

11/06/2006

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

RIGHT NUMBER: 1-35AN

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.647 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
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.647 CFS

PLACE OF USE:

27920 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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.

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: 1-35AN

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 11, 2006 SIGNATURE: Louis Thiel
Please print your name: Louis Thiel

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

PROFILED

SCANNED
APR 19 2007

RECEIVED

SEP 11 2006

Department of Water Resources
Eastern Region

Handwritten: K...
6/2

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 Island 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:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28,
Township 4 North, Range 39 East, B. M.

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. 278 on record in the
Department of Reclamation.

5.14 cu ft
June 1885

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 $\frac{1}{2}$ - August 13, 1888 (0.755)
01-0163 16.78 $\frac{1}{2}$ - June 1, 1889 (0.227)
01-0164 7.78 $\frac{1}{2}$ - June 1, 1900 (0.106)
01-0165 12.98 $\frac{1}{2}$ - June 1, 1905 (0.272)

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

REXBURG IRRIGATION COMPANY, Plaintiff,

vs.
TETON IRRIGATION COMPANY, ET AL., Defendants,
Said decree bearing date of December 16, 1910,

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

Applicant is the owner of Stock Certificate No. 563 for 22.59 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.

SCANNED

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.

APR 9 2007

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
Irene C. Snare
480 ac
F. L. Hansen
473 ac
all Morris

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
1.66 cubic feet per second, dated June 1, 1885
Lots 1, 2, 3 & 4 and SW $\frac{1}{4}$ Section 3, 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

1-35 AL
AN
AP
Fr. of
01-0035B
1-10134

2.17 cubic feet per second, dated August 15, 1888
2.16 cubic feet per second, dated June 1, 1889
1.101 cubic feet per second, dated June 1, 1900
2.228 cubic feet per second, dated June 1, 1900

1-10246
and/or
1-10054?

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 $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 2, excepting therefrom that portion of the SW $\frac{1}{4}$ 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., Bingham County, Idaho

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 NE $\frac{1}{4}$ 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.

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.

James S. Spofford
State Reclamation Engineer

SCANNED
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

PROTECTED

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APR 21 2005

New Sweden Irrigation District Annexations 9-14-2004



130 Acres
Ivan's

Westside Mutual Ground

CHARLES L. REED

175 Acres
Pivot 1

P.O.D.

16 739
T 1001

18 476

17 22.5

737
T 992

3 30.4

639
T 991

4 22.1

642
T 996

12

4 4.3

3 2.2

663
T 991

Farm - 5

Field Names - Pivot 1
Ivan's

Legal - Sec 4
T 2N
R 37

PROFILE

Located west of Osgood road
west of my house and shop
east of Oakland Valley road

