



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

February 9, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE, ID 83464

RE: Transfer No. 77009
Water Right No(s). 74-158, 74-159, 74-160, 74-2326, 74-2289, 74-7185, 74-31, 74-871

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 RECORDER-HERALD, IDAHO STATESMAN, LEWISTON TRIBUNE, POST-REGISTER, TIMES NEWS on February 17 and 24, 2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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.

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

Sincerely,

Sharla Cox
Administrative Assistant



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 09, 2011

DAN P SMITH
WATER DISTRICT 74W
PO BOX 22
LEADORE, ID 83464-0022

RE: Application for Transfer 77009
Water Right Number(s) 74-158, 74-160, 74-2289, 74-2326, 74-871,
74-7185, 74-31, 74-159

Dear Watermaster:

A copy of the above referenced application is enclosed. 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.

IDWR's regional offices 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 during regional review. 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.

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

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)



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GARY SPACKMAN
Interim Director

February 09, 2011

RICK SAGER
WATER DISTRICT 74
985 HWY 28
SALMON, ID 83467

RE: Application for Transfer 77009
Water Right Number(s) 74-158, 74-160, 74-2289, 74-2326, 74-871,
74-7185, 74-31, 74-159

Dear Watermaster:

A copy of the above referenced application is enclosed. 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.

IDWR's regional offices 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 during regional review. 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.

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

Sincerely,

Sharla Cox
Administrative Assistant

Enclosure(s)

WorkCentre 7345

Transmission Report

G3 ID

21

Date/Time: 02/09/2011; 12:49PM

Page: 1 (Last Page)

Local Name

Logo

Document has been sent.

Document Size 8.5X11"SEF

A COPY WILL BE FAXED TO YOU ALSO. Thank you, Sharia

February 9, 2011

Legal Notice Department

Recorder Herald

PO Box 310

Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 7, 2011. Your cooperation is appreciated.

Sincerely

Sharia Cox

Idaho Department of Water Resources

900 N Skyline Dr Ste A

Idaho Falls ID 83402

208-525-7151 - telephone

208-525-7177 - Fax

Sharia.cox@idwr.idaho.gov

Total Pages Scanned: 2 Total Pages Sent : 2

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	2348	2087562222	2- 9:12:49PM	27s	2/ 2	SG3		CP

Note:

RE: Resend	MB: Send to Mailbox	BC: Broadcast	MP: Multi Polling	RV: Remote Service
PG: Polling	RB: Relay Broadcast	RS: Relay Send	BF: Box Fax Forward	CP: Completed
SA: Send Again	EN: Engaged	AS: Auto Send	TM: Terminated	

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Sharla

February 9, 2011

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Sincerely

Sharla Cox
Idaho Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161 – telephone
208-525-7177 – Fax
Sharla.cox@idwr.idaho.gov

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

75-14646

MARK OLSON
KIMBERLY OLSON
74 DEMICK LN
SALMON, ID 83467

Point of Diversion	NENSW S17 T21N R22E LEMHI County Source	SPRING Tributary	KIDS CREEK
Use: IRRIGATION	04/01 to 10/31	0.7 CFS	
Use: IRRIGATION STORAGE	01/01 to 12/31		10 AF
Use: IRRIGATION FROM STORAGE	04/01 to 10/31		10 AF
Use: WILDLIFE STORAGE	01/01 to 12/31		10 AF
Total Diversion:		0.7 CFS	10 AF

Date Filed: 9/14/2010

Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE
T21N R22E S17 SWNE SENW NESW

Place Of Use: IRRIGATION STORAGE, WILDLIFE STORAGE
T21N R22E S17 SENW

Total Acres: 34.7

This application proposes the diversion and use of water from Kids Creek tributary to the Salmon 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 the diversion rate of .70 cfs and 34.7 acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 7, 2011. The protestant must also send a copy of the protest to the applicant.

TRANSFER NO. 77009

BEYELER RANCHES LLC, C/O MERRILL AND SHARAL BEYELER, PO BOX 62, LEADORE, ID 83464 has filed Application No. 77009 for changes to the following water rights within LEMHI County(s): Right No(s). 74-158, 74-159, 74-160, 74-2326, 74-2289, 74-7185, 74-31, 74-871; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

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

The applicant proposes to change the points of diversion, add points of diversion and to change the place of use. The points of diversion are in the SESE, SWSE Sec 22, NENW (re-diversion), SWNW (injection), SENW (injection) Sec 28, NENE Sec 34, NESW Sec 27, SWNW Sec 35 T16N 26E for 13.3 cfs. The place of use is within Sec 21, 27 and 28 T16N R26E for 573.3 acres.

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

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 7, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on February 17 and 24, 2011