

11/06/2006

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

RIGHT NUMBER: 1-35AL

NAME AND ADDRESS: NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.418 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T02N R37E S12 NWNENW Within BONNEVILLE County

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.418 CFS

PLACE OF USE:

27920 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the boundary of New Sweden Irrigation District pursuant to Section 43-323, Idaho Code.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is subject to a certain agreement between the right holder and the Rudy Irrigation Canal Company, said instrument being recorded in Jefferson County, Idaho.

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 point of diversion pursuant to Section 42-1425, Idaho Code.

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

This right is a split from former right 1-35B.

Water is delivered through Great Western Canal and Porter Canal.

08/23/2006

**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: 1-35AL

NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402
Telephone Number: (208)523-0175

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

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

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

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

DATE: Sept 14, 2006

SIGNATURE: Louis Thiel

Please print your name: Louis Thiel

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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RECEIVED
SEP 11 2006
SCANNED
APR 19 2007

Department of Water Resources
Eastern Region

Kau
512

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 645

THIS IS TO CERTIFY THAT **N. O. Nye**, of Rigby, State of Idaho, is the owner of and using certain water rights described as being 5.14 cubic feet per second of the waters of Snake River, County of Jefferson, State of Idaho, with a priority of June 1, 1885, decreed to the Butler Inland Canal Company, confirmed by decree of Judge 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, Plaintiff,

VS.

TETON IRRIGATION COMPANY, ET AL., Defendants

Decree bearing date of December 16, 1910

being appurtenant to the following described real property, situate, lying and being in the County of Jefferson, State of Idaho (Water District No. 36), to-wit:

SE¹/₄ NW¹/₄, S¹/₂ SW¹/₄ NW¹/₄, SW¹/₄ NW¹/₄, NE¹/₄ SW¹/₄, NW¹/₄ SW¹/₄ Section 28,
Township 4 North, Range 39 East, T. 4 N., R. 39 E.

and is the person to whom such rights so issued, and has become the owner thereof in the following manner:

01-0035 By Transferred Water Right No. 878 on record in the
Department of Reclamation.

5.14 ac ft
June 11885

That he is also the owner of and using a certain water right for 1.36 cubic feet per second of the waters of Snake River, County of Jefferson, State of Idaho, bearing the following dates of priority:

01-0162 55.51 s - August 13, 1888 (C. 755)
01-0163 16.73 s - June 1, 1889 (C. 227)
01-0164 7.73 s - June 1, 1900 (C. 106)
01-0165 19.98 s - June 1, 1905 (C. 272)

decreed to the Rudy Canal Company, by decree of Judge Stevens, of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, State of Idaho, in the case of

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REXBURG IRRIGATION COMPANY, Plaintiff,

APR 19 2007

TETON IRRIGATION COMPANY, ET AL., Defendants,

Said decree bearing date of December 16, 1910,

for the purpose of further irrigating the real property hereinabove described.

Applicant is the owner of Stock Certificate No. 563 for 25.50 shares of stock in said Rudy Canal Company, and as such is the owner of, and the person for whom such water was decreed, in trust, to said Canal Company.

That the said decree has been entered in the Records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees, at Page 450.

THAT NOW, Upon the application of N. O. Nye, of Rigby, Idaho, for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 6.50 cubic feet per second of the waters of Snake River is hereby abandoned upon the lands above described, and the place of use of water under such right, and to which the water hereby confirmed shall by this certificate become

appurtenant for irrigation and domestic purposes, after a deduction of five per cent of said water rights have been abandoned to Snake River to compensate other water users for the loss caused by the change in point of diversion, is described as follows, limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

01-0035

John E. Shann
480 ac

1.66 cubic feet per second, dated June 1, 1885
SW $\frac{1}{4}$ Section 9, and SW $\frac{1}{4}$ Section 3, Township 2 North,
Range 37 East, B. M., Bonneville County, Idaho

F. L. Hansen
473 ac

1.66 cubic feet per second, dated June 1, 1885
Lots 1, 2, 3 & 4 and SW $\frac{1}{4}$ Section 8, and Lots 1 & 2
and SW $\frac{1}{4}$ Section 4, Township 2 North, Range 37
East, B. M., Bonneville County, Idaho

