

\$100 Fee
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5360
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

DEC 14 1998

PART 1

Department of Water Resources
Eastern Region

Name of applicant JAMES or JACKLYN or JEFFREY KLAUSMANN Phone 208-787-4003 H
Post 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 Priority Amount (cfs/ac-ft) Nature of Use Period of Use
22-00146 3/19/1908 1.60 cfs Irrigation 4-01 to 10-31
_____ to _____
_____ to _____
_____ to _____
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 screwgate 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

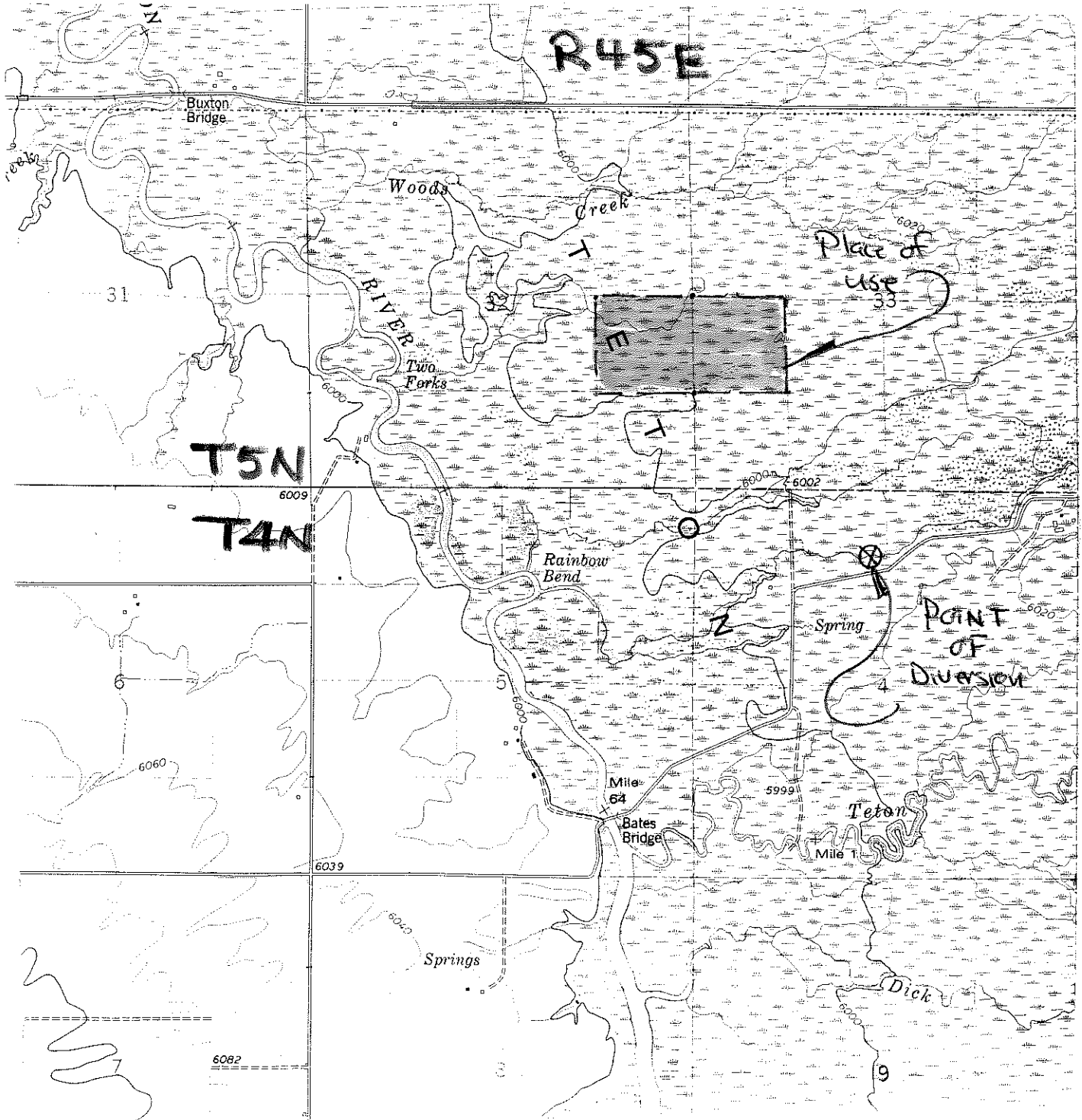
PLACE OF USE: IRRIGATION

<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.

