

02/25/2005

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

RIGHT NUMBER: 22-146
NAME AND ADDRESS: JACKLYN S KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

JAMES M KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

SOURCE: WOODS CREEK TRIBUTARY: TETON RIVER
QUANTITY: 1.600 CFS
PRIORITY DATE: 03/19/1908
POINT OF DIVERSION:

T05N R45E S33 NWSENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S32	NESE 27.0	T05N R45E S33	NWSW 28.0
---------------	-----------	---------------	-----------

55 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: Decreed

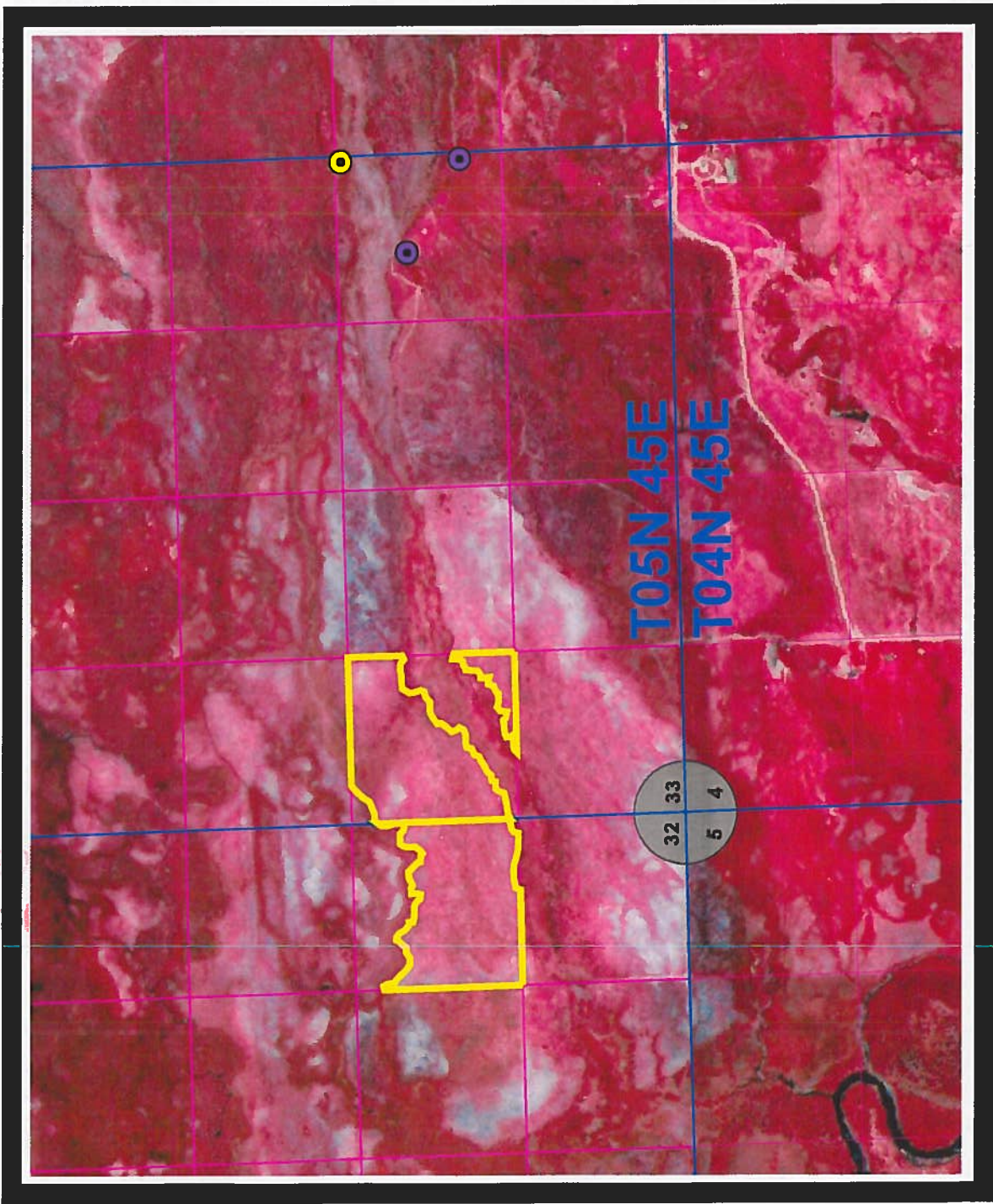


State of Idaho

Department of Water Resources
Eastern Region



SCANNED
MAY 04 2005



Water Right(s):
22-146

Point(s) of Diversion:
T05N R45E
Sec. 33 NWSENE

Place of Use (parts of):
T05N R45E
Sec. 32 NESE
Sec. 33 NWSW

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

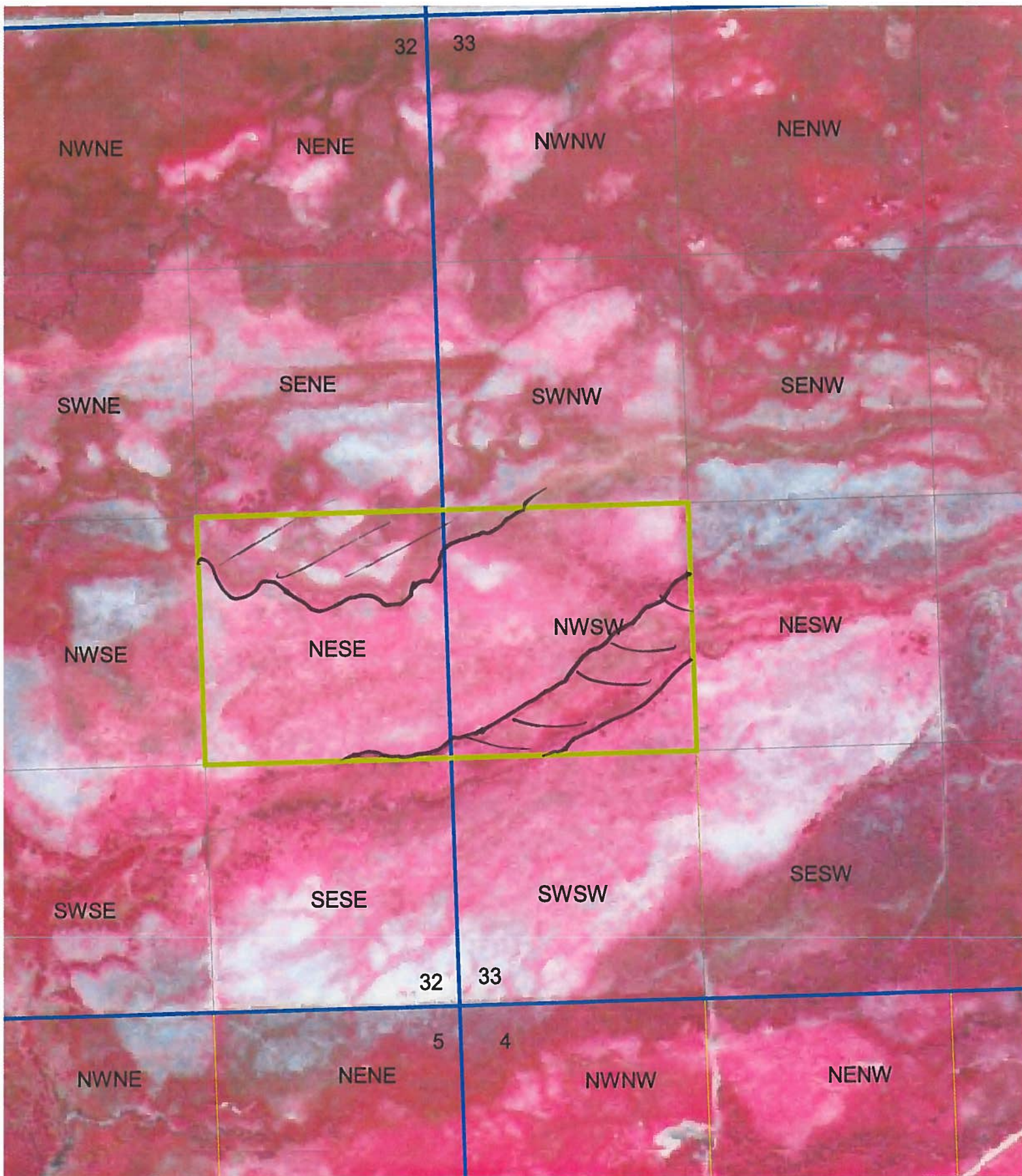


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: February 2005

PROFILED

22-146

SCANNED
MAY 04 2005



Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

TRANSFER #5360 FILED 12/1998 - PROTEST FILED 1/1999 -
NO FURTHER ACTION

SCANNED

Reviewer: _____ Date: MAY 04 2005

PROFILED

Claim Number: 22-1416

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary to : _____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
DSN	4SE	33		NWSENE	Teton	Woods Creek	Teton River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
QSN	4SE	33		NWSENE	Teton	Woods Creek	Teton River

Other rights from this POD? _____

Transfers Pending or approved: _____

Field exam

Reviewer: _____ Date: **SCANNED**

MAY 04 2005

PROFILED

Place Of Use Data Entry Form

Claim Number: 22-146

Claimed Place Of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
05N	45E	32	NE	SE	Teton		30	Irrigation
