

State of Idaho
Department of Water Resources
322 East front Street
P.O. Box 83720
Boise, ID 83720-0098
Attn: Roxanne Brown

July 25, 2005

75-11620' 75-11621
James E. Riggan
267 Highway 28
Salmon, Idaho 83467

Re: Evidence of Priority Date

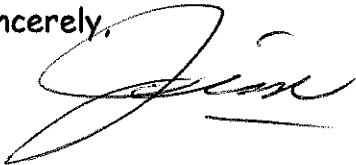
Dear Ms. Brown:

The Notice of Claim to Water Right, identified by #75-11620 and #75-11621, involves property purchased as HES - 97 by me, James E. Riggan, in July of 1993 from John Kasteller, Jr., 20011 Alison Circle, Salt Lake City, UT. According to our records these water right claims should be valid with the information provided.

Enclosed please find documentation to prove this land was irrigated before 1915. If you are in need of more information concerning this claim, please feel free to contact me.

Your attention on this matter would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim", with a stylized flourish underneath.

James E. Riggan

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-11621

WATER RIGHT NUMBER: 75-11621

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN I KASTELER JR 2011 ALISON CIRCLE SALT LAKE CITY, UT 84124 (801)272-1827

Priority Date: 05/30/1948
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	10/15	0.500 CFS	
	Total Diversion:		0.500 CFS	

<u>Location of Point(s) of Diversion</u>		
SPRINGS	NW1/4SE1/4SE1/4	Sec. 26, Twp 26N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T26N R21E S26	SESE	7.0	T26N R21E S35	NENE	3.0
T26N R21E S36	NWNW	2.0			
Total Acres: 12					

Conditions of Approval:

Remarks:

Copy

Page 1000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-11620

WATER RIGHT NUMBER: 75-11620

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN I KASTELER JR 2011 ALISON CIRCLE SALT LAKE CITY, UT 84124 (801)272-1827

Priority Date: 05/30/1948
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.250 CFS	
	<u>Total Diversion:</u>	0.250 CFS	

Location of Point(s) of Diversion
NORTH FORK SALMON RIVER NW1/4SE1/4 Sec. 26, Twp 26N, Rge 21E, B.M.
LEMHI County

Place of Use
IRRIGATION Within LEMHI County
T26N R21E S26 SESE 2.0 T26N R21E S35 NENE 2.0
Total Acres: 4

Conditions of Approval:

Remarks:

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E018221

Date: 1/20/1993
Time: 16:07:04

Received

From: KASTELER, JR JOHN I

Type of Payment	Program A cct	Amount
ADJUDICATION FEES (ALSO CK 8518 112. 41503	337 1155	216.00

Total

\$216.00

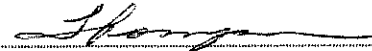
CHECK 8517

Water Right Numbers

A75-11620 A75-11621

Region: EASTERN

Signature:



JOHN KASTELER JR
2011 ALISON CIRCLE
SALT LAKE CITY UT 84124

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 Prok^{sch}, 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

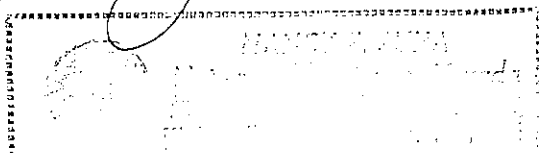
John Kasteler Sr.
John Kasteler Sr.

STATE OF NEVADA)
) SS
COUNTY OF WASHOE)

Subscribed and sworn to before me this

15 day of December, 1992

Nancy Elmer



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

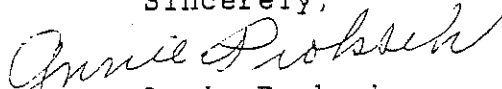
Ref: Irrigation of property at Gibbonsville Idaho

