

Form 1-222
12-92STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Thomas T. and Eileen L. Jackson, H&W

Phone 208-234-8932

Post Office Address 7600 W. Katsilometes Rd., Pocatello, ID 83204

A. PURPOSE OF TRANSFER

1. ☐ Change Point of Diversion ☐ Add diversion point(s) ☒ Change Place of use
☐ Change Nature of Use ☐ Change Period of Use ☐ Other

2. Describe the reason for the proposed changes

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount Nature of Use Period of Use

29-13468	5-5-1952	0.04 cfs	Domestic	1/1 to 12/31
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2. Total amount of water being transferred 0.04 cubic feet per second and/or acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	NW	SE	NW	16	7S	48E	Bannock	
						35E		

5. Lands irrigated or place of use: 1/2 acre

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	35 E	16		.5															.5

Total Acres .5

RECEIVED

JAN 27 2003

Department of Water Resources
Eastern Region

RECEIVED

JAN 27 2009

Department of Water Resources
Eastern Region

75376

JAN 27 2003

PART 1

6. General Information:

- a. Description of diversion system centrifugal pump with electric motor
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☐ Yes ☒ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
dried up
- d. Remarks: This transfer is to correct the place of use. The water under this right has always been used to provide domestic water at the residential home of applicant located at 7600 W. Katsilometes Drive, Pocatello, Idaho 83204, and is not used at the decreed place of use. See attached Warranty Deed for complete description of place of use and evidencing the transfer of water right to applicant.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Right No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20__

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 29-13468 Decreed to Tom Katsilometes
in case of SRBA Case No. 39576
dated March 22, 2004 in Twin Falls county of Twin Falls
- b. License No. issued by the Idaho Department of Water Resources.
- c. Claim No. on file with the Idaho Department of Water Resources.
- d. Transfer No. which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other

3. Source of water groundwater tributary to

4. Date of priority 05/01/1952

5. Water is used for the following purpose:

Amount .04 cfs for domestic purposed from 1/1 to 12/31

Amount cfs for purposed from to

Amount cfs for purposed from to

6. Total amount of water under right .04 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local Name for Diversion
	NW	SE	NW	16	7S	35E	Bannock	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

7S				D															.5
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Total acres .05

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? no If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(if the entire right is to be changed by the applicant, omit part B and C.)*

1. Amount cfs for purposed from to

Amount cfs for purposed from to

Amount cfs for purposed from to

2. Points of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local Name for Diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. Amount cfs for purposed from to

Amount cfs for purposed from to

Amount cfs for purposed from to

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local Name for Diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Total Acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

PART 3

B. CHANGES IN NATURE OF USE

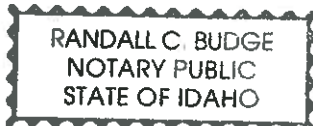
1. New Nature of Use _____ Amount _____ cfs Hours/days/year _____ Period of use _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Eileen L. Jackson
Thomas T. Jackson
(Signature of Applicant)

