

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: A75-13711
Date Received: 8/21/1996
Receipt No: E022496
Received By: _____

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

1. Name: RICHARD A CESARIO 303-690-9392
Address: 3830 D SOUTH GENOA CIRCLE
AURORA CO 80013

2. Date of Priority: NOV 18, 1916

3. Source: SAGE CREEK WF, EF Trib. to: SAGE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	20E	10	SW	SW	SE		LEMHI

5. Description of diverting works:
SMALL WING DAMS IN STREAM, DITCHES TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.480		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	20E	10	SE	SW		IRR	4.0
			SW	SE		IRR	9.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	13.0
		15	NW	NE	IRR	4.0
			NE	NW	IRR	7.0
					Section Acres	11.0
					Total Acres	24.0

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:

WATER HAS BEEN USED ON THIS PROPERTY SINCE THE EARLY 1900' (SEE
HES SURVEY DATED 11/18/1916)

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: _____

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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 _____

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NOV 18 1996

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number

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Date Received

8-20-96/20/97

Receipt Number

E022496

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 20 1996

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) RICHARD A. CESARIO Phone (303) 690-9392Mailing Address 3830 D SOUTH GENOA Circle Aurora CO Zip 800132. Date of Priority (Only one (1) per claim) 11-18-19163. Source of water supply (a) SAGE Creek, West Fork, SAGE Creek East Fork
which is tributary to (b) SAGE Creek4. a. Location of existing point of diversion is: Township 24N Range 20E Section 10,SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: NW 1/4 SW 1/4 SE 1/4 T24N R20E S10 SE 1/4 SW 1/4 SE 1/4 T24N R20E S10

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, 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. Small wing dams in streamditches to place of use

A7513711



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 04-01 to 11-01 amount 0.48 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.48 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 60 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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	
24N	20E	10												4.0			9.0		13.0
		15		4.0			7.0												11.0

Total number of acres irrigated 24.0

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

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:

Water has been used on this property since the early 1900's
(see copy of HES survey dated November 18, 1916)

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Last Name _____ 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 _____
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) Richard A. Casaric

Date Aug 19 1996

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 _____)

County of _____)

SS.

Subscribed and sworn (or affirmed) before me this 19th day of August 19 96

Notary Public Robert E. Jant

Residing at Salmon ID 83467

My Commission Expires 02-16-2001

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ 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 _____ Ident. Number _____

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NOV 18 1996

Copies White-State, Yellow-Claimant

WARRANTY DEED

THIS DEED, Made this
between

KELTON E. DONALDSON,

County of

RICHARD CESARIO,

whose legal address is 3830 D South Genoa Circle, Aurora, CO 80013

of the

County of

Arapahoe

, State of Colorado, grantor(s) and

WITNESSETH, That the grantor(s), for and in consideration of the sum of Ten Dollars and other good and valuable consideration

the receipt and sufficiency of which is hereby acknowledged, heS granted, bargained, sold and conveyed, and by these presents do ES grant, bargain, sell, convey, and confirm, unto the grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Lemhi, State of Idaho, described as follows:

Beginning at Corner No. 1, from which U.S. Location Monument No. 2, Indian Mining District, bears N. 21° 51' W., 144.43 chains distant; thence S. 35° 36' E., 11.77 chains to Corner No. 2; thence S. 48° 38' W., 24.54 chains to Corner No. 3, thence N. 34° 20' W., 3.98 chains to Corner No. 4; thence N. 21° 22' E., 19.86 chains to Corner No. 5; thence N. 58° 54' E., 7.74 chains to Corner No. 1, the PLACE OF BEGINNING, all in approximate Section 9, Township 24 N., Range 20 E., Boise Meridian, Lemhi County, Idaho . . .

(H. E. Survey No. 353)

also known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee(s), his heirs and assigns forever. And the grantor(s), for him self, his heirs and personal representatives, do ES covenant, grant, bargain, and agree to and with the grantee(s), his heirs and assigns, that at the time of the sealing and delivery of these presents, well seized of the premises above conveyed, he S good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and he S good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature soever, except

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the grantor(s) he S executed this deed on the date set forth above.

Kelton E. Donaldson 6/25/90
Kelton E. Donaldson

STATE OF ~~IDAHO~~ *ORIGON*

County of ~~Lemhi~~ *Deschutes*

The foregoing instrument was acknowledged before me this
by Kelton E. Donaldson.

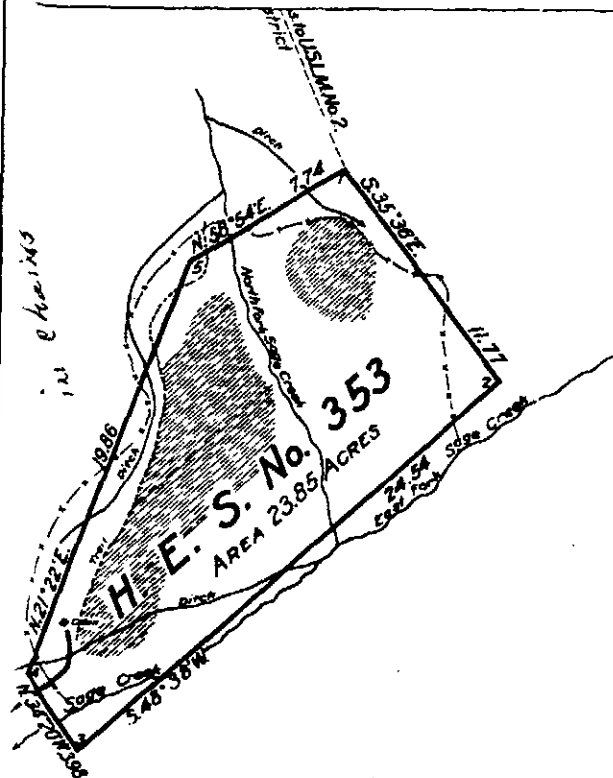
My commission expires 5-22-91

Witness my hand and official seal.

Annelle Shivers
Notary Public

*If in Denver, insert "City and".

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NOV 18 1996



T.24N., R.20E.
(Unsurveyed)

SCALE 5 chains to 1 inch

HOMESTEAD ENTRY SURVEY

No. 353 PATENTED

in the

SALMON NATIONAL FOREST

in

Sec. 4, T. 24 N., R. 20 E., unsurveyed

of the

BOISE BASE AND MERIDIAN
IDAHO

This plot of Homestead Entry Survey
No. 353 State of Idaho is strictly
conformable to the field notes thereof
on file in this office, which have been
examined and approved.

U.S. Surveyor General's Office

Boise, Idaho

November 18, 1915.

Edward H. Hadden
U.S. Surveyor General

Chain
66

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NOV 18 1955

When Surveyed Began	When Completed	Date of Approval
Sept. 29, 1902		Dec. 12, 1902
Sept. 24, 1915	Aug. 26, 1915	

H.E. Survey No. 353		Areas in Acres
In Section		Conflicts
In Section		
In Section		
In Section		
Total	23.85	

Act of June 11, 1906
List No. 4-867
Latitude 45° 26' 23" N.
Longitude 114° 04' N.
Mean Mag. Incl. 20° 30' E.
At Corner No. 1

Act of Mar. 4, 1915
Dated Oct. 27, 1911