STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86626

This is to certify that: KATHY NOBLE
86 FREEDOM LOOP
BELLEVUE, ID 83313-5012

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
37-22253	WR/LICENSE	6/30/1985	0.180 cfs	31.5 af	N/A	9.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-22253	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22253	37-22253	0.180 cfs	31.5 af	N/A	9.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.180 cfs**	**31.5 af**	**N/A**	**9.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 18th day of October, 2022.

Southern Region Manager

Transfer No. 86626

SCANNED
OCT 19 2022

WATER RIGHT NO. 37-22253

As Modified by Transfer No. 86626

In accordance with the approval of Transfer No. 86626, Water Right No. 37-22253 is now described as follows:

Right Holder: KATHY NOBLE
86 FREEDOM LOOP
BELLEVUE, ID 83313-5012

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/15	to 10/15	0.180 cfs	31.5 af
			0.180 cfs	31.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 18 Twp 01N Rge 19E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	19E	18												9.0					9.0

POU Total Acres: 9.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. #37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
OCT 19 2022

WATER RIGHT NO. 37-22253

As Modified by Transfer No. 86626

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
OCT 19 2022

State of Idaho
Department of Water Resources

Attachment to Transfer # 86626

37-22253

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.035 0.07 0.14 Miles

N

SCANNED
OCT 19 2022

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 05 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Kathy Noble Phone 208-720-3975
2. **MAILING ADDRESS** [redacted] 86 Freedom Loop City Bellevue
   State Idaho Zip 83313 Email 86knoble@gmail.com

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ 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.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 37-22253

☐ Attach a copy of the water right(s) as recorded, available at *idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is .18CFS (diversion rate) cubic feet per second and/or _____ (storage volume) acre-feet per annum.

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	SW	18	01N	19E	Blaine	Ground Water	

SCANNED
SEP 01 2022

Transfer No. 86626

6. **GENERAL INFORMATION**

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

magnetic flow meter in mainline & power switch can be turned off

b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☒	☒ KN	currently used in a mitigation plan limiting the use of water under the right(s), or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent	Print name and title if applicable	Date
Katherine L. Noble	Katherine L. Noble	8/5/2022

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at *www.idwr.idaho.gov, Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by KA Date 8-5-2022

Fee paid $200- Date 8-5-2022 Receipted by DM Receipt # 5039371

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

SCANNED
SEP 0 1 2022

State of Idaho
Department of Water Resources

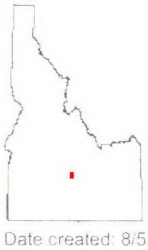
Water Right

37-22253

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.





0 0.0225 0.045 0.09 0.135 0.18
Miles

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

N

86626

Date created: 8/5/2022

SCANNED
SEP 0 1 2022
IDWR

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

October 19, 2022

KATHY NOBLE
86 FREEDOM LOOP
BELLEVUE ID 83313-5012

Re: Transfer No: 86626
Water Right No(s).: 37-22253

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 home page 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.

SCANNED
OCT 19 2022

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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352-5425

SCANNED
OCT 19 2022

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86626
Water Right No(s).: 37-22253

KATHY NOBLE
86 FREEDOM LOOP
BELLEVUE ID 83313-5012

WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352-5425

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
OCT 19 2022

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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.

SCANNED
OCT 19 2022

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 service date 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.

SCANNED
OCT 19 2022

MEMORANDUM

Date: October 12, 2022

To: Transfer 86626

From: Kent Aasa

Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information

10/12/2022

Application for transfer proposes to change the POD for an irrigation ground water right (0.18 cfs and 9.0 acres) located on an adjacent parcel to an existing well on the applicant's parcel. The currently recorded and proposed locations are located approximately 3.0 miles south and 0.8 miles east of the Highway 75/Gannet Road intersection in Bellevue. A drilling permit fee upgrade will be required.
The place of use and the point of diversion are in Water District 37 so Watermaster comments were solicited.

Authority to File: The Department's database indicates that the water right involved is owned by the applicant; Kathy Noble. The application was signed by the applicant.

Water Right Validity: Based on department records, and historic purpose of use, there does not appear to be a validity issue.

Injury to Other Water Rights: None anticipated or foreseen. The transfer is moving the point of diversion approximately 700 feet east from a shared well to an existing well. There is no change to the amount of water used. The POD change simply means that the well will be on the applicants' property rather than on a neighbor's property.

Enlargement of Use: None anticipated.

