

IDAHO DEPARTMENT OF WATER RESOURCES 10/23/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: KILGORE LIVING TRUST
1502 S MINK CREEK RD
POCATELLO ID 83204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/30/2000

POINT OF DIVERSION:

T08S R35E S8 NENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within BANNOCK County

T08S R35E S08 NWSW

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.

PARCEL NO: R40509000102

EXPLANATORY MATERIAL: Beneficial Use



Craig

02/08/2003

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: April 21, 2003

Water right number: 29-13244

KILGORE LIVING TRUST

1502 S MINK CREEK RD

POCATELLO ID 83204

Telephone Number: (208)478-4349

RECEIVED
APR 21 2003
Department of Water Resources
Eastern Region

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: 4/10/03

SIGNATURE:

Bruce M. Kilgore Elaine Kilgore

Please print your name:

Bruce M. Kilgore Elaine Kilgore

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13244 V1

WATER RIGHT NUMBER: 29-13244 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KILGORE LIVING TRUST 1502 S MINK CREEK RD POCATELLO, ID 83204 (208)478-4349
Trustee	BRUCE M KILGORE 1502 S MINK CREEK RD POCATELLO, ID 83204 (208)478-4349
Trustee	ELAINE KILGORE 1502 S MINK CREEK RD POCATELLO, ID 83204 (208)478-4349

Priority Date: 11/30/2000

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

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

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SW1/4	Sec. 8, Twp 08S, Rge 35E, B.M.
BANNOCK County		

Place of UseDOMESTIC Within BANNOCK County

T08S R35E S08 NWSW

Total Acres: 0

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. General PARCEL NO: R40509000102

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13244 V1

Comments:

1. csaxton 10/23/2001 Parcel #
Comment: Parcel # R4059000102
2. csaxton 10/23/2001 Priority Date
Comment: Priority date based on notes from claimant on completion of well.

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: OR
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>
Summary	10/23/2001 9:18:43 AM	csaxton	10/23/2001 9:18:43 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/23/2001 9:14:50 AM	csaxton	Edited point location
Contacts	10/23/2001 9:12:15 AM	csaxton	(No) 1. Do you want to schedule an appointment?
Summary	10/23/2001 9:18:45 AM	csaxton	Comment for 1: Met with Kilgore on 10/4/01 (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POD	10/23/2001 9:14:14 AM	csaxton	Edited polygons

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 29-13244
Date Received: 10/4/01
Receipt No: E027160
Received By: CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KILGORE LIVING TRUST Phone: (208)478-4349

1502 S MINK CREEK RD
POCATELLO ID USA 83204

2. Date of Priority: 11/30/2000

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	35E	8	NE NW SW	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

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

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

8. Total consumptive use:

9. Non-irrigation uses:

Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	35E	8	NW	SW	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.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Trustee of
Kilgore Living Trust, that I have signed the foregoing
Organization Title

document in the space below as Trustee of
Title

Kilgore Living Trust and that the statements contained in the
Organization

foregoing document are true and correct. Bruce M. Kilgore; A. Elaine Kilgore
Signature of Authorized Agent

Trustee, Kilgore Living Trust
Title and Organization

10-4-01

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 4th
of October 2001

Jennifer Crabtree

Notary Public

Residing at Idaho Falls, Idaho

My commission Expires 9-23-01

