

WD #120
Form 42-248/42-1409(6) 10/07
Bonneville Jefferson GWR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WD 35-10221					

RECEIVED

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

FEB 01 2010

Department of Water Resources

Eastern Region

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

D. If your water 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 PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Fred C. Stibal & Fred C. Stibal, Trustee of
the Donnee Stibal Bypass Trust
371 N 2800 E

4. New Owner/Claimant(s)

Stibal Ranch LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

935 S. 72nd St. W

City, State and ZIP Code

Billings MT 59106

New Telephone Number

(208) 228-3011

Email:

5. Date you acquired the property

1/25/2010

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Frederic C. Lital, member/manager
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by AJ

Date 2-1-10
 Date 2-1-10
 Date

Receipt Amt. \$50.00
 Receipt No. E035573
 WR Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

RECEIVED

FEB 12 2010

Water Resources

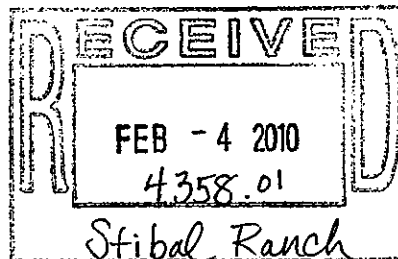
February 2, 2010

Stibal Ranch LLC
935 S 72nd St W
Billings MT 59106

RE: Change in Ownership Water Right No. 35-10221

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director



Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

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

XXXX Evidence of Water Right Ownership: The deed that was supplied with your application signed 1-25-2010 going into the name of Stibal Ranch LLC is not recorded. In order for our department to complete your request we will need a full recorded copy of that deed. At your earliest convenience please supply a recorded copy of the deed from Fred C Stibal and Fred C. Stibal Trustee of the Donnee Stibal Bypass Trust conveyed to Stibal Ranch LLC.

Just came back from recording - copy encl.

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,

Joni Barg
Joni Barg
Technical Records Specialist

Enclosure(s)

cc: Dawn Curry
Josephson Law Firm PLLC
115 W Second Ave
PO Box 1047
Big Timber MT 59011

COPY

After recording return to:

JOSEPHSON LAW FIRM
P.O. Box 1047
Big Timber, Montana 59011

Instrument # 382488

RIGBY, JEFFERSON, IDAHO

1-29-2010 01:34:00 No. of Pages: 2

Recorded for: JOSEPHSON LAW FIRM

CHRISTINE BOULTER

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

WARRANTY DEED

EFFECTIVE UPON DELIVERY AND RECORDING.

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, FRED C. STIBAL and FRED C. STIBAL, TRUSTEE OF THE DONNEE STIBAL BYPASS TRUST, of 371 N. 2800 E, Roberts, ID 83444-5116, Grantors, do hereby grant and convey unto STIBAL RANCH, LLC, of 935 S. 72nd St. W, Billings, MT 59106, Grantee, all of Grantors' right, title and interest in and to the following described real property located in the County of Jefferson, State of Idaho, to-wit:

Township 4 North, Range 37 EBM:

Section 18: All that part of the North Half (N $\frac{1}{2}$) lying South of the Poitevin Canal

TOGETHER WITH:

- a) All and singular the premises above described hereto, together with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.
- b) All water rights, geothermal rights, and rights in ditches, canals and laterals, and rights of way thereto appurtenant to said premises or used in connection therewith, which water rights are subject to adjudication, re-adjudication, or determination in accordance with Idaho Law.
- c) All mineral, gas, oil, and other hydrocarbon rights not reserved or conveyed by Grantor's predecessors in title.

SUBJECT TO:

- a) Real Property taxes and assessments for the year 2009, and real property taxes and assessments for all subsequent years.
- b) All reservations and exceptions, including patent reservations and exceptions, contained in record chain of title, and all easements, including easements for utility, telephone, ditches, streams or canals and roads or highways as they may be located over, along and across the subject property, now of record or apparent from physical examination and inspection of the premises.

