

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: A75-11621
Date Received: 1/21/1993
Receipt No: E018221
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN I KASTELER JR 801-272-1827
Address: 2011 ALISON CIRCLE
SALT LAKE CITY UT 84124
2. Date of Priority: MAY 30, 1948
3. Source: SPRINGS Trib. to: NORTH FORK SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
26N	21E	26	NW	SE	SE		LEMHI
5. Description of diverting works:
SPRING TO DITCH TO PROPERTY
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.500		
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 30.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
26N	21E	26	SE	SE		IRR	7.0
						Section Acres	7.0
		35	NE	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
		36	NW	NW	IRR	2.0
					Section Acres	2.0
					Total Acres	12.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number A75-11621Date Received 1-20-93Receipt Number EO 18221

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 20 1993

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) John I. Kasteler Jr Phone (801) 272-1827
Mailing Address 2011 ALISON Circle SLC Utah 801 566-9201
OR P.O. Box 23 Gibbonsville, Idaho Zip 84124
2. Date of Priority (Only one (1) per claim) May 30, 1948
3. Source of water supply (a) Unnamed springs
which is tributary to (b) NORTH Fork, Salmon River
4. a. Location of existing point of diversion is: Township 26 N Range 21 E Section 35 & 36,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 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. The three springs emanate
from the slope of a gravel bar approximately 300' east
of Highway 93 and approximately 250' south of the north
property line. The spring water flows through the
field and into a ditch that then flows onto the
Broken Arrow property to the south.

A751621



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Jan. to Dec. amount .5 or _____
For Small Domestic & Stock water purposes from Jan. to Dec. amount .5 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (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.) Two horses and a mule at the Broken Arrow

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

Description of place of use: (see attached map)

Beginning at Corner No. 2; thence South 48°8' East 11.08 chains to Corner No. 3; thence South 21°4' East 4.08 chains to Corner No. 4; thence South 86°14' East 1.04 chains to Corner No. 5; thence South 3°43' East 1.93 chains to Corner No. 6; thence North 47°55' West 14.46 chains to Corner No. 7; thence South 60° West 3.85 chains; thence North along the North Fork river approximately 17.5 chains; thence North 51°30' East 7.30 chains; thence South 43° East to Corner No. 2, the place of beginning.

Total number of acres irrigated 12 Approximately

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

12. Do you own the property listed above as place of use? Yes X 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. _____ or None (X)

14. Remarks:

Last Name Kasteler Ident No. _____

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Copy _____ State _____ Yellow-Claimant
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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 3

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

Signature of Claimant (s) John H. Kasteler Jr. Date 1/15/93

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 _____ of _____

Title

Organization

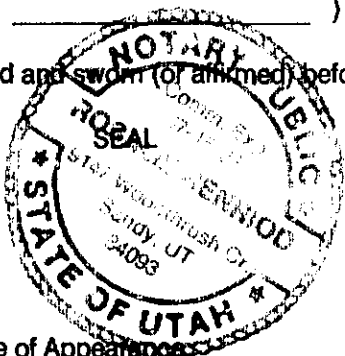
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 15th day of January 19 93



