

11/29/2002

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

RIGHT NUMBER: 29-13425

NAME AND ADDRESS: SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID 83201

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.676 CFS
154.400 AFY

PRIORITY DATE: 09/05/1951

POINT OF DIVERSION:

T07S R35E S16 NWSWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.676 CFS 154.40 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R35E S16	SWNW	0.2	T07S R35E S16	NESW	3.0
T07S R35E S16	NWSW	7.6	T07S R35E S16	SESW	0.4
T07S R35E S16	SWSE	6.0	T07S R35E S21	NWNE	19.0
T07S R35E S21	NENW	2.4			

38.6 ACRES TOTAL

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.

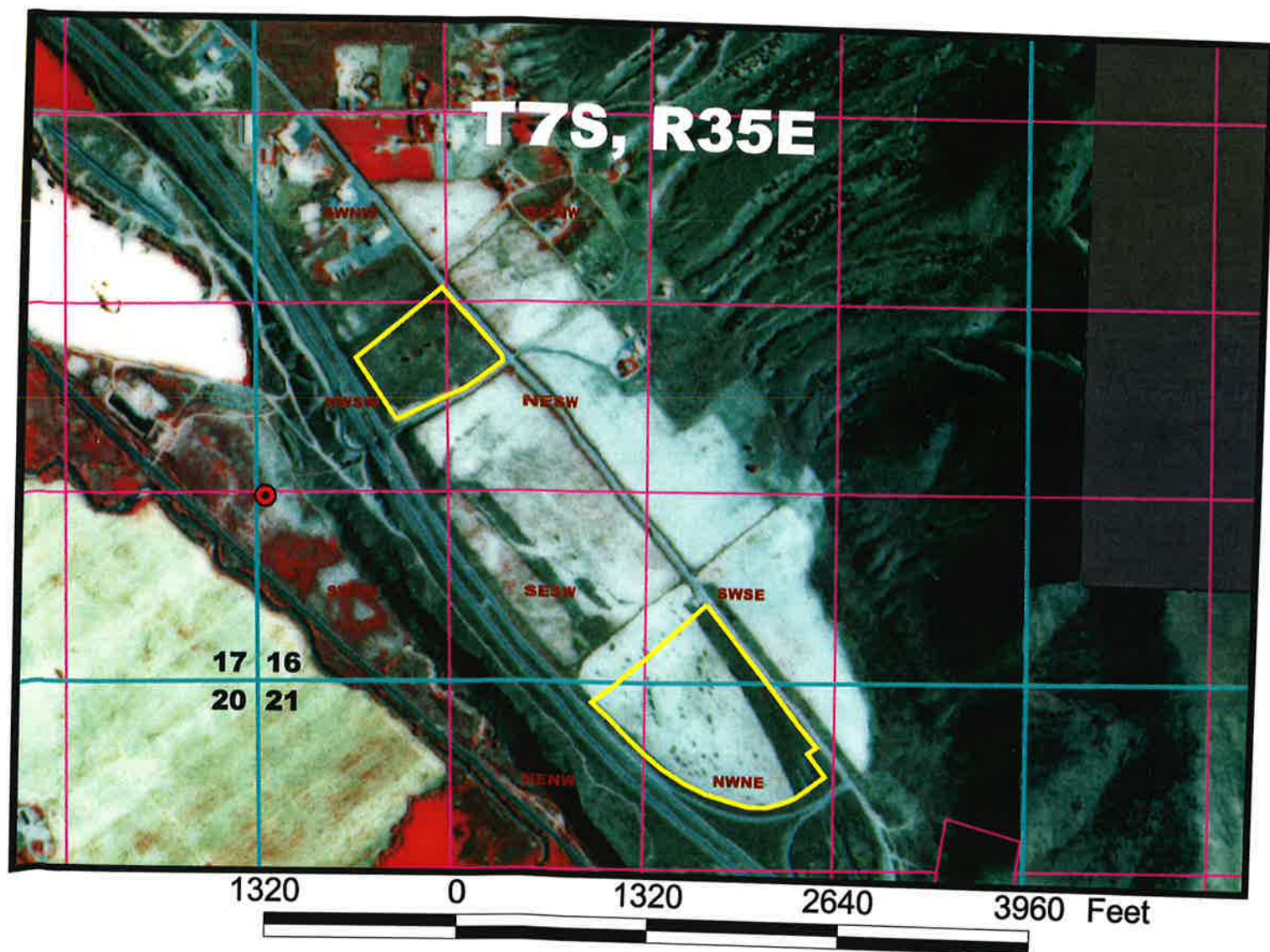
EXPLANATORY MATERIAL: License



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-13425



Total Irrigated Acres: 38.6



Point(s) of Diversion



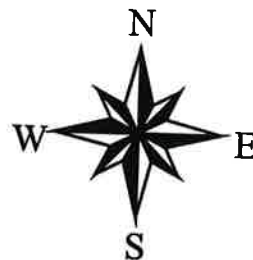
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13425 V1

WATER RIGHT NUMBER: 29-13425 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES G KATSILOMETES 639 UNIVERSITY DR POCATELLO, ID 83201 (208)233-5287
Original Owner	BLACK ROCK SHEEP CO POCATELLO, ID
Current Owner	SPARTAN PORTNEUF LLC 639 UNIVERSITY DR POCATELLO, ID 83201 (208)233-5287
Original Owner	PAUL G KATSILOMETES 7600 W KATSILOMETES POCATELLO, ID 83204
Original Owner	MARGARET ANN KATSILOMETES 7600 W KATSILOMETES POCATELLO, ID 83204
Original Owner	THOMAS C KATSILOMETES 7600 W KATSILOMETES POCATELLO, ID 83204 (208)221-8215
Original Owner	RITA WAKLEY 7600 W KATSILOMETES POCATELLO, ID 83204
Original Owner	MICHAEL P KATSILOMETES 7600 W KATSILOMETES POCATELLO, ID 83204
Original Owner	MARY A REINBOLD 7600 W KATSILOMETES POCATELLO, ID 83204

Priority Date: 09/05/1951

Basis: License

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>
IRRIGATION	04/01 to 10/31	0.676 CFS	154.40 AF
	<u>Total Diversion:</u>	0.676 CFS	154.40 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SW1/4	Sec. 16, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13425 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	35E	16							.2		3.0	7.6		.4			6.0		17.2
07S	35E	21		19.0			2.4												21.4

Total Acres: 38.6

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.

Remarks:

Comments:

1. csaxton 11/29/2002 POD
Comment: Licensed with two PODs, but only one used now. Recommend 1 POD.

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: S
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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	11/29/2002 10:12:15 AM	csaxton			Active
