



IDAHO DEPARTMENT OF
WATER RESOURCES

NEWS RELEASE – FOR IMMEDIATE RELEASE

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Water Right Delivery Call filed by Beer family on natural spring

LAVA HOT SPRINGS – (March 29, 2022) – On Feb. 22, 2022, the Idaho Department of Water Resources (IDWR) received an Amended Petition for Delivery Call from Michael Beer and Lori Beer regarding water right no. 29-13740. That water right is tied to a natural spring that the Beer family uses for domestic water.

The amended petition alleges that the Beer’s water rights are being materially injured by the pumping of ground water by the Lava Ranch Property Owners Association from a new water system developed near Wolverine Pass Road and Smith Canyon Road, near the headwaters of Deer Creek.

A copy of the amended petition can be viewed at the Department’s website: <https://idwr.idaho.gov/legal-actions/delivery-call-actions/beer-29-13740/>

Deer Creek is tributary to Dempsey Creek, which is tributary to the Portneuf River at Lava Hot Springs.

IDWR is treating the amended petition as a conjunctive management water right delivery call pursuant to Rule 30 of IDWR’s Conjunctive Management Rules ([IDAPA 37.03.11](#)) and has initiated a contested case proceeding. A case number, Docket # CM-DC-2021-001, has been assigned to the case.

Ground water users in or near the Deer Creek drainage may be affected by this delivery call. If a water user desires to participate in this contested case proceeding, they should send written notice to the Department by close of business Monday, April 11, 2022, stating their intent to participate in the case.

To participate, please email written notice to easterninfo@idwr.idaho.gov. Alternatively, participants can send written notice to the IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718. Water users who do not participate in this contested case proceeding may still be legally bound by its results.

The hearing officer assigned to this contested case will host a status conference on April 14, 2022, at 1:30 p.m. (MST) via Zoom virtual conferencing. IDWR officials will issue conference participation instructions to water users who contact IDWR by close of business April 11, indicating their desire to participate in the status conference.

If you have questions regarding these matters, please contact James Cefalo, Eastern Region Manager at 208-525-7161, or james.cefalo@idwr.idaho.gov.

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