"	"	33	NW	SW	Teton		30	Irrigation

Total acres 60.0

Recommended Place of Use			QQ	Q	County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec						
05N	45E	32	NE	SE	Teton		27	Irrigation
"	"	33	NW	SW	Teton		28	Irrigation

Total acres 55

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

60 acres claimed, GRS shows 55 acres.

Reviewer: _____ Date: _____

SCANNED
MAY 04 2005

PROFILED

Season of Use and Quantity Data Entry Form

Claim Number: 22-146Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/15	1.6	

Overall Diversion Rate 1.6 Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	04/15	10/31	1.6	

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOU changed to 04/15 to 10/31 as allowed by IDWR season of use standards.

Reviewer: _____

SCANNED

Date: _____

MAY 04 2005

PROFILED

Receipt # EC7-4720

RECEIVED

JAN 0 8 1999

Department of Water Resources
Eastern Region

HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC
Teresa L. Sturm
428 Park Avenue
P. O. Box 51219
Idaho Falls, ID 83405-1219
Telephone: 208-523-4445
Attorneys for Protesting Parties

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

In the matter of Application for Transfer
Number 5360,

Water Right Number 22-00146.

WATER RIGHT No. 22-00146

NOTICE OF PROTEST

COME NOW Boyd Smith and Jill Smith, interested individuals, by and through their attorneys of the law firm of Hopkins Roden Crockett Hansen and Hoopes, PLLC, and in the accordance with the provisions of Idaho Code Section 42-222 et. sec, hereby protest the Application For Transfer relating to water right number 22-00146 filed by on or behalf of James Klausmann or Jacklyn Klausmann or Jeffrey Klausmann, (hereinafter referred to collectively as Klausmann) a true and correct copy of which Application For Transfer is attached hereto for ease of reference. This Notice of Protest is based upon the following:

NOTICE OF PROTEST- 1

1. Boyd Smith and Jill Smith (hereinafter referred to as Smiths) are the owners of that certain water right identified as water right number 22-11960. Smiths' water right is identified as a right to 3.2 cfs of irrigation water flowing from a source identified as "Driggs Springs and Swamp" with a priority date of May 11, 1900 all as is more particularly set forth in the profile report attached hereto for ease of reference.

2. Smiths' water right flows from that certain unnamed creek, commonly referred to as the Driggs Springs. The Application For Transfer referred to hereinabove proposes that the source for water claimed by Klausmann under water right number 22-00146, which water is presently diverted from Wood's Creek shall be diverted from the unnamed creek which flows through property owned by Smiths and supplies the Smiths' water right. The Application referenced above calls for a transfer not only of the point of diversion but a transfer of source as well.

3. The stream which produces water to satisfy the water right of Smiths runs only sufficient water to fill the Smiths' priority water right. Any further diversion by Klausmann or any other water user would substantially deplete the flow of water through the stream which provides water to the Smiths' property. The impact on the flow through the stream would deprive the Smiths of the water with which to fill their priority water right.

4. Klausmann apparently intend to utilize the water for purposes of establishing a wetland on their property. The transfer contemplated in the above-

referenced Application For Transfer constitutes an expansion of the water right held by Klausmann which expansion will detrimentally impact the prior water right of the Smiths.

