



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

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C.L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

June 29, 2007

Diana Delaney  
Clerk of the SRBA Court  
P.O. Box 2707  
Twin Falls, ID 83303-2707

Re: Basin 74 Uncontested Right Nos. 74-711, 74-734G and 74-1861

Dear Diana:

I am writing in response to the questions you had concerning the conditions contained in the Basin 74 uncontested rights referenced above. Thank you for bringing these clerical errors to my attention. I have attached corrected Director's Reports for these rights in strikethrough and underline format.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carter', is written above the printed name.

Carter Fritschle  
Section Manager  
Adjudication Bureau

Enclosures:

Copies of corrected Director's Reports

06/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-711

NAME AND ADDRESS: SHARON M JAKOVAC  
71 RED ROCK STAGE RD  
SALMON ID 83467

JACK P JAKOVAC  
71 RED ROCK STAGE RD  
SALMON ID 83467

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.240 CFS

This right when combined with all other rights shall provide no more than 3.5  
afa per acre at the field headgate for irrigation of the lands above.

~~The right holder shall maintain a measuring device and lockable controlling  
works of a type approved by the Department in a manner that will provide  
the watermaster suitable control of the diversion.~~

PRIORITY DATE: 06/19/1888

POINT OF  
DIVERSION:

T20N R23E S10 SWNE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3/15 11/15           | 2.240 CFS       |

PLACE OF USE: IRRIGATION in LEMHI County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T20N R23E S03 | NESW | 1.00  | T20N R23E S03 | NWSW | 1.00  |
| T20N R23E S03 | SESW | 29.00 | T20N R23E S03 | SWSE | 11.00 |
| T20N R23E S10 | NWNE | 19.00 | T20N R23E S10 | NENW | 14.00 |

75 ACRES TOTAL

This right is limited to the irrigation of 74.4 acres within the place of use  
described above in a single irrigation season.

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

~~Failure of the right holder to comply with the conditions of this transfer is  
cause for the Director to rescind approval of the transfer.~~

~~The right holder shall accomplish the change authorized by this transfer  
within one year of the date of this approval.~~

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.

~~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. 74.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

06/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-734G

NAME AND ADDRESS: DOUGLAS M LIVINGSTON  
1063 LEMHI RD  
SALMON ID 83467

DEBORA A TUCKER  
1063 LEMHI RD  
SALMON ID 83467

SOURCE: WIMPEY CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.014 CFS

PRIORITY DATE: 04/01/1912

POINT OF  
DIVERSION:

T21N R23E S34 SESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.014 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T20N R23E S03 Lot 2 NWNE 0.70

0.7 ACRES TOTAL

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.

~~RECOMMENDED AS RIGHT NO. \_\_\_\_\_: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant's name.~~

RECOMMENDED AS RIGHT NOS. 74-00734A, B, C, D, E, F, H AND 74-10144.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

06/27/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-1861  
NAME AND ADDRESS: ZENAS R HARTVIGSON CO  
746 KING ST  
DENVER ID 80204  
SOURCE: SANDY CREEK TRIBUTARY: LEMHI RIVER  
QUANTITY: 1.760 CFS  
PRIORITY DATE: 06/01/1895

Pursuant to a call in times of scarcity, this right is junior to Right Nos.  
74-204, 74-205A and 74-205B.

POINT OF  
DIVERSION: T20N R23E S3 SESE Within LEMHI County  
T20N R23E S11 NWNW Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3/15 11/15           | 1.760 CFS       |

PLACE OF USE: IRRIGATION in LEMHI County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T20N R23E S03 | SWNE | 28.00 | T20N R23E S03 | NESE | 16.00 |
| T20N R23E S03 | NWSE | 28.00 | T20N R23E S03 | SESE | 16.00 |

88 ACRES TOTAL

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.

~~This right is subordinate to existing decreed rights on Sandy Creek.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Point of diversion is downstream of area included in the historic Sandy Creek decree.