1.563 cubic feet per second, dated June 1, 1885 (Fr. of 01-00358)

719 cubic feet per second, dated August 13, 1888
216 cubic feet per second, dated June 1, 1889
161 cubic feet per second, dated June 1, 1900
233 cubic feet per second, dated June 1, 1905

and Norris

All that part of the West Half Section 1, Township
1 South, Range 36 East, B. M., lying and being East of
the canal of the New Sweden Irrigation District; also
Lots 1, 2 & 3 Section 3; the SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$
and SW $\frac{1}{4}$ Section 2, excepting therefrom that portion of
the SW $\frac{1}{4}$ lying East of the canal of the New Sweden
Irrigation District; all in Township 1 South, Range 36
East, B. M., Blingham County, Idaho

referred to the State Reclamation Engineer, of District 36, which includes the
Rudy Canal. THAT the above described water has heretofore been diverted in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 4 North, Range 40 East, B. M., through the Rudy
Irrigation Company's canal, and will hereafter, by authority of this Certificate,
be diverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Township 4 North, Range 37 East, B. M.,
through the Great Western Canal of the New Sweden Irrigation District, the water
right which is right to be transferred into the Rudy Canal, and in large part
originally THAT the right to the use of the water aforesaid hereby confirmed
is restricted to the lands or place of use herein described, as provided by
the laws of the State of Idaho; and is also subject to a certain agreement
between the applicant and the Rudy Irrigation Canal Company, said instrument
being recorded in Jefferson County, Idaho.

WITNESS, The seal and signature of the State Reclamation Engineer
of the State of Idaho, this 14th day of April, A. D. 1943, B. M. second foot of
original meter Idaho water was a quantity of 1915, compared with an 1885 certified
right of the Rudy Canal Co., a distinct advantage secured thereby to the water
users under the Rudy Canal. It is not to be used for any other purpose but to
right into another canal. There shall be no interference with the water
the transfer shall simply return the water to the Rudy Canal. The amount of water
amount of water diverted is measured and certified evidence was taken to
show that the quantity was transfer of the water right to the Rudy Canal
Altogether.

James Spofford
State Reclamation Engineer

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APR 19 2007



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

April 19, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT

Dear Claimant:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,


Katy Jackson
Office Specialist 1

Enclosure

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APR 22 2005

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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.

RECEIVED

MAR 10 2005

 Department of Water Resources
 Eastern Region

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
01-00035AL					
01-00162L					
01-00163L					
01-00083AF					
01-10104					

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) Brad Snarr
3977 N 35th W 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 9-14-2004

SCANNED

APR 22 2005

FILED

CHANGE COMPLETED

DATE: 4/19/05KmJ

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) Chairman of the Board

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

PROFILE

SCANNED
APR 22 2005

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
New Sweden Irrigation District
Tues., Sept. 14, 2004
and
THE BOARD OF CORRECTIONS MEETING

Members present:

Paul Berggren

Ladd Holmquist

Louis Thiel

Kail Sheppard, Mngr.

Guests:

None

The minutes from the August meeting were read and a motion to accept as written was made by Paul B. with a second from Ladd H.

Westside Mutual's annexation has completed four publications, no one has appeared to protest the annexation so the directors signed the order to annex on the condition that the water and storage rights be put into New Sweden's name as soon as possible.

Kail told the board the results of his Monroe ground research (now belongs to Alan Ball-

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APR 22 2005

**NOTICE OF
FILING OF PETITION
OF ANNEXATION**

Notice is hereby given that the following named petitioners have each filed a petition of annexation with New Sweden Irrigation District, an Idaho irrigation district with its principal place of business located at 2350 W. 17 S., Idaho Falls, Idaho 83402 (hereinafter "District"). The names, addresses and description of lands proposed to be annexed into the District are described below. All below described lands (most of which are commonly referred to as Westside Mutual) include all water rights appurtenant to said lands together with all storage rights, all of which are proposed to be assigned into the District should annexation be ordered by the board of the District. The District has heretofore been delivering said water rights through the District's canal system pursuant to carrying agreements with Petitioners.

All persons interested in or that may be affected by such change of boundaries of the district, may appear at the office of the board of directors at the District's address, at 9:30 o'clock a.m., on September 14, 2004, and show cause in writing, if any they have, why the lands above mentioned should not be annexed to the District.