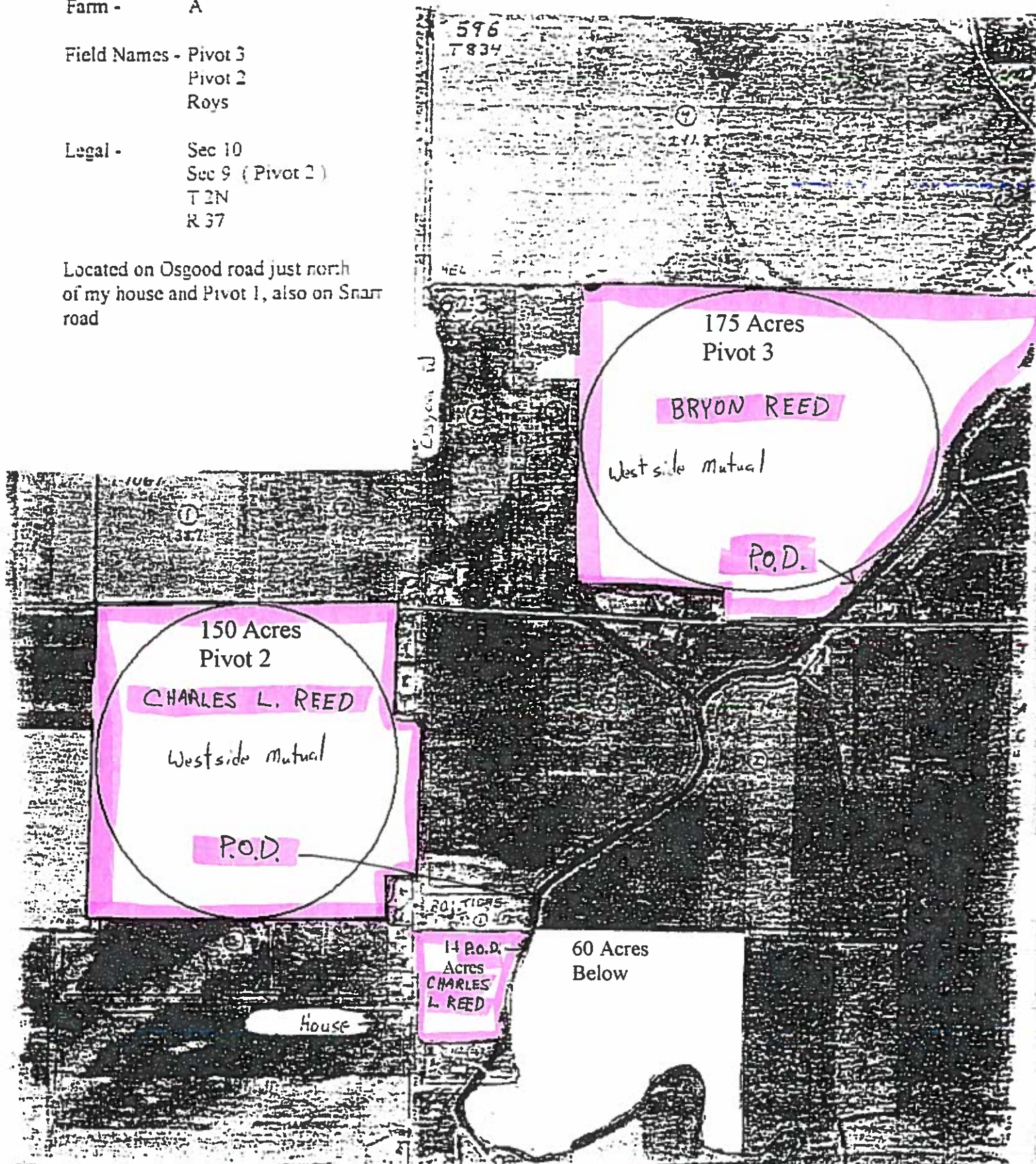
APR 21 2005

Farm - A

Field Names - Pivot 3
Pivot 2
Roys

Legal - Sec 10
Sec 9 (Pivot 2)
T 2N
R 37

Located on Osgood road just north
of my house and Pivot 1, also on Smart
road



Not to scale

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APR 21 2005

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

RECEIVED

MAR 10 2005

Department of Water Resources
Eastern Region

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
01-00035A <i>N</i>			01-00165J		
01-00162J					
01-00163J					
01-00083AD					
01-00164J					

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) Charles LeRoy Reed
2212 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 21 2005

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CHANGE COMPLETED
 DATE: 4/19/05
 RMD

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)

Louis H. Hail
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

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APR 21 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-

PROFILE

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APR 21 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: 310.66 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

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APR 21 2005

PROFILE

A01-162J, -163J, -164J, -165J + A01-354J^N

1/ P.O.U. confirmation exam was done on 1-9-2004 with Bryan Reed, the new owner. Mr. Reed was given a change of ownership form + instructions. (523-4690)

2/ The adjusted P.O.U. is outlined in silver-pen on the Arc View map.

3/ This exam was done by Harold Jones of Water Rights Contracting Services

4/ See map in file A01-00083AD

5/ P.O.D is Great Western Canal

SCANNED

OCT 07 2004

PROFILED

OK per EC 2/4/04
RECEIVED
FEB 04 2004
Department of Water Resources
Eastern Region

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.

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
	<u>A01-162J</u>			<u>A01-35AN</u>	
	<u>A01-163J</u>				
	<u>A01-164J</u>				
	<u>A01-165J</u>				
	<u>A01-8340</u>				

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)

Charles Le Roy Reed
2212 N 35 W I.F. 83402

4. New Owner/Claimant(s)

Charles Le Roy Reed | Bryan L Reed
Name Connector (Check one): ☒ and, [] or, [] and/or

New Mailing Address

2212 N 35 W | 2277 N 35 W

City, State and ZIP Code

Idaho Falls ID 83402 | Idaho Falls ID 83402

New Telephone Number

() 522-1494 | 522-4691

5. Date you acquired the property

SCANNED
OCT 07 2004
PROFILED



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

February 4, 2004

BRYON L REED
2277 N 35 W
IDAHO FALLS ID 83402

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 01-35AN, 01-83AD,
01-162J, 01-163J, 01-164J, 01-165J,