- c) All outstanding interests and reservations pertaining to oil, gas, coal and other minerals reserved or conveyed by Grantor's predecessors in title, if any.
- d) Questions of boundary or fence lines dependent upon actual survey for determination.
- e) Federal, state and local laws and regulations affecting this property, including zoning and land use regulations affecting the premises, if any.

IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year set forth in the acknowledgement hereto.

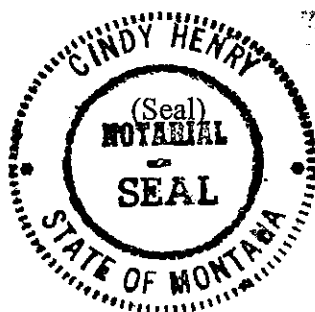
DONNEE STIBAL BYPASS TRUST

By: Fred C. Stibal
FRED C. STIBAL, TRUSTEE
DATE: 1-25-2010

Fred C. Stibal
FRED C. STIBAL
DATE: 1-25-2010

STATE OF Montana)
: ss.
County of Yellowstone)

Signed before me on the 25 day of January, 2010, by FRED C. STIBAL, individually and as Trustee of the DONNEE STIBAL BYPASS TRUST.



Cindy Henry
Printed Name Cindy Henry
Notary Public for the State of Montana
Residing at Laurel
My commission expires: 11-02-2012

After recording return to:

JOSEPHSON LAW FIRM
P.O. Box 1047
Big Timber, Montana 59011

WARRANTY DEED

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Township 4 North, Range 37 EBM:

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- b) All water rights, geothermal rights, and rights in ditches, canals and laterals, and rights of way thereto appurtenant to said premises or used in connection therewith, which water rights are subject to adjudication, re-adjudication, or determination in accordance with Idaho Law.
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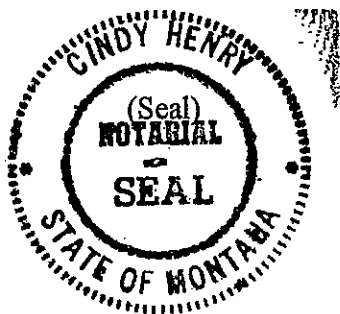
DONNEE STIBAL BYPASS TRUST

By: Fred C. Stibal
FRED C. STIBAL, TRUSTEE
DATE: 1-25-2010

Fred C. Stibal
FRED C. STIBAL
DATE: 1-25-2010

STATE OF Montana)
: ss.
County of Yellowstone)

Signed before me on the 25 day of January, 2010, by FRED C. STIBAL, individually and as Trustee of the DONNEE STIBAL BYPASS TRUST.



Cindy Henry
Printed Name Cindy Henry
Notary Public for the State of Montana
Residing at Laurel
My commission expires: 11-02-2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
35-10321					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
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PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
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3. Name and Address of Former Owner/Claimant(s)

Stibal Ranch
2870 E 400 N
Roberts ID 83444

4. New Owner/Claimant(s)

Fred C. Stibal & Fred C. Stibal, Trustee of the Donnez Stibal Bypass Trust
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

371 N 2800 E

City, State and ZIP Code

Roberts ID 83444

New Telephone Number

(208) 228-3011 Email: _____

5. Date you acquired the property

12/3/2009

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Irrigation		
Stock		
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Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Frederic L. Tibal individually + as trustee
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

FILE COPY

After recording return to:

JOSEPHSON LAW FIRM
P.O. Box 1047
Big Timber, Montana 59011

Instrument # 381492

RIGBY, JEFFERSON, IDAHO
12-11-2009 03:01:00 No. of Pages: 3
Recorded for : JOSEPHSON LAW FIRM
CHRISTINE BOULTER Fee: 9.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED

ib

WARRANTY DEED

EFFECTIVE UPON DELIVERY AND RECORDING.

