

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
DEC 27 2021
DEPARTMENT OF
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions. DE

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
74-987 ✓	Yes ☐	Yes ☐	74-7101 ✓	Yes ☐	Yes ☐
74-988 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-1137 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-2073 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
74-2092 ✓	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Estate of James O. Weiss (Diana Weiss appointed as personal representative)
- Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): RYAN D. KULESZA and MONICA O. KULESZA
- New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- PO Box 161843 Big Sky MT 59716
- Mailing address City State ZIP
- 406-539-4666 ryan@lkrealestate.com
- Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: December 21, 2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Title, if applicable: _____ Date: 12/16/21

Signature: [Signature] Title, if applicable: _____ Date: 12/16/21

For IDWR Office Use Only:

Received by Ku Date 12-27-21 Receipt No. 6111417 Receipt Amt. \$150.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒

Name on W-9 _____ Approved by _____ Processed by [Signature] Date 1/14/2022

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made and executed by DIANA V. WEISS, as personal representative of THE ESTATE OF JAMES O. WEISS, DECEASED, hereinafter referred to as the ("Grantor"), to RYAN D. KULESZA and MONICA O. KULESZA, as community property with right of survivorship, hereinafter referred to as the ("Grantee"), whose address is PO Box 161843, Big Sky, MT 59716.

WHEREAS, Grantor warrants that she is the qualified personal representative of said estate, and that the estate is being probated under Probate Case Number CV30-21-0036 in Lemhi County, State of Idaho;

THEREFORE, in accordance with the provisions of the Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor hereby grants, sells, transfers and conveys to Grantee all of the Grantor's interest in the following described real property in Lemhi County, State of Idaho:

**TOWNSHIP 19 NORTH, RANGE 23 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO:
SECTION 13: N1/2SE1/4, S1/2SE1/4 NE1/4, S1/2SW1/4NE1/4, E1/2NE1/4SW1/4 AND
SE1/4SE1/4NW1/4.**

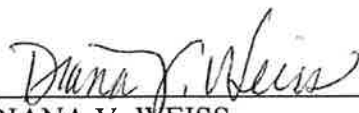
**TOWNSHIP 19 NORTH, RANGE 24 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO:
SECTION 18: LOT 3, NE1/4SW1/4, SE1/4, E1/2NE1/4, EXCEPT THAT PORTION OF THE
E1/2NE1/4 LYING EAST OF STATE HIGHWAY NO. 28.
SECTION 19: NE1/4.**

Excepting therefrom any manufactured/mobile/modular home on said property.

This conveyance shall include any and all appurtenances, estate, right, title, interest, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described.

Dated this 21 day of December, 2021.

THE ESTATE OF JAMES O. WEISS



DIANA V. WEISS
Personal Representative

PERSONAL REPRESENTATIVE'S DEED

STATE OF IDAHO

)

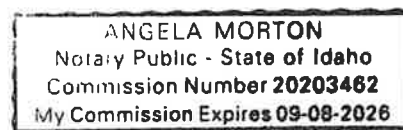
) ss.

COUNTY OF LEMHI

)

Subscribed, sworn to, and acknowledged before me by DIANA V. WEISS, individually and as Personal Representative of the Estate of JAMES O. WEISS, this December 21, 2021.


Notary Public



PERSONAL REPRESENTATIVE'S DEED

CHRISTOPHER HEALY
[Idaho State Bar No. 11052]
HEALY LAW PLLC
401 Riverfront Dr.
Salmon, ID 83462
Telephone (208) 450-5788
Email: cjh@chrisheallylaw.com
Attorney for Petitioner

STATE OF IDAHO } ss
COUNTY OF LEMHI }

I, BRENDA ARMSTRONG, CLERK OF THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI, DO HEREBY CERTIFY THAT THE PROCEEDING IS A TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE, IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL.

