

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
01-10163					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) ARLENE HOOPES / MATT GELLINGS
4760 W 33 N IDAHO FALLS ID 83402
4. New Owner/Claimant(s) NEW SWEDEN IRRIGATION DISTRICT
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2350 W 1700 S
- City, State and ZIP Code IDAHO FALLS ID. 83402
- New Telephone Number (208) 523-0175
5. Date you acquired the property 10-01-1991

RECEIVED
APR 17 2006
 Department of Water Resources
 Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *James J. Hill*
Board Chairman

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT TRANSFERRED RIGHT NO. 1025

THIS IS TO CERTIFY, That C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, all of Route #5, Idaho Falls, Idaho; Loran Morris of Idaho Falls, Idaho; Nelma McNeil of Heyburn, Idaho; Adrian Crossley Burke of Springer, Oklahoma; and Leora Flynn of Philadelphia, Pennsylvania; are the owners of and using a certain water right of the waters of Snake River as follows; and under State of Idaho, Department of Reclamation, Certificates of Transfer of Water Right Nos. 614, 764, 809, and 934, or portions thereof, arising out of the Decree of Judge J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATION COMPANY, et al

Plaintiffs

vs.

TETON IRRIGATION CANAL CO., et al

Defendants

said Decree bearing date of December 16, 1910, said transferred rights being in the following amounts and dates of priority, and all standing in the name of C. W. Burke, and for use on the following described lands:

Transfer No. 614: 1.00 cubic foot per second
Priority date: June 1, 1891, for use on the
East half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$)
and Northeast Quarter of Southeast Quarter
($NE\frac{1}{4}SE\frac{1}{4}$) of Section Five (5), Township Two
(2) North, Range Thirty-seven (37) East of
the Boise Meridian;

01-0083H

Transfer No. 764: 1.30 cubic feet per second (Ralph New)
Priority date: June 1, 1885, for use on the
West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$)
of Section Five (5), Township Two (2) North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-00035

Transfer No. 809: 2.05 cubic feet per second
Priority date: April 30, 1900, for use on
Lots Three (3) and Four (4), the South Half
of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section
Five (5), Lot One (1) and the Southeast
Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of
Section Six (6), all in Township Two (2), North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-0125C

Transfer No. 934: 0.60 cubic foot per second
Priority date: June 1, 1891, for use on the West
Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Sec-
tion Five (5), Township Two (2) North, Range
Thirty-seven (37), East of the Boise Meridian;

01-0083T

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 3 of Decree at Page 450 thereof;

That said C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke and Leora Flynn, have become the owners of said water rights by purchase or by deeds of gift;

And that now upon the application of C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke, and Leora Flynn, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 4.95 cubic feet per second of the waters of Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water rights HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

N41D
TED RAY HOOPES: 0.80 cubic foot from Transfer No. 614:

Beginning at a point on the section line common to Sections 4 and 5 of Township 2 North, Range 37 East of the Boise Meridian; which point is North $0^{\circ}12'51''$ East, 24 feet from the Southwest corner of the aforesaid Section 4, Township 2 North, Range 37, East of the Boise Meridian; thence running North $0^{\circ}12'51''$ East along the West line of Section 4, a distance of 3768.51 feet; thence turning and running South $89^{\circ}03'46''$ East a distance of 639.59 feet; thence South $0^{\circ}17'46''$ East 185.80 feet; thence South $23^{\circ}05'02''$ West 551.0 feet; thence South $0^{\circ}29'32''$ West 541.20 feet; thence South $13^{\circ}27'33''$ East 358.50 feet; thence South $3^{\circ}35'23''$ East 231.60 feet; thence South $9^{\circ}38'57''$ West 303.3 feet; thence South $1^{\circ}46'03''$ East 383.70 feet; thence South $5^{\circ}21'33''$ East 675.6 feet; thence South $30^{\circ}03'27''$ West 224.40 feet; thence South $3^{\circ}57'33''$ East 131.0 feet; thence South $28^{\circ}50'53''$ East 203.3 feet; thence South $0^{\circ}21'30''$ West 92.0 feet; thence North $89^{\circ}24'$ West a distance of 549.8 feet, more or less, to the point of beginning. Containing a calculated area of 43.23 acres, more or less.

