

11/30/2006

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

RIGHT NUMBER: 75-11620
NAME AND ADDRESS: JAMES E RIGGAN
267 HWY 28
SALMON ID 83467

DEBORAH RIGGAN
267 HWY 28
SALMON ID 83467-5337

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 05/30/1948
POINT OF DIVERSION:

T26N R21E S26 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T26N R21E S26	SESE	2.00	T26N R21E S35	NENE	2.00
---------------	------	------	---------------	------	------

4 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 - Beneficial Use

11/05/2006

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

RIGHT NUMBER: 75-11620

NAME AND ADDRESS: JOHN I KASTELER JR
2011 ALISON CIRCLE
SALT LAKE CITY UT 84124

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/30/1948

POINT OF DIVERSION:

T26N R21E S26 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T26N R21E S26	SESE	2.00	T26N R21E S35	NENE	2.00
---------------	------	------	---------------	------	------

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

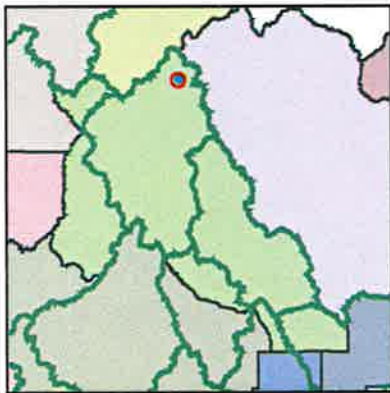


Idaho Department of Water Resources

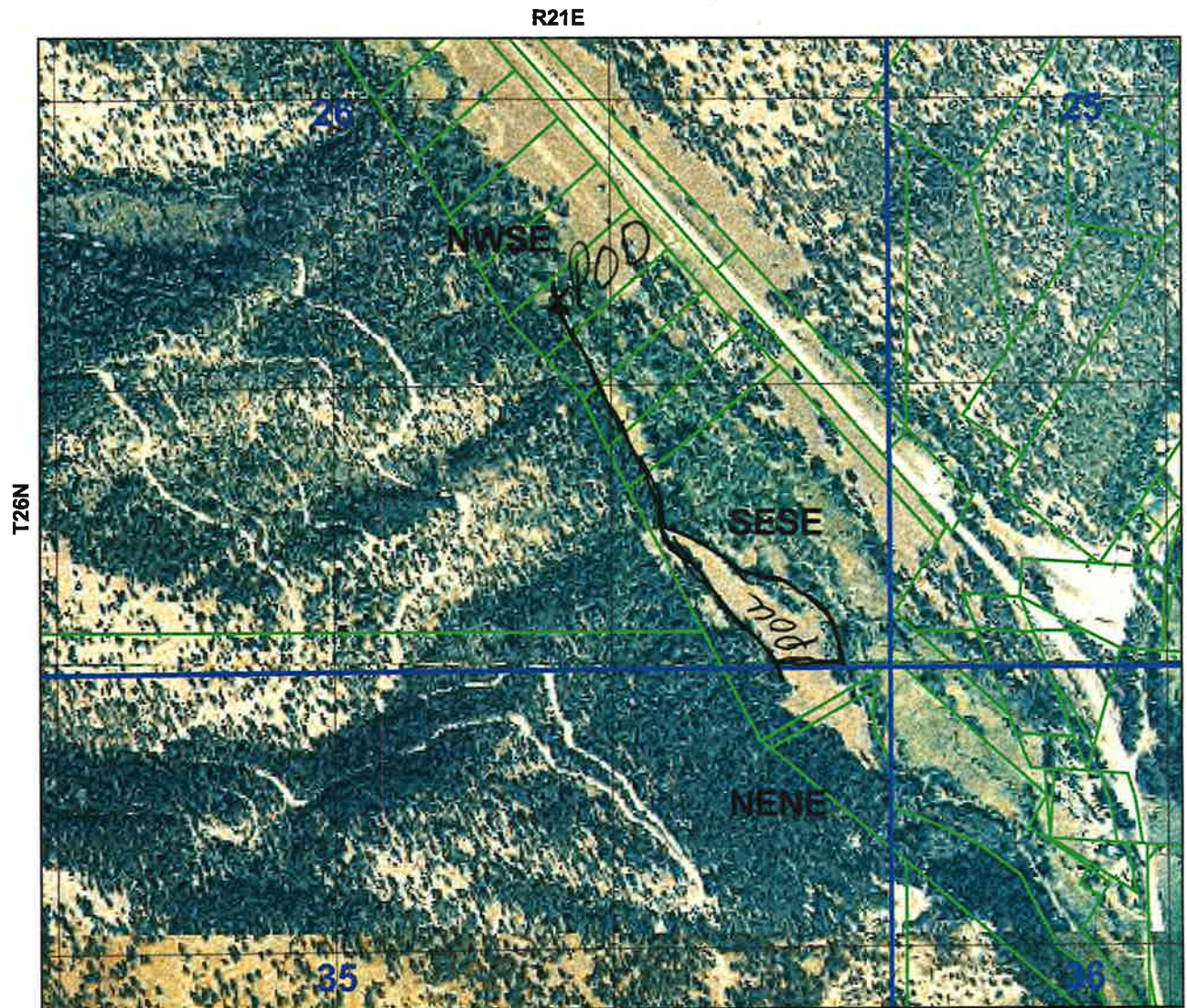
SRBA Claim:
75-11620

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles

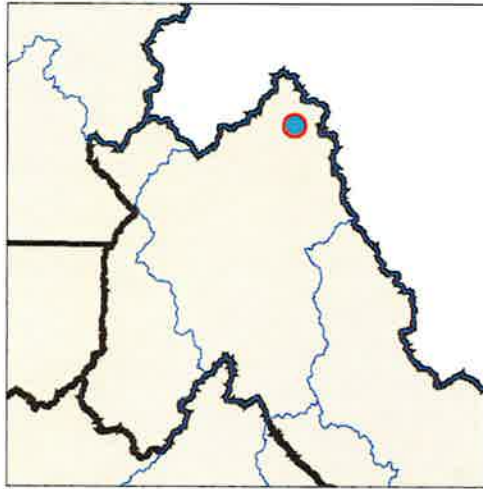


Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

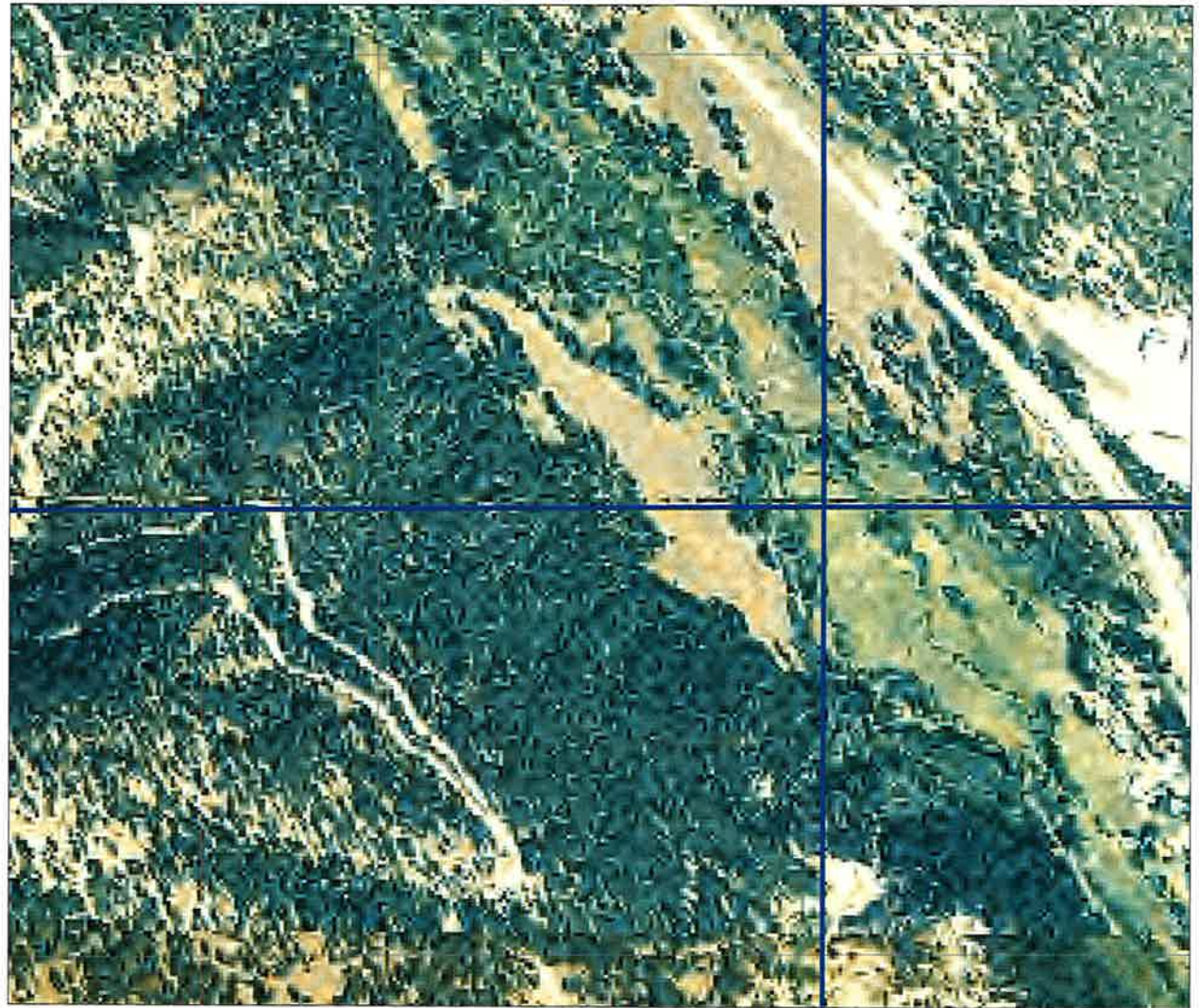


Adjudication Claim Number: **75-11620**



Legend

