

RECEIVED
SEP 27 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89359

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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) Dillon Witmer

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 idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Dillon Witmer Phone 208-721-1293
Mailing address P.O. Box 5005, Ketchum, ID 83340 Email dillonwitmer@hotmail.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 Heather E. O'Leary — Lawson Laski Clark Phone 208-725-0055
Mailing address P.O. Box 3310, Ketchum, ID 83340 Email heo@lawsonlaski.com

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

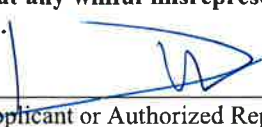
☒ Send original correspondence to the applicant and copies to the representative.

☒ 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**.

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.

 Dillon Witmer 9-20-24
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**.

This Application is to correct the legal description of the POD and POU as decreed in the SBRA for the new well that will be drilled and the irrigation system that will be installed.

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 ☒ ☐	37-23603	0.05cfs	Irrigation	04/01 to 11/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.05cfs 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 #
		SE	SE		23	05N	17E	Blaine	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	
05N	17E	23																2.7	2.7
Total Acres (for irrigation use)																			2.7

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:

A well (to be drilled) and pump (to be installed) for irrigation

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

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

- c. 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:

- 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:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-23603

Current Owner: DILLON WITMER
Priority Date: 10/15/1973
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.05 CFS	9.5 AF
	<u>Total Diversion</u>	0.05 CFS	9.5 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4NE1/4 Sec. 26, Twp 05N, Rge 17E B.M.
BLAINE County

Place of Use

IRRIGATION Within BLAINE County

T05N R17E S26 NENE 2.70
Total Acres: 2.7

Conditions of Approval:

1. X35 Rights 37-7296A, 37-23603, and 37-11724 when combined shall not exceed the irrigation of 5.3 acres within Lot 1, Block 1, a replat of Osborne Subdivision, a portion of HES 128.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 9/24/2010

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

89359

Water Right 37-23603 Transfer - Exhibit 7a



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.015 0.03 0.06 Miles



89359

LEGAL NOTICES

opened. The highest bidder for each bid will be notified by phone/email. Successful responders who do not respond within one week of notification will be considered nonresponsive. The item will then be offered to the next highest bidder. Friedman Memorial Airport Authority reserves the right to reject any and all bids for any reason.

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IDAHO MOUNTAIN EXPRESS
OCTOBER 16 & 23, 2024

ANNOUNCEMENT FOR SEALED BID FOR THE PURCHASE OF THREE (3) SCHOOL BUSES

NOTICE IS HEREBY GIVEN by the Blaine County School District #61 will accept sealed bids for Two (2) new conventional type full size buses, seating 71 for passengers, automatic transmission, and other equipment as required by the State Department of Education and/or other government agencies. One (1) new conventional type full size ADA wheelchair bus. Meeting all standards and specifications listed.

Additional specifications may be previewed at blaineschools.org through the October 8, 2024 board meeting.

Sealed bids will be received by the Blaine County School District Office until 1:00 pm MST, Thursday October 31, 2024. Sealed bids will be addressed to:
Colton Metzler, Transportation Director
Blaine County School District No. 61
118 West Bullion Street
Hailey, ID 83333
(208) 578-5000

Bids will be opened at that time. Bids received after the stated date and time will not be considered. The District shall have the right to waive formalities and irregularities in a bid received and to accept the bid which, in the District's judgment, is in the District's best interest. No bidder may withdraw their bid after the opening of such bids unless the awarding of the bid is delayed for a period exceeding thirty days.

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IDAHO MOUNTAIN EXPRESS
OCTOBER 16 & 23, 2024

NOTICE OF APPLICATION TO APPROPRIATE PUBLIC WATERS

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

71-11022
UNITED STATES OF AMERICA
ACTING THROUGH USDA FOREST SERVICE

370 AMERICAN AVE
JEROME, ID 83338-6162
Point of Diversion: NESE S36
T08N R13E BLAINE County Source
GROUND WATER Tributary
Use: DOMESTIC 05/01 to 10/15 0.04 CFS

Total Diversion: 0.04 CFS
Date Filed: 08-20-2024
Place Of Use: DOMESTIC
T08N R13E S36 NESE

Application for permit proposes to divert up to 0.04 cfs for domestic purposes for an existing recreational summer home. Proposed point of diversion and place of use is located approximately 16.6 miles south and 2.5 miles east of the Highway 21 & 75 intersection in Stanley. This application proposes the diversion and use of water from ground water tributary to the Salmon River Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89359

DILLON WITMER, PO BOX 5005,

KETCHUM, ID 83340-5060 has filed Application No. 89359 for changes to the following water rights within BLAINE County(s): Right No(s): 37-23603. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to correct the place of use (POU) description and change the point of diversion (POD) of ground water irrigation right 37-23603 (0.05 cfs, 9.5 AF, 2.7 acres). The proposed POD (new well) and POU are located approximately 4.4 miles north and 1.2 miles west of the intersection of Main Street and Sun Valley Road in Ketchum.

