

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89393

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AMENDED

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Wesley Beutler and Roxanne Beutler

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☒ ☐ #10 Other. Please describe: West Valley Farms, LLC Secretary of State Report

OCT 15 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION*** AMENDED * APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Wesley Beutler and Roxanne Beutler Phone 208-851-3569
 Mailing address 812 N. 4200 W., Weston, ID 83286 Email gwbeut@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1.**
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a.**
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b.**
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3.**

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Robert L. Harris, HKHC Phone 208-523-0620
 Mailing address 1000 Riverwalk Dr., Suite 200, Idaho Falls, Idaho 83402 Email rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4.**

AMENDED

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Robert L. Harris Robert L. Harris, Attorney Oct. 15, 2024
 Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

 Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other Create PPOU
2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2.**
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3.**
Transfer a 52-acre portion of 13-2249 and a 23-acre portion of 13-2234 (a total of 75 acres) within a 183-acre PPOU. Transfer is to aid in more reliable water supply that also utilizes Twin Lakes Canal Company water.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	13-2234	0.46 cfs	Irrigation	4/1 to 10/31	Ground water
☐ ☒	13-2249	0.54 cfs	Irrigation	4/1 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.0 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SW	2	16S	38E	Franklin	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	38E	2									40	14	9	40		40	40		183
Total Acres (for irrigation use)																			183

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:
Pump in well will be installed to deliver 1 cfs of water to the property. Flow meter will be installed to measure flow.
- b. Who owns the property at the point(s) of diversion? West Valley Farms, LLC (entity owned by Applicants)
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
West Valley Farms, LLC is owned by the applicants. See attached Idaho SOS report.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6. List the name of the entity and type of lien:** _____
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Current POU will continue to be irrigated with Twin Lakes Canal Co. shares.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
There are Twin Lakes Canal Co. shares utilized at both the existing POUs and proposed POU. There are no other rights at the current or proposed POD.
- g. 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, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Water Right Report : 13-2234(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BEUTLER, G WESLEY	812 N 4200 W	WESTON	ID	83286-5020
Current Owner	BEUTLER, ROXANE	812 N 4200 W	WESTON	ID	83286-5020
Previous Owner	ARCHIBALD, VIRGIL		DAYTON	ID	83232

Water Right Status

Priority Date : 6/2/1961
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			
POND		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	15S	38E	22	0		NE	SE	FRANKLIN	
POND	15S	38E	23	0		NW	SW	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	1.46 CFS	256.00 AFA
TOTAL			1.46 CFS	256.00 AFA

Places of Use

[Printable View](#) [Paged View](#)

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
15S	38E	22			NE	SE	37.0
15S	38E	23			NW	SW	36.0

Irrigation Totals

Total Acres Acre Limit
73.00

Dates

Licensed Date : 10/7/1969
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/15/2024

Water Right Report : 13-2249(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BEUTLER, G WESLEY	812 N 4200 W	WESTON	ID	83286-5020
Current Owner	BEUTLER, ROXANE	812 N 4200 W	WESTON	ID	83286-5020
Previous Owner	BEUTLER, ERNEST F		DAYTON	ID	
Previous Owner	BEUTLER, WALTER		DAYTON	ID	

Water Right Status

Priority Date : 11/1/1961
 Basis : License
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	15S	38E	23	0				NE NE FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.84 CFS	
TOTAL			1.84 CFS	

Places of Use

[Printable View](#) [Printed View](#)

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
15S	38E	13			SW	SW	32.0
15S	38E	13			SE	SW	37.0
15S	38E	13			SW	SE	12.0
15S	38E	14			SE	SE	13.0
15S	38E	23			NE	NE	25.0
15S	38E	24			NW	NE	10.0
15S	38E	24			NE	NW	22.0
15S	38E	24			NW	NW	27.0

Irrigation Totals

Total Acres Acre Limit
 178.00

Dates

Licensed Date : 3/22/1979
 Decreed Date :
 Permit Proof Due Date :
 Permit Proof Made Date :

Other Information

State or Federal :
 Water District Number : 11
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0

Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/15/2024

Attachment No. 4

Power of Attorney

[Search again](#)

Results (as of 10/10/24)

Robert Lynn Harris

Status

Active

Admittance Date

09/30/2004

Firm

Holden, Kidwell, Hahn & Crapo, PLLC

Mailing Address

PO Box 50130

Idaho Falls, ID 83405

Phone

(208) 523-0620

Phone Ext**Fax**

(208) 523-9518

Bar Email Address

rharris@holdenlegal.com

Website Address

www.holdenlegal.com

Court eService Email

efiling@holdenlegal.com

Need a correction?

