

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given
that the following claim(s)
to water right(s) have
been established by diver-
sion and application to
beneficial use:

75-4183

YAKOVAC, MATT &/or
EVELYN

P.O. BOX 12, CARMEN,
ID 83462

Source: SALMON RIVER
tributary to SNAKE RIV-
ER

Priority Date: 07/01/1950
Amount: 4.00 CFS

Diversion Point: SESW
Sec 06 T 22N R 22E, LEM-
HI Co.

Use: IRRIGATION (4.00
CFS) from 04/01 to 12/01
Place of Use: NESE
NWSE SWSE SESE Sec
31 T 23N R 22E FOR 84
ACRES

Diversion Means: DAM,
HEADGATE & DITCH.

Any exception to any
claim of water right may
be filed with the Director
of the Idaho Department
of Water Resources, 150
Shoup, Ave., Idaho Falls,
Idaho 83401.

C. STEPHEN ALLRED
Director

Published 11/27 & 12/
04/80.

11-27-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein,

Notice of Claim to Water Right No. 75-4183

That the

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for 2
consecutive issues, commencing with the issue dated Nov. 27, 1980
and ending with the issue dated Dec. 4, 1980

Jerry G. Rosin

Subscribed and sworn to before me, this fourth

day of December, 1980

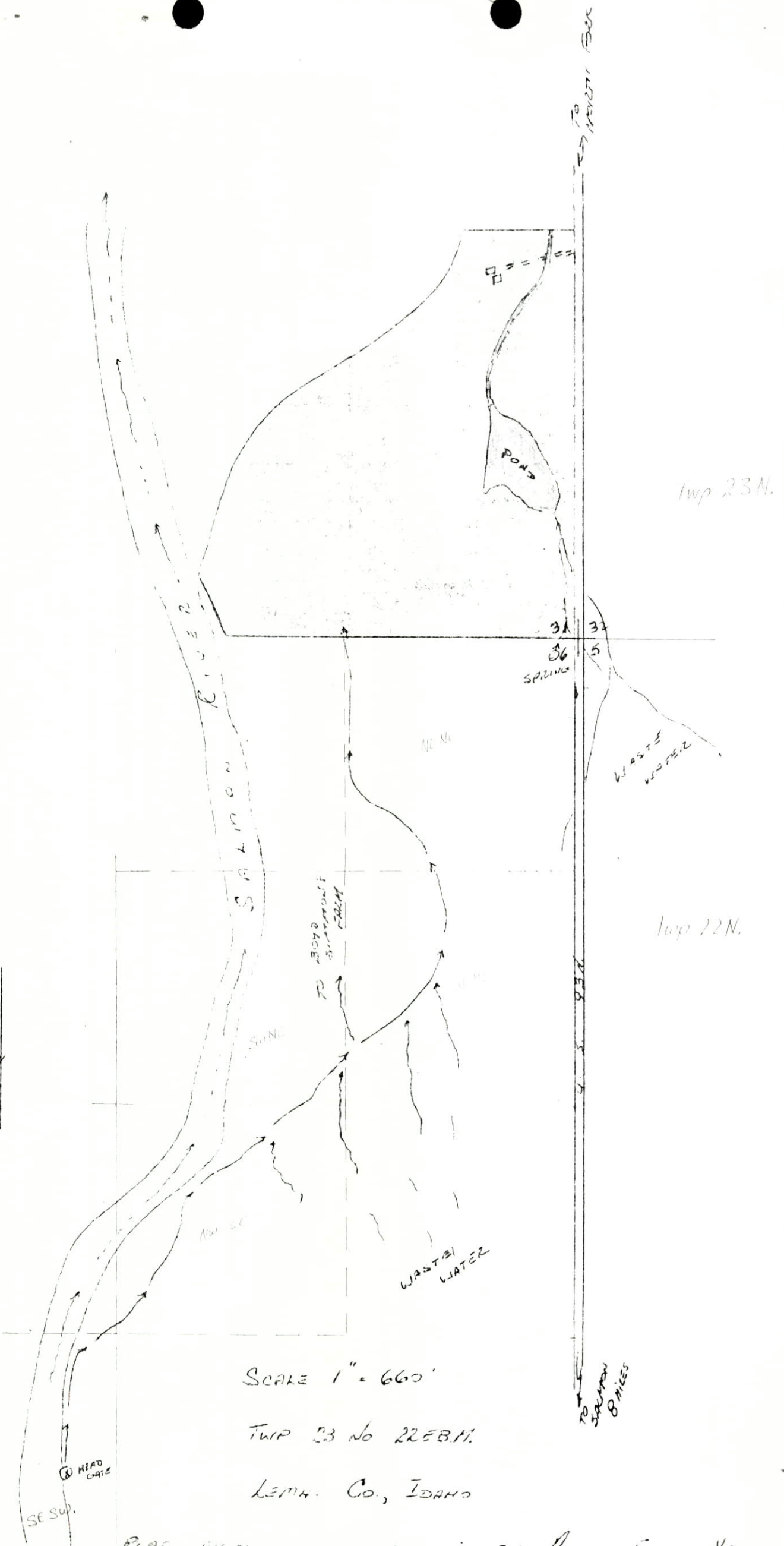
Carl Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 14.77

