

07/13/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-2078

NAME AND ADDRESS: CHARLES W WUNSCH
PO BOX 427
RIGGINGS ID 83549

SHIRLEY M WUNSCH
PO BOX 427
RIGGINS ID 83549

SOURCE: PAPOOSE CREEK
SPRING

TRIBUTARY: SQUAW CREEK
TRIBUTARY: PAPOOSE CREEK

QUANTITY: 0.080 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 08/11/1965

POINT OF DIVERSION:

T24N R01E S17 SWSW Within IDAHO County
T24N R01E S18 SESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	05/01 10/01	0.060 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S17 NWSW 1.0 T24N R01E S17 SWSW 2.0

DOMESTIC Within IDAHO County

T24N R01E S17 SWSW

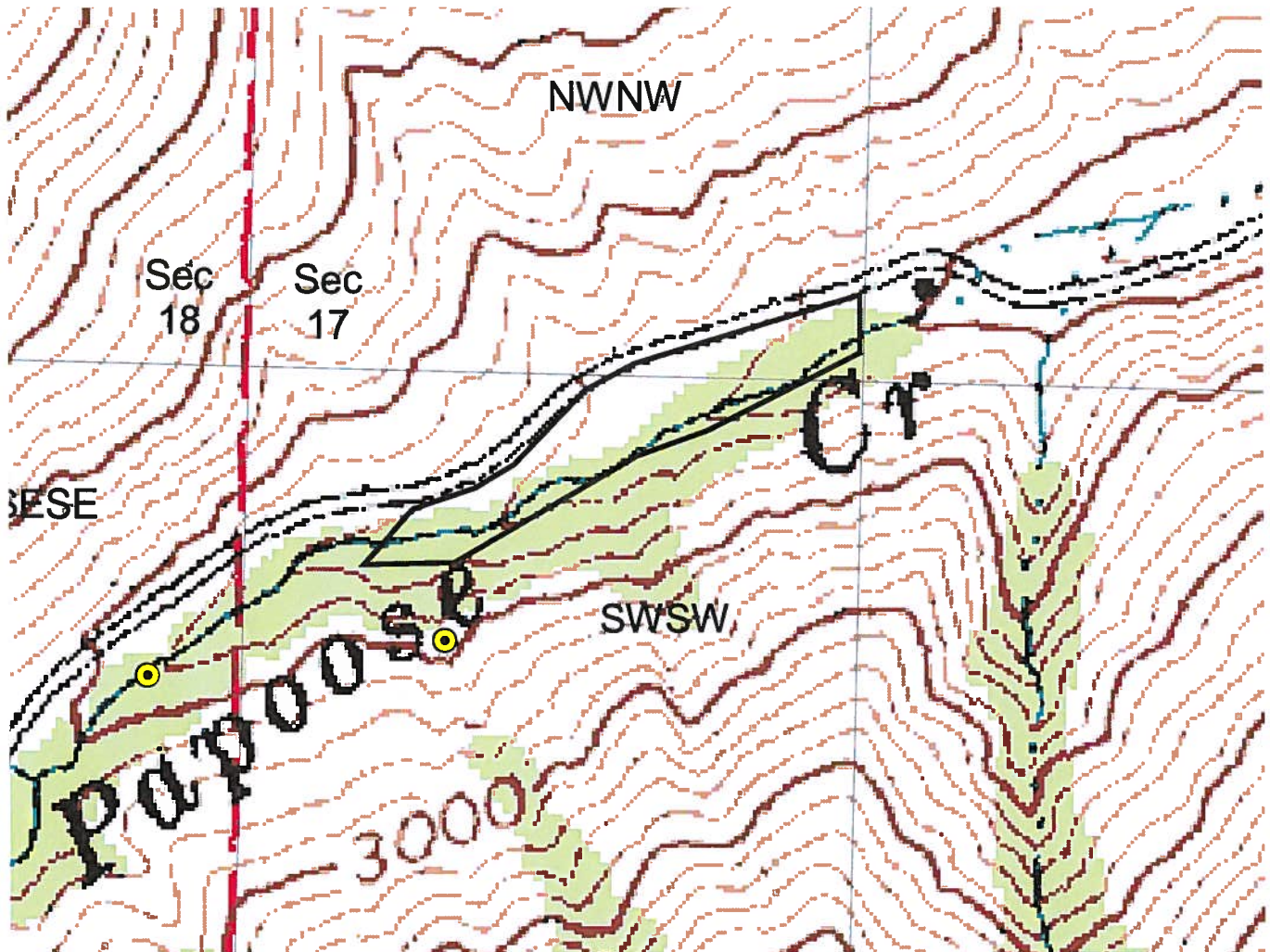
3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

78-2078



0 200 400 Feet

Sections 17 & 18
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on July 13, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 78-2078 Priority 8-11-65 Amount 0.08 c.f.s.