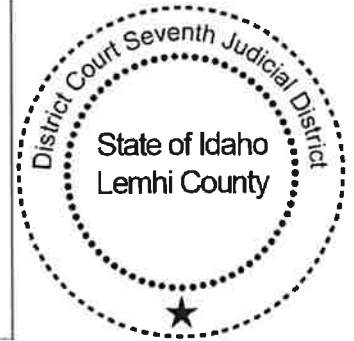
DATED 2/17/2021 10:45:23 AM

Brenda Armstrong

Brenda Armstrong, Clerk of the District Court

By Stephanie Roach
Deputy

Seventh Judicial District, Lemhi County
Brenda Armstrong, Clerk of the Court
By: Deputy Clerk - Roach, Stephanie



IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF LEMHI, MAGISTRATE DIVISION

In the Matter of the Estate of

JAMES O. WEISS,
Deceased.

Case No. CV30-21-0036

**LETTERS OF SPECIAL
ADMINISTRATION**

Upon submission of a Petition and filing of an authenticated copy of Letters duly ordered in the State of Montana, DIANA V. WEISS is hereby appointed as Domiciliary Foreign Personal Representative of the Estate of James O. Weiss, with all powers and responsibilities conferred upon a Local Personal Representative pursuant to Idaho Code § 15-4-205.

These letters are issued to evidence the appointment, qualification, and authority of the said Personal Representative.

2/17/2021 10:19:47 AM

DATED this _____.

By: AW
Hon. Andrew Woolf, Magistrate Judge

Status

☒ All

☐ Search for both Active & Inactive Records

[Search Results \(10\)](#)
[\(Click to expand or collapse\)](#)

HELP!

HELP!

Export Results to Excel

Clear All Items

Start Search

Click any column to sort table

Options	Type	Basin	Sequence	Suffix	Application Number	Basis	Status	Priority Date	Div. Rate (cfs)	Source	Water Use	Owner
Details More Options	Water Right	74	628	B	<i>Haynes Creek</i>	Decreed	Active	04/10/1909	1.93	LEMHI RIVER	IRRIGATION	WEISS, JAMES O
Details More Options	Water Right	74	629	B	<i>Haynes Creek</i>	Decreed	Active	08/15/1898	0.3	LEMHI RIVER	IRRIGATION	WEISS, JAMES O
Details More Options	Water Right	74	987	☒		Decreed	Active	04/01/1884	0.04	SPRINGS	DOMESTIC	WEISS, JAMES O
Details More Options	Water Right	74	988	☒		Decreed	Active	04/01/1884	2.82	LEMHI RIVER	IRRIGATION	WEISS, JAMES O
Details More Options	Water Right	74	1137	☒		Decreed	Active	04/01/1895	5.46	LEMHI RIVER	IRRIGATION	WEISS, JAMES O
Details More Options	Water Right	74	2073	☒		Decreed	Active	12/13/1909	0.64	BALDY CREEK	IRRIGATION	WEISS, JAMES O
Details More	Water Right	74	2092	☒		Decreed	Active	06/27/1910	0.13	BALDY CREEK	IRRIGATION	WEISS, JAMES O

Options												
Details	<u>Water Right</u>	74	7101			Decreed	Active	03/26/1981	0.17	BALDY CREEK	IRRIGATION	WEISS, JAMES O
More Options												
Details	<u>Water Right</u>	74	10158		<i>Agnes 02201</i>	Decreed	Active	06/01/1887	0.06	GROUND WATER	DOMESTIC	WEISS, JAMES O
More Options												
Details	<u>Water Right</u>	74	10161		<i>Agnes 02201</i>	Decreed	Active	06/01/1887	0.02	SPRING	STOCKWATER	WEISS, JAMES O
More Options												

Export Results to Excel

Clear All Items

Start Search

NOTE: If you are having trouble downloading the Map (PDF) files, please try the [Water Right Locator map](#).

