



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 27, 2003

CHAD STIBAL
BETTY STIBAL
174 N 1700 W
BLACKFOOT ID 83221

RE: Transfer No.: 70450 - Water Rights 35-7598, 35-2214A - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for Kari Lynn Hansen

Jeff Peppersack, Manager

Water Rights Permits Section

JP:klt

Enclosure(s)

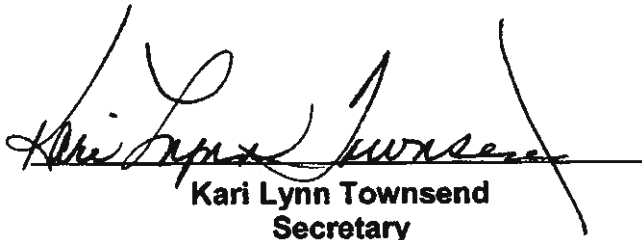
CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70450

WATER RIGHTS 35-7598 35-2214A

**BETTY STIBAL
CHAD STIBAL
174 N 1700 W
BLACKFOOT ID 83221**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: March 05, 2003
To: Transfer 70450
From: hjones
Re: Transfer Evaluation

This transfer proposes to just modify the place of use. This occurred because pivots were installed on the original place of use.

Authority to File:

Subject land is owned by the applicant as evidenced by tax notice. Also the applicant, Betty Stibal was contacted about the name "Gamble" on the tax notices and she said this was her maiden name and it just hadn't been changed at the County.

Water Right Validity:

Validity of the right involved: The rights involved are recent decrees in the SRBA.

Injury to Other Water Rights:

No issues identified

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is consistency with criteria set forth in Section 42-222 Idaho Code in processing of this application.

The application will be advertised.

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

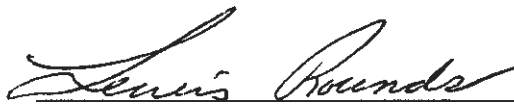
Transfer Application No: 70450 Water Right No(s): 35-7598 , 35-2214A
Transfer Applicant's Name: BETTY STIBAL CHAD STIBAL

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 17 day of MARCH, 2023.

Water District No: 120


Watermaster's Signature

1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70450

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Applicant CHAD or BETTY STIRAL Phone 208-684-3104

Office address 174 N. 1700 W. Blackfoot, ID 83221

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

Describe the reason for the proposed changes Our pivots need to be covered by
rearranging our acres.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
35-7598	3/30/1976	1.50 cfs	Irrigation	4/01 to 11/01
35-2214 A	2/02/1952	4.00 cfs	Irrigation	4/01 to 10/31

Total amount of water being transferred 4.71 cubic feet per second and/or 1728 acre-feet per annum.

Source of water Groundwater tributary to

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	BW	NB	NW	30	25	33E	Bingham	

Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S	32E	25	28	39	39	28	8			8									150
	33E	30	35	40	40	31	40	28	28	40									282
			/	/	/	/		L-1	L-2										

Total Acres 432

70450

2 of 8

PART 1

Transfer No. 70450

General Information:

a. Description of diversion system _____

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

and the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

70450

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 70450
Receipt No. _____

Current Water Right No. 35-2214A

Priority Date: 02/02/1952
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01	10/31	4.00 CFS		
Total Diversion			4.00 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNENW 02S 33E 30 BINGHAM

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	32E	25	34.0	36.0	39.0	35.0													144.0
02S	33E	30	37.0	39.0	40.0	39.0	39.0	28.0	28.0	38.0									288.0
								L1	L2										

Total Acres: 432

Conditions/Remarks:

- RIGHT NO. 35-07598 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 269 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-07598 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHT NO. 35-07598 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.71 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1728 AF.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Page 4 of 8

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. 70450
Receipt No. _____

Current Water Right No. 35-2214A

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

T70450

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Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 70450
Receipt No. _____

Current Water Right No. 35-7598

Priority Date: 03/30/1976
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 11/01	1.50 CFS		
Total Diversion		1.50 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNENW 02S 33E 30 BINGHAM

