

12/01/2006

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

RIGHT NUMBER: 22-178B

NAME AND ADDRESS: WILLOCO LLC
PO BOX 7379
JACKSON WY 83002

WILLIAM M OBERING REVOCABLE TRUST
1775 SHERMAN ST STE 1955
DENVER CO 80203

SOURCE: WOODS CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T05N R45E S33 NWSENE Within TETON County

T05N R45E S33 NESWNW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.600 CFS

PLACE OF USE:

IRRIGATION in TETON County

T05N R45E S32	NENW	1.50	T05N R45E S32	SWNW	7.50
T05N R45E S32	SENW	29.00	T05N R45E S32	NESW	19.00
T05N R45E S32	NWSE	23.00			

80 ACRES TOTAL

Right Nos. 22-179A and 22-178B are limited to the irrigation of a combined total of 80.0 acres in a single irrigation season.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
WYO FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

RECEIVED

JAN 30 2007

Department of Water Resources
Eastern Region

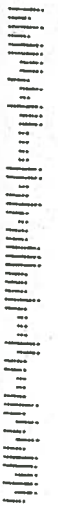
4781 U.S. POSTAGE P83523907
8932 \$00.870 DEC 06 2006
6893 MAILED FROM ZIP CODE 83402

PDR

22-178B
22-179A

NOT RECOVERABLE
AS ADDRESS SERVICE
UNABLE TO FORWARD
WILLIAM MOBERG REVOCABLE TRUST
ATTN: DENNIS CO 80203
1955

NOT RECOVERABLE
AS ADDRESS SERVICE
UNABLE TO FORWARD



IN DIST
N. COY
FALLS, IDAHO 83402

ADDRESS SERVICE
REQUESTED

PITNEY BOWES
TM

1541 U.S. POSTAGE
PB3523907
8952 \$00.630 JAN 05 2007
8156 MAILED FROM ZIP CODE 83402

RECEIVED

JAN 29 2007

Department of Water Resources
Eastern Region

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

WILLIAM M OBERING REVOCABLE
1775 SHERMAN ST STE 1955
DENVER CO 80203

YOL

DR
22-178B
22-179A

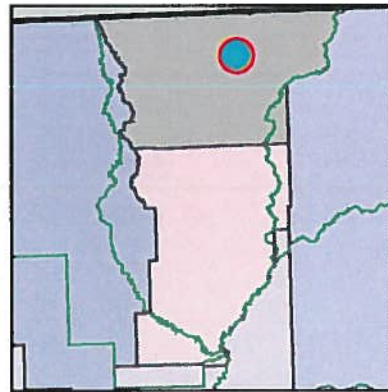
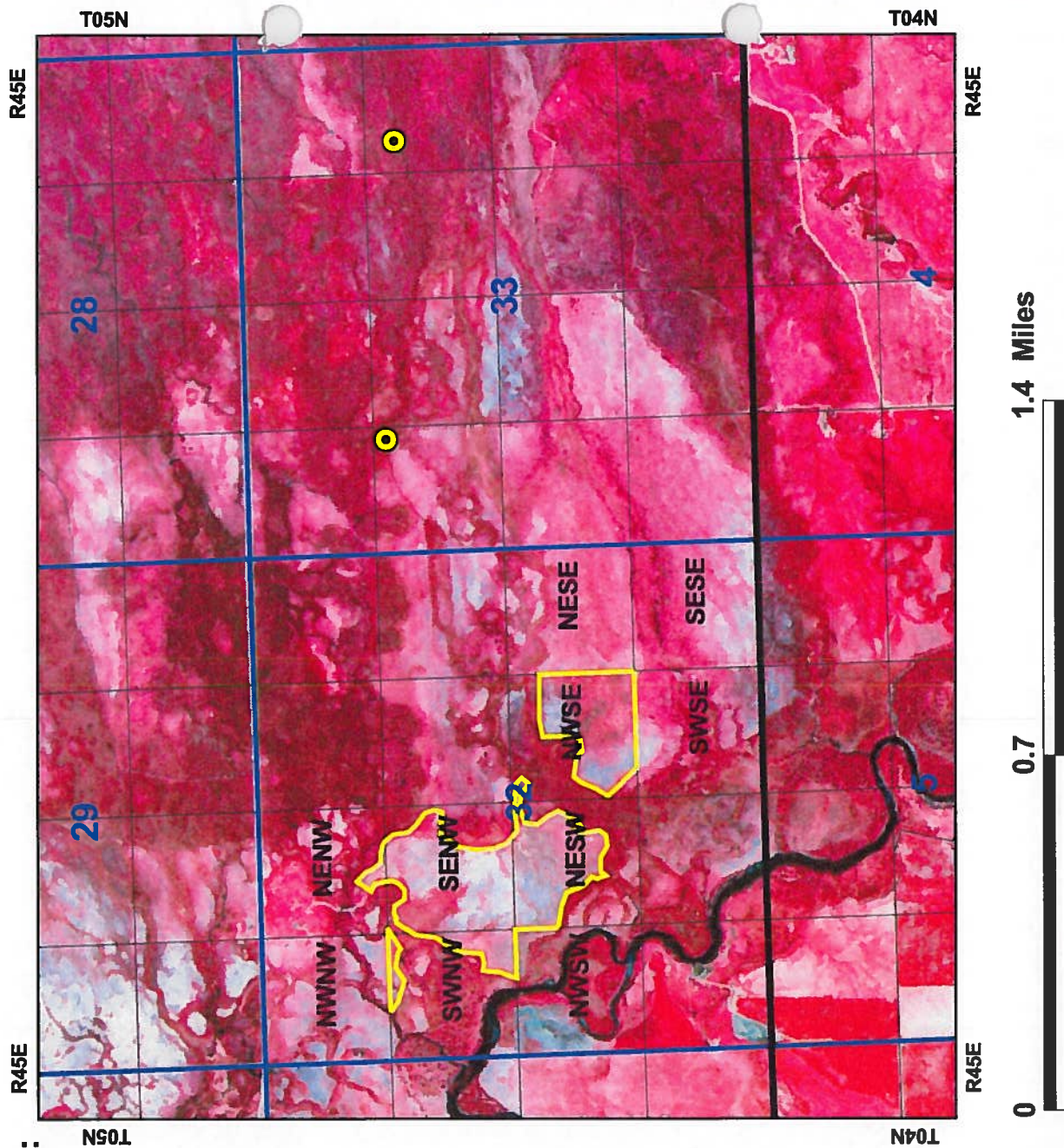
NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD



