

03/15/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-4061

NAME AND ADDRESS: JOE SKLENAR
1593 STATE HWY 236
AFTON WY 83110

SOURCE: BARNES CREEK

TRIBUTARY: MC COY CREEK

QUANTITY: 1.000 CFS

PRIORITY DATE: 05/01/1971

POINT OF DIVERSION:

T03S R44E S33 NWSW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MINING

PERIOD OF USE
5/01 11/15

QUANTITY
1.000 CFS

PLACE OF USE: MINING Within BONNEVILLE County
T03S R44E S32 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

PROPERTY IS ALSO KNOWN AS ACE OF HEARTS AND ACE OF DIAMONDS MINING CLAIMS.

EXPLANATORY MATERIAL: Beneficial Use

04/16/2003

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5/01 11/15

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PROPERTY IS ALSO KNOWN AS ACE OF HEARTS MINING CLAIM.

EXPLANATORY MATERIAL: Beneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-04061
Date Received: ~~9/01/1988~~ 9/11/89
Receipt No: E910210
Received By: PM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

(307) 886-5584

1. Name: JOE SKLENAR
Address: 171 W. 3RD S.
SODA SPRINGS, ID

208-547-3541

83276

2. Date of Priority: MAY 01, 1971

3. Source: BARNES CREEK

Trib. to: MCCOY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	44E	33	NW	SW			BONNEVILLE

5. Description of diverting works:
ROCK BARRIER & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	05/01	11/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
MINING, PLACER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	44E	32	SW	NE		MINING	

11. Place of use in counties: BONNEVILLE

A23-04061

Page

1

Date: 09/01/88

MICROFILM
NOV 10 1992

A2304061



12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

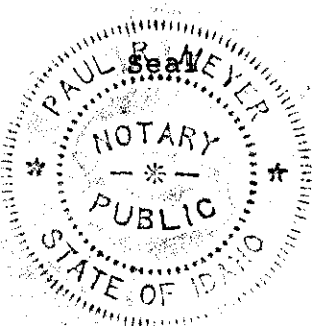
Signature of Claimant(s): Joe Munn Date: Sept - 11 - 89
Date:

State of Idaho)
County of Bonneville) SS.

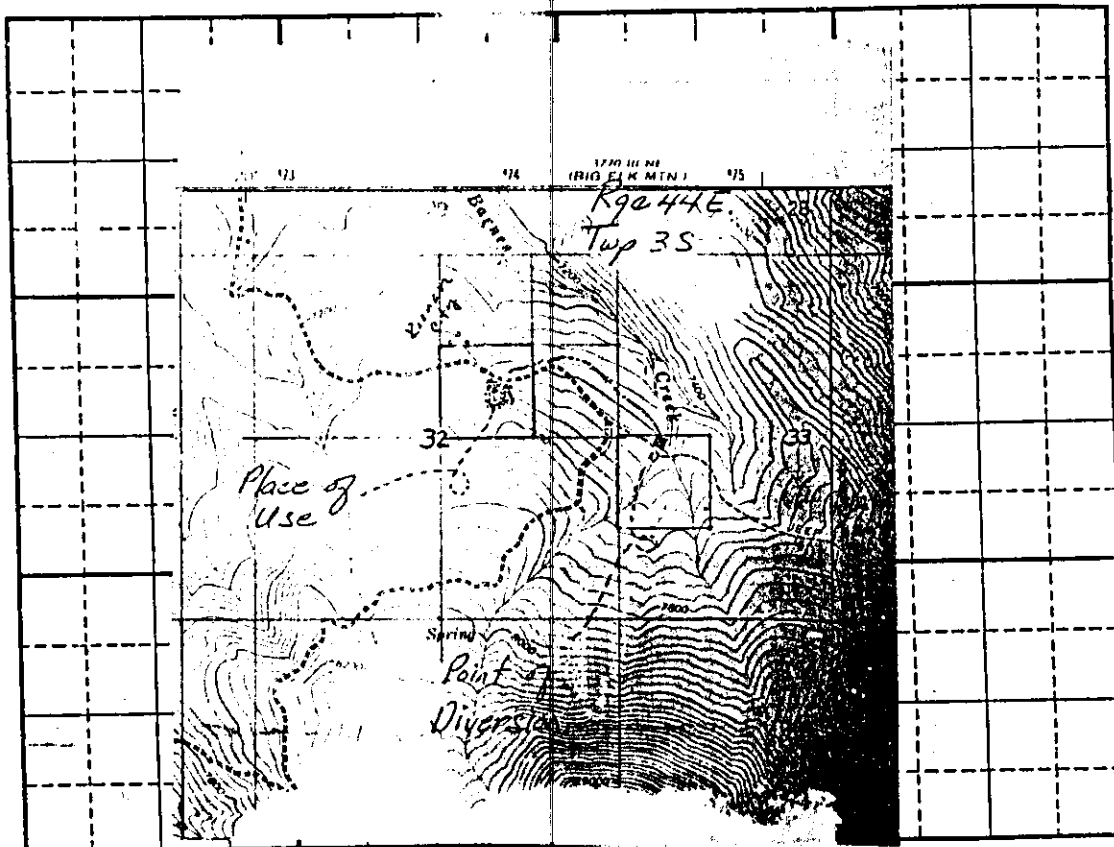
Subscribed and sworn (or affirmed) before me this 11 day
of Sept 19 89