Subscribed and sworn to before me this

11thday of December, 19 98.

NORA RIGBY
NOTARY PUBLIC
STATE OF IDAHO

Nora Rigby
 (Notary Public)

My commission expires 3/31/2001

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 12-14-98Prelim. check by _____ Fee \$100^{XX}Receipted by HWT # E024675 Date 12-14-98Published in Teton Valley NewsPub. dates Dec 24 & 31, 1998.

Watermaster recommendation requested on _____

Protest filed by Hopkins, Roden, Crockett,Hansen & Hoopes

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

121282

SEP 13 1995

Warranty Deed

American Land Title Co.
P.O. Box 644
Driggs, ID 83422TETON Co. Id.
Clerk Recorder
for Value ReceivedRECEIVED
DEC 10 1998Department of Water Resources
Eastern Region~~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

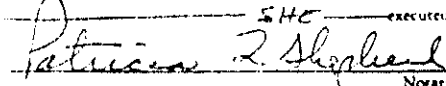
whose current address is 330 MENDHAM ROAD, BERNARDSVILLE, NJ 07924

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

TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN
SECTION 32: E1/4SE1/4
SECTION 33: SW1/4TOWNSHIP 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.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, 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 the y will warrant and defend the same from all lawful claims whatsoever.

Dated: ~~SEPTEMBER~~
AUGUST 7, 1995
LEILA BERRIENCOLD 2400
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 M. Klausmann and Jacklyn S. Klausmann~~ Leila BerrienKnown to me to be the person whose name -- IS --
subscribed to the within instrument, and acknowledged to me that
she executed the same.
Patricia R. Shepherd
Notary PublicResiding at 6796 Simbush Dr.,
Comm. Expires Englewood, Colorado

121282

FILED

AT THE REQUEST OF

American Land

AT 11 MINUTES PAST 11 a.m.

DATE Sept. 13, 1995

Nora J. Drake

CLERK OF RECORDER

Nora J. Drake

DEPUTY

Filed

Indexed

Platted

MY COMMISSION EXPIRES APR. 15, 1996
Notary Public Agency

121282

PRINTED BY THE AMERICAN LAND TITLE COMPANY, INC.

SD-0605-2		Township: 04N		Range: 45E		Section: 4		Tract:		Lot:	
S	L	R	STATE		O	S	Max # Records		7		
E	O	D	Water	Name	W	T	Priority	Total			
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversion	
—	NENENE			22-12193	TETON RANCH IN	C	J	03/03/1947	GROUND WATE	0.04	
—	NENENE			A22-12193	TETON RANCH IN	C	J	03/03/1947	GROUNDWATER	0.04	
—	SWNENW	4		A22-11960	SPENCER, EST O	O	J	05/11/1900	DRIGGS SPRI	3.20	
—					SMITH, BOYD CH	C					
—					SMITH, JILL JO	C					
—	SENWNW	B		A22-11960	SPENCER, EST O	O	J	05/11/1900	DRIGGS SPRI	3.20	
—					SMITH, BOYD CH	C					
—					SMITH, JILL JO	C					
—	NESWNW	B		A22-11960	SPENCER, EST O	O	J	05/11/1900	DRIGGS SPRI	3.20	
—					SMITH, BOYD CH	C					
—					SMITH, JILL JO	C					
—	NWSW			A22-11400	FOSTER, GEORGE	C	J	05/01/1900	UNNAMED STR	0.04	
—					FOSTER, RUTH M	C					
—	NWSW			22-11400	FOSTER, GEORGE	C	J	05/01/1900	UNNAMED STR	0.04	
—					FOSTER, RUTH M	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)