



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

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Governor

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Director

April 28, 2006

Jerry Rigby
Rigby Thatcher and Andrus
PO Box 250
Rexburg, ID 83440

RE: 01-181C, New Sweden Irrigation District

Dear Jerry:

I have been asked to provide information concerning Notice of Claim 01-181C filed by New Sweden Irrigation District. My investigation of this water right and subsequent claim revealed the following:

- 01-181 was adjudicated in the case of Rexburg Irrigation Co v Teton Irrigation Canal Co etal, signed 12-16-1910.
- The right was decreed to Taylor and Goshen Canal Co for 186 cfs with a priority of June 16, 1900. The location of the point of diversion and place of use was not given in the decree.
- In March 1914 transfers 129 and 130 were filed splitting the water right. Transfer 129 conveyed 40 cfs to Woodville Canal and transfer 130 conveyed 100 cfs to the Osgood Canal.
- In the book entitled Decreed Water Rights District #1, dated August 1976, the remaining 46 cfs still appears in the name of Taylor and Goshen Canal.
- On February 11, 2005, the New Sweden Irrigation District filed Notice of Claim 01-181C for the 46 cfs not transferred to the Woodville and Osgood Canals.
- During 2005 irrigation season, Water District 1 delivered 46 cfs under 01-181C to the City of Blackfoot for Jensen's Grove pond under a drought declaration temporary water right transfer.

With a June 16, 1900, priority the water right is deliverable most of the time in most years. It certainly would be deliverable this year.

Respectfully yours,

Ernie Carlsen
Water Right Supervisor

emc