-  PLS Sections
-  Quarter Quarters



0 0.2 0.4 Miles

A horizontal scale bar with three segments, corresponding to the 0, 0.2, and 0.4 mile markings.

Prepared by M. Vanbussum
On Monday, May 16, 2005
1991 Aerial Photography



Riggan Parcel Secs- 35+36 T. 26 N. R. 21, E. B.m.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED

NOV 24 2006

IDWR/North

November 6, 2006

James Riggan
267 Highway 28
Salmon, ID 83467

RE: 75-11620

Dear Mr. Riggan:

If you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office as soon as possible. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

Kenneth Knoblock
Water Resources Agent

*Received
To be processed
11/27/06 30th*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

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JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 6, 2006

James Riggan
267 Highway 28
Salmon, ID 83467

RE: 75-11620

2 Cloned 75-11621

Dear Mr. Riggan:

If you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office as soon as possible. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Kenneth Knoblock', written in a cursive style.

Kenneth Knoblock
Water Resources Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 30, 2006

Mr & Mrs James E. Riggan
267 Hwy 28
Salmon ID 83467

RE: 75-11620

Dear Mr. & Mrs. Riggan:

We have processed your change of water right ownership form. Enclosed is a copy of our recommendation, which we expect to submit in the near future.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Monitz".

Carolyn Monitz
Records Clerk

CM: Encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

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KARL J. DREHER
Director

RECEIVED

NOV 24 2006

IDWR/North

November 6, 2006

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267 Highway 28
Salmon, ID 83467

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Sincerely,

Kenneth Knoblock
Water Resources Agent

11/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-11620

NAME AND ADDRESS: JOHN I KASTELER JR
2011 ALISON CIRCLE
SALT LAKE CITY UT 84124

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/30/1948

POINT OF DIVERSION:

T26N R21E S26 NWSE Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.120 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T26N R21E S26

SESE

2.00

T26N R21E S35

NENE

2.00

4 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

NOV 24 2006

IDWR/North

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-11620					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John I. + Sharon B. Kastler
4. New Owner/Claimant(s) 3011 Alison Circle SLC UT. 84124
 Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address 267 Hwy 28
- City, State and ZIP Code SALMAN ID 83467
- New Telephone Number 208) 756-3710
5. Date you acquired the property 8/24/93