Local Public interest: No issues anticipated.

Beneficial Use/Conservation of Water Resources: Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area: No adverse effects anticipated.

Effect on Agricultural Base of the Local Area: No adverse effects anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
OCT 19 2022

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris, being the first duly sworn, deposes and says that she is the printer (publisher) of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of September, 20 22, and the date of the last publication was on the 14 day of September, 2022

Pam Morris

Subscribed and sworn to before me this 14 day of Sept., 20 22.

Connie N Johnson
NOTARY PUBLIC

CONNIE N. JOHNSON NOTARY PUBLIC Comm. No. 12378 STATE OF IDAHO

RECEIVED
SEP 19 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2024

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 82
Number of Insertions 2

	Lines tabular at		9.0 cents/pica
82	Lines straight at	$75.44	8.0 cents/pica
82	Subsequent lines at	$66.01	7.0 cents/pica
	TOTAL COST	$141.45	

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF
IDWR
BILL TO

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
71-11018
STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025
Point of Diversion NESE S27 T07N R14E BLAINE County Source SMILEY CREEK Tributary SALMON RIVER
Use: FISH PROPAGATION 05/01 to 10/31 0.8 CFS
Total Diversion: 0.8 CFS
Date Filed: 07-29-2022
Place Of Use: FISH PROPAGATION T07N R14E S27 NESE
Application for permit proposes diversion of up to 0.80 cfs from Smiley Creek for use at a fish screen / bypass located approximately 21.7 miles south and 6.7 mile east of Stanley. This application proposes the diversion and use of water from Smiley Creek, a tributary of the Salmon River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

✓ OK DM 9-21-2022

SCANNED
OCT 19 2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86626

KATHY NOBLE, 86 FREEDOM LOOP, BELLEVUE, ID 83313-5012 has filed Application No. 86626 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22253. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the POD for an irrigation ground water right (0.18 cfs and 9.0 acres) located on an adjacent parcel to an existing well on the applicant's parcel. The currently recorded and proposed locations are located approximately 3.0 miles south and 0.8 miles east of the Highway 75 & Gannet Road intersection in Bellevue.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 26, 2022.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7 & 14, 2022

✓ DW 9-21-2022

SCANNED
OCT 19 2022

and designation of centers and site survey fees.

16-0219-2201, Idaho Food Code. (*PH) ZBR Chapter Rewrite protects public health by regulating food establishments through licensing, inspection, plan review, employee restriction, and license suspensions.

16-0302-2201, Skilled Nursing Facilities. (Temp & Prop) Allows Certified Medication Assistants (MA-C) to administer medications in facilities facing staffing challenges.

16-0319-2201, Certified Family Homes. ZBR Chapter Rewrite sets requirements for paid care providers living with an adult in need of personal assistance who is elderly, has a developmental or physical disability, or mental illness.

16-0418-2201, Children's Agencies and Residential Licensing. New chapter moves provisions from existing rule chapter IDAPA 16.06.02 in order to clarify licensing and operating requirements for all care facilities, camps, therapeutic outdoor programs, and substance abuse treatment facilities that benefit children in Idaho.

16.06.01 – Child and Family Services.

16-0601-2201, (Temp & Prop) Changes increase reimbursement to family alternate care providers / foster parents.

16-0601-2202, Outlines requirements that define when a family qualifies for the use of federal funds to prevent at-risk children from entering foster care, clarifying contract rates paid to private agencies for prevention and community support services.

****16-0602-2201, Child Care and Foster Care Licensing.*** (*PH) ZBR Chapter Rewrite establishes licensing and operating requirements for foster homes as well as centers, family homes, and group facilities related to daycare.

****16-0733-2201, Adult Mental Health Services.*** (*PH) ZBR Chapter Rewrite sets Department standards to provide adult mental health services.

IDAPA 17 – INDUSTRIAL COMMISSION
11321 W Chinden Blvd, Boise, ID 83714

17-0101-2202, Administrative Rules Under the Worker's Compensation Law. (Temp & Prop) Adjusts implementation date for updating the electronic claim reporting standard.

IDAPA 20 – IDAHO DEPARTMENT OF LANDS
Timber Management Bureau – 3284 West Industrial Loop, Coeur d'Alene, ID 83815
Resource Protection and Assistance Bureau – PO Box 83720, Boise, ID 83720-0050

20-0214-2201, Rules for Selling Forest Products on State-Owned Endowment Lands. ZBR Chapter Rewrite governs the selling of forest products from state endowment lands, to include auctions, bonding, and cancellation or termination of sale requests.