THIS IS TO CERTIFY, that DALE E. ASTLE
of Riggins, Idaho, has complied with the terms and conditions of Permit
No. 78-2078 issued pursuant to Application for Permit dated 8-11-65,
and has submitted proof to the Department of Water Administration on 6-16-69,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.09 c.f.s., and that the water has in fact been applied to a
beneficial use; a right to the use of water from Spring and Papoose Creek
tributary of Squaw Creek, is hereby confirmed in the following amounts:
Amount 0.06 c.f.s. for Irrigation from May 1 to Oct. 1 (both dates inclusive)
Amount 0.02 c.f.s. for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.08 c.f.s. of water be diverted at
any one time, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18 (creek) and
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 (spring), Twp. 24 N., Rge. 1 E., B.M.
in the county of Idaho; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 13.5 acre feet per year or _____
4.5 acre feet per acre. for irrigation purposes and 0.57 acre feet per
year for domestic purposes.
Description and location of place of use:

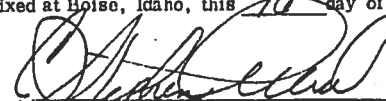
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
24 N	1 E	17									1	2							3
Place of Use for Domestic Purposes																			
24 N	1 E	17										X							

Total number of acres irrigated 3

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16th day of

MARCH, 19 71.


Deputy Director

78 2078

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 78-2078
Date Received: 7/12/1988
Receipt No: C002174
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHARLES W WUNSCH
PO BOX 427
RIGGINGS ID USA 83549

Phone: (208) 628-4130

SHIRLEY WUNSCH
PO BOX 427
RIGGINS ID USA 83549

Phone: (208) 628-4130

2. Date of Priority: 08/11/1965

3. Source: SPRING Trib. to: PAPOOSE CREEK
PAPOOSE CREEK SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
24N	01E	18	SE	SE		IDAHO	
24N	01E	17	SW	SW		IDAHO	

5. Description of diverting works:

DAM, HEADGATE, PIPELINE & BOX AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/01	0.06	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	17	SW	SW	DOMESTIC	
			NW	SW	IRRIGATION	1
			SW	SW	IRRIGATION	2
					Section Acres	3
					Total Acres	3

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/12/2002

WELL USED TO BACK UP THE IRRIGATION & DOMESTIC USE; USED IN TIME OF DROUGHT AND IN SPRING OF YEAR WHEN THE CREEK IS MUDDY & CANNOT BE SPRINKLED.

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT

RECEIVED

AUG 07 2000

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Incomplete forms will be rejected.

HIP

this page.

1. Water Right No(s).: _____
Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Dale & Carol Astle

150 N. 1580 W. 66-11 Hurricane
Ut. 84737

4. New Owner/Claimant(s)

Charles W. & Shirley Wunsch

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 427

City, State and ZIP Code

Riggins, Id. 83549

New Telephone Number

(208) 628-4130

5. Date you acquired the property

9-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Charles W. Wunsch
Shirley Wunsch

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

401952

WARRANTY DEED

COPY

GRANTOR, DALE E. ASTLE and CAROL J. ASTLE, husband and wife,
of Riggins, ID 83549, for a good and valuable consideration, the
receipt of which is hereby acknowledged, does hereby grant,
bargain, sell and convey unto CHARLES W. WUNSCH and SHIRLEY M.
WUNSCH, husband and wife, of P. O. Box ^{427 Riggins} ~~400~~, ⁸³⁵⁴⁹ ~~Challis~~, ID ⁸³⁵⁴⁹ ~~83226~~, as
GRANTEE, and to grantee's heirs and assigns forever, all of the
following described real estate located in the County of Idaho,
State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated
by this reference.

TOGETHER with all improvements, water, water rights, ditches,
ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 1998, which are a
lien, not yet due and payable.
2. Any adverse claims based on the assertion that
the location of Papoose Creek has moved
subsequent to its adoption as a title
boundary.
3. Right of Way Deed, including the terms and
conditions thereof, by and between LOUIS
REEVES and BELLE REEVES, husband and wife, and
THE COUNTY OF IDAHO, STATE OF IDAHO, recorded
February 7, 1918, under Instrument No. 51504,
in Book 42 page 418, records of Idaho County,
Idaho.
4. Right of Way Deed, including the terms and
conditions thereof, by and between LOUIS
REEVES and the UNITED STATES OF AMERICA,

1 recorded September 28, 1937, under Instrument
2 No. 119367, in Book 66 page 509, records of
3 Idaho County, Idaho.

