

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 13 2024

DEPT. 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?
29-7352 A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
29-562 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jay Dell Jenkins and Tiffney
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Stephan Rocky Montoya
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

1802 Lund Rd. Bancroft ID 83217
Mailing address City State Zip
208-251-0754
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: 10-24-2018
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.

SUPPORT DATA

IN FILE # 29-562

8. Signature: Stephan Rocky Montoya 9-13-2024
Signature of new owner/claimant Title, if applicable Date
Stephan Rocky Montoya
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:

Received by ce dh Date 9/13/24 Receipt No. E050358 Receipt Amt. \$50.00

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 Partially Processed by Partially Date 10/25/2024

Water right 29-562A Complete. 29-7352A returned NOT complete see 9/16/2024 Deficiency Letter.

State of Idaho
Department of Water Resources

Water Right

29-7352A

IRRIGATION

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.



The USDA-FS&S Aerial Photography Field Office is to be credited in derived products.



Date created: 9/13/2024



Legend

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



State of Idaho
Department of Water Resources

Water Right

29-562

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: 9/13/2024



Legend

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



RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
241 S Main Street Suite 1
Soda Springs, ID 83276

Instrument # 201796

CARIBOU COUNTY, IDAHO

10-29-2018 11:17:07 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE CO, INC - SODA

Denise Horsley Fee: \$16.00

Ex-Officio Recorder Deputy *Denise Horsley*

Index to: WARRANTY DEED

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **704525SOD (ch)**

Date: **October 24, 2018**

For Value Received, **Velma T. Jenkins, individually and as surviving spouse of Jay Dell Jenkins, deceased**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Stephen R. Montoya, a single man**, hereinafter called the Grantee, whose current address is **1802 Lund Road, Bancroft, ID 83217**, the following described premises, situated in **Caribou County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
241 S Main Street Suite 1
Soda Springs, ID 83276

E-RECORDED simplified
ID: 201796
County: Caribou County Idaho
Date: 10-29-2018 Time: 11:17:07am

Space Above This Line for Recorder's Use Only

WARRANTY DEED

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Date: **October 24, 2018**

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Date: 10/24/2018

Warranty Deed
- continued

File No.: 704525SOD (ch)

Velma T Jenkins
Velma T. Jenkins

STATE OF Idaho)
SS.

COUNTY OF Caribou)

this 26th day of October, 2018
On ~~this~~, before me, a Notary Public in and for said State, personally appeared **Velma T. Jenkins**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Carla Hale
Notary Public for the State of Idaho
Residing at: Soda Springs, Idaho
My Commission Expires: 12/12/2020

EXHIBIT A

Township 8 South, Range 39 East of the Boise Meridian:

**Section 34: Beginning at the South Quarter corner of said Section 34, and running
Thence North 609 feet;
Thence East 396 feet;
Thence South 609 feet;
Thence West 396 feet,
to the Point of Beginning.**

TOGETHER WITH all of my right, title and interest in the following, reserved in Warranty Deed, Instrument No. 100689 and corrected by Warranty Deed, Instrument No. 106367 "an easement for transportation of water through and existing pipeline from a well located on a 75 x 75 foot tract in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence to the East to the East line of the W $\frac{1}{2}$ SE $\frac{1}{4}$; thence South along the East line to the South line thereof; thence West along said South line to the Southeast corner of the above described tract; together with 5 miners inches of water from said well for use as irrigation water on said tract. The water comes from application No. 29-7352.



201796 Yelma T Jenkins TO Stephen R Montoya

9/16/2024

Scale: 1 inch= 700 feet

File: 29-7352A, 29-562

Tract 1: 5.5364 Acres (241164 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=2010 ft.

- 01 /se,sw,34,8s,39e
- 02 n00e 609
- 03 n90e 396
- 04 s00e 609
- 05 n90w 396



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 25, 2024

STEPHEN R MONTOYA
1802 LUND RD
BANCROFT ID 83217-5120

Re: Change in Ownership for Water Right No(s): 29-562, 29-7352A (NOT COMPLETE)

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 for 29-562 and has enclosed a computer-generated report for you.

Please note your ownership change request listed 2 water rights. Water right 29-7352A required additional information. The information was requested on September 16, 2024. The information was to be provided within 30 days. As of today, the additional information and/or fees has not been received, therefore that water right has NOT been updated. Because we could not update that water right without the required information/fees that portion of the ownership change has not been complete and we are refunding the filing fee for that water right number. A refund has been initiated and will come within a few weeks from the state office.

If at a later date you wish to update your ownership for 29-7352A, you will need to resubmit an ownership change form, evidence of ownership and the proper filing fees.

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)

Baily, Jonie

From: Baily, Jonie
Sent: Friday, October 25, 2024 9:21 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt(1).PDF

Good morning!

I have a refund request as follows:

Receipt number: E050358
Amount: \$25.00
Payable to: ROCKY MONTOYA
1802 LUND RD
BANCROFT ID 83217

Reason: Ownership Change was submitted for 2 water rights. One required additional information, which was not provided. 1 water right updated the other was not therefore they are entitled to a partial refund.

Let me know if you have any questions or need additional information. Have a great day!!!

 IDAHO DEPARTMENT OF
WATER RESOURCES
Jonie Baily | Technical Records Specialist
900 N Skyline Drive Ste. A, Idaho Falls, ID 83402
Phone number: (208) 525-7161
Fax number: (208) 525-7177
Email: jonie.baily@idwr.idaho.gov
Website: www.idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

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Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 16, 2024

STEPHEN R MONTOYA
1802 LUND RD
BANCROFT ID 83217

RE: Change in Ownership Water Right No. 29-7352A, 29-562

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. The department has sufficient evidence to update 29-562, additional information is required to update 29-7352A.

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

**** **Evidence of Ownership:** Please review the map and water right reports attached. A portion of this water right appears to be on someone else's property. According to the legal description provided with your application you purchased approx. 5.5 acres, approximately 4 acres of irrigation. The place of use of this water right is for 8 acres and it appears a portion of this water right is on property owned by George and Patricia Hulse. If you believe this is an error, please provide evidence of ownership for the entire place of use of the water right. If a split is required, please supply the additional filing fee of \$75.00. The fee for a split ownership is \$100.00 per water right only water right number 29-7352A will require a split therefore the additional fee is \$75.00.

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.

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

Sincerely,

Jonie Bailly
Technical Records Specialist

Idaho Department of Water Resources



Legend

-  George and Patricia Hulse Property
-  Stephen Montoya Property
-  Water Right 29-7352A POU
-  Parcels
-  Township/Range
-  Sections
-  QQ