20-0317-2201, Rules Governing Leases On State-Owned Navigable Waterways. ZBR Chapter Rewrite governs leases issued by the department on navigable waterways owned by the state, to include application and assignment fees.

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES
11341 W Chinden Blvd, Bldg #4, Boise, ID 83714

****24-3501-2201, Rules of the Outfitters and Guides Licensing Board.*** (*PH) ZBR Chapter Rewrite implements statute by establishing licensing standards for outfitted and guided activities to ensure the protection of the public and recreational resources in Idaho. Comment by 10\5\2022

****24-3910-2201, Rules of the Idaho Electrical Board.*** (*PH) ZBR Chapter Rewrite prescribes criteria and fees for electrical licenses, permits, and inspections; details practice standards and civil penalties; and adopts and amends the National Electrical Code. Comment by 10\5\2022

****24-3930-2201, Rules of Building Safety (Building Code Rules).*** (*PH) ZBR Chapter Rewrite details permitting process and plan review fees for the integrated design and commissioning of public school facilities; and adopts / amends the Idaho Building Code. Comment by 11\15\2022

IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION
5657 Warm Springs Ave, Boise, ID 83716

26-0130-2201, Idaho Safe Boating Rules. (Temp & Prop) Chapter repealed as a result of legislative action.

IDAPA 38 – DEPARTMENT OF ADMINISTRATION
650 W State St, Rm 100, Boise, ID 83702

38-0406-2201, Rules Governing Use of State Property in the Capitol Mall, Multi-Agency Facilities, and Other State Properties. ZBR Chapter Rewrite contains provisions for the general public use of the Capitol Mall Office Properties, Capitol Annex, Parking Facilities, Other State Properties, and certain Multi-agency Facilities.

38-0407-2201, Rules Governing Use of the Interior of State Property in the Capitol Mall and Other State Facilities. ZBR Chapter Repeal – necessary provisions included in companion docket 38-0406-2201.

38-0408-2201, Rules Governing Use of Idaho State Capitol. ZBR Chapter Rewrite governs interior and exterior use of the Idaho State Capitol.

38-0409-2201, Rules Governing Use of the Chinden Office Complex. ZBR Chapter Repeal – necessary portions moved to docket 38-0406-2201.

38-0501-2201, Rules of the Division of Purchasing. ZBR Chapter Rewrite outlines requirements for state agencies to acquire property through competitive solicitation, and includes the contested case hearing process.

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT
11331 W Chinden Blvd, Bldg 8, Boise, ID 83714

****39-0343-2201, Rules Governing Utilities on State Highway Right-of-Way.*** (*PH) Updates Utility Accommodation Policy incorporated edition.

IDAPA 57 – SEXUAL OFFENDER MANAGEMENT BOARD
1299 N Orchard St Ste#110, Boise, ID 83706

57-0101-2201, Rules of the Sexual Offender Management Board. ZBR Chapter Rewrite details qualifications, standards, and fees for psychosexual evaluators, treatment providers, and polygraph examiners.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N Hilton St, Boise, ID 83706

****58-0101-2101, Rules for the Control of Air Pollution in Idaho.*** (*PH) ZBR Chapter Rewrite provides for the control of air pollution in Idaho. Comment by 10-11-2022

58-0105-2201, Rules and Standards for Hazardous Waste. Updates federal regulations for hazardous waste incorporated by reference.

58-0117-2201, Recycled Water Rules. ZBR Chapter Rewrite devises process to issue and maintain pollution source permits for reuse facilities.

IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
PO Box 83720, Boise, ID 83720-0078

59-0101-2201, Rules for the Public Employee Retirement System of Idaho (PERSI). Removes invalid and unnecessary definition portions and reclassifies a school employee as not being a General Member of PERSI.

