

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: A22-12347
Date Received: 10/04/1988
Receipt No: E005528
Received By: AK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	KARLHEINZ GOTTSCHALL	307-733-5078
Address:	C/O GISELA KENYON BOX 522 TETON VILLAGE, WY	83025
OR		
Name:	SIBYLLE GOTTSCHALL	307-733-5078
Address:	C/O GISELA KENYON BOX 522 TETON VILLAGE, WY	83025
OR		
Name:	FRANK LUDWIG	307-733-5078
Address:	C/O GISELA KENYON BOX 522 TETON VILLAGE, WY	83025
OR		
Name:	CAROLINE LUDWIG	307-733-5078
Address:	C/O GISELA KENYON BOX 522 TETON VILLAGE, WY	83025

A2212347



2. Date of Priority: JAN 22, 1916

3. Source: MOOSE CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	45E	20	NW	SW			TETON

5. Description of diverting works:
A CEMENT HEADGATE & LATERAL DITCH LEADING FROM MOOSE CREEK

A22-12347

Page 1

Date: 01/20/89

MICROFILMED
NOV 06 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.870		

7. Total Quantity Appropriated is:

1.870 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:

THERE IS IN-STREAM STOCKWATERING ON THE PREMISES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	45E	19	NE	SE	IRR	13.0
			NW	SE	IRR	13.0
			SW	SE	IRR	13.0
			SE	SE	IRR	13.0
Section Acres						52.0
Total Acres						52.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court : 7TH

Decree date: 1/22/1916

Decree Plaintiff

vs

Decree 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/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 A22-12347Date Received 10/4/88Receipt Number E00 5528

RECEIVED

JAN 17 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 4 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

Karlheinz ^{or} Sibylle Gottschall ^{R.G.}
1. Name of Claimant (s) Frank ~~and~~ Caroline Ludwig ^{FL} Phone (307) 733-5078
Mailing Address c/o Gisela Kenyon, Box 522, Teton Village, WY Zip 83025

2. Date of Priority (Only one (1) per claim) January 22, 1916

3. Source of water supply (a) Moose Creek
which is tributary to (b) Teton River

4. a. Location of existing point of diversion is: Township 3N Range 45E Section 20,
1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Teton

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 _____ 1/4,

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. A cement headgate and lateral ditch
leading from Moose Creek, in which is a check to raise the water for delivery into
the lateral ditch.

MICROFILMED

NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.87 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.87 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 130 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There is in-stream stockwatering on the premises.

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	
3N	45E	19													13	13	13	13	52

Total number of acres irrigated 52

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

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:

MICROFILMED

NOV 06 1992

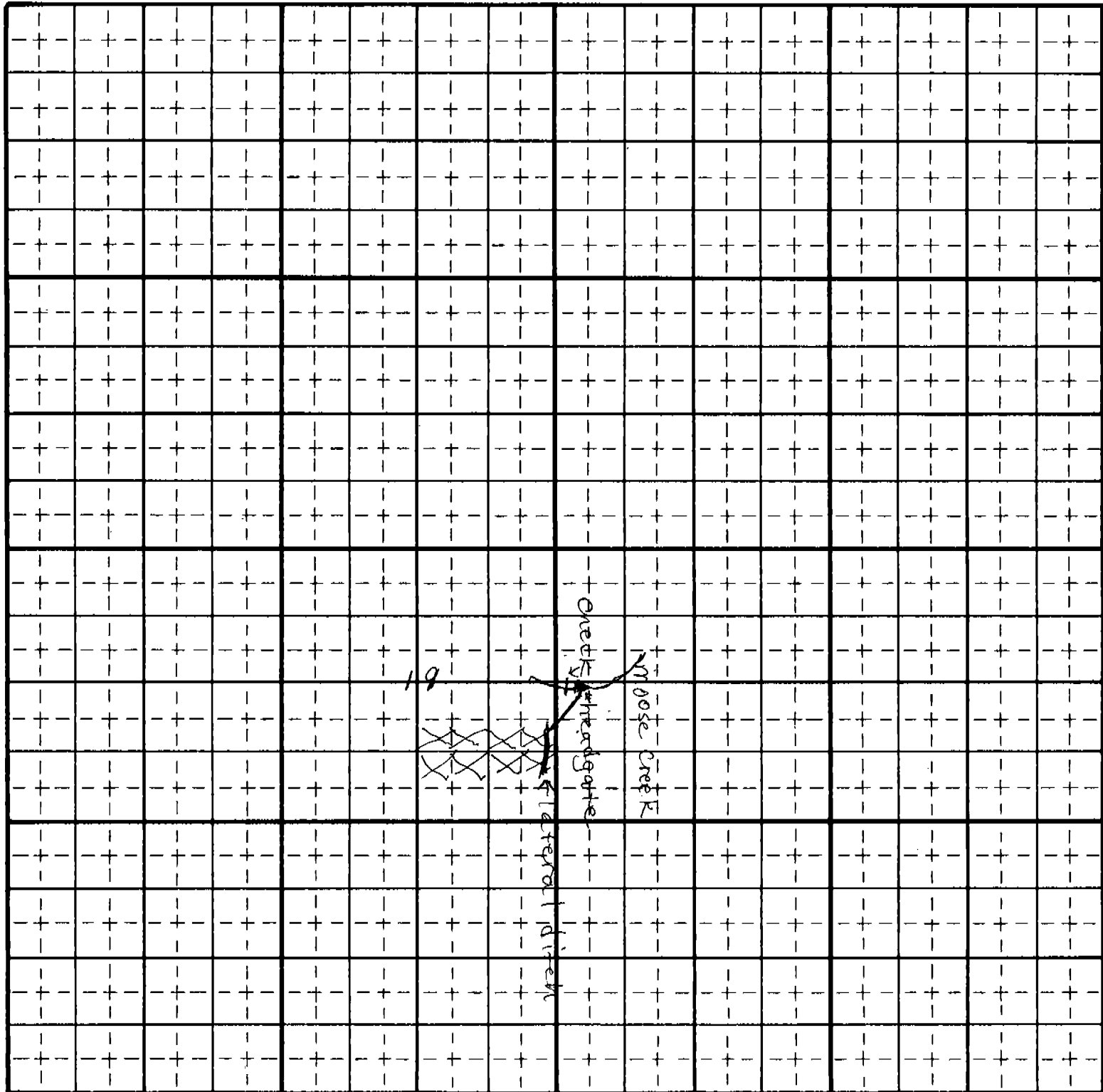
Last Name Gottschall
Ludwig Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Section 19, Township 3N, Range 45 E.B.M.



MICROFILMED

NOV 06 1992

Last Name Gottschall
Ludwig

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number _____

Court 7th Judicial District Case Number _____ Decree Date 1-22-16

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 X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 11

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct. 10/3/88

Signature of Claimant (s) [Signature] Date _____

Date 10/3/88

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 _____)

) SS.

County of Madison)

Subscribed and sworn (or affirmed) before me this 3rd day of October 19 88

SEAL

Notary Public Debra A. Keller

Residing at Rexburg, Idaho

My Commission Expires 11-15-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Ray W. Rigby 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 Ray W. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 10/3/88

Last Name Gottschall
Ludwig Ident. Number _____

MICROFILMED
NOV 06 1992

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RECEIVED

JAN 17 1989

Department of Water Resources
Eastern District Office

Date: December 17, 1988

Gisela E. Kenyon
P.O. Box 522
Teton Village, WY 83025

RE: Gottschall-Ludwig Water Right Claim Returned

Dear Mrs. Kenyon:

The Idaho Department of Water Resources (IDWR) is returning your check #4687 and Notice of Claim to Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please complete or correct the claim form items identified below and return the form to the IDWR within 30-days of the date of this letter. Failure to submit the required information and filing fees within this 30-day period may result in forfeiture of your water right or an assessment of a late-fee.

- Items #1 and #16: If more than one person is listed in Item #1, and the names are connected with "and", Item #16 must contain the notarized signatures of all claimants. If the names are connected by "or", only one of the claimants notarized signatures is required. Either the name connectors must be changed to "or" in Item #1, or the notarized signatures of all claimants is needed in Item #16.

It may be necessary to enclose a new check since the one attached was written almost three months ago. If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

Enclosure

MICROFILMED
NOV 06 1992

3.27/1988

SREA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

GOTTSCHALL, KARLEINZ OR SIBYLE
LUDWIG, FRA OR CAROLINE

CLAIM ID

NO.

A22-12347

DATE RECEIVED

10/4/88

CK #

4908

AMOUNT \$

102.00

1. Is the name and address complete with zip code?
2. Is a priority date entered?

YES

NO

☒
☒

☐
☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

- (b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

10. Is (are) the place(s) of use and purpose(s) indicated?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" indicated?