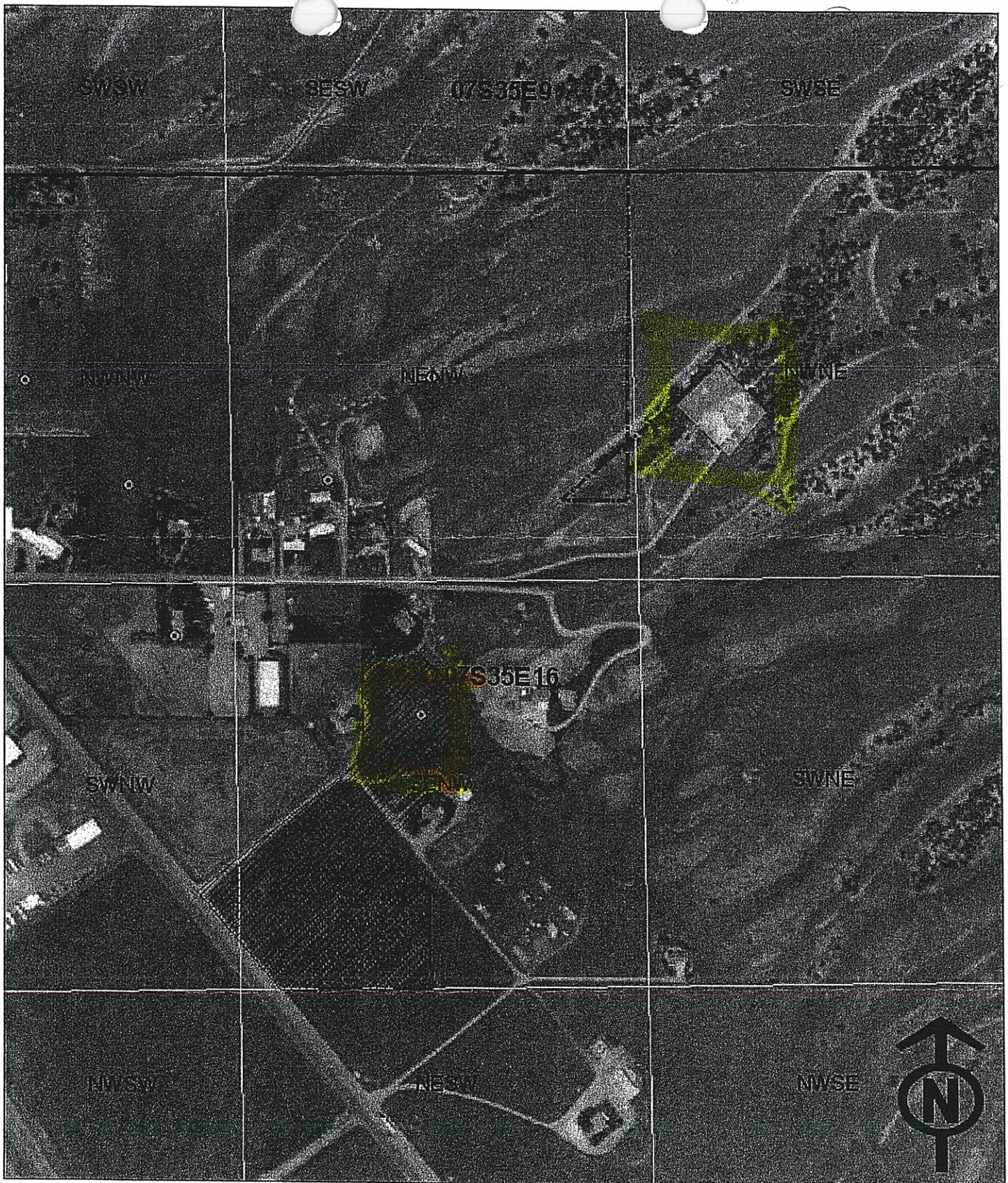
Subscribed and sworn to before me this 26 day of January, 2009.



Randall C. Budge
Notary Public
My Commission expires: 10/11/2012

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
Received by _____ Date _____ Protest filed by _____
Prelim check by _____ Fee _____
Receipted by _____ Date _____
Published in _____ Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
_____ rec'd _____ By _____
Copy of transfer sent to lien holder _____



Legend

--- Warranty Deed Legal

■ PIN R4013013304

▨ 29-13468 POU

0 0.025 0.05 0.1 0.15 0.2 Miles

29-13468 Ownership Change Exhibit

SCANNED
FEB 02 2009

75376



20617316

WARRANTY DEED

FOR VALUE RECEIVED, TOM C. KATSILOMETES AND BESSIE K. KATSILOMETES, husband and wife, of 3213 Raindrop, Boise, Idaho 83706 (hereinafter "Grantor"), does hereby grant, bargain, sell and convey unto THOMAS T. JACKSON AND EILEEN L. JACKSON, husband and wife, whose current address is 7600 W. Katsilometes Drive, Pocatello, Idaho 83204 (hereinafter "Grantees"), their heirs and assigns forever, the following described premises in Bannock County, Idaho, to-wit:

A 1.0 acre parcel of land located in the NW1/4 of the NE1/4 of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, the same being a portion of the lands described in that Warranty Deed Instrument No. 621688 as recorded in the official records of Bannock County, Idaho, more particularly described as follows:

Commencing at the N1/4 corner of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho;

Thence South 00°27'46" West along the meridional centerline of said section for a distance of 1057.54 feet to a point on the Southerly boundary line of Deed Instrument No. 621688 as recorded in the official records of Bannock County, Idaho;

Thence North 89°06'13" West along said boundary line for a distance of 210.00 feet to the Westerly corner of said lands;

Thence North 48°42'46" East along the Northwesterly boundary line of said lands for a distance of 483.51 feet to the True Point of Beginning;

Thence continuing North 48°42'46" East along the said boundary line for a distance of 194.56 feet;

Thence South 41°17'14" East through said lands for a distance of 211.66 feet to a point on the Southeasterly boundary line;

Thence South 41°32'58" West along said boundary line for a distance of 188.09 feet;

Thence North 41°17'14" West for a distance of 236.12 feet to the True Point of Beginning.

TOGETHER WITH Water Right No. 29-13468, Partial Decree entered March 22, 2004, 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 Case No. 39576.

