

11/15/2006

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

RIGHT NUMBER: 75-4117H

NAME AND ADDRESS: LEONARD JAKICH
118 S SAINT CHARLES RD
SALMON ID 83467-5224

SOURCE: SPRINGS
UNNAMED STREAM

TRIBUTARY: MOGG DITCH
TRIBUTARY: MOGG DITCH

QUANTITY: 0.110 CFS

PRIORITY DATE: 03/10/1928

POINT OF DIVERSION:

T21N R22E S19 SENW Within LEMHI County

T21N R22E S19 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS
STOCKWATER	04/01 10/31	0.010 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 Lot 4 SESW 0.20 T21N R22E S19 Lot 1 NENW 2.00

STOCKWATER same as IRRIGATION

2.2 ACRES TOTAL

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

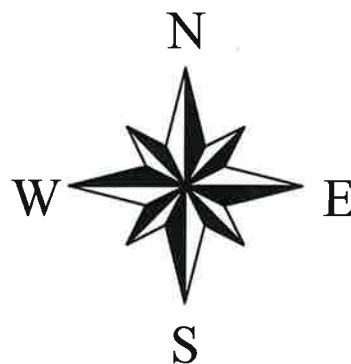
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-4117H



-  Lemhi taxlots
-  GCDB21N22E GCDB
-  GCDB21N21E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



Estimating Conveyance Loss using the Worstell Method

Claim No.

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

w = 3' assumed

i = 1.0 ft/day

ditch length (mi.) = 814' = 0.154 miles

Conveyance Loss:

$S = (3)(1)(0.0667) = 0.2 \text{ cfs/mile}$

Loss = 0.03 cfs

$0.2 \text{ cfs/mile} \times 0.154 \text{ miles} = 0.03 \text{ cfs}$

$(2.2 \text{ ac})(0.03 \text{ cfs/ac}) = 0.07 \text{ cfs irrigation}$
 ditch loss $= +0.03 \text{ cfs}$
0.10 cfs Total

Claimed : $0.32 \text{ cfs irrigation}$
 $0.02 \text{ cfs stockwater}$
0.32 cfs Total

Recommend : $0.10 \text{ cfs irrigation}$
 $0.01 \text{ cfs stockwater}$
0.11 cfs Total

11/20/2006

**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: 12/13/2006

Water right number: 75-4117H

LEONARD JAKICH
118 S SAINT CHARLES RD
SALMON ID 83467-5224
Telephone Number: (208)756-3352

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 12/1/06 SIGNATURE: A. Yvonne Jakich
Please print your name: A. Yvonne Jakich

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

RECEIVED

DEC 11 2006

IDWR/North

SCANNED ✓
DEC 12 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75-4117H

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: See attached

☐ No Change ADDRESS

☒ NEW ADDRESS: See attached

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0017213

Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____
Township _____	Range _____	Section _____	1/4 _____	1/4 _____	1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

headgate, ditch to pou

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

no water diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-21-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



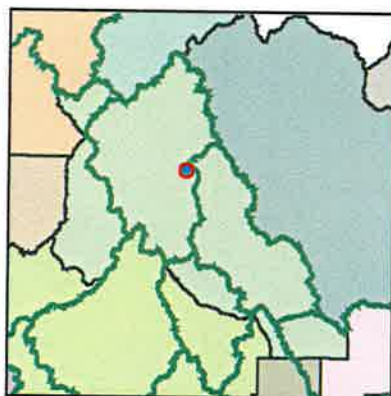
Idaho Department of Water Resources

SRBA Claim:

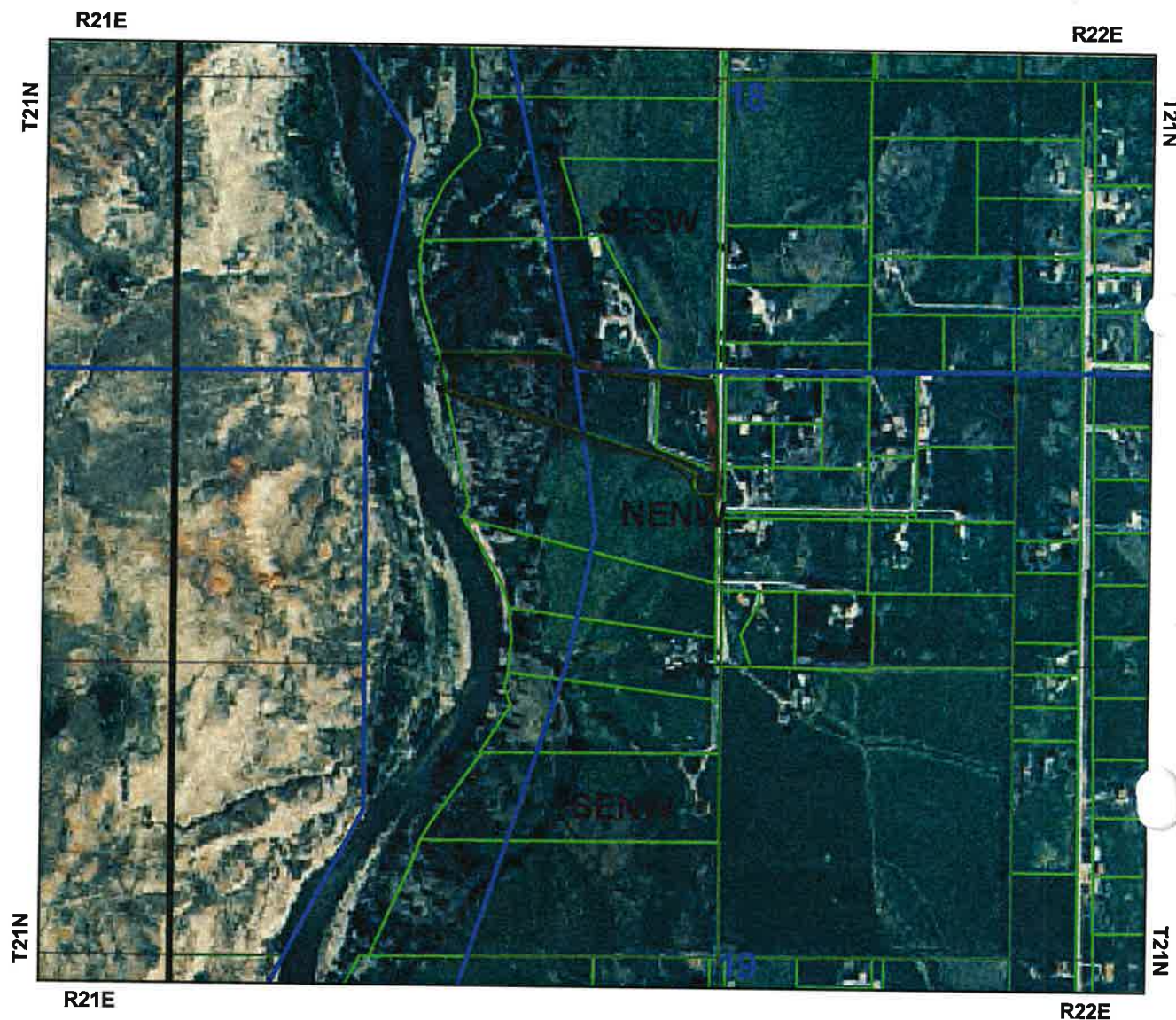
75-4117H

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



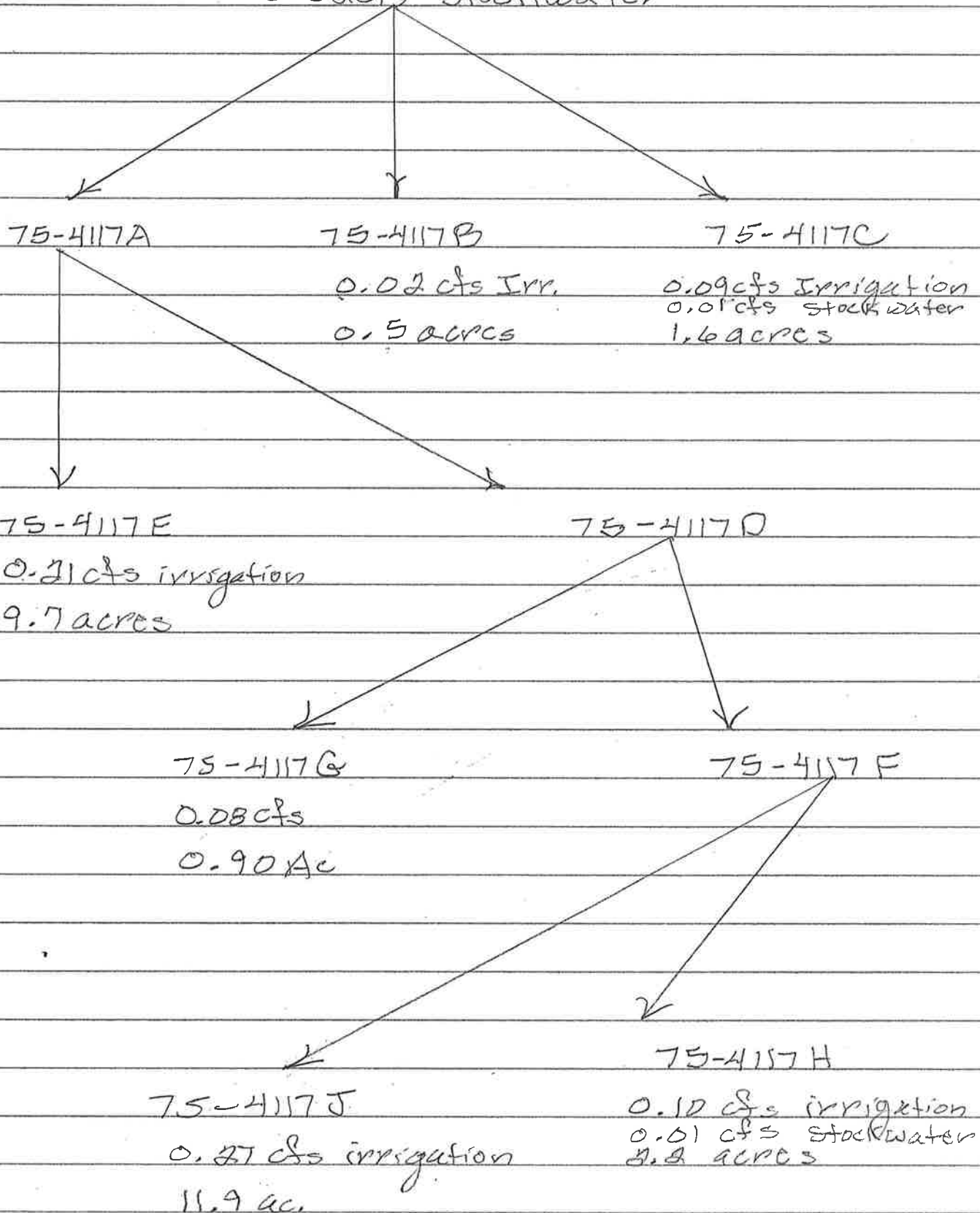
Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

Recommended
Parent Claim

75-4117

2.1 cfs Irrigation, 30 Ac.

0.02 cfs Stockwater



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4117H

WATER RIGHT NUMBER: 75-4117H

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEONARD JAKICH 118 S SAINT CHARLES RD SALMON, ID 83467-5224 (208)756-3352

Priority Date: 03/10/1928
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	MOGG DITCH
UNNAMED STREAM	MOGG DITCH

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	11/01	0.320 CFS	
STOCKWATER	04/01	10/31	0.020 CFS	
	<u>Total Diversion:</u>		0.320 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4NW1/4	Sec. 19, Twp 21N, Rge 22E, B.M.
LEMHI County		
SPRINGS	SE1/4NW1/4	Sec. 19, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T21N R22E S18 SESW 2.0 T21N R22E S19 NENW 2.5

Total Acres: 4.5

STOCKWATER same as IRRIGATIONConditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4117F

Remarks:

Mogg Ditch Water right priority April 11, 1911
Recorded in Book U of Deeds p. 372 Lemhi County, Salmon, Idaho

The Jakich Family Acquired water rights from Mogg Ditch
in 1928 Recorded in Warranty deed NO. 36338 Book,
page 346 March 10th. 1928 Lemhi County,
Salmon, Idaho

Leonard Jakich July 20-05

SCANNED

JUL 25 2005

STATE OF IDAHO

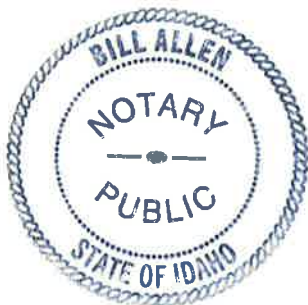
COUNTY OF Lemhi--ss

On this 20th day of July 2005, before me the undersigned a Notary Public in and for said state personally appeared LEONARD JAKICH known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for Idaho, residing at Salmon, Idaho
My commission expires: 2/19/2009



SCANNED

JUL 25 2005

9/19/06

PMO - PARCEL MASTER INQUIRY

09:47:39

PARCEL: RP 21N22E192401 A F1=SL

F17=DD F19=SP

F12=RC F14=HO

F24=LD

LEGAL DESCRIPTION

OVITT, DON N
& OVITT, LAURI LT-3532
19 21 22

191 S ST CHARLES

ProVal Area Number 2

CODE AREA 21-0000 OWNER CD

PARC TYPE TV LOC CODE 4000

EFFDATE 10/1/1995 EXPDATE

PREV PARCEL

SALMON ID 83467

191 S ST CHARLES RD

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2002	2356	AC	26965	16625	7348		
34	2002			161501	153055	67652		

TOTALS 2356 188466 169680 75000

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SRch F22=EU



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

April 4, 2002

JACK D CHERRY
PO BOX 300
REINBECK IA 50669

RE: CHANGE IN OWNERSHIP FOR 75-13941 & 75-4117F

Dear Mr. Cherry:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-4117H, Jakich, 0.32cfs, 4.5 acres

75-4117J, Cherry, 0.91 cfs, 12.9 acres

75-13941, Cherry, 0.52 cfs, 28 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,


Jennifer Crabtree
Technical Records Specialist

cc: Leonard Jakich

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

FEB 26 2002

Department of Water Resources
Eastern Region

1. Water Right No(s): 75-13941 AND 75-4117F splits
Adjudication Claim No(s): OK

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant LEONARD JAKICH

RT 1, BOX 153, SALMON, IDAHO 83467

4. New Owner/Claimant(s) JACK D. CHERRY

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address P.O. BOX 300

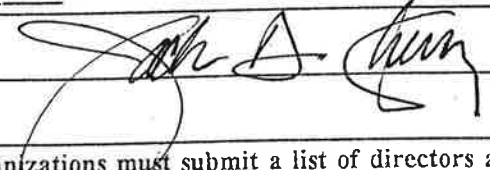
City, State and ZIP Code REINBECK, IOWA 50669

New Telephone Number (319) 345-2299

5. Date you acquired the property 2/12/02

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right <u>45.4</u>	Number and type of stock <u>40 HEAD</u>
Diversion rate in CFS <u>3.52</u>	Number of homes you acquired <u>0</u> Other uses _____

7. Signature of New Owner(s) or Claimant(s) 

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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 75-4117H
Date Received: 4/4/2002
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LEONARD JAKICH Phone: (208)756-3352
RT 1 BOX 153
SALMON ID USA 83467

2. Date of Priority: 03/10/1928

3. Source: UNNAMED STREAM , SPRINGS Trib. to: MOGG DITCH , MOGG DITCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	22E	19	SE NW	LEMHI	
21N	22E	19	SE NW	LEMHI	

5. Description of diverting works:

HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.32	
STOCKWATER	04/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.32 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
21N	22E	18	SE SW	IRRIGATION	2

A750417H



21N 22E 19

NE NW

Section Acres	2
IRRIGATION	2.5
Section Acres	2.5
Total Acres	4.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-4117F

15. Basis of Claim: Statutory Claim

75-4117H