5. The proposed change is not consistent with the conservation of water resources within the State of Idaho.

6. The proposed change is not in the local public interest as is defined in section 42-203 A(5) of the Idaho Code.

Respectfully Submitted this 8th day of January, 1999.

HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC

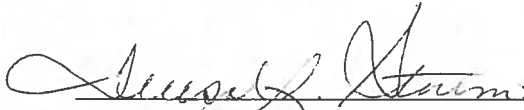


Teresa L. Sturm

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the person named below, at the address set out below his name, either by mailing of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to him; or by facsimile transmission.

DATED this 8th day of January, 1999.


Teresa L. Sturm

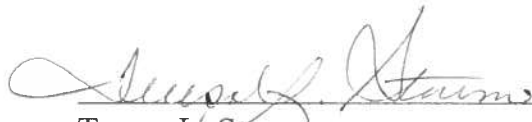
James Klausmann, Jacklyn Klausmann, and
Jeffrey Klausmann
869 South 100 West
Victor, ID 83455

☒ Mail
☐ Hand Delivery
☐ Facsimile
☒ Registered Mail

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the person named below, at the address set out below his name, either by mailing of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to him; or by facsimile transmission.

DATED this 8th day of January, 1999.


Teresa L. Sturm

James Klausmann, Jacklyn Klausmann, and
Jeffrey Klausmann
869 South 100 West
Victor, ID 83455

☒ Mail
☐ Hand Delivery
☐ Facsimile
☒ Registered Mail



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

PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 06 1999

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

SCANNED
MAY 04 2005

PROFILED

MICROFILMED
NOV 06 1999



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

OCT 02 1995

Department of Water Resources

DATE OF CLOSING: September 12, 1995

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)

[] 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

Driqs, 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 ☐ 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.)

X Signature of New
Owner/Claimant(s)

James M. Klausmann
Jacklyn S. Klausmann

Date 10/16/95

Date 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:

PROFILED

SCANNED

MAY 04 2005

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

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
me that they executed the same.

Notary Public
, Idaho

Residing at Teton
Comm. Expires 6-22-00

116978

FILED

AT THE REQUEST OF

35 MINUTES PAST 2 P.M.

DATE July 19, 1994

CLERK OF RECORDER

BY Deputy

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

116978

RECEIVED

121282

American Land Title Co.
P.O. Box 644
Driggs, ID 83422

SEP 13 1995

Warranty Deed

TETON Co. Id.
Clerk Recorder
For Value Received

RECEIVED

OCT 02 1995

Department of Water Resources

~~James M. Klausmann and Jacklyn S. Klausmann~~ LEILA BERRIEN, ~~James M. Klausmann and Jacklyn S. Klausmann~~
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 is, 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 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: ~~SEPTEMBER~~
AUGUST 7, 1995

~~James M. Klausmann and Jacklyn S. Klausmann~~
~~James M. Klausmann and Jacklyn S. Klausmann~~

Leila Berrien
LEILA BERRIEN



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

~~James M. Klausmann and Jacklyn S. Klausmann~~ Leila Berrien

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

Patricia Z. Shepherd SHE executed the same.
Notary Public

Residing at 6796 Timberline Dr.,
Comm. Expires Englewood, Colorado

121282

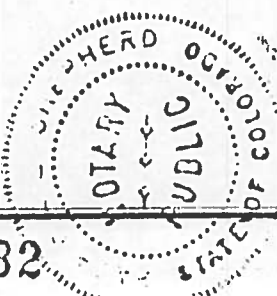
FILED

AT THE REQUEST OF

American Land

AT 00 MINUTES PAST 11 a.m.

DATE Sept. 13, 1995

Ana J. Drake
CLERK OF RECORDER*Nora Rigby*
DEPUTY

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

121282

Filed
Indexed
Platted

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT

OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

RECEIVED
MAR 24 1954

Darrell C. Buxton and Mary Buxton)
husband and wife,
Plaintiffs)

vs.