- [Home](#) [Disclaimer](#) [Contact Us](#) [Idaho.gov](#) [Accessibility](#) [Privacy](#) [Cybersecurity](#)

IDAHO Department of Water Resources



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WATER RIGHT REPORT

3/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-987

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	KENT G SMITH PO BOX 16 TENDON, ID 83468
Original Owner	AUDREY M SMITH 4520 MOUNTAINGATE DR RENO, NV 89519 7752251590

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

SPRINGS|NESW|Sec. 18|Township 19N|Range 24E|LEMHI County

Place(s) of use:

Place of Use Legal Description: DOMESTIC LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	24E	18		NESW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP19N24E180000A

Dates:

Licensed Date:

Decreed Date: 08/25/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old 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



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WATER RIGHT REPORT

3/24/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-7101

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	KENT G SMITH PO BOX 16 TENDON, ID 83468
Original Owner	GRACE A SMITH
Original Owner	R J SMITH PO BOX 65 TENDON, ID 83468-0065 2087564556

Priority Date: 03/26/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BALDY CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.17 CFS	72.2 AFA

Total Diversion | | 0.17 CFS | 72.2 AFA

Location of Point(s) of Diversion:

BALDY CREEK | SWNW | Sec. 13 | Township 19N | Range 23E | LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	23E	13		SWNE 4			SENE 3							
				NESE 16			NWSE 24							

Total Acres: 47

Conditions of Approval:

1. 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.
2. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. U42 Place of use does not include federal public lands

Dates:

Licensed Date:

Decreed Date: 07/12/2007

Permit Proof Due Date: 5/1/1986

Permit Proof Made Date: 12/27/1982

Permit Approved Date: 5/19/1981

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 03/26/1981

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

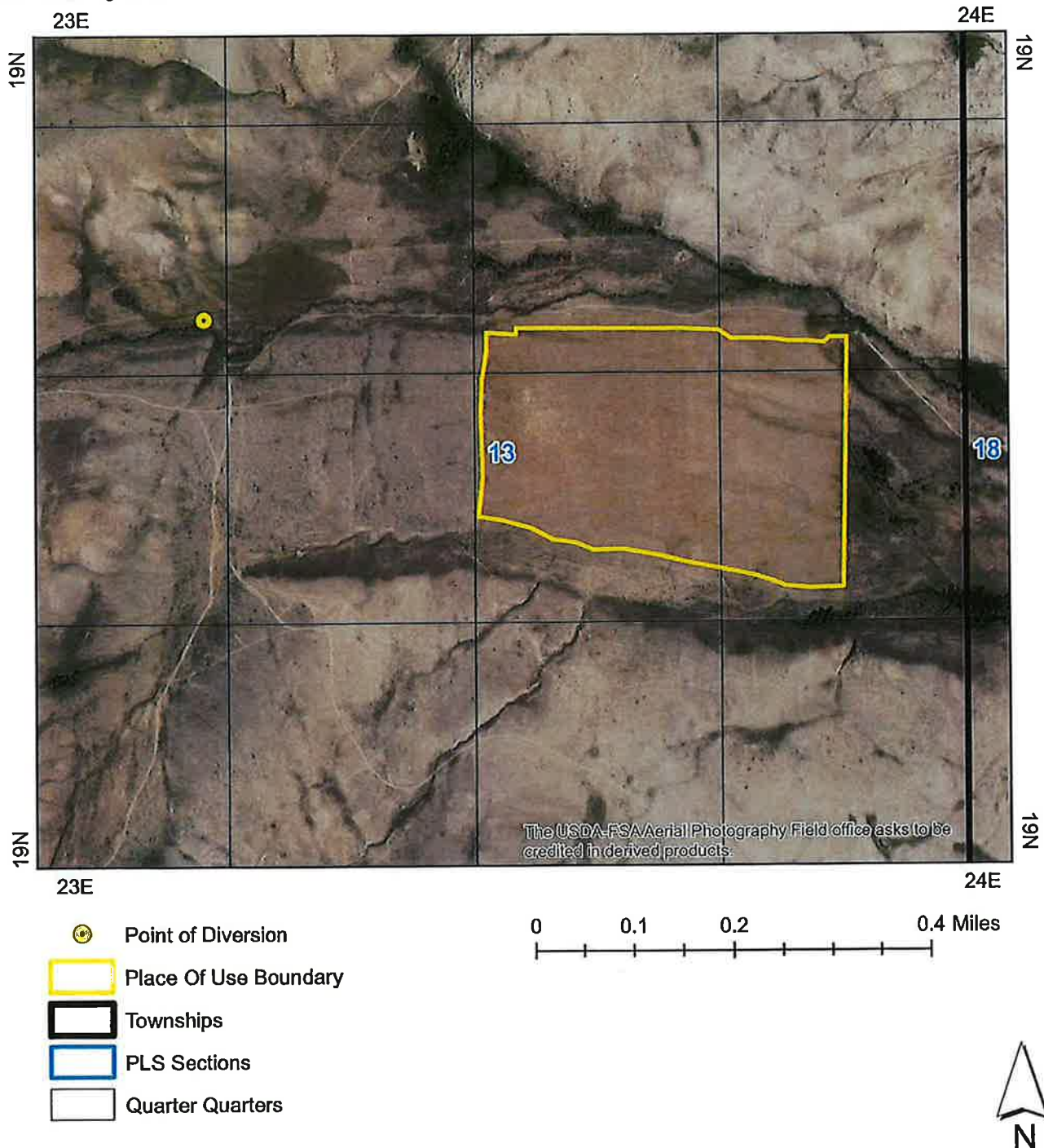
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
74-7101