Names, addresses and descriptions of lands petitioned to be annexed into the District are as follows, to-wit: All lands described below are located in Twp. 2 North, Range 37, East Boise Meridian:

1. Michael Cates: 5.57 acres in Lot 1, Sec. 3; 2503 West 49th North, Idaho Falls, Idaho 83402.
2. Reed Hansen: .77 acre in Lot 1, Sec. 3; 4512 North 26th West, Idaho Falls, Idaho 83402.
3. Brad Snarr: 76.64 acres in W1/2SW1/4, Sec. 3; and 41.86 acres in NE1/4SW1/4, Sec. 4; 3977 North 35th West, Idaho Falls, Idaho 83402.
4. Wayne Snarr: 1.56 acres in SW1/4SW1/4, Sec. 3; 3400 West 33rd North, Idaho Falls, Idaho 83402.
5. Robert Snarr: 5.72 acres in S1/2S1/2SW1/4, Sec. 3; 3114 West 33rd North, Idaho Falls, Idaho 83402.
6. Bryon Reed: 162.28 acres in E1/2SW1/4 and SE1/4, lying West of the Great Western Canal, Sec. 3; 2277 North 35th West, Idaho Falls, Idaho 83402.

7. Basil Barna: 1.65 acres in S1/2S1/2SW1/4, Sec. 3; 3040 West 33rd North, Idaho Falls, Idaho 83402.
 8. Hansen Farms, Inc.: 7 acres in SW1/4NW1/4, lying West of the Great Western Canal, Sec. 2; 253.77 acres in N1/2, Sec. 3; and 164.51 acres in Lots 1-2, S1/2NE1/4, N1/2N1/2, Sec. 4; 82 acres in W1/2W1/2 lying east of the Oakland Canal, Sec. 4; 128 acres in Lot 3, SE1/4NW1/4, E1/2SW1/4, Sec. 4; 4329 North 26th West, Idaho Falls, Idaho 83402.
 9. Von White: 3.0 acres in S1/2S1/2SW1/4, Sec. 4; 4134 West 33rd North, Idaho Falls, Idaho 83402.
 10. Tom Bailey: 4.89 acres in S1/2S1/2SW1/4, Sec. 4; 4292 West 33rd North, Idaho Falls, Idaho 83402.
 11. Ted Trillhaase: 4.5 acres in S1/2S1/2SW1/4, Sec. 4; 4058 West 33rd North, Idaho Falls, Idaho 83402.
 12. John & Carolina Newman Trust: 77.64 acres in S1/2SE1/4, Sec. 4; 3549 North 35th West, Idaho Falls, Idaho 83402.
 13. Lex Hightower: .87 acres in the SE corner, Sec. 4; 3335 North 35th West, Idaho Falls, Idaho 83402.
 14. Carl Landeen: 1.5 acres in NE Corner, Sec. 9; 3281 North 35th West, Idaho Falls, Idaho 83402.
 15. Charles LeRoy Reed: 310.68 acres in E1/2 and E1/2E1/2SW1/4, Section 9; 14 acres in NW1/4SW1/4, lying West of the Great Western Canal, Sec. 10; 2212 North 35th West, Idaho Falls, Idaho 83402.
 16. David Pancheri: 1 acre in SE1/4NE1/4, Sec. 9; 2607 North 35th West, Idaho Falls, Idaho 83402.
 17. Jerry Becker: 115 acres in NW1/4, east of Oakland Canal, Sec. 9; 3050 North 45th West, Idaho Falls, Idaho 83402.
 18. Ivan Johnson: 140 acres in SW corner of NW1/4 and SW1/4, Sec. 9; 2558 North 45th West, Idaho Falls, Idaho 83402.
 19. Richard Woodruff: 1.29 acres in SW corner, Sec. 3; 3490 West 33rd North, Idaho Falls, Idaho 83402.
- Published: July 20, 27,
August 3, 10, 2004

PROFILED

SCANNED
APR 22 2005



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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 29, 2004

BRADLEY A SNARR
3977 N 35 W
IDAHO FALLS ID 83402

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 01-35AL, 01-83AF,
01-162L, 01-163L, 01-10104

Dear Mr. Snarr:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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APR 22 2005

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New Sweden Irrigation District

Annexations 9-14-2004

ANNOUNCED
APR 22 2005



4
596
T 834

①
55.8

②
184.0

HEL

2717
T 865

3110
T 106

③
60.0

HEL

① 39.8

BRAD SWARR

②
88.0

③
35.9

3114
T 1067

① 38.7
NEWMAN
TRUST

②
36.8

P.O.D.

