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Ident. No. 29-14531

FORM 202 Rev. 09/16
APR 19 2024 MAR 14 2024
DEPT. OF WATER RESOURCES EASTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) CNG Idaho, L.L.C. Phone c/o: (208) 529-9377

Name connector (check one): [ ] and [ ] or [ ] and/or

Mailing address P.O. Box 11 City Pocatello

State Idaho ZIP 83204-0011 Email c/o: TJK@208Lawyers.com

2. Name of representative, if any Thomas J. Katsilometes Phone (208) 529-9377

Mailing address P.O. Box 777 City Boise

State Idaho ZIP 83701-0777 Email TJK@208Lawyers.com

- a. [ ] Send all correspondence for this application to the representative and not to the applicant OR [x] Send original correspondence to the applicant and copies to the representative.
b. [ ] The representative may submit information for the applicant but is not authorized to sign for the applicant OR [x] The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Spring which is a tributary of n/a

4. Location of point(s) of diversion:

Table with 10 columns: Twp, Rge, Sec, Govt Lot, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Row 1: 7S, 36E, 7, NENE, Bannock, spring.

5. Water will be used for the following purposes:

Amount 0.04 for stockwatering (livestock) purposes from 03/30 to 11/11 (both dates inclusive) (cfs or acre-feet per year)

Amount 0.04 for domestic (mobile sheep camp) purposes from 01/01 to 12/31 (both dates inclusive) (cfs or acre-feet per year)

Amount for purposes from to (both dates inclusive) (cfs or acre-feet per year)

Amount for purposes from to (both dates inclusive) (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.08 cubic feet per second (cfs) and/or (b) acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. piping.

b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? [ ] Yes [x] No

c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet.

d. Is ground water with a temperature of greater than 85°F being sought? [ ] Yes [x] No

e. If well is already drilled, when? ; drilling firm ; well was drilled for (well owner) ; Drilling Permit No.

For Department Use

Received by Km Date 3.14.24 Time 4:51 Preliminary check by

Fee \$ 100- Received by Km Receipt No. C117955 Date

29-14531

8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in kW. n/a
  - b. Stockwatering; list number and kind of livestock. 777 sheep
  - c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
  - d. Domestic; show number of households One
  - e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
7S	36E	7	D																	40
7S	36E	7	S																	40

Total number of acres to be irrigated: \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A
- 
11. a. Who owns the property at the point of diversion? U.S. / BLM - allotment
- b. Who owns the land to be irrigated or place of use? U.S. / BLM - allotment
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Grazing allotment held by Thomas J. Katsilometes L.L.C. - applicant is operator/licensee
12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Divert spring with piping for domestic use of mobile sheep camp and for filling of troughs used for watering of livestock operation.
- 
13. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

**The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.**

Thomas J. Katsilometes  
 Signature of Applicant  
 Thomas J. Katsilometes, mgr. - CNG Idaho, L.L.C.  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant  
 \_\_\_\_\_  
 Print Name (and title, if applicable)

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JUN 26 2024

DEPT. OF WATER RESOURCES  
EASTERN REGION

NE1/4 NE 1/4 Sec. 7 T7S R36E B.M. P.o.D.

1320'

10041-62





IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

July 5, 2024

CNG IDAHO LLC  
PO BOX 11  
POCATELLO ID 83204-0011

THOMAS J KATSILOMETES  
PO BOX 777  
BOISE ID 83701-0777

RE: Application for Permit 29-14531

Dear Applicant,

The Idaho Department of Water Resources (IDWR) acknowledges receipt of your recently filed Application for Permit. Please be advised that your application is within the area affected by the Amended Snake River Basin Moratorium Order (Amended Moratorium), issued by the Director of IDWR on October 21, 2022. The Amended Moratorium expanded the geographical scope of the previous Eastern Snake River Plain Moratorium.

After an initial review of your application, IDWR has determined that your application is subject to the Amended Moratorium. Therefore, IDWR is prohibited from processing or approving your application. The Amended Moratorium includes a few limited exceptions (found on pages 27-29). If you believe that your application falls within one of the exceptions, please provide a letter or email describing which exception applies to your application. In the alternative, you may provide a mitigation plan for your application. The Amended Moratorium states that IDWR can continue to process an application that includes a mitigation plan to offset injury to existing water rights. If you do not fall within one of the exceptions and choose to not provide a mitigation plan, IDWR will hold your application until the Amended Moratorium is modified or lifted.

