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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
OCT 15 2002
Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
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, 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
35-2171B	35-13421 - Kelly				
	35-13422 - Lato				
35-7935	35-13423 - Kelly				
	35-13424 - Lato				

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) are 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)

Arthur Kelly

4. New Owner/Claimant(s)

Lato Transportation Inc

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

8877 N. 45th E

City, State and ZIP Code

Idaho Falls, IDAHO 83401

New Telephone Number

208) 522-5968

5. Date you acquired the property

Sept 24, 2002

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See file 35-13422 for support documentation

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 <u>35-2171B</u>		
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	<u>2.07 cfs</u>	<u>158/428 AC</u>
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 <u>35-7935</u>		
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	<u>1.11 cfs</u>	<u>158 AC / 428 AC</u>
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) Brun Salt Pres of Loto Trans Inc.
(include title if applicable)

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 DCDate 10/10/2002Fee \$200⁰⁰Receipted by DCDate 10/10/2002Receipt No. 6028227

Processed by _____ AJ

Date _____

WR _____

Date _____

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13421

WATER RIGHT NUMBER: 35-13421

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HOWARD G KELLY
	BLACKFOOT, ID 83221
Original Owner	GEORGE BANKHEAD
	, ZZ
Original Owner	SEVERIN JOHNSON
	BLACKFOOT, ID 83221
Current Owner	ARTHUR M KELLY
	1553 W HOFF RD
	BLACKFOOT, ID 83221
	(208) 684-4396

Priority Date: 05/08/1950

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	3.530 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	3.530 CFS	

Location of Point(s) of Diversion

GROUND WATER	L1 (NE1/4NE1/4NE1/4)	Sec. 4,	Twp 03S,	Rge 33E, B.M.
BINGHAM County				
GROUND WATER	NE1/4SW1/4NE1/4	Sec. 5,	Twp 03S,	Rge 33E, B.M.
BINGHAM County				
GROUND WATER	NW1/4SW1/4NW1/4	Sec. 4,	Twp 03S,	Rge 33E, B.M.
BINGHAM County				

Place of UseIRRIGATION Within BINGHAM County

T03S R33E S04 Lot 1 NENE 38.0	T03S R33E S04 Lot 2 NWNE 39.0
T03S R33E S04 SWNE 40.0	T03S R33E S04 Lot 3 NENW 34.0
T03S R33E S04 Lot 4 NWNW 39.0	T03S R33E S04 SWNW 40.0
T03S R33E S04 SENW 40.0	

Total Acres: 270

DOMESTIC Within BINGHAM County

T03S R33E S04 Lot 1 NENE

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-13421

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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:

1. Point of Diversion 2 POINTS OF DIVERSION LOCATED IN NENENE, S04, T03S, R33E.
2. Explanatory RIGHT NO. 35-07935 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 35-07935 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 428 ACRES IN A SINGLE IRRIGATION SEASON.
4. Quantity USE OF THIS RIGHT WITH RIGHT NO. 35-07935 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.14 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1712 AF.

Comments:

1. scurtis 10/17/2002 Ownership Change

Comment: This right is the result of a split of Right 35-2171B which was split into 35-13421 and 35-13422 by an ownership change.

Dates and Other Information:

Decreed Date: 1/31/2002

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 18, 2002

ARTHUR M KELLY
1553 W HOFF RD
BLACKFOOT ID 83221

RE: Change of Ownership for Water Right 35-13421

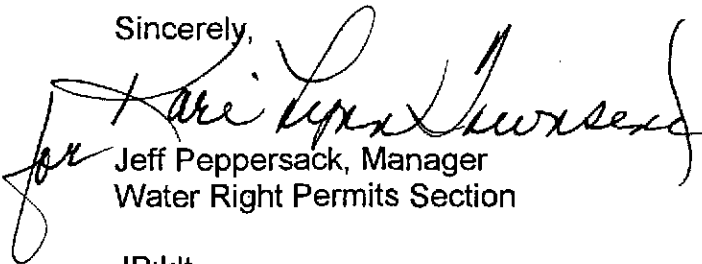
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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