

05/02/2006

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

RIGHT NUMBER: 1-83AC

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 06/01/1891

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

1.200 CFS

PLACE OF USE:

27920 ACRES TOTAL

This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.

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 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

This right is a split from former right 1-83S.

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

Water is delivered through Great Western Canal and Porter Canal.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-83AC

WATER RIGHT NUMBER: 1-83AC

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IVAN W JOHNSON 2558 N 45 W IDAHO FALLS, ID 83402 (208)522-4388
Original Owner	ISLAND IRRIGATION CO C/O KENNETH THORNGREN 3829 E MENAN LORENZO HWY RIGBY, ID 83442 (208)745-7549
Current Owner	NEW SWEDEN IRRIGATION DIST 2350 W 1700 S IDAHO FALLS, ID 83402 (208)523-0175

Priority Date: 06/01/1891

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	1.200 CFS	
	<u>Total Diversion:</u>	1.200 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							2.0			30.0	40.0	40.0	30.0					142.0

Total Acres: 142

Conditions of Approval:Remarks:

- General TRANS. 934.
P/D GREAT WESTERN CANAL.
THIS RIGHT IS A SPLIT OF 01-00083S FOR 60" OR 1.2 CFS.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-83AC

Comments: OWNERSHIP CHANGE COMPLETED 04/19/2005.KMJ

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: 1-83AC

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
Department of Water Resources
Eastern Region

SCANNED
APR 23 2007

Handwritten initials

DEPARTMENT OF RECLAMATION
BUREAU OF IRRIGATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 664

THIS IS TO CERTIFY THAT ISLAND IRRIGATION COMPANY, of Lorenzo, Idaho, is the owner of and using a certain water right from Snake River, in the amount of 133.90 cubic feet per second of the waters of Snake River, bearing date of priority of June 1, 1891, said water being decreed to the ISLAND IRRIGATION COMPANY, by Judge J. M. Stevens, of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

THE REXBURG IRRIGATION COMPANY, ET AL,
Plaintiffs,

vs.

TETON IRRIGATION CANAL COMPANY, ET AL,
Defendants

said decree bearing date of December 16, 1910, and Supplemental Order of the same Court dated December 18, 1912, for the purpose of irrigating certain undescribed lands lying under the Island Irrigation Company system, situate, lying and being in Water District No. 36, in the County of Jefferson, State of Idaho.

And that 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.

And that now, upon the application of the ISLAND IRRIGATION COMPANY, of Lorenzo, Idaho, for the transfer of 7.60 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 7.60 cubic feet per second of the waters of Snake River upon the said undescribed lands lying under the Island Irrigation Company's system is hereby abandoned, and the lands to be irrigated under one-half of the above mentioned rights, and to which one-half of the above mentioned water rights hereby confirmed shall become appurtenant by this Certificate, for irrigation and domestic purposes, are described as follows, to-wit:

HOLLIS BECKER 2.0 cubic feet per second on NW $\frac{1}{4}$ Section 9;
EMIL C. JOHNSON 1.2 " " " " " SW $\frac{1}{4}$ " 9;
A D SNARA 0.2 " " " " " that portion of the NW $\frac{1}{4}$ Section 10
lying West of Great Western Canal;
0.4 " " " " " ENE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5;
C W BURKE
All in Township 2 North, Range 37 East, B. M.

And that the remaining one-half of the