Paul R Meyer
Notary Public

Residing at Idaho Falls
My Commission Expires 2-12-94



(8) Remarks _____



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho -

County of Cabinet

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of June, 1982

Joe H. H. H.
(Claimant)

Heleen K. Byler
Notary Public
Residing at Soda Springs, Ida.

My commission expires indefinite

FOR DEPARTMENT USE ONLY

Received by aw

Date 6-17-83

Exception filed by: _____

Forwarded to
claimant by: _____

Prelim. check by aw

Date 6-20-83

\$30.00 fee received by aw

Date 6-17-83

Published in Post Register

#2288

Dates 7/26 - 8/4/83

DATE MICROFILMED

NOV 10 1992

04/16/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-4061

JOE SKLENAR
1593 STATE HWY 236
AFTON WY 83110
Telephone Number: 307-866-5584

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

a) home telephone number
b) other provisions necessary

2. Describe the changes you wish to make in the proposed recommendation:

a) home phone No. 307-886-5584 → *Corrected*
b) property is also known as Ace of Hearts and Ace of Diamonds mining claim

3. Give a brief explanation as to why you disagree with these portions:

a) telephone number shown above is incorrect.
b) Ace of Diamonds was omitted. → *Added*

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/01/04 SIGNATURE: Joe Sklenar
Please print your name: Joe Sklenar

IDWR Regional Office,

3/15/04 Corrected as noted - ASB

RECEIVED
MAR 08 2004
Department of Water Resources
Eastern Region

04/16/2003

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PERIOD OF USE:

PURPOSE OF USE

MINING

PERIOD OF USE

5/01 11/15

QUANTITY

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T03S R44E S32 SWNE

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PROPERTY IS ALSO KNOWN AS ACE OF HEARTS MINING CLAIM.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

[] Name(s): 23-4061

[] Old Mailing Address: JOE SKLENAR
171 W. 3RD S.
SOON SPRINGS RD 83276

[] New Mailing Address: JOE SKLENAR
1593 STATE HWY 236
ARTON WYO 83110

Telephone Number: (307) 886-5534

[] Signature(s) Joe Sklenar
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf) L. Davis Sklenar
(include your title if on behalf of company or organization)

Date: April 15, 2003

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

23-4061

Date: _____

No. 11 PLACER MINING LOCATION NOTICE

Printed and for use by State-York Company, Idaho

PLACER MINING LOCATION NOTICE 670

NOTICE IS HEREBY GIVEN, THAT JOE SKLENAR and LUCKY SKLENAR

the undersigned citizen, s., of the United States of America, conforming to the mining laws thereof and of the State of Idaho, and the local rules, regulations, and customs of miners, have this 16th

day of OCTOBER, A.D. 1972, located and do hereby claim 40

acres of Placer Mining Ground, situate, lying, and being, in Bonneville County and State of Idaho

Being unable to locate a government surveyed section corner or quarter corner, we

are describing this claim to be in RANGE 44 E.B.M., TOWNSHIP 3 SOUTH, SECTION 32.

