

12/18/2006

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

RIGHT NUMBER: 75-14172
NAME AND ADDRESS: DEBBIE JAKOVAC
112 HWY 93 S
SALMON ID 83467

JOHN A JAKOVAC
112 HWY 93 S
SALMON ID 83467

SOURCE: SPRINGS TRIBUTARY: SINKS
QUANTITY: 0.350 CFS
PRIORITY DATE: 05/01/1935
POINT OF DIVERSION:

T23N R23E S31 NENENE Within LEMHI County
T23N R23E S31 NWNENE 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	0.350 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R23E S31	NENE	16.00	T23N R23E S31	NWNE	1.60
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17.6 ACRES TOTAL

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

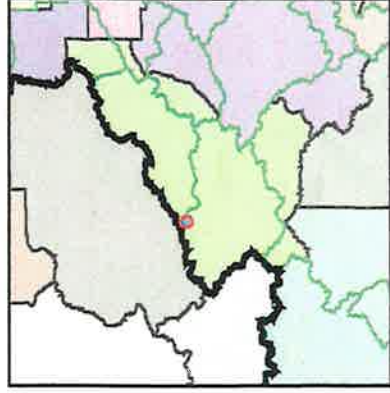
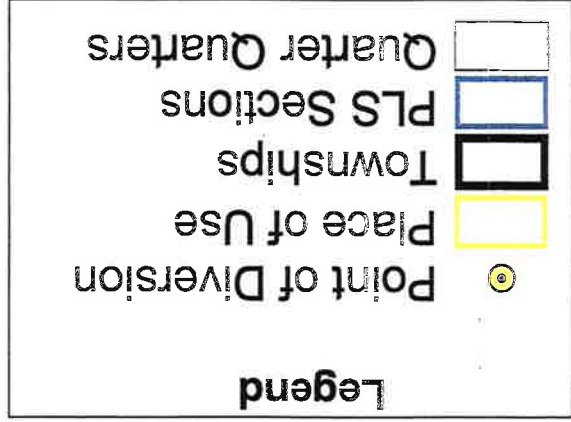
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources



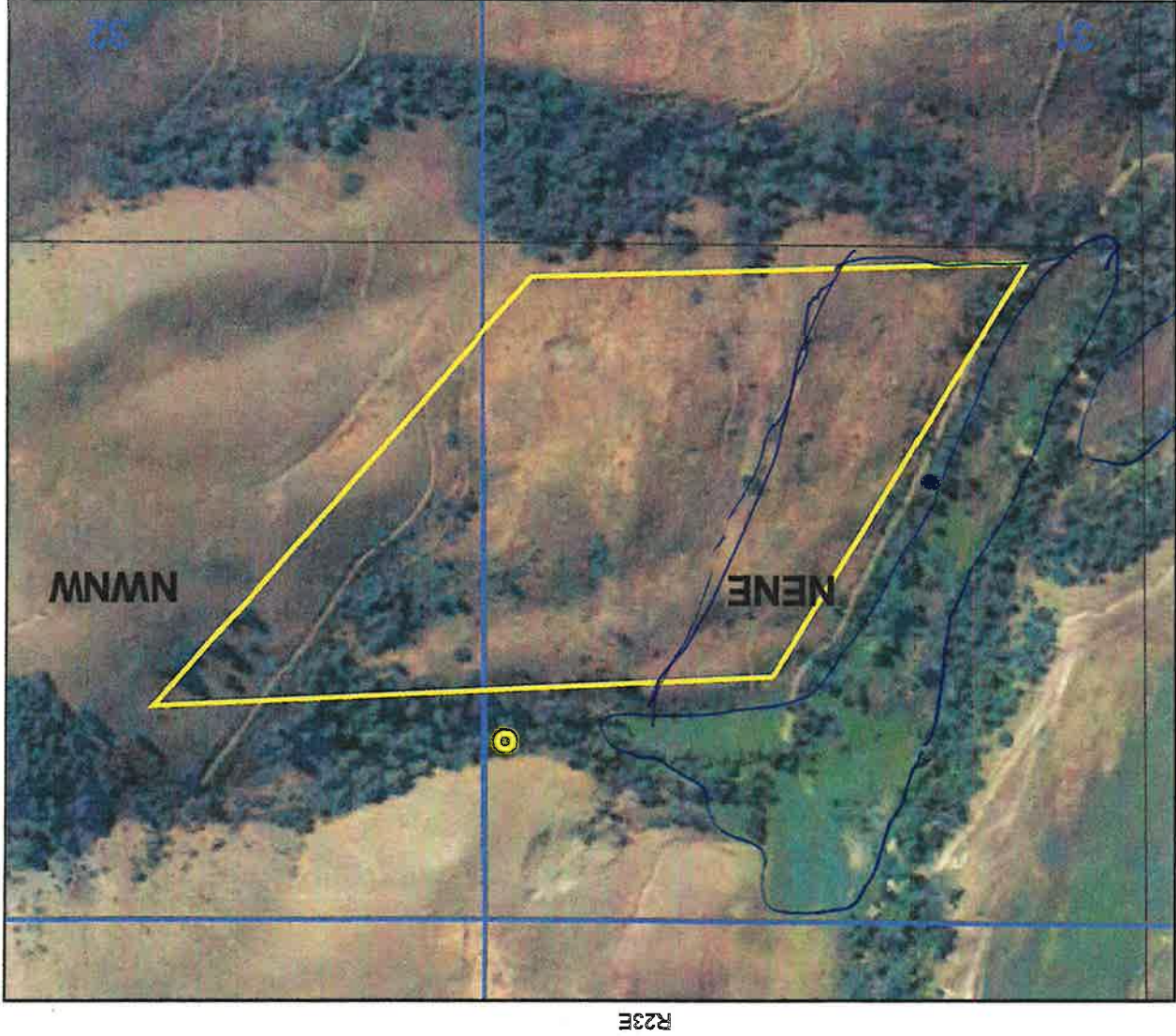
SRBA Recommendation:
75-14172
 (Irrigation)