4 5. Power Line Easement, including the terms and
5 conditions thereof, by and between N. O.
6 TAYLOR and HAZEL A. TAYLOR, husband and wife,
7 and IDAHO POWER COMPANY, a corporation,
8 recorded July 20, 1962, under Instrument No.
9 209203, in Book 97 page 358, records of Idaho
10 County, Idaho.

11 6. Memorandum of Lease, including the terms and
12 conditions thereof, by and between DALE E.
13 ASTLE and CAROL ASTLE, husband and wife,
14 landlord, and WESTSTAR COMMUNICATIONS I, a
15 California limited partnership, tenant,
16 recorded January 25, 1993, under Instrument
17 No. 367233, records of Idaho County, Idaho.

18 7. UCC-1 Financing Statement, including the terms
19 and conditions thereof, by and between
20 WESTSTAR COMMUNICATIONS I, INC., Debtor, and
21 GRAYHOUND FINANCIAL CORPORATION, Secured
22 Party, recorded May 13, 1994, under Instrument
23 No. 374802; and amended by Instrument No.
24 382939, recorded October 24, 1995, records of
25 Idaho County, Idaho.

26 8. UCC-1 Financing Statement, including the terms
27 and conditions thereof, by and between
28 WESTSTAR COMMUNICATIONS I, Debtor, and ALTA
SUBORDINATED DEBT PARTNERS III, L.P., recorded
October 25, 1995, under Instrument No. 382963,
records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their
appurtenances, unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the
said Grantees that they are the owners in fee simple of said
premises; that they are free from all encumbrances, and that they

1 will warrant and defend the same from all lawful claims whatsoever,
2 except general taxes for the year 1998, and easements,
3 reservations, restrictions and rights-of-way of record or in use.

4 In construing this deed, and where the context so requires,
5 the singular includes the plural and the masculine, the feminine
6 and the neuter.

7
8 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
9 names to this instrument this 28 day of
10 August, 1998.

11
12 Dale E. Astle
13 DALE E. ASTLE

12 Carol J. Astle
13 CAROL J. ASTLE

14
15 STATE OF IDAHO)

ss.

16 County of Idaho)

17 On this 1st day of Sept, 1998, before me,
18 Vickie S. Heath, a Notary for the said County and
19 State, personally appeared DALE E. ASTLE, known or identified to me
20 to be the person whose name is subscribed to the within instrument,
21 and he acknowledged to me that he freely executed the same and that
22 the statements therein contained are true.

1 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
2 official seal the day and year first above written.

3
4 (NOTARY SEAL)

Shirley S. Heath
Notary Public for State of Idaho,
Residing at Riggins, therein.
My commission expires on
8-19-99.

5
6
7
8 STATE OF GEORGIA)

9 ss.
County of COBB)

10 On this 28 day of August, 1998, before me,
11 RICK AGRAZ, a Notary for the said County and
12 State, personally appeared CAROL J. ASTLE, known or identified to
13 me to be the person whose name is subscribed to the within
14 instrument, and she acknowledged to me that she freely executed the
15 same and that the statements therein contained are true.

16
17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
18 official seal the day and year first above written.

19
20
21 (NOTARY SEAL)

RA
Notary Public for State of GA,
Residing at COBB, therein.
My commission expires on

07/22/02

22
23
24
25
26
27
28 WARRANTY DEED

EXHIBIT A

Situated in Idaho County, State of Idaho, to-wit:

A certain tract or parcel of land described as commencing at a point on the Northerly bank of Papoose Creek which point is 4,011 feet West and approximately 1365 feet North of the Southeast Corner of Section 17 in Township 24 North, Range 1 East, Boise Meridian, and from said point running North 132 feet to a point:

thence South 76° West, 549 feet to a point;

thence South 67° West, 116 feet to a point;

