

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: **A22-00146**
Date Received: 9/20/1988
Receipt No: M001356
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JAMES M KLAUSMANN 908-766-5563
Address: 330 MENDHAM RD
BERNARDSVILLE NJ 07924
AND/OR
Name: JACKLYN S KLAUSMANN 908-766-5563
Address: 330 MENDHAM RD
BERNARDSVILLE NJ 07924

2. Date of Priority: MAR 19, 1908

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	33	NW	SE	NE		TETON

5. Description of diverting works:
WOODEN HEADGATE WITH PORTABLE DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	32	NE	SE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
		33	NW	SW	IRR	30.0
					Section Acres	30.0
					Total Acres	60.0

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:
CHANGED OWNERSHIP 10/19/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DARRELL BUXTON

Decree Plaintiff

LYNN CRANDALL.

vs

Decree Defendant

MICROFILMED
NOV 06 1996

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: A22-00146
Date Received: 9/20/1988
Receipt No: 11001356
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAYDELL BUXTON 208-354-2570
Address: 256 S. 500 W.
DRIGGS, ID 83422

2. Date of Priority: MAR 19, 1908

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	33	NW	SE	NE		TETON

5. Description of diverting works:
WOODEN HEADGATE WITH PORTABLE DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	45E	32	NE	SE		IRR	30.0
						Section Acres	30.0
		33	NW	SW		IRR	30.0
						Section Acres	30.0

A2200146



1987 8 4 1992

10. Place of Use: Continued

Total Acres 60.0

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 :

Decree date:

DARRELL BUXTON

Decree Plaintiff

vs

LYNN CRANDALL.

Decree Defendant

SEP 04 1988

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:

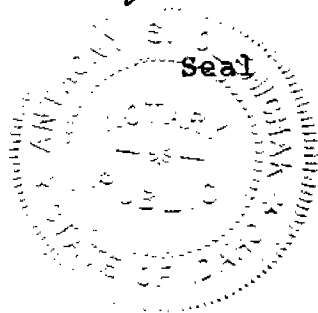
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Carole Buxton* Date: *Sept 20 1988*
Date: _____

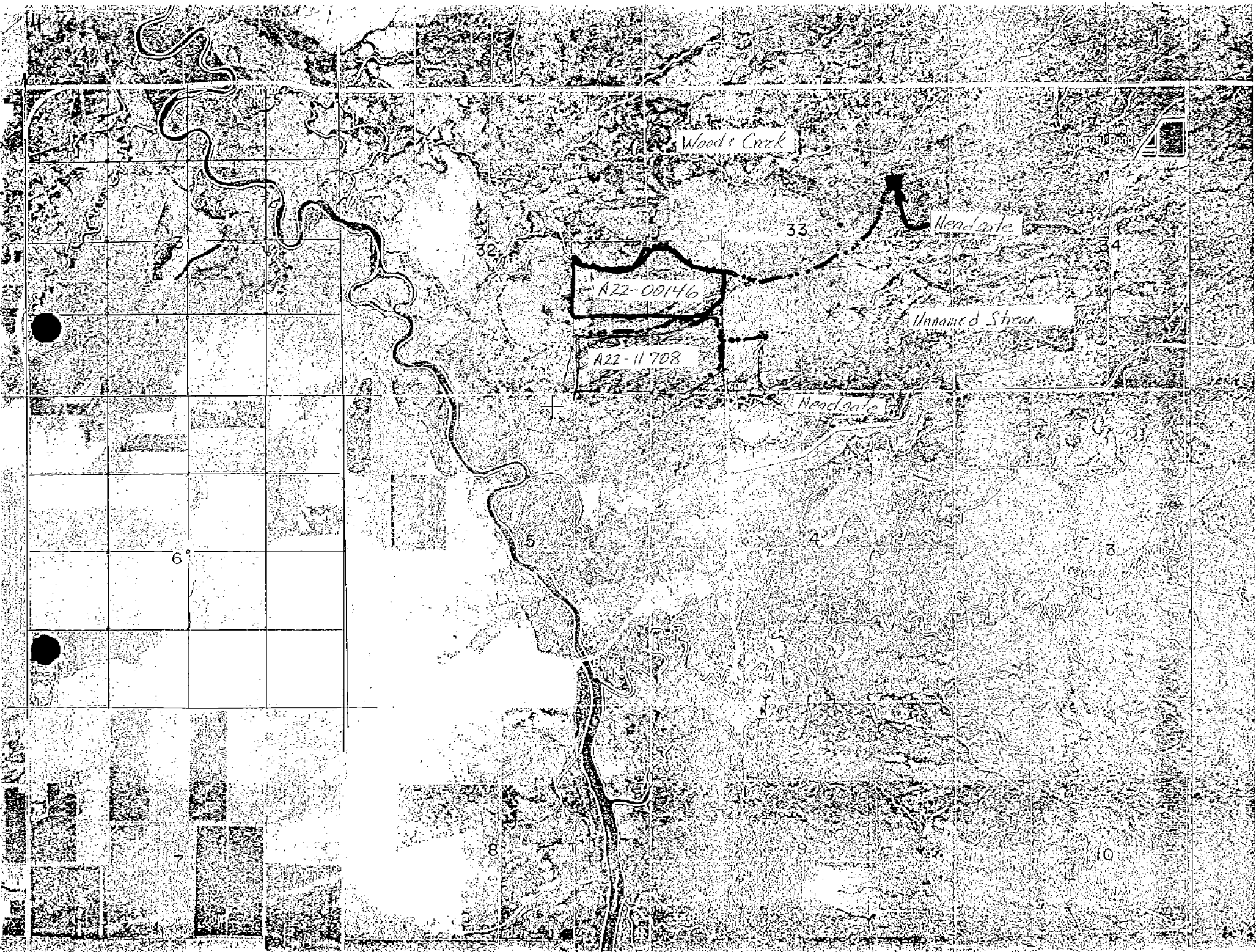
State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *20th* day
of *September* 19 *88*