P.O.D.

HEL

HEL

HEL

3110
T 1112

3115
T 1037

①
67.7

②
74.9

①
81.7

②
38.8

SCANNED

APR 22 2005

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DELOG SKIP
1-23-04OK AC
1-29-04STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPRECEIVED
JAN 23 2004Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned. Department of Water Resources
Eastern Region

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, 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
01-35 AL					
01-83 AF					
01-162 L					
01-163 L					
01-16104					

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) are 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) Wayne C Snarr
4. New Owner/Claimant(s) Bradley A Snarr
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3977 N 35 W
- City, State and ZIP Code Idaho Falls ID 83402
- New Telephone Number (208) 524-1393
5. Date you acquired the property 2002

PROFILED

SCANNED
APR 22 2005

WARRANTY DEED

BONNEVILLE COUNTY RECORDER
1077325 MAY 1 '02 PM 2 48

WAYNE C. SNARR and RUTH L. SNARR, individually and as Trustees of the WAYNE C. SNARR AND RUTH L. SNARR TRUST, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

BRADLEY A. SNARR and RUBY SNARR, husband and wife, as GRANTEE,

whose address is 3977 North 35th West, Idaho Falls Id 83402, and Grantee's successors and assigns, all of the following described real property, to-wit:

AN UNDIVIDED 60% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho;

Section 3: W1/2 SW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along the Section line 374.00 feet; thence N89°28'09"E 172.00 feet; thence S03°37'41"E 172.46 feet; thence S89°28'09"W 60.00 feet; thence S03°37'41"E 100.00 feet; thence N89°28'09"E 38.00 feet; thence S03°37'41"E 101.54 feet to the South line of said Section 3; thence S89°28'09"W 150.00 feet to the point of beginning.
- b. Beginning at a point that is N89°28'09"E 307.41 feet along the Section line from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N0°31'51"W 188.00 feet; thence N89°28'09"E 172.59 feet; thence S0°31'51"E 188.00 feet to the South line of said Section 3; thence S89°28'09"W 172.59 feet along the South line of said Section 3 to the point of beginning.
- c. Beginning at a point that is N89°28'09"E 480.00 feet along the Section line from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N0°31'51"W 188.00 feet; thence N89°28'09"E 140.41 feet; thence S41°02'13"E 89.40 feet; thence S0°31'51"E 120.00 feet to the South line of said Section 3; thence S89°28'09"W 198.50 feet along the South line of said Section 3 to the point of beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED ACCESS EASEMENTS:

Beginning at a point that is N03°37'41"W along the Section line 101.54 feet from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along said Section line 60.00 feet; thence N89°28'09"E 102.00 feet; thence N03°37'41"W 80.00 feet; thence N89°28'09"E 70.00 feet; thence S03°37'41"E 40.00 feet; thence S89°28'09"W 60.00 feet; thence S03°37'41"E 100.00 feet; thence S89°28'09"W 112.00 feet to the point of beginning.

AND: Beginning at a point that is N03°37'41"W along the Section line 314.00 feet from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along said Section line 60.00 feet; thence N89°28'09"E 172.00 feet; thence S03°37'41"E 60.00 feet; thence S89°28'09"W 172.00 feet to the point of beginning.

SUBJECT TO the 2002 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: April 25, 2002

Wayne C. Snarr
Wayne C. Snarr

Ruth L. Snarr
Ruth L. Snarr

PROFILED

SCANNED
APR 22 2005

Bonneville Land & Title Co.