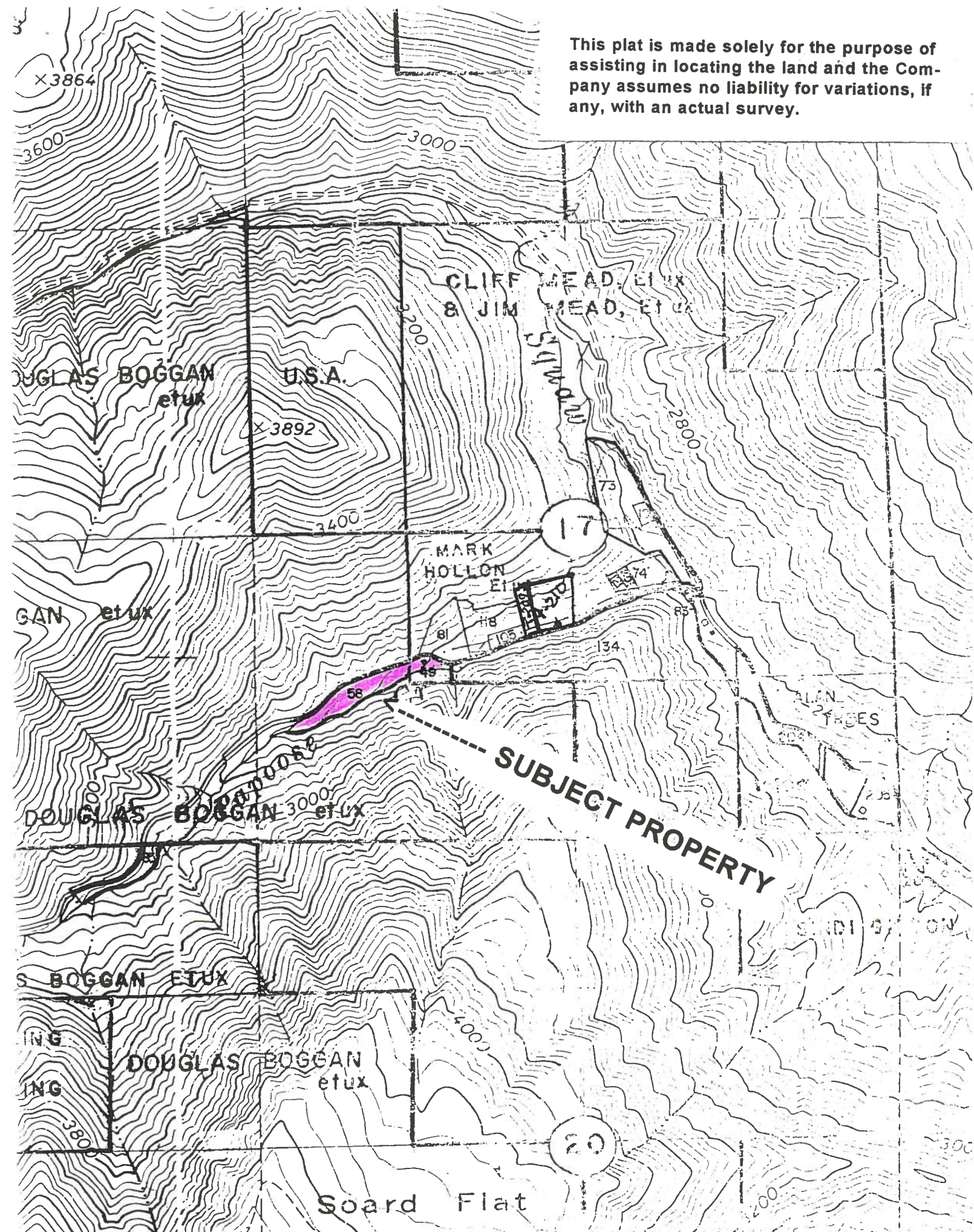
thence South 51° West, 175 feet to a point;

thence South 52° West, 355 feet to a point on the Northerly bank of Papoose Creek;

thence Northeasterly along the Northerly bank of Papoose Creek, approximately 1195 feet to the point and place of beginning.

STATE of IDAHO	{ ss
County of Idaho	
Recorded at request of <u>IDAHO COUNTY TITLE CO.</u>	
at <u>15</u> minutes past <u>4</u> o'clock <u>P.</u> M.	
this <u>9</u> day of <u>Sept</u> , 19 <u>98</u>	
<u>ROSE E. GEHRING</u>	
Recorder	
By <u>Sandy Haines</u>	Deputy
Cost \$ <u>15.00</u>	

This plat is made solely for the purpose of assisting in locating the land and the Company assumes no liability for variations, if any, with an actual survey.



