

07/14/2005

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

RIGHT NUMBER: 22-11708

NAME AND ADDRESS: JACKLYN S KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

JAMES M KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T05N R45E S33 NESESW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
1.200 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R45E S32 SESE 27.0 T05N R45E S33 SWSW 33.0

60 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.

This right is subject to regulation by the watermaster of Water District 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

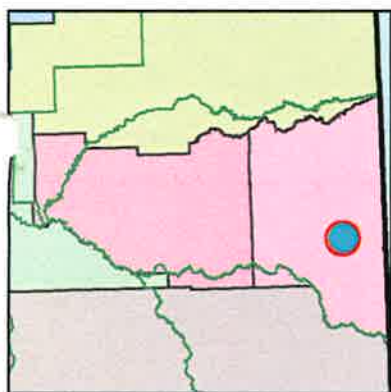
SRBA Recommendation:

22-11708

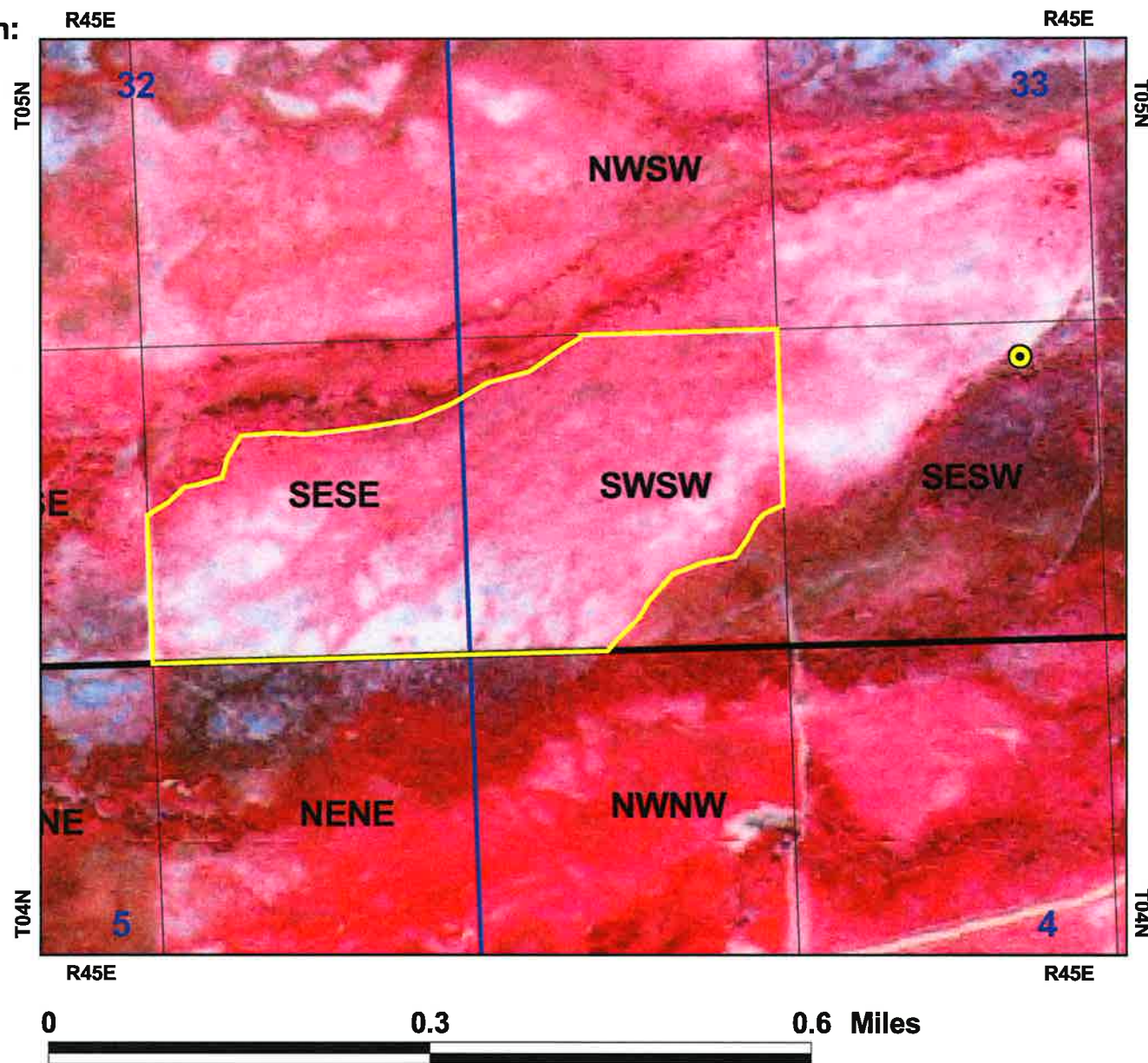
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton County
IDWR Basin 22



