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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 FALLS

In Re SRBA

Case No. 39576



Subcase

29-13576

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:



NAME AND ADDRESS OF PERSON OBJECTING

Name:

JAMES G. KATSILOMETES

Address:

639 UNIVERSITY DRIVE

POCATELLO, IDAHO 83201

Daytime Phone:

(208) 233-5287

Name & Address of Attorney, if any:



CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

JAMES G. KATSILOMETES

Address:

639 UNIVERSITY DRIVE

POCATELLO, IDAHO 83201

29-13576

☒ I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

(2) ☒ **Source**

Should be: SPRINGS & CREEKS (WEST FORK OF RAPID CREEK)

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

☒ **REASONS SUPPORTING OBJECTION(S):** ORIGINAL NOTICE

OF CLAIM INCLUDED BOTH SOURCES;
IDWR RECOMMENDATION OMITTED CREEKS
(WEST FORK OF RAPID CREEK) POSSIBLY
DUE TO OVERSIGHT. SEE ATTACHED
COPY OF NOTICE OF CLAIM

29-13576

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of BANNOCK

JAMES G. KATSILOMETES, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

James G. Katsilometes
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

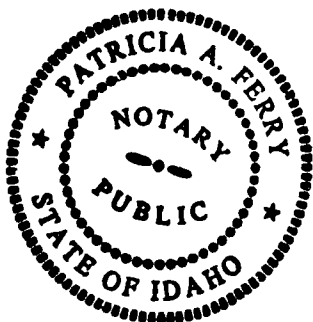
October 31, 2003

Patricia A. Ferry

Notary Public for IDAHO

Residing at: Pocatello

My Commission Expires: 3-31-09



29-13576
INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on OCTOBER 31, 2003, ~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: JAMES G. KATSILOMETES
Address: 639 UNIVERSITY DRIVE
POCATELLO, IDAHO 83201

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

James G. Katsilometes
Signature of Objector or attorney
mailing on Objector's behalf

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. 29-13576

Date Received 5-9-03

Receipt Number E028769

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) JAMES G. KATSILOMETES Phone (208) 233-5287
Mailing Address 639 UNIVERSITY DR, POCA TELLO, IDAHO Zip 83201

2. Date of Priority (Only one per claim) MAY 1, 1909 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other ☒ (a) SPRINGS, CREEKS
which is tributary to (b) WEST FORK, RAPID CREEK Name or kind of source

4. Location of point of diversion is: Township 6 SOUTH Range 36 EAST, BM
Section 30 SW 1/4 of NW 1/4, ~~1/4~~ Govt. Lot 2 BM.,
County of BANNOCK

Additional points of diversion if any: _____

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. _____

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

For STOCK WATER purposes from 01/01 ^{Month/Day} to 12/31 ^{Month/Day} amount .04 (cfs)
For DOMESTIC purposes from 01/01 ^(Both dates are inclusive) to 12/31 amount .04

7. Total quantity claimed .08 (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) _____

10. Place of use is: Township: 6 South Range 36 East
Section 30, SW 1/4 of NW 1/4, (Govt. Lot 2 B.M.,)
County of BANNOCK 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? BANNOCK

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

14. Remarks: _____

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments ZERO

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James A. Kitchener Date 5-8-03
_____ Date _____

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

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ of _____

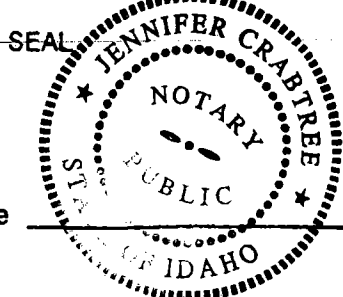
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho or _____ }
County of _____ } SS.

Subscribed and sworn (or affirmed) before me this 9th day of May 19 2003



Notary Public Jennifer Crabtree

Residing at Idaho Falls Id

My Commission Expires 9/23/03

Last Name _____ Ident No. _____

07/10/2003

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

RIGHT NUMBER: 29-13576

NAME AND ADDRESS: JAMES G KATSILOMETES
639 UNIVERSITY DR
POCATELLO ID 83201

SOURCE: SPRINGS

TRIBUTARY: WEST FORK RAPID CREEK

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 05/01/1909

POINT OF
DIVERSION: T06S R36E S30 SWNW Lot 2 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within BANNOCK County
T06S R36E S30 Lot 2 SWNW
STOCKWATER same as DOMESTIC

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Parcel No(s): R3849008000