

12/13/2002

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

RIGHT NUMBER: 29-4493

NAME AND ADDRESS: FLOYD L WALDEN
255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246

JOAN B MARTIN
255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246

SOURCE: SPRING

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.750 CFS

PRIORITY DATE: 12/31/1914

POINT OF DIVERSION:

T09S R38E S21 SESE Lot 1 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.750 CFS

PLACE OF USE: COMMERCIAL Within BANNOCK County

T09S R38E S21 Lot 1 SESE

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: Beneficial Use

WATER IS 122 F TEMPERATURE GEOTHERMAL WATER.

02/13/2003

Allen

NOTICE OF ERROR
REPLY

RECEIVED
MAY 01 2003
Department of Water Resources
Eastern Region

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: 29-449

FLOYD L WALDEN
255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 776-5504

JOAN B MARTIN
255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246
Telephone Number: (208) 776-~~9906~~ 5504

5504

Fix

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.

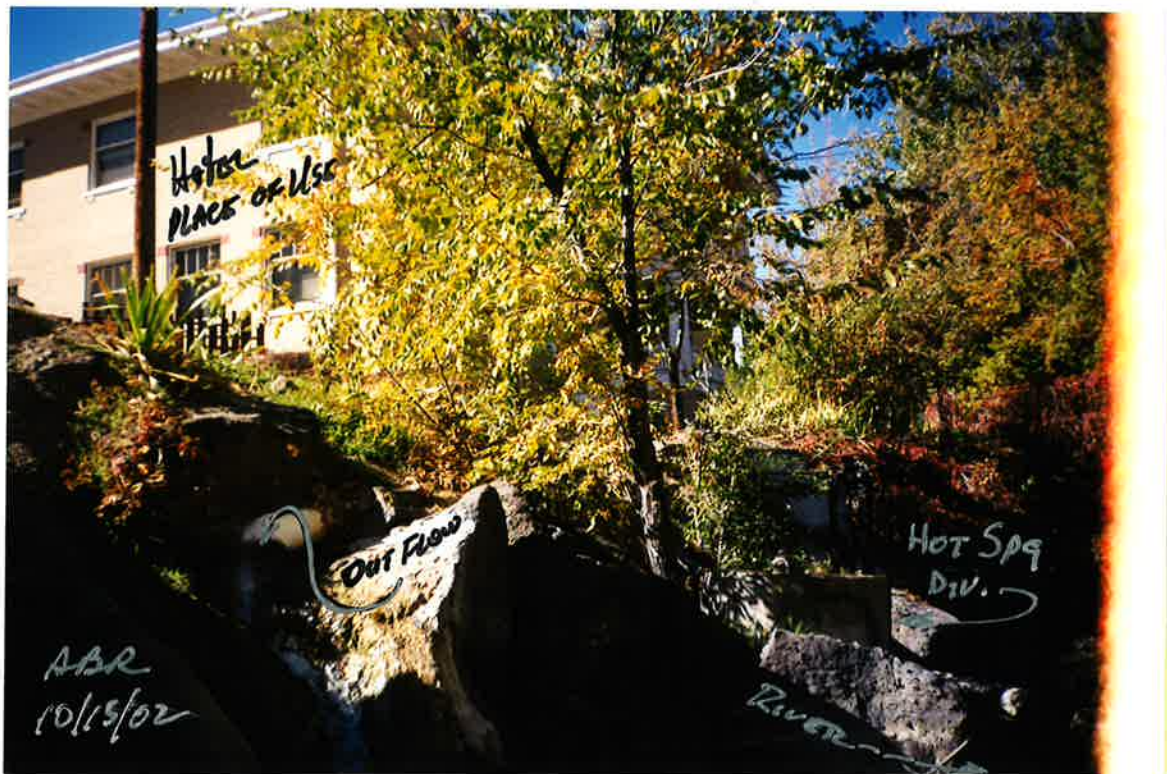
DATE: 4/22/03 SIGNATURE: F. L. Duke Walden
Please print your name: F. L. DUKE WALDEN

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

Ok
5/21/03
sbn
Done
6/05/03
sbn

PROFILED

SCANNED
APR 06 2006



PROFILED

SCANNED
APR 06 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 7, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOAN B MARTIN
PO BOX 127
LAVA HOT SPRINGS ID 83246-0127

RE: CHANGE OF ADDRESS FOR A29-04492 AND A29-04493

Dear Ms. Martin:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Joan B Martin
255 Portneuf Ave
Lava Hot Springs ID 83246

