

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89664**

This is to certify that: THE BEEV LLC
PO BOX 1904
KETCHUM, ID 83340-1861

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>
71-10024	WR/DECREED	6/10/1958	0.030 cfs	0.8 af	N/A	N/A	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>
71-10024	NO	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>
71-10024	71-10024	0.030 cfs	0.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.030 cfs	0.8 af	N/A	N/A		N/A	N/A	N/A	N/A

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

Dated this 25th day of May, 2025.


Southern Region Manager

Transfer No. 89664

WATER RIGHT NO. 71-10024**As Modified by Transfer No. 89664**

In accordance with the approval of Transfer No. 89664, Water Right No. 71-10024 is now described as follows:

Right Holder: THE BEEV LLC
PO BOX 1904
KETCHUM, ID 83340-1861

Priority Date: 6/10/1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/01	to 12/31	0.030 cfs	0.8 af
			0.030 cfs	0.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSW Sec 22 Twp 07N Rge 14E BLAINE County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	14E	22											X						

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. 71.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
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.
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.

Transfer No. 89664

State of Idaho
Department of Water Resources
Attachment to Transfer # 89664
71-10024

This map depicts the COMMERCIAL 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.



0 0.035 0.07 0.14 Miles

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





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

May 29, 2025

THE BEEV LLC
PO BOX 1904
KETCHUM ID 83340-1861

Re: Transfer No: 89664
Water Right No(s): 71-10024

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,



Corey Skinner
Southern Regional Manager

Enclosure

c:

MORGAN MILLER
WATER DISTRICT 71
3594 HOT SPRINGS RD
CHALLIS ID 83226-4960

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2025 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.: 89664
Water Right No(s): 71-10024

THE BEEV LLC
PO BOX 1904
KETCHUM ID 83340-1861

MORGAN MILLER
WATER DISTRICT 71
3594 HOT SPRINGS RD
CHALLIS ID 83226-4960



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: May 06, 2025
To: Transfer 89664
From: Kent Aasa
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to transfer the point of diversion (POD) for a 0.03 cfs commercial water right from an existing well to a new well to be drilled approximately 900 feet south on the same property. The existing well will then be abandoned. The property and POD's are located approximately 21 miles south and 5.6 miles east of the highway 21/highway 75 intersection in Stanley. The property is in water district 170 so water master comments were solicited and none were received.

FW 71 P.S.

- **Authority to File:** The applicant is the owner of the place of use (POU) and point of diversion (POD) for ground water commercial right 37-10024.
- **Water Right Validity:** Water right 37-10024 was decreed in the SRBA on 03/16/1999.
- **Injury to Other Water Rights:** None anticipated.
- **Enlargement of Use:** None anticipated.
- **Local Public Interest:** No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:** Proposed use is recognized as a beneficial use of water.
- **Effect on 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 first duly sworn, deposes and says that she is the 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 more than seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by the laws of the State of Idaho, and 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 2 day of April, 2025, and the date of the last publication was on the 9 day of April, 2025, and, in addition thereto, the annexed advertisement was published beginning on the 31 day of March, 2025, digitally on the website "idnewspaper.idahopublicnotices.com" as provided by Idaho Code 60-160A.

Pam Morris

PUBLISHER

Subscribed and sworn to before me this

April, 2025.

9 day of

Connie N. Johnson

NOTARY PUBLIC

Residing at Hailey, Idaho.

My commission expires

on 7/10/2030



RECEIVED

APR 17 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 63

Number of Insertions 2

63 Lines tabular at 9.0 cents/pica

63 Lines straight at \$57.96 8.0 cents/pica

63 Subsequent lines at \$50.72 7.0 cents/pica

\$108.68

TOTAL COST

COPY OF NOTICE

Legal Notice
TITLE OF NOTICE

ID Dept of Water Resources
BILL TO S. District

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89658

ARRTI LLC, 6445 E WARM SPRINGS AVE, BOISE, ID 83716-8805 has filed Application No. 89658 for changes to the following water rights within BLAINE County(s): Right No(s). 37-7844. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a point of diversion (POD) for a 2.51 cfs Little Wood River irrigation right that will allow water to be delivered through the West Canal. The proposed POD is approximately 4.7 miles north and 2.7 miles west of the Little Wood Reservoir Rd & Highway 93 intersection in Carey.

TRANSFER NO. 89664

THE BEEV LLC, PO BOX 1904, KETCHUM, ID 83340-1861 has filed Application No. 89664 for changes to the following water rights within BLAINE County(s): Right No(s). 71-10024. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to transfer the point of diversion (POD) for a 0.03 cfs commercial water right from an existing well to a new well to be drilled approximately 900 feet south on the same property. The existing well will then be abandoned. The property and POD's are located approximately 21 miles south and 5.6 miles east of the Highway 21 & Highway 75 intersection in Stanley.

For additional information concerning

the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. 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, 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 21, 2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
APRIL 2 & 9, 2025

✓ Am
4/18/2025