11/13/06

PMO100 - PARCEL MASTER INQUIRY

09:16:56

PARCEL: RP 26N21E269004 A F1=SL

F12=RC

F17=DD F19=SP

F24=LD

LEGAL DESCRIPTION

RIGGAN, JAMES E
& RIGGAN, DEBORAH*NEWCN - T-3403
26 26 21

267 HWY 28

ProVal Area Number 2

CODE AREA 25-0000 OWNER CD

PARC TYPE LOC CODE 3210

EFFDATE 1011994 EXPDATE

PREV PARCEL RP26N21E269001T

SALMON ID 83467
28 PENTLAND RD

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	35998	AC	139958				
32	2003			18789				
34	2003			94695				

TOTALS 35998 253442

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

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,



James E. Riggan

SCANNED
AUG 11 4 2005

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 to 10/15	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

SPRINGS	NW1/4SE1/4SE1/4	Sec. 26, Twp 26N, Rge 21E, B.M.
LEMHI County		

Place of UseIRRIGATION 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:

SCANNED

AUG 04 2005

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:

SCANNED

AUG 04 2005

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

SCANNED

AUG 04 2005

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, ^{which} 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 Broksch, 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..

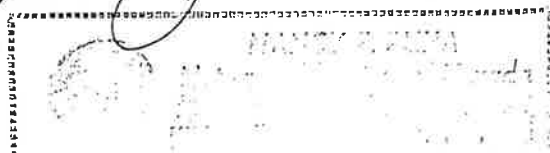
Dated this 15 day of December, 1992

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



SCANNED
AUG 04 2005

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

SCANNED

AUG 04 2005

SD-0604-2 Township: 26N Range: 21E Section: 36			Tract:		Lot:			
S	L	STATE	O	S	Max # Records	16		
E	O	Name	W	T	Priority	Use		
L	Tract	Right No.	N	AC	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

SCANNED

AUG 14 2005

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: *Shorpe*

JOHN KASTELER JR
2011 ALISON CIRCLE
SALT LAKE CITY UT 84124

SCANNED

AUG 04 2005

SD-0604-2 Township: 26N Range: 21E Section: 36				Tract:		Lot:		
S	L	STATE	O	S	Max # Records	16		
E	O	Water	Name	W	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
		BURROW, A. D.	C				07	INDUST
SWSW	75-02184	ANDERSON, PERCY	O		L	04/20/1929	13	MINING
		BURROW, A. D.	C				07	INDUST
SWSW	75-04039	NEYMAN SUBDIVISION NO.	C		S	06/01/1906	01	IRR
SWSW	75-04052	USHER, LES	C	2	S	03/04/1909	01	IRR
							04	STOCK
SWSW	75-07576	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]

SCANNED

AUG 4 2005

January 15, 1993

Jo Thompson
State of Idaho
Department of Water Resources
150 Shoup Street - Suite 15
Idaho Falls, Idaho 83402

RECEIVED

JAN 20 1993

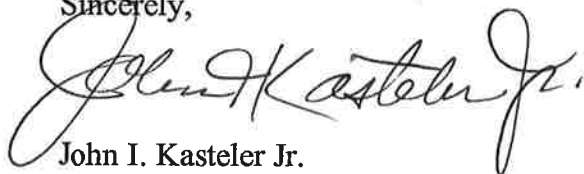
Department of Water Resources
Eastern District Office

Dear Jo:

I have enclosed the corrected "*Notice of Claim to a Water Right*" as well as the original which you returned to me with instructions for correction. I have also enclosed a second "Claim" for the west ditch on the property. If I don't apply for some water from that ditch, I will have no way of irrigating the west pasture.

Also, with each claim, is a check for the filing, late & irrigation fees.
Please let me know if you need anything else.

Sincerely,



John I. Kasteler Jr.
2011 Alison Circle
Salt Lake City, Utah 84124
801-566-9201(days)

MICROFILMED

APR 19 1994

Copy -
Original with
"Unnamed Springs" - same
Property.

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.

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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 Elise



MICROFILMED
APR 19 1994

Copy -
original with
"Unnamed Springs"
Same Property.

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

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

Sincerely,

Annie Proksch
Annie Proksch

MICROFILMED
APR 19 1994

WARRANTY DEED

For Value Received

JOHN I. KASTELER, JR. and SHARON B. KASTELER, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

JAMES E. RIGGAN and DEBORAH RIGGAN, husband and wife

whose current address is

Rt. 1 Box 92 Salmon, ID 83467

the grantees, the following described premises, in Lemhi County Idaho, to wit:

See attached Exhibit "A"

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

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 26, 1993

John I. Kasteler, Jr.
John I. Kasteler, Jr.