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILED

SCANNED
APR 06 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED



SCANNED
APR 06 2006

29-4492
29-4493

WALD 255

MARTIN, JOAN B
255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246

WALD255 832462007 1900 04 05/03/01
RETURN TO SENDER
WALDEN
PO BOX 127
LAVA HOT SPRINGS ID 83246-0127
RETURN TO SENDER

PROFILE

APR 06 2006

SCANNED

29-04493
I. Knovich, Data Manager, Dec. 31, 1914. Supporters
By Affidavit Attached

MAY 18 2001

August 24, 1990

Floyd L. Walden
Joan B. Martin
255 Portneuf Ave.
Lava Hot Springs, ID 83246

RE: Change of Ownership on Notices A29-04492 and 04493

Dear Ms. Martin and Mr. Walden:

Pursuant to the Change in Ownership submitted for the above-referenced Notice(s) of Claim, the Department's records have been modified to reflect you as the new owner.

Please find enclosed a typed Notice(s) noting the change in claimant. Review the form(s) and if there are other corrections or questions feel free to contact this office.

If there are no questions or corrections, please keep this notice(s) for your records.

Respectfully submitted,

EC

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

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NOV 13 1992

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

☒ Water Right Number(s): A29-04492, A29-04493

☒ Name and Address of Former Claimant(s): WILLIAM M. PAPADIKOLAS

761 S. 1100 E.

SALT LAKE CITY, UT 84102

☒ New Claimant(s): FLOYD L. (DUKE) WALDEN OR
JOAN B. MARTIN

☒ New Mailing Address: 255 PARKVIEW AVE.
LAWA HOT SPRINGS, ID 83246

New Telephone Number: (208) 776-5504 (776-9906)

☒ Does the change in ownership result in a splitting of the water right claimed? yes ☒ no
If yes, then describe the portion of the water right that is now claimed by the new owner:

☒ Attach proof of ownership
Describe proof attached: WARRANTY DEED & TITLE INSURANCE
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

☒ Signature of New Claimant(s): F. Duke Walden

Date: 8-24-90

RECEIVED

AUG 24 1990

Department of Water Resources
Eastern District Office

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NOV 13 1992

March 28, 1995

To whom it may concern:

I, Elma Godfrey Schultz, am the daughter of William Godfrey who built the Riverside Inn, 255 Portneuf, Lava Hot Springs, Idaho. The hotel was built in 1914-1915. My father utilized natural hot water from a spring and from groundwater on the hotel property. The hot water was used for bathing, for heating the hotel, and for the benefit of hotel guests. I lived in the hotel in 1915, when I was in the second grade. At that time the hot mineral water was piped into the hotel for use in the mineral baths and to heat the hotel. The spring on the edge of the river was utilized by the hotel only. To my knowledge the Terrell property next door to the hotel never shared a spring with the hotel or on hotel property.

Elma Schultz
Elma Schultz

Dated March 28-1995

STATE of Idaho
County of BANWICK

} ss.

On this 28th day of MARCH, in the year
of 1995, before me (Robert D. Bergendorf, Notary
Public), personally appeared ELMA SCHULTZ
known to me (or proved to me
on the oath of _____), to be the person
whose name is subscribed to the within instrument, and
acknowledged to me that she (or they) executed the same.

Robert D. Bergendorf
Notary Public
Residing at LAVAL HOT SPRINGS
MY COMMISSION Expires: FEB 28, 1999

RECEIVED
NOV 13 1995

MAR 30 1995

Department of Water Resources
Eastern District Office

MAY 18 2001

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: **A29-04493**
Date Received: 4/18/1990
Receipt No: E013303
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FLOYD L WALDEN 208-776-5504
Address: 255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246
OR
Name: JOAN B MARTIN 208-776-9906
Address: 255 PORTNEUF AVE
LAVA HOT SPRINGS ID 83246

2. Date of Priority: DEC 31, 1914

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	21	SE	SE	SE	1	BANNOCK

5. Description of diverting works:
PIPELINE & PUMP FROM SPRING & WELL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.750		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HOT BATHS, DOMESTIC & RECREATIONAL USE, HEATING AT RIVERSIDE INN.

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NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	21	SE SE	1	COMMER	

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:

ADDITIONAL P/U & P/D DESCRIPTION: BLOCK 1, HALLS 1ST
ADDITION TO CITY, LAVA HOT SPRINGS.
SPRING BEING DIVERTED FROM IS HOT WATER SPRING.