497 N. Capital Ave • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (208) 524-6600

INSTRUMENT NO.	1077325
DATE	5-1-02
INRT. CODE	205
IMAGED PGS	2
FEE	6.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss I hereby certify that the within instrument was recorded.	
Historic Longmore, County Recorder	
By	<i>BLT</i> Deputy
Recorded at	BLT

STATE OF IDAHO

)
) ss
)

COUNTY OF _____

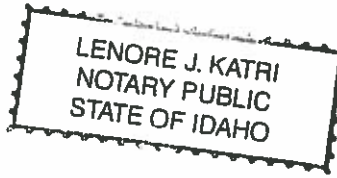
On April 25, 2002, before me, the undersigned, personally appeared
Wayne C. Snarr and Ruth L. Snarr

known or identified to me to be the person(s) whose name(s) is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.



Notary Public for the State of Idaho

Commission Expiration Date: 1/28/2003



STATE OF IDAHO

)
) ss
)

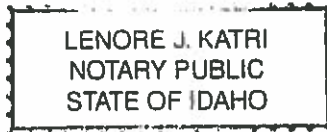
COUNTY OF BONNEVILLE

On April 25, 2002, before me, the undersigned, personally appeared
Wayne C. Snarr and Ruth L. Snarr known or identified to me to be the person
whose name is subscribed to the within instrument as Trustees of the Wayne C.
Snarr and Ruth L. Snarr Trust and acknowledged to me that they executed the
same as the Trustees of such Trust.



Notary Public for the State of Idaho

Commission Expiration Date: 1/28/2003



PROFILED

SCANNED

APR 22 2005

Bonneville Land & Title Co.

GIFT DEED

BONNEVILLE COUNTY RECORDER
1077324 MAY 1 '02 PM 2:47

WAYNE C. SNARR and RUTH L. SNARR, individually and as Trustees of the WAYNE C. SNARR AND RUTH L. SNARR TRUST, as GRANTORS, for and in consideration of the love and affection which Grantor has for BRADLEY A. SNARR and RUBY SNARR, husband and wife, as GRANTEE, whose address is 3977 North 35th West, Idaho Falls, Idaho 83402, Grantor does hereby grant, bargain, sell and convey unto Grantees, all of the following described real property, to-wit:

AN UNDIVIDED 40% INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho;

Section 3: W1/2 SW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- Beginning at the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along the Section line 374.00 feet; thence N89°28'09"E 172.00 feet; thence S03°37'41"E 172.46 feet; thence S89°28'09"W 60.00 feet; thence S03°37'41"E 100.00 feet; thence N89°28'09"E 38.00 feet; thence S03°37'41"E 101.54 feet to the South line of said Section 3; thence S89°28'09"W 150.00 feet to the point of beginning.
- Beginning at a point that is N89°28'09"E 307.41 feet along the Section line from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N0°31'51"W 188.00 feet; thence N89°28'09"E 172.59 feet; thence S0°31'51"E 188.00 feet to the South line of said Section 3; thence S89°28'09"W 172.59 feet along the South line of said Section 3 to the point of beginning.
- Beginning at a point that is N89°28'09"E 480.00 feet along the Section line from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N0°31'51"W 188.00 feet; thence N89°28'09"E 140.41 feet; thence S41°02'13"E 89.40 feet; thence S0°31'51"E 120.00 feet to the South line of said Section 3; thence S89°28'09"W 198.50 feet along the South line of said Section 3 to the point of beginning.

TOGETHER WITH THE FOLLOWING DESCRIBED ACCESS EASEMENTS:

Beginning at a point that is N03°37'41"W along the Section line 101.54 feet from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along said Section line 60.00 feet; thence N89°28'09"E 102.00 feet; thence N03°37'41"W 80.00 feet; thence N89°28'09"E 70.00 feet; thence S03°37'41"E 40.00 feet; thence S89°28'09"W 60.00 feet; thence S03°37'41"E 100.00 feet; thence S89°28'09"W 112.00 feet to the point of beginning.

AND: Beginning at a point that is N03°37'41"W along the Section line 314.00 feet from the Southwest Corner of Section 3, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N03°37'41"W along said Section line 60.00 feet; thence N89°28'09"E 172.00 feet; thence S03°37'41"E 60.00 feet; thence S89°28'09"W 172.00 feet to the point of beginning.

SUBJECT TO the 2002 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: APRIL 25, 2002.