Is something not correct? Please use the [Address Change Form](#)

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online [Address Change Form](#) or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

Attachment No. 7a

Map

BEUTLER TRANSFER



Legend

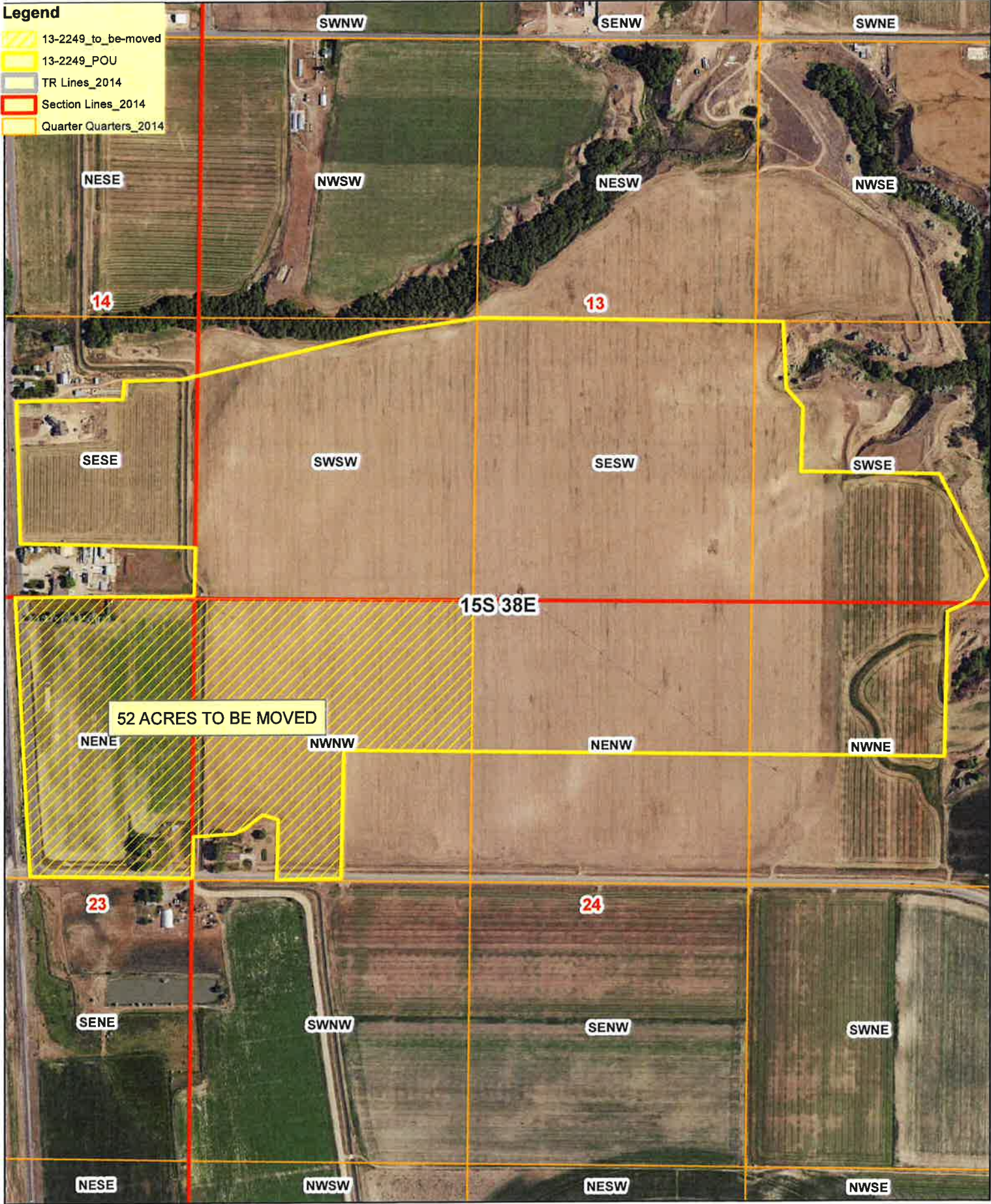