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Map produced on March 24, 2021

IDAHO Department of Water Resources



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WATER RIGHT REPORT

3/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-2092

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	KENT G SMITH PO BOX 16 TENDON, ID 83468
Original Owner	GRACE A SMITH
Original Owner	R J SMITH PO BOX 65 TENDON, ID 83468-0065 2087564556
Original Owner	AUDREY M SMITH
Original Owner	ARTHUR H BARNETT 4520 MOUNTAINGATE DR RENO, NV 89519 7752251590

Priority Date: 06/27/1910

Basis: Decreed

Status: Active

Source	Tributary
BALDY CREEK	LEMHI RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.13 CFS	
Total Diversion			0.13 CFS	

Location of Point(s) of Diversion:

BALDY CREEK | SENE | Sec. 13 | Township 19N | Range 23E | LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	23E	13		SENE	0.6									
	24E	18	3	NWSW	6									

Total Acres: 6.6

Conditions of Approval:

1. 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.
2. The use of water in T19N, R23E, S13, SENE is limited to the south-half of that place of use.

Dates:

Licensed Date:

Decreed Date: 07/12/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right 74-2092

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.0425 0.085 0.17 Miles



IDAHO Department of Water Resources



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WATER RIGHT REPORT

3/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-988

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	KENT G SMITH PO BOX 16 TENDON, ID 83468
Original Owner	GRACE A SMITH
Original Owner	R J SMITH PO BOX 65 TENDON, ID 83468-0065 2087564556
Original Owner	AUDREY M SMITH 4520 MOUNTAINGATE DR RENO, NV 89519 7752251590

Priority Date: 04/01/1884

Basis: Decreed

Status: Active

Source | Tributary

LEMHI RIVER | SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	2.82 CFS	
Total Diversion			2.82 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER | NWNW | Sec. 20 | Township 19N | Range 24E | LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	24E	18		NENE	37		SENE	36						
				NESE	21									

Total Acres: 94

Conditions of Approval:

1. E64 This right authorizes the irrigation of 93.9 total acres.
2. 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.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