NOTICE OF ADOPTION OF TEMPORARY RULE ONLY

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13-0104-2203, Rules Governing Licensing

NOTICE OF PROCLAMATION

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13-0000-2200P5, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

Please refer to the Idaho Administrative Bulletin **September 7, 2022, Volume 22-9**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules Coordinator, Division of Financial Management, PO Box 83720, Boise, ID 83720-0032
Phone: 208-334-3900;
Email: adminrules@dfm.idaho.gov

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
71-11018
STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025
Point of Diversion NESE S27 T07N R14E BLAINE County Source SMILEY CREEK Tributary SALMON RIVER
Use: FISH PROPAGATION 05/01 to 10/31 0.8 CFS
Total Diversion: 0.8 CFS
Date Filed: 07-29-2022
Place Of Use: FISH PROPAGATION T07N R14E S27 NESE
Application for permit proposes diversion of up to 0.80 cfs from Smiley Creek for use at a fish screen / bypass located approximately 21.7 miles south and 6.7 mile east of Stanley. This application proposes the diversion and use of water from Smiley Creek, a tributary of the

NOTICE OF PUBLIC HEARING BEFORE THE BELLEVUE COMMON COUNCIL TO AMEND THE BUDGET FOR FISCAL YEAR 2021-2022

NOTICE IS HEREBY GIVEN that a Public Hearing, pursuant to Idaho Code 50-1002, for consideration of an amendment to the budget for fiscal year beginning October 1, 2021, and ending September 30, 2022, will be held at the Bellevue City Hall located at 115 Pine Street, Bellevue, Idaho, and via telecommunication on Monday, September 12, 2022, beginning at 5:30 p.m. Please check the City website, www.bellevueidaho.us, for instructions for telecommunication meeting access. All interested persons are invited to attend this public hearing in person or using telecommunication devices and shall be given an opportunity to comment on the proposed amended budget or may submit written comment to the City of Bellevue, PO Box 825, Bellevue, Idaho 83313 prior to 5:00 p.m. Wednesday, September 7, 2022. The Council will consider appropriation of additional monies.

	Actual FY2021	Budget FY 2022	AMENDED Budget FY2022
EXPENDITURES			
General Fund			
Administrative	311,486	359,747	359,747
Community Development/P&Z	187,596	235,265	270,449
Parks	30,865	43,611	43,611
Fire	174,597	237,514	349,169
Library	62,629	72,728	72,728
Marshal	480,246	647,577	647,577
Buildings and Grounds	35,365	43,061	43,061
Streets	146,083	360,943	360,943
Development Impact Fees	0	0	0
Total General Fund	1,428,867	2,000,446	2,147,285
Enterprise Funds			
Water Fund	389,829	995,980	995,980
Sewer Fund	1,427,737	2,322,967	2,322,967
Grand Total All Funds-EXPENDITURES	3,246,433	5,319,393	5,466,231
REVENUES			
General Fund			
Property Taxes	570,968	742,000	742,000
Franchises, Licenses, Permits	159,399	156,300	187,994
Intergovernmental	475,156	424,929	424,929
Fees, Charges for Services	32,697	47,450	68,088
Development Impact Fees	27,697	66,168	66,168
Other General Fund Revenues/Carryover	411,372	629,767	735,544
Total General Fund	1,677,289	2,066,614	2,224,723
Enterprise Funds			
Water Fund	679,593	995,980	995,980
Sewer Fund	1,427,737	2,322,967	2,322,967
Grand Total All Funds-REVENUES	3,784,619	5,385,561	5,543,669

Any person needing special accommodations to participate in the above noticed meeting should contact Bellevue City Hall, 115 Pine St., Bellevue, ID 83313 or telephone 208-788-2128 at least twenty-four (24) hours prior to the meeting. Marian Edwards, Bellevue Clerk/Treasurer.

PUBLISH
IDAHO MOUNTAIN EXPRESS
AUGUST 31 & SEPTEMBER 7, 2022

ORDINANCE NO. 570
ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF SUN VALLEY, IDAHO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022

AN ORDINANCE TITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE CITY OF SUN VALLEY, IDAHO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, APPROPRIATING THE SUM OF ELEVEN MILLION, FOUR HUNDRED NINETEEN THOUSAND, TWO HUNDRED AND FIFTY-THREE DOLLARS ($11,419,253) TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF SUN VALLEY FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY,AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE.

WHEREAS, the City of Sun Valley is a unit of local government organized and existing pursuant to Title 50 of the Idaho Code; and

WHEREAS, pursuant to Idaho Code Section 50-1001, the City of Sun Valley fiscal year begins on the first day of October; and

WHEREAS, pursuant to Idaho Code Section 50-1003, the City Council shall adopt an annual appropriation ordinance prior to the commencement of each fiscal year, which in no event shall be greater than the amount of the tentative budget; and

WHEREAS, the annual appropriation ordinance is prepared in accordance with Idaho Code Title 50 Chapter 10 governing finances; and

WHEREAS, the Sun Valley City Council considered said budget and has conducted a public hearing thereon and determined that said budget should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUN VALLEY, IDAHO, COUNTY OF BLAINE, STATE OF IDAHO, AS FOLLOWS:

SECTION 1: That the sum of Eleven Million, Four Hundred Nineteen Thousand, Two Hundred and Fifty-three dollars ($11,419,253) be, and the same is appropriated to defray the necessary expenses and liabilities of the City of Sun Valley, Blaine County, Idaho, for the fiscal year beginning October 1, 2022.