Dear Mr. Reed:

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

PROFILED

SCANNED
OCT 07 2004

Quitclaim Deed

BONNEVILLE COUNTY RECORDER

1114247 MAY20'03 AM1043

FOR VALUABLE CONSIDERATION RECEIVED Charles S. Reed

the Grantor, does hereby REMISE, RELEASE and forever QUITCLAIM, unto

Bryon L. Reed and JoAnne Reed. Husband and Wife

the Grantee, whose current address is 2277 N 35 W

Idaho Falls, ID 83402

the

following described real estate situated in Bonneville County

County, State of Idaho, to-wit:

Parcel-1

The South Half (S1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4), of Section 10 wonship 2 North, Range 37 East of the Boise Meridian, lying North of the East lateral of the New Sweden Canal.

EXCEPTING THEREFROM 2 parcels decribed as:

1. Beginning at the point where the East right-of-way line of said Canl intersects the South boundary of the above described property and thence extending East along said boundary line to an existing line fence, a distance of approximately 404 feet, thence North along said line fence to a point where said line fence intersects the East right-of-way line of said Canal, a distance of approximately 511 feet, thence along the East right-of-way line of said Canal

(Continued on attached document.)

SCANNED

OCT 07 2004

TOGETHER, with all tenements, hereditaments and appurtenances thereunto belonging.

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

DATED: 5/20/03

Charles S. Reed By Charles LeRoy Reed P.O.A.

PROFILED

STATE OF IDAHO, County of

On this 20 day of May 2003

Before me, Debra D. Reddick
Notary Public in and for the said State personally
Appeared

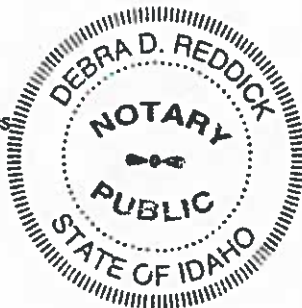
Charles LeRoy Reed

Known to me to be the person(s) whose name(s)
Subscribed to the within instrument and acknowledges
To me that he executed the same.

Debra D. Reddick

Residing at Idaho Falls, Idaho
Comm. Expires 3/27/2007

THIS SPACE FOR COUNTY RECORDER'S USE ONLY.



INSTRUMENT NO.	<u>1114247</u>
DATE	<u>5-20-03</u>
INST. CODE	<u>220</u>
IMAGED PGS	<u>2</u>
FEE	<u>6.00</u>
STATE OF IDAHO) COUNTY OF BONNEVILLE) ss	
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By <u>R. Longmore</u>	Deputy
Request of <u>Charles Reed</u>	

Canal, a distance of approximately 511 feet, thence along the East right-of-way line of said Canal in a Southwesterly direction to the point of beginning.

- 2 . Beginning at the W 16th line SW1/4 of Section 10, Township 2 North, Range 37. Thence running in a northerly direction along the West section line of Section (10) 208 feet to the point of beginning; thence North 400 feet, thence East approximately 650 feet to the Great Western Canal of the New Sweden Irrigation District, thence in a Southerly direction along Great Western Canal approximately 400 feet, thence in a Westerly direction approximately 512 feet to more or less to the point of beginning

Parcel 2:

That portion of the North ~~West~~ ^{NW 1/4} Quarter ~~(SW 1/4)~~ of the South ~~West~~ Quarter ^{SW 1/4} of Section 10, Township 2 North, Range 37, East of the Boise Meridian, lying northeasterly of the East lateral of the New Sweden Canal

RESERVING, HOWEVER, as an appurtenant to Parcel 1 above described a one-half interest in and the right to use the water of an existing domestic well and water system, including lines connected thereto, located on the above described parcel excepted from Parcel 1 above described

SCANNED
OCT 07 2004

PROFILED

ACKNOWLEDGMENT OF LEGAL DESCRIPTION

On the 13th day of February, 2001, Charles LeRoy Reed and LaRene Reed as Lessor and Bryon Lee Reed and JoAnne Reed as Lessee entered into a Farm Lease and Option to Purchase. The parties hereby agree that the legal description related to said Farm Lease and Option to Purchase is set forth as the attached Exhibit "A".

Dated this 28 day of January, 2003.

