

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 85902**

This is to certify that: **STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC**  
**C/O JEFFRA SYMS**  
**PO BOX 3485**  
**KETCHUM, ID 83340-3421**

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**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 37-21408           | WR/DECREED          | 7/27/1972            | 0.500 cfs             | 54.0 af                 | 14.8              | 18.0               | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-21408              | YES          | YES        | NO         | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-21408               | 37-23374                         | 0.020 cfs            | 2.6 af                 | N/A               | 0.7                | 37-21408                           | 0.480 cfs             | 51.4 af                 | 14.1                        | 18.0                         |
| <b>COMBINED TOTALS</b> |                                  | <b>0.020 cfs</b>     | <b>2.6 af</b>          | <b>N/A</b>        | <b>0.7</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 14<sup>th</sup> day of April, 2022.

  
 Southern Region Manager

**SUPPORT DATA**

**IN FILE # 37-21408**

Transfer No. 85902

**WATER RIGHT NO. 37-21408****As Modified by Transfer No. 85902**

In accordance with the approval of Transfer No. 85902, Water Right No. 37-21408 is now described as follows:

**Right Holder:** STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC  
C/O JEFFRA SYMS  
PO BOX 3485  
KETCHUM, ID 83340-3421

**Priority Date:** 7/27/1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 05/01       | to 10/31  | 0.480 cfs             | 51.4 af                 |
|                       |             |           | 0.480 cfs             | 51.4 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NENENW                      Sec 22 Twp 02N Rge 18E BLAINE County

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW   |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE   | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 15  |    |    |    |    |      |    |    |    |    |    |    |    |    |    |    |    | 8.0    |
| 02N | 18E | 22  |    |    |    |    | 10.0 |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Right Acre Limit: 14.1

POU Total Acres: 18.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 14.1 acres within the place of use described above in a single irrigation season.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. Approval of this transfer does not confirm the validity of this water right.

Transfer No. 85902

# **WATER RIGHT NO. 37-23374**

## **As Modified by Transfer No. 85902**

In accordance with the approval of Transfer No. 85902, Water Right No. 37-23374 is now described as follows:

**Right Holder:** STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC  
C/O JEFFRA SYMS  
PO BOX 3485  
KETCHUM, ID 83340-3421

**Priority Date:** 7/27/1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 05/01       | to 10/31  | 0.020 cfs             | 2.6 af                  |
|                       |             |           | 0.020 cfs             | 2.6 af                  |

### **LOCATION OF POINT(S) OF DIVERSION**

GROUND WATER                      NWNENW                      Sec 22 Twp 02N Rge 18E BLAINE County

### **PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 18E | 22  |    |    |    |    | 0.7 |    |    |    |    |    |    |    |    |    |    |    | 0.7    |

POU Total Acres: 0.7

### **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. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than September 24, 2010.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 85902

**WATER RIGHT NO. 37-23374**

**As Modified by Transfer No. 85902**

**CONDITIONS OF APPROVAL**

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 85902**  
37-23374

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.



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

0 0.035 0.07 0.14 Miles



A horizontal scale bar with tick marks at 0, 0.035, 0.07, and 0.14 miles.





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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

April 15, 2022

STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC  
C/O JEFFRA SYMS  
PO BOX 3485  
KETCHUM ID 83340-3421

Re: Transfer No: 85902  
Water Right No(s): 37-21408

**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.

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,

A handwritten signature in blue ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with a small "C" at the beginning and a long, sweeping underline.