18

17

78-2078

T24N, R01E, S17

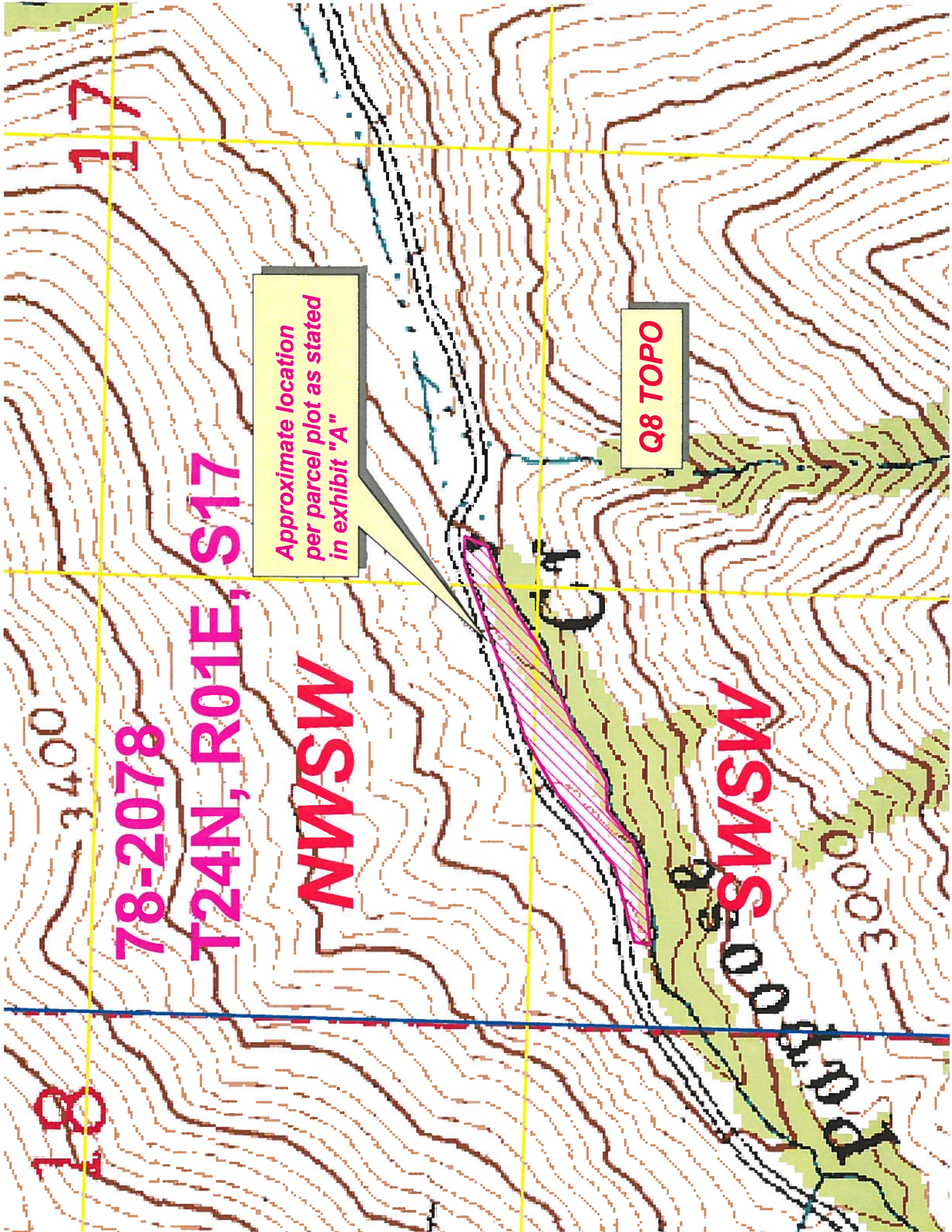
NW/4

Approximate location
per parcel plot as stated
in exhibit "A"

Q8 TOPO

SW/4

Q8



PROPERTY PLAT - MATCHES EDWARDS LIC MAP FROM L.C. FILE: 78-2078

18

17

24

Point of Division ~~between~~ Papoose Creek
Spring

N

R/E

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: A78-02078
Date Received: 8/08/1988
Receipt No: 0002174
Received By: _____

RECEIVED

AUG 9 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Western Regional Office

1. Name: DALE E. ASTLE
Address: 150 N 1580 W 66-11
HURRICANE, UT

801-635-4791

84737

2. Date of Priority: AUG 11, 1965

3. Source: SPRING
PAPOOSE CREEK

Trib. to: PAPOOSE CREEK
SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	01E	17		SW	SW		IDAHO
		18		SE	SE		IDAHO