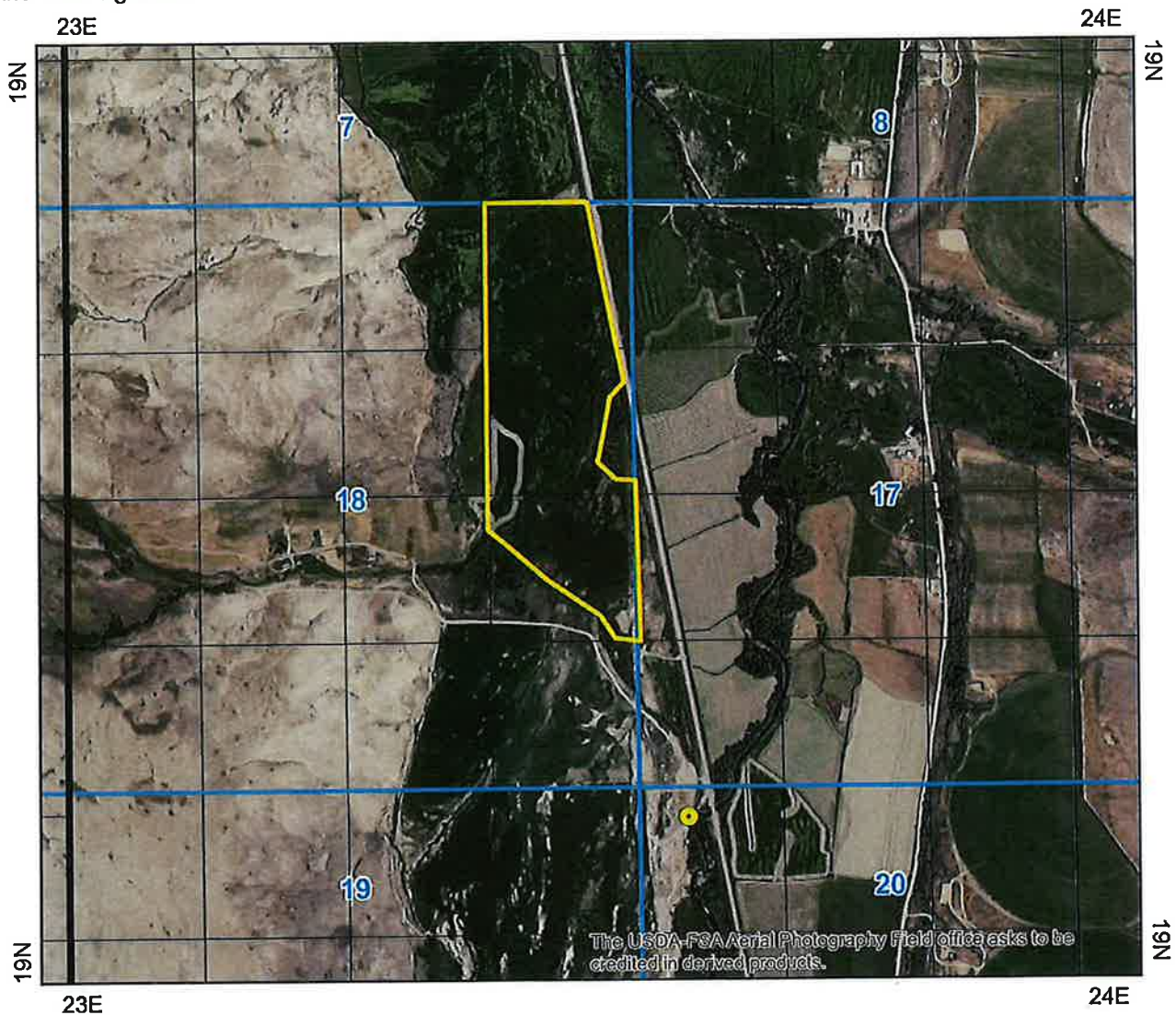
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right 74-988

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.175 0.35 0.7 Miles





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WATER RIGHT REPORT

3/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-1137

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	KENT G SMITH PO BOX 16 TENDON, ID 83468
Original Owner	GRACE A SMITH
Original Owner	R J SMITH PO BOX 65 TENDON, ID 83468-0065 2087564556
Original Owner	AUDREY M SMITH 4520 MOUNTAINGATE DR RENO, NV 89519 7752251590

Priority Date: 04/01/1895

Basis: Decreed

Status: Active

Source | Tributary

LEMHI RIVER | SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	5.46 CFS	
Total Diversion			5.46 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER | SENE | Sec. 05 | Township 18N | Range 24E | LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	24E	18		NESE	3		NWSE	2		SWSE	18		SESE	37
		19		NENE	40		NWNE	26		SWNE	21		SENE	36