Corey Skinner  
Southern Regional Manager

Enclosure

c:

WATER DISTRICT 37  
107 W 1ST ST  
SHOSHONE ID 83352-5245

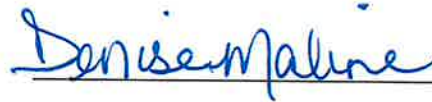
## CERTIFICATE OF SERVICE

I hereby certify that on April 15, 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.: 85902  
Water Right No(s): 37-21408

STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC  
C/O JEFFRA SYMS  
PO BOX 3485  
KETCHUM ID 83340-3421

WATER DISTRICT 37  
107 W 1ST ST  
SHOSHONE ID 83352-5245



Denise Maline  
Administrative Assistant

## **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.

## **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.

## MEMORANDUM

**Date:** April 7, 2022  
**To:** Transfer #85902 – Stonecove Subdivision Property Owner's Association, Inc. Transfer File  
**From:** Jim Bitzenburg  
**Re:** Evaluation of Sufficiency of Information Submitted

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Application for transfer proposes to split an existing irrigation ground water right, with a flow rate of 0.50 cfs, into two rights; one will irrigate 14.1 acres in an 18.0 acre place of use, out of an existing well, and the other will irrigate 0.7 acre diverted out of a different existing well. The place of use and points of diversion are located approximately 1.5 miles south and 0.8 mile east of the intersection of Main and Bullion Streets in Hailey. The transfer will allow a parcel within a subdivision to be irrigated with the existing domestic well located on that parcel, instead of using the existing subdivision irrigation well.

The transfer is within Water District 37 so Watermaster comments were solicited. The Watermaster did not comment on the transfer.

The transfer is changing points of diversion within the Big Wood Ground Water Management Area, so it was advertised. No protests were filed.

The ownership of both portions of the water right will remain with the Stonecove Subdivision POA, Inc.

The parent right in the transfer is 37-21408 (irrigation, 0.50 cfs, 14.8 acre limit within an 18.0 acre POU, 54.0 AF).

- **Authority to File:**  
The Department's database indicates that water right 37-21408 is owned by Stonecove Subdivision POA, Inc.. The application was signed by Jeffra Syms, who is the registered agent of the POA. The annual report of the corporation is included in the application materials.
- **Water Right Validity:**  
The water right was decreed in the SRBA in 2010, and a home with approximately 0.7 acre of irrigation is located on the parcel where the proposed POD is located. It appears from aerial imagery that the portion being split may have been irrigated recently.
- **Injury to Other Water Rights:**  
None anticipated or foreseen. Transfer proposes no increase in volume of water used or acres irrigated.
- **Enlargement of Use:**  
None anticipated.
- **Local Public Interest:**  
No issues anticipated. The transfer was advertised.
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**  
None Anticipated
- **Effect of the Agricultural Base of the Area:**  
None 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.**

# 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 16 day of

March, 20 22, and the date of the last publication was

on the 23 day of March, 20 22

Subscribed and sworn to before me this 23 day of

March, 20 22.

Pam Morris

Connie N. Johnson  
NOTARY PUBLIC

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 137

Number of Insertions 2

137 Lines tabular at 9.0 cents/pica

137 Lines straight at \$126.04 8.0 cents/pica

137 Subsequent lines at \$110.29 7.0 cents/pica

TOTAL COST \$236.33

RECEIVED  
MAR 25 2022  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

## 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:

37-23368

TOM R NORRIS

104 W CHANNEL LN

HAILEY, ID 83333-5034

Point of Diversion NESE S7 T03N

R18E BLAINE County Source

GROUND WATER Tributary

Use: AESTHETIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 06-01-2021

Place Of Use: AESTHETIC

T03N R18E S7 NESE

Application proposes to divert 0.04 cfs from an existing domestic well to maintain water quality in an existing aesthetic pond associated with water

right 37-8916. The point of diversion and place of use is located approximately 5.2 miles south and 0.8 miles east of the center of Ketchum on Lot 2B of Little Makawao Subdivision.