13-2249_to_be-moved

13-2249_POU

TR Lines_2014

Section Lines_2014

Quarter Quarters_2014



0 0.075 0.15 0.3 Miles

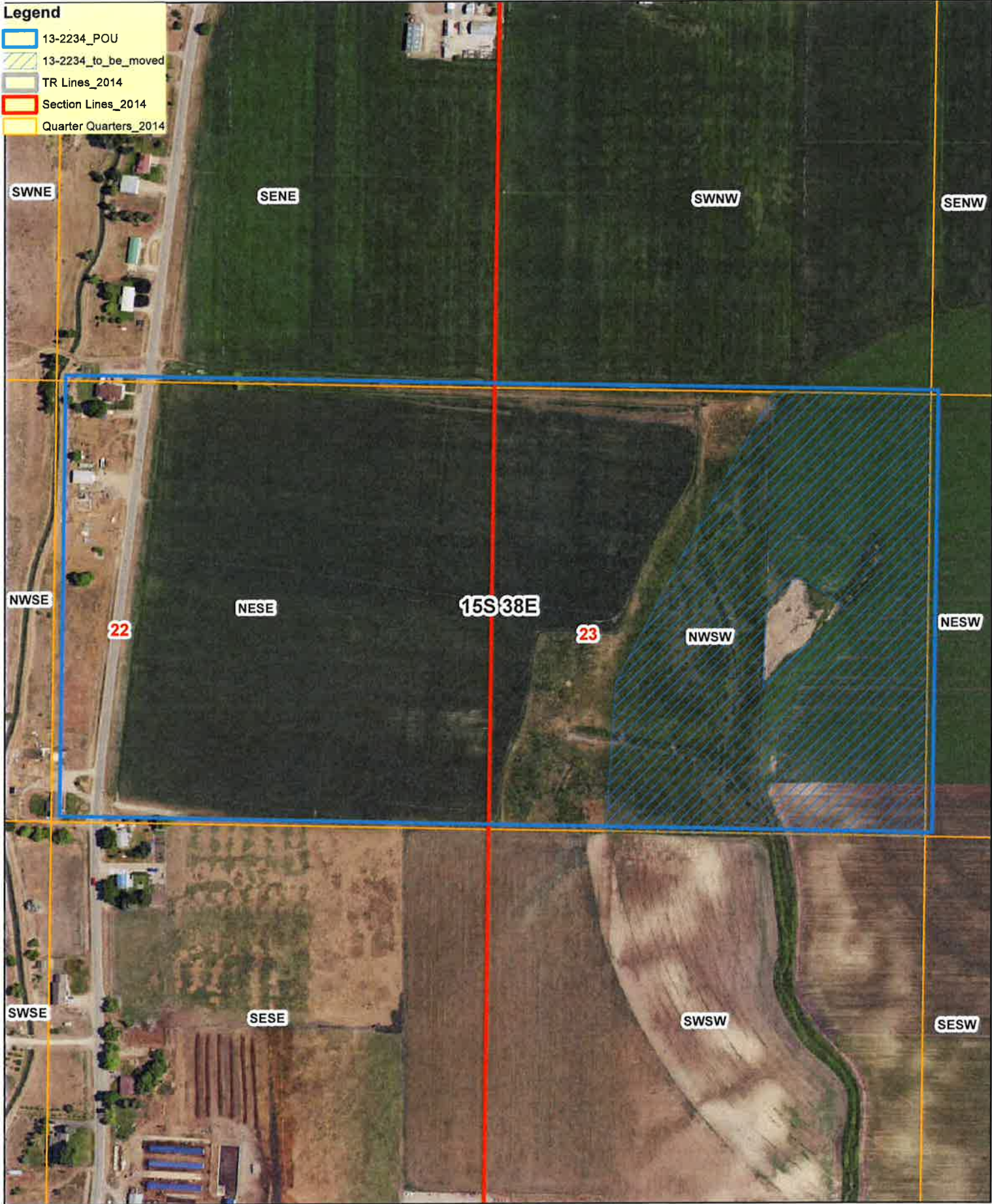
89393

BEUTLER TRANSFER



Legend

- 13-2234_POU
- 13-2234_to_be_moved
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