SRBA Recommendation:

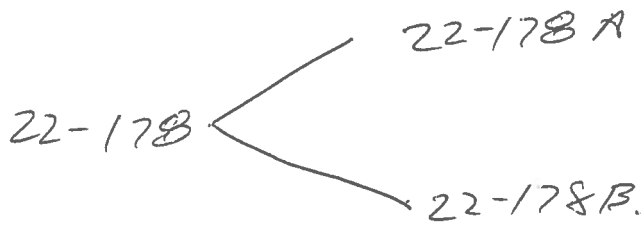
22-178B

22-179A



**Teton County
IDWR Basin 22**

**Prepared by A. Golart
On Wednesday, November 29, 2006
1987/88 Aerial Photography**



Claims -

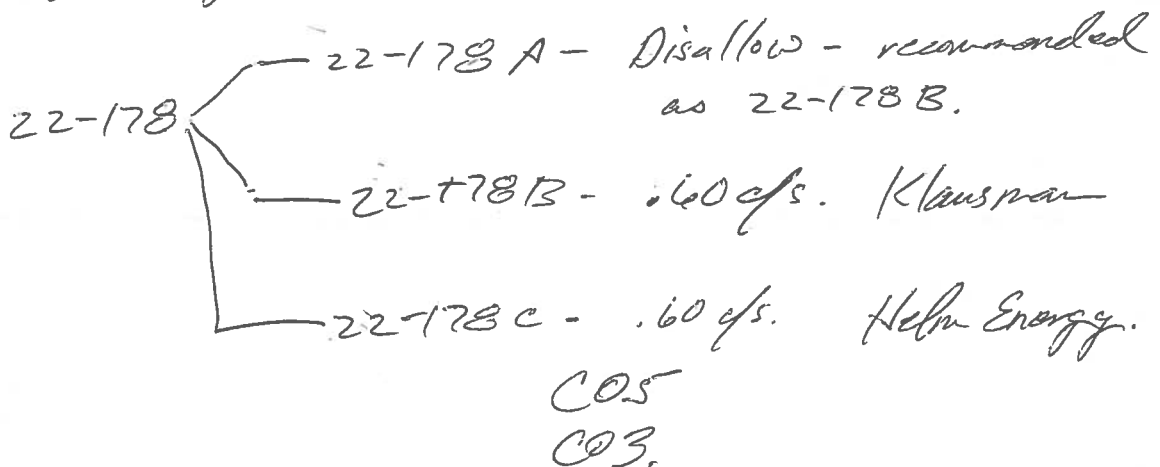
22-178 - Helm Energy LLC - based on deemed P.O.U. entitlement is $\frac{1}{2}$ of right.

need to renumber to 22-178 C.

