

09/27/2005

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

RIGHT NUMBER: 78-4169

NAME AND ADDRESS: TONY CESARIO
1019 N BORAH AVE
RIGGINS ID 83549

BILLIE CESARIO
1019 N BORAH AVE
RIGGINS ID 83549

SOURCE:

TRIBUTARY:

QUANTITY: 0.090 CFS

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.090 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

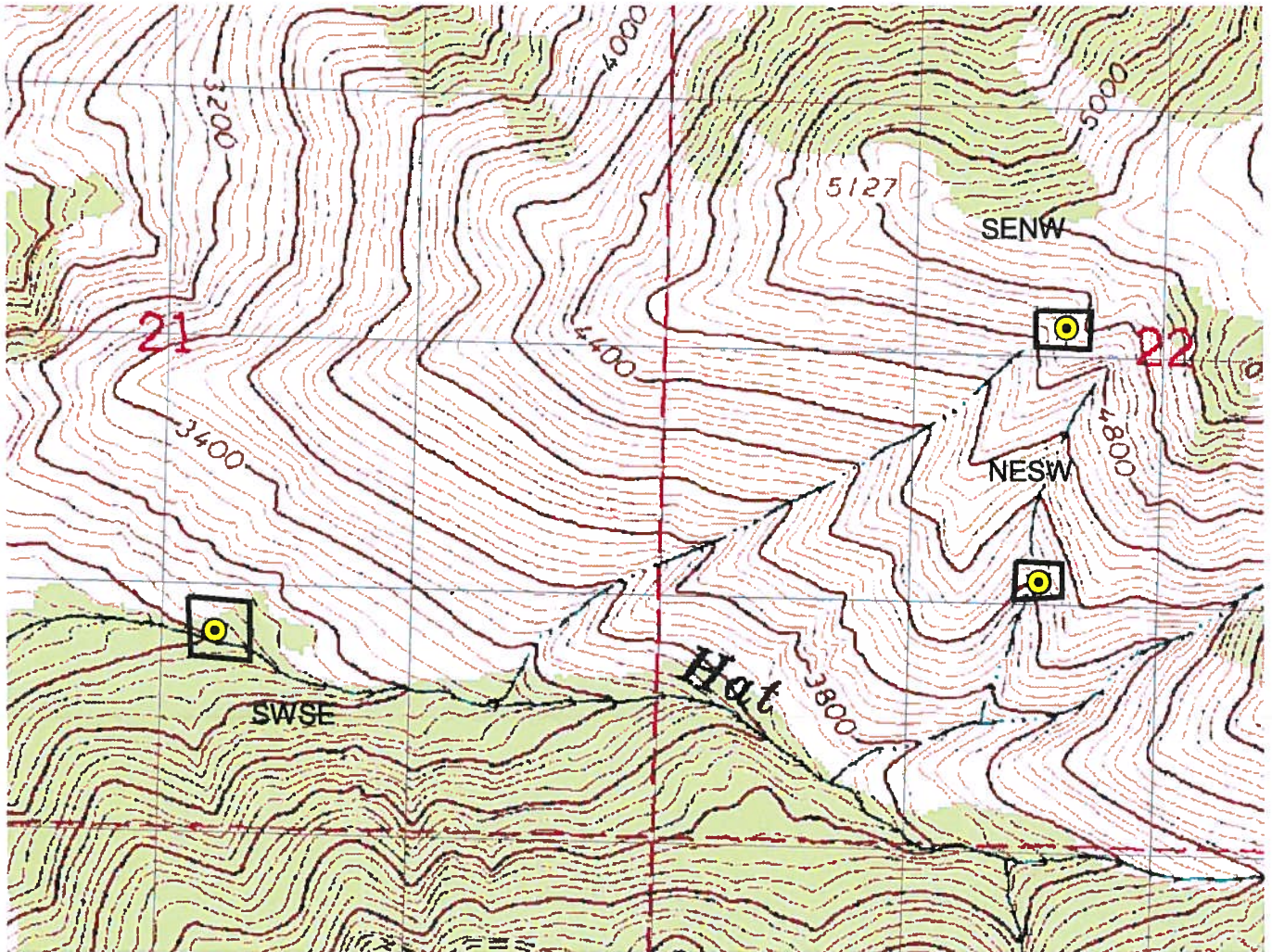
T23N R01E S21	SWSE	T23N R01E S22	SENW
T23N R01E S22	NESW		