3WNW
NW SW
SW SW
4

Beginning at a point which is 24.0 feet North $0^{\circ}12'15''$ East of the Southeast Corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian, said point being coincident with the East line of said Section 5; thence running North $89^{\circ}33'$ West and parallel to the South line of the said Section 5, a distance of 1315.8 feet; thence turning and running North $0^{\circ}07'33''$ East a distance of 2669.32 feet; thence North $57^{\circ}39'30''$ East 1057.7 feet; thence North $24^{\circ}18'20''$ East 625.2 feet; thence South $89^{\circ}03'46''$ East 173.01 feet; thence turning and running South $0^{\circ}12'51''$ West a distance of 3768.51 feet, more or less, to the point of beginning. Containing a calculated area of 94.34 acres, more or less, and being in Bonneville County, Idaho;

SE NE
E 1/2 SE
S

N41D
DARREL W. BURKE: 0.60 cubic feet from Transfer No. 934; 01-0083 Z
1.30 " " " " " 764; 01-00035 AF
0.80 " " " " " 809; 01-0125 D

Beginning at a point that is North $89^{\circ}33'20''$ West along the section line 54.91 feet from the Northeast corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian; thence

North 09°33'20" West along said section line 2391.50 feet;
thence South 14°00' West 2360.89 feet; thence South 30.0 feet;
thence South 89°15" East 1722.9 feet; thence North 30.0
feet; thence North 57°39'30" East 1057.20 feet; thence North
24°18'20" East 616.70 feet; thence North 14°24'40" East 497.60
feet; thence North 0°11'15" East 666.50 feet to the point of begin-
ning. Containing 127.7 acres, and located in Bonneville County,
Idaho;

C. W. BURKE: 0.20 cubic feet from Transfer No. 809 01-0125 E
0.20 " " " " " 614 01-0083 V (AB)

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
of Section Thirty-three (33), Township Three (3) North,
Range Thirty-seven (37), East of the Boise Meridian, in
Bonneville County, Idaho;

A. N. ISOM: 1.05 cubic feet from Transfer No. 809; 01-0125 F

The North half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section
Sixteen (16), Township Two (2) North, Range Thirty-seven
(37), East of the Boise Meridian, in Bonneville County,
Idaho;

That the said water is to be limited at any given time to an amount actually
needed and beneficially used for such purposes, and shall not exceed the following
amount, to-wit:

DARREL W. BURKE: 0.60 cfs, priority June 1, 1891 01-0083
1.30 cfs, priority June 1, 1885 01-00035
0.80 cfs, priority April 30, 1900 01-0125 D

C. W. BURKE: 0.20 cfs, priority April 30, 1900 01-0125 E
0.20 cfs, priority June 1, 1891 01-0083 V (AB)

A. N. ISOM: 1.05 cfs, priority April 30, 1900 01-0125 F

TED RAY HOOPES: 0.80 cfs, priority June 1, 1891 01-0083

That the water rights hereby transferred have heretofore been conducted
from Snake River to the first above described lands as follows:

Transfer No. 614: Through the Great Western Canal with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 764: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 809: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

Transfer No. 934: Through the Great Western Canal, with point
of diversion in the NE $\frac{1}{4}$, Section 35, Town-
ship 4 North, Range 37 E.B.M.,

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the rights to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 20th day of March, 1964.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

817268

ORDER

Now, Therefore, it is hereby ordered that all the above described lands in Bonneville, Bingham County, State of Idaho, be and said described lands are hereby, annexed and will hereafter be included within the boundaries of the NEW SWEDEN IRRIGATION DISTRICT.

IT IS HEREBY FURTHER ORDERED, that this order be entered in the minutes of said board and that a copy of said order, duly certified by the President and Secretary of the Board, be filed for record in the office of the County Recorder in Bonneville, Bingham County, Idaho.

Done in an open and regular meeting this 14th day of October.