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 November 4, 2024. The protestant must also send a copy of the protest to the applicant

MATHEW WEAVER, Director

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IDAHO MOUNTAIN EXPRESS
OCTOBER 16 & 23, 2024

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

JESS GOITANDIA AND TERRI GOITANDIA,
Plaintiffs,

vs.

CITY OF HAILEY, IDAHO, AND ALL UNKNOWN PERSONS AND/OR ENTITIES CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, CLAIM, LIEN OR INTEREST IN THE REAL PROPERTY DESCRIBED IN EXHIBIT A OF THE COMPLAINT INCORPORATED HEREIN BY REFERENCE, OR ANY PORTION THEREOF, ADVERSE TO THE PLAINTIFFS' OWNERSHIP INTEREST NAMED AS DOES I THROUGH X, INCLUSIVE,
Defendants

Case No. CV07-24-00674
AMENDED SUMMONS

WILLIAMSON, NED C,

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN SUED by Jess Goitandia and Terri Goitandia, the plaintiffs, in the District Court of the Fifth Judicial District, in and for Blaine County, Idaho, in Case No. CV07-24-00674. The nature of the claim against you is to quiet title to the real property described in Exhibit A of the complaint and more particularly described as follows:

Sections 9 & 10, Township 2, 2 North, Range 18 East, Boise Meridian, City of Hailey, Blaine County, Idaho

A legal description of a parcel of land within Tax Lot 5488, previously a portion of Block 93, Hailey Townsite, prior to the Replat recorded under Instrument Number 178888, records of Blaine County, Idaho, being more particularly described as follows: Commencing at the Northwest Property Corner of Lot 19, Block 93, Hailey Townsite, marked by a 5/8" rebar by LS16670, from which the Northeast Property Corner of said Lot 19 lies N81°12'29"E, 119.70 feet, marked by a 5/8" rebar, by LS16670, and being the Easterly Right of Way of 7" Avenue, to a point; Thence N64°45'38"E, 119.92

feet, along a fence line, to a point; Thence S28°42'55"E, 12.29 feet, to the Northeast Property Corner of said Lot 19, marked by a 5/8" rebar by LS16670;

Thence S61°12'29"W, 119.70 feet, along the Northerly Boundary of said Lot 19, to the True Point of Beginning, containing 1,916 Sq. Ft. (0.04 Ac.), more or less, as determined by computer method; and,

This same parcel of real property is also described more particularly as follows:

Sections 9 & 10, Township 2, 2 North, Range 18 East, Boise Meridian, City of Hailey, Blaine County, Idaho

A parcel of land within the Park, Block 93 as shown on the Replat Showing A Portion of the City of Hailey, Idaho, including all of Block 82, 83, 84, 85, 86, 87, 91 & 92 & Portions of Blocks 77, 78, & 93, recorded as Instrument No 178888, records of Blaine County, Idaho, being more particularly described as follows:

Commencing at the Northwest Property Corner of Lot 19, Block 93, Hailey Townsite, marked by a 5/8" rebar by LS16670, from which the Northeast Property Corner of said Lot 19 lies North 61°12'29" East, 119.70 feet, marked by a 5/8" rebar by LS16670, and being the TRUE POINT OF BEGINNING; Thence North 28°42'55" West, 19.73 feet, along the Easterly Right of Way of 7th Avenue, to a point; Thence North 64°45'38" East, 119.92 feet, along a fence line, to a point; Thence South 28°42'55" East, 12.29 feet, to the Northeast Property Corner of said Lot 19, marked by a 5/8" rebar by LS16670; Thence South 61°12'29" West, 119.70 feet, along the Northerly Boundary of said Lot 19, Block 93, Hailey Townsite to the True Point of Beginning (End of Legal Description)

YOU ARE FURTHER NOTIFIED that any time twenty-one (21) days following service of this summons, the court may enter without further notice to you a default judgment against you as demanded by the plaintiffs the complaint unless prior to that time you have filed a written response in the proper form with the payment of the required fees to the Clerk of the Court at 201 South Second Ave., Hailey, Idaho, 83333, (208) 788-4421, and served a copy of your response on the plaintiffs' attorney, whose name, address and telephone number are: James W. Phillips, P.O. Box 864, Hailey, ID 83333, (208) 788-3496, Idaho Bar No. 1524.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the plaintiffs' attorney. If you wish legal assistance in preparing your response to the Court or otherwise in protecting your legal rights in this matter, you should immediately contact and retain an attorney to advise you in this matter.