Anthony S. Olechuk
Notary Public



Residing at *Idaho Falls*
My Commission Expires *9/12/1994*



APPLICATION FOR TRANSFER OF WATER RIGHT DEC 14 1998

PART 1

Department of Water Resources
Eastern RegionName of applicant JAMES or JACKLYN or JEFFREY KLAUSMANN Phone 208-787-4003 HPost Office address c/o Jeffrey Klausmann 869 S. 100 W. Victor ID 83455

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change Source
2. Describe the reason for the proposed changes We want to use a spring source that flows thru our property and avoid the maintenance of our previous ditch system on our neighbors property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22-00146 Priority 3/19/1908 Amount (cfs/ac-ft) 1.60 cfs Nature of Use Irrigation Period of Use 4-01 to 10-31
2. Total amount of water being transferred 1.60 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Unnamed Stream tributary to Teton River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	4	4N	4SE	Teton	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	4SE	32													30				30
		33										30							30

Total acres 60

PART 1

6. General Information:

a. Description of diversion system simple screw gate and culvert structure
EARTHEN Fill will be used to secure gate and culvert.

NA

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

NA.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

PART 2

TRANS NO. 5360

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 22-00146

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.60 CFS

SOURCE

WOODS CREEK

Priority: 03/19/1908

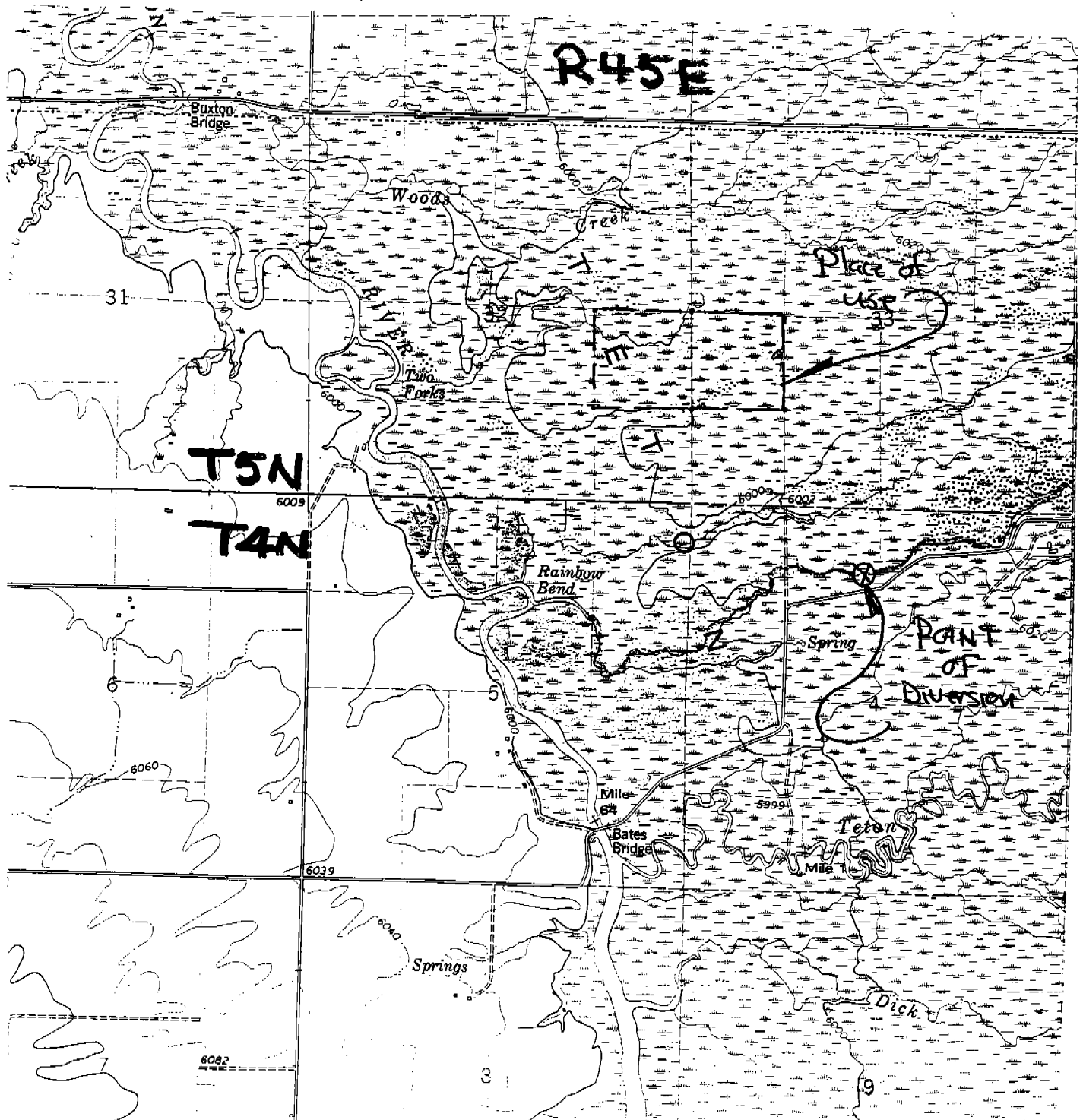
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	45E	32	NESE			
		33	NWSW			

CONDITIONS/REMARKS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

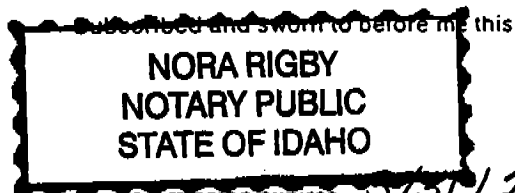
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



My commission expires

3/31/2001

[Signature]
(Signature of Applicant)

11th day of December, 19 98

Nora Rigby
(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 12-14-98

Protest filed by _____

Prelim. check by _____ Fee \$100.00Received by HWT # E024675 Date 12-14-98Published in Teton Valley News

Copies of protest forwarded by _____

Pub. dates Dec 24 & 31, 1998.