22-178 A - Dustin. - no entitlement.

22-178 B - Klausman - new claim - based on transfer 5394. - entitled to $\frac{1}{2}$ right.

Likely Peligree -



ings
locks

Boom Creek
Canal Company.P/D
SE NE 4
T 8 N
R 45 E

Lands of stockholders of said Company
lying under canal of said Company, the description
of said lands and the names of the owners thereof
not being given in the pleadings of said company.

Boerowman, John

E $\frac{1}{2}$ of SW $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 32,
T. 5 N. R. 45 E., B. M., containing 160 acres.

Bowles, H. C.

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec.
29, N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 30, T. 4 N.,
R. 45 E., B. M., containing 160 acres.

Bowles, Sarah

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, W $\frac{1}{2}$ of NW $\frac{1}{4}$ of
Sec. 33, T. 4 N., R. 45 E., B. M., containing
120 acres.

Bowles, William

S $\frac{1}{2}$ of NW $\frac{1}{4}$ and Lots 3 and 4 of Sec. 2, T.
3 N., R. 45 E., B. M.

Breeding, Thomas C.

S $\frac{1}{2}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 9,
and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 10, T. 1 N., R.
44 E., B. M.

Breckenridge,
David

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 26, E $\frac{1}{2}$ of NE $\frac{1}{4}$ of
Sec. 35, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 35, S $\frac{1}{2}$
of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 36
T. 6 N., R. 44 E., B. M.

Brennan, D. J.

S $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, and
Lots 3, 4 and 6, Sec. 22, T. 3 S., R. 34 E.,
B. M., containing 160 acres. (owned jointly with
Evan Williams.)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2006

HELM ENERGY LLC
5251 DTC PARKWAY STE 425
ENGLEWOOD CO 80111

RE: MISPLACED NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP 22-178

Dear Sir or Madam:

Our records indicate we received a notice of change in water right ownership from your office in July 2004. Unfortunately, we have misplaced this document. Please resubmit the enclosed form with appropriate deeds and maps. Please send it to my attention and I will personally see that it is processed. Please accept my sincere apologies for this inconvenience.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

PROFILED

SCANNED
JAN 04 2006

8/16/04

PMO100 - PARCEL MASTER INQUIRY

10:36:24

PARCEL: RP 05N45E322400

F17=DD

F23=AG

LEGAL DESCRIPTION

HELM ENERGY, LLC
& KINDRED, LLC

E2NW4, SW4NW4, NE4SW4, NW4SE4
SEC 32 T5N R45E

ProVal Area Number 1

CODE AREA 5-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 2221984 EXPDATE

PREV PARCEL

5251 DTC PARKWAY STE 425
ENGLEWOOD CO 80111

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2003	198600	AC	28996				
19	2003	1400	AC					

TOTALS

200000

28996

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

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

January 7, 2004
EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HELM ENERGY LLC
5251 DTC PARKWAY STE 425
ENGLEWOOD CO 80111

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-178

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Teton County. The property to which I am referring was most recently owned by Jeff Klausmann. The legal description is as follows:

T05N, R45E, S32, 145 acres

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)

PROFILED

SCANNED
JAN 04 2006

February 25, 2004

Jeffery Klausmann
869 S 100 W
Victor ID 83455

RE: CHANGE IN OWNERSHIP FOR 22-00178

Dear Mr. Klausmann:

It has come to our attention that you may have recently purchased a tract of land in Teton County. The above referenced water right, appurtenant to that land, was most recently owned by Lorin Murdock. I have enclosed a copy of that original claim for your perusal.

This water right was filed in the Snake River Basin Adjudication (SRBA). We recommend that if, in fact, you now own the property to which this water right is appurtenant, that you file a "Change of Water Right Ownership" with this department in order that all further correspondence be sent to you as the appropriate owner(s) or representative.