Dated this 30th day of September, 2024

CLERK OF THE DISTRICT COURT

By: Stephanie Toles
Deputy Clerk

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OCTOBER 9, 16, 23 & 30, 2024

NOTICE OF PUBLIC AUCTION

BLAINE COUNTY PERSONAL PROPERTY

SOLD AT AUCTION AS IS

Friday, October 25, 2024 - 10:00 a.m.
Blaine County, 206 1st Ave South, Hailey, Idaho

Cargo Trailer
2015 Chevrolet Tahoe
1998 Chevrolet 2500

2009 Dodge Charger
1994 Chevrolet 1500
2001 Toyota Camry
2016 Chevrolet Tahoe 4wd
2008 Honda Accord
2012 Ford F150
2018 Chevrolet Tahoe
2001 Dodge 2500
2016 Chevrolet Tahoe
2005 GMC Yukon SLT
2018 Chevrolet Tahoe

(not guaranteed to be an all-inclusive list)

Kayaks, Sleeping Bags, Binoculars,
Lawn Mower, Floor Buffers, Other
Miscellaneous Items

** Cash and checks only payment **

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OCTOBER 16 & 23, 2024

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

IN RE: DELANEY EVE MOTZKIN
Legal Name

CASE NO. CV07-24-696
NOTICE OF HEARING
ON NAME CHANGE
(Adult or Emancipated Minor)

A Petition to change the name of Delaney Eve Motzkin, now residing in the City of Hailey, County of Blaine, State of Idaho, has been filed in the District Court in Blaine County, Idaho. The name will change to Delaney Eve Stinnett. The reason for the change in name is: I would like to carry my mother's maiden name.

A hearing on the petition is scheduled for 10:30 o'clock a.m. on November 19, 2024 at the Blaine County Courthouse. Objections may be filed by any person who can show the Court a good reason against the name change.

Date: October 7, 2024

CLERK OF THE DISTRICT COURT

By: H. Schiers
Deputy Clerk

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OCTOBER 16, 23, 30 & NOVEMBER 6, 2024

NOTICE OF TRUSTEE'S SALES
NOTICE OF TRUSTEE'S SALE

T.S. No. 120401-ID Parcel No.: RP001550020010 NOTICE OF TRUSTEE'S SALE On 1/30/2025 at 11:00 AM (recognized local time), at the BLAINE COUNTY COURTHOUSE FRONT STEPS OLD BUILDING, 206 1ST AVE S., HAILEY, ID 83333, in the County of Blaine, SYDNEY K. LEAVITT, ESQ., a member of the State Bar of Idaho, of ALDRIDGE PITE, LLP as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: LOT 1, BLOCK 2 OF EAST FORK SUBDIVISION NO. 2, BLAINE COUNTY, IDAHO, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 101 SHEEP TRAIL LN, HAILEY, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale con-

ferred in the Deed of Trust executed by DIANA C RECK A SINGLE WOMAN, as Grantor(s), to FIRST AMERICAN TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, as Trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR GUARANTY RESIDENTIAL LENDING, INC., ITS SUCCESSORS AND ASSIGNS, as Beneficiary, dated 11/9/2004, recorded 11/16/2004, as Instrument No. S12810, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4)(a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 8/1/2023 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust as of 9/19/2024 is \$408,502.24 including interest, costs, fees, including trustee and/or attorney fees and costs, and expenses actually incurred in enforcing the obligation thereunder or in this sale and to protect the security associated with the Deed of Trust, as authorized in the Note, Deed of Trust or as allowed under Idaho Law. Because interest, late charges, fees, costs and expenses continue to accrue, the total amount due varies from day to day. Hence, if you pay the amount shown above, an adjustment may be necessary after receipt of funds to satisfy the debt. For further information, write the Trustee at 4375 Juliard Drive, Ste. 200, San Diego, CA 92117, or call (666)931-0036 DATED: 9/19/2024 Signature/By: SYDNEY K. LEAVITT, ESQ., a member of the State Bar of Idaho, of ALDRIDGE PITE, LLP.