Prepared by M. Ciscell
 On Monday, November 20, 2006
 2004 Aerial Photography



Add P.D.
 Change Row



75-14172

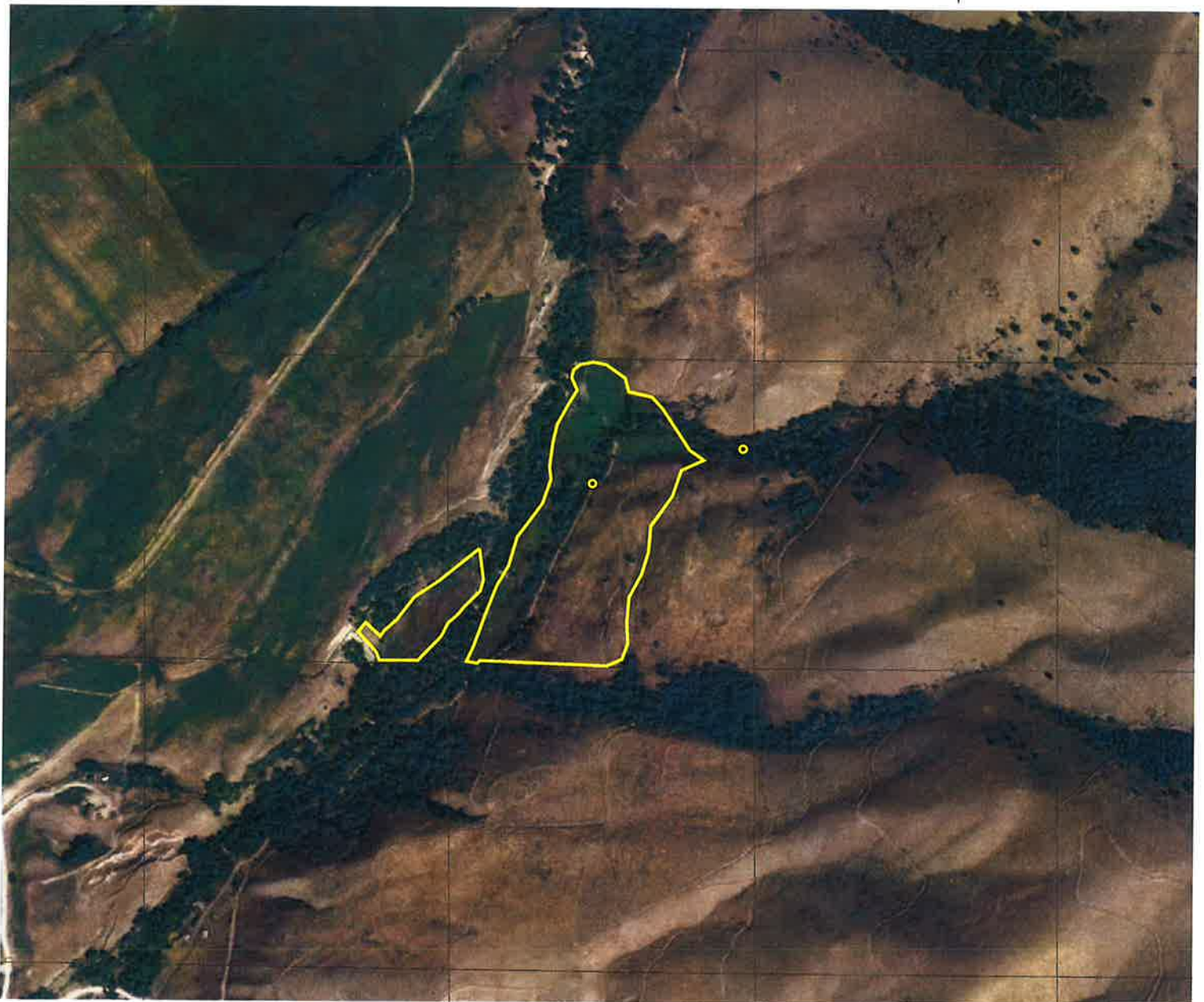
T23N R23E Section 31



Place of Use



Point of Diversion





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 11, 2006

JOHN & DEBBIE JAKOVAC
112 HWY 93 S
SALMON ID 83467

Re: Recommendation for right #75-14172

Dear Mr. & Mrs. Jakovac:

I have modified the outline of your property as requested and the total number of irrigated acres equals nine. The diversion rate was reduced accordingly but you now have a right to divert 1 ½" per acre. I have also added the additional point of diversion as requested.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Gregory J. Taylor
IDWR

Copy

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

CLAIM NO(s). A75 14172 _____

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
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: spring tributary to Smout Cr.

4. ☐ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

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:

Collection box to pipe line

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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack Z. Ellis

Signature

RECEIVED
JUL 18 2005
DEPARTMENT OF
WATER RESOURCES

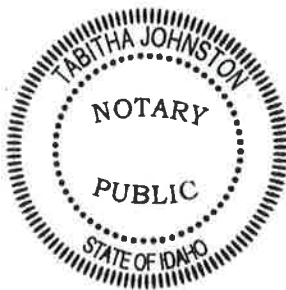
July 8, 2005

I Molly Myers, widow of the late Jake Yakovac, is making a statement for the representation of water right number 75-14172. This is a spring on the ground named as the old Foster Place. We moved next door in 1935. Frank Foster was irrigating with this spring then. How many years before 1935 I don't know. It was several. We purchased this land in 1941.

In regards to the 75-13962, this water right belongs to a piece of ground that was purchased from John H. Jewett, who purchased it from Peterson, then named the Keystone. This water was used back in 1915.