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

15. Is the basis of the claim indicated?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by:

MICROFILMED

NOV 06 1992

Comments:

FOO5528

FILED
SYSTEMS

WARRANTY DEED

THIS INDENTURE, made this 13th day of June, 1973, in the year of our Lord One Thousand Nine Hundred and Seventy-three, between GISELA HIPPELEIN-KENYON and FRANK S. KENYON, her husband

of Hopetown, County of Abaco, State of Bahamas, the parties of the first part, and KARLHEINI GOTTSCHALL and SIBYLLE GOTTSCHALL, his wife; and FRANK LUDWIG and CAROLINE LUDWIG, his wife

of Munich, County of , State of Germany, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten and No/100 DOLLARS lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part of the second part, and to their heirs and assigns forever: All the certain lot, place, or parcel of land situate, lying and being in the County of TETON State of Idaho, bounded and more particularly described as follows, to-wit:

---Beginning at the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Twp. 3 N., Rge. 45 E.B.M. and running thence South 89°41'37" East 263.84 feet; thence North 175.0 feet; thence East 131.41 feet to the West Right-of-Way of U.S. Highway No. 33; thence South-easterly along said right-of-way 188.96 feet to a point that is South 89°41'37" East 463.84 feet from the point of beginning; thence South 89°41'37" East 29.78 feet; thence South 21°17' East 515.0 feet to the center of Canyon Lane; thence South 88°08'48" East 1946.71 feet to the East Section Line of said section; thence North 0°06'28" East 1019.69 feet along the section line; thence North 89°44'22" West 2037.42 feet; thence South 85°07'11" West 600.34 feet; thence South 0°00'51" East 413.80 feet to the point of beginning. Together with 93.5 inches of Moose Creek water issued January 22, 1916. ---

Frank S. Kenyon, the husband of Gisela Hippelein-Kenyon, has no interest in the hereinbefore described property, but joins in the execution of this deed to convey any doubtful interest.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part, their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

[Signature] (SEAL)
Gisela Hippelein (SEAL)
Hippelein (SEAL)
(SEAL)

WARRANTY DEED

THIS INDENTURE, Made this 13th day of June
in the year of our Lord One Thousand Nine Hundred and Seventy-three between
GISELA HIPPELEIN-KENYON and FRANK S. KENYON, her husband

of Hopetown, County of Abaco, State of Bahamas
the parties of the first part, and KARLHEINI GOTTSCHALL and SIBYLLE GOTTSCHALL,
his wife; and FRANK LUDWIG and CAROLINE LUDWIG, his wife

of Munich, County of, State of Germany
the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
Ten and No/100 DOLLARS
lawful money of the United States of America, to them in hand paid by the said parties
of the second part, the receipt whereof is hereby acknowledged

, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said
part of the second part, and to their heirs and assigns forever: All the certain
lot, piece, or parcel of land situate, lying and being in the County of TETON
State of Idaho, bounded and more particularly described as follows, to-wit:

---Beginning at the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19,
Twp. 3 N., Rge. 45 E.B.M. and running thence South 89°41'37"
East 263.84 feet; thence North 175.0 feet; thence East 131.41 feet
to the West Right-of-Way of U.S. Highway No. 33; thence South-
easterly along said right-of-way 188.96 feet to a point that is
South 89°41'37" East 463.84 feet from the point of beginning;
thence South 89°41'37" East 29.78 feet; thence South 21°17'
East 515.0 feet to the center of Canyon Lane; thence South
88°08'48" East 1946.71 feet to the East Section Line of said
section; thence North 0°06'28" East 1019.69 feet along the section
line; thence North 89°44'22" West 2037.42 feet; thence South
85°07'11" West 600.34 feet; thence South 0°00'51" East 413.80
feet to the point of beginning. Together with 93.5 inches of
Moose Creek water issued January 22, 1916. ---

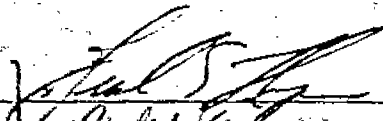
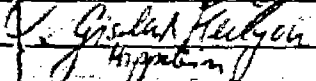
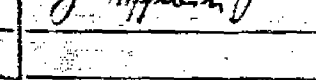
Frank S. Kenyon, the husband of Gisela Hippelein-Kenyon, has
no interest in the hereinbefore described property, but joins
in the execution of this deed to convey any doubtful interest.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and
privileges thereunto incident unto the said parties of the second part, and to their heirs
and assigns forever. And the said parties of the first part, and their heirs the said prem-
ises in the quiet and peaceable possession of the said parties of the second part, their heirs
and assigns against the said parties of the first part and their heirs and against all and
every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant
and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

	(SEAL)
	(SEAL)
	(SEAL)
	(SEAL)