

11/04/2006

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

RIGHT NUMBER: 75-14259

NAME AND ADDRESS: DIANE YAKOVAC
15 LOVERS LN
SALMON ID 83467

MAC YAKOVAC
15 LOVERS LN
SALMON ID 83467

SOURCE: LEMHI CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 07/30/1871

POINT OF DIVERSION:

T21N R22E S8 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.010 CFS
IRRIGATION	04/01 10/31	0.070 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T21N R22E S07 SESE 0.90

STOCKWATER in LEMHI County

T21N R22E S07 SESE

0.9 ACRES TOTAL

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

No lawful appropriation shown.

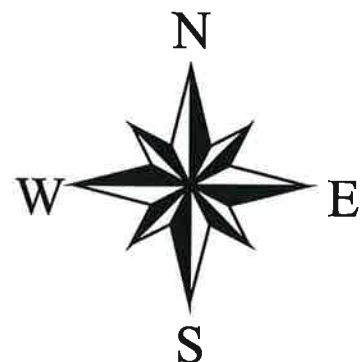
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-14259



0.04 0 0.04 0.08 Miles

GCDB21N22E GCDB
Pou.shp
Pod.shp
Administrative BasinsAdminbas.shp





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 • Web Site: www.idwr.idaho.gov

January 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MAC AND DIANE YAKOVAC
PO BOX 104
GOLCONDA NV 89414-0104

4-9-08
Response
/s/

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-104, 75-14259 and 75-14260, Water
Right 75-4430 and Decrees 75-14152 and 75-10829

Dear Claimants:

The Postal Service advised us your address has changed to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by January 31, 2008. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone Number

SCANNED

APR 10 2008

75-104
<75-10152> P.D.
<75-10829>

75-14259
75-14260

75-4430 w/R



Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

YAKOC15 834672026 1306 16 11/25/06
FORM 3547
YAKOVAC JR
PO BOX 104
GOLCONDA NV 89414-0104

ADDRESS SERVICE
REQUESTED

MAC YAKOVAC

DIANE YAKOVAC
15 LOVERS LN
SALMON ID 83467

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

RECEIVED

NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

SCANNED

83720-0098



NOVEMBER 4, 2006

NOTE TO THE FILE:

NOTHING IN THE FILE COULD JUSTIFY THE JULY 30, 1871 PRIORITY DATE. THE FIELD REVIEW COULD FIND NO DIVERSION FROM THE LEMHI RIVER AS CLAIMED, THEREFORE THE CLAIM RECOMMENDATION IS TO DISALLOW.

KEITH E. FRANKLIN
SENIOR WATER RESOURCES AGENT

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' assume

i = 1.0 ft/day

ditch length (mi.) = 970' = 0.184 miles

Conveyance Loss:

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

Loss = 0.04 cfs/mile

$$0.2 \text{ cfs/mile} \times 0.184 \text{ miles} = 0.04 \text{ cfs}$$

$$(0.90 \text{ Ac})(0.03 \text{ cfs/Ac}) = 0.027 \text{ cfs}$$

ditch loss = +0.04 cfs

0.067 cfs	Irrigation
State Alloc. 0.020 cfs	Stock water
<u>0.087 cfs</u>	Total

Claimed 0.5 cfs	Irrigation
0.01 cfs	Stock water
<u>0.51 cfs</u>	Total

Recommended 0.07 cfs	Irrigation
0.01 cfs	Stock water
<u>0.08 cfs</u>	Total

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

CLAIM NO(s). 75-14259

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: See remarks

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

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:

See remarks

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 diversion from Lemhi River, not decreed in Lemhi
Decree