Enclosed is a Change of Water Right Ownership form. Please fill out the form completely, sign, date and return it to my attention along with a "copy" of your Warranty Deed including the legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Allen Ruberry
Sr. Water Resource Agent
Enclosure(s)

FILED

SCANNED
JAN 04 2006

Contacts Data Entry Form

Water Right No. 22-178

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner LORIN MURDOCK

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

THIS CLAIM NOODS %
TO KLAUSMANN Family.
LETTER SENT 2/25/04.

Directions to Property (if different from above) and/or update owner information:

DECREED UNDER ROXBURG JUDG vs TETON JUDG, 1910 AS:
#42, TO J. BORROWMAN, JUNE 1, 1887, FROM WOOD CROOK AND
SPRINGS 60" (1.20cts).

Computing claims: 22-178, DOROTHY MURDOCK, 1.20cts
22-178A, BLAKE DUSTIN, 0.60cts

22-178 IS SPLIT ON THE WR DATA BASE AS 1/2 Q TO EACH.
TX #5394, APRIL 10, 2000, CONFIRMS 0.60 CTS TO 22-178B.
TX FILED BY KLAUSMANN (Family). A's SOURCE TO UNNAMED
STREAM AND POD TO TEN, R45E SEC. 33 S83E SW. CONFIRMS
60AC IRRIGATION BUT MOVES POD TO DIFF QQS.

FE INDICATED: POD/POH, PHOTO/GPS, SYSTEM CONFORMANCE
OVERLAP w/ OTHER TRS.

Reviewer: _____

Date: SCANNED

JAN 04 2006

PROFILED

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JUNE 1, 1887 Claimed Basis: DECREERecommended Priority Date: 6/01/1887 Recommended Basis: DECREE☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DECREE

Reviewer: _____

Date: _____

SCANNED
JAN 04 2006

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
5N	45E	33		SESESW	TETON	WINDWARD STREAM
GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

GPS Coordinates: _____						

TRIB TO.
TETON RIVER

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

CLAIMED POD'S CHANGED BY TX #5394. RECOMMEND TX POD.