D E C R E E

Lynn Crandall, Watermaster,
District #36, Idaho)

Defendant)

This cause came on regularly to be heard before the Court,
sitting without a jury, in Chambers, in the Court House at
Idaho Falls, Bonneville County, State of Idaho, on this 19th
day of March, 1954; plaintiffs appearing in person and by their
attorney, H. S. Forbush; and the defendants appearing not, either
in person or by counsel, and it appearing to the Court, from
the records and files in this action, that the defendant was
regularly served with process, and that a Notice of the
Pendency of this action, containing such matter as are required
by law, having been published in the Teton Peaks Chronicle, a
weekly newspaper published at St. Anthony, Fremont County,
Idaho; and the Teton Valley News, a weekly newspaper published
at Driggs, Teton County, Idaho; in accordance with the Order
issued out of this Court on the 4th day of February, 1954,
and as required by law, and the time allowed by law for answering
or appearing having expired, and the defendant or anyone for
or on behalf of said defendant, having failed to appear or
answer plaintiffs' complaint on file herein, and the default
of said defendant having been duly and regularly entered,
and the Court, having heard the evidence introduced by and on
behalf of plaintiffs, and having duly considered the same, and
being fully advised in the premises; and it appearing that each
and all of the allegations in plaintiffs' complaint contained
are true and correct.

STATE OF IDAHO,
County of Fremont,

I, Jack A. Stone Clerk of the District
Court, and ex-Officio Auditor and Recorder, do hereby certify
the above and foregoing to be a true and correct copy of that
certain Decree as the

No. --- in Case # 5253

W. --- and seal of said office this 22
day of March, 1954

By Jack A. Stone

Now, therefore, in consideration of the premises, and on motion of H. S. Forbush, attorney for plaintiffs,

IT IS ORDERED, that the default of said defendant be, and it is hereby entered against said defendant; and

22 0146 IT IS ORDERED, ADJUDGED AND DECREED, that the plaintiffs,

Darrell C. Buxton and Mary Buxton are entitled to, and are hereby awarded one and six-tenths feet per second (or 80 miners inches, more or less) of the waters of Woods Creek, with priority date of 19th day of March, 1908; for the irrigation of his real property, described in plaintiffs' complaint, and more particularly described as follows, to-wit:

The Northeast Quarter of the Southeast Quarter, Section Thirty-two, and the Northwest Quarter of the Southwest Quarter, Section Thirty-three, all in Township Five, North, Range Forty-five, E. B. M., situate in Teton County, Idaho,

and

It is further ORDERED, ADJUDGED AND DECREED, THAT THE foregoing adjudication of water be made subject only to the Decrees, in a certain action in the District Court of the Ninth Judicial District of the State of Idaho, in and for the County of Fremont, entitled "Rexburg Irrigation Company, et. al., Plaintiffs, vs. Teton Irrigation Canal Company, et. al., Defendants," dated and filed December 16, 1910; in a certain action instituted in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Twin Falls, entitled "Twin Falls Canal Company, Plaintiff, vs., Charles N. Foster, et. al., Defendants", filed on the 20th day of June, 1913, and the amended decree thereto, dated September 12, 1916, and filed September 21, 1916, and in a certain action, instituted in the United States District Court of Idaho, Eastern Division, entitled "Woodville Canal Company, a corporation, Plaintiff, vs. Clark and Edwards Canal Company, a corporation, et. al., Defendants" dated the 25th day of June, 1929; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the defendant, and all persons claiming by, through or under him, or either or any of his successors in office, and all persons claiming to have acquired any right or interest in or to or upon the said waters, hereinbefore Decreed, by through, or under any person whatsoever, except the Plaintiffs herein, be hereby enjoined and restrained from obstructing, or in anyway interfering with the flow of said waters, through the ditches of the plaintiffs.

DONE IN CHAMBERS, in the Court House at Idaho Falls, Bonnaville County, Idaho, this 19th day of March, A. D. 1954.

Henry S. Martin
JUDGE OF THE DISTRICT COURT



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 WestDriggs, 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 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) _____ Date _____

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

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

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

PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 06 1990

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

PROFILED
SCANNED
MAY 04 2005

MICROFILMED
NOV 06 1990

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: M 001356
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

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	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	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



PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 04 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

PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 04 1992

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): *Carol 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. Olenichak
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires *9/12/1994*

PROFILED

SCANNED
MAY 04 2005

MICROFILMED
NOV 04 1992

MICROFILMED
NOV 04 1992

22-00146

A22-11708

Wood's Creek

53

Woods Lake

Woods Stream

Sewage
Disposal Ponds

NOV 04 1992