

MEMORANDUM

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WATER RESOURCES
WESTERN REGION

TO: IDWR Water Right/SRBA Files:
65-4213
65-4213A
65-4213B (renumbered as 65-22877)
65-4213C (renumbered as 65-22878)
65-4214
65-4214A (renumbered as 65-22879)
65-22805
65-22915
65-xxxxx (new app for Faustino Ramos)

FROM: Dave Tuthill 

DATE: January 12, 2005

RE: Resolution of SRBA Objections

SRBA claims originating from water rights in the Payette River Basin Adjudication (PRBA) numbered 65-4213 and 65-4214 have been the subject of significant water right conflict and discussion during the past year. This memorandum describes a solution to this conflict, as negotiated in a meeting in the McCall law offices of Brian McMahan on December 13, 2004. Those present at the meeting included Daryl and Marchelle Hart, Verla Witt, Faustino Ramos, Brian McMahan (attorney for Faustino Ramos), Chris Bromley and Dave Tuthill. This memorandum is being sent to the parties for review prior to a follow-up meeting designed to be a final review and signature process.

To simplify the discussion each water right will be briefly discussed in numerical order. The necessary action is identified. Documents describing the water right are provided as attachments.

65-4213, 65-4213A, 65-4213B (renumbered as 65-22877), 65-4213C (renumbered as 65-22878)

Water right number 65-4213 was decreed in the PRBA in the amount of 0.40 cfs with priority date 5/1/1959 for irrigation use. Claims have been submitted for portions of this water right as follows:

65-4213A	Claim for 0.14 cfs submitted by Faustino Ramos
65-4213B	Renumbered as 65-22877, submitted for .08 cfs/8AFA by Verla Witt, Marchelle Hart and Daryl Hart
65-4213C	Renumbered as 65-22878, submitted for .06 cfs by Verla Witt, Marchelle Hart and Daryl Hart

Solution: 65-4213 for .40 cfs submitted by all four parties above

65-4214, 65-4214A (renumbered as 65-22879)

Water right number 65-4214 was decreed in the PRBA in the amount of 0.38 cfs with priority date of 4/15/1928 for irrigation use. Claims have been submitted for this water right as follows:

65-4214	Claim for 0.38 cfs submitted by Faustino Ramos
65-4214A	Renumbered as 65-22879, submitted for .06 cfs/8AFA by Verla Witt, Marchelle Hart and Daryl Hart

Solution: 65-4214 for .38 cfs submitted by all four parties above

65-22805

Water right number 65-22805 is a permit in the name of Faustino Ramos for the use of ground water in a new pond (Ramos Pond) located downstream from the pond described in the rights above (Turner Pond).

65-22915

Water right number 65-22915 is an application in the name of all four parties for year-around aesthetic storage and wildlife storage in the pond which receives water under 65-4213 and 65-4214 (Turner Pond).

65-xxxxx (new app for Faustino Ramos)

This as-yet-unnumbered application in the name of Faustino Ramos is for use of the unnamed stream in Ramos Pond. It is intended to be filed after signature and payment in the amount of \$100 are rendered.