MICROFILMED

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SCALE 1" = 660'

TWP 23 No 22 EBM.

LEMA. CO., IDAHO

RECEIVED

NOV 26 1980

Department of Water Resources
Eastern District Office

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that MATT & EVELYN YAKOVAC
(Name of Claimant)
BOX 12, CARMEN, IDAHO Telephone No. 756-3145
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) July 1, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
SALMON RIVER tributary to SNAKE RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>4 cfs.</u>	Use	<u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Dec. 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 4 cfs. TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 6 Twp. 22N Rge. 22E B.M., County of Lemhi
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam & open headgate to river; dimensions of headgate are 5' x 8'. Water delivered via 1.1 mile of open ditch (known as the Lindberg Ditch); two other farms obtain water here from.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
23N	22E	31													23	1	22	38	84

No. of acres 84

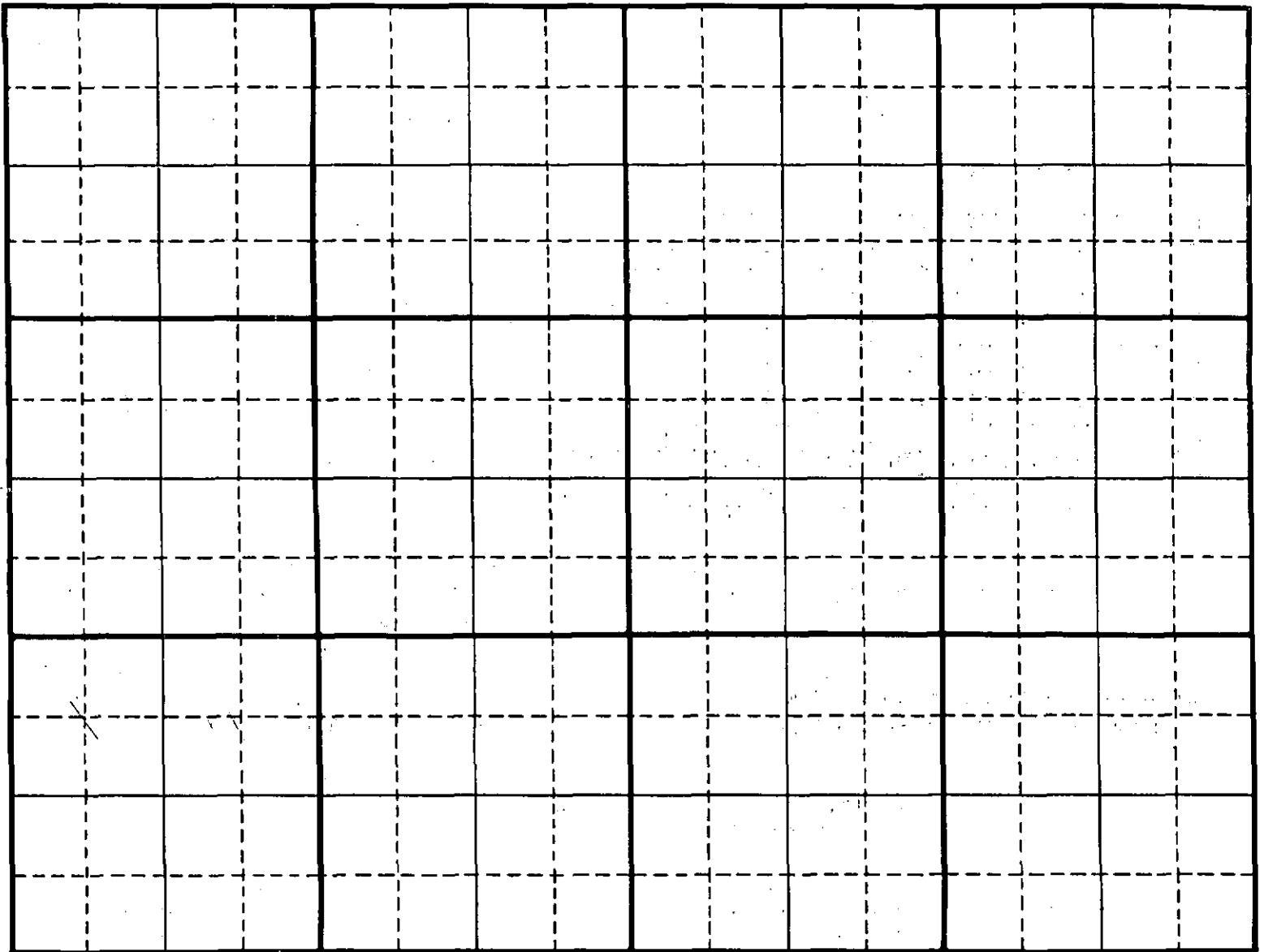
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Some stockwater obtained during irrigation season but the amount is mostly negligible.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:
none

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(8) Remarks See the attached plat for actual location of the farm, the carrying ditch and point of diversion. The gravelly river-deposited-soils generally require more than the accepted one inch per acre.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonn.) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Matthew Yakovac