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 32E 25	34.0	36.0	39.0	35.0													144.0
02S 33E 30	37.0	39.0	40.0	39.0	39.0	28.0	28.0	38.0									288.0
					L 1	L 2											

Total Acres: 432

Conditions/Remarks:

- RIGHT NO. 35-02214A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
- USE OF THIS RIGHT WITH RIGHT NO. 35-02214A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.71 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1728 AF.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 163 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-02214A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

T70450

page 6 of 8

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. 70450
Receipt No. _____

Current Water Right No. 35-7598

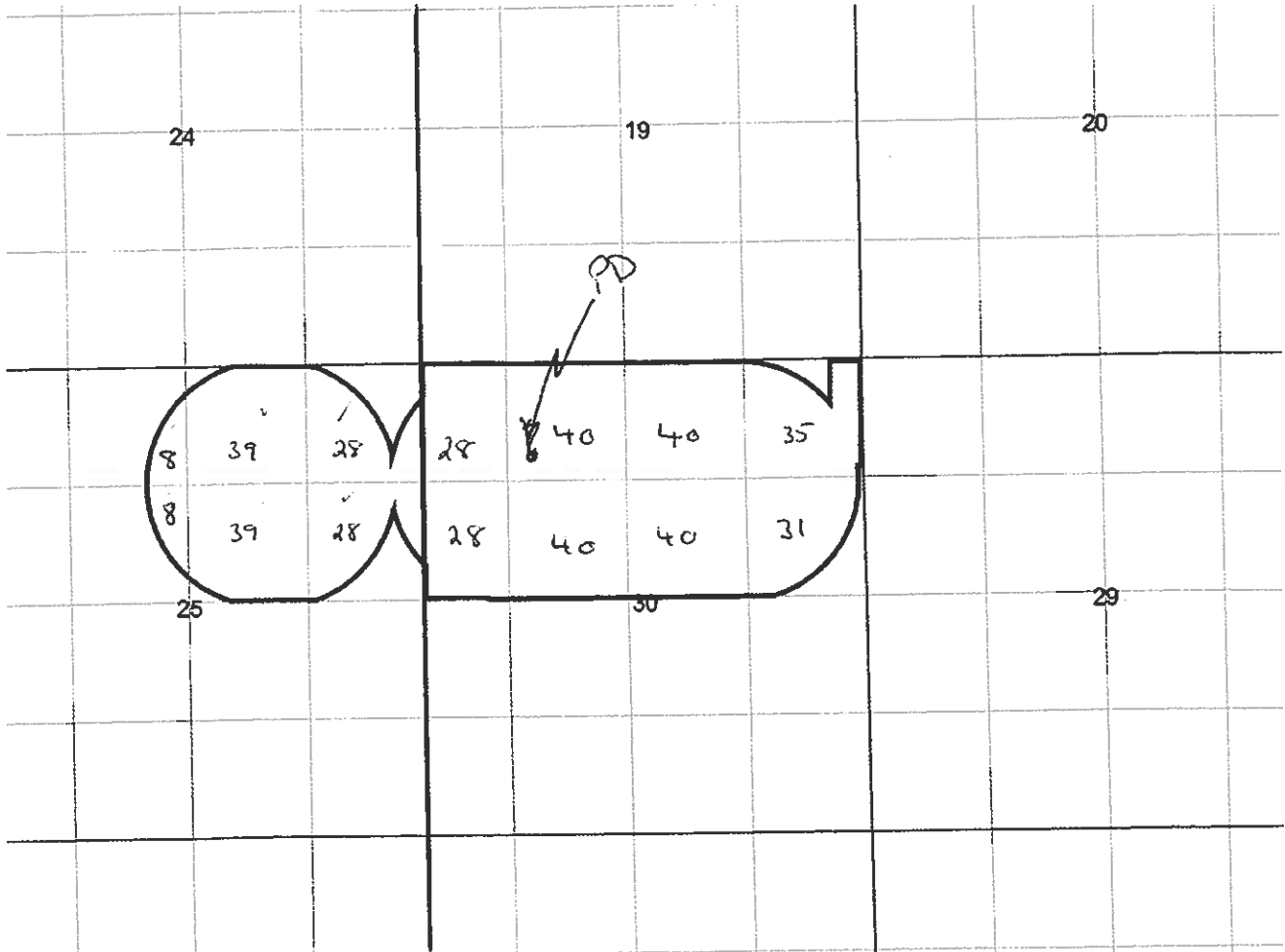
Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