Prepared by J. Crabtre
On Wednesday, November 22, 2006
1987/88 Aerial Photography

RUNYAN
AND
ASSOCIATES, P.C.

Cody Runyan **

Attorneys at Law

**** Admitted in
Idaho and Wyoming**

May 19, 2005

Allen R. Ruberry
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Claim 22-11708

Dear Mr. Ruberry,

This letter is intended to obtain the current status of the Helm Energy LLC and Kindred LLC (hereafter "Helm/Kindred") water right claim.

From our last conversation it was not clear as to whether there is currently an adjudicated water right claim. You stated that you would do some checking and would let us know the status of said claim. I understand that this is a complex matter and could take some time to determine the current status.

If you have any information that might let us know if we need to gather further evidence and/or the current status of this claim, we would appreciate hearing from you.

I have obtained an affidavit of the prior owner Lorin Murdock that describes how and when water was used on said property. I have also included a copy of our last letter to you that discusses the issue of where this water claim stems from.

I look forward to hearing back from you regarding this matter. If you have any questions, please feel free to give me a call at (208) 354-2244.

Sincerely,



Cody Runyan

cc. Joe Brinkman

85 E. Little Ave. P. O. Box 533, Driggs, Id. 83422 (208) 354-2244 - (208) 354-8886 (fax)
2040 N. Stateline Road, Alta, WY 83422 (307) 353-0907 - (307) 353-0908 (fax)



Faxed: 3/28/0

RUNYAN
AND
ASSOCIATES, P.C.

Cody Runyan **

*Attorneys at Law***** Admitted in
Idaho and Wyoming**

March 28, 2005

Allen R. Ruberry
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Claim 22-11708

Dear Mr. Ruberry,

Thank you for taking the time to discuss and review the Helm Energy LLC and Kindred LLC (hereafter "Helm/Kindred") water right claim.

As discussed on the phone, there seems to be some mix up of paper work that has been put in the Helm/Kindred claim. The records that were sent show that James M. Klausman and Jacklyn S. Klausman are related to the Helm/Kindred claim.

Though the Klausmans own property here in Teton Valley, they do not seem to be directly related to the claim of Helm/Kindred. The Helm/Kindred claim should stem from the prior owners Lorin A. Murdock and Dorothy Murdock.

I look forward from hearing from you or your office when this problem has been addressed. I will be holding off on gathering the affidavits of the Murdock family that show beneficial use and date of use until I hear further direction on what you might need regarding the Helm/Kindred claim.

If you have any questions or if you would like to further discuss this matter, please send the information to our office or give us a call at (208) 354-2244. I look forward to hearing from you.

Sincerely,



Chad Marlowe
Assistant to Cody Runyan

cc. Joe Brinkman

85 E. Little Ave. P. O. Box 533, Driggs, Id. 83422 (208) 354-2244 - (208) 354-8886 (fax)
2040 N. Stateline Road, Alta, WY 83422 (307) 353-0907 - (307) 353-0908 (fax)

Lorin Murdock
RR 1 Box 166
Pattonville, TX 75468
(903) 785-1766

Re: Teton County, Idaho Property

To Whom It May Concern,

I have been contacted by Runyan & Associates, PC regarding property that I had owned in Teton County, Idaho. It is my understanding that Runyan & Associates, PC represents Helm Energy LLC and Kindred LLC who is the current owner of the property below described. Runyan & Associates has asked me to sign a letter that describes the property, the use of the property, and specifically the use of water on the property below described.