This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

✓ DM 4.6.2022



**NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT**

**TRANSFER NO. 85860**

NORTH FORK RANCH LLC, PO BOX 4750, KETCHUM, ID 83340-4799 has filed Application No. 85860 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11852, 37-11854, 37-12219, 37-2168A, 37-2168C, 37-22121, 37-22125, 37-8870. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded point(s) of diversion (POD) and place(s) of use (POU) locations for eight water rights diverted from groundwater, two springs, and Oregon Creek sources used on property located on the west side of Hwy 75 approximately 6.5 to 6.8 miles north and 2.3 to 2.6 miles west of the intersection of Sun Valley Rd & Hwy 75 in Ketchum. POD changes are to reflect actual locations of existing diversions. The groundwater diversions are two existing wells located on the property. The Oregon Creek diversion is located approximately 6.9 miles north and 2.9 miles west of the intersection of Sun Valley Rd & Hwy 75 in Ketchum. One spring diversion is located approximately 6.8 miles north and 2.6 miles west of the same intersection. The other spring is located approximately 6.6 miles north and 2.6 miles west of the intersection. POU changes will create a 24.1 acre irrigation and irrigation from storage permissible place of use limited to the irrigation of 14.7 acres and modify POUs for other uses (domestic, stockwater, commercial, irrigation storage, aesthetic storage, stockwater storage, and stock water from storage) on the property. The eight water rights authorize a total combined diversion of 0.99 cfs (0.39 cfs from groundwater, 0.22 cfs from the springs, and 0.38 cfs from Oregon Creek).

**NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT**

**TRANSFER NO. 85902**

STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC, C/O JEFFRA SYMS PO BOX 3485, KETCHUM, ID 83340-3421 has filed Application No. 85902 for changes to the following water rights within BLAINE County(s): Right No(s). 37-21408. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to split an existing irrigation ground water right, with a flow rate of 0.50 cfs, into two rights; one will irrigate 14.1 acres in an 18.0 acre place of use, out of an existing well, and the other will irrigate 0.7 acre diverted out of a different existing well. The place of use and points of diversion are located approximately 1.5 miles south and 0.8 mile east of the intersection of Main and Bullion Streets in Hailey. The transfer will allow a parcel within a subdivision to be irrigated with the existing domestic well located on that parcel, instead of using the existing subdivision irrigation well.

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 **April 4, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH  
IDAHO MOUNTAIN EXPRESS  
MARCH 16 & 23, 2022**

Sm 4.6.2022

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

IN THE MATTER OF THE ESTATES OF JOHN PAUL KEARNEY, JR. and JEAN MARIE KEARNEY, Deceased

## CASE NO. CV07-22-00089 NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that GRIETEL KEARNEY FRIEDMAN has been appointed personal representative of the above-named estates. All persons having claims against the decedents or the estates are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the Personal Representative of the estate at BALDWIN LAW, PLLC, 3045 E. Copper Point Dr., Meridian, Idaho 83642 and filed with the Clerk of the Court. DATED March 3, 2022.

/s/ ERIC F. BALDWIN Attorney for Personal Representative

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 23 & 30, 2022

## UNCLAIMED PROPERTY NOTICE

Why would anyone have unclaimed money? Unclaimed money consists of forgotten bank accounts, refund checks, utility deposits, wages, tax refunds and more. The Idaho State Treasurer's Unclaimed Property Division acts as a consumer protection agency to ensure forgotten funds are returned to their rightful owners. Check online for your name at [YourMoney.idaho.gov](http://YourMoney.idaho.gov).

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 2022

## MAGIC DAM HYDROELECTRIC NOTICE OF MEETING

Notice is hereby given that Big Wood Canal Company, owner of the Magic Dam Hydroelectric Project, will hold a site visit and meeting on Friday, April 1, 2022 beginning at 10:00 AM at the Magic Dam Rest Area located on the east side of Magic Dam, Blaine County, ID. This meeting is for consideration of the following:

- Develop a common understanding of the hydroelectric development at the Magic Dam site, which is proposed for FERC re-licensing;
- Discuss data to be obtained and studies to be conducted by the applicant as part of the re-licensing process.