LESSOR:

Charles LeRoy Reed
Charles LeRoy Reed

LaRene Reed
LaRene Reed

LESSEE:

Bryon Lee Reed
Bryon Lee Reed

JoAnne Reed
JoAnne Reed

SCANNED

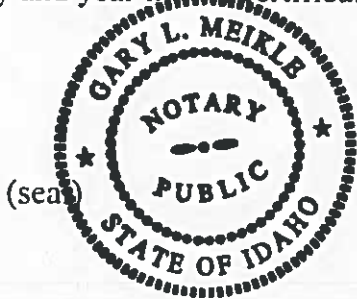
OCT 07 2004

PROFILED

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 28 day of January, 2003, before me, the undersigned, a notary public in and for said State, personally appeared Charles LeRoy Reed and LaRene Reed, husband and wife, 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.

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

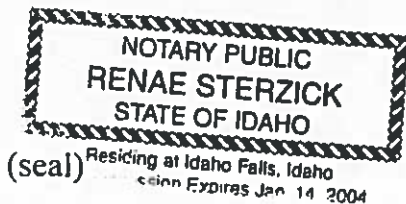


Gary L. Meikle
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 12/13/03

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 18 day of ~~January~~ ^{February}, 2003, before me, the undersigned, a notary public in and for said State, personally appeared Bryon Lee Reed and ~~JoAnne Reed~~, husband and wife, 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.

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



Renae Sterzick
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 1-14-2004

SCANNED

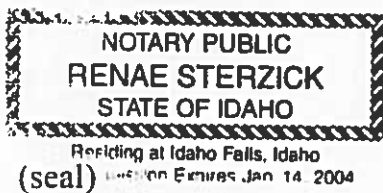
OCT 07 2004

PROFILED

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 18 day of March, 2003, before me, the undersigned, a notary public in and for said State, personally appeared JoAnne Reed, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.



Renae Sterzick
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 1-14-2004

G:\WPDATA\GLM\8551\ack legal.wpd as

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OCT 07 2004

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EXHIBIT "A"

TRACT I

BEGINNING at the Northwest Corner of the Northeast Quarter of Section 9, Township 2 North, Range 37 E.B.M., thence East along the North Section Line of said Section 1700 feet; thence South 3233 feet in a line which is parallel to the North-South Mid Section Center Line of said Section; thence West 2030 feet in a line which is parallel to the East-West Center Section Line of said Section; thence North 618 feet in a line which is parallel to the North-South Center Section Line of said Section; thence East 330 feet in a line which is parallel to the East-West Center Section Line of said Section; thence North to the POINT OF BEGINNING.

TRACT II

BEGINNING at a point located on the North Section Line of Section 9, Township 2 North, Range 37 E.B.M., which is 250 feet West of the Northeast Corner of Section 9, Township 2 North, Range 37 E.B.M.; thence South in a line which is parallel to the East Section Line of said Section 1639 feet; thence East in a line which is parallel to the North Section Line of said Section 250 feet; thence South along the East Section Line of said Section 765 feet; thence West in a line which is parallel to the North Section Line of said Section 250 feet; thence South in a line which is parallel to the East Section Line of said Section a distance of 778 feet; thence East in a line parallel to the North Section Line of said Section 250 feet; thence South along the East Section Line of said Section 51 feet; thence West in a line which is parallel to the North Section Line of said Section 940 feet; thence North in a line which is parallel to the North-South Mid Section Line of said Section 3233 feet; thence East along the North Section Line of said Section to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following two parcels:

(1) BEGINNING at a point that is South along the Section line 2205 feet from the Northeast corner of Section 9, Township 2 North, Range 37 East of the Boise Meridian, running thence South 175.6 feet; thence N 89° 51' W. 250.0 feet; thence North 175.0 feet; thence East 250 feet to the Point of Beginning.

(2) BEGINNING at a point located on the North Section Line of Section 9, Township 2 North, Range 37 E.B.M., which is 250 feet West of the Northeast Corner of Section 9, Township 2 North, Range 37 E.B.M.; thence South in a line which is parallel to the East Section Line of said Section 1639 feet to the true point of beginning; thence East in a line which is parallel to the North Section Line of said Section 250 feet; thence South along the East Section Line of said Section 765 feet; thence West in a line which is parallel

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OCT 07 2004

PROFILED

to the North Section Line of said Section 250 feet; thence North in a line which is parallel to the East Section Line of said Section 765 feet to the point of beginning.