NEW SWEDEN IRRIGATION DISTRICT

Louis Thiel
DIRECTOR

Carl P. Berggren
DIRECTOR

Bill Jensen
DIRECTOR

817268

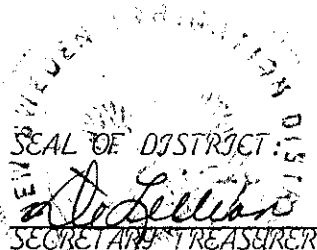
ATTEST:

DeLillian Reed
SECRETARY-TREASURER

CERTIFICATE

We, Louis Thiel, President, and DeLillian Reed, Secretary-Treasurer, of the New Sweden Irrigation District, hereby certify that the above foregoing is a true and correct copy of the order annexing lands to the NEW SWEDEN IRRIGATION DISTRICT in the petition of Matt Gellings, dated Sept. 9, 1991.

Dated this 14th day of October, 1991.



SECRETARY-TREASURER

INSTRUMENT NO.	817268
DATE	10-14-91
INST. CODE	1688
ECHE NO.	130129
STATE OF IDAHO	
COUNTY OF BINNEVILLE	
By <u>[Signature]</u>	
County Recorder	

2330 W. 1700 S. 83402

PETITION FOR ANNEXATION

TO THE BOARD OF DIRECTORS
NEW SWEDEN IRRIGATION DISTRICT
IDAHO FALLS, IDAHO

Gentlemen:

We, the undersigned, residents and taxpayers of Bonneville and Bingham Counties, State of Idaho, and owning real property adjacent to the boundaries of the New Sweden Irrigation District, respectfully request that the lands hereinafter described be annexed to, and made a part of said New Sweden Irrigation District, in the manner provided by law.

Said lands are described as follows:
Part of the $W \frac{1}{2}$ of Section 4, Township 2 North, (40 ac.)
Range 37 East B.M. Bonneville Cty., Idaho

That all of said lands are susceptible to irrigation from the water supply and irrigation system of the New Sweden Irrigation District.

Wherefore, your petitioners respectfully pray that an order be made for the hearing of this petition, as provided by law, and that upon such hearing and the proofs to be adduced, that the Board of Directors of said Irrigation District make the proper order annexing the above-described lands to the New Sweden Irrigation District.

Dated this ninth DAY OF September 1991.

Matt Bellings
Janis Spill

STATE OF IDAHO

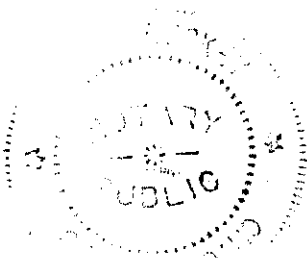
COUNTIES OF BONNEVILLE
AND BINGHAM

On this 10th day of SEPTEMBER, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared, MATT BELLINGS known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to be that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jeri Suckey
Notary Public for Idaho

273 N. 4000 E. RIBBY Idaho.
Residing at:
My commission expires: 6/97



BEFORE THE BOARD OF DIRECTORS
OF THE
NEW SWEDEN IRRIGATION DISTRICT, IDAHO FALLS, IDA.

IN THE MATTER OF THE PETITION OF)

Order annexing lands into the
NEW SWEDEN IRRIGATION DISTRICT.

The board of directors of the New Sweden Irrigation District, having received a petition from Matt Gellings on the 9th day of September 1991 for the inclusion of certain lands within the said district, and having considered the above entitled petition and the testimony presented when it came on for hearing at the meeting of the Board of Directors called for that purpose on the tenth day of September, 1991, and being fully advised in the premises, and good cause appearing, therefore, now make the following findings of Facts and Order:

Finding A Fact

1. That the Petition was duly signed by the holders of title to said lands adjacent to the District and is regular in all respects.
2. That by an order of the Board of Directors dated Sept. 10, 1991 A HEARING ON SAID PETITION WAS SET FOR Oct. 1, 1991, At A REGULAR MEETING of the Board of Directors at its office 2350 W. 17th S. Idaho Falls, Idaho Idaho Falls, Idaho Bonneville or Bingham County, and that notice of said hearing was to be published prior to the date thereof in three consecutive weekly issues of the Post Register, and the Shelley Pioneer, newspapers in Bonneville and Bingham counties, State of Idaho.
3. That notice of the hearing of said petition was duly and regularly published in said newspapers for three consecutive weeks prior to the date of said hearing and affidavits from said newspapers showing such publications are on file as part of the records of proceedings.
4. That said petition came on regularly for hearing on the 1st day of Oct. 1991.
5. That the lands which the petitioners desire to have annexed to and included within the boundaries of the New Sweden Irrigation District are described as follows, to-wit:

Part of the $W\frac{1}{2}$ $W\frac{1}{2}$ of Sec. 4, T2N, R37E Bonneville County (40 acres)

Recorded in the name of Matt Gellings

6. That no person or persons appeared in opposition to the inclusion and annexation of said lands within the New Sweden Irrigation District, and no written objections were filed thereto, and the Board of Directors of said New Sweden Irrigation District deem it in the best interests of the District to include said lands within the boundaries of said District, as prayed for in and by said petition.

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Three consecutive weeks, first publication having been made on the 17th day of September, 1991, last publication having been made on the 1st day of October, 1991, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd day of October, 1991.

S. Bob Bright
Susan Rayson
Notary Public

My commission expires July 1st, 1997.

Legal Notice NOTICE OF HEARING OF PETITION FOR

inclusion of lands before the Board of Directors of the New Sweden Irrigation District.

In the matter of the petition of Matt Gellings, for the inclusion of lands into the New Sweden Irrigation District.

NOTICE IS HEREBY GIVEN, that a petition for annexation, dated Sept. 9, 1991, was filed with New Sweden Irrigation District by Matt Gellings, holder of the title to all lands hereinafter described praying that the following described lands be annexed to and be included within said Irrigation District to wit:

Part of the W $\frac{1}{2}$ W $\frac{1}{2}$ of Sec. 4, T2N, R37E Bonneville County ID (40 acres)

All persons interested in, or that may be affected by such annexation to an inclusion of the lands above described within the boundaries of said New Sweden Irrigation District, are hereby notified to appear at the office of the Board of Directors of said New Sweden Irrigation District, located at 2350 W 1700 So., Idaho Falls, Bonneville County, Idaho on October 8, 1991, AT THE hour of 7:00 p.m., AND SHOW CAUSE, IN WRITING, IF ANY THEY HAVE, why such lands should not be annexed to and included within said district as prayed for in the petition.

Dated this 11th day of Sept. 1991.

New Sweden Irrigation District

DeLillian Reed, Sec.

Published: Sept 17, 24, Oct 1, 1991

B10

0.025 CFS/AC

1-125

MATTSON, BC + CG

4/30/1900

20 CFS

SNAKE RIVER

P.O.U.

B.G. MATTSON

4N 40E 35 NW 1/4

160 AC

C.G. MATTSON

4N 40E 25 SW 1/4

26 SE 1/4

36 NW 1/4

35 NE 1/4

640 AC

* XFR 809

- 0.58 CFS ABANDONED TO COMPENSATE FOR TRANSMISSION LOSSES
- WATER MOVED OFF OF SENW + E 1/2 SWNW OF SECTION 36

1-125 A

15.32 CFS

MATTSON, BC + CG

1-125 B

2.05 CFS

W.G. BURKE

P/D GREAT WESTERN HEAD

POU: 2N 37E 7 NE 1/4

E 1/2 NW 1/4

LOTS 1+2

1-125 C

2.05 CFS

C.W. BURKE

P/D GREAT WESTERN HEAD

POU: 2N 37E 5 LOTS 3+4

5 1/2 NW 1/4

6 LOT 1

SENE

XFR 1025 LEFT

P/D UNCHANGED

1-125 D

PARREL W BURKE

0.80 CFS

127.7 AC

W/IN 2N 37E 5

1-125 E

C.W. BURKE

0.20 CFS

3N 37E 33 SW 1/4

1-125 F

A.N. 150M

1.05 CFS

2N 37E 16 N 1/2 NE 1/4