A guided tour of the project site will be conducted prior to the meeting for all interested parties. The tour will begin at 10:00am from the Magic Dam Rest Area. The public meeting will be held at 2:00 PM at the Lincoln County Community Center located at 201 S. Beverly St., Shoshone, ID 83352.

A written project summary is currently available for copying and inspection at the Big Wood Canal Company Office in Shoshone. You may also request an electronic copy by sending e-mail to [pete.gense@gmail.com](mailto:pete.gense@gmail.com).

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23368  
TOM R NORRIS  
104 W CHANNEL LN  
HAILEY, ID 83333-5034  
Point of Diversion NESE S7 T03N R18E BLAINE County Source GROUND WATER Tributary  
Use: AESTHETIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS  
Date Filed: 06-01-2021  
Place Of Use: AESTHETIC T03N R18E S7 NESE

Application proposes to divert 0.04 cfs from an existing domestic well to maintain water quality in an existing aesthetic pond associated with water

right 37-8916. The point of diversion and place of use is located approximately 5.2 miles south and 0.8 miles east of the center of Ketchum on Lot 2B of Little Makawao Subdivision. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85960

NORTH FORK RANCH LLC, PO BOX 4750, KETCHUM, ID 83340-4759 has filed Application No. 85960 for changes to the following water rights within BLAINE County(s): Right No(s): 37-11852, 37-11854, 37-12219, 37-2168A, 37-2168C, 37-22121, 37-22125, 37-8870. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded point(s) of diversion (POD) and place(s) of use (POU) locations for eight water rights diverted from groundwater, two springs, and Oregon Creek sources used on property located on the west side of Hwy 75 approximately 6.5 to 6.8 miles north and 2.3 to 2.6 miles west of the intersection of Sun Valley Rd & Hwy 75 in Ketchum. POD changes are to reflect actual locations of existing diversions. The groundwater diversions are two existing wells located on the property. The Oregon Creek diversion is located approximately 6.9 miles north and 2.9 miles west of the intersection of Sun Valley Rd & Hwy 75 in Ketchum. One spring diversion is located approximately 6.8 miles north and 2.6 miles west of the same intersection. The other spring is located approximately 6.6 miles north and 2.6 miles west of the intersection. POU changes will create a 24.1 acre irrigation and irrigation from storage permissible place of use limited to the irrigation of 14.7 acres and modify POU's for other uses (domestic, stockwater, commercial, irrigation storage, aesthetic storage, stockwater storage, and stock water from storage) on the property. The eight water rights authorize a total combined diversion of 0.99 cfs (0.39 cfs from groundwater, 0.22 cfs from the springs, and 0.38 cfs from Oregon Creek).

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85902

STONECOVE SUBDIVISION PROPERTY OWNERS ASSOCIATION INC, C/O JEFFRA SYMS PO BOX 3485, KETCHUM, ID 83340-3421 has filed Application No. 85902 for changes to the following water rights within BLAINE County(s): Right No(s): 37-21408. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to split an existing irrigation ground water right, with a flow rate of 0.50 cfs, into two rights; one will irrigate 14.1 acres in an 18.0 acre place of use, out of an existing well, and the other will irrigate 0.7 acre diverted out of a different existing well. The place of use and points of diversion are located approximately 1.5 miles south and 0.8 mile east of the intersection of Main and Bullion Streets in Hailey. The transfer will allow a parcel within a subdivision to be irrigated with the existing domestic well located on that parcel, instead of using the existing subdivision irrigation well.

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, 850 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 4, 2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16 & 23, 2022

## NOTICE OF APPLICATION FOR DEMOLITION OF AN HISTORIC BUILDING

Project Name: Chess House Demolition  
Project Location: 520 N Walnut Ave, (Ketchum Lot 2A Block 90)  
Property: Robert and Stacey Chess  
Owner/Applicant:  
Application Type: Historic Demolition  
Project Description: Demolition of a structure older than 50 years of age.