SECTION 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

General Fund	7,153,031
Fixed Asset Fund	941,795
Debt Service Fund	1,387,296
Capital Improvement Fund	790,000
Workforce Housing Fund	180,531
1% Local Option Tax Fund	716,600
Street & Path Fund	250,000
2018 Bond Construction Fund	0
Grand Total – All Funds	**11,419,253**

SECTION 3: That a general tax levy on all taxable property within the City of Sun Valley be levied in an amount allowed by law for the general purposes for said City, for the fiscal year beginning October 1, 2022.

SECTION 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in full force upon its passage, approval and publication according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF SUN VALLEY AND APPROVED BY THE MAYOR THIS 25th DAY OF AUGUST 2022.

/s/Peter M. Hendricks, Mayor

ATTEST: Nancy Flannigan, City Clerk

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 2022

✓ DM 9-2-2022

Proof of legal notice received from Idaho Mtn Express 9/2/2022 (2 pgs)

SCANNED
OCT 19 2022

Salmon River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86626

KATHY NOBLE, 86 FREEDOM LOOP, BELLEVUE, ID 83313-5012 has filed Application No. 86626 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22253. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the POD for an irrigation ground water right (0.18 cfs and 9.0 acres) located on an adjacent parcel to an existing well on the applicant's parcel. The currently recorded and proposed locations are located approximately 3.0 miles south and 0.8 miles east of the Highway 75 & Gannet Road intersection in Bellevue.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 26, 2022.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7 & 14, 2022

NOTICE OF PUBLIC MEETING BEFORE THE KETCHUM PLANNING AND ZONING COMMISSION

Meeting Date: September 27th, 2022
Meeting Time: 4:30 PM, or thereafter as the matter can be heard.
Meeting Location: City Hall Council Chambers, 191 5th Street W, Ketchum, Idaho. The meeting will be livestreamed at www.ketchumidaho.org/meetings. Public comment may be given remotely, when the public comment portion of the meeting for this item is opened. The link to join the webinar for the meeting is: https://ketchumidaho-org.zoom.us/j/85077883433. This information can also be found on the meeting agenda.
Project Name: 4th & Walnut Mixed-Use Building
Project Location: 580 E 4th Street (Ketchum Townsite: Block 44: Lot 7A)
Zoning: Community Core – Sub District 2 – Mixed Use (CC-2)
Representatives: Morley Golden John Montoya, Resin Design
Property Owner: Walnut & 4th LLC
Application Types: Design Review Amendment P20-046A
Project Description: The Commission will consider and take action on proposed modifications to the project plans for the 4th & Walnut Mixed-Use Building approved by the Planning & Zoning Commission on September 15th, 2020 through Design Review Application File No. P20-046. The project was issued a building permit (Application File No. B21-009) on June 22nd, 2021 and is currently under construction. The Design Review Amendment Application File No. P20-046A proposes to modify the uses within the mixed-use building and proposes modifications to the exterior of the mixed-use building, including removing the chimney from the north elevation and changing the material for the upper-level balcony guardrails.

A copy of the Staff Report will be available on the City website at the following link https://ketchumidaho.org/meetings. The meeting will be livestreamed with the video feed accessible at the same link at 4:30 p.m. the day of the meeting.

NOTICE IS FURTHER GIVEN that, at the aforementioned time, all interested persons shall be given an opportunity to comment on the matter stated above. Comments and questions prior to the hearing may be directed to the Ketchum Department of Planning and Building, P.O. Box 2315, Ketchum, Idaho, 83340, or via email to **participate@ketchumidaho.org**. Written comments received by 5:00 PM, seven (7) days prior to the hearing will be included as an attachment to the staff report. For additional information, please call (208) 726-7801.