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-11-06

FIELD EXAMINER: _____

Bob Foster

Print Name

Bob Foster

Signature



Idaho Department of Water Resources

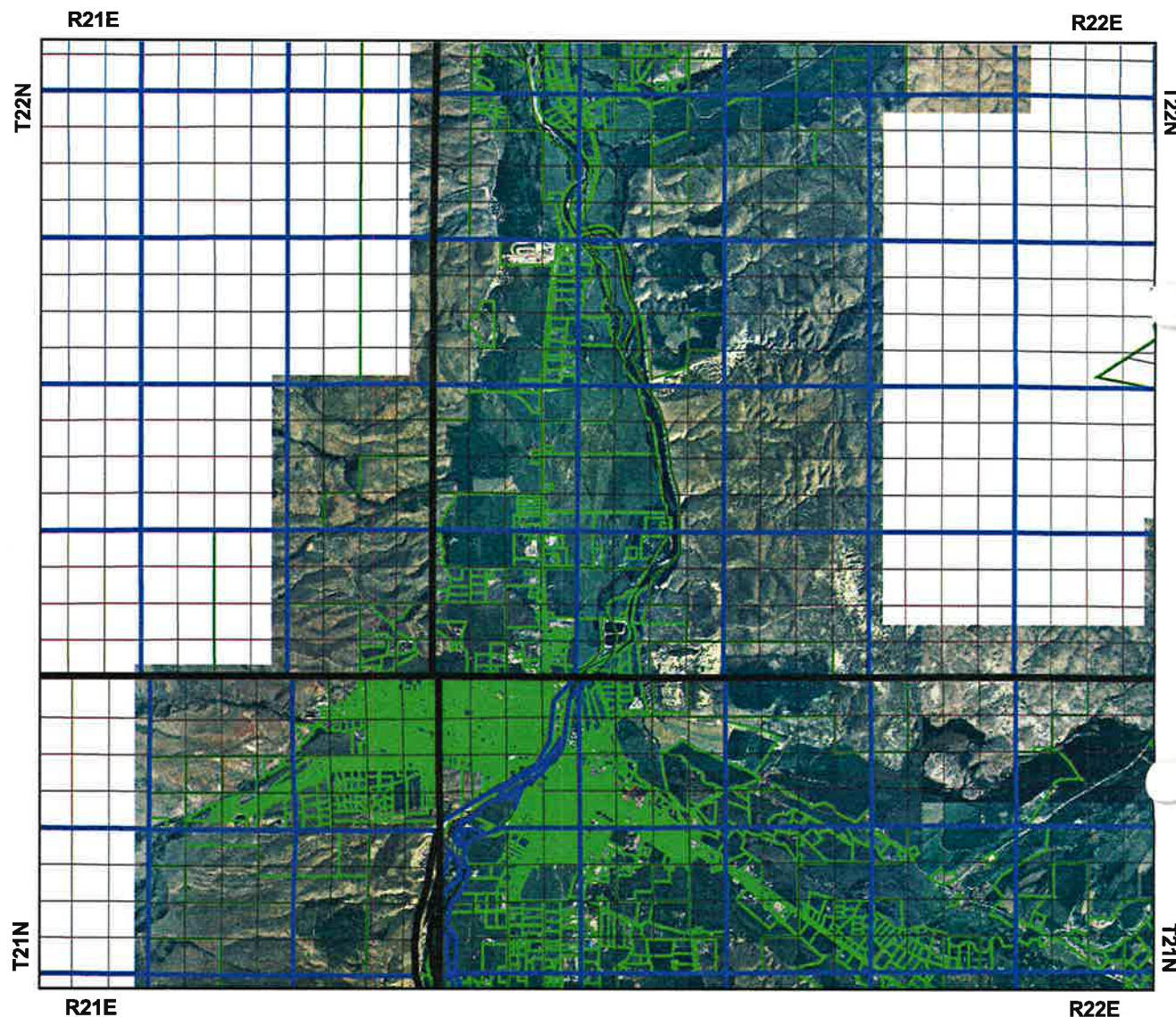
SRBA Claim:
75-14259

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 3 6 Miles



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 3, 2005

MAC AND DIANE YAKOVAC
15 LOVERS LN
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Incomplete Notices of Claim to a Water Right

75-14259
75-14260
75-14261

Dear Claimants:

We are returning your three incomplete Notices of Claim to a Water Right because we need assistance before we can continue. We have enclosed your receipt #C078511 for the filing fees you paid. Please retain the receipt for your records.

Incomplete Unnumbered Claim for Water From Spring

- ✓ Please add the city name to Item #1.
- ✓ At Item #4b, you claimed instream flow. Instream flow claims are for stockwatering directly from a natural stream course. Since you did not complete Item #5, Description of existing diversion works, we do not know what carries the water from your spring to the place of use. If it is a culvert, please line through your entries referring to instream flow.

Incomplete Unnumbered Claim for Waste Water from Lemhi River

- ✓ Please add the city name to Item #1.
- ✓ At Item #6, please add the dates water is used for Stockwater.

Incomplete Unnumbered Claim for Water from the Lemhi River

- ✓ Please complete Item #1, including the city name.
- ✓ Item #4, Additional points of diversion if any: please line through "Board in Culvert & Headgate", as this is not a point of diversion.

Please initial any changes you make to these claims and return them to me at this office. You may want to make a copy of your claims before returning them to me. Please call me at 208/287-4914 if you have any questions or concerns.

Sincerely,

Roxanne Brown
Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

RB:ss:region
Enclosures:

Receipt #C078511
(3) Incomplete Notices of Claim to a Water Right

SCANNED
FEB 15 2006

RECEIVED

JUL 08 2005

Department of Water Resources

IN 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

15-14259

Date Received

7-8-05

Receipt Number

C078511

d.e. # 2-15-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mac Lane Yakovac Phone () NAMailing Address 15 Lovers Lane Salmon ID Zip 834672. Date of Priority (Only one (1) per claim) July 30 18713. Source of water supply (a) Lemhi
which is tributary to (b) Salmon4. a. Location of existing point of diversion is: Township 21N Range 22E Section 8,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: Board at Culvert Headgate Dy

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.From Lemhi, around
Cemetery to Headgate to Conlee Ditch

SCANNED

FEB 15 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 12-1 amount .50 or _____

For STOCKWATER purposes from 4-1 to 12-1 amount .01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .51 (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.) 3 Horses 2 Cows.