Evelyn Yakovac
(Claimant)
1980

Sworn to before me this 13 day of Nov

William R. Rhoads
Notary Public
Residing at IDAHO FALLS

My commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by BR Date 11-14-80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ERC Date 11/13/80 # 16081 claimant by: _____
\$20.00 fee received by ERC Date 11/13/80
Published in The Recorder-Herald
Dates 11/27 & 12/04/80

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Dec. 4 1980
and ending with the issue dated

Jerry G. Rosin

Subscribed and sworn to before me, this

fourth

day of December, 1980

Carl Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 14.77

MICROFILMED

Oct 29, 1980

To Whom it may concern

I E. C Bolander do hereby state that in 1934 I lived on the Griffith place now owned by Dr Boyd Simmons and used water to irrigate my place out of the ditch now known as the Lindberg ditch. The only other two using water from this ditch were the Lige Hampton place now owned by ~~Mr~~ Lloyd Lindberg and the Hiram Carlson place now owned by Matt Yakovac.

I know that the water from this source was used by those three people only for many years prior to that.

E C Bolander

STATE OF IDAHO
County of Lemhi

On October 30, 1980 personally appeared before me a Notary Public for the above state E. C. Bolander and subscribed before me the above written instrument.

Dwight L. Board
Notary Public
Lifetime Commission
Salmon, Idaho

MICROFILMED

Oct 28, 1980

To whom it may concern

I Albert Proksch had the ditch built in 1950 by John Jewitt. I irrigated my place till 1954. It is the same ditch that Matt Yakovac and Boyd Simmons uses now.