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 2022

NOTICE OF PUBLIC MEETING BEFORE THE KETCHUM PLANNING AND ZONING COMMISSION

Meeting Date: September 27th, 2022
Meeting Time: 4:30 PM, or thereafter as the matter can be heard.
Meeting Location: City Hall Council Chambers, 191 5th Street W, Ketchum, Idaho. The meeting will be livestreamed at www.ketchumidaho.org/meetings. Public comment may be given remotely, when the public comment portion of the meeting for this item is opened. The link to join the webinar for the meeting is: https://ketchumidaho-org.zoom.us/j/85077883433. Webinar ID: 8507 788 3433. This information can also be found on the meeting agenda.
Project Name: McGavick Residence (File No. P22-048)
Project Location: 307 Garnet Street (Lot 2, Block 1, Esmeralda South Subdivision)
Representative: Jim McLaughlin, McLaughlin & Associates
Property Owner: Gaelynn and Mike McGavick
Architect: Jim McLaughlin
Application Type: Pre-Application Mountain Overlay Design Review
Project Description: The Ketchum Planning & Zoning Commission will conduct a public meeting to review the Pre-Application Mountain Overlay Design Review application for the McGavick Residence. The project proposes to develop a new 18,756 gross-square-foot single family residence on a 6-acre vacant property located at 307 Garnet St in the Limited Residential (LR) zone district. The property is located at the far east end of Garnet St within the Esmeralda South Subdivision. The proposed residence is a 5 bedroom, 6 bath residence with an attached three car garage and pool house.

A copy of the Staff Report will be available on the City website at the following link https://ketchumidaho.org/meetings. The meeting will be livestreamed with the video feed accessible at the same link at 4:30 p.m. the day of the meeting.

NOTICE IS FURTHER GIVEN that, at the aforementioned time, all interested persons shall be given an opportunity to comment on the matter stated above. Comments and questions prior to the hearing may be directed to the Ketchum Department of Planning and Building, P.O. Box 2315, Ketchum, Idaho, 83340, or via email to **participate@ketchumidaho.org**. Written comments received by 5:00 PM, seven (7) days prior to the hearing will be included as an attachment to the staff report. For additional information, please call (208) 726-7801.

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 2022

LEGAL NOTICE
BLAINE COUNTY PLANNING AND ZONING COMMISSION
September 22, 2022 at 6:00 p.m.

On Thursday, September 22, 2022, the Blaine County Planning and Zoning Commission will hold a public meeting beginning at 6:00 p.m. upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Its agenda includes the following:

ACTION ITEM: Public hearing and consideration of an application by House of Angels Foundation for a conditional use permit to have up to 6 spiritual retreats per year on 983, 985 and 987 W. Warm Springs Rd. 5 seasonal teepees are proposed. The parcels are zoned Rural Remote (RR-40), Seasonal Use, Floodplain Overlay, Riparian Setback Districts and a small area of Mountain Overlay District. The 3 subject parcels, also known as Tax Lots 8529, 3645, 3831, 1797 and Lot 2, Hayward-Strand Sub., are located approximately 5 miles southwest of Ketchum

This meeting is open to the public and the public may attend in person or by web access. If attending in person, please observe posted COVID-related protocols (if any). The meeting agenda will be posted to the Blaine County website at https://www.co.blaine.id.us/AgendaCenter by the Tuesday prior to the hearing. Please check the meeting agenda for further instructions for digital web access.

The materials associated with this meeting will be available for review at least 15 days prior to the hearing at Land Use and Building Services located in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey and on the Blaine County web page at www.blainecountv.org. To receive adequate consideration, written comment in excess of one page should be forwarded to Blaine County at least 4 days prior to public hearing by mail, e-mail to pzcounter@co.blaine.id.us, or by fax to (208)788-5576.

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 2022

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by JOHN SCHERER whose last known address is 4431 NORTH McKENZIE LANE - BOISE, ID 83703

The sale shall occur at 10:00 o'clock a.m. on the 17TH day of SEPTEMBER, 2022, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of SEPTEMBER, 2022

VALLEY SELF STORE

/s/Bonnie Leighton
Lien Claimant

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7 & 14, 2022

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by PATRICIA CARDOSO QUIROZ AND RYAN GUZAN whose last known address is PO BOX 335 HAILEY, ID 83333.

The sale shall occur at 10:00 o'clock a.m. on the 17TH day of SEPTEMBER, 2022, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of SEPTEMBER, 2022

VALLEY SELF STORE

/s/Bonnie Leighton
Lien Claimant

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7 & 14, 2022

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

JEFFREY LANGDALE BRAY, aka JEFFREY L. BRAY,
Deceased.