5. Description of diverting works:
DAM, HEADGATE, PIPELINE & BOX AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.060		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

A78-02078

Page 1

Date: 08/08/88

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OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
24N	01E	17	NW		SW		IRR	1.0
			SW		SW		DOMEST	
			SW		SW		IRR	2.0
							Section Acres	3.0
							Total Acres	3.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

160' X 6" WELL DELIVERING 11 GPM

14. Remarks:

WELL USED TO BACK UP THE IRRIGATION & DOMESTIC USE; USED IN TIME OF DROUGHT AND IN SPRING OF YEAR WHEN THE CREEK IS MUDDY & CANNOT BE SPRINKLED.

15. Basis of Claim: LICENSE

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: 39356

Ident. Number

License No 78-2078

Date Received

7-12-88 8/08/88

Receipt Number

C002174

Department of Water Resources

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JUL 14 1988

Department of Water Resources
Western Regional Office

RECEIVED
JUL 12 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Dale E. Astle Phone (801) 635-4791

Mailing Address 150 N 1580 W 66-11 Hurricane UT Zip 84737

2. Date of Priority (Only one (1) per claim) 8-11-65

3. Source of water supply (a) Spring and Papoose Creek
which is tributary to (b) Squaw Creek

4. a. Location of existing point of diversion is: Township 24 N Range 1 E Section 18,
SE 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of Idaho (creek)

Additional points of diversion if any: SW 1/4 SW 1/4 Sec 17 (spring)

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,

 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.

Cement Dam or Head Gate, 2 1/2 PVC
Plastic Pipe Main Line - 2" PVC Plastic Pipe secondary lines
Rainbird sprinklers for irrigation system

Cement collection box + 1600 gal cement storage tank,
2" + 1 1/2" Black plastic pipe, + 1 1/2" PVC plastic pipe to house
for house water.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to Oct 1 amount .06 cfs or _____

For Domestic purposes from Jan 1 to Dec 31 amount .02 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 House hold

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	1E	17										1	2						3
Place of use for Domestic Purposes																			
24N	1E	17											X						

Total number of acres irrigated 3

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

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.
160' Deep 6" Well delivering approx 11 Gallon Per Min. or None ()

14. Remarks: I use the well to back up the irrigation and Domestic use. used in time of drought (when the creek or spring dry clear up) and in the spring of year when the creek is muddy & can not be sprinkled.

MICROFILMED

OCT 05 1992

Last Name Astle Ident No. 48-2078

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-2078
Court _____ Case Number _____ Decree Date 6-16-69
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 _____

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

Signature of Claimant (s) Dale E. Astle Date 1 July 1988

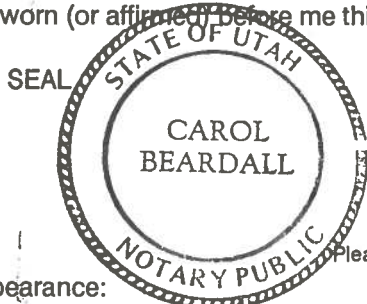
Date _____

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 UTAH)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 4 day of August 19 88



Notary Public Carol Beardall
Residing at Hurricane, Utah 84737
My Commission Expires 19 June 1991
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 _____