Sharon B. Kasteler
Sharon B. Kasteler

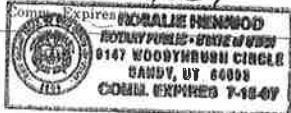
STATE OF ~~IDAHO~~ ^{UTAH} COUNTY OF ~~SALT LAKE~~
On this 24th day of AUG., 19 93,
before me, a notary public in and for said State, personally
appeared

JOHN I. KASTELER, JR.
SHARON B. KASTELER

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that executed the same.

Rosalie Hemwood

Residing at SANDY Notary Public, Utah, Idaho



State of Idaho)
County of Lemhi) ss. No. 219615

This instrument was filed for record at
the request of American Land Title
at 11:39 o'clock A. in 8-30 19 93

and duly filed and indexed in the
records of Lemhi County

Alberta Wiederrick
By Terri J. Morton Deputy
Fees: 6.00

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN H.E.S. 97, UNSURVEYED SECTION 35 AND 36, T. 26 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 1 OF SAID H.E.S. 97, RUN THENCE S. 31 DEGREES 37' 00" W. ALONG LINE 1-2 A DISTANCE OF 270.27 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING S. 31 DEGREES 37' 00" W. A DISTANCE OF 389.66 FT. TO CORNER NO. 2;

THENCE S. 48 DEGREES 15' 41" E. 731.88 FT. TO CORNER NO. 3;

THENCE S. 21 DEGREES 27' 45" E. 268.56 FT. TO CORNER NO. 4;

THENCE S. 86 DEGREES 37' 45" E. 68.46 FT. TO CORNER NO. 5;

THENCE S. 04 DEGREES 06' 41" E. 127.04 FT. TO CORNER NO. 6;

THENCE N. 48 DEGREES 15' 43" W. 955.12 FT. TO CORNER NO. 7;

THENCE S. 59 DEGREES 40' 11" W. 742.19 FT. TO CORNER NO. 8;

THENCE N. 27 DEGREES 54' 41" W. 1347.32 FT. TO CORNER NO. 9;

THENCE N. 51 DEGREES 20' 19" E. A DISTANCE OF 923.32 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 93;

THENCE S. 41 DEGREES 58' 21" E. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 1114.67 FT. TO THE POINT OF BEGINNING.

FROM

Kelly K. Christensen
Southern
EASTERN

DATE

11-4-92

POOR ORIGINAL

SUBJECT

Claim submitted by John & Kasteler

He initially called this office and I discussed claims filing with him. Apparently he did not understand that this claim should be sent to eastern. ^{apparently} I also did not convey the concept of Beneficial use either.

If you have any questions good luck I don't have any answers.

MICROFILMED SIGNATURE

APR 19 1994

11-9
office
566-9201
left mess.
to call me.

ACTION REQUIRED

208-525-7161

*If you have questions,
Please call!*

FROM: JO THOMPSON, ADJUDICATION SECRETARY

TO: JOHN KASTELER

#2: Need month, day (approx) and year water was first used. Submit affidavit or other documentation to support priority date.

#3: Strike wells if not being used (would need separate claim for each well, as well).
if wells are claimed.

#5: Describe the springs going into a common ditch.

#9: Strike

10: Locate 1/4 1/4's where water is used (or describe on "map of project").

14: If stock is only purpose for water useage and no land is actually irrigated, strike all acreage in #10.

16: Sign before Notary

Fee is \$50.00 to file the claim; \$50.00 late fee and \$12.00 if you include the 12 acres.
Fee is \$100.00 total if no irrigation is claimed.

go

MICROFILM

POOR ORIGINAL

1307

★ JOHN I. KASTELER, JR. 9-80

2011 ALISON CIRCLE 272-1827
SALT LAKE CITY, UTAH 84124

Nov. 4 1992

31-73/1240

PAY TO THE
ORDER OF

Idaho Department of Water Resources \$75.00

Seventy five and ^{NO}100/100 DOLLARS



Key Bank of Utah
Family Center Office
924 East Fort Union Blvd.
Midvale, Utah 84047

MEMO

water claim

John I. Kasteler Jr.