NOTICE IS FURTHER GIVEN that upon publishing of this notice in the Idaho Mountain Express on March 16, 2022, a sixty (60) day waiting period shall commence prior to demolition.

Property owners within three hundred (300) feet are hereby notified of the application as described and are invited to comment through Monday, May 16, 2022, at 5:00 PM., after which final action on said application will be taken. Written comments should be addressed to the Ketchum Department of Planning and Building, P.O. Box 2315, Ketchum, Idaho, 83340, or via email to [participate@ketchumidaho.org](mailto:participate@ketchumidaho.org).

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 2022

## LEGAL NOTICE BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS APRIL 5, 2022

On Tuesday, April 5, 2022, the Blaine County Board of County Commissioners will hold a public meeting upstairs in the Old County Courthouse located at 206 First Ave. So., in Hailey, Items on their agenda include the following:

**1:30 pm ACTION ITEM: 201 Poison Creek Road-Plat Amendment:** The applicants Kim & Marilyn Nilsen propose to amend Lot 4, Tews Ranch Subdivision by amending the existing building envelope (5.71 acres) adjacent a creek and wetlands to a (5.21 acre) building envelope located on the bench; to be renamed Lot 4A. The property is zoned Rural Remote District (RR-40) with areas of Riparian Setback (R) and Wetland Overlay District (WE).

This meeting is open to the public and attendees are encouraged to attend by web access. If attending in person, please observe posted protocol for face coverings and physical distancing. The meeting agenda will be posted to the Blaine County website at <https://www.blainecountyid.us/AgendaCenter> by the Thursday prior to the hearing. Please check the meeting agenda for further instructions for digital web access.

The materials associated with this meeting are available for review 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 <https://www.co.blaine.id.us/199/County-Commissioner-Hearing-Materials>. To receive adequate consideration, written comments in excess of one page should be forwarded to Blaine County at least 4 days prior to the public hearing by mail, e-mail to [publicinput@co.blaine.id.us](mailto:publicinput@co.blaine.id.us), or by fax to (208) 788-5576.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 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 WILLIAM ROBERT BRAND, Deceased.

## CASE NO. CV07-22-00115 NOTICE TO CREDITORS

NOTICE IS GIVEN that DIANA J. LANDIS has been appointed Administrator of the Estate of Decedent WILLIAM ROBERT BRAND. All persons having claims against the Decedent or the Estate 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 undersigned at the address indicated, or filed with the Clerk of this Court.

DATED March 9, 2022.  
Attorney Administrator,  
DIANA J LANDIS  
/s/ John A. Seltzer  
PO Box 6200

Ketchum, ID 83340

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 23 & 30, 2022

## POSTED NOTICE Posted March 16, 2022

## BLAINE COUNTY NOTICE OF PUBLIC AUCTION

Notice is hereby given that, pursuant to I.C. §31-808, the Blaine County Board of County Commissioners ("Board") will offer for sale at public auction on the 29th day of March, 2022, at 9:00 o'clock a.m., in the Commissioners' Meeting Room, Third Floor, Blaine County Courthouse, Hailey, Idaho, to the highest bidder, the following described property belonging to Blaine County:

One five year old female Malinois/Shepherd mix; and  
One five and one half year old male Malinois/Shepherd mix.  
Both dogs are trained in drug detection with the Blaine County Sheriff's Office.

IN ACCORDANCE WITH I.C. §31-808(t), THE BOARD INTENDS TO REJECT ANY AND ALL BIDS FOR THE DOGS SO THAT THEY MAY BE SOLD ON PRIVATE TERMS TO THEIR HANDLERS, WHO ARE LEAVING EMPLOYMENT WITH THE BLAINE COUNTY SHERIFF'S OFFICE AND HAVE CARED FOR THE DOGS FOR THE PAST FOUR YEARS. THE DOGS WILL BE RETIRED FROM SERVICE AND WILL BE KEPT AS PETS.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 2022

## NOTICE OF PUBLIC HEARING BEFORE THE BELLEVUE COMMON COUNCIL FOR A PROPOSED CHANGE OF THE REGULAR COMMON COUNCIL MEETING TIME TO 5:30P.M.