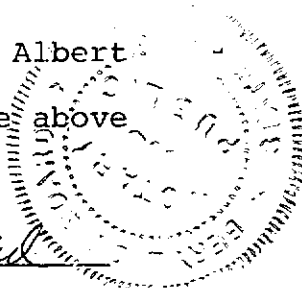
Albert Proksch

State of Idaho

County of Lemhi

On October 30, 1980 personally appeared before me Albert Proksch known to be to be the person who has written the above instrument.

Donal de Board
Notary Public
Lifetime Commission
Salmon, Idaho



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[illegible]

Twsp 22 N.

Летн. Со, Ивано

Waste
water

51 Ni

WASTE
WATER

HEAD
GATE

SE Sup.

8 miles



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

PERMIT NO.

We are in receipt of the _____ extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No.

Roberta Garrett
Records Supervisor

Enclosure

WATER RIGHT NUMBER 75-4183

OWNER LAST NAME - YAKOVAC

FIRST NAME - MATT

ORIG OWNER -

OWNER LAST NAME - YAKOVAC

FIRST NAME - EVELYN

ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 12

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CARMEN

STATE - ID ZIP CODE - 83462

SOURCE - SALMON RIVER

TRIBUTARY OF - SNAKE RIVER

STAGE - STATRY CLM

STATUS -

PRIORITY - 07-01-1950 COUNTY - LEMHI

TOTAL DIV. RATE - 4.0000 CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 06 22N 22E LOT

REDIV -

FROM - 04-01 TO - 12-01 USE - IRRIGATION

USE DIV. RATE -

4.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 23N RNG 22E SEC 31

TRACT NESE LOT

AC 23 TRACT NWSE LOT

AC 01

TRACT SWSE LOT

AC 22 TRACT SESE LOT

AC 38

DECREE NAME -

DATE -

TOTAL ACRES

84

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - DAM, HEADGATE & DITCH.

3/79

IDENT. NO.

75 4183

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

December 23, 1980

RE: Claim to a Water Right (No. 75-4183 and 75-4184)

Matt &/or Evelyn Yakovac
Box 12
Carmen, Idaho 83462

Dear Mr. & Mrs. Yakovac:

Enclosed please find a copy of the exception filed in connection with the above referenced claim. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department-----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

MILWAUKEE

December 23, 1980

RE: Claims to Water Rights Nos. 75-4183 and 75-4184

Almon Jensen
Box 821
Salmon, Idaho 83467

Dear Mr. Jensen:

We have received the exception dated December 19, 1980, filed against the above referenced claim to a water right. The following is a quote from the provisions of the Idaho Code under which this claim has been filed:

42-225b. Recording of claims by department----Corrections.-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration (renamed Department of Water Resources, July 1, 1974) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

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If you have any questions regarding this matter, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

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AFFIDAVIT

County of Bonneville

being first duly sworn,

I do not object to the Yakovacs receiving 4 cfs water right from the Salmon River but I do object to them using the John Nolan ditch to carry the 4 cfs water from the Salmon River to their property.

(Signature)

Subscribed and sworn to before me this 19 day of December, 1980.

Kathleen A. Walker
(Notary Public)

Residing at Shakopee, MN
My Commission Expires 2/15/1983

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ernest

Right Number 75 4183 Applicant Ja Kovac

NOTE: 75-4183 IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
 - ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
 - ☒ Source.
 - ☒ Quantity, use, period.
 - ☒ Point(s) of diversion.
 - ☒ Location of use.
 - ☒ Signature/notarization/fee.
- 12/15

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date 12-10-1980

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 12/17/80

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

DECEMBER 15, 1980

MATT YAKOVAC
EVELYN YAKOVAC
P.O. BOX 12
CARMEN

ID 83462

RE: Claim No. 75-4183

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

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75-4183-

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