The name of this claim is "AGE OF HEARTS"

in MT. PISGAH OF MT. CARIBOU (unorganized) Mining District, in the County of BONNEVILLE and State of Idaho, Particularly described as follows, to-wit:

Commencing at this monument, which is the LOCATION # NORTHEAST corner of the claim, said monument being corner No. 1, upon which this notice is posted; thence in a WESTERLY direction, 600 feet to corner monument No. 2, the NORTHWEST corner of the claim; thence in a SOUTHERLY direction, 3000 feet to corner monument No. 3, the SOUTHWEST corner of the claim; thence in a EASTERLY direction, 600 feet to corner monument No. 4, the SOUTHEAST corner monument of the claim; thence in a NORTHERLY direction, 3000 feet to corner No. 1, the place of beginning.

The said corner monument No. 1, upon which this notice is posted, is situated about 700 feet in a WESTERLY direction from a junction of the roads, one road leading to the mine known as the "MONTE CRISTO" and the other road leading to the mine known as the "ROBINSON" mine.

The adjoining claims are the 40 acre claim known as the "AGE OF DIAMONDS"

This claim the "AGE OF DIAMONDS" borders this claim on the east boundary.

The corner monuments Nos. 2, 3 and 4 aforesaid are marked upon the side facing corner monument No. 1, with the name of the claim and the corner which each of said monuments represents, and all of said monuments are at least four inches in diameter and at least four feet high above ground.

Discovered on the 16th day of October, A.D. 1972

Located on the 16th day of October, A.D. 1972

Joe Sklenar
Lucky Sklenar

Locators and Claimants

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 5/1/1971 Claimed Basis: StatRecommended Priority Date: 5/1/1971 Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

PRIORITY DATE ASSORTED BASED ON CLAIM DEVELOPMENT
OF 24 YEARS. NOTICE OF CLAIM FILED/POSTED 1972.

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of	OO of Q	County	Source
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							
_____	_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____							

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

GPS POD & Photograph => S/NOWDD - CANT GET IN.

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
35	44E	32	SWNE		BONN		0	MINING

Total Acres _____

Document how the POU was verified:

NON-CONSUMPTIVE USE.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
MINING	5/1	11/15	1"	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 12

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Non-irrig. : SOU CLAIMED IS OK AND USE IS NON-
Consumptive.

Reviewer: _____

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

23-4061

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 12 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water rights in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 23.

You are invited to attend a **public meeting to be held on March 10 at 2:00 p.m. in the Swan Valley Elementary School Gymnasium, 3389 Swan Valley Hwy, Irwin.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 23. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

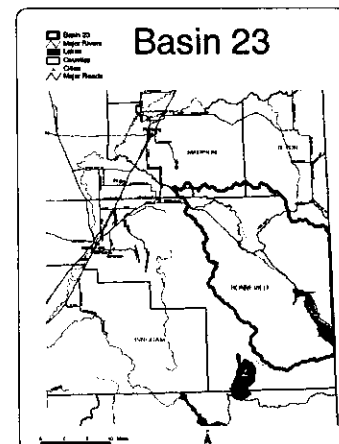
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins, including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and Portneuf River.

Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosures: Information Brochure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

☒ Not Deliverable As Addressed

Unable To Forward

☐ Insufficient Address

☐ Moved, Left No Address

☐ Unclaimed ☐ Refused

☐ Attempted-Not Known

☐ No Such Street ☐ Number

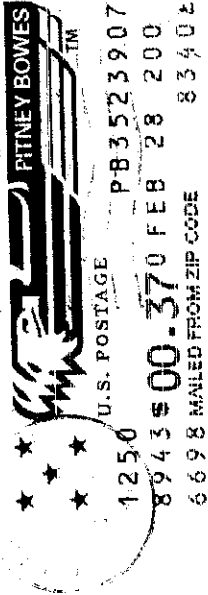
☐ Vacant ☐ Illegible JOE SKLENAR

☐ No Mail Receipts 171 W 3RD S

☐ Box Closed-No Order

☐ Returned For Better Address

☐ Postage Due



23-4061

9

[Redacted address line]

[Redacted address line]