NOTICE IS HEREBY GIVEN that a Public Hearing on the consideration of changing the start time of Regular Common Council Meetings to 5:30p.m. will be held via Zoom on Monday, March 28, 2022, beginning at 6:00 p.m. Please check the City website, [www.bellevueidaho.us](http://www.bellevueidaho.us), for instructions for telecommunication meeting access.

All interested persons are invited to attend this public hearing using telecommunication devices and shall be given an opportunity to comment on the proposed meeting time change or may submit written comment to the City of Bellevue, PO Box 825, Bellevue, Idaho 83313 prior to 5:00 p.m. Wednesday, March 23, 2022. Any person needing special accommodations to participate in the above noticed meeting should contact Bellevue City Hall, PO Box 825, 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 MARCH 16 & 23, 2022

## PUBLIC AUCTION

Public notice is hereby given that a storage sale of certain personal property shall occur at Northwood Self Storage 220 Northwood Way, Ketchum, Idaho,

to sell contents of storage unit to pay for delinquencies in rent and fees. Open bids will be taken at 1:00 p.m., Saturday, March 26th, 2022. Contents will be sold according to Idaho State Law. Sale may be canceled at any time prior to set date. Said sale will consist of contents of the following Northwood Self Storage, Unit# 1073 Jill Sanders, P.O. Box 2372 Sun Valley, ID 83353 Items to be sold: Suitcase, file cabinet, armoire, planters, rug, fan, 35 boxes contents unknown.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16 & 23, 2022

## NOTICE OF PUBLIC HEARING HAILEY PLANNING AND ZONING COMMISSION MONDAY, APRIL 4, 2022 5:30 P.M.

PUBLIC NOTICE IS HEREBY GIVEN that the Hailey Planning and Zoning Commission will hold a Public Meeting at 5:30 p.m. on Monday, April 4, 2022, to be held in person, and virtually as a remote telecommunication meeting, and in compliance with the Open Meetings Law. The phone number to call in for the meeting will be posted on the agenda on the city website by April 1, 2022. The telephonic Public Hearing will be conducted on the following item(s):

- Consideration of Design Review by Virginia Holly McClood, for construction of 2,400 square foot single-family residence to be located at Lots 19-20, Block 104, Hailey Townsite (216 South 4th Avenue) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

- Consideration of Design Review Application by Kazuko-San ID, LLC, for construction of three (3) multifamily residential buildings, which includes twenty-seven (27) units in total, comprising of nine (9) one-bedroom units, ten (10) one-bedroom units with office space, and eight (8) two-bedroom units. Twenty-eight (28) onsite storage units and 27 onsite parking spaces are also proposed. The project will be located at Sublot 4B, Block 1, North Hailey Plaza, within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. This project will be known as Saddle Lofts.

- Consideration of Design Review by Flowing Wells, LLC, for construction of a commercial building consisting of a 7,994 square foot warehouse with an attached 2,108 square foot showroom to be located at Lot 7H, Block 4, Airport West Subdivision (1930 Embracer Way) within the SCI Industrial (SCI-I) Zoning District. This project will be known as Sun Valley Auto Club.

Any and all interested persons are invited to attend this public hearing using telecommunication devices or submit written comments or direct questions to the Community Development Assistant at 115 South Main Street, Hailey, Idaho 83333, or [planning@haileyidaho.org](mailto:planning@haileyidaho.org). For special accommodations or to participate in the noticed meeting, please contact the City Clerk 208.788.4221.

PUBLISH IDAHO MOUNTAIN EXPRESS MARCH 16, 2022

Proof of legal notice received 3/14/2022

DM