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

SD-0604-2 Township: 26N			Range: 21E		Section: 36		Tract:		Lot:	
S	L		STATE	O	S	Max #	Records	16		
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	SWNE		75-04308	BROWN, LEWIS O.	C	10	S	04/15/1896	01	IRR
---				BROWN, LAURA	C				02	IRR S
---									03	IRR FS
---	NENW		75-04373	KEATING, JR., EARL R.	C	7	S	04/01/1895	01	IRR
---				KEATING, SUE ANN	C					
---	NWNW		75-04358	PROKSCH, ALBERT	C	10	S	05/04/1917	01	IRR
---				PROKSCH, ANNIE	C					
---	SWNW		75-04358	PROKSCH, ALBERT	C	5	S	05/04/1917	01	IRR
---				PROKSCH, ANNIE	C					
---	SEnw		75-04075	ERICKSON, MRS. MICHAEL	C		S	06/01/1918	01	IRR
---									04	STOCK
---	SEnw		75-04358	PROKSCH, ALBERT	C	5	S	05/04/1917	01	IRR
---				PROKSCH, ANNIE	C					
---	SEnw		75-04373	KEATING, JR., EARL R.	C	7	S	04/01/1895	01	IRR
---				KEATING, SUE ANN	C					
---	SEnw		75-07593	STROM, ROGER C	C	3	A	07/17/1992	04	STOCK

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

*Hi-lited names and numbers are
people who have in the past or still
get water through H.E.S 97 from
the old ditches*

J

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: E018221

Date: 1/20/1993
Time: 16:07:04

Received

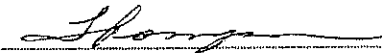
From: KASTELER, JR JOHN I

Type of Payment	Program A cct	Amount
ADJUDICATION FEES (ALSO CK 8518 112. 41503	337 1135	216.00
Total		\$216.00

CHECK 8517

Water Right Numbers
A75-11620 A75-11621

Region: EASTERN

Signature: 

JOHN KASTELER JR
2011 ALISON CIRCLE
SALT LAKE CITY UT 84124

SD-0604-2 Township: 26N Range: 21E Section: 36			Tract:		Lot:					
S	L	STATE	O	S	Max # Records	16				
E	O	Water	Name	W	T	Priority Use				
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
SENW	75-07593	STROM, CLAIRE H	C	3	A	07/17/1992	01	IRR		
NESW	75-04052	USHER, LES	C	3	S	03/04/1909	01	IRR		
NESW	75-04075	ERICKSON, MRS. MICHAEL	C		S	06/01/1918	01	IRR		
NWSW	75-02184	ANDERSON, PERCY	O		L	04/20/1929	13	MINING		
SWSW	75-02184	BURROW, A. D.	C		L	04/20/1929	07	INDUST		
SWSW	75-04039	ANDERSON, PERCY	O		L	04/20/1929	13	MINING		
SWSW	75-04052	BURROW, A. D.	C		S	06/01/1906	01	IRR		
SWSW	75-04052	NEYMAN SUBDIVISION NO.	C	2	S	03/04/1909	01	IRR		
SWSW	75-07576	USHER, LES	C		S	03/04/1909	01	IRR		
SESW	75-04052	ROSS, LEWIS E	C	3	A	02/03/1992	01	IRR		
SESW	75-04052	USHER, LES	C	10	S	03/04/1909	01	IRR		
							04	STOCK		

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

[Handwritten signature]

Plat of
HOMESTEAD
ENTRY SURVEY
 No. 97
 in the
SALMON
NATIONAL FOREST
 in
 Approximate
 Secs. 35-36 unsurveyed, T. 26N., R. 21E.
 of the
BOISE BASE AND MERIDIAN
IDAHO