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED
JAN 04 2006

Claim no. 22-178A

Claimant Contact Log

Date _____

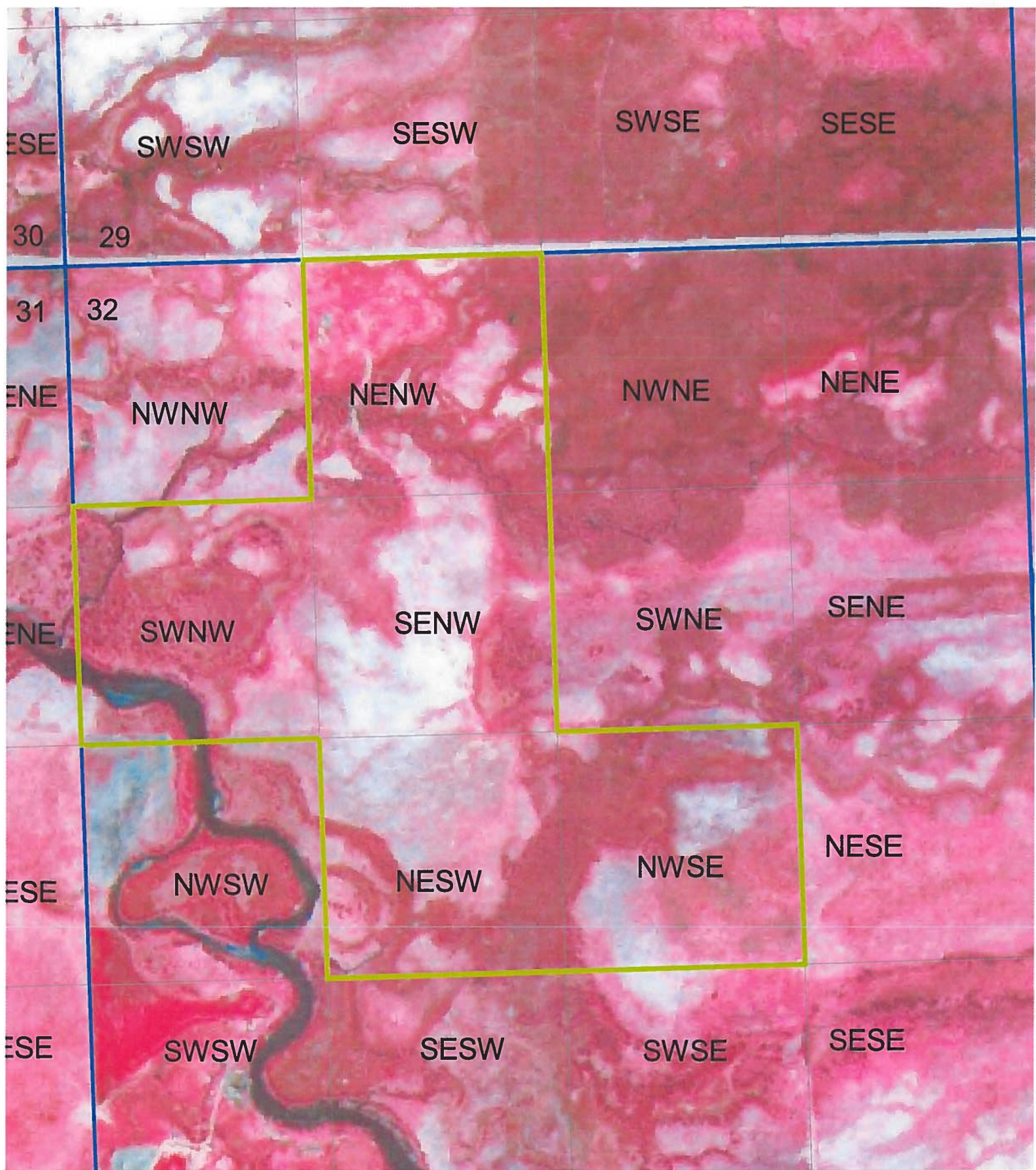
Remarks

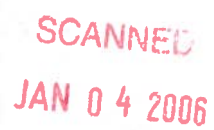
Agent initials

2/25/04 c/o REQUEST SENT

SCANNED
JAN 04 2006

22-178





Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5394
WATER RIGHT NO. 22-00178B

RECEIVED

APR 14 2000

Department of Water Resources
Eastern Region

This is to certify that: JAMES KLAUSMANN
JACKLYN KLAUSMANN
JEFFREY KLAUSMANN
C/O JEFFREY KLAUSMANN
869 S 100 W
VICTOR ID 83455

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	0.60 CFS	210.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
UNNAMED STREAM	TETON RIVER

Priority: 06/01/1887

LOCATION OF POINT(S) OF DIVERSION: SESESW, Sec. 33, Township 05N, Range 45E
TETON County

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	SWSW 5	SESW 30	SWSE 25	60
Total number of acres irrigated:						60

CONDITIONS OF APPROVAL AND REMARKS

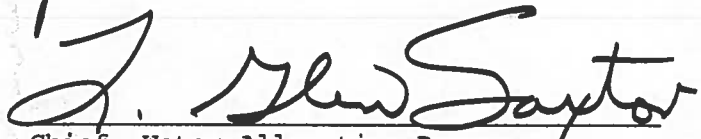
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.

TRANSFER NO. 5394
WATER RIGHT NO. 22-00178B

CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Diversion of the unnamed stream is limited to those times water is available for diversion under this right and priority from Woods Creek.

Dated this 10th day of April, 2000.


Chief, Water Allocation Bureau

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

Renumbered: 22-178B

~~Ident. Number: A22-00178~~

Date Received: 7/19/1988

Receipt No: 6002345

Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LORIN A. MURDOCK 208-768-2674
Address: HC 68 BOX 19
LEADORE, ID 83464

OR

Name: DOROTHY MURCOCK 208-768-2674
Address: HC 68 BOX 19
LEADORE, ID 83464

A2200178



2. Date of Priority: JUN 01, 1887

3. Source: WOOD CREEK SPRINGS Trib. to: TETON RIVER
TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	32	SE	NW	NE		TETON
			NW	NE	SE		TETON
		33	NE	SE	NW		TETON
			NE	NE	SW		TETON

5. Description of diverting works:
HEADWORKS IN STREAM/SPRINGS TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

8. Total consumptive use is 290.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A22-00178

Page

1

Date: 09/15/88

PROFILED

SCANNED
JAN 14 2006

MICROFILMED
NOV 04 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05N	45E	32	NE	NW		IRR	20.0
			SW	NW		IRR	15.0
			SE	NW		IRR	35.0
			NE	SW		IRR	35.0
			NW	SE		IRR	40.0

Section Acres 145.0

Total Acres	145.0
-------------	-------

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:
22-0179.

14. Remarks:

AC. IRR. = 160.