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

OCTOBER 19, 1995

JAMES M KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

RE: CHANGE IN OWNERSHIP FOR A22-11708 AND A22-00146

Dear Mr. Klausmann:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED
NOV 08 1996

OCTOBER 10, 1995

JAMES M KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

RE: WATER RIGHT NOS. A22-11708 AND A22-00146

Dear Mr. Klausmann:

Thank you for notifying us of the change in ownership of the water rights referenced above.

Although our records indicate that everything is in order regarding the legal descriptions of the water rights, we cannot make the necessary changes without your signature.

If you will simply sign the form as the "new owner/claimant", we will modify our records and send you copies of the claims. Because the Warranty Deeds were included with the change in ownership form, we do not need the signature of the former owner.

Please send the signed form to the following address:

Idaho Department of Water Resources
900 N Skyline
Idaho Falls ID 83402

If you have any questions concerning this matter, please call 208 525-7161.

Sincerely,

Gregory J. Taylor
Sr. Water Resource Agent, Adjudications

GJT:jt

Enclosure

MICROFILMED

NOV 16 1995



PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: September 12, 1995

RECEIVED

OCT 02 1995

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 4 & 5 North Range 45 East

Section SEE ATTACHED 1/4 of 1/4 of 1/4, Govt. Lot _____, BM _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

See attached deeds

RECEIVED

OCT 05 1995

Department of Water Resources

Eastern District Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A22-11708 AND A22-00146

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Jay Dell Buxton

256 South 500 West

Driggs, ID 83422

☐ New Owner/Claimant
(Purchaser):

James M. & Jacklyn S. Klausmann

☐ New Mailing Address:

330 Mendham Road

Bernardsville, NJ 07924

☐ New Telephone Number:

(908) 766-5563

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: 1) Warranty Deed: Jay Dell Buxton to Leila Berrien
2) Warranty Deed: Leila Berrien to James & Jacklyn Klausmann

(proof of ownership must describe either the property conveyed or included in the deed
of ownership is not required if this form is signed by the former owner)

☒ Signature of New
Owner/Claimant(s)

☐ Signature of Former
Owner/Claimant(s)

(Signature of former cl
ownership is attached.)

*If you have
questions, please
contact:*

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Id

Copies to Former Owner and New Owner

Fax: 307-733-9430



307-733-7118

Toll Free 800-243-6680



Locations:

The Inn at Jackson Hole
Jackson Hole Ski Area

Off Center Square
180 N. Center St.
Downtown Jackson Hole

P.O. Box 189 Teton Village, Wyoming 83025

Robert McGregor, Broker

307-733-7063 (residence)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

OCT 02 1995

DATE OF CLOSING: September 12, 1995

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 4 & 5 North Range 45 East

Section SEE ATTACHED 1/4 of 1/4 of 1/4, Govt. Lot _____, BM _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

See attached deeds

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

OCT 05 1995

- ☐ Water Right Number(s)
Assigned by IDWR:

A22-11708 AND A22-00146

- ☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Jay Dell Buxton256 South 500 WestDriggs, ID 83422

- ☐ New Owner/Claimant
(Purchaser):

James M. & Jacklyn S. Klausmann

- ☐ New Mailing Address:

330 Mendham RoadBernardsville, NJ 07924

- ☐ New Telephone Number:

(908) 766-5563

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: 1) Warranty Deed: Jay Dell Buxton to Leila Berrien
2) Warranty Deed: Leila Berrien to James & Jacklyn Klausmann

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New
Owner/Claimant(s):

James M. Klausmann
Jacklyn S. Klausmann

Date 10/16/95Date 10/16/95

- ☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 06 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

JUL 19 1994

116978

AMERICAN LAND TITLE CO.
P.O. Box 644
Driggs, ID 83422

TETON Co. Id.
Clerk Recorder
For Value Received

WARRANTY DEED

RECEIVED
OCT 02 1995

Department of Water Resources

Jay Dell Buxton and Judy Buxton, HUSBAND AND WIFE.

