

10/09/2006

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

RIGHT NUMBER: 22-304F
NAME AND ADDRESS: VENECE KILLIAN
10132 N 5TH E
IDAHO FALLS ID 83401

H DELBERT KILLIAN
10132 N 5TH E
IDAHO FALLS ID 83401

SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 0.140 CFS
PRIORITY DATE: 06/01/1898
POINT OF DIVERSION:

T06N R45E S34 SESENE Within TETON County
T06N R45E S35 SWSENE Within TETON County
T06N R46E S32 NENWNE Lot 1 Within TETON County
The point of diversion for this water right is in Wyoming, T44N, R118W, Sec.
6 NESENE, LT 2 6PM for the Kilpack Ditch in section 32.

The point of diversion shown above is where the conveyance system
enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.140 CFS

PLACE OF USE: IRRIGATION Within TETON County

T06N R45E S34	SWNE	3.30	T06N R45E S34	NWSE	13.00
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16.3 ACRES TOTAL

16.3

The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.: 22-303F, 22-304F,
22-613G, and 22-4193B.

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.

This water right is subject to the delivery provisions contained in Roxana
Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana
decree"). Nothing in this Partial Decree is intended to relieve or alter the
state of Idaho nor the state of Wyoming from their obligations contained in
the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Kilpack ditch, Fullmer 1 ditch and/or Fullmer
2 ditch.

10/09/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-304F

ENECE KILLIAN
10132 N 5TH E
IDAHO FALLS ID 83401
Telephone Number: (208) 523-4926

H DELBERT KILLIAN
10132 N 5TH E
IDAHO FALLS ID 83401
Telephone Number: (208) 523-4926

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-6-06

SIGNATURE: H. Delbert Killian Venece Killian

Please print your name: H. Delbert Killian Venece Killian

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMD
12/17

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 22-304F
Date Received: 4/24/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

VERECE & DEL KILLIAN Phone: (208) 523-4926
10132 N 5TH E
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/01/1898

3. Source: SOUTH LEIGH CREEK

Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06N	45E	34	SE	SE	NE	TETON	
06N	45E	35	SW	SE	SW	TETON	
06N	45E	36	SE	SE	SW	TETON	

5. Description of diverting works:

THREE DITCH HEADINGS -- FULLMER #1, FULLMER #2, AND HANSEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.136	

7. Total Quantity Appropriated is:
0.136 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
06N	45E	34	SW	NE	IRRIGATION	3.3

NW SE IRRIGATION 13
Section Acres 16.3
Total Acres 16.3

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____