The property we have discussed, and that I had previously owned is property that is located west of downtown Driggs, south of Bates Road, and just east of the Teton River. This property is commonly known as "Pete's Place" and the "Carrington Place" "Pete's Place" is a 120 acre parcel of property that is west of downtown Driggs and just south of Bates Road and east of the Teton River. "Carrington Place" is an 80 acre parcel of property that is also west of downtown Driggs and just south of Bates Road and east of the Teton River. The "Carrington Place" is just south of "Pete's Place".

The property described above used to be owned by my father. My father purchased "Pete's Place" from Pete Jacobson on or about 1936. My father also purchased the "Carrington Place" sometime in the 1950's.

My father has subsequently sold this property to Lyle Murdock and Lyle Murdock sold the property to me sometime in the 1980's. I subsequently sold this property to William and Julie Obering on or about 1992.

Since my childhood, on or about 1936, I remember water being used on "Pete's Place". I used to work on this property for my father. We would pull water (by use of ditches) from Woods Creek and another creek (not sure of its name) to water "Pete's Place". I also remember water being used on the "Carrington Place" at least from the time my father purchased it in the 1950's. We would also pull water (by use of ditches) from Woods Creek and the other creek to water the "Carrington Place".

I am not aware of the exact amount of water that was used. However, we used as much as necessary for the purposes stated below.

Lorin Murdock

We (my father, Lyle Murdock, and myself) used water on said property for the purpose of growing oats, clover, hay, and to pasture livestock. Water from said creeks had been used for the above described manor since my father owned the property until I had sold the property to the Oberings on or about 1992.

Sincerely,

Lorin A. Murdock

Lorin Murdock

State of Idaho)
) ss.
County of Teton)

The foregoing instrument was acknowledged before me by Lorin Mudock, this 12th day of April, 2005.



Chad Marlowe
Notary Public
My Commission expires:

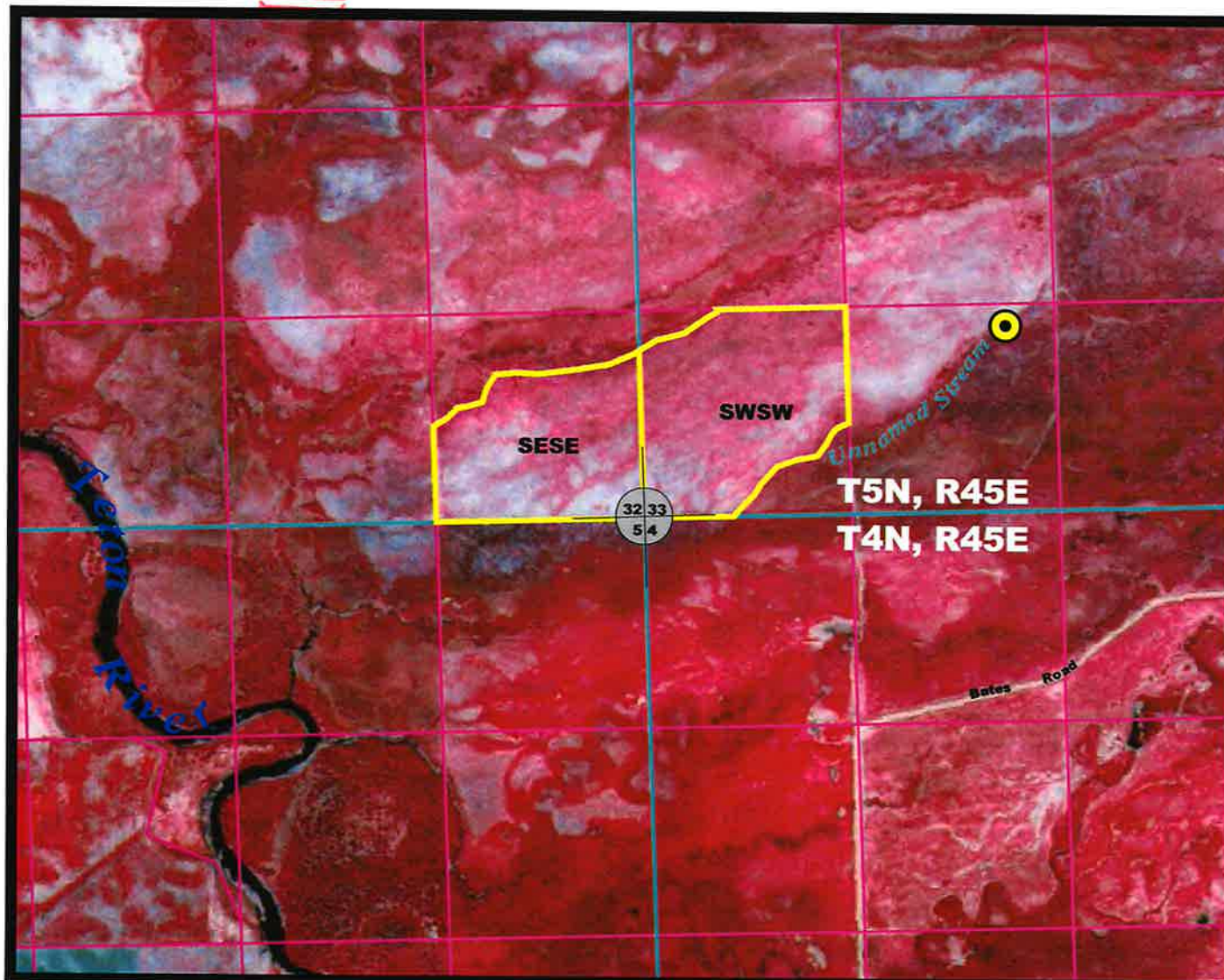


PROPOSED
SCANNED
July 2005

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-11708

Point(s) of Diversion:
T5N, R45E
Sec. 33 NESESW

Place of Use: (parts of)
T5N, R45E
Sec. 32 SESE,
Sec. 33 SWSW

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: July 2005

06/02/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-11708

JACKLYN S KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924
Telephone Number: (908)766-5563

JAMES M KLAUSMANN
330 MENDHAM RD
BERNARDSVILLE NJ 07924
Telephone Number: (908)766-5563

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Beneficial use

2. Describe the changes you wish to make in the proposed recommendation:

Allowed

3. Give a brief explanation as to why you disagree with these portions:

*Please see October 11 Affidavit from
Jardell Buxton describing Beneficial use and
priority.*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

6-22-05

SIGNATURE:

[Signature]

Please print your name:

JEFFREY KLAUSMANN

IDWR Regional Office,

*Recommended as claimed w/ 60 ac, 120 cfs.
See 4/15-10/31 - No Limiting Assertion*

SCANNED

JUL 19 2005

PROFILE

RECEIVED

OCT 14 2004

Department of Water Resources
Eastern Region

October 11, 2004

Mr. Jaydell Buxton
256 S. 500 W.
Driggs, ID 83422

RE Evidence of Priority for Water Right Claim 22-11708

Dear Mr. Buxton:

I am sending forth the facts surrounding historic water use on a portion of the Klausmann Lazy K Ranch. The facts are as I understand them after you explained them to me.

The Klausmann Lazy K Ranch is located near Driggs, ID and described here as 325 acres composed of the SW $\frac{1}{4}$ Section 33; SE $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32; T 5 N, R 45 E, Boise Meridian. You formerly owned 275 ac. of the ranch and irrigated 70 acres (37 ac. SWSWSW Sect. 33 and 33 ac. SESESE Section 32 T. 5N R. 45E) under water rights claim 22-11708. I also understand that you put this water to beneficial use in June 1954.

If you are in complete agreement with the above facts please sign this letter in the presence of a Notary of the Public and return it to me. Thank you for your cooperation regarding this matter.

Sincerely,


Jeffrey Klausmann

By signing below, I Jaydell Buxton, solemnly swear that the statements contained in the foregoing document are true and correct.

Signature  Date Oct 13/2004

State of Idaho _____)

County of Teton _____)

Subscribed and affirmed before me this 13th day of October 2004

SEAL

Notary Public



Residing at

Teton Co.

MAUREEN GREEN
Notary Public
State of Idaho

My Commission Expires

08/05/08

Page 1 of 1

SCANNED

JUN 21 2005

SCANNED

OCT 15 2004

PROFILED



INTERMOUNTAIN AQUATICS INC.

