

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

SUBCASE NO: 29-13572

Case No. 39576

STANDARD FORM 5

AMENDED CLAIM

FOR DOMESTIC AND STOCKWATER RIGHTS

This form is used to report the stipulated elements of one "domestic and/or stockwater" water right acquired under state law and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

OBJECTOR/RESPONDENT:

Thomas J. Katsilometes 2/13/04
Thomas J. Katsilometes Date

Larry Brown 2/23/04
Larry Brown, USDOJ 118 Date
Attorney for BLM

OBJECTOR:

David J. Barber 2/9/2004
David J. Barber, State of Idaho Date
Attorney for Idaho Department of Lands

IDWR CONCURRENCE:

Ernie Carlsen 2-6-04
Ernie Carlsen Date
Water Rights Supervisor, IDWR

Candice M. McHugh 2-6-04
Candice M. McHugh (As to Form) Date
Attorney for IDWR

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

RIGHT NUMBER: 29-13572

NAME AND ADDRESS:

THOMAS J KATSILOMETES
639 UNIVERSITY DR
POCATELLO ID 83201

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.080 CFS

0.000 AFT

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

PRIORITY DATE:

09/10/1974

POINT OF DIVERSION:

T068 R35E S26 SESESE

Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

01/01 12/31

0.040 CFS

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for mobile sheep camp.

PLACE OF USE:

STOCKWATER

within BANNOCK County

~~T068 R35E S25 SESE~~

T068 R35E S25 SWNE

T068 R35E S25 WNNW

T068 R35E S25 SWNW

T068 R35E S25 SEWN

T068 R35E S25 NNEW

T068 R35E S25 WNSW

T068 R35E S25 ENEW

T068 R35E S25 SESE

T068 R35E S25 NNEE

T068 R35E S25 WNSE

T068 R35E S25 SESE

T068 R35E S26 SWNE

T068 R35E S26 SEWN

T068 R35E S26 NNEW

T068 R35E S26 WNSE

T068 R35E S26 SESE

T068 R35E S26 SESE

~~T068 R35E S25 SESE~~

~~T068 R35E S26 SEWN~~

~~T068 R35E S26 SESE~~

DOMESTIC Same as STOCKWATER

0 ACRES TOTAL

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

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): R3851022400, R3851022500, R3851022616, R3851022617, R3851022619, R3851022620, R3851022621, and R3851022700

Parcel No(s): R3851022400, R3851022500, R3851022616, R3851022617, R3851022619, R3851022620, and R3851022621

Stock water use is for 2000 sheep.

8m^c
EMC
TJK
2/B
JAK
ms

CERTIFICATE OF MAILING

I certify that on Feb. 23, 2004 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

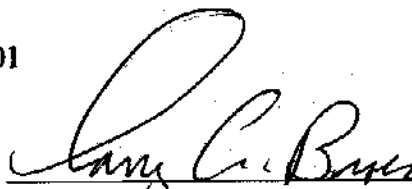
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Thomas J. Katsilometes
639 University Drive
Pocatello, Idaho 83201



Signature of person or attorney mailing the form