Total Acres: 183

Conditions of Approval:

1. E64 This right authorizes the irrigation of 182 total acres.
2. 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.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

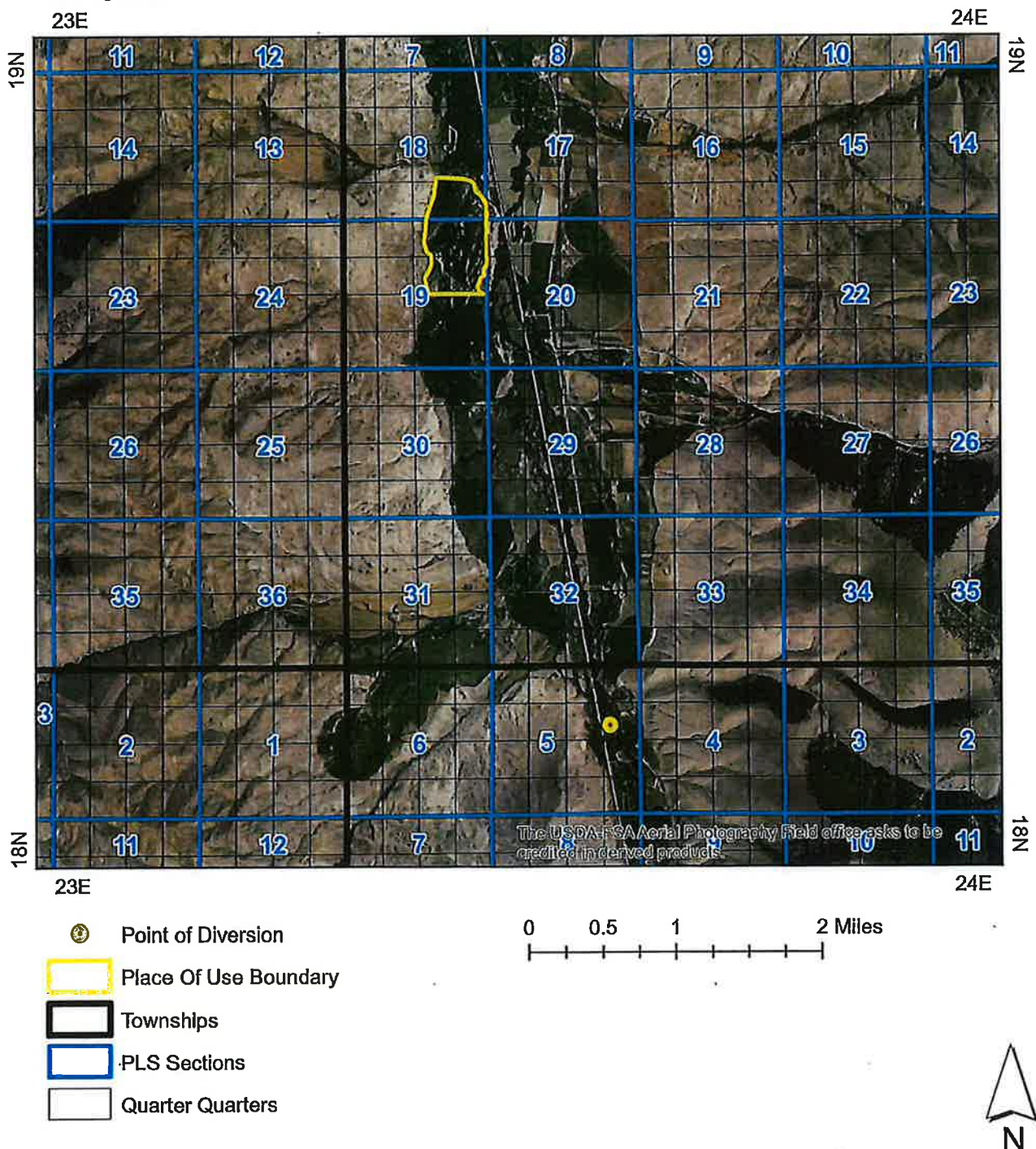
State of Idaho
Department of Water Resources