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-4169



0 500 1000 Feet



Sections 21 & 22
T23N R1E

● Point of Diversion

□ Place of Use

Map prepared on September 27, 2005
By Kenneth Knoblock
Idaho 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A78-04169**
Date Received: 3/16/1998
Receipt No: C041754
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BILLIE CESARIO 208-628-0005
Address: PO BOX 159
RIGGINS ID 83549
AND
Name: TONY CESARIO 208-628-0005
Address: PO BOX 159
RIGGINS ID 83549

2. Date of Priority: JAN 1, 1900

3. Source: SPRINGS Trib. to: SINKS
SPRINGS HAT CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	21		SW	SE		IDAHO
		22		SE	NW		IDAHO
				NE	SW		IDAHO

5. Description of diverting works:
PIPELINE, TROUGH & CATCH BASINS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
23N	01E	21	SW		SE		STOCK	
		22	SE		NW		STOCK	
			NE		SW		STOCK	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 3/9/99.

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

February 5, 1999

KARL J. DREHER
DIRECTOR

BILLIE CESARIO

TONY CESARIO

PO BOX 710262

SAN DIEGO CA 92171-0262

P.O. Box 159

Riggins, Id. 83549

RECEIVED

MAR 09 1999

WATER RESOURCES
WESTERN REGION

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim #A78-04169
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by February 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

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The address is correct as shown above or as otherwise changed.

Claimant Signature

208 628-0005

Telephone No.

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: **A78-04169**
Date Received: 3/16/1998
Receipt No: C041754
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BILLIE CESARIO 619-693-3627
Address: 10272 GUMBARK PL
SAN DIEGO CA 92131
AND
Name: TONY CESARIO 619-693-3627
Address: 10272 GUMBARK PL
SAN DIEGO CA 92131

2. Date of Priority: JAN 1, 1900

3. Source: SPRINGS Trib. to: SINKS
SPRINGS HAT CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	21	SW	SE			IDAHO
		22	SE	NW			IDAHO
			NE	SW			IDAHO

5. Description of diverting works:
PIPELINE, TROUGH & CATCH BASINS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
23N	01E	21	SW		SE		STOCK	
		22	SE		NW		STOCK	
			NE		SW		STOCK	

11. Place of use in counties: IDAHO

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

RECEIVE

MAR 16 1998

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

CIVIL CASE NUMBER: 39576

Identification No. 178-04169Date Received 3/16/98Receipt Number 204754NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAR 18 1998

WATER RESOURCES
WESTERN REGION

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) Billie & Tony Cesarino Phone (619) 693-3627Mailing Address 10272 Gumbark Pl. San Diego, Ca. Zip 921312. Date of Priority (Only one per claim) 01/01/1900 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) 1) Springs
2) Hat Creek springs
which is tributary to (b) 1) Sinks
2) Hat Creek Name or kind of source4. Location of point of diversion is: Township 23N Range 01ESection 21, SW 1/4 of SE 1/4 of — 1/4, Govt. Lot —, BM.,County of IdahoAdditional points of diversion if any: S22, SENW & NESW5. 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. Pipe line to trough

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

For Stockwater purposes from 1/1 to 12/31 amount 0.09 (cfs)

(Both dates are inclusive)

For — purposes from — to — amount —7. Total quantity claimed 0.09 (cfs)Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) STOCKWATER UP TO 400 RANGE CATTLE

10. Place of use is: Township: 23N Range 01E \$ S22 SENW\$NE
Section 21, SW 1/4 of SE 1/4, Govt. Lot —, B.M.,
r (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? IDAHO

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.
X None or _____

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 78-04169

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) Billie Cesari Date 2-5-98
Billie Cesari Date 2-5-98

X 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 Idaho)

County of Idaho) SS. NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5th day of February 19 98