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned, STIBAL RANCH, of 2870 E. 400 N, Roberts, ID 83444-5116, Grantor, does hereby grant and convey unto FRED C. STIBAL and FRED C. STIBAL, TRUSTEE OF THE DONNEE STIBAL BYPASS TRUST, as tenants in common and not as joint tenants with the right of survivorship, of 371 N. 2800 E, Roberts, ID 83444, Grantees, all of Grantor's right, title and interest in and to the following described real property located in the County of Jefferson, State of Idaho, to-wit:

Township 4 North, Range 37 EBM:

Section 18: All that part of the North Half (N½) lying South of the Poitevin Canal

TOGETHER WITH:

- a) All and singular the premises above described hereto, together with all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.
- b) All water rights, geothermal rights, and rights in ditches, canals and laterals, and rights of way thereto appurtenant to said premises or used in connection therewith, which water rights are subject to adjudication, re-adjudication, or determination in accordance with Idaho Law.
- c) All mineral, gas, oil, and other hydrocarbon rights not reserved or conveyed by Grantor's predecessors in title.

SUBJECT TO:

- a) Real Property taxes and assessments for the year 2009, and real property taxes and assessments for all subsequent years.
- b) All reservations and exceptions, including patent reservations and exceptions, contained in record chain of title, and all easements, including easements for utility, telephone, ditches, streams or canals and roads or highways as they may be located over, along and across the subject property, now of record or apparent from physical examination and inspection of the premises.

- c) All outstanding interests and reservations pertaining to oil, gas, coal and other minerals reserved or conveyed by Grantor's predecessors in title, if any.
- d) Questions of boundary or fence lines dependent upon actual survey for determination.
- e) Federal, state and local laws and regulations affecting this property, including zoning and land use regulations affecting the premises, if any.

Except with respect to these items, this deed is given with the usual covenants set forth in M.C.A. Section 30-11-110.

IN WITNESS WHEREOF, the Grantor has caused its partnership name to be subscribed by its duly authorized General Partners, the day and year set forth in the acknowledgements hereto.

STIBAL RANCH

By: Fred C. Stibal
FRED C. STIBAL, General Partner
DATE: 12 30 9

By: Fred C. Stibal
FRED C. STIBAL, TRUSTEE OF THE
DONNEE STIBAL BYPASS TRUST, General Partner
DATE: 12 30 9

By: Charles S. Stibal
CHARLES STIBAL, General Partner
DATE: Dec 1, 09

By: Sandra S. Stibal
SANDRA STIBAL, General Partner
DATE: Dec 1 - 09

STATE OF Montana

County of Yellowstone

: ss.

Signed before me on the 3 day of December, 2009, by FRED C. STIBAL, individually and as Trustee of the DONNEE STIBAL BYPASS TRUST, as General Partners of STIBAL RANCH.



SARAH WALKER
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
March 12, 2011

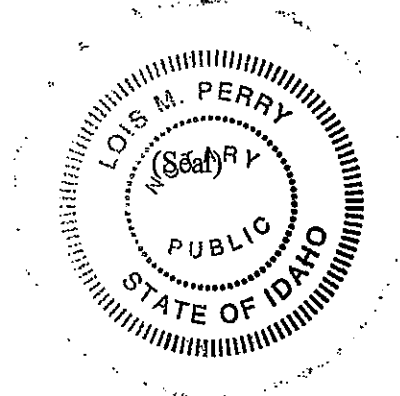
Sarah Walker
Printed Name Sarah Walker
Notary Public for the State of Montana
Residing at Billings
My commission expires: 03/12/2011

STATE OF Idaho

County of Bonneville

: ss.

Signed before me on the 1st day of December, 2009, by CHARLES STIBAL and SANDRA STIBAL, as General Partners of STIBAL RANCH.



Lois M. Perry
Printed Name Lois M. Perry
Notary Public for the State of Idaho
Residing at Big Bear, ID
My commission expires: 11-29-2013