0 0.05 0.1 0.2 Miles

89333

BEUTLER TRANSFER



Legend

- New PPU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



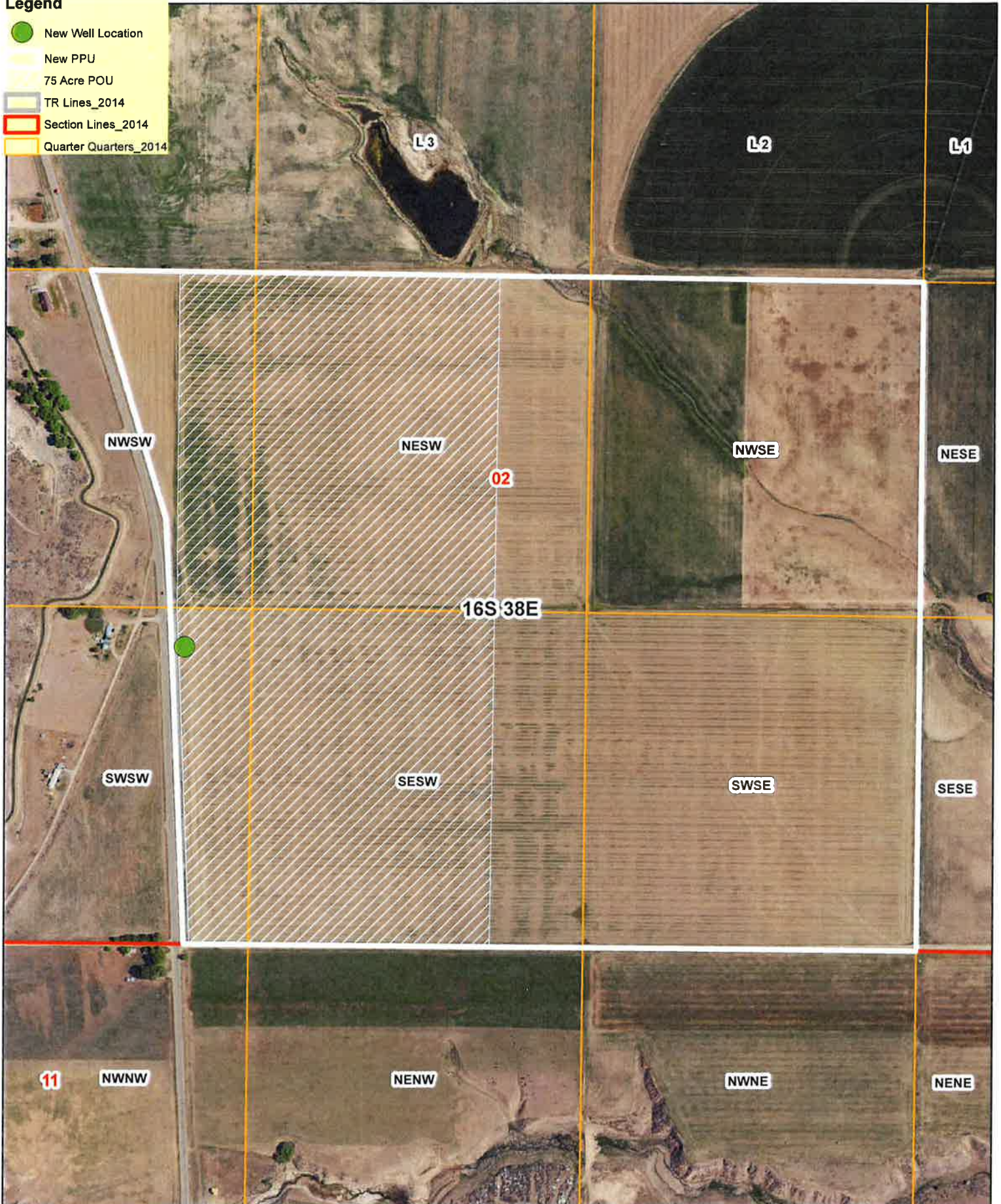
0 0.05 0.1 0.2 Miles

BEUTLER TRANSFER



Legend

- New Well Location
- New PPU
- 75 Acre POU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