Thank You,

Molly Myers



[Signature]
Notary

Expires - 05-02-2011

Reside - Salmon, ID 83467

SCANNED

JUL 18 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-14172

WATER RIGHT NUMBER: 75-14172

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBBIE JAKOVAC 112 HWY 93 S SALMON, ID 83467 (208)756-3656
Current Owner	JOHN A JAKOVAC 112 HWY 93 S SALMON, ID 83467 (208)756-3656

Priority Date: 05/01/1935

Basis: Beneficial Use

Status: Active

Source
SPRING

Tributary
~~SINKS~~ to Smout Cr.

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.400 CFS	
<u>Total Diversion:</u>		0.400 CFS	

Location of Point(s) of Diversion

SPRING	NE1/4NE1/4NE1/4	Sec. 31, Twp 23N, Rge 23E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T23N R23E S31 NENE 20.0

Conditions of Approval:

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-13962

WATER RIGHT NUMBER: 75-13962

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN A JAKOVAC 112 HWY 93 S SALMON, ID 83467 (208)756-3656
Current Owner	DEBORAH A JAKOVAC 112 HIGHWAY 93 S SALMON, ID 83467-5341 (208)756-3656

Priority Date: 05/01/1915

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SMOUT CREEK	FREEMAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/01	0.660 CFS	
	<u>Total Diversion:</u>	0.660 CFS	

Location of Point(s) of Diversion

SMOUT CREEK	~~NW1/4NW1/4NE1/4~~	~~Sec. 31, Twp 23N, Rge 23E, B.M.~~
LEMHI County		
SMOUT CREEK	~~SW1/4NE1/4NE1/4~~	~~Sec. 31, Twp 23N, Rge 23E, B.M.~~
LEMHI County		
SMOUT CREEK	NW1/4SE1/4SE1/4	Sec. 30, Twp 23N, Rge 23E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R23E S30	SESE	2.4	T23N R23E S31	NENE	3.7
T23N R23E S31	NWNE	9.5			
Total Acres: 15.6					

Conditions of Approval:

1. SPLIT FROM 75-4205

Remarks:

RECEIVED

AUG 04 2004

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14172

Date Received

Receipt Number C074754

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN JAKOVAC & Debbie JAKOVAC Phone (208) 756-3656Mailing Address 112 Hwy 93 S Salmon ID Zip 834672. Date of Priority (Only one (1) per claim) 5-1-19353. Source of water supply (a) Spring
which is tributary to (b) Snake4. a. Location of existing point of diversion is: Township 23N Range 23E Section 31,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Excavated spring source with
4" pipe to place of use & 40' x 80' x 6" catch basin to irrigate
ground below spring

SCANNED

AUG 11 2004

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount .40 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .40 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	23E	31	20																20