Priority Date	11/29/2002 10:13:07 AM	csaxton			Active
POD	11/29/2002 10:13:18 AM	csaxton			Active
Source	11/29/2002 10:15:02 AM	csaxton			Active
POU	11/29/2002 10:15:15 AM	csaxton			Active
Use	11/29/2002 10:17:11 AM	csaxton			Active
Season	11/29/2002 10:17:33 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13425 V1

Quantity	11/29/2002 10:19:10 AM	csaxton	Active
Summary	11/29/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/29/2002 10:12:15 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 8/28/02
Priority Date	11/29/2002 10:13:07 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/29/2002 10:13:19 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	11/29/2002 10:15:03 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/29/2002 10:15:16 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Season	11/29/2002 10:17:34 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13425 V1

Quantity	11/29/2002 10:19:11 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard at 4af/acre.
POD	11/29/2002 10:13:50 AM	csaxton	Edited point location
POD	11/29/2002 10:14:16 AM	csaxton	Edited PLS
POU	11/29/2002 10:16:24 AM	csaxton	Edited shape boundary
Use	11/29/2002 10:17:11 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	11/29/2002 10:28:59 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 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?

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-13425

WATER RIGHT NUMBER: 29-13425

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPARTAN PORTNEUF LLC 639 UNIVERSITY DR POCATELLO, ID 83201 (208)233-5287

Priority Date: 09/05/1951

Basis: License

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>
IRRIGATION	03/15 to 11/15	0.676 CFS	
	<u>Total Diversion:</u>	0.676 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 16, Twp 07S, Rge 35E, B.M.
BANNOCK County		

Place of Use

IRRIGATION Within BANNOCK County

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13425

T07S R35E S16	SWNW	0.2	T07S R35E S16	NESW	3.0
T07S R35E S16	NWSW	7.6	T07S R35E S16	SESW	0.4
T07S R35E S16	SWSE	6.0	T07S R35E S21	NWNE	19.0
T07S R35E S21	NENW	2.4			

Total Acres: 38.6

Conditions of Approval:Remarks:

1. General This claim is the result of a split due to change in ownership for a portion of 29-2309. DH
11/21/2002

Comments:Dates and Other Information:

Claim Received Date: 3/22/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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11-25-02: Recommend as amended. See file 27-02309
For information on analysis.