Wayne C. Snarr
Wayne C. Snarr, individually and as Trustee of the
Wayne C. Snarr and Ruth L. Snarr Trust

Ruth L. Snarr
Ruth L. Snarr, individually and as Trustee of the
Wayne C. Snarr and Ruth L. Snarr Trust

STATE OF IDAHO)
COUNTY OF BONNEVILLE) ss

SCANNED

On April 25, 2002, before me, the undersigned, personally appeared Wayne C. Snarr and Ruth L. Snarr known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Lenore J. Katri
Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003

LENORE J. KATRI
NOTARY PUBLIC
STATE OF IDAHO

FILED

INSTRUMENT NO.	1077324
DATE	5-1-02
INST. CODE	201
IMAGED PGS	2
FEE	6.00
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<u>R. Long</u> Deputy
Request of	BLT

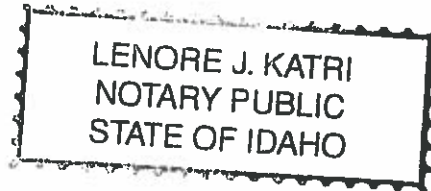
STATE OF IDAHO

COUNTY OF Bonneville

)
) ss
)

On April 25, 2002, before me, the undersigned, personally appeared WAYNE C. SNARR and RUTH L. SNARR known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the Wayne C. Snarr and Ruth L. Snarr Trust and acknowledged to me that they executed the same as such Trustees.


Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003



PROFILED

SCANNED
APR 22 2005

596
T 834

①
55.8

②
184.0

HEL

2777
T 865

3110
T 106

③
48.0

① 39.3

HEL

HEL

②
38.0

③
35.9

3114
T 1067

①
38.7

②
36.8

OUT

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3110
T 1112

①
67.7

②
74.9

3115
T 1037

①
51.9

②
38.8

To

BOANETT
APR 23 2005

PROFILES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-35AL

WATER RIGHT NUMBER: 1-35AL

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WAYNE C SNARR 3400 W 33RD N IDAHO FALLS, ID 83402 (208)522-8929
Current Owner	NEW SWEDEN IRRIGATION DIST 2350 W 1700 S IDAHO FALLS, ID 83402 (208)523-0175
Original Owner	BRADLEY A SNARR 3977 N 35TH W IDAHO FALLS, ID 83402 (208)524-1393

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.420 CFS	
	<u>Total Diversion:</u>	0.420 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L1 (NE1/4NE1/4)	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	NE1/4NW1/4	Sec. 10, Twp 03N, Rge 37E, B.M.
BONNEVILLE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	37E	3									39.0		35.0						74.0
02N	37E	4													20.0	20.0			40.0

Total Acres: 114

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-35AL

Remarks:

1. General CARRIED TO THE WESTSIDE MUTURAL CANAL HEADING IN THE NE1/4NW1/4 SECTION 10, TWP 03N, RGE 37E. THE WATER IS THEN CONVEYED TO A PUMPING PLANT WHICH DIVERTS IT INTO A SPRINKLER IRRIGATION SYSTEM.
THIS NOTICE IDENTIFIES THAT PORTION OF RIGHT A01-00035 WHICH BECAME APPURTENANT TO MY FARM AS A RESULT OF TRANSFER #645.

Comments: CHANGE OF OWNERSHIP COMPLETE 04/19/2004.KMJ

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-35AL

WATER RIGHT NUMBER: 1-35AL

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WAYNE C SNARR 3400 W 33RD N IDAHO FALLS, ID 83402 (208)522-8929
Current Owner	BRADLEY A SNARR 3977 N 35TH W IDAHO FALLS, ID 83402 (208)524-1393

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.420 CFS	
	<u>Total Diversion:</u>	0.420 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L1 (NE1/4NE1/4)	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		
SNAKE RIVER	NE1/4NW1/4	Sec. 10, Twp 03N, Rge 37E, B.M.
BONNEVILLE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	37E	3											39.0	35.0					74.0
02N	37E	4													20.0	20.0			40.0

Total Acres: 114

Conditions of Approval:Remarks:

SCANNED

AUG 17 2001

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: A01-00035AL
Date Received: 7/21/1989
Receipt No: E009547
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WAYNE C. SNARR 208-522-8929
Address: 3400 W. 33 N.
IDAHO FALLS, ID 83402

2. Date of Priority: JUN 1, 1885

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	37E	10	NE	NW		R	BONNEVILLE
04N	37E	35	NE	NE	1		JEFFERSON

5. Description of diverting works:
WATER IS DIVERTED INTO GREAT WESTERN CANAL AND (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.420		

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

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	3	NW	SW		IRR	39.0
			SW	SW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	74.0
		4	NE	SE	IRR	20.0
			NW	SE	IRR	20.0
					Section Acres	40.0
					Total Acres	114.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A01-10104/00162L/00163L/00083AF/261 AF OF PALISADES STORAGE.