The Amended Moratorium can be found at:

<https://idwr.idaho.gov/legal-actions/orders/moratorium-orders/>

If you have any questions, or if you want to withdraw your recently filed application, feel free to contact our Idaho Falls office.

Sincerely,

Michael Holliday  
Water Rights Supervisor

## Holliday, Michael

---

**From:** Thomas J. Katsilometes <tjk@208lawyers.com>  
**Sent:** Wednesday, June 26, 2024 7:44 AM  
**To:** Holliday, Michael  
**Subject:** Re: Permit application - CNG Idaho L.L.C.  
**Attachments:** CNGIdaho LLC - IDWR permit application - NENE Sec. 7 T7S R36E - 06262024.pdf

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Hi, Michael:

Please find attached an aerial map with the drawing elements included.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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---

**From:** Thomas J. Katsilometes <tjk@208lawyers.com>  
**Sent:** Tuesday, June 25, 2024 12:29 PM  
**To:** Holliday, Michael <Michael.Holliday@idwr.idaho.gov>  
**Subject:** Re: Permit application - CNG Idaho L.L.C.

Hi, Michael.

Thank you. Will do.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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**From:** Holliday, Michael <Michael.Holliday@idwr.idaho.gov>  
**Sent:** Monday, June 24, 2024 10:45 AM  
**To:** Thomas J. Katsilometes <tjk@208lawyers.com>  
**Subject:** RE: Permit application - CNG Idaho L.L.C.

Tom,

I received the attachments you sent, but the map is incomplete. The map needs to clearly illustrate the proposed point of diversion (a clearly identified point on the map) and the proposed place of use (the locations of the 7 troughs and the area of domestic use). The map should also show township, range and section. Feel free to call if you want to discuss.

Michael

**From:** Thomas J. Katsilometes <tjk@208lawyers.com>  
**Sent:** Friday, June 21, 2024 8:00 AM  
**To:** Holliday, Michael <Michael.Holliday@idwr.idaho.gov>  
**Subject:** Re: Permit application - CNG Idaho L.L.C.

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Hi, Michael:

Thank you for the courtesy.

Attached are several electronic documents to complete the application. Each one represents imagery to explain what is proposed in the application.

To expand upon the statement in the application, CNGIdaho L.L.C. is proposing to pipe an existing intermittent spring located near the NE corner of the NE1/4NE1/4 of Section 7, Township 7 South, Range 36 East B.M. Piping will consist of 1" to 2" diameter metallic (stainless steel, food-grade) tubing driven into the ground at the spring source and then connected to correspondingly-sized HDPE piping to convey water downgradient to a series of gravity-flow fed sheep watering troughs (numbering from one to seven). (See attached picture of the advertisement from a local vendor depicting a typical commercially available sheep trough.) Placement and arrangement of each trough with connections utilizing HDPE, PVC, and stainless steel fittings will allow for cascading of water for filling and draining using gravity for flow control (as

opposed to mechanical float/valve configuration). The final discharge area will be prepared with riprap to prevent erosion and then returned to the natural confluence of the existing drainage area. The complete works are to be located entirely on the NE1/4NE1/4 of Section 7, Township 7 South, Range 36 East B.M. and will constitute the place of use. This comprises the stockwatering aspect of the application.

For domestic use, there will be a diversion between the source piping to include a manually controlled valve with a separate spigot that will be physically enclosed and secured allowing shepherds and operators to fill portable water containers to be transported to the sheepwagon camp area and sheep bedding ground located on the peak near the SE corner of Section 36, Township 6 South, Range 35 East B.M. This section is currently leased by the State of Idaho to Thomas J. Katsilometes and is depicted in the attached screenshot as the light blue shaded area in the upper left hand portion of the image. Also, Thomas J. Katsilometes L.L.C. is the BLM grazing permittee for those areas of the topographic imagery depicted in yellow shading. (Please note that the BLM "Stay on Trails" map from which this image was derived shows the center 160 acres of Section 6 and the NE1/4NE1/4 of Section 7, Township 7 South, Range 36 East B.M. in white shading indicating private ownership. This was an older map and the ownership is now under the U.S. Gov't by way of deed recorded in December of 2020.) As you can see, there is a BLM-maintained trail ("0319") that connects the State of Idaho leased land to the place of use and source area in Section 7. The map legend indicates this trail as "Open to All Uses". At the easternmost reach of Trail 0319, two smaller trails branch off and are designated as "T0351" and "T0350", with the former providing direct access to the livestock place of use in the NE1/4NE1/4 of Section 7, Township 7 South, Range 36 East B.M. The map legend indicates this trail as "Maximum Vehicle Width = 50 inches or less".