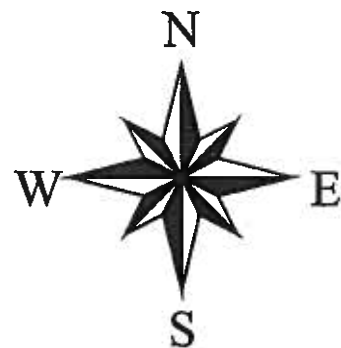
Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

T 70450



- ☐ Gcdb_section.shp
- ☐ T02s33e.shp
- ☐ T02s32e.shp
- ☐ 35-7598intersect2.shp
- ☐ 35-7598intersect.shp



page 8 of 8

PART 3

T70450

CHANGES IN NATURE OF USE

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
			to
			to

Quantity and quality of return flows and location of discharge:

Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Chael Stibal

(Signature of Applicant)

Subscribed and sworn to before me this

18

day of

Feb

, 20 03

Dave Carlson

(Notary Public)

My commission expires

2/26/2008

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$410 - E028511

Received by QC Date 2-24-03

Published in Morning News Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

T70450

IAKE CHECK PAYABLE TO:
JUDREY PORTER, TAX COLLECTOR
101 N MAPLE #210
BLACKFOOT ID 83221-1700
808-782-3090

2002 TAX BILL/RECEIPT

PARCEL NU
RP0122800

BILL# 5591 CODE AREA 8-00

L
I 1

1ST HALF DUE
TAX 1,168.78

2ND HALF DUE
TAX 1,168.78

FULL DUE
TAX 2,337.56

TOT MV 2
HM-

LATE
INT
COST
TOT

LATE
INT
COST
TOT

LATE
INT
COST
TOT

NET MV 1
TOT ACS 2

STIBAL BETTY/CHAD
% GAMBLE CLYDE/BONNIE *
174 N 1700 W
BLACKFOOT ID 83221

TAXING DISTRICT RATE
STATE .000000000
COUNTY .005226626
SCHOOL 52 .007422815 1,
MORELAND CEM .000094425
BLKFT/SR FIRE .000996684
SNAKE RIVER LIB .000537068
AMBULANCE DIST .000400000
DISTRICT TOTAL .014677618 2,
SOLID WASTE
AMOUNT DUE 2,

T2S R33E SEC 30
NE4* E2NW* LOTS 1,2
MH9527400

1715 W 200 N

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

*****PAYMENTS DUE BY DECEMBER 20TH*****
***PLEASE BRING STUBS OR SEND IF PAYING BY MAIL**

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

% GAMBLE CLYDE/BONNIE *

2002
5591



2ND HALF



AMOUNT DUE 1,168.78

INGHAM COUNTY
P0122800 A
8-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2003
CHECK #

DATE PAID

ATTACHMENT T 70450
1 OF 5

MAKE CHECK PAYABLE TO:
JDREY PORTER, TAX COLLECTOR
31 N MAPLE #210
LACKFOOT ID 83221-1700
08-782-3090

2002 TAX BILL/RECEIPT

PARCEL NUM
RP0079700

BILL# 4923 CODE AREA 10-00 L

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	
AX	99.45	TAX 99.45	TAX 198.90		1
ATE		LATE	LATE		
NT		INT	INT		
OST		COST	COST		
OT		TOT	TOT	TOT ACS	24

GAMBLE BETTY J
174 N 1700 W
BLACKFOOT

I

Maiden name -

New Married &
name is Stibal

Huf

T2S R32E SEC 25
NWNE* S2N2* NENW

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.005226626	
SCHOOL 52	.007422815	1
S S CEM	.000134847	
BLKFT/SR FIRE	.000996684	
SNAKE RIVER LIB	.000537068	
AMBULANCE DIST	.000400000	
AMOUNT DUE	.014718040	1