1-7-02: Tom J. Katsilometes - New York
PO Box 19
CSS
NY NY 10008

Wants copy of claim sent to above address

OK JC 11-7-02

RECEIVED
AUG 01 2002

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Department of Water Resources
Eastern Region
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-2309	29-02309				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) James G. Katsilometes
639 University Drive, Pocatello, Idaho
4. New Owner/Claimant(s) Spartan Portneuf, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 639 University Drive
- City, State and ZIP Code Pocatello, Idaho 83201
- New Telephone Number (208) 233-5287
5. Date you acquired the property August 29, 1997

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Thomas J. Katrilometes, MEMBER
SPARTAN PORTNEUF, L.L.C.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 21, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID 83201

Re: Original Notice of Claim to a Water Right No. 29-02309

Renumbered Notice of Claim to a Water Right No. 29-13425

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosure

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 29-13425
Date Received: 3/22/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID USA 83201

Phone: (208)233-5287

2. Date of Priority: 09/05/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	16	NW SW	BANNOCK	

5. Description of diverting works:

WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.676	

7. Total Quantity Appropriated is:
0.676 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		
07S	35E	16	SW	NW		IRRIGATION	0.2		
			NE	SW		IRRIGATION	3		
			NW	SW		IRRIGATION	7.6		
			SE	SW		IRRIGATION	0.4		
			SW	SE		IRRIGATION	6		
			Section Acres						17.2
07S	35E	21	NW	NE		IRRIGATION	19		
			NE	NW		IRRIGATION	2.4		
			Section Acres						21.4
			Total Acres						38.6

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:

This claim is the result of a split due to change in ownership for a portion of 29-2309. DH 11/21/2002

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 20, 2002

Claimants of Licensed Right 29-02309

Re: Amendment of Snake River Basin Adjudication (SRBA) claim 29-02309

Dear Claimant:

SRBA claim 29-02309 has been amended per your request. Enclosed is a copy of the amended claim.

Please feel free to contact me if you have further questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

Cc; PAUL G KATSILOMETES
7600 W KATSILOMETES
POCATELLO ID 83204

MARGARET ANN KATSILOMETES
7600 W KATSILOMETES
POCATELLO ID 83204

RITA WAKLEY
7600 W KATSILOMETES
POCATELLO ID 83204

THOMAS C KATSILOMETES
7600 W KATSILOMETES
POCATELLO ID 83204

SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID 83201

MICHAEL P KATSILOMETES
7600 W KATSILOMETES
POCATELLO ID 83204

MARY A REINBOLD
7600 W KATSILOMETES
POCATELLO ID 83204

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 29-2309
Date Received: 3/22/1990
Receipt No: E012501
Received By:

COPY

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAUL G KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARGARET ANN KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

RITA WAKLEY Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

THOMAS C KATSILOMETES Phone: (208)221-8215

7600 W KATSILOMETES
POCATELLO ID USA 83204

SPARTAN PORTNEUF LLC Phone: (208)233-5287

639 UNIVERSITY DR
POCATELLO ID USA 83201

MICHAEL P KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARY A REINBOLD Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

2. Date of Priority: 09/05/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	16	NW SW	BANNOCK	

5. Description of diverting works:

WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.88	

7. Total Quantity Appropriated is:
2.88 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
07S	35E	16	SW NW	IRRIGATION	9.4
			SE NW	IRRIGATION	11
			NE SW	IRRIGATION	31
			NW SW	IRRIGATION	14
			SW SW	IRRIGATION	0.3
			SE SW	IRRIGATION	23
			NW SE	IRRIGATION	13
			SW SE	IRRIGATION	35
			SE SE	IRRIGATION	0.6
Section Acres					137.3
07S	35E	21	NE NE	IRRIGATION	3.1
			NW NE	IRRIGATION	21
			NE NW	IRRIGATION	2.9
Section Acres					27
Total Acres					164.3

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:

CLAIM AMENDED TO ADD 14.3 ACRES AND TO BETTER DEFINE THE CLAIMED PLACE OF USE
(CSAXTON 11/20/02)