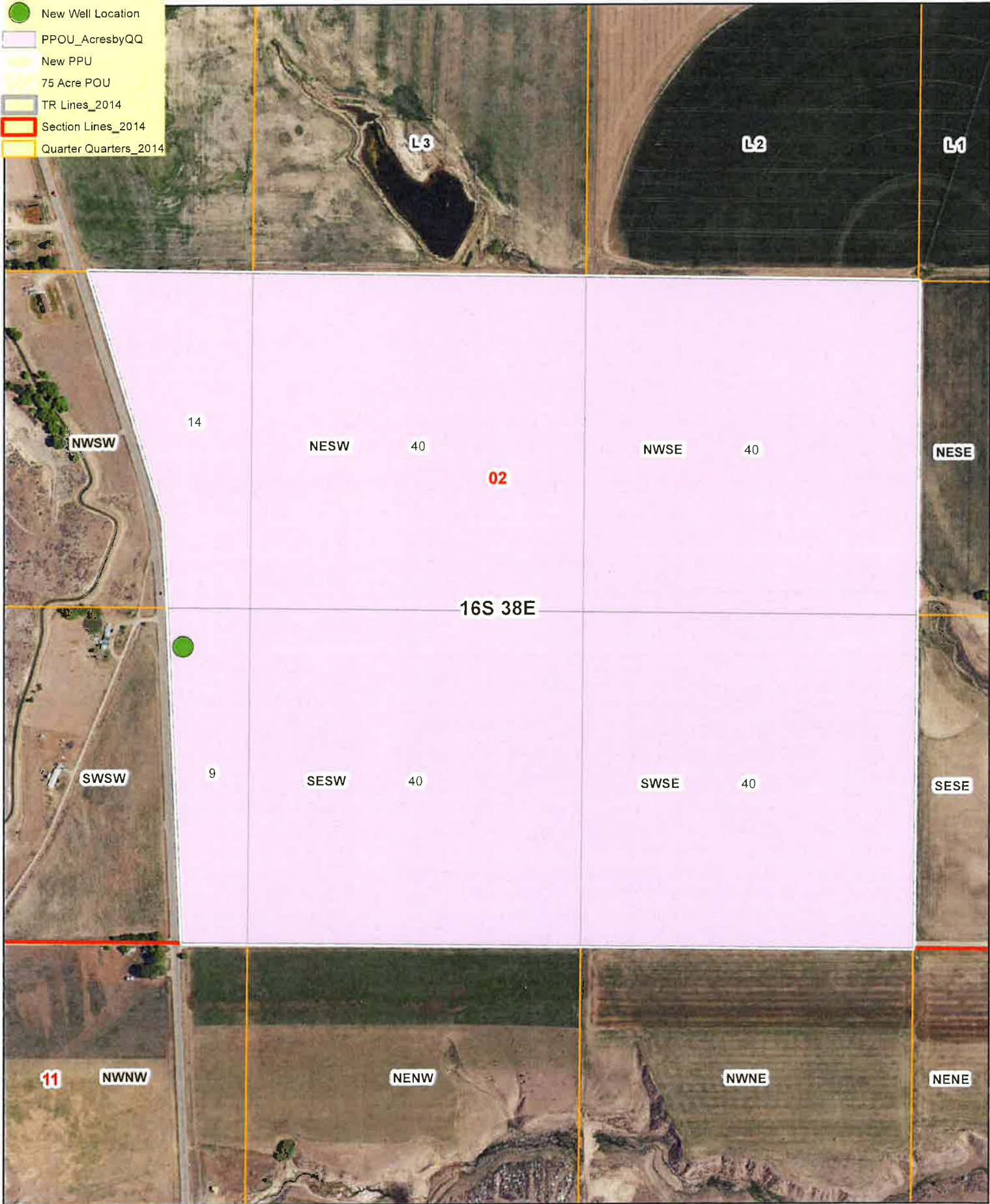
0 0.05 0.1 0.2 Miles

89303

BEUTLER TRANSFER



- Legend**
- New Well Location
 - PPOU_AcresbyQQ
 - New PPU
 - 75 Acre POU
 - TR Lines_2014
 - Section Lines_2014
 - Quarter Quarters_2014



0 0.05 0.1 0.2 Miles

89393

Attachment No. 7b
Map (GIS shapefile)

GIS shapefiles will be emailed upon request to the Applicant's representative.

Attachment No. 10

Other



0005244293

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0005244293

Date Filed: 5/17/2023 6:23:45 AM

Entity Name and Mailing Address:

Entity Name: WEST VALLEY FARMS, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000506984
Address: 812 N 4200 W
WESTON, ID 83286-5020

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W167191

The registered agent on record is:

Registered Agent: G WESLEY BEUTLER
Registered Agent
Physical Address
812 NORTH 4200 WEST
WESTON, ID 83286
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
G. Wesley Beutler	Member	812 N. 4200 W. WESTON, ID 83286
Roxane Beutler	Member	812 N. 4200 W. WESTON, ID 83286

The annual report must be signed by an authorized signer of the entity.