*** IMPORTANT ***
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*****PAYMENTS DUE BY DECEMBER 20TH*****
PLEASE BRING STUBS OR SEND IF PAYING BY MAIL

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

GAMBLE, BETTY J

2002
4923



2ND HALF

AMOUNT DUE

99.45

BINGHAM COUNTY
RP0079700 A
10-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID

JUNE 20, 2003
CHECK #

T 70450
ATTACHMENT 2 OF 5

TAKE CHECK PAYABLE TO:
UDREY PORTER, TAX COLLECTOR
01 N MAPLE #210
LACKFOOT ID 83221-1700
08-782-3090

2002 TAX BILL/RECEIPT

PARCEL NUM
RP0079800

BILL# 4924 CODE AREA 10-00 L

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV
AX	34.60	TAX 34.60	TAX 69.20	
ATE		LATE	LATE	
NT		INT	INT	
OST		COST	COST	
OT		TOT	TOT	TOT ACS 4

GAMBLE BETTY J
174 N 1700 W
BLACKFOOT ID 83221

TAXING DISTRICT	RATE
STATE	.000000000
COUNTY	.005226626
SCHOOL 52	.007422815
S S CEM	.000134847
BLKFT/SR FIRE	.000996684
SNAKE RIVER LIB	.000537068
AMBULANCE DIST	.000400000
AMOUNT DUE	.014718040

T2S R32E SEC 25
NENE

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
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PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

*****PAYMENTS DUE BY DECEMBER 20TH*****
***PLEASE BRING STUBS OR SEND IF PAYING BY MAIL**

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

GAMBLE, BETTY J

2002
4924



AMOUNT DUE 34.60

BINGHAM COUNTY
RP0079800 A
10-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID

JUNE 20, 2003
CHECK #

T 70450
ATTACHMENT 3 OF 5

ZIONS BANK

BLACKFOOT OFFICE

Zions First National Bank

P. O. Box 945

Blackfoot, Idaho 83221

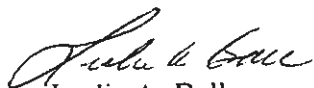
(208) 785-7899

FAX (208) 785-7894

February 20, 2003

To Whom it may concern:

I have been Chad and Betty Stibal's Banker for the past 6 years. Chad is transferring water from one part of the home place to another. He is doing this to utilize the water he has available on this ground. We feel this is a good option for Chad and have no reservations with this transfer.

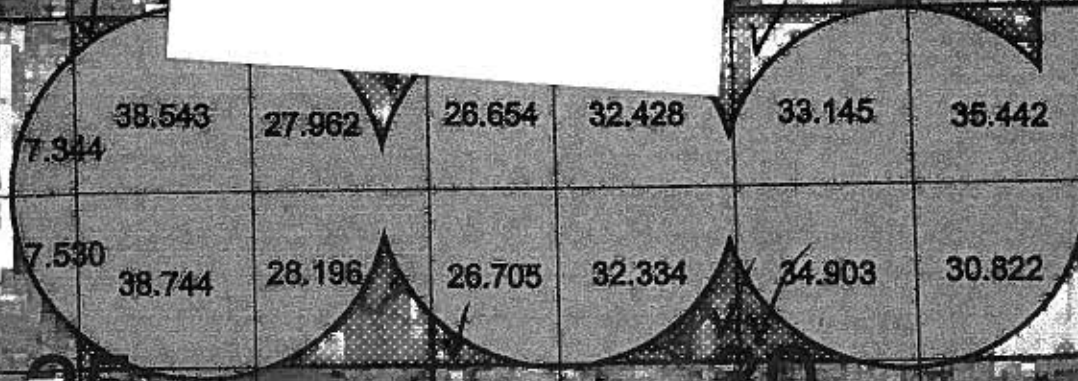


Leslie A. Ball

VP and commercial loan officer

T 70450
ATTACHMENT 4 OF 5

Intusid ✓
 Intusid: 2 ✓
 35-7598
 Shape on D
 Drive





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
April 02, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BETTY STIBAL
CHAD STIBAL
174 N 1700 W
BLACKFOOT ID 83221