CHANGE OF OWNERSHIP, EASTERN, 10-17-94 CHANGED ADDRESSES TO MATCH FOR MAILING
PURPOSES ONLY 3/27/95 DMS

15. Basis of Claim: License

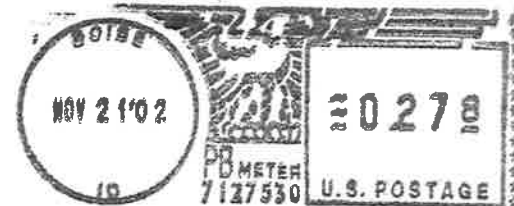
16. Signature(s)

(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.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



29-13425

KATS 639

RECEIVED

NOV 27 2002

WATER RESOURCES
WESTERN REGION

KATS639 T832012001 1A02 05 11/25/02
RETURN TO SENDER
KATSILOMETES
TEMPORARILY AWAY
RETURN TO SENDER

IAACTM87654321



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



RECEIVED

NOV 27 2002

WATER RESOURCES
WESTERN REGION

KATS 639
SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID USA 83201

KATS639 T832012001 1A02 05 11/25/02
RETURN TO SENDER
KATSILOMETES
TEMPORARILY AWAY
RETURN TO SENDER

IAACTM87654321





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

November 21, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THOMAS C KATSILOMETES, ET AL
7600 W KATSILOMETES
POCATELLO ID 83204

Re: Original Notice of Claim to a Water Right No. 29-02309

Renumbered to Notice of Claim to a Water Right No. 29-13424

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

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 29-13425
Date Received: 3/22/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SPARTAN PORTNEUF LLC
639 UNIVERSITY DR
POCATELLO ID USA 83201

Phone: (208)233-5287

2. Date of Priority: 09/05/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	16	NW SW	BANNOCK	

5. Description of diverting works:

WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.676	

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

8. Total consumptive use:

9. Non-irrigation uses:

2913425



10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	35E	16	SW	NW		IRRIGATION	0.2
			NE	SW		IRRIGATION	3
			NW	SW		IRRIGATION	7.6
			SE	SW		IRRIGATION	0.4
			SW	SE		IRRIGATION	6
						Section Acres	17.2
07S	35E	21	NW	NE		IRRIGATION	19
			NE	NW		IRRIGATION	2.4
						Section Acres	21.4
						Total Acres	38.6

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:

This claim is the result of a split due to change in ownership for a portion of 29-2309. DH 11/21/2002

15. Basis of Claim: License

New Split = 29-13425

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 ~~29-2309~~
Date Received: 3/22/1990
Receipt No: E012501
Received By:

COPY

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAUL G KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARGARET ANN KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

RITA WAKLEY Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

THOMAS C KATSILOMETES Phone: (208)221-8215

7600 W KATSILOMETES
POCATELLO ID USA 83204

SPARTAN PORTNEUF LLC Phone: (208)233-5287

639 UNIVERSITY DR
POCATELLO ID USA 83201

MICHAEL P KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARY A REINBOLD Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

Spartan Portneuf
LLC

2. Date of Priority: 09/05/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	35E	16	NW SW	BANNOCK	

5. Description of diverting works:

WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.88	

.676

7. Total Quantity Appropriated is:

2.88 C.F.S.

.676

8. Total co

9. Non-irri

10. Place o

Townsh

07S

$$\frac{\text{Total cfs}}{\text{Total acres}} \times \text{Acres split off}$$

$$2.88 \div 164.3 \times 38.6$$

$$= .676 \text{ cfs}$$

NW	SW
SW	SW
SE	SW
NW	SE
SW	SE
SE	SE

07S

35E 21

NE	NE
NW	NE
NE	NW

Lot Use

IRRIGATION
IRRIGATION
IRRIGATION
IRRIGATION
IRRIGATION
IRRIGATION
IRRIGATION
IRRIGATION

Section Acres

Acres

9.4	9.2	0.20
~~11~~		~~0~~
31	28	3.0
14	6.4	7.6
~~0.3~~		~~0~~
23	22.6	0.4
~~13~~		~~0~~
35	29	6.0
~~0.6~~		~~0~~

137.3

IRRIGATION
IRRIGATION
IRRIGATION

Section Acres

~~3.1~~		~~0~~
21	0.0	19
2.9	0.5	2.4

27

Total Acres

164.3

Remain

SPLIT

38.6

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:

CLAIM AMENDED TO ADD 14.3 ACRES AND TO BETTER DEFINE THE CLAIMED PLACE OF USE
(CSAXTON 11/20/02)

CHANGE OF OWNERSHIP, EASTERN, 10-17-94 CHANGED ADDRESSES TO MATCH FOR MAILING
PURPOSES ONLY 3/27/95 DMS

15. Basis of Claim: License

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.