Job Title: Member

G Wesley Beutler

Sign Here

05/17/2023

Date

B0802-5592 05/17/2023 6:23 AM Received by Office of the Idaho Secretary of State



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

October 15, 2024

RECEIVED

OCT 15 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

Michael Holliday
Water Rights Supervisor
Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

**RE: Amended Application for Water Right Transfer for WR #13-2234 and 13-2249,
Filed in the Name of Wesley and Roxanne Beutler.**

Dear Michael:

Enclosed for processing is an *Amended Transfer Application* being submitted on behalf of Wesley and Roxanne Beutler. As you may recall, they submitted a prior draft and a filing fee, but after further review and discussion concerning the proposed changes in the transfer, it was decided to amend the *Transfer Application*. I understand that the filing fee was submitted with the original transfer application, but if my understanding is incorrect or if the fee paid is insufficient, please let me know and we will provide the correct filing fee to the Department immediately.

Please let me know if you have any questions or concerns.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosure

\\law\data\wpdata\rlh\19754-001 beutler farms\2024.10.15 letter to idwr.docx

89393

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 23 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Wesley Beutler Phone 208-851-3569
Mailing address 812 N 4200 W, Weston Idaho 83286 Email gwbeut@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

- ☐ No Representative

Name of Representative SUPERCEDED Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Wesley Beutler Wesley Beutler 02/21/24
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

TRANSFER OF PART OF THESE TWO GROUND WATER RIGHTS IS TO ADD 2N
MORE RELEASED WATER FOR THE CURRENT FARM THAT IS BEING IRRIGATED
VIA TOWN LAKE WATER SHEDS.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	13-2234	.46cfs	IRRIGATION	4/1 to 10/31	GROUND WATER
☐ ☒	13-2249	.54cfs	IRRIGATION	4/1 to 10/31	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		SW	SW		2	16S	38E	FRANKLIN	GROUND WATER	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	38E	2		X	X			X											14
16S	38E	2											X						8
16S	38E	2			X														40
16S	38E	2														X			40
16S	38E	2											X						40
											40	14	8.9	40			40		
Total Acres (for irrigation use)																			142

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

WELL WOULD BE DRILLED TO ACCESS GROUND WATER. PUMP WOULD BE INSTALLED TO DELIVER 1 CFS OF WATER TO THE PROPERTY. FLOW METER WOULD BE INSTALLED TO MEASURE FLOW.

- b. Who owns the property at the point(s) of diversion? WEAVER BEUTLER
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? If yes, ☐ complete Attachment WSB.
e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

AT THIS PLACE OF USE THERE ARE TWO LAKES WATER SHEDS.

- g. 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,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