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OCTOBER 9, 16, 23 & 30, 2024

Write to the editor





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 11, 2024

DILLON WITMER
PO BOX 5005
KETCHUM, ID 83340-5060

RE: Transfer No. 89359
Water Right No(s). 37-23603

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 10/16/2024 and 10/23/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **November 4, 2024**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline
Administrative Assistant

c: Heather O'Leary, attorney

Maline, Denise

From: Maline, Denise
Sent: Friday, October 11, 2024 12:59 PM
To: Sunny (WD37)
Cc: Brittany (WD37)
Subject: Comment Letter for Transfer 89359 (Witmer)
Attachments: Transfer 89359 (Witmer).pdf; Comment letter to WD130 for 89351.docx

Good afternoon Sunny,

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

If you have any questions regarding this information, please feel free to contact Jim Bitzenburg at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



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



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 11, 2024

SUNNY HEALEY
WATER DISTRICT 37
107 W 1ST
SHOSHONE, ID 83352

Re: Transfer No. 89359 (Dillon Witmer)
Water Right No(s). 37-23603

Dear Sunny:

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

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

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 10, 2024 1:31 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express ad.docx

Good afternoon,

Attached please find **(1)** legal notice being submitted for publication on October 16th & 23rd, 2024. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



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



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Governor Brad Little

Director Mathew Weaver

October 10, 2024

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

RE: Application for Permit No. 71-11022

RE: Transfer No. 89359
Water Right No(s). 37-23603

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 November 4, 2024. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

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

71-11022

UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE

370 AMERICAN AVE

JEROME, ID 83338-6162

Point of Diversion NESE S36 T08N R13E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 05/01 to 10/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 08-20-2024

Place Of Use: DOMESTIC

T08N R13E S36 NESE

Application for permit proposes to divert up to 0.04 cfs for domestic purposes for an existing recreational summer home. Proposed point of diversion and place of use is located approximately 16.6 miles south and 2.5 miles east of the Highway 21 & 75 intersection in Stanley. This application proposes the diversion and use of water from ground water tributary to the Salmon River Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89359

DILLON WITMER, PO BOX 5005, KETCHUM, ID 83340-5060 has filed Application No. 89359 for changes to the following water rights within BLAINE County(s): Right No(s). 37-23603. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to correct the place of use (POU) description and change the point of diversion (POD) of ground water irrigation right 37-23603 (0.05 cfs, 9.5 AF, 2.7 acres). The proposed POD (new well) and POU are located approximately 4.4 miles north and 1.2 miles west of the intersection of Main Street and Sun Valley Road in Ketchum.

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 **November 4, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on October 16th & 23rd, 2024

TRANSFER SYNOPSIS

Date: September 30, 2024
To: Dillon Witmer - transfer 89359 File
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to correct the place of use (POU) description and change the point of diversion (POD) of ground water irrigation right 37-23603 (0.05 cfs, 9.5 AF, 2.7 acres). The proposed POD (new well) and POU are located approximately 4.4 miles north and 1.2 miles west of the intersection of Main Street and Sun Valley Road in Ketchum.

This is a paper correction of the decreed POU description. The area is unsurveyed and IDWR has updated the PLSS placement from the previous version. The right has been split from its parent right and the new owner proposes drilling a new well on his own property.

Water Master comments will be sought, as the right is located within Water District 37 and administered by the Water District. The transfer will be advertised because the POD is changing to a new location.

FEE MEMORANDUM

Date: September 30, 2024
To: Dillon Witmer - transfer 89359 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on September 27, 2024, and its purpose is to change the point of diversion (POD) description and correct the place of use (POU) description of ground water irrigation right 37-23603. Both the POD and POU were inaccurately described as decreed and this transfer will correct that issue. Additionally, the right was recently split from its parent right, so the owner wishes to drill his own well on his property. The fee for that change will be based on the flow rate of the right, 0.05 cfs, so the fee from the fee schedule is \$200.00. The fee was paid with check #632 from Heather E. O'Leary, IDWR receipt #S040381.

HEATHER E. O'LEARY
MEMBER

HEO@LAWSONLASKI.COM



September 20, 2024

RECEIVED
SEP 27 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

James Bitzenburg
IDWR Southern Regional Office
650 Addison Ave. W., Ste. 500
Twin Falls, Idaho 83301-5858

Re: Application for Transfer of Water Right No. 37-23603

Dear Mr. Bitzenburg:

Per our recent email correspondence and phone conversation, enclosed herewith is an Application for Transfer of Water Right No. 37-23603 (along with a check for \$200.00) to correct the legal description of the place of use and point of diversion.

Once completed, please send me confirmation of the transfer. Thank you for your assistance in this matter and please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,

LAWSON LASKI CLARK, PLLC

A handwritten signature in blue ink, appearing to read "Heather E. O'Leary".

Heather E. O'Leary

Enclosures