20212584

4-1

WARRANTY DEED

For Value Received, James G. Katsilometes and Maria P. Katsilometes, husband and wife, hereinafter called the Grantors, do hereby grant, bargain, sell and convey unto Spartan Portneuf, LLC, whose current address is 639 University Drive, Pocatello, Idaho 83201, hereinafter called the Grantee, the following described premises, situated in Bannock County, Idaho, to-wit:

All of Grantors' real property lying in Sections 16 and 21 of Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, comprising three non-contiguous parcels being further described as follows:

See attached Exhibits "A", "B", and "C"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

August 29, 1997

James G. Katsilometes Maria P. Katsilometes

STATE OF IDAHO, COUNTY OF BANNOCK)

On this 29th day of August, 1997, before me, a notary public in and for said State, personally appeared James G. Katsilometes and Maria P. Katsilometes, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Pocatello, Idaho

My Commission Expires 1-25-01No. 20212584

Recorded at request of

George KatsilometesDate: 4-20-02 2:07Official Record Book 813

Bannock County Recorder

Fee 12.00 Deputy mw

EXHIBIT "A"

A tract of land in Section 16, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

Commencing at the south quarter corner of Section 16, Township 7 South, Range 35 East, Boise Meridian; thence North $89^{\circ}39'48''$ West along the south line of Section 16 for a distance of 507.73 feet to a point on a curve in the easterly right of way line of Interstate Highway I-15, from said point the center of the curve bears North $47^{\circ}25'47''$ East; thence Northwesterly along the said right of way line for the next three (3) courses: (1) Following a 7061.98 foot radius curve, concave to the northeast, through a central angle of $01^{\circ}31'41''$ and an arc distance of 188.33 feet to a point of compound curvature, the chord of the afore described curve bears North $41^{\circ}48'23''$ West 188.33 feet; thence (2) following a 7011.98 foot radius curve, concave to the northeast, through a central angle of $09^{\circ}42'15''$ and an arc distance of 1187.62 feet to a point of tangency, the chord of the afore described curve bears North $34^{\circ}43'35''$ West 1186.21 feet; thence (3) North $29^{\circ}52'27''$ West for a distance of 788.09 feet to an intersection with the northerly right of way line of Hildreth Road, **THE TRUE POINT OF BEGINNING**; thence North $29^{\circ}52'27''$ West continuing along the easterly right of way line of Interstate Highway I-15 for a distance of 486.67 feet; thence North $51^{\circ}22'13''$ East for a distance of 766.44 feet to a point on the westerly right of way line of Old U.S. Highway 30; thence South $38^{\circ}37'47''$ East along the said right of way line for a distance of 586.24 feet to an intersection with the northerly right of way line of Hildreth road; thence southwesterly along the said northerly right of way line of Hildreth Road for the next four (4) courses: (1) South $52^{\circ}09'18''$ West for a distance of 50.00 feet to a point of curvature; thence (2) Following a 2824.81 foot radius curve, concave to the northwest, through a central angle of $07^{\circ}58'15''$ and an arc distance of 392.98 feet to a point of tangency, the chord of the afore described curve bears South $56^{\circ}08'25''$ West 393.62 feet; thence (3) South $63^{\circ}46'26''$ West for a distance of 157.17 feet; thence (4) South $60^{\circ}07'33''$ West for a distance of 249.82 feet to the point of beginning.

Comprising 10.13 acres, more or less.

20212584

4-3

EXHIBIT "B"

An undivided one-third (1/3) interest in and to the following:

A tract of land located in the West ½ of the Southwest ¼ of Section 16, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

Commencing at the northwest corner of the Southwest ¼ of the Southwest ¼ of Section 16, Township 7 South, Range 35 East, Boise Meridian; thence North along the West line of said Section 16 for a distance of 40.00 feet to the **THE TRUE POINT OF BEGINNING**; thence East for a distance of 100.00 feet to a point; thence South for a distance of 100.00 feet to a point; thence West for a distance of 100.00 feet to a point; thence North for a distance of 100.00 feet, more or less, to the point of beginning.