Total number of acres irrigated 20

11. In which county (ies) are lands listed above as place of use located? Lehigh

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

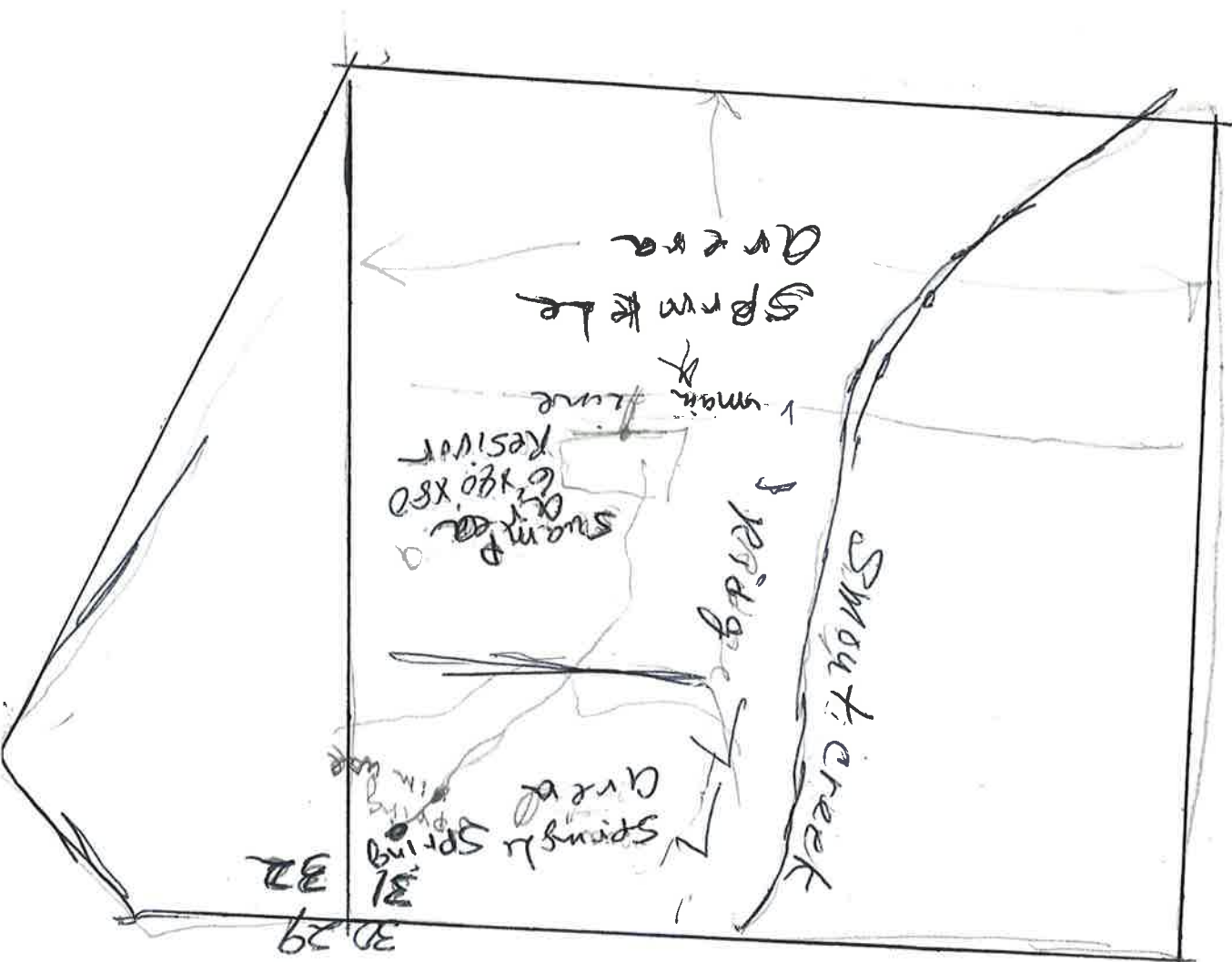
14. Remarks:

Last Name Jakovac Ident No. 75-14172

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AUG 11 2004

SCANNED
AUG 11 2004

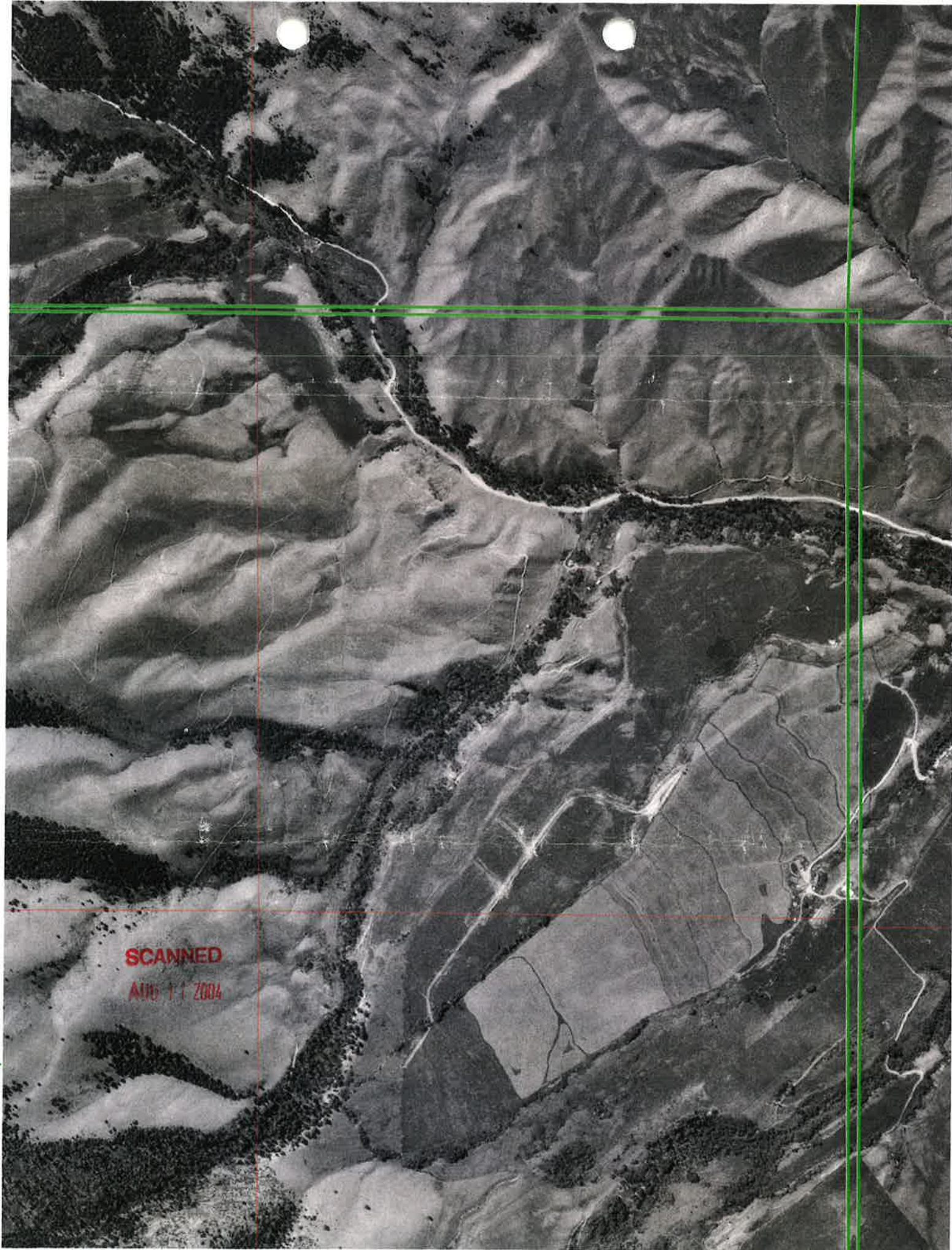
75-14172



T23 NR 23E

75-14172

SCANNED
AUG 11 2004



Scale: 2 inches equals 1 mile

[illegible]

Jakovac

75-14172

SCANNED
AUG 11 2004

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) *John Jakovac* Date 7/30/04
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Levy) SS.

Subscribed and sworn (or affirmed) before me this 30th day of July 2004
Notary Public *Robert E. Foster*
Residing at *Salmon Id*
My Commission Expires 2-16-07
Please Print Name



17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name *Jakovac* Ident. Number 75-14172

SCANNED
AUG 11 2004

20.3

Required
Info?

- Comments: _____

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: 75-14172
DEBBIE JAKOVAC
112 HWY 93 S
SALMON ID 83467
Telephone Number: (208)756-3656

JOHN A JAKOVAC
112 HWY 93 S
SALMON ID 83467
Telephone Number: (208)756-3656

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

Pou. P.D.

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

See layout

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: 12/06/06

SIGNATURE: *John Jakovac*

Please print your name: John Jakovac

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

Modified P.O.V. = 17.6 ac
Added P.D. #2
~~Source changed to Sink to Smooth Cr.~~
Reduced Q accordingly