Notary Public David Henrich

Residing at Sandy, Utah

My Commission Expires 7/15/93

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 _____

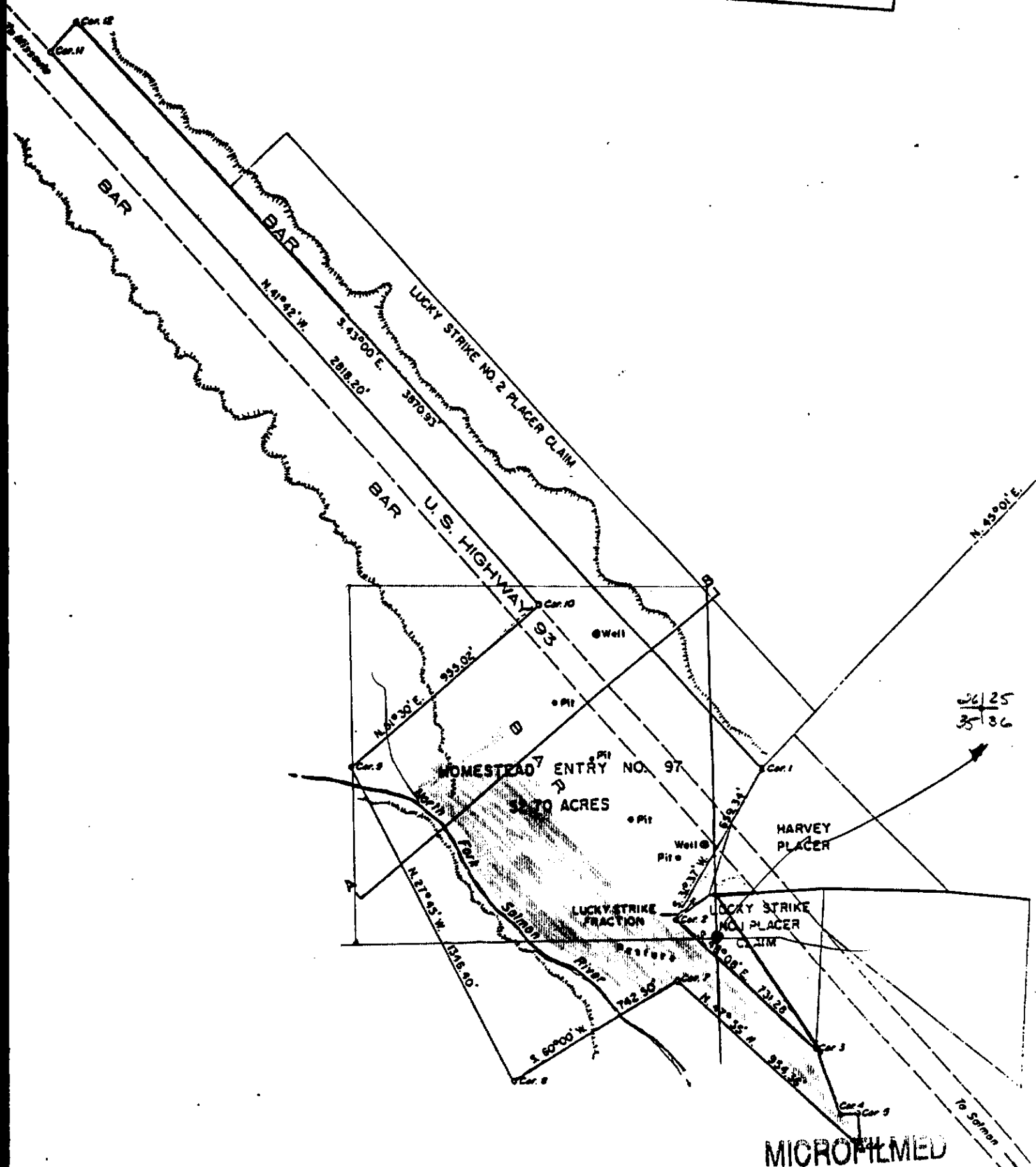
Date _____

Last Name Kasteler Ident. Number _____

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POOR ORIGINAL



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APR 19 1994

POOR ORIGINAL

TO ALL WHOM IT MAY CONCERN

During the summer of 1948, I entered into tentative negotiations with Theodore Fougassie, owner of Homestead Entry No. 97, Gibbonsville, Idaho to incorporate his property into U. S. Chemical Corp. Several trips were made to Gibbonsville during the balance of the year to assist Fougassie and his partner, Hugh J. Richards, in caring for the property.

The former owner of Entry No. 97, Max Bauer, had left the irrigating ditches and the culinary spring in disrepair. The West Ditch, which began approximately 1000 feet below the Wenzig cabin, was dug in the 1920's solely to irrigate the west pasture of Entry 97, was 'brushed out' to allow passage of more water. This water ran all summer until winter. The same condition existed at the East Ditch which began near the Wenzig cabin and was used to irrigate the East Pasture of Entry 97. This water also flowed all summer. The culinary spring in the central meadow of Entry 97 supplied drink^{ing} water to the Bauers and to Fougassie from 1926 to 1955.

During the period between 1948 and 1955, Albert and Anna Prokych, of Salmon, Idaho, leased the pastures of Entry 97 for their cattle. Irrigating water ran continuously all summer in the West ditch and intermittently in the East Ditch. The Culinary spring was used all year..

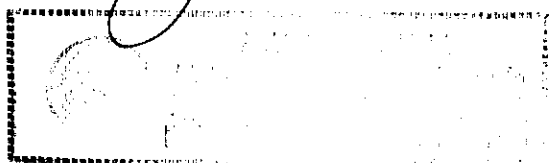
Dated this 15 day of December, 1992

John Masteler Sr.
John Masteler Sr.

STATE OF NEVADA)
COUNTY OF WASHOE) SS

Subscribed and sworn to before me this

15 day of December, 1992



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APR 19 1994

Mrs. Annie Proksch
Route 1 Box 126
Salmon, Idaho 83467
Phone 208-756-3250

December 14, 1992

John Kasteler
2011 Kalison Circle
S.L.C., Utah 84124
Phone 801-272-1827

Ref: Irrigation of property at Gibbonsville Idaho

To whom it may concern:

I have been asked to verify the irrigation of the John Kasteler property located in Gibbonsville, Lemhi County, Idaho. My husband and I rented the property in about 1954 for the pasturing of cows. I, Annie Proksch did irrigate some of the land in question. I cannot remember the ditch locations, but can witness the fact that the land was irrigated during the time of our uses.

I would be glad to respond to further questions or information needed to satisfy your requirements in this case..

Sincerely,

Annie Proksch
Annie Proksch

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