Water Right

74-1137

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

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WATER RIGHT REPORT

3/4/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-2073

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES O WEISS 8 HAYNES CREEK RD SALMON, ID 83467-5109 2087561578
Original Owner	MARGARET S KIRKHAM , ID
Original Owner	GRACE A SMITH
Original Owner	R J SMITH PO BOX 65 TENDON, ID 83468-0065 2087564556
Original Owner	AUDREY M SMITH 4520 MOUNTAINGATE DR RENO, NV 89519 7752251590

Priority Date: 12/13/1909

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BALDY CREEK	LEMHI RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.64 CFS	
Total Diversion			0.64 CFS	

Location of Point(s) of Diversion:

BALDY CREEK	SWNW	Sec. 13	Township 19N	Range 23E	LEMHI County
BALDY CREEK	NWSW	Sec. 18	Township 19N	Range 24E	LEMHI County
BALDY CREEK	NWSE	Sec. 18	Township 19N	Range 24E	LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
19N	24E	18		NESW	10									
				NWSE	14									

Total Acres: 24

Conditions of Approval:

1. 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.
2. E64 This right authorizes the irrigation of 23.5 total acres.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 74

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

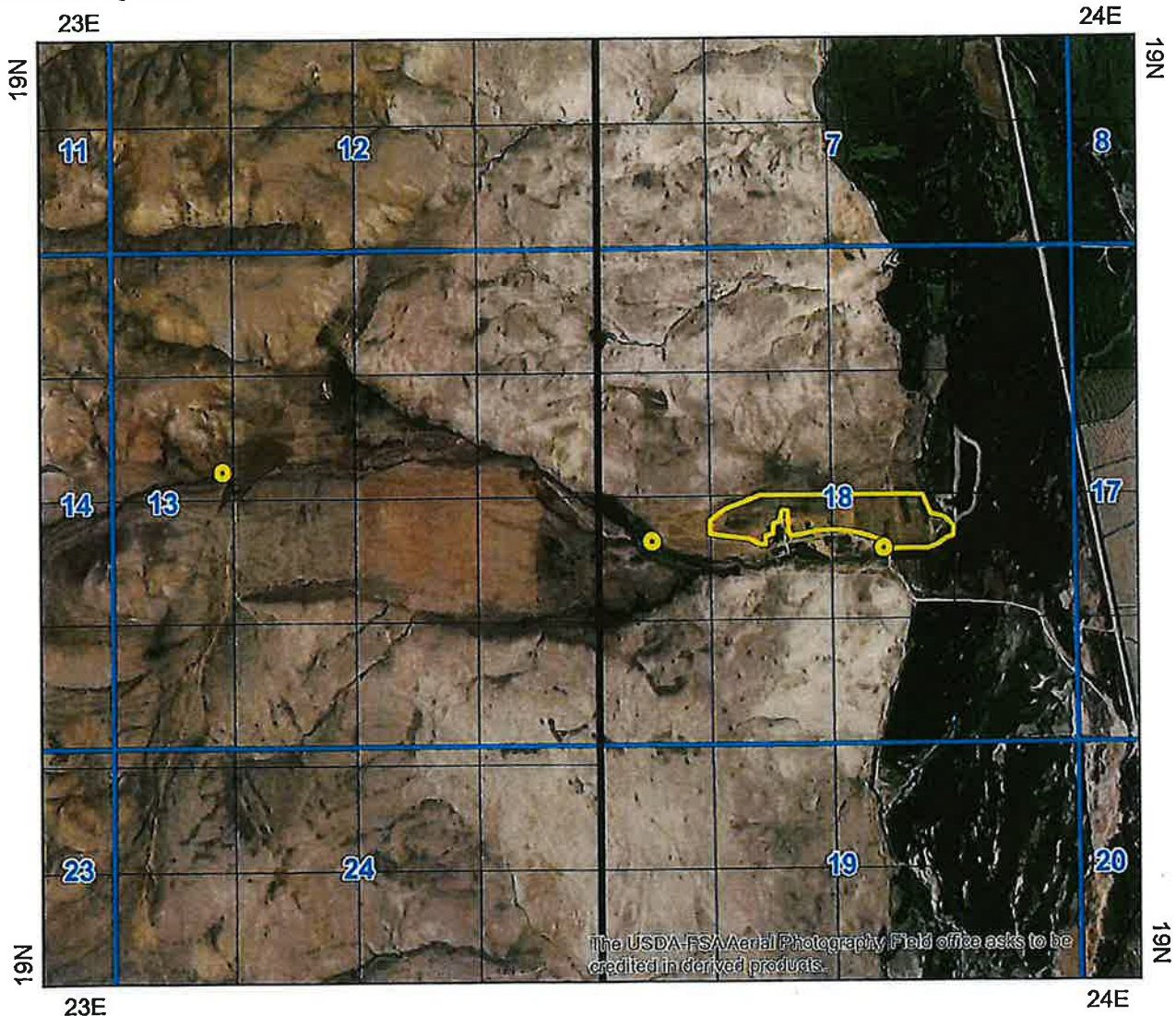
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right 74-2073