TOGETHER WITH Grantors' easement and right-of-way established by historic use for the existing pipeline which delivers culinary water to the above-described parcel pursuant to said Water Right from a well located in the NW1/4 SE1/4 NW1/4 of Section 16, Township 7 South, Range 35 East, B.M., Bannock County, Idaho, on

08/04/2008 14:52 FAX 2064781582

AUG-04-2008 FRI 01:19 PM IDAHO STATE TAX COMM

08/04/2008 14:36 FAX 2064781582

ALLIANCE TITLE

FAX NO. 789 1505

ALLIANCE TITLE

002

P. 02

002

20617316

property owned by Rita Katsilornetes. The use of said wall is subject to a Joint Wall Agreement of even date simultaneously recorded as Instrument No. 20617315

TOGETHER WITH an easement and right-of-way upon the existing roadway to provide ingress, egress and access for utility purposes on, over and through the adjacent property of Grantors described as follows, to-wit:

LEGAL DESCRIPTION

2.0 ACRE PARCEL

A parcel of land located in the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, the same being a portion of the lands described in that warranty deed instrument no. 621688 as recorded in the official records of Bannock County, Idaho, more particularly described as follows:

Commencing at the North quarter corner of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho; Thence South $00^{\circ}27'46''$ West along the Meridional centerline of said Section for a distance of 1057.54 feet to a point on the southerly boundary line of deed instrument no. 621688 as recorded in the official records of Bannock County, Idaho, the True Point of Beginning;

Thence North $89^{\circ}05'13''$ West along said boundary line for a distance of 210.00 feet to the westerly corner of said lands;

Thence North $48^{\circ}42'46''$ East along the northwesterly boundary line of said lands for a distance of 463.51 feet;

Thence South $41^{\circ}17'14''$ East through said lands for a distance of 236.12 feet to a point on the southeasterly boundary line;

Thence South $14^{\circ}07'00''$ West along said boundary line for a distance of 140.00 feet to the southeast corner of said lands;

Thence North $89^{\circ}06'13''$ West along the southerly boundary line of said lands for a distance of 260.00 feet to the True Point of Beginning.

Contains 2.0 acres of land.

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SUBJECT TO an easement and right-of-way 30 feet in width and 196.09 feet in length reserved by Grantors along the southeast boundary of the described property conveyed to Grantees to provide Grantors with ingress, egress and utilities to their adjacent property described as follows:

08/04/2008 14:52 FAX 2084781582

ALLIANCE TITLE

003
P. 02

AUG-04-2008 FRI 01:28 PM IDAHO STATE TAX COMM

FAX NO. 789 1505

08/04/2008 14:44 FAX 2084781582

ALLIANCE TITLE

002

20617316

LEGAL DESCRIPTION
1.1 ACRE PARCEL

A parcel of land located in the northwest quarter of the northeast quarter of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, the same being a portion of the lands described in that warranty deed instrument no. 621688 as recorded in the official records of Bannock County, Idaho, more particularly described as follows:

Commencing at the North quarter corner of Section 16, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho; Thence South 00°27'46" West along the Meridional centerline of said Section for a distance of 1057.54 feet to a point on the southerly boundary line of deed instrument no. 621688 as recorded in the official records of Bannock County, Idaho; Thence North 89°06'13" West along said boundary line for a distance of 210.00 feet to the westerly corner of said lands; Thence North 48°42'46" East along the northwesterly boundary line of said lands for a distance of 658.07 feet to the True Point of Beginning; Thence continuing North 48°42'46" East along the said boundary line for a distance of 251.93 feet to the northerly corner of said lands; Thence South 41°17'14" East for a distance of 180.00 feet to the easterly corner of said lands; Thence South 41°32'56" West along the southeasterly boundary line for a distance of 253.91 feet; Thence North 41°17'14" West for a distance of 211.66 feet to the True Point of Beginning.

Contains 1.1 acres of land.

SUBJECT TO a Right of First Refusal in favor of Grantors. Should Grantees decide to sell the described property and receive a bona fide offer therefor acceptable to Grantees, then before making any such sale or any agreement to sell, Grantees shall give Grantors notice in writing by registered mail of Grantees' desire to sell and the complete terms of the offer and Grantors shall have the exclusive right for a period of fifteen (15) days from the date of delivery of such notice to purchase the property at the amount of the offer.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all water rights, but excepting all mineral rights which are reserved to Grantors.

Grantors do hereby covenant that they are the owners in fee simple of said premises, that they are free from all encumbrances excepting discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose,



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20617316

easements or claims of easement not shown by the public records, use restrictions and building and zoning regulations and ordinances of any governmental unit, and that they will warrant and defend the same from all lawful claims.

DATED this 1st day of August, 2006.

Tom C. Katsilometes
TOM C. KATSILOMETES

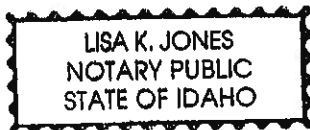
Bessie K. Katsilometes
BESSIE K. KATSILOMETES

STATE OF IDAHO)
 : ss
County of Bannock)

On this 1st day of August, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom C. Katsilometes and Bessie K. Katsilometes, husband and wife, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

(SEAL)



Lisa K. Jones
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My Commission expires: 06-01-07

20617316
ALLIANCE TITLE & ESCROW
RECORDED AT REQUEST OF
FEE 12 DEPUTY BP

2006 AUG 4 PM 4 11
OFFICIAL RECORD BK# 886
RECORDER
BANNOCK COUNTY IDAHO