CASE NO. CV07-22-00447
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that BONNIE JEAN BRAY, aka BONNIE S. BRAY, has been appointed Personal Representative of the above-named estate. All persons having claims against the said decedent are required to present their claims within four (4) months after the date of the first publication of this notice or said claims will be forever barred. Claims must be presented to the firm Coleman, Ritchie & Jacobson, 156 2nd Avenue West, P. O. Box 525, Twin Falls, Idaho 83303-0525, and filed with the Court.

DATED this 1st day of September, 2022.

COLEMAN, RITCHIE & JACOBSON

/s/V. LANE JACOBSON
Attorneys for Personal Representative

PUBLISH
IDAHO MOUNTAIN EXPRESS
SEPTEMBER 7, 14 & 21 2022

NOTICE OF TRUSTEE'S SALES

NOTICE OF TRUSTEE'S SALE

To be sold for cash at a Trustee's Sale on December 15, 2022, 11:00 AM at the Blaine County Courthouse Front Steps, Old Building, 206 1st Avenue South, Hailey, ID 83333, the following described real property situated in Blaine County, State of Idaho ("Real Property"): Lots 5 and 6 in Block 12 of the City of Hailey, according to the Official Plat thereof, on file in the Office of the County Recorder, records of Blaine County, Idaho Commonly known as: 511 South 4th Avenue, Hailey, ID 83333 Brian D. Watts, as Trustor conveyed Real Property via a Trust Deed dated December 2, 2008, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for M&T Bank, its successors and assigns as Beneficiary, in which First American Title was named as Trustee. The Trust Deed was recorded in Blaine County, Idaho, on December 8, 2008, as Instrument No. 563317, and modified pursuant to the Modification recorded February 6, 2017, as Instrument No. 641371. and modified pursuant to the Modification recorded on November 1, 2019, as Instrument No. 664524, of Official Records. The Deed of Trust was assigned for value as follows: Assignee: Assignee: U.S. Bank Trust National Association as Trustee of FW-BKPL Series I Trust Assignment Dated: January 28, 2021 Assignment Recorded: February 10, 2021 Assignment Recording Information: Instrument No. 679154 Shelly M. Casares is the Successor Trustee pursuant to a Substitution of Trustee recorded in the office of the Clerk and Recorder of Blaine, State of Idaho on July 1, 2022 as Instrument No. 694731, of Official Records. The Beneficiary has declared a default in the terms of said Deed of Trust due to Trustor failure to make monthly payments beginning September 1, 2020, and each month subsequent, which monthly installments would have been applied on the principal and interest due on said obligation and other charges against the property or loan. By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable. The total amount due on this obligation is the principal sum of $167,023.00, interest in the sum of $11,867.77, escrow advances of $4,747.01, other amounts due and payable in the amount of $2,877.94, for a total amount owing of $186,515.72, plus accruing interest, late charges, and other fees and costs that may be incurred or advanced. The Beneficiary anticipates and may disburse such amounts as may be required to preserve and protect the property and for real property taxes that may become due or delinquent, unless such amounts of taxes are paid by the Trustor. If such amounts are paid by the Beneficiary, the amounts or taxes will be added to the obligations secured by the Deed of Trust. Other expenses to be charged against the proceeds of this sale include the Trustee's fees and attorney's fees, costs and expenses of the sale, and late charges, if any. Beneficiary has elected, and has directed the Trustee to sell the above described property to satisfy the obligation. The sale is a public sale and any person, including the Beneficiary, may bid at the sale. The bid price must be paid immediately upon the close of bidding by certified funds (valid money orders, certified checks or cashier's checks). The conveyance will be made by Trustee's Deed, without any representation or warranty, including warranty of title, express or implied, as the sale is made strictly on an as-is, where-is basis, without limitation, the sale is being made subject to all existing conditions, if any, of lead paint, mold or other environmental or health hazards. The Trustor, successor in interest to the Trustor, or any other person having an interest in the property, or any person named in IRC § 45-1506, has the right, at any time prior to the Trustee's Sale, to pay to the Beneficiary, or the successor in interest to the Beneficiary, the entire amount then due under the Deed of Trust and the obligation secured thereby (including costs and expenses actually incurred and attorney's fees) other than such portion of the principal as would not then be due had no default occurred and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust with Successor Trustee's and attorney's fees. In the event that all defaults are cured the foreclosure will be dismissed and the foreclosure sale will be canceled. The scheduled Trustee's Sale may be postponed by public proclamation up to 30 days for any reason. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse. The above Trustor are named to comply with IRC § 45-1506(4)(a). No representation is made that they are, or are not, presently responsible for this obligation. This is an attempt to collect a debt and any information obtained will be used for that purpose. Dated this 5th day of August, 2022. Shelly M. Casares Substitute Trustee 376 East 400 South, Suite 300, Salt Lake City, UT 84111 Telephone: 801-355-2886 Office Hours: Mon.-Fri., 8AM-5PM (MST) File No. ID10553