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.225 0.45 0.9 Miles



Department of
Water Resources

Water Right and Adjudication Search

↓ Choose One or More Search Items	↓ Click "Search" To Enter Your Parameters	HELP!
Name (Click to expand or collapse)	☐ All ☒ Search for a specific Name • First Name: JAMES • Last Name: WEISS	HELP!
Adjudication, Water Right & Basin or Transfer (Click to expand or collapse)	☐ All ☒ Search for a specific Basin, Right or Transfer number • Basin Number: 74	HELP!
Location of Use or Diversion	☐ All ☐ Search for a specific Location by legal description	HELP!
Sources	☒ All ☐ Search for Surface Water, Groundwater or a specific Source &/or Tributary	HELP!
Water Use	☒ All ☐ Search for a specific Water Use	HELP!
Dates	☒ All ☐ Search for a specific Date Type & range of Dates	HELP!
Water Right Types	☒ All ☐ Search for one or more specific Water Right Types	HELP!



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 18, 2022

RYAN D KULESZA
MONICA O KULESZA
PO BOX 161843
BIG SKY MT 59716-1843

Re: Change in Ownership for Water Right Nos: 74-987, 74-988, 74-1137, 74-2073, 74-2092, & 74-7101

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

- c. Water District 74 – *via email*
Tayler W Tibbitts – *via email*



December 22, 2021

Idaho Department of Water Resources
Idaho Water Center
322 E. Front St., Ste. 648
Boise, ID 83702-7371

RECEIVED

DEC 27 2021

DEPARTMENT OF
WATER RESOURCES

Re: Notice of Change of Water Right Ownership, Water Right Nos: 74-987, 74-988, 74-1137, 74-2073, 74-2092, 74-7101, Weiss to Kulesza

To Whom It May Concern:

I represent Ryan D. Kulesza and Monica O. Kulesza. They have recently purchased certain real property situated in Lemhi County, State of Idaho, appurtenant to which are the above-referenced water rights.

Enclosed with this letter please find the following documents:

1. Notice of Change in Water Right Ownership
2. Conveyance Documents: Warranty Deed from the Estate of James O. Weiss to Ryan D. Kulesza and Monica O. Kulesza and Certified/Recorded Letters of Special Administration for the Estate of James O. Weiss.
3. Supporting Documentation for the water rights being transferred.
4. Check made out to the Idaho Department of Water Resources for \$150.00 (\$25 for each water right transferred).

Please adjust your records to reflect the change in water rights ownership for each of the above referenced water rights, and please contact me at your earliest convenience if you need any additional documentation.

Warm Regards,

A handwritten signature in dark ink, appearing to read 'Tayler Tibbitts', written in a cursive style.

Tayler W. Tibbitts