE OF IDAHO
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 Idaho Code §§ 42-248 and 42-1409(6). 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/forms/water-rights.html. 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 IDWR's website using the [Water Right and Adjudication Search](#).

Please note:

- Unlike licensed or decreed water rights and water right permits, which are real property, applications for new water right permits, applications to transfer existing water rights, and other applications are considered the personal property of the applicants. Applicants must assign their interest in an application to the new applicant. Assignment forms are available on the IDWR's website at www.idwr.idaho.gov/forms/water-rights.html, or from any IDWR office. There is no charge for assignments of applications.
- 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.
- Any action by IDWR updating the ownership of a water right in IDWR's records is not a determination of water right ownership. Water right ownership disputes arising from a notice of change in water right ownership must be resolved in a water rights adjudication or in an action to quiet title.

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.

AUG 24 2023



135 N. Arthur Ave.
Pocatello, ID 83204

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT

File No. 835267 SK/CB

Instrument # 22307246
Bannock County, Pocatello, Idaho
07/19/2023 02:58:15 PM No. of Pages: 2
Recorded for: PIONEER TITLE POCATELLO
Jason C. Dixon Fee: \$15.00
Deputy nbames
Electronically Recorded

COPY

WARRANTY DEED

For Value Received

Scott Wells, a married man

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

Brian Stanger and Michelle Stanger, husband and wife

hereinafter referred to as Grantee, whose current address is

2769 Chesterfield Road, Bancroft, ID 83217

The following described premises, to-wit:

All that portion of the Northwest 1/4 of the Northwest 1/4 of Section 28, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho lying South of Portneuf Road.

Excepting therefrom:

The West 379 feet of said Northwest 1/4 of the Northwest 1/4 of Section 28, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) 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 lawful claims whatsoever.

[Signature] INITIALS

[Signature] INITIALS

SCANNED

AUG 24 2023



Pioneer Title Co.

GOING BEYOND

135 N. Arthur Ave.
Pocatello, ID 83204

ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
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PART OF THE ORIGINAL DOCUMENT

Copy

File No. 835267 SK/CB

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To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) 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 lawful claims whatsoever.

[Signature] INITIALS

[Signature] INITIALS

SCANNED

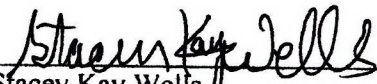
AUG 24 2023

COPY

Dated: July 12, 2023

X 

Scott Wells

X 

Stacey Kay Wells

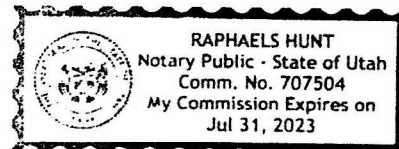
By my signature above, I am conveying my homestead rights as set forth in Section 55-1007 of the Idaho Code and for no other purpose as I have no interest in the subject property.

State of Utah, County of Salt Lake

This record was acknowledged before me on July 14, 2023 by Scott Wells.



Signature of notary public
Commission Expires: July 31, 2023

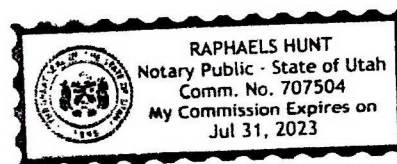


State of Utah, County of Salt Lake

This record was acknowledged before me on July 14, 2023 by Stacey Kay Wells.



Signature of notary public
Commission Expires: Jul 31 2023



SCANNED

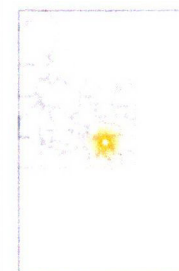
AUG 24 2023



Legend

- Water Right Place of Use
- Recommendation Place of Use
- Water Permit Place of Use
- Irrigation Company

Search type: Identify



State of Idaho

Department of
Water Resources
322 East Front Street
Boise, Idaho 83720-0098
Phone: (208) 28-4800
Fax: (208) 287-6700



Scale: 1" = 210 feet

Search Results

Water Right Number	Process	Owner
29-604A	Water Right	RICHARD FELLOWS

Disclaimer: Shapes represent an approximation of the water right extent. Please review each water right of interest either on-line (choose the Details link) or by contacting IDWR (208-287-4800).

SCANNED

AUG 24 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

8/18/2023

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 29-604A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JENNIFER FELLOWS
Current Owner	RICHARD FELLOWS PO BOX 3064 POCATELLO, ID 83206 2082410661
Original Owner	CLAUDIA JEAN HARRIS
Original Owner	ONA R ROE
Original Owner	GENE D WHITWORTH 1914 W PORTNEUF RD INKOM, ID 83245 2087753585
Original Owner	US DEPT OF INTERIOR BUREAU OF INDIAN AFFAIRS 911 NE 11TH AVE PORTLAND, OR 97232

Priority Date: 02/16/1869

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.271 CFS	
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.271 CFS	

Location of Point(s) of Diversion:

SCANNED

AUG 24 2023

INDIAN CREEK | SENWNW | Sec. 28 | Township 07S | Range 36E | BANNOCK County

INDIAN CREEK | SENWNW | Sec. 28 | Township 07S | Range 36E | BANNOCK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	36E	28		NWNW	15									

Total Acres: 15

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 29-13471 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 15.0 ACRES IN A SINGLE IRRIGATION SEASON.
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.
3. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 03/31/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 29D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 15

Combined Volume Limit:

Combined Rate Limit: 0.271

SCANNED

AUG 24 2023

INDIAN CREEK | SENWNW | Sec. 28 | Township 07S | Range 36E | BANNOCK County

INDIAN CREEK | SENWNW | Sec. 28 | Township 07S | Range 36E | BANNOCK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	36E	28		NWNW	15									

Total Acres: 15

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Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

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Protest Deadline Date:

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Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 29D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 15

Combined Volume Limit:

Combined Rate Limit: 0.271

SCANNED

AUG 24 2023

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

8/18/2023

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 29-604A

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STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.271 CFS	

Location of Point(s) of Diversion:

SCANNED

AUG 24 2023



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 24, 2023

BRIAN STANGER
2769 CHESTERFIELD RD
BANCROFT ID 83217-5019

Re: Change in Water Right Ownership: 29-604 A (Split into 29-604 A and 29-14515)

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 Bailly
Technical Records Specialist 1

Enclosure(s)

c: RICHARD FELLOWS
JENNIFER FELLOWS
WATER DISTRICT 29D

SCANNED

AUG 24 2023

Brian & Michelle Stanger

18 August 2023

2769 Chesterfield Rd.

Bancroft Id. 83217

208-425-6826

To Whom it May Concern:

We purchased 3.76 Acres from Scott Wells on 19 July 2023. This property lays South of Portneuf Rd. and Historically was irrigated by Ona R. Roe.

Mr. Roe passed away sometime in the 1990's where it was sold to Mr. Whitworth then to Mrs. Harris who sold it to Scott Wells. It was later split and sold to Mr. Fellows whom is the current owner of the North side of Portneuf Rd. Part of the Property (south side of Portneuf Rd.) was split and left in Mr. Wells name where Mr & Mrs. Stanger bought it in July of 2023

I have been raised, and grew up next to this property my whole life and can remember Mr. Roe very well. Mr. Roe farmed his land and raised hay, had a small orchard, and raised some livestock. He grew pine trees on the southside of Portneuf Rd. and irrigated them from Indian Creek. He would place a canvas dam in the creek next to our bridge located at 1747 Indian Creek Rd. and flood irrigated this property. My Grandfather and Great-Grandfather watered livestock at this location and it is attached to the Stanger Land.