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
21N	22E	7															2	2	

Total number of acres irrigated 2

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

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.

SPRING WASTE WATER or None ()

14. Remarks:

Last Name Yakovac Ident No. 75-14259

Scale: 2 inches equals 1 mile

T 21N R 22E

A 20x20 grid of graph paper. Each cell contains a dashed crosshair. A small handwritten number '7' is located in the center of the grid, specifically in the 10th row and 10th column.

Last Name

Last Name Yakovac

Ident No.

Ident No. 75-14259

SCANNED

FEB 15 2006

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) Deane Yakovac

Date 7/5/05

Mac Yakovac

Date 7.5.05

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 _____

Title

of _____

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 Lemhi) SS.

Subscribed and sworn (or affirmed) before me this

5th

day of

July

19 2005

Notary Public Robert E. Foster

Residing at Salm

My Commission Expires 02/16/07

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ 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 Yakovac

Ident. Number

75-14259

SCANNED

FEB 15 2006

Instrument No. 8309

This Indenture, Made the Thirtieth day of July in the year of our Lord one thousand nine hundred and seven between William J. Bryan of Salmon, County of Lemhi and State of Idaho, the part X of the first part, and George P. Conlee of Salmon, County of Lemhi State of Idaho the part X of the second part,

WITNESSETH, that the said part X of the first part, for and in consideration of the sum of One Hundred and Fifty (150) Dollars, lawful money of the U.S. of America, to him in hand paid by the said part X of the second part, the receipt of which is hereby acknowledged, do as REMISE, RELEASE and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns, the following described PROPERTY situated in the County of Lemhi and State of Idaho, to-wit: An undivided Fifty (50) cubic inches of that certain Water Right to Fourteen Hundred (1400) cubic inches of the Waters of the Lemhi River, as filed on July 30th, 1898 by William J. Bryan et al. and Recorded in Book "A" of Water Rights at page 347, of the records of the said Lemhi County; Together with an undivided one-twenty-eighth interest in and to that certain ditch conveying the aforesaid water from the Lemhi River to the lands of the said party of the second part.

together with all the tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever as well in law as in equity, of the said part X of the first part, of, in or to the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD, all and singular the said premises, with the appurtenances:

unto the said part X of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said part X of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

P. J. Dempsey

William J. Bryan

(SEAL)

(SEAL)

STATE OF IDAHO, } ss.
County of Lemhi

On this Thirtieth day of July 1907, before me P. J. Dempsey a Notary Public in and for said County, personally appeared William J. Bryan known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same; and on this 1907 day of July, before me, the officer above described, personally appeared George P. Conlee known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

(Seal)

P. J. Dempsey

Notary Public in and for Lemhi County, Idaho.

STATE OF IDAHO, } ss.
County of Lemhi

I hereby certify that this instrument was filed for record at request of Geo P. Conlee at 30 minutes past 4 o'clock P. M., this 28th day of July A. D. 1907, in my office, and duly recorded in Book 0 of Deeds at page 253.

By

W. C. Smith
As-official Recorder.

SCANNED Deputy.

FFR 15 2006

Yakovac 75-14259

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Yakovac, Diane

CL

IDENT. NO.

75-14259

DATE RECEIVED

7-8-03

CK #

C078511

AMOUNT \$

156.-

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☒ NO *
2. Is a priority date entered? ☒ YES ☒ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☒ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☒ NO *
3. (a) Is a source entered? ☒ YES ☒ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☒ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☒ NO Remove board *
5. Is there a description of the diverting works? ☒ YES ☒ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☒ NO *
- Is the period of use included? ☒ YES ☒ NO *
- Is a quantity claimed for each use? ☒ YES ☒ NO *
7. Is a total quantity claimed entered? ☒ YES ☒ NO *
8. If required is a consumptive use entered? ☒ YES ☒ NO N/A *
- Is the consumptive use correct? ☒ YES ☒ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☒ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☒ NO *
11. Is (are) the county(ies) entered? ☒ YES ☒ NO *
12. Is the ownership of p.u. checked? ☒ YES ☒ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☒ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☒ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☒ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☒ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☒ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☒ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☒ NO *
20. Is the fee enclosed correct? ☒ YES ☒ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☒ NO N/A *
22. Should this claim be data entered? ☒ YES ☒ NO *

Claim checked by:

e-sherman

Date:

8-3-05

Claim must be returned to claimant:

☒ (Yes) ☒ (No)

Claimant must be notified of modifications:

☒ (Yes) ☒ (No)

Receipt Prepared by:

M. McMickle

Claim data entered by:

e-sherman

Sent to claimant by:

Date:

7-8-05

Date:

2-15-06

Checked by:

Date:

Comments:

#1, 4g. Board not P.O.P.