Finally, please find attached an aerial image of the NE1/4NE1/4 of Section 7, Township 7 South, Range 36 East B.M. that was derived as a screenshot from Bannock County's online Parcel Viewer. This image provides a representation of the ground foliage and approximate boundaries of this area.

Please let me know if you have any questions or need additional documentation.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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**From:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Sent:** Monday, June 17, 2024 11:22 AM  
**To:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Subject:** RE: Permit application - CNG Idaho L.L.C.

Tom,

Yes, that works for me.

Michael

**From:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Sent:** Sunday, June 16, 2024 10:44 PM  
**To:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Subject:** Re: Permit application - CNG Idaho L.L.C.

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Hi, Michael:

Still no meeting with the BLM.

I would like to move forward nonetheless. Can you please give me a couple of extra days to get the map over to you? Thanks.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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**From:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Sent:** Wednesday, May 15, 2024 11:04 AM  
**To:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Subject:** RE: Permit application - CNG Idaho L.L.C.

Tom,

Coordinating with the BLM can be a challenge, and we can't just sit on the application. If you decide to withdraw the application and receive a refund, just let me know by replying to this email no later than June 14, 2024.

If you decide to move forward with the application for permit, we will need a complete application. It is currently incomplete because it did not include a map illustrating the point of diversion and place of use for each of the proposed uses (item #14). We also need evidence of legal access to the point of diversion and place of use. Once the application is complete, we will enter it into the database and then mark it as "moratorium hold." If we don't receive a complete application by June 14, 2024, we will return the application and your filing fees.

Let me know if you have any questions.

Michael

**From:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Sent:** Tuesday, May 14, 2024 7:53 PM  
**To:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Subject:** Re: Permit application - CNG Idaho L.L.C.

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Hi, Michael:

Thank for your email message.

We're still trying to coordinate schedules with the BLM for a site review. Once that is set and then completed, I should know how to proceed.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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---

**From:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Sent:** Tuesday, May 14, 2024 3:20 PM  
**To:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Subject:** RE: Permit application - CNG Idaho L.L.C.

Tom,

I still haven't heard what you would like to do with the application for permit you filed. We can return your application and filing fees, or we can put the application in the moratorium hold drawer once the application is complete. Please let me know by email what you would like to do. Let me know if you have questions about this.

Michael

**From:** Holliday, Michael  
**Sent:** Tuesday, April 23, 2024 3:28 PM  
**To:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Subject:** RE: Permit application - CNG Idaho L.L.C.

Tom,

Below is a link to the webpage that describes the process for filing deferred SRBA claims. You should probably read all the information on this page before moving forward. The process varies, depending on whether or not the claim is on federal land. Two forms are required for each claim: 1) a motion for determination of deferred de minimis domestic or stock water use and 2) a notice of claim to a water right. If you have questions about the process, it would probably be best to contact someone in the Adjudication Bureau at our State Office in Boise.

[Stockwater and/or Domestic Claims | Idaho Department of Water Resources](#)

During our discussion this morning I forgot to ask you what you wanted to do with the application for permit. We can return your application and filing fees, or we can put the application in the moratorium hold drawer once the application is complete. Please let me know by email what you would like to do. Let me know if you have questions about this.

Michael Holliday

**From:** Thomas J. Katsilometes <[tjk@208lawyers.com](mailto:tjk@208lawyers.com)>  
**Sent:** Tuesday, April 16, 2024 12:36 PM  
**To:** Holliday, Michael <[Michael.Holliday@idwr.idaho.gov](mailto:Michael.Holliday@idwr.idaho.gov)>  
**Subject:** Permit application - CNG Idaho L.L.C.

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Hi, Michael:

Thank you for your return phone call today.

Attached is a copy of the application for a permit. As the stamp indicates, it was turned in to the State office of the IDWR on March 14, 2024.

There is a small spring that had been piped decades ago for the sheep grazing operation there which needs to be rehabilitated.

I will research the water rights history later on, but I believe we turned in several claims to IDWR for the SRBA (about 30+ years ago) under my father's name (James G. Katsilometes). My recollection is that we got pushback from the US-DOJ (Natural Resources) because the place of use varied and the claims included private ground for the PoU. More on all of that later once we initiate the transfer applications.

If you have any questions, please reply via email for feel free to call me any time.

Best regards,

Thomas J. Katsilometes  
**Thomas J. Katsilometes PLLC**  
Phone: (208) 529-9377  
P.O. Box 777, Boise ID 83701

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