14. Remarks:

CARRIED TO THE WESTSIDE MUTURAL CANAL HEADING IN THE NE1/4NW1/4 SECTION 10, TWP 03N, RGE 37E. THE WATER IS THEN CONVEYED TO A PUMPING PLANT WHICH DIVERTS IT INTO A SPRINKLER IRRIGATION SYSTEM.

THIS NOTICE IDENTIFIES THAT PORTION OF RIGHT A01-00035 WHICH BECAME APPURTENANT TO MY FARM AS A RESULT OF TRANSFER #645.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO.

Decree Plaintiff

TETON IRR. CANAL CO.

vs Decree Defendant

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): Gayne C Snarr Date: 4/29/91

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of April 19 91 Betty J Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94

MICROFILMED

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: A01-00035AL
Date Received: 7/21/1989
Receipt No: E00954~
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE C. SNARR 208-522-8929
Address: 3400 W. 33 N.
IDAHO FALLS, ID 83402

2. Date of Priority: JUN 01, 1885

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	37E	10	NE	NW		R	BONNEVILLE
04N	37E	35	NE	NE	1		JEFFERSON

5. Description of diverting works:
WATER IS DIVERTED INTO GREAT WESTERN CANAL AND (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.420		

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

8. Total consumptive use is 285.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	37E	3	NW	SW		IRR	39.0
			SW	SW		IRR	35.0

Section Acres 74.0

A01-00035AL

Page 1

Date: 07/21/89

COPY

MICROFILMED

OCT 16 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	37E	4	NE	SE		IRR	20.0
			NW	SE		IRR	20.0
Section Acres							40.0
Total Acres							114.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A01-10104/00162L/00163L/00083AF/261 AF OF PALISADES STORAGE.

14. Remarks:

CARRIED TO THE WESTSIDE MUTURAL CANAL HEADING IN THE NE1/4NW1/4 SECTION 10, TWP 03N, RGE 37E. THE WATER IS THEN CONVEYED TO A PUMPING PLANT WHICH DIVERTS IT INTO A SPRINKLER IRRIGATION SYSTEM.

THIS NOTICE IDENTIFIES THAT PORTION OF RIGHT A01-00035 WHICH BECAME APPURTENANT TO MY FARM AS A RESULT OF TRANSFER #645.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO.

Decree Plaintiff

vs

TETON IRR. CANAL CO.

Decree Defendant

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Wayne C Smarr Date: 7/21/89

Date: _____

State of Idaho)
County of Bonneville) SS.