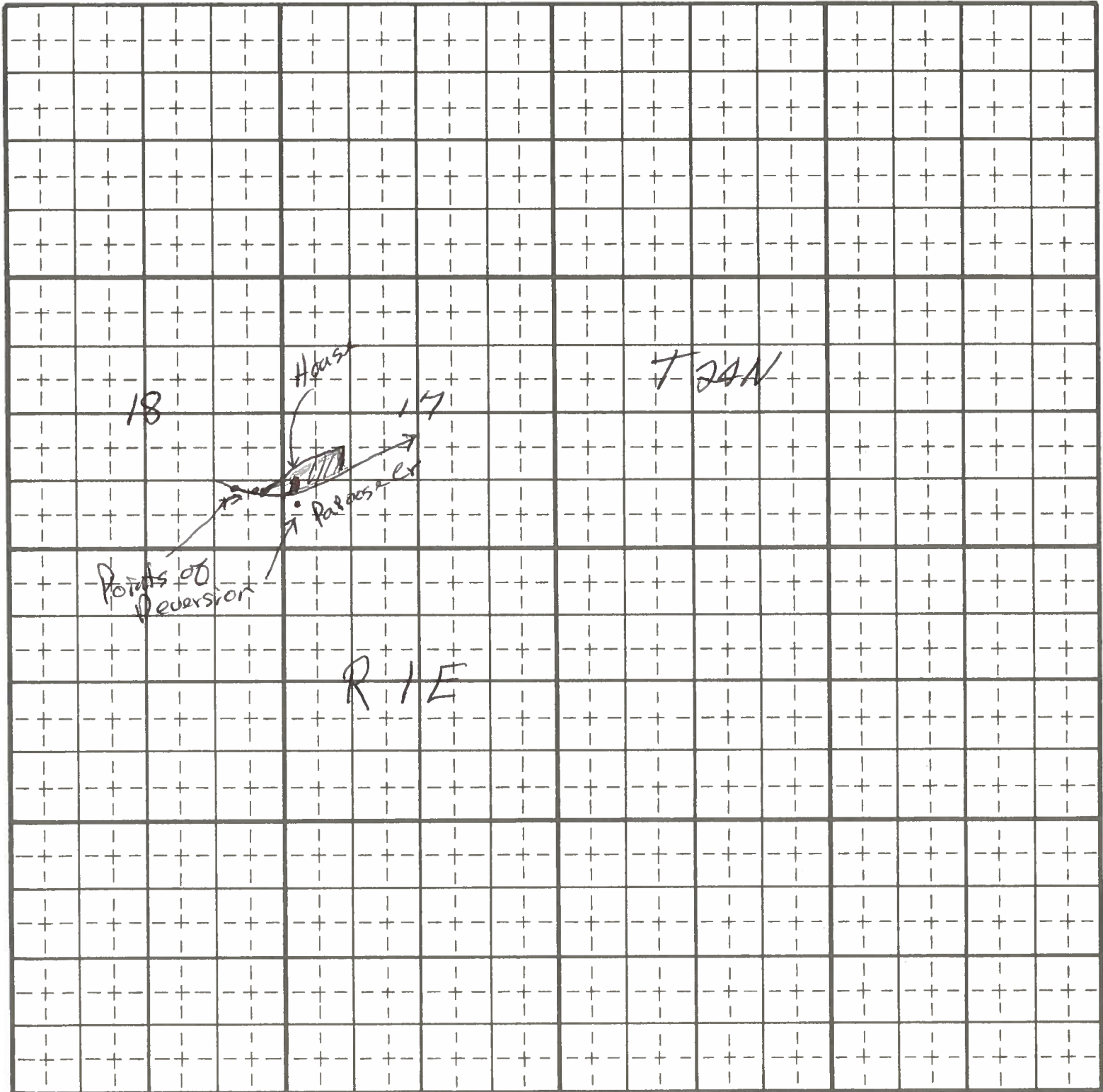
MICROFILMED
OCT 05 1992

Last Name Astle Ident. Number A78-02078

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



MICROFILMED

OCT 05 1992

Last Name Astle

Ident No. 28-2078

Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2002

CHARLES W WUNSCH
SHIRLEY WUNSCH
PO BOX 427
RIGGINS ID 83549

Re: Notice of Claim to a Water Right No. 78-2078

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 78-2078 Priority 8-11-65 Amount 0.08 c.f.s.

THIS IS TO CERTIFY, that DALE E. ASTLE
of Riggins, Idaho, has complied with the terms and conditions of Permit
No. 78-2078 issued pursuant to Application for Permit dated 8-11-65
and has submitted proof to the Department of Water Administration on 6-16-69
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have capacity of 0.09 c.f.s. and that the water has in fact been applied to a
beneficial use; a right to the use of water from Spring and Papoose Creek
tributary of Squaw Creek is hereby confirmed in the following amounts:
Amount 0.06 c.f.s. for Irrigation from May 1 to Oct. 1 (both dates inclusive)
Amount 0.02 c.f.s. for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.08 c.f.s. of water be diverted at
any one time, said waters to be diverted within the SE 1/4 Sec. 17 creek land
SW 1/4 Sec. 17 (Spring), Twp. 24 N., Rre. 1 E., B.M.
in the county of Idaho; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 13.5 acre feet per year or
4.5 acre feet per acre, for irrigation purposes and 0.57 acre feet per
year for domestic purposes,
Description and location of place of use:

TWP.	RANGE	SEC.	N 1/4				N 1/2				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/2	NW 1/2	SW 1/2	SE 1/2	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24 N	1 E	17									1	2							3
Place of Use for Domestic Purposes																			
24 N	1 E	17										X							

Total number of acres irrigated 3

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16th day of

MARCH, 19 71.