ENVIRONMENTAL CONSULTING & HABITAT RESTORATION

RECEIVED

OCT 14 2004

Department of
Eastern Resources

October 13, 2004

Alan Ruberry
Senior Water Resources Agent
Idaho Dept. of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RE: Evidence of Priority Water Rights Claim 22-11708

Dear Mr. Ruberry-

Enclosed please find an affidavit demonstrating evidence of priority for SRBA water rights claim 22-11708. I am sending forth this information on behalf of my father James M Klausmann. Please contact me if you have any questions.

Sincerely,

Jeffrey Klausmann

PROFILED

SCANNED

JUN 21 2005

PROFILED

OCT 15 2004

SCANNED



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

March 25, 2005

JAMES KLAUSMAN, et al
869 S 100 W
VICTOR ID 83455

RECEIVED
APR 01 2005
Department of Water Resources
Eastern Region

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11708

Dear Claimant (s):

The Idaho Department of Water Resources is beginning water rights review in Basin 22, the Teton Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of June 1, 1954, from an UNNAMED STREAM.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date". **PLEASE READ THE ENCLOSED PAMPHLET.**

SCANNED

PROFILED

JUN 17 2005

No Reply to this on Previous
Requests — Disallowed —

UNDELIVERABLE BY MAIL

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel. **Please review the CLAIM contact name, mailing address and telephone number for correct data.**

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date **within 30 days of the date of this letter, referencing all documents with the corresponding claim number.**

Respectfully submitted,



Sarah Porter
Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

PROFILED

SCANNED
JUN 17 2005

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: A22-11708
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: JUN 1, 1954

3. Source: UNNAMED STREAM Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	45E	33	NE	SE	SW		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 140.0 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	SE	SE		IRR	1556

A22-11708

PROFILED

Page

1

Date: 10/19/95

JUN 17 2005

MICROFILMED
NOV 16 1995



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

February 10, 2005

HELM ENERGY LLC and KINDRED LLC
5251 DTC PARKWAY #425
GREENWOOD VILLAGE CO 80111

FINAL NOTICE
PLEASE READ

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11708

Dear Claimant (s):

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SCANNED
JUN 17 2005

3/25/05 Call from Chad Markon, Atty. Apparently this request ^{SHOULD} ~~DOES~~
NOT ^{HAVE} ~~BELOW~~ GOVS TO ADDRESSORS.

PROFILE

RUNYAN
AND
ASSOCIATES, P.C.

Cody Runyan **

Attorneys at Law

** Admitted in
Idaho and Wyoming

May 19, 2005

Allen R. Ruberry
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

Re: Claim 22-11708

Dear Mr. Ruberry,

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I have obtained an affidavit of the prior owner Lorin Murdock that describes how and when water was used on said property. I have also included a copy of our last letter to you that discusses the issue of where this water claim stems from.

I look forward to hearing back from you regarding this matter. If you have any questions, please feel free to give me a call at (208) 354-2244.

Sincerely,



Cody Runyan

cc. Joe Brinkman

PROFILED

SCANNED

JUN 17 2005

85 E. Little Ave. P. O. Box 555, Driggs, Id. 83422 (208) 354-2244 - (208) 354-8886 (fax)
2040 N. Stateline Road, Alta, WY 83422 (307) 353-0907 - (307) 353-0908 (fax)



RUNYAN
AND
ASSOCIATES, P.C.

Cody Runyan **

Attorneys at Law

** Admitted in
Idaho and Wyoming

March 28, 2005

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Sincerely,



Chad Marlowe
Assistant to Cody Runyan

PROFILED

JUN 17 2005

cc. Joe Brinkman

85 E. Little Ave. P. O. Box 533, Driggs, Id. 83422 (208) 354-2244 - (208) 554-8886 (fax)
2040 N. Skyline Road, Alta, WY 83422 (307) 353-0907 - (307) 353-0908 (fax)

3/25/05 ADDRESS TAKEN FROM TX# 5394

ORIGINAL CLAIM ADDRESS APPARENTLY

NOT CURRENT

AKA

March 25, 2005

JAMES KLAUSMAN, et al
869 S 100 W
VICTOR ID 83455

FINAL NOTICE

PLEASE READ

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PROFILED

SCANNED

JUN 17 2005

RUNYAN
AND
ASSOCIATES, P.C.