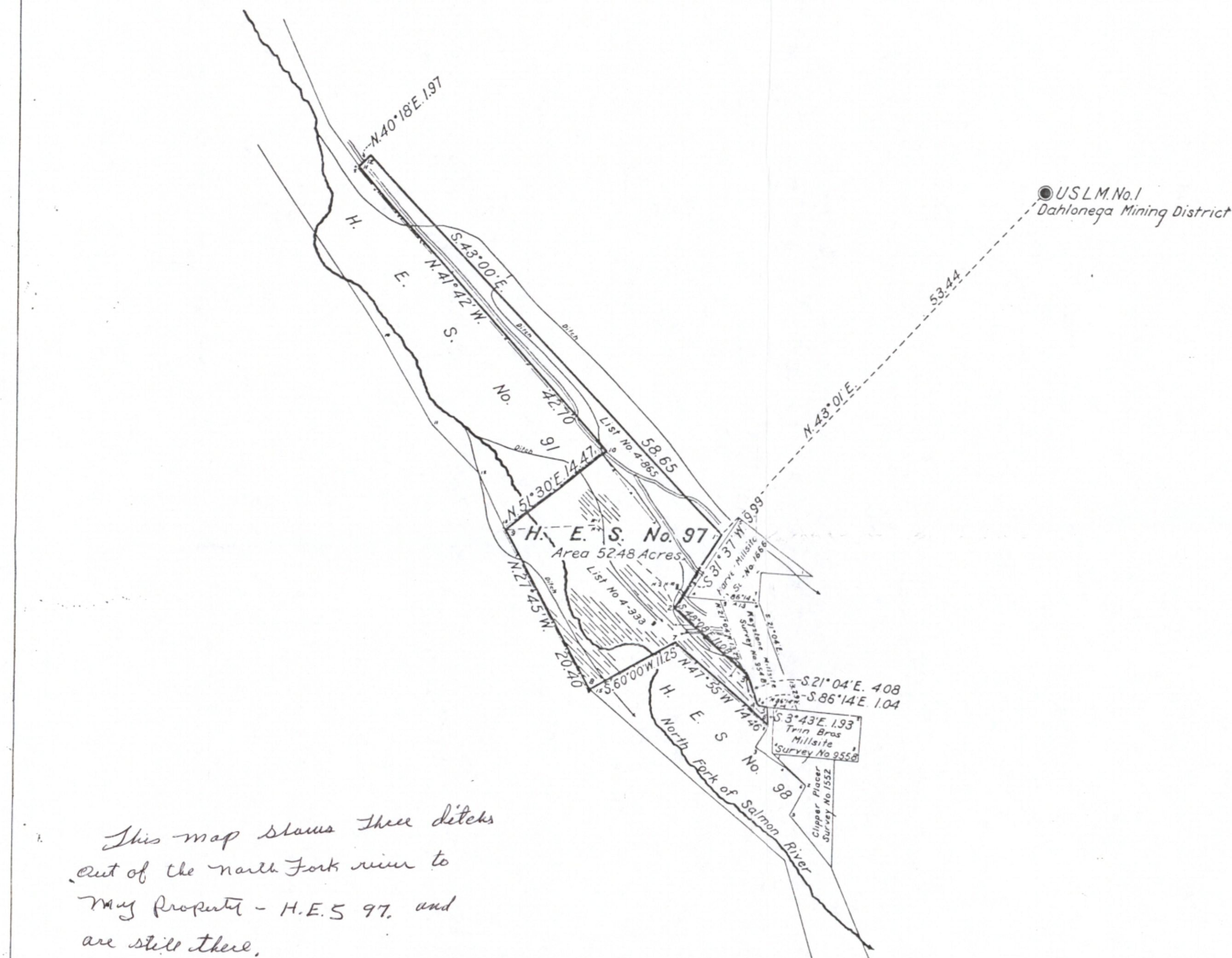
This plat of Homestead Entry Survey No. 97 State of Idaho is strictly conformable to the field notes thereof on file in this office, which have been examined and approved.

U. S. Surveyor General's Office

J. W. Boise, Idaho

March 15, 1916.

Darius A. Utter
 U. S. Surveyor General



This map shows three ditches out of the north fork river to my property - H.E.S. 97, and are still there.

Ja

T. 26N., R. 21E.
 Approximate

SCALE 10 chains to 1 inch

Surveys Designated	By whom Surveyed	Inst. Cont. Group		When Surveyed		Date of Approval
		No.	Date	Began	Completed	
H.E. Survey No. 97	Earl R. Gilbreath Forest Ranger	97	June 30, 1913	July 28, 1915	July 30, 1915	
H.E. Survey No. 91	Frank D. Maxwell	91	June 23, 1913	Sept. 30, 1913	Oct. 2, 1913	Mar. 30, 1914
" " " 98	" "	98	June 25, 1913	Sept. 25, 1913	Sept. 27, 1913	" " "
H.E. Survey No. 97	Frank D. Maxwell	97	June 30, 1913	Sept. 28, 1913	Sept. 29, 1913	" " "
	Surveyor, Forest Service					

H.E. Survey No. 97		Areas in Acres
In Section		Conflicts
In Section		
In Section		
In Section		
Total	52.48	

Act of June 11, 1906	Act of March 4, 1915
List No. 4-533	Act of March 4, 1913
List No. 4-855	Dated April 7, 1910
	Dated Oct 26, 1911
Latitude 45° 33' 1/2" N.	
Longitude 113° 49' 1/2" W.	
Mean Mag. Decl. 20° 57' E.	
At Corner No. 2	