⑆124000737⑆ 421350240⑆ 1307

RECEIVED

NOV 06 1992

Department of Water Resources
Southern Region Office

November 4, 1992
Salt Lake City, Utah

RECEIVED

NOV 09 1992

Department of Water Resources
Eastern District Office

Ms. Kelly K. Christensen
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Dear Ms. Christensen:

Enclosed please find a completed "Notice of Claim to a Water Right" form. I would fall under the "Small Domestic and/or Stockwater Purposes (D&S)" category, but am filing anyway. I have also enclosed a check in the amount of \$75.00 (\$25.00 fee and \$50.00 late fee).

I have not researched the water rights with the Homestead Entry #97, but I suspect that they include some amount of well water from the two wells indicated on the map. When a home is eventually built on the property, the amount of flow from the springs would be increased to provide culinary water use.

I also have five mining claims adjacent to the Homestead but I doubt that I will ever do any mining on those claims and for that reason have applied to the Forest Service (Bureau of Land Management) to purchase that property.

Please let me know if I have not fulfilled all the requirements.

Sincerely,



John I. Kasteler
801-272-1827

MICROFILMED

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

24-Mar-1992

JOHN KASTLER
2011 ALISON CIRCLE
SALT LAKE CITY, UT 84124

RECEIVED

NOV 06 1992

Department of Water Resources
Southern Region Office

RE: REQUEST FOR CLAIM FORMS

Dear Mr Kastler

Enclosed are six claim forms for your use. Each independent use needs to be claimed separately, however, if you have a combined system such as mining use with the tail water used for irrigation then you can claim both uses under one claim.

I did not research the late fee requirement for all your claims but the mining claims on federal property deadline was 2-28-92. Late fees are required for those claims.

If you are not certain if late fees are applicable, please call the eastern region and they can advise you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

MICROFILMED

APR 19 1994

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: **A75-11620**
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: NORTH FORK SALMON RIVER Trib. to: SLAMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
26N	21E	26		NW	SE		LEMHI

5. Description of diverting works:
DITCH ALONG WESTSIDE OF PROPERTY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.250		

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

8. Total consumptive use is 10.0 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	2.0
						Section Acres	2.0
		35	NE	NE		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	4.0

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)
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

A75-11620

Date Received

1-20-93

Receipt Number

E018221

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John I. Kasteler Jr. Phone (801) 272-1827
Mailing Address 2011 ALISON Circle Salt Lake Utah Zip 84124
OR P.O. Box 23 Gibbonsville, Idaho

2. Date of Priority (Only one (1) per claim) May 30, 1948

3. Source of water supply (a) Ditch (unnamed)
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.

A "West" ditch which begins
Approximately 1000 feet below where the Wenzig cabin
stood and runs along the west side of Hordstedd
Entry # 97.

A7511620



MICROFILMED
APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Jan to Dec amount .25 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .25 (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.) _____

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.

Description of place of use: (see attached map)

Beginning at Corner No. 8; thence North 27 45' West 20.44 chains to Corner No. 9; thence North 51 30' East to the North Fork river; thence South along the West side of the river approximately 20 chains; thence South 60 West approximately 8 chains to Corner No. 8, the place of beginning.

Total number of acres irrigated 4

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

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
APR 19 1994

Last Name Kasteler Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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 Kaster 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 _____

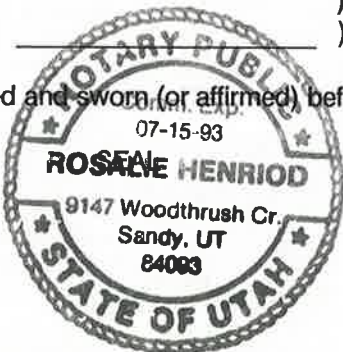
Date _____

State of Idaho/or _____)

County of _____)

SS.

Subscribed and sworn (or affirmed) before me this _____



15th day of January 19 93

Notary Public

Rosalie Henriod

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

Kaster

Ident. Number _____

MICROFILMED

APR 19 1994

Copies White-State, Yellow-Claimant

POOR ORIGINAL