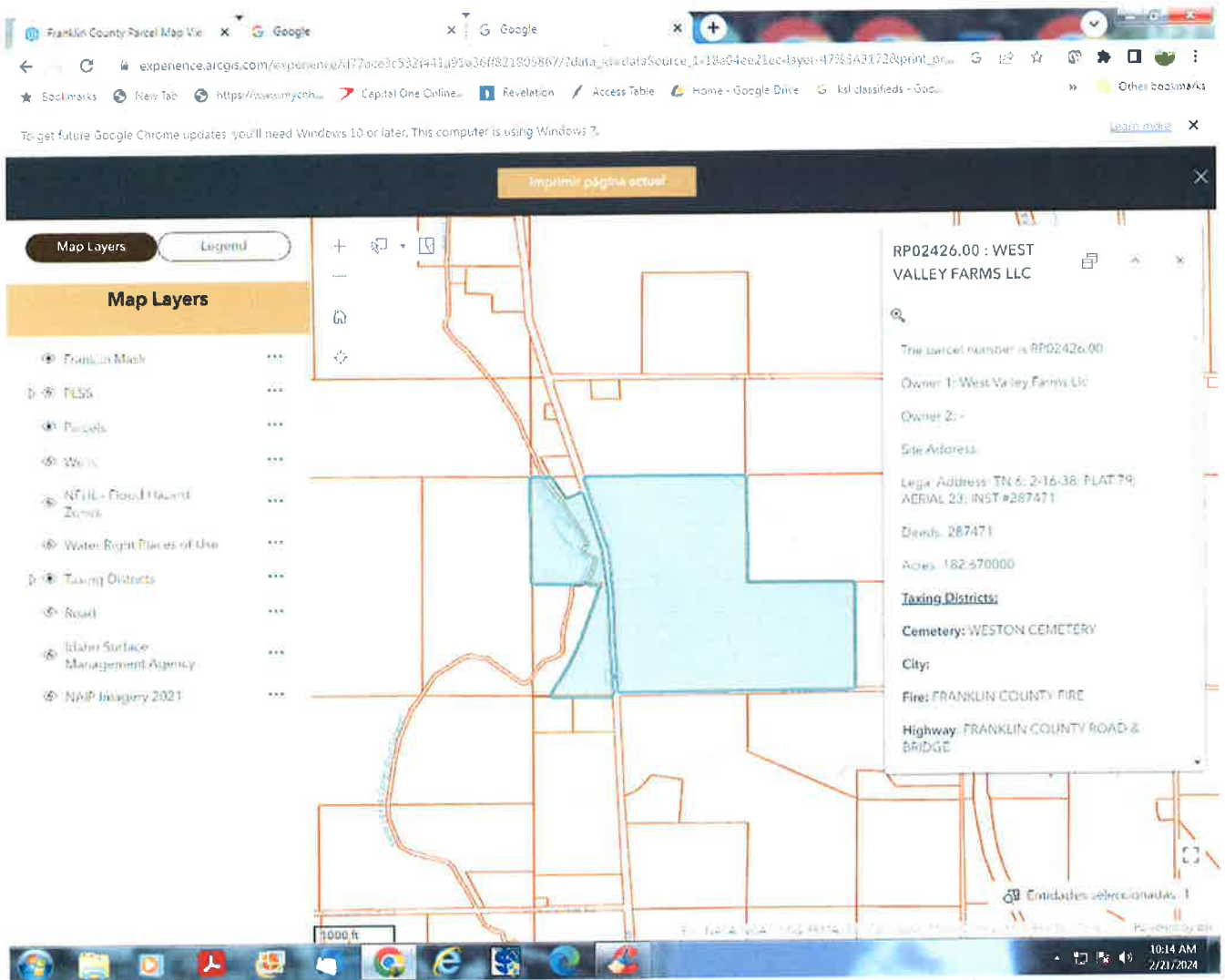
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$500.00 Date 2/23/24 Received by CDH Receipt # E049826

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

#7b



THIS IS A MAP OF PROPOSED NEW POB & POB FOR 1 CFS OF GROUND WATER. (.46 CFS OF 13-2234 & .54 CFS OF 13-2249)

8939 3

December 11th, 2024

I, Jared Campbell, hereby consent for the 2-acre portion of water right 13-2249, on my parcel in the NENE Sec 23 T15S R38E be transferred from my parcel.

A handwritten signature in black ink, appearing to read "Jared Campbell", written in a cursive style.

12/13/24

RECEIVED
DEC 23 2024
DEPT. OF WATER RESOURCES
EASTERN REGION



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 23, 2024

WESLEY BEUTLER
ROXANE BEUTLER
812 N 4200 W
WESTON, ID 83286-5020

RE: Transfer No. 89393
Water Right No(s). 13-9110, 13-9111

Dear Applicant:

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 PRESTON CITIZEN on 11/1/2024 and 11/8/2024. 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.

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,

Christina Henman
Administrative Assistant

CC:
ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 23, 2024 2:35 PM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: 89393, 13-9117 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Transfer No. 89393, 13-9117

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 11/18/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89393**

WESLEY BEUTLER, 812 N 4200 W, WESTON, ID 83286; ROXANE BEUTLER, 812 N 4200 W, WESTON, ID 83286-5020 has filed Application No. 89393 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-9110, 13-9111; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in SWSW Sec 2 T16S R38E for 1.00 cfs from Ground Water. Proposed place of use is in NWSE, SWSE, and SW1/4 Sec 2 T16S R38E for 75 acres within a 183-acre permissible place of use. The rights in this transfer are split portions of rights 13-2234 and 13-2249. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/18/2024. The protestant must also send a copy of the protest to the applicant.

