

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082

Return Service Requested

FAUSTINO RAMOS
PO BOX 1543
MC CALL ID 83638

PRESORTED
FIRST CLASS



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MAR 22 2021

WATER RESOURCES
WESTERN REGION

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SUPPORT DATA
IN FILE # 65-4213

MAR 22 2021

WATER RESOURCES
WESTERN REGION

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.govBrad Little
GovernorGary Spackman
Director

March 16, 2021

THE THOMAS AND MARY KEMNITZ FAMILY TRUST
13974 TURNER LN
MCCALL ID 83638-5022**Re: Change in Ownership for Water Right No(s): 65-4213, 65-4214, 65-22915**

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) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Evans'.

Lynne Evans
Office Specialist II

Enclosure

c: VERLA WITT, FAUSTINO RAMOS

SUPPORT DATA
IN FILE # 65-4213

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

Water Right 65-4213

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VERLA WITT 13968 TURNER LN MC CALL, ID 83638 (208) 634-1343
Current Owner	FAUSTINO RAMOS PO BOX 1543 MC CALL, ID 83638 (208) 630-4161
Current Owner	THE THOMAS AND MARY KEMNITZ FAMILY TRUST 13974 TURNER LN MCCALL, ID 83638-5022 (928) 220-3238
Previous Owner	DARYL HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572
Previous Owner	MARCHELLE HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572

Priority Date: 5/1/1959

Basis: Decreed

Status: Active

Source
UNNAMED STREAM

Tributary
LAKE FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE	04/15	10/15	0.400 CFS	
	<u>Total Diversion</u>		0.400 CFS	

Source and Point(s) of Diversion

UNNAMED STREAM SESW Sec. 34, Twp 18N, Rge 03E, VALLEY County

Place Of Use

WILDLIFE within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	03E	34												X					

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
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.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

Dates and Other Information

Decreed Date: 1/5/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 65-4213
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed:
Objection Status:

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

Water Right 65-4214

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VERLA WITT 13968 TURNER LN MC CALL, ID 83638 (208) 634-1343
Current Owner	FAUSTINO RAMOS PO BOX 1543 MC CALL, ID 83638 (208) 630-4161
Current Owner	THE THOMAS AND MARY KEMNITZ FAMILY TRUST 13974 TURNER LN MCCALL, ID 83638-5022 (928) 220-3238
Previous Owner	DARYL HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572
Previous Owner	MARCHELLE HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572

Priority Date: 4/15/1928

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	LAKE FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE	04/15	10/15	0.380 CFS	
	<u>Total Diversion</u>		0.380 CFS	

Source and Point(s) of Diversion

UNNAMED STREAM SESW Sec. 34, Twp 18N, Rge 03E, VALLEY County

Place Of Use

WILDLIFE within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	03E	34												X					

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
5. 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 and Other Information

Decreed Date: 1/5/2006
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: Or
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 65-4214
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 5/25/2005
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 6/9/2000
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

Water Right 65-22915

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VERLA WITT 13968 TURNER LN MC CALL, ID 83638 (208) 634-1343
Current Owner	FAUSTINO RAMOS PO BOX 1543 MC CALL, ID 83638 (208) 630-4161
Current Owner	THE THOMAS AND MARY KEMNITZ FAMILY TRUST 13974 TURNER LN MCCALL, ID 83638-5022 (928) 220-3238
Original Owner	DARYL HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572
Original Owner	MARCHELLE HART PO BOX 1311 MC CALL, ID 83638 (208) 634-0572

Priority Date: 9/1/2004

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	LAKE FORK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
WILDLIFE STORAGE	01/01	12/31		10.0 AF
AESTHETIC STORAGE	01/01	12/31		10.0 AF
	<u>Total Diversion</u>			10.0 AF

Source and Point(s) of Diversion

UNNAMED STREAM SESW Sec. 34, Twp 18N, Rge 03E, VALLEY County

Place Of Use

WILDLIFE STORAGE within VALLEY County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	03E	34												X					

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/16/2021

AESTHETIC STORAGE within VALLEY County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	03E	34												X					

Conditions of Approval:

1. R05 Use of water under this right will 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. 65K.
2. X23 When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
3. 01H When notified by the Department, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
4. 18C When notified by the Department, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
5. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

Dates and Other Information

Licensed Date: 4/4/2013
Owner Name Connector: And
Water District Number: 65K
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A