

06/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13575  
NAME AND ADDRESS: JAMES G KATSILOMETES  
639 UNIVERSITY DR  
POCATELLO ID 83201  
SOURCE: SPRING 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: 05/01/1924  
POINT OF DIVERSION:  
T06S R35E S25 NESE Within BANNOCK County  
T06S R35E S25 NWSE Within BANNOCK County  
T06S R35E S25 SWSE 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       |

PLACE OF USE: STOCKWATER Within BANNOCK County  
T06S R35E S25 NESE T06S R35E S25 NWSE  
T06S R35E S25 SWSE  
DOMESTIC Within BANNOCK County  
T06S R35E S25 NESE T06S R35E S25 NWSE  
T06S R35E S25 SWSE

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: Beneficial Use  
Parcel No(s): R3851022400

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13575 V1

WATER RIGHT NUMBER: 29-13575 V1

|                   |                                                                                   |
|-------------------|-----------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                           |
| Current Owner     | JAMES G KATSILOMETES<br>639 UNIVERSITY DR<br>POCATELLO, ID 83201<br>(208)233-5287 |

Priority Date: 05/01/1924

Basis: Beneficial Use

Status: Active

|               |                       |
|---------------|-----------------------|
| <u>Source</u> | <u>Tributary</u>      |
| SPRING        | WEST FORK RAPID CREEK |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| STOCKWATER            | 01/01 to 12/31          | 0.040 CFS             |                      |
| DOMESTIC              | 01/01 to 12/31          | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.080 CFS             |                      |

Location of Point(s) of Diversion

|                |            |                                 |
|----------------|------------|---------------------------------|
| SPRING         | SW1/4SE1/4 | Sec. 25, Twp 06S, Rge 35E, B.M. |
| BANNOCK County |            |                                 |
| SPRING         | NW1/4SE1/4 | Sec. 25, Twp 06S, Rge 35E, B.M. |
| BANNOCK County |            |                                 |
| SPRING         | NE1/4SE1/4 | Sec. 25, Twp 06S, Rge 35E, B.M. |
| BANNOCK County |            |                                 |

Place of Use  
 STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S | 35E | 25  |    |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  |        |

## DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S | 35E | 25  |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  |    |        |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-13575 V1

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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

1. Explanatory Parcel No(s): R3851022400

Comments:

1. csaxton 6/10/2003 Fees  
Comment: Diminus claim. \$25 fee paid under receipt E028769.
2. csaxton 6/10/2003 Parcel No  
Comment: Parcel no R3851022400

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal:  
 Owner Name Connector:  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Contacts       | 6/10/2003 3:41:30 PM      | csaxton         |                           |                 | Active        |
| Summary        |                           |                 | 06/10/2003                | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>          |
|----------------|------------------------|-----------------|--------------------------|
| POD            | 6/10/2003 3:44:05 PM   | csaxton         | Edited point location    |
| POD            | 6/10/2003 3:45:31 PM   | csaxton         | Edited point location    |
| POU            | 6/10/2003 3:46:23 PM   | csaxton         | Created polygon from PLS |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-13575 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------|----------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary  | 6/10/2003 3:49:43 PM | csaxton | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(Yes) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?<br>(No) 7. Is this a split or combined right?<br>(No) 8. Do you have documents you would like to attach or link to the file?<br>(Yes) 9. Would you like to set the verification date? |
| POD      | 6/10/2003 3:44:44 PM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Contacts | 6/10/2003 3:41:30 PM | csaxton | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Desktop Review                                                                                                                                                                                                                                                                                                                                                                                                                      |

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 29-13575  
Date Received: 5/9/2003  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

A2913575



1. Name of Claimant(s)

JAMES G KATSILOMETES Phone: (208)233-5287

639 UNIVERSITY DR  
POCATELLO ID USA 83201

2. Date of Priority: 05/01/1924

3. Source: SPRING , SPRING , SPRING Trib. to: RAPID CREEK WEST FORK, RAPID CREEK  
WEST FORK, RAPID CREEK WEST FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 06S      | 35E   | 25      | SW SE                 | BANNOCK |      |
| 06S      | 35E   | 25      | NW SE                 | BANNOCK |      |
| 06S      | 35E   | 25      | NE SE                 | BANNOCK |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.04   |            |
| DOMESTIC   | 01/01 | 12/31 | 0.04   |            |

7. Total Quantity Appropriated is:  
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 06S      | 35E   | 25      | NE         | SE  | STOCKWATER |       |
|          |       |         | NW         | SE  | STOCKWATER |       |
|          |       |         | SW         | SE  | STOCKWATER |       |
|          |       |         | NE         | SE  | DOMESTIC   |       |
|          |       |         | NW         | SE  | DOMESTIC   |       |
|          |       |         | SW         | SE  | DOMESTIC   |       |

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

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.

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

Department of Water Resources  
Eastern Region

CIVIL CASE NUMBER: 39576

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

Identification No. 29-13575Date Received 5-9-03Receipt 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, 1924 Month/Day/Year
3. Source of water supply (Check one) ( ) Groundwater or Other ☒ (a) SPRINGS, STREAMS  
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 35 EAST  
Section 25 ~~W~~ of SE 1/4, Govt. Lot        BM. NE 1/4 SE  
County of BANNOCK 1/2
- 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 STOCKWATER purposes from 01/01 <sup>Month/Day</sup> to 12/31 <sup>Month/Day</sup> amount .04 (cfs)  
For DOMESTIC purposes from 01/01 <sup>(Both dates are inclusive)</sup> to 12/31 amount .04

7. Total quantity claimed .04 (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 35 EAST  
Section 25, WEST <sup>1/4</sup> of SE 1/4, Govt Lot \_\_\_\_\_, B.M., NE 1/4 SE 1/4  
County of BANNOCK <sup>1/2</sup> 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 G. Katilimuta Date 5/9/03  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

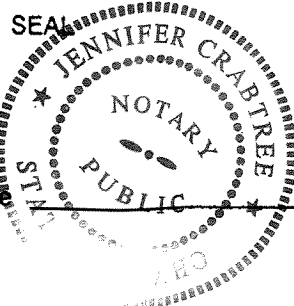
of \_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization  
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of \_\_\_\_\_ ) SS.

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



Notary Public Idaho Jennifer Crabtree

Residing at Idaho Falls Id

My Commission Expires 9/23/03

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

# Receipt Details for ID E028769

| Status | Adjustment Type | Version |
|--------|-----------------|---------|
|        |                 | 1       |

**General Information:**

| Date Received       | Date Deposited      | Region              | Total Amount | Payment Type |
|---------------------|---------------------|---------------------|--------------|--------------|
| 5/9/2003 2:36:31 PM | 5/9/2003 3:59:21 PM | EASTERN             | \$100.00     | Check        |
| Payer               |                     | KATSILOMETES, JAMES |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 8892                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** 29-13573, 29-13574, 29-13575, 29-13576

**Fee Detail:**

| Amount   | Description             | PCA   | Fund | Fund Detail | Subsidiary | Object |
|----------|-------------------------|-------|------|-------------|------------|--------|
| \$100.00 | ADJUDICATION FILING FEE | 43503 | 0337 |             |            | 1155   |

**Refund(s):**

| Amount | Payee | Date | Document Number |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|