RE: Application for Transfer No 70450
Water Right No(s) 35-7598 35-2214A

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Morning News on April 10 and 17, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 02, 2003

Legal Notice Department
MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

RE: Transfer No. 70450
Water Right No(s). 35-7598 35-2214A

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 28, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
4/2/03
JC*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70450

BETTY STIBAL or CHAD STIBAL, 174 N 1700 W, BLACKFOOT ID 83221, has filed Application No. 70450 for changes to the following water rights within BINGHAM County:

Right No. 35-7598

Priority 3/30/1976

Source GROUND WATER

Use IRRIGATION (432 acres) 1.50 CFS

Total Amount 1.50 CFS

Point(s) of Diversion SWNENW S30 T02S R33E

Place of Use S25 T02S R32E
S30 T02S R33E

Right No. 35-2214A

Priority 2/2/1952

Source GROUND WATER

Use IRRIGATION (432 acres) 4.00 CFS

Total Amount 4.00 CFS

Point(s) of Diversion SWNENW S30 T02S R33E

Place of Use S25 T02S R32E
S30 T02S R33E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicants are just re-arranging their 432 acres to fit the pivots that were installed. The change puts 16 acres in the E1/2 NW1/5 SEC 25 T2S R32E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before April 28, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on April 10 and 17, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2003

LEWIS H ROUNDS
WATER DISTRICT 120
900 N SKYLINE DR
IDAHO FALLS, ID 83402

RE: Application for Transfer 70450
Water Right Number(s) 35-7598 , 35-2214A

Dear Watermaster:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by March 27, 2003.

Please feel free to contact this office if you have any questions regarding the application.

Sincerely,

Harold W Jones
Water Right Supervisor

Enclosure(s)

HWJ:sc

Dept. of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161
Fax: (208) 525-7177

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. T0460**

Right No. 35-7598
Priority 3/30/1978
Source: GROUND WATER
Use: IRRIGATION (432 acres) 1.50
CFS
Total Amount: 1.50 CFS
Point(s) of Diversion: SWNENW, S30;
T02S, R33E
Blackfoot, ID: S25 T02S, R2E
S30, T02S, R33E
Priority 2/21/1952
Source: GROUND WATER
Use: IRRIGATION (432 acres) 4.00
CFS

BETTY STIBAL or CHAD STIBAL
174 N., 1700 W., Blackfoot, Idaho
has filed Application No. 70458
for changes to the following water rights
within BINGHAM County:

Right No. 35-7598
Priority 3/30/1978
Source: GROUND WATER
Use: IRRIGATION (432 acres) 1.50
CFS
Total Amount: 1.50 CFS
Point(s) of Diversion: SWNENW, S30;
T02S, R33E
Blackfoot, ID: S25 T02S, R2E
S30, T02S, R33E
Priority 2/21/1952
Source: GROUND WATER
Use: IRRIGATION (432 acres) 4.00
CFS

**Point(s) of Diversion: SWNENW, S30;
T02S, R33E**
Places of Use: S25 T02S, R33E
S30 T02S, R33E
The purpose of the transfer is to
change a portion of the above rights as
follows:
The applicants are just re-allocating
their 432 acres to the lands that were
included. The change puts 18 acres in
the S30 NW 1/4 Sec. 35, T3S, R33E.
Protest may be submitted based on
the criteria of Sec. 42-222, Idaho Code.
Any protest against this proposed

change must be filed with the Depart-
ment of Water Resources, Eastern
Region, 900 N. Skyline Drive, Suite A,
Idaho Falls, Idaho, 83402, together with
a protest fee of \$25.00 for each appli-
cation on or before April 28, 2003. The
protestant must also send a copy of the
protest to the applicant.

KARL J. BREMER
Director

(478)
Pub: 470, 17

RECEIVED
APR 22 2003

Department of Water Resources
Eastern Region

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said

newspaper 2 consecutive 17th the first publication having been made on the 17th day of April 2003, and the last publication having been made on the 17th day of April 2003; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 17th day of April in the year of 2003, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that the executed the same.

MARGERY SITZMAN
NOTARY
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 15, 2004
Affidavit Processing Fee \$5.00