Cody Runyan **

Attorneys at Law

** Admitted in
Idaho and Wyoming

March 9, 2005

Allen R. Ruberry
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402

RECEIVED

MAR 11 2005

Department of Water Resources
Eastern Region

Re: Claim 22-11708

Dear Mr. Ruberry,

Runyan & Associates, PC has been retained by Helm Energy LLC and Kindred LLC to assist them in their water right claim.

I am sending this letter to inform you that we have received your letter regarding the water right claim 22-11708. We are currently gathering the requested information in an effort to perfect this claim. As soon as this information has been gathered, we will be sending it to the IDWR as requested.

If you have any questions or if there is other correspondence relating to this claim, please send the information to our office or give us a call at (208) 354-2244.

Sincerely,

Cody Runyan

cc. Joe Brinkman

3/25/05 - Apparently the SRBA claim ADDRESSED
DOES NOT APPLY TO HELM ENERGY AND/OR KINDRED,
LLC's.

SCANNED

JUN 17 2005

PROFILED

85 E. Little Ave. P.O. Box 533, Driggs, Id. 83422 (208) 354-2244 - (208) 354-8886 (fax)
2040 N. Stateline Road, Alta, WY 83422 (307) 353-0907 - (307) 353-0908 (fax)

March 19, 2004

**JAMES KLAUSMANN
330 MENHAM RD
BERNARDSVILLE NJ 07924**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11708

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SCANNED

JUN 17 2004

PROFILED

Contacts Data Entry Form

Claim Number: 2211708

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

Current Owner: JAMES M. KLAUSMAN Phone No.: 908-766-5563

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.BUJE pod/pouCompliance/system

Reviewer: _____ Date: _____

PROFILED**SCANNED**
JUN 17 2005

Claim Number: 2211708

Claimed Priority Date: 1 JUNE 1954 Claimed Basis: B4

Recommended Priority Date: _____ Recommended Basis: _____

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: _____

SCANNED
Date: _____
JUN 17 2005

PROFILE

Claim Number: 2211208

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

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

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
5 N	45 E	33		NE SE SW	Teton	unmarked stream	Teton River

A horizontal number line with tick marks and labels. The labels are: 0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

--	--	--	--	--	--	--	--	--

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

A horizontal number line with tick marks. The first tick mark on the left is labeled '0'. There are 10 tick marks in total, creating 9 equal intervals.

--	--	--	--	--	--	--	--

Transfers Pending or approved: _____

[illegible]

PROFILED

SCANNED
JUN 17 2005

Season of Use and Quantity Data Entry Form

Claim Number: 2211708Water 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	4/15	10/15		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

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

IDWR. STD. SOU. 4/15 - 10/31

Reviewer: _____

Date: SCANNED

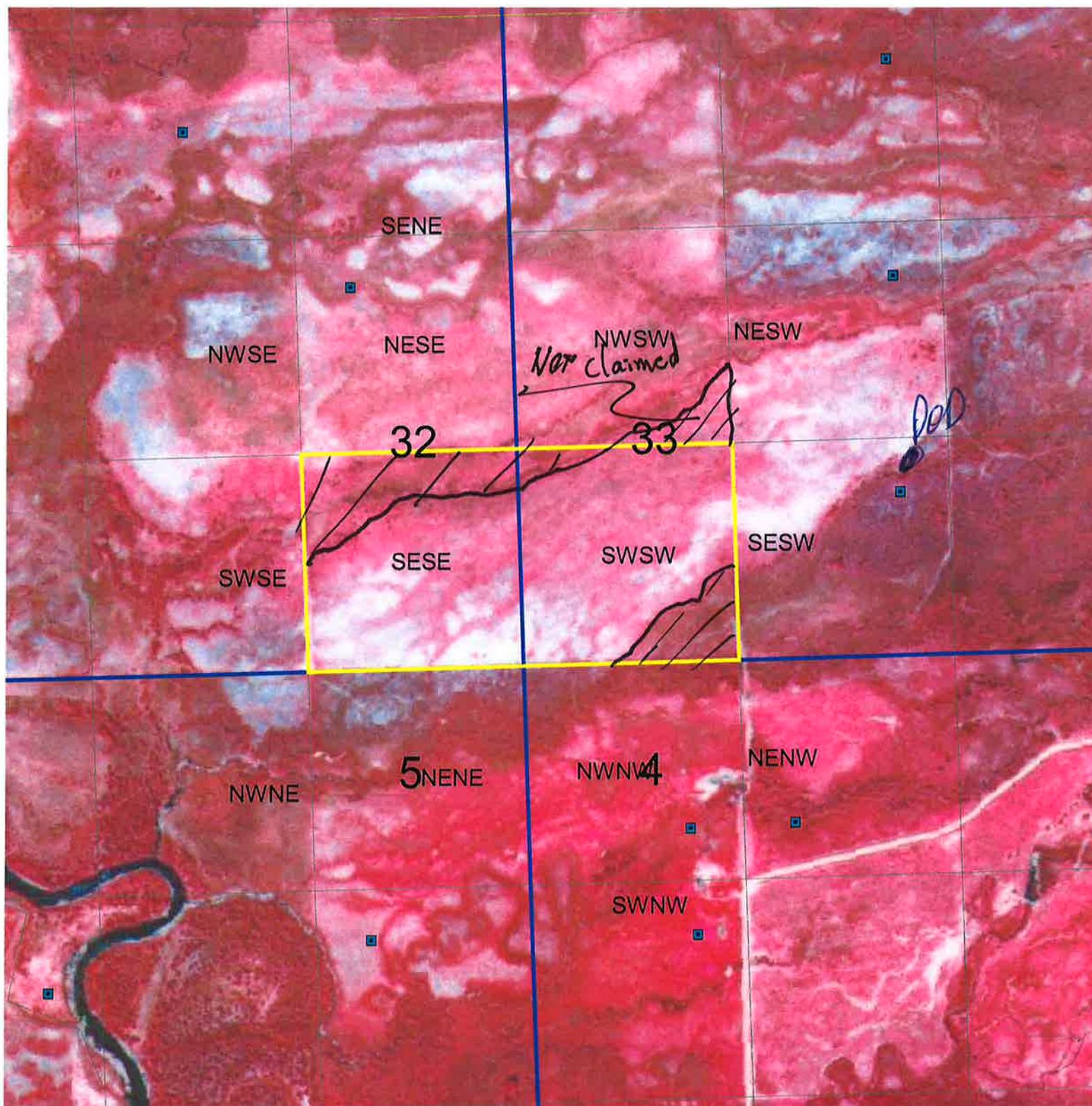
PROFILED

JUN 17 2005

SCANNED
JUN 17 2005

22-11708

PROFILED





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

PROFILE

SCANNED
JUN 17 2005

MICROFILMED
NOV 06 1995



NEW 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

- ☐ 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

Department of Water Resources
Eastern District Office

- ☐ 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

Driqqs, 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) Warrenty 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

Date 10/16/95

Jacklyn S. Klausmann

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:

FILED

SCANNED

JUN 17 2005

MICROFILMED

NOV 05 1996

STATE OF IDAHO, COUNTY OF

On this 18th day of July, 1994,
before me, a notary public in and for said State, personally

116978

AMERICA

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: **A22-11708**
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: JUN 1, 1954

3. Source: UNNAMED STREAM 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	NE	SE	SW		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 140.0 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	SE	SE		IRR	33.0

MICROFILMED

NOV 16 1988

SCANNED

A22-11708

PROFILED

Page

JUN 17 2005

1

Date: 10/19/95

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	33.0
		33	SW	SW	IRR	37.0
					Section Acres	37.0
					Total Acres	70.0

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: BENEFICIAL USE

PROFILED

SCANNED
JUN 17 2005
Date: 10/19/95
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: A22-11708
Date Received: 9/20/1988
Receipt No: M001356
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

208-354-2570

83422

2. Date of Priority: JUN 01, 1954

3. Source: UNNAMED STREAM

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	NE	SE	SW		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 140.0 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	SE	SE		IRR	33.0
						Section Acres	33.0
		33	SW	SW		IRR	37.0
						Section Acres	37.0

SCANNED
JUN 17 2005

PROFILED

MICROFILMED
NOV 06 1992



10. Place of Use: Continued

Total Acres 70.0

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: 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): *Raymond Burston* 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*

SCANNED
JUN 17 2005

PROFILED

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NOV 06 1992

