

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
75-10415	Yes ☒	(Split into 75-14770 + 75-14771)	Yes ☐	75-10415	Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Leonard + A. Yvonne Jakich
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Sam Miller
Name of each new owner as listed on the conveyance document

Elizabeth A Miller
New owner continued

Name connector ☒ and ☐ or ☐ and/or

509 Neyman St
Mailing address

Salmon,
City

ID 83467
State ZIP

(208) 940-0952
Telephone

beth-miller-65@hotmail.com
Email

RECEIVED

JAN 14 2013

Department of Water Resources
Eastern Region

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ 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.

5. Date you acquired the water rights and/or claims listed above:

11/28/12

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - ☐ \$25 per undivided water right.
 - ☒ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

7. Signature:

Sam Miller
Signature of new owner/claimant

Title, if applicable

12/11/12
Date

- Signature:

Elizabeth A. Miller
Signature of new owner/claimant

Title, if applicable

12/11/12
Date

For IDWR Office Use Only:

Received by SPB

Date 1/14/2013

Receipt No. ECSS 322

Receipt Amt. \$100.-

Approved by SPB

Processed by SPB

Date 2/14/2013

Form 42-248/42-1409(6) Rev. 07/10

SUPPORT DATA

IN FILE # 75-10415

Instrument # 291923 # Pages: 2
LEMHI COUNTY, Idaho
Nov 28, 2012 8:25:55 am Fee: \$ 13.00
For: ALLIANCE TITLE
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

WARRANTY DEED

ATEC Order No. 167685

FOR VALUE RECEIVED

Leonard Jakich and Adelene Yvonne Jakich, also known of record as Yvonne Jakich and A. Yvonne Jakich, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Sam Miller and Elizabeth Miller, husband and wife

whose current address is

509 Neyman St.
Salmon, ID 83467

SM *BM*

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

Lot 3 of Jakich Family Estates Subdivision recorded in Book 9 at Page 78 and Amended in Book 9 at Page 83, Official Records of Lemhi County, Idaho.

Together with and subject to: An Irrigation Easement

A 20 foot wide easement for the purpose of building and maintaining a Irrigation system for Lots 1, 2, 3 and 4 of the Jakich Family Estates Subdivision, located in Section 18, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of Lot 3 of said subdivision run thence N. 00° 02' 45" E. along the westerly boundary of said subdivision a distance of 486.00 feet to the Northwest corner of Lot 2 of said subdivision;
Thence S. 89° 46' 11" E. along the Northerly boundary of said Lot 2 a distance of 20 feet;
Thence S. 00° 02' 45" W. a distance of 486.00 ft. to a point on the southerly boundary of said Lot 3;
Thence N. 89° 46' 11" W. along said boundary a distance of 20.00 ft. to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

SEI SUBDIVISION PLAT INS1 # 276220

CLASS OF HEARING:
SND0745W 5285.9W
S14COR SEC 18 TO
TIME: M4COR SEC 18

[illegible]

ACREAGE: DESCRIPTION

105 FAH F		
LINE	BLANKING	LENGTH
11	N0549274	4210
12	N103447	2708
13	N45942167	1603

LOT 1
3.44 ACRES

LOT 2
3.44 ACRES

LOT 3
3.39 ACRES

LOT 4
3.39 ACRES

THE PURPOSE OF THIS PLAT IS TO REVERT THE LOW LAND - NINE BUILDING SITES LOCATED IN LOTS 1 AND 2 THIS DESIGNATION HAS BEEN REVERTED TO ASPECT WETLANDS LEFT BEHIND IN THE LEMHI COUNTY COURTHOUSE AS PER MD 276445

EXISTING: BRITK & R

LEONARD AND ADRIENNE JANICKI, STUDYING HERE, RESERVE TO THEMSELVES, THEIR REPRESENTATIVES AND ASSIGNS, A PERPETUAL, NON-EXCLUSIVE EASEMENT ON, OVER AND UNDER JANICKI DRIVE FOR ACCESS AND UTILITIES TO SOUTH ST CHARLES STREET FOR THE BENEFIT AND AMPHIBINANT TO LAND DESCRIBED AS "LANDS OF JANICKI"

LANDS OF JAKICH

SURVEYORS NOTE:

THESE 50' WIDE UTILITY LANEWAYS ON ALL PATIO ARE RECORDING UNITS OF THE SUBDIVISION AS WELL AS WIDE UTILITY LANEWAYS ON BOTH STRIPS OF ALL INSIDE LOT LINES.

LEGEND

2 1/2" ALUM. CAP PLS 5080

5/8" x 30" REBAR FOR EXTERIOR SUBDIVISION CORNERS AND 5/8" x 2'- REBAR FOR INTERIOR CORNERS WITH A YELLOW PLASTIC CAP MARKED "WADE PLS 5080"

4/8" PFRABRY 15971

15- REFBAR

ABOVE: GROUND FO

POINT OF BEGINNING

POINT ON LINE

CENTER IRRIGATION

EXISTING FENCE:

אנו מציעים

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

COUNTY RECORDER'S
CERTIFICATE

4 DAY 17th NORTH July 2008

PAGE: 83 INST. NO. 276818

Nov 9 1977

2nd Mar 1941

0
FCR

DATE	28 JUN 07	DRAWN/CHK BY	LBHMLJ
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THE UNIVERSITY OF CHICAGO PRESS

SUPREY, JAKICIT, LEONARD ZAK/JAKICIT: ZA

**WADI, CONVEYING
GLOBAL POSITIONING SERVICE
AND SURVEYING & PLANNING**

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 21, 2008

LEONARD & A YVONNE JAKICH
118 S ST CHARLES RD
SALMON ID 83467-5224

RE: Transfer #74193 for water right(s) 75-10415 and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Jakich:

On January 18, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74193, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Water Rights: 75-10415

)
)
Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74193

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing

DATED: 1 March 2008

Ernest Carlson

Signature of IDWR Representative

03/03/2008

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

RIGHT NUMBER: 75-10415

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

LEONARD JAKICH
118 S SAINT CHARLES RD
SALMON ID 83467-5224

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74193, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 1.200 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

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.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION: T20N R22E S6 SESE Lot 14 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	1.200 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 SWNE 30.00

STOCKWATER in LEMHI County

T21N R22E S18 SWNE

30 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Stockwater use is for 30 range cattle.

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.

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. 75C.

This right is a combination of old Right Nos. 75-33 and 75-44.

The right holder shall accomplish the change authorized by transfer 74193 prior to January 18, 2009.

This right does not grant any right-of-way or easement across the land of another.

Failure of the right holder to comply with the conditions of transfer 74193 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Runsten Mintzer Ditch.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10415

WATER RIGHT NUMBER: 75-10415

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

Priority Date: 04/01/1894

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.200 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SE1/4SE1/4	Sec. 24, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T21N R22E S18 SWNE 30.0

Total Acres: 30

STOCKWATER Within LEMHI County

T21N R22E S18 SWNE

Conditions of Approval:

Remarks: The 75c (S-13) Ditch priority date is ^{April} 1894
 The Jakich Family used irrigation water for cattle starting in
 1924. Recorded in Warranty Deed No. 39734
 Book 28 of deeds - p. 32
 Lemhi County, Salmon Idaho



State of Idaho

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EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 12, 2007

A YVONNE JAKICH
LEONARD JAKICH
118 S SAINT CHARLES RD
SALMON ID 83467-5224

RECEIVED

DEC 17 2007

Department of Water Resources
Eastern Region

RE: Application for Transfer No 74193

Water Right No(s) 75-10415

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on December 20 and 27, 2007. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Sharla Cox
Administrative Assistant