**The following application(s) have been filed to appropriate the public waters of the State of Idaho:
13-9117**

DANIEL DIESEL, 1977 E HWY 36, PRESTON, ID 83263
Point of Diversion SESW S30 T14S R40E FRANKLIN County
Source GROUND WATER Tributary
Use: DOMESTIC
1/1 to 12/31
0.05 CFS
Total Diversion:
0.05 CFS
Date Filed: 10-21-2024
Place Of Use: DOMESTIC
T14S R40E S30
SESW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/18/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 10/30/2024 and 11/6/2024

Holliday, Michael

From: Holliday, Michael
Sent: Wednesday, September 25, 2024 12:08 PM
To: Rob Harris
Cc: gwbeut@gmail.com; Zach Beutler; Andrew Beutler
Subject: RE: Transfer of 13-2234 and 13-2249

Rob,

This transfer application, filed in February 2024, is still incomplete. If we do not receive a complete application within 30 days, we will return the original application and filing fees. Feel free to contact me if you have any questions. Thanks.

Michael Holliday

From: Holliday, Michael
Sent: Tuesday, July 16, 2024 1:58 PM
To: Rob Harris <rharris@holdenlegal.com>
Subject: RE: Transfer of 13-2234 and 13-2249

Rob,

Attached are the shapes for the PPU, the 75 ac to be watered within the PPU, and the acres to be moved from 13-2234. We had not yet settled on the acres to be moved from 13-2249, so I don't have a shape for that. I had mentioned that they could take 25 ac in NENE Sec 23 and 27 ac in NWNW Sec 24, which comes to 52 ac that are not stacked with 13-7110.

michael

From: Rob Harris <rharris@holdenlegal.com>
Sent: Monday, July 15, 2024 2:16 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Transfer of 13-2234 and 13-2249

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael:

Do you have the shapefiles or a map of the PPU for Beutler? If so, could you email either of them to me?

Thanks,

Rob Harris

From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Monday, June 24, 2024 4:44 PM
To: Rob Harris <rharris@holdenlegal.com>
Subject: FW: Transfer of 13-2234 and 13-2249

Rob, attached is the application we received from the Beutlers. It had some problems, so I drafted up another application based on my interaction with them here in my office. Later I realized that my application (see second attachment) also had some issues, so I sent them the email below which might help you understand what was going on. If not, we can discuss. Since then, I have not had time to correct the transfer, but it's mostly done. I already have the shapes for the proposed PPU and condition 206.

From: Zach Beutler <zhughbeutler@gmail.com>
Sent: Wednesday, April 24, 2024 3:05 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Cc: gwbeut@gmail.com; Andrew Beutler <drewbeut@hotmail.com>
Subject: Re: Transfer of 13-2234 and 13-2249

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Michael,

Thank you for bringing this to our attention.

I will let Wesley and/or Andrew respond to this.

Zach

Sent from my iPhone

On Apr 16, 2024, at 11:16 AM, Holliday, Michael <Michael.Holliday@idwr.idaho.gov> wrote:

Zach,

After meeting with you and Andrew last week I discovered that some of the acres you wanted to transfer from 13-2249 are also covered by 13-7110. There would likely be an enlargement problem if you tried to transfer acres off of SESE Sec 14. I also noticed that we identified 12 ac to move off of NWNE Sec 24, but the license only has 10 acres in that QQ. I'm sorry I didn't catch those items while you were in my office.

Since then, it occurred to me that the license has 25 ac in NENE Sec 23 and 27 ac in NWNW Sec 24, which comes to 52 ac that are not stacked with 13-7110. What are your thoughts on using those 52 acres for the transfer? In the alternative you could identify the number of acres you want to remove from the corresponding QQs on the existing license (that are not stacked with 13-7110), and hand draw on a map the acres you want to move.

Also, can you please explain how the 2 wells are currently being used for irrigation at the existing places of use for both water rights? I need to know more about the current ground water delivery systems.

Holliday, Michael

From: Holliday, Michael
Sent: Tuesday, February 27, 2024 3:45 PM
To: gwbeut@gmail.com; zhughbeutler@gmail.com
Subject: your water rights transfer application

Wesley and Zachary,

We recently received your two transfer applications. There were several items missing from the transfer moving portions of 2 ground water rights to a new location. If you want me to help you complete the application, I will need the following 3 maps from you:

1. A map showing the 23 acres you will be removing from the current place of use of water right 13-2234
2. A map showing the 52 acres you will be removing from the current place of use of water right 13-2249
3. A map showing the 75 acres you will be irrigating at the new location and the proposed well location

Feel free to call if you have any questions.



IDAHO DEPARTMENT OF
WATER RESOURCES

Michael Holliday | Water Rights Supervisor

900 N Skyline Dr, Ste A, Idaho Falls, ID 83402

(208) 525-7161 | www.idwr.idaho.gov