PUBLISH
IDAHO MOUNTAIN EXPRESS
AUGUST 17, 24, 31 & SEPTEMBER 7, 2022



SCANNED
OCT 19 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

September 1, 2022

KATHY NOBLE
86 FREEDOM LOOP
BELLEVUE, ID 83313-5012

RE: Transfer No. 86626
Water Right No(s). 37-22253

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 9/7/2022 and 9/14/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of $25.00 for each application, on or before **September 26, 2022**.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

SCANNED
SEP 0 1 2022

Maline, Denise

From:	Maline, Denise
Sent:	Thursday, September 1, 2022 12:59 PM
To:	Cyndi or Sunny (WD37)
Subject:	Comment Letter for Transfer No. 86626 (Kathy Noble)
Attachments:	Comment letter to WD37 for 86626.docx; App. for Transfer 86626 (Kathy Noble).pdf

Good afternoon,

Attached is an application for transfer currently being processed by the department, within WD37. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact Kent Aasa at our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
SEP 0 1 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

September 1, 2022

WATER DISTRICT 37
107 W 1ST
SHOSHONE, ID 83352

RE: Transfer No(s). 86626 (Kathy Noble)

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
SEP 0 1 2022

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 1, 2022 12:21 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express cover letter.docx; Idaho Mountain Express ad.docx

Attached please find **(1)** legal notice being submitted for publication on September 7th & 14th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
SEP 0 1 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

September 1, 2022

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340-0990

RE: Application for Permit No. 71-11018

RE: Transfer No. 86626
Water Right No(s). 37-22253

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 September 26, 2022. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
SEP 0 1 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
71-11018
STATE OF IDAHO
IDAHO FISH & GAME COMMISSION
PO BOX 25
BOISE, ID 83707-0025
Point of Diversion NESE S27 T07N R14E BLAINE County Source SMILEY CREEK Tributary SALMON RIVER
Use: FISH PROPAGATION 05/01 to 10/31 0.8 CFS
Total Diversion: 0.8 CFS
Date Filed: 07-29-2022
Place Of Use: FISH PROPAGATION
T07N R14E S27 NESE
Application for permit proposes diversion of up to 0.80 cfs from Smiley Creek for use at a fish screen / bypass located approximately 21.7 miles south and 6.7 mile east of Stanley. This application proposes the diversion and use of water from Smiley Creek, a tributary of the Salmon River, a Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86626

KATHY NOBLE, 86 FREEDOM LOOP, BELLEVUE, ID 83313-5012 has filed Application No. 86626 for changes to the following water rights within BLAINE County(s): Right No(s). 37-22253. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the POD for an irrigation ground water right (0.18 cfs and 9.0 acres) located on an adjacent parcel to an existing well on the applicant's parcel. The currently recorded and proposed locations are located approximately 3.0 miles south and 0.8 miles east of the Highway 75 & Gannet Road intersection in Bellevue.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **September 26, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 7th & 14th, 2022

SCANNED
SEP 0 1 2022

MEMORANDUM

Date: August 22, 2022

To: Transfer 86626

From: Kent Aasa

Re: Synopsis

Synopsis
8/22/2022

Application for transfer proposes to change the POD for an irrigation ground water right (0.18 cfs and 9.0 acres) located on an adjacent parcel to an existing well on the applicant's parcel. The currently recorded and proposed locations are located approximately 3.0 miles south and 0.8 miles east of the Highway 75/Gannet Road intersection in Bellevue. A drilling permit fee upgrade will be required.
The place of use and the point of diversion are in Water District 37 so Watermaster comments will be solicited.

SCANNED
SEP 0 1 2022

MEMORANDUM

TO: Transfer # 86626 File

FROM: Kent Aasa

DATE: August 22, 2022

SUBJECT: Filing Fee Memo

The filing fee for this transfer is based on the current transfer fee schedule of $200.00 for the 0.18 cfs associated with a POD change. The applicant, Kathy Noble, submitted a check in the amount of $200.00 (receipt number S039371).

SCANNED
SEP 0 1 2022