DBA RIVERSIDE INN

OWNERSHIP CHANGE 8/24/90/JT

*

PROOF OF PRIORITY RECEIVED 30MAR95, ABR***

15. Basis of Claim: STATUTORY CLAIM

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): *John R. Walder* Date: 3-30-95

Date: _____

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NOV 13 1995

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 95

Wendy J. Murphy
Notary Public

Seal



Residing at Idaho Falls

My Commission Expires 6/23/2000

MICROFILMED
NOV 13 1995

X

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: A29-04493
Date Received: 4/18/1990
Receipt No: E013303
Received By: _____

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

1. Name: FLOYD L.(DUKE) WALDEN 208-776-5504
Address: 255 PORTNEUF AVE.
LAVA HOT SPRINGS, ID 83246
OR
Name: JOAN B. MARTIN 208-776-9906
Address: 255 PORTNEUF AVE.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: APR 10, 1918

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	21	SE	SE	SE	1	BANNOCK

5. Description of diverting works:
PIPELINE & PUMP FROM SPRING & WELL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.750		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HOT BATHS, DOMESTIC & RECREATIONAL USE, HEATING AT RIVERSIDE INN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	21	SE	SE	1	COMMER	

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:

ADDITIONAL P/U & P/D DESCRIPTION: BLOCK 1, HALLS 1ST
ADDITION TO CITY, LAVA HOT SPRINGS.
SPRING BEING DIVERTED FROM IS HOT WATER SPRING.
DBA RIVERSIDE INN
OWNERSHIP CHANGE 8/24/90/JT

15. Basis of Claim: STATUTORY CLAIM

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A29-04493
Date Received: 5/17/1990
Receipt No: E013303
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM M. PAPANIKOLAS *Walden c/o* 801-583-5346
Address: 761 SOUTH 1100 EAST
SALT LAKE CITY, UT 84102

2. Date of Priority: APR 10, 1918

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	21	SE	SE		1	BANNOCK

5. Description of diverting works:
PIPELINE & PUMP FROM SPRING & WELL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.750		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HOT BATHS, DOMESTIC & RECREATIONAL USE, HEATING AT RIVERSIDE INN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	21	SE	SE	1	COMMER	

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:

ADDITIONAL P/U & P/D DESCRIPTION: BLOCK 1, HALLS 1ST
ADDITION TO CITY, LAVA HOT SPRINGS.
SPRING BEING DIVERTED FROM IS HOT WATER SPRING.
DBA RIVERSIDE INN

15. Basis of Claim: STATUTORY CLAIM

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A29-04493

Date Received

4-18-90

Receipt Number

E013303

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 18 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) William M. Papanikolaou d/b/a Riverside Inn Phone (801) 583-5346
Mailing Address 761 South 1100 East, SLC, UT Zip 84102

2. Date of Priority (Only one (1) per claim) April 10, 1918

3. Source of water supply (a) Hot Spring
which is tributary to (b) Pontneuf River

4. a. Location of existing point of diversion is: Township 9S Range 38E Section 21,
SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: Block 1, Halls 1st Addition, LAWA HOT SPRINGS

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

pump, pipeline well and spring, about 25' to building

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NOV 13 1992

A2904493



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Commercial purposes from 1/1 to 12/31 amount .75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .75 CFS (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) uses include hot water for bathing, soaking, recreational, all culinary uses and for heating the Riverside Inn - both

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	38E	21																C	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes ☒ 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.
See ground water claim by William Papanikolas - 29-4492 or None ()

14. Remarks:

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NOV 13 1992

Last Name PAPANIKOLAS Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-4493
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Wm H Papanikolaou

Date 4-12-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

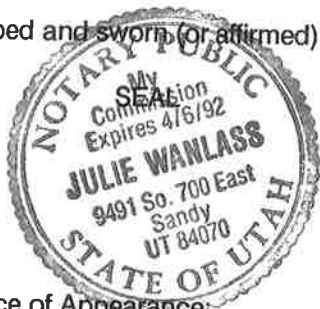
Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 12th day of April 19 90



Notary Public Julie Wanlass

Residing at Sandy, Utah

My Commission Expires 4-6-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 13 1992

Last Name PAPANIKOLAOU Ident. Number _____

Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile



Last Name PAPANIKOLAS

Ident No. _____

Copies: White-State, Yellow-Claimant