



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 27, 2019

PENSCO TRUST CO LLC  
PO BOX 173859  
DENVER CO 80217-3859

RE: Ownership Change for Water Right 74-16073

Dear Water Right Holder:

The Idaho Department of Water Resources (Department) sent you the enclosed documents to acknowledge an ownership change submitted by Michael G Kelly. Water right 74-16073 is appurtenant to Lot One (1) of Bar Lazy V Ranch Subdivision located in Lemhi County, Idaho. The warranty deed submitted with the request lists Pensco Trust Co. LLC, Custodian FBO, Michael G. Kelly, IRA as the current owner of this parcel. See enclosed warranty deed.

If you have any questions, please contact me at (208) 287-4942 or email [jean.hersley@idwr.idaho.gov](mailto:jean.hersley@idwr.idaho.gov). Than you.

Sincerely,

Jean Hersley  
Technical Records Specialist II



RECEIVED  
AUG 27 2019  
DEPARTMENT OF  
WATER RESOURCES

August 21, 2019

STATE OF IDAHO DEPT OF WATER RESOURCES  
322 E FRONT ST STE 648  
PO BOX 83720  
BOISE ID 83720-0098

Subject: **UNIDENTIFIABLE NOTICE**

To Whom It May Concern:

PENSICO Trust Company recently received the enclosed notice; however, we are unable to identify the appropriate client based on the information provided.

We are returning this notice and requesting that you provide additional information to allow us to process this request. Please identify our client's name and/or account number on any future notices.

Thank you,

PENSICO Trust Company

Enclosure

MS2853216 8/21/2019 044



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brnd Little  
Governor

Gary Spackman  
Director

August 13, 2019

PENSCO TRUST CO LLC  
PO BOX 173859  
DENVER CO 80217-3859

Re: Change in Ownership for Water Right No(s): 74-16073

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) 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) 287-4942.

Sincerely,

Jean Hersley  
Technical Records Specialist 2

Enclosure(s)

c: Water District No. 74

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Water Right 74-16073**

8/13/2019

| <u>Owner Type</u> | <u>Name and Address</u>                                                          |
|-------------------|----------------------------------------------------------------------------------|
| Current Owner     | PENSCO TRUST CO LLC<br>PO BOX 173859<br>DENVER, CO 80217-3859<br>(800) 962-4238  |
| Original Owner    | RAYMOND F CHENEY<br>36 CHENEY LN<br>SALMON, ID 83467<br>(208) 756-3000           |
| Original Owner    | MARGARET L CHENEY<br>36 CHENEY LN<br>SALMON, ID 83467                            |
| Previous Owner    | JEFFREY JAMES HAIRE<br>319 PALOS VERDES BLVD UNIT 411<br>REDONDO BEACH, CA 90277 |

**Priority Date:** 6/9/1875**Basis:** Decreed**Status:** Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| LEMHI RIVER   | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15                  | 11/15     | 0.060 CFS             |               |
| STOCKWATER            | 01/01                  | 12/31     | 0.010 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.060 CFS             |               |

**Source and Point(s) of Diversion**

|             |      |                                         |
|-------------|------|-----------------------------------------|
| LEMHI RIVER | SESE | Sec. 24, Twp 21N, Rge 22E, LEMHI County |
|-------------|------|-----------------------------------------|

**Place Of Use**

STOCKWATER within LEMHI 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 |        |
| 21N | 22E | 10  |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |

IRRIGATION within LEMHI 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 |        |
| 21N | 22E | 10  |    |    |    |    |    |    |    |    |    | 2.2 |    |    |    |    |    |    | 2.2    |

POU Total Acres: 2.2

**Conditions of Approval:**

IDAHO DEPARTMENT OF WATER RESOURCES

8/13/2019

Water Right 74-16073

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day when combined with Right Nos. 74-15722, 74-15948, 74-15991 and 74-16072 thru 74-16091.
4. The rights listed below are limited to a total combined diversion rate of 0.02 cfs for stockwater. Combined Right Nos.: , 74-15722, 74-15948, 74-15991 and 74-16072 thru 74-16091.
5. X60 Place of use is located within Lot 1, Bar Lazy V Ranch Subdivision.
6. The rights listed below are limited to a total combined diversion rate of 0.02 cfs for stockwater. Combined Right Nos.: 74-16072 thru 74-16091.
7. The diversion rate for stockwater use is 0.001 cfs.

**Comments:**

1. jhersley 3/28/2017 split right  
This water right is the result of split from 74-15947 due to change in ownership.
2. jhersley 3/28/2017 POD  
Updated Shape
3. cyenter 5/30/2019 POU  
Updated Shape

**Dates and Other Information**

Decreed Date: 11/6/2007  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Water District Number: 74  
Generic Max Rate Per Acre: 0.020  
Generic Max Volume Per Acre: 3.5  
Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

MS2653216 8/21/2019 047

Idaho Department of Water Resources Receipt  
Receipt ID: C107368

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|                |                                                                   |               |            |        |       |
|----------------|-------------------------------------------------------------------|---------------|------------|--------|-------|
| Payment Amount | \$25.00                                                           | Date Received | 8/12/2019  | Region | STATE |
| Payment Type   | Check                                                             | Check Number  | 1211507864 |        |       |
| Payer          | PENSCO TRUST COMPANY                                              |               |            |        |       |
| Comments       | CHANGE OF OWNERSHIP FOR WR# 74-16073 FOR PENSCO TRUST COMPANY LLC |               |            |        |       |

Fee Details

| Amount  | Description                          | PCA   | Fund | Fund Detail | Subsidiary | Object |
|---------|--------------------------------------|-------|------|-------------|------------|--------|
| \$25.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 56140 | 0229 | 21          |            | 1155   |

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Signature Line (Department Representative)