Deputy Director

78 2078



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

A78-02078

CECIL D. ANDRUS
Governor

July 25, 1988

R. KEITH HIGGINSON
Director

Dale E. or Carol J. Astle
150 N., 1580 W. 66-11
Hurricane, Utah 84737

Dear Claimant(s):

This office has received your Notice of Claim(s) to a Water Right for the use of water within the Snake River Basin Water System. However, due to the item(s) checked below, we cannot process this claim(s). We are returning the claim to you along with your check number 555 in the amount of \$53.00 for the adjudication filing fee. The following items need to be corrected or added:

Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a groundwater source with a priority date(date of first use) after March 25, 1963, for uses other than a single family domestic and/or stockwater use not exceeding 13,000 gallons per day, may be rejected at the time of review. The mandatory cutoff date for filing water rights on old uses from a groundwater source, other than the above exception, was March 25, 1963. The form to file for this use would be an application for permit. The adjudication claim can still be filed if you wish, however, you may run the risk of losing your water right if the claim is rejected. The application for permit would also protect your water right. Enclosed is an application for permit with instructions for your use is this matter. Please note that there is no deadline for filing applications, however, your priority date will be the date the application is received. See Permit Requirements on the Instructions for Filing sheet enclosed.

Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a surface water source with a priority date(date of first use) after May 20, 1971, may be rejected at the time of review. The mandatory cutoff date for filing water rights on old uses from a surface water source, other than the above exception, was May 20, 1971. The form to file for this use would be an application for permit. The adjudication claim can still be filed if you wish, however, you may run the risk of losing your water right if the claim is rejected. The application for permit would also protect your water right. Enclosed is an application for permit with instructions for your use in this matter.

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Please note that there is no deadline for filing applications, however, your priority date will be the date the application is received. See Permit Requirements on the Instructions for Filing sheet enclosed.

Item No. 3 - Priority Date -If your water use has been developed after the date of commencement of the Snake River and tributaries Adjudication, November 19, 1987, no filing is required. It is your option to file if you would like. Please return the enclosed claim form and check if you still wish to file. If you do not file, your priority date will still be the date your well was first used.

Item No. 4 - Point of Diversion -The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter(40 acre tract), section, township, and range. To aid you in locating your exact point of diversion, enclosed is a copy of the topographic map for your area. Please mark the location of the point of diversion on this map and then check the section grid also enclosed to see which quarter-quarter your diversion point is in. On a spring source, the point of diversion must be designated to the quarter-quarter-quarter(10 acre tract). Please return the map with your claim and fee.

Item No. 10 - Place of Use - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use points must be listed by quarter-quarter(40 acre tract), section, township, and range. To aid you in locating your exact place of use, enclosed is a copy of the topographic map for your area. Please mark the location of the place of use on this map and then check the section grid also enclosed to see which quarter-quarter your place of use is in. Please return the map with your claim and fee.

Adjudication Claim Form No. 42-1409(2)a., needs to be filed instead of Claim Form No. 42-1409(2)b., due to the following reasons:

See enclosed instruction sheet under the _____ section. The fee schedule is also in the instructions sheet to help you figure the fee needed for filing this type of claim form.

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OCT 05 1992

_____ An adjudication claim cannot be filed when no water use or development has taken place. An application for permit is the form to file at the time you decide to begin development. Claims are required only on development and uses completed prior to the commencement of the adjudication, November 19, 1987. Enclosed is an application for permit form with instructions to be completed at the time development will begin.

 X Item No. 16 - Signature -this claim form requires your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

 X Other: Well described in other rights of claim should be filed on. If drilled after March 23, 1963, and use is for irrigation purposes of more than 1/2 acre, an Application for Permit needs to be filed; otherwise you may file under the domestic claim form #42-1409(2)b.

Please complete the above item(s) on the enclosed claim form(s) and return the claim(s) to our office prior to the deadline date for filing adjudication claims in your county. If you are returning a claim form which was received in our office, with the fee, by the deadline for your county, then as long as the corrected claim and fee are returned within 30 days of the date of this letter, no late fee will be charged. If your deadline is upcoming, please try to return the corrected claim by that date. The deadline date for your county is 07/27/88.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Eldon L. Roush

Eldon L. Roush
Water Resources Agent
Adjudication Section

ER:sl
Enclosures

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OCT 05 1992