CLAIM REFLECTS CURRENT USE OF WATER UNDER CLAIMED RIGHTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL.

Decree Plaintiff

VS

TETON IRR. CANAL CO.

Decree Defendant

SCANNED
JAN 04 2006

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: 1

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): Louie A. Murdock Date: 9-15-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Sept 19 88

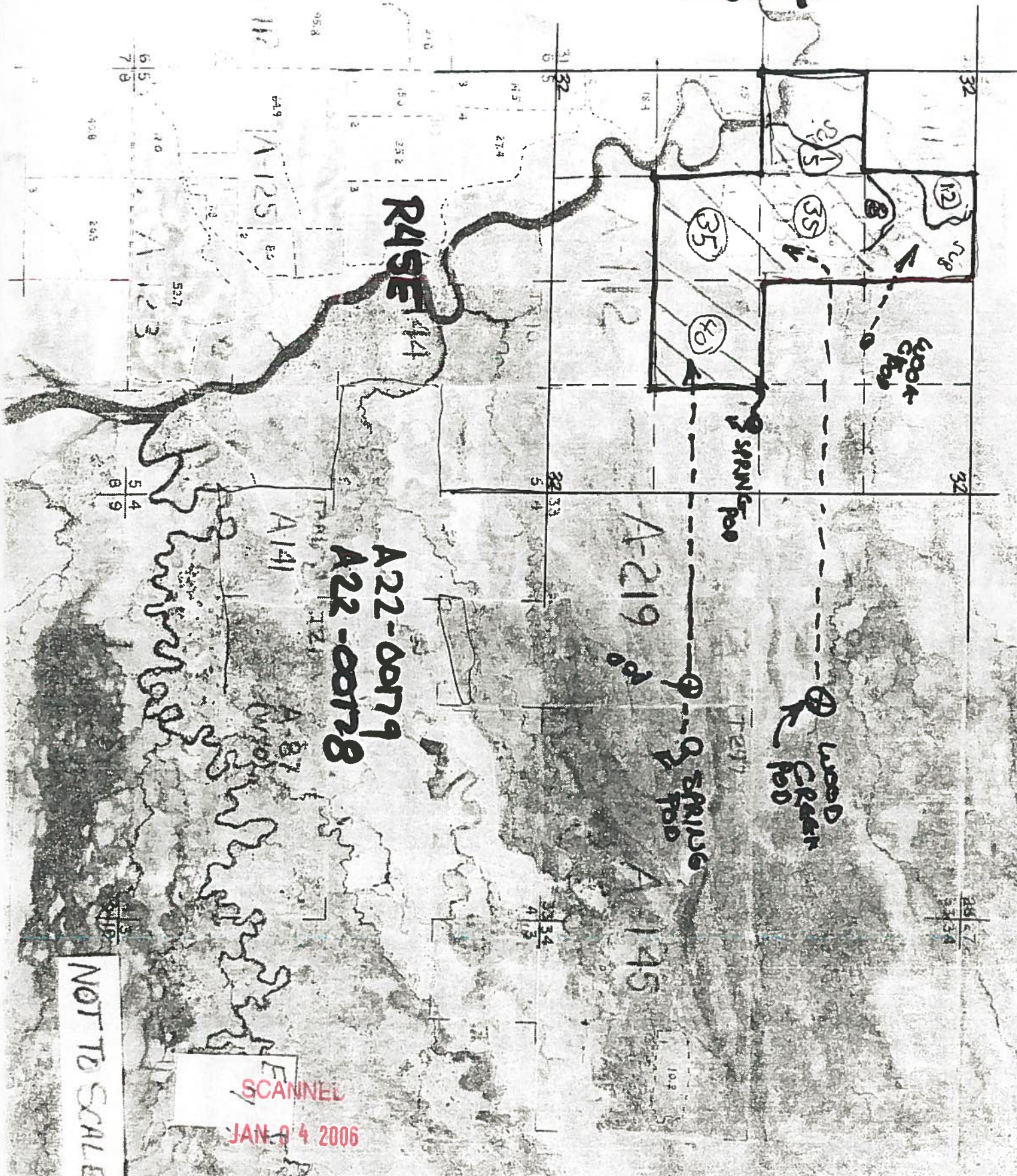
[Signature]
Notary Public

Seal

Residing at Loch Falls Rd
My Commission Expires 22 Aug 1994

MICROFILMED
NOV 04 1992

T 102



NOT TO SCALE

SCANNED
JAN 04 2006