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

Leila Berrien,

whose current address is

7531 Hwy 73, Evergreen, Co 80439

the grantee, the following described premises, in Teton County Idaho, to wit:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho,

Section 32: E1/2SE1/4

Section 33: SW1/4

Township 4 North, Range 45 East, Boise Meridian, Teton County, Idaho,

Section 4: Beginning at the Northeast Corner of Lot 3, Section 4,

Township 4 North, range 45 East, Boise Meridian and running thence

South 63 rods; thence in a Southwesterly direction 80 rods, more or

less, to a point which is 76 rods South of the Northwest Corner of

said Lot 3, and to the West line; thereof; thence North 76 rods, thence

East 80 rods to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except: subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

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

Dated: July 12, 1994

Jay Dell Buxton
Jay Dell Buxton

Judy Buxton
Judy Buxton

STATE OF IDAHO, COUNTY OF Teton
On this 18th day of July, 1994,
before me, a notary public in and for said State, personally
appeared

Jay Dell Buxton
Judy Buxton
HUSBAND AND WIFE

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
executed the same.

Notary Public
Idaho

Residing at Teton
Comm. Expires 6-22-00

116978

FILED

AT THE REQUEST OF

Domieria Land
35 MINUTES PAST 2 P.M.
DATE July 19, 1994
Asa C. Drake
CLERK OF RECORDER
Wayne Pressler
DEPUTY

Filmed
back
front

116978

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

RECEIVED

121282

SEP 13 1995

Warranty Deed

American Land Title Co.
P.O. Box 644
Driggs, ID 83422TETON Co. Id.
Clerk Recorder
For Value Received

RECEIVED

OCT 02 1995

Department of Water Resources

~~LEILA BERRIEN~~ LEILA BERRIEN, ~~AN UNMARRIED WOMAN~~
the grantors, do hereby grant, bargain, sell and convey unto

JAMES M. KLAUSMANN AND JACKLYN S. KLAUSMANN, HUSBAND AND WIFE

whose current address is 330 MENDHAM ROAD, BERNARDSVILLE, NJ 07924

the grantee s, the following described premises, in Teton County Idaho, to wit:

TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN
SECTION 32: E½SE½
SECTION 33: SW½

TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN
SECTION 4: BEGINNING AT THE NORTHEAST CORNER OF LOT 3,
SECTION 4, TOWNSHIP 4 NORTH, RANGE 45 EAST, BOISE MERIDIAN AND RUNNING THENCE
SOUTH 63 RODS; THENCE IN A SOUTHWESTERLY DIRECTION 80 RODS, MORE OR LESS,
TO A POINT WHICH IS 76 RODS SOUTH OF THE NORTHWEST CORNER OF SAID LOT 3, AND
TO THE WEST LINE; THEREOF; THENCE NORTH 76 RODS, THENCE EAST 80 RODS TO THE
POINT OF BEGINNING.

COPY

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 the owner s in fee simple of said premises; that they are free from all incumbrances except;
Subject to all existing patent reservations, easements, rights of way, protective
covenants, zoning ordinances and applicable building codes, laws and regulations
and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: ~~SEPTEMBER~~
AUGUST 7, 1995

Leila Berrien
LEILA BERRIEN

COLORADO
STATE OF ~~IDAHO~~, COUNTY OF JEFFERSON
On this 7th day of SEPTEMBER, 1995,
before me, a notary public in and for said State, personally appeared

~~James Berrien~~ Leila Berrien

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

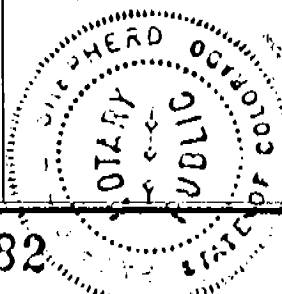
Patricia Z. Shepherd
Notary Public
Residing at 6796 Timbers Dr.,
Comm. Expires Englewood, Colorado

121282
FILED

AT THE REQUEST OF

American Land
AT 00 MINUTES PAST 11 a.m.
DATE Sept. 13, 1995

Ann J. Drake
CLERK OF RECORDER
Nora Rigby
DEPUTY



MY COMMISSION EXPIRES: Apr. 15, 1996
Bonded Thru NOTARY PUBLIC AGENCY

121282

Filed
Indexed
Platted