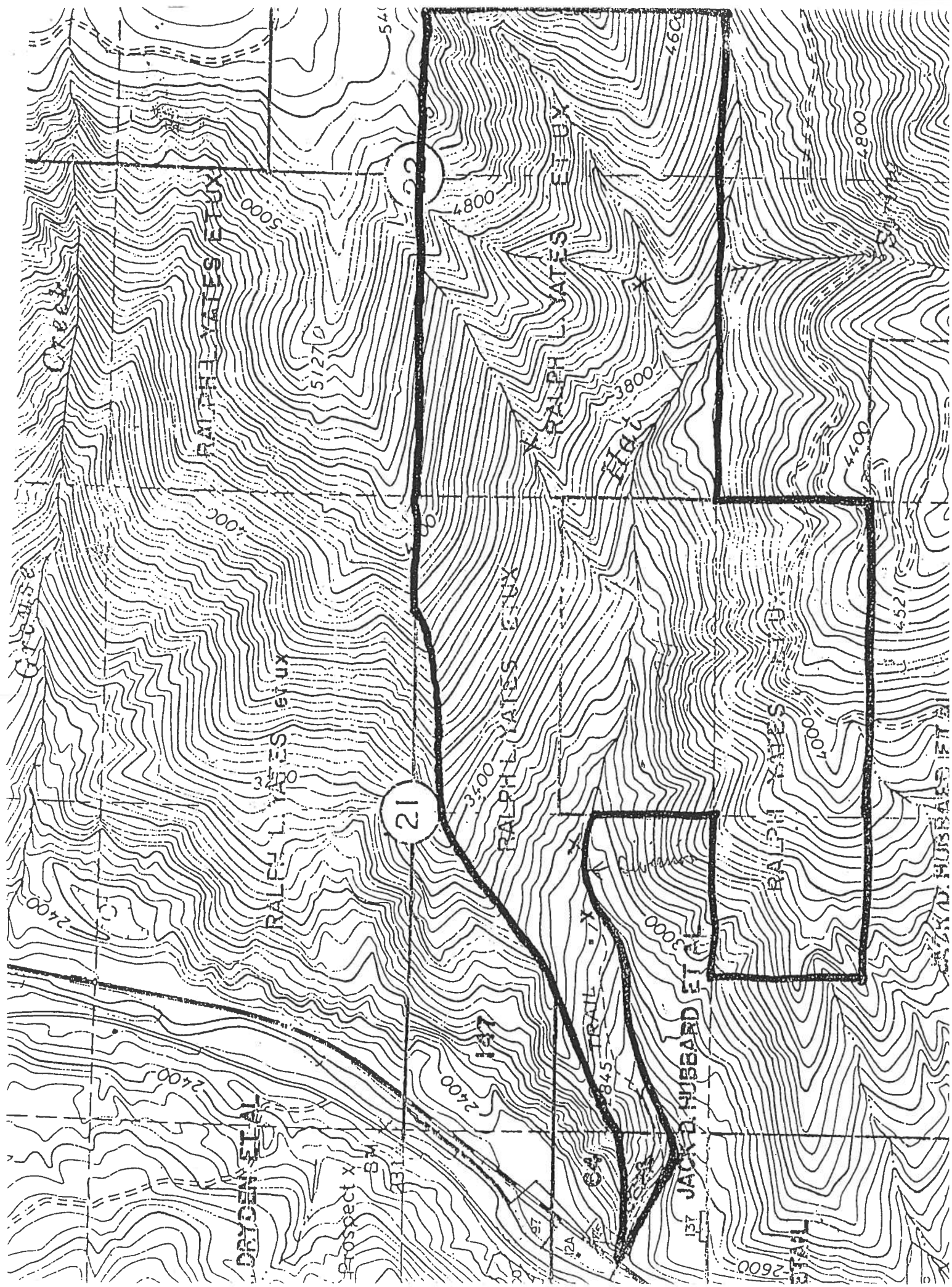
Notary Public J. Paul Eimers

Residing at Spangerville

My Commission Expires 6-24-99

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 9, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A78-04169

KARL J. DREHER
DIRECTOR

Billie Cesario
Tony Cesario
PO Box 159
Riggins ID 83549

Dear Property Owners:

Enclosed is a copy of the above referenced claim which reflects your change in address.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

February 5, 1999

KARL J. DREHER
DIRECTOR

BILLIE CESARIO
TONY CESARIO
PO BOX 710262
SAN DIEGO CA 92171-0262

*318-99
response.
-10*

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim #A78-04169
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by February 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

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The address is correct as shown above or as otherwise changed.

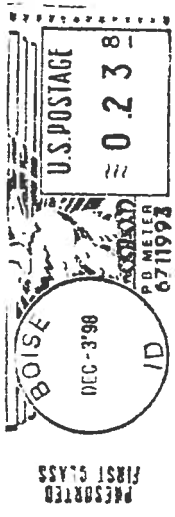
Claimant Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

MS-D-169
WRC



RECEIVED

DEC 14 1998

410-004102
BILLIE CESARIO
TONY CESARIO
10272 GUMBARK PL

SAN DIEGO

CA 92131

Department of Water Resources

CESA272 921313033 1998 17 12/09/98
RETURN TO SENDER
CESARIO
PO BOX 710262
SAN DIEGO CA 92171-0262

43720014714 43720131

