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MAR 15 2000

Department of Water Resources

200 MAR 13 PM 3:27
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 39576

) ORDER OF PARTIAL DECREE
)
)
) Fort Water Right 75-10829
)
)
)

On October 27, 1999, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 75-10829 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 13 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-10829

200 MAR 13 PM 3:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: DIANE YAKOVAC
MAC YAKOVAC
PO BOX 104
GOLCONDA, NV 89414

SOURCE: SPRING
SPRING

TRIBUTARY: SALMON RIVER
RYEGRASS CREEK

QUANTITY: 0.23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1901

POINT OF DIVERSION: T18N R21E S10 NWNENE Within Lemhi County
LOT 06 (NESENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.19 CFS

PLACE OF USE:	Stockwater	Within Lemhi County
	T18N R21E S10 LOT 01 (NWNENE)	LOT 06 (SENE)
	Domestic	Within Lemhi County
	T18N R21E S10 LOT 01 (NWNENE)	LOT 06 (SENE)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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MAR 15 2000

Department of Water Resources

2000 MAR 13 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 75-10829

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 75-10829 was mailed
on March 13, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DIANE YAKOVAC
MAC YAKOVAC
PO BOX 104
GOLCONDA, NV 89414
Phone: 775-623-4090

DIANE & MAC YAKOVAC
PO BOX 1072
SALMON, ID 83467
Phone: 208-756-3166

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/13/00

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A75-10829
Date Received 5-10-90 P.M.
Receipt Number E014458

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

RECEIVED
MAY 11 1990
Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly Richard & June Tilley
Thomas & Janine Taylor

1. Name of Claimant (s) LaMont & Shirlene Anderson Phone (208) 789-7041

Mailing Address Rt. 4 Box 4081, Burley, Idaho Zip 83318

2. Date of Priority (Only one per claim) 6-1-01 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) Mountain Spring
Name or kind of source

which is tributary to (b) Salmon River

4. Location of point of diversion is: Township 18 N Range 21 E

Section 10, all 9/4 of NE 1/4 of NE 1/4, Govt. Lot 6 & 7, E

County of Lemhi

Additional points of diversion if any: A fraction of Lot 1 - S10 T18N R21E

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. dirt ditches

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 to Dec 31 amount .04 (cfs)
(Both dates are inclusive)
For Stockwater purposes from Jan 1 to Dec 31 amount .19

7. Total quantity claimed .23 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household 100 head cattle

A7510829



MICROFILMED

APR 19 1994

10. Place of use is: Township: 18 N Range 21 E

Section 10, NE 1/4 of NE 1/4, Govt. Lot 6 & 8, B.M.,

County of Lemhi for (Circle One) Domestic Stock (Domestic and Stock)

Additional places of use, if any _____

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

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.
irrigation

14. Remarks: We have one and sometimes two springs that furnish varied amounts of water year around and we claim it all on our property.

15. Basis of Claim (Circle One) (Beneficial Use) Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not x 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) Janine Taylor Thomas P. Taylor Date May 8, 1990

Robert B. Taylor June Tillman Date May 8, 1990

For Organizations: I do solemnly swear or affirm that I am _____

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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 8th day of May 1990

SEAL

Notary Public Sharon K. Kuch

Residing at Cassia County

My Commission Expires Jan 1993

Last Name Ruck Ident No. _____

Copies: White-State, Yellow-Claim **MICROFILMED**

APR 19 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10829
Date Received: 5/11/1990
Receipt No: E014458
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MAC YAKOVAC 208-756-6127
Address: PO BOX 1072
SALMON ID 83467
OR
Name: DIANE YAKOVAC 208-756-6127
Address: PO BOX 104
GOLCONDA NV 89414

2. Date of Priority: JUN 1, 1901

3. Source: SPRING Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	10				1	LEMHI
						6	LEMHI
						7	LEMHI
			NE	NE			LEMHI

5. Description of diverting works:
DIRT DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.190		

7. Total Quantity Appropriated is:
0.230 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD, 100 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
18N	21E	10		6	STOCK	
				6	DOMEST	
				7	STOCK	
				7	DOMEST	
			NE	NE	STOCK	
			NE	NE	DOMEST	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
IRRIGATION

14. Remarks:

WE HAVE ONE AND SOMETIMES TWO SPRINGS THAT FURNISH VARIED AMOUNTS OF WATER YEAR AROUND AND WE CLAIM IT ALL ON OUR PROPERTY

15. Basis of Claim: BENEFICIAL USE

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____