Comprising 0.23 acres, more or less.

SUBJECT to existing easements for main irrigation pipe line.

EXHIBIT "C"

A tract of land in Sections 16 and 21, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

Commencing at the south quarter corner of Section 16, Township 7 South, Range 35 East, Boise Meridian, **THE TRUE POINT OF BEGINNING**; thence North $00^{\circ}27'11''$ East along the Meridional Centerline of Section 16 for a distance of 149.90 feet; thence North $51^{\circ}22'13''$ East for a distance of 541.52 feet to a point on the westerly right of way line of Old U.S. Highway 30; thence South $38^{\circ}37'47''$ East along the said right of way line for a distance of 1213.25 feet; thence South $51^{\circ}22'13''$ West for a distance of 60.00 feet; thence South $38^{\circ}37'47''$ East for a distance of 202.97 feet to a point that is on the northerly right of way line of Ramp E-F of Interstate Highway I-15 at Station D-E 1361+91.12; thence South $51^{\circ}14'00''$ West along said ramp right of way line for a distance of 64.37 feet to point of curvature; thence continuing along said right of way line following a 718.51 foot radius curve, concave to the northwest, through a central angle of $58^{\circ}21'00''$ feet and an arc distance of 731.73 feet to a point of compound curvature, the chord of the afore described curve bears South $80^{\circ}24'30''$ West 800.76 feet; thence continuing along said right of way line following a 1537.02 foot radius curve, concave to the northeast, through a central angle of $23^{\circ}40'26''$ and an arc distance of 635.08 feet to a point of tangency, the afore described curve bears North $58^{\circ}34'41''$ West 647.77 feet; thence North $46^{\circ}44'34''$ West for a distance of 190.08 feet to a point of curvature; thence following a 7061.98 foot radius curve, concave to the northeast, through a central angle of $02^{\circ}24'16''$ and an arc distance of 296.36 feet, the chord of the afore described curve bears North $45^{\circ}28'22''$ West 296.48 feet; thence North $51^{\circ}22'13''$ East for a distance of 233.98 feet to an intersection on the south line of Section 16; thence South $89^{\circ}39'48''$ West along said south line for a distance of 185.03 feet to the point of beginning.

Comprising 26.45 acres, more or less.

COPY

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 29-2309
Date Received: 3/22/1990
Receipt No: E012501
Received By:

COPY

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAUL G KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARGARET ANN KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

RITA WAKLEY Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

THOMAS C KATSILOMETES Phone: (208)221-8215

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SPARTAN PORTNEUF LLC Phone: (208)233-5287

639 UNIVERSITY DR
POCATELLO ID USA 83201

MICHAEL P KATSILOMETES Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

MARY A REINBOLD Phone:

7600 W KATSILOMETES
POCATELLO ID USA 83204

2. Date of Priority: 09/05/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
07S	35E	16	NW	SW	BANNOCK	

5. Description of diverting works:

WELL/PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.88	

7. Total Quantity Appropriated is:
2.88 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
07S	35E	16	SW	NW	IRRIGATION	9.4
			SE	NW	IRRIGATION	11
			NE	SW	IRRIGATION	31
			NW	SW	IRRIGATION	14
			SW	SW	IRRIGATION	0.3
			SE	SW	IRRIGATION	23
			NW	SE	IRRIGATION	13
			SW	SE	IRRIGATION	35
			SE	SE	IRRIGATION	0.6
Section Acres					137.3	
07S	35E	21	NE	NE	IRRIGATION	3.1
			NW	NE	IRRIGATION	21
			NE	NW	IRRIGATION	2.9
Section Acres					27	
Total Acres					164.3	

Remain *SPLIT*

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:

CLAIM AMENDED TO ADD 14.3 ACRES AND TO BETTER DEFINE THE CLAIMED PLACE OF USE
(CSAXTON 11/20/02)

CHANGE OF OWNERSHIP, EASTERN, 10-17-94 CHANGED ADDRESSES TO MATCH FOR MAILING
PURPOSES ONLY 3/27/95 DMS

15. Basis of Claim: License

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.

T7S, R35E