TRACT III

Southeast Quarter (SE1/4) of Section 9, Township 2 North, Range 37 East of the Boise Meridian, excepting therefrom the following two tracts:

(1) Beginning 630 feet South of the Northeast corner of the Southeast Quarter of Section 9, Township 2 North, Range 37, East of the Boise Meridian, running thence West 208.71 feet, thence South 208.71 feet, thence East 208.71 feet, thence North 208.71 feet, to the point of beginning.

(2) Starting at the SE corner of Section 9, Township 2 North, Range 37 EBM, thence West 104 feet along the section line to the point of beginning, thence North easterly along the East line of the Great Western Canal 208.7 feet; thence West 208.7 feet, thence South and parallel to the canal a distance of 208.7 feet, thence East along the South section line 208.7 feet to the point of beginning.

SCANNED
OCT 07 2004

PROFILED

600456

WARRANTY DEEDBONNEVILLE COUNTY
CLERK

THIS INDENTURE, made this 10th day of April, 1984, by and between DAVID SMITH REED and SHARON LaRUE REED, his wife, of the County of Bonneville, State of Idaho, the parties of the first part, and BRYON L. REED and JOANNE REED, his wife, whose mailing address is Route 9, Box 213, Idaho Falls, Idaho, of the County of Bonneville, State of Idaho, the parties of the second part.

W I T N E S S E T H:

That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America, and other good and valuable considerations, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all the following described real estate, situate in the County of Bonneville, State of Idaho, to-wit:

PARCEL 1:

The North Half (N1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4), of Section 10, Township 2 North, Range 37, East of the Boise Meridian.

PARCEL 2:

A parcel located in the South Half (S1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4) of said Section 10, described as:

Beginning at the point where the East right-of-way line of the Great Western Canal intersects the South boundary thereof, and thence extending East along said boundary line to an existing line fence, a distance of approximately 404 feet, thence North along said line fence to a point where said line fence intersects the East right-of-way line of said Canal, a distance of approximately 511 feet, thence along the East right-of-way line of said Canal in a Southwesterly direction to the point of beginning.

TOGETHER WITH all water and water rights and ditch and ditch rights thereunto belonging or appertaining.

INSTRUMENT NO.	600456
DATE	4-10-84
IST. CODE	356
CHE NO.	4
E	50
STATE OF IDAHO	)
COUNTY OF BONNEVILLE	) ss
I, _____, County Recorder, do hereby certify that the within instrument was recorded.	
Notary Longmore,	
County Recorder	
Request of	

PROFILED

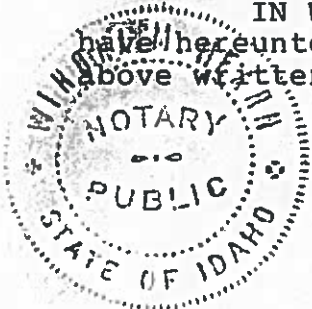
SCANNED
OCT 07 2004

SUBJECT TO all existing easements and rights-of-way record, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reverions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, and their heirs and assigns against the said parties of the first part and their heirs and against all and every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seals the day and year first above written.



David Smith Reed
Sharon LaRue Reed

STATE OF IDAHO,)
(ss.
County of Bonneville.)

On this 10th day of April, 1984, before me, the undersigned, a Notary Public in and for said state, personally appeared DAVID SMITH REED and SHARON LaRUE REED, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me 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.

Deanna M. Kearn
Notary Public for State of Idaho,
Residing at Idaho Falls, Idaho

(SEAL)
0527e:wh

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-35AN

WATER RIGHT NUMBER: 1-35AN

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NEW SWEDEN IRRIGATION DIST 2350 W 1700 S IDAHO FALLS, ID 83402 (208)523-0175

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	0.650 CFS	
	<u>Total Diversion:</u>	0.650 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NE1/4NE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

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	9	37.0	40.0	40.0	38.0					10.0				10.0	37.0	40.0	40.0	34.0	328.0
02N	37E	10									19.0									19.0

Total Acres: 345

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-35AN

WATER RIGHT NUMBER: 1-35AN

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES LE ROY REED 2212 N 35TH W IDAHO FALLS, ID 83402 (208)522-1294
Current Owner	BRYON L REED 2277 N 35TH W IDAHO FALLS, ID 83402 (208)522-4691

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	0.650 CFS	
	<u>Total Diversion:</u>	0.650 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	NE1/4NE1/4	Sec. 35, Twp 04N, Rge 37E, B.M.
JEFFERSON County		

Place of Use

IRRIGATION Within BONNEVILLE County

T02N R37E S09	NENE	37.0	T02N R37E S09	NWNE	40.0
T02N R37E S09	SWNE	40.0	T02N R37E S09	SENE	38.0
T02N R37E S09	NESW	10.0	T02N R37E S09	SESW	10.0
T02N R37E S09	NESE	37.0	T02N R37E S09	NWSE	40.0
T02N R37E S09	SWSE	40.0	T02N R37E S09	SESE	34.0
T02N R37E S10	NWSW	19.0			

Total Acres: 345

Conditions of Approval:

PROFILED

SCANNED

OCT 07 2004

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: A01-00035AN
Date Received: 6/16/1989
Receipt No: E009116
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES LEROY REED 208-522-1494
Address: 2212 NORTH 35TH WEST
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
04N	37E	35	NE	NE	NE		JEFFERSON

5. Description of diverting works:
GREAT WESTERN CANAL TWO PUMPS IN CANAL BOTH 75 HP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.650		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	9	NE	NE		IRR	37.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	38.0
			NE	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	9	SE	SW		IRR	10.0
			NE	SE		IRR	37.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	34.0
						Section Acres	326.0
		10	NW	SW		IRR	19.0
						Section Acres	19.0
						Total Acres	345.0

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:

01-00162J, 01-00163J. 01-00164J, 01-00165J, 01-00083AD

14. Remarks:

TRANS. 278.

P/D GREAT WESTERN CANAL.

THIS CLAIM IS A SPLIT OF 01-00035B CLAIMING 0.65 CFS OF THE ORIGINAL 5.14

THIS LAND IS ALSO COVERED BY PALISADES STORAGE WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

REXBURG IRRIGATION CO.

Decree Plaintiff

TETON IRRIGATION CANAL CO.

vs Decree Defendant

" B "

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

Renumbered A01-00035AN

Ident. Number: ~~A01-00035AJ~~ 11/25/94

Date Received: 6/16/1989

Receipt No: E009116

Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES LEROY REED
Address: 2212 NORTH 35TH WEST
IDAHO FALLS, ID

208-522-1494

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	Lot	County
04N	37E	35	NE	NE			JEFFERSON

5. Description of diverting works:

GREAT WESTERN CANAL TWO PUMPS IN CANAL BOTH 75 HP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.650		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	9	NE	NE		IRR	37.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	38.0

A01-00035AJ

Page 1

Date: 06/16/89

MICROFILMED

NOV 05 1996

MICROFILMED

OCT 16 1992

A0100035AN



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	37E	9	NE	SW	IRR	10.0
			SE	SW	IRR	10.0
			NE	SE	IRR	37.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	34.0
					Section Acres	326.0
		10	NW	SW	IRR	19.0
					Section Acres	19.0
					Total Acres	345.0

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:

01-00162J, 01-00163J. 01-00164J, 01-00165J, 01-00083AD

14. Remarks:

TRANS. 278.

P/D GREAT WESTERN CANAL.

|

THIS CLAIM IS A SPLIT OF 01-00035B CLAIMING 0.65 CFS OF THE ORIGINAL 5.14

|

THIS LAND IS ALSO COVERED BY PALISADES STORAGE WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.
Decree Plaintiff

TETON IRRIGATION CANAL CO.
Decree Defendant

vs

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: 1

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): Charles Leroy Reed Date: June 16, 1989

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of June 19 89

Anna Ballmeyer
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 12/7/1994

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

Wayne Snarr

	E009116	E009427	E009547
	Leroy Reed	Bryon Reed	Wayne Snarr
	ROY	BRYON	WAYNE
	00035AT	00035AK	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 01-00162N	00162J	00162K	01-00162L
2.05 "-----AUG. 13, 1888--102.50--21"PER.A.	39.90	36.75	25.83
T657 01-00163H	00163J	00163K	01-00163L
.62 "-----JUNE 1, 1889--31"--.063"PER.A.	12.06	11.02	7.79
T658 01-00023S	00083AD	00083AE	01-00083AF
1.544 "-----JUNE 1, 1891--82"--.168"PER.A.	31.92	29.75	20.91
T657 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, 1903--37.50".075"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 87.34

MICROFILMED
NOV 05 1996

MICROFILMED
OCT 16 1992