

JAN 19 2016

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JAN 29 2016

RECEIVED

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

JAN 11 2016

APPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION

Department of Water Resources
Eastern Region

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. APPLICANT(S) JACK P JAKOVAC Phone 208-756-3885
 2. MAILING ADDRESS 71 RED ROCK STAGE RD City SALMON
 State ID Zip 83467 Email Sharijak@centurytel.net

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 74-216 J

☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 96 cubic feet per second and/or N/A acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION - Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NE	9	20N	23E	Lemhi	Withington Cr	W1 3
X			SW	SW	3	20N	23E	Lemhi	Withington Cr	

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Headgate to ditches

- b. Who owns the property at the point(s) of diversion? Jack Jakovac
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of applicant or authorized agent

Jack Jakovac
Print name and title if applicable

1/4/2016
Date

[Signature]
Signature of applicant or authorized agent

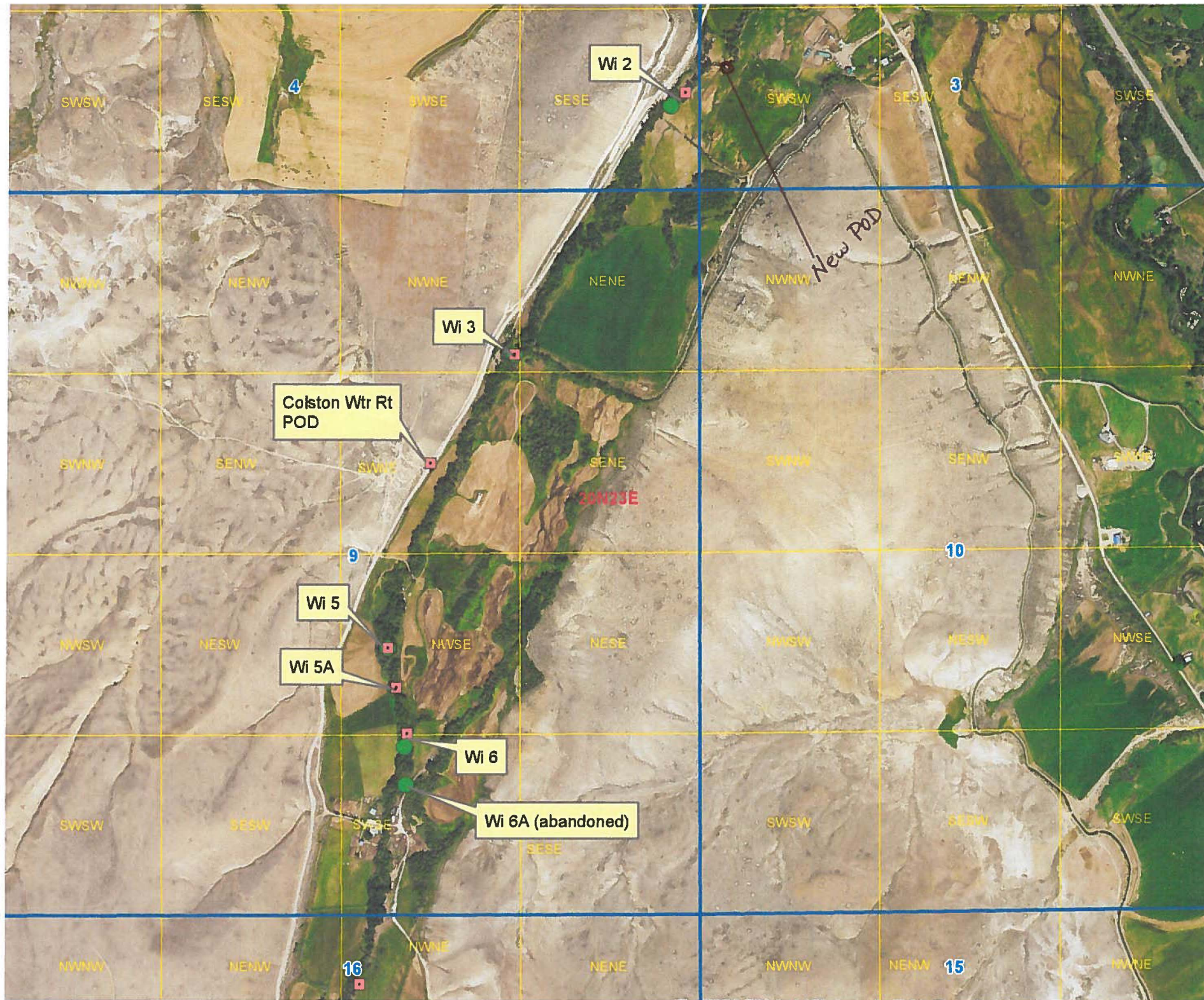
Sharon M. Jakovac
Print name and title if applicable

1/25/16
Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____
Fee paid 500 Date 1/11/16 Received by [Signature] Receipt # 8041742
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/4/2016

WATER RIGHT NO. 74-216J

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK P JAKOVAC
Current Owner	SHARON M JAKOVAC 71 RED ROCK STAGE RD SALMON, ID 83467 (208)756-3885
Original Owner	MAXINE SAGER
Original Owner	WILLIAM N SAGER 61 RED ROCK STAGE RD SALMON, ID 83467 (208)756-3758
Original Owner	CLARENCE PORTER
Original Owner	GLADYS PORTER 71 RED ROCK STAGE RD SALMON, ID 83467-5200

Priority Date: 04/15/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WITHINGTON CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.94 CFS	
Total Diversion			0.94 CFS	

Location of Point(s) of Diversion:

WITHINGTON CREEK|NWNE|Sec. 09|Township 20N|Range 23E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
20N	23E	3		NWSW	12.9		SWSW	17.5						
		4		SESE	6.6									
		9		NENE	26.2									

Total Acres: 63.2

Conditions of Approval:

1. C18 | 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.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 63.2

Combined Volume Limit:



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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 11, 2016

SHARON M JAKOVAC
JACK P JAKOVAC
71 RED ROCK STAGE RD
SALMON, ID 83467

RE: Transfer No. 80653
Water Right No(s). 74-216J

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 2/18/2016 and 2/25/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before March 7, 2016. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80653**

SHARON M JAKOVAC and JACK P JAKOVAC, 71 RED ROCK STAGE RD, SALMON, ID 83467; has filed Application No. 80653 for changes to the following water rights within LEMHI County(s): Right No(s). 74-216J; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

add a point of diversion in the SWSW Sec 3 T20N R23E for 0.94 cfs from Withington Creek
For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see

<http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 3/7/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/18/2016 and 2/25/2016



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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 19, 2016

SHARON M JAKOVAC
JACK P JAKOVAC
71 RED ROCK STAGE RD
SALMON ID 83467

Re: Application for Transfer of Water Right(s)

Dear Applicant(s):

The Department of Water Resources has received your Application for Transfer. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. We are returning your application. The required information is described below.

- Signature of applicant or authorized representative was not provided correctly. Include printed name, title if applicant is not an individual, and date of signature. Sharon M Jakovac is listed as a current owner so she needs to sign the application as well.
- Item #4 is not complete. Please fill this in.

Please return the application in the envelope provided. Return the application within 30 days or the Department will refund your application and the fee will be refunded. Contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', with a large, stylized flourish at the end.

Jean Hersley
Technical Records Specialist

Enclosure