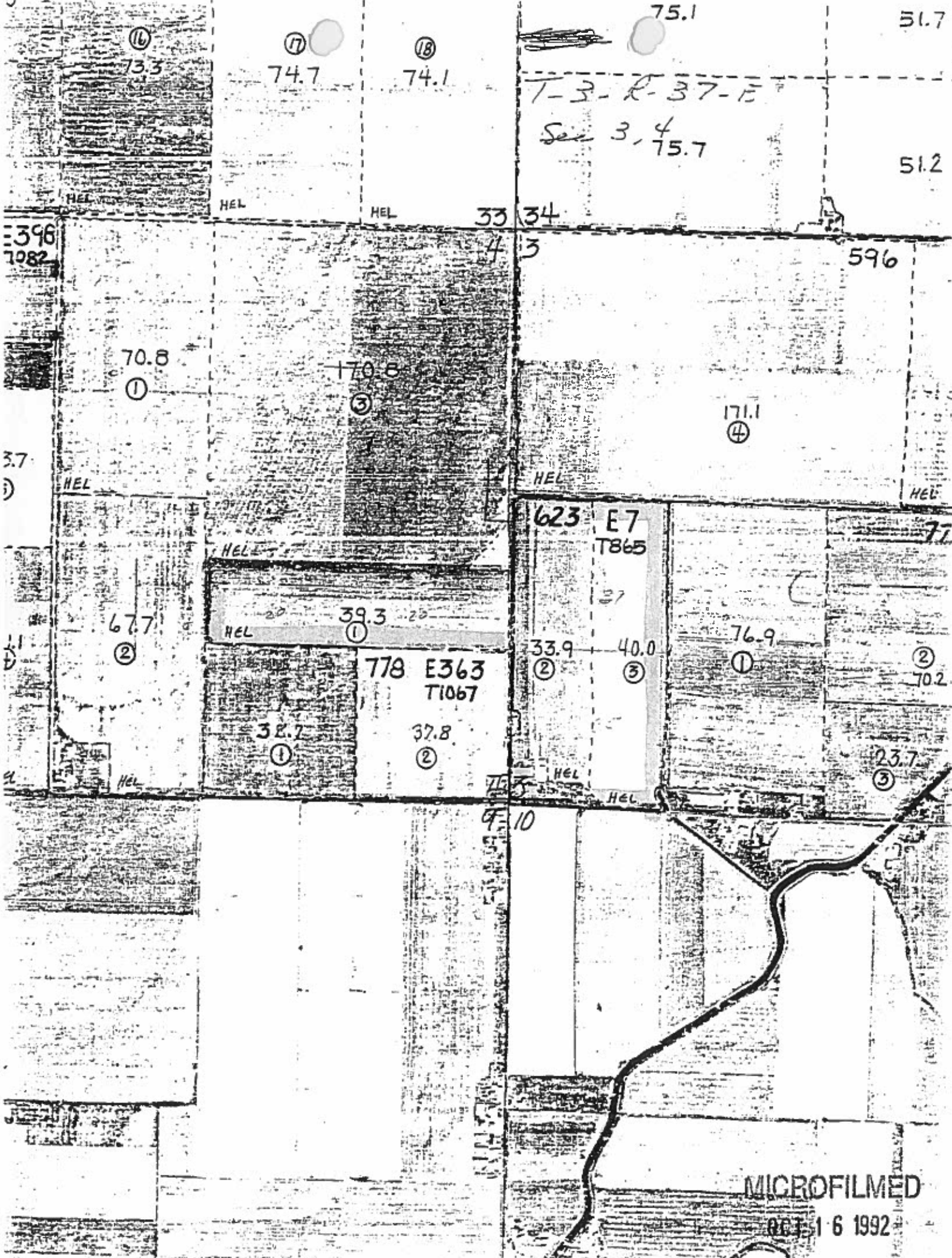
Subscribed and sworn (or affirmed) before me this 21 day

of July 19 89

Seal

Ernest Carlson
Notary Public

Residing at Shosh Falls ID
My Commission Expires 6/4/89.



MICROFILMED
OCT 16 1992

Break down of Notices filed by Leroy Reed, Bryon Reed & Wayne Snarr

Wayne Snarr

SNARR WATER RIGHTS

		E009116 Leroy Reed ROY 00035AT	E009427 BRYON REED BRYON 00035AK	E009547 WAYNE SNARR WAYNE A01-00035AL
T645	01-00035B			
1.66	CFS--JUNE 1, 1885--83"--.17"PER.A.--FOR 488-A.	32.30	29.75	20.91
T659	01-00162H	00162J	00162K	01-00162L
2.05	"--AUG. 13, 1888--102.50-21"PER.A.	39.90	36.75	25.83
T659	01-00163H	00163J	00163K	01-00163L
.62	"--JUNE 1, 1889--31"--.063"PER.A.	12.06	11.02	7.79
T658	01-00083S	00083AD	00083AE	01-00083AF
1.644	"--JUNE 1, 1891--82"--.168"PER.A.	31.92	29.75	20.86
T659	01-00164H	00164J	00164K	
.28	"--JUNE 1, 1900--14"--.028"PER.A.	5.32	4.90	3.44
T659	01-00165H	00165J	00165K	
.75	"--JUNE 1, 1905--37.50".076"PER.A.	14.44	13.30	9.35

1062 ACRE FEET PALISADES STORAGE SPLIT 3 WAYS EQUAL ON 488 ACRES.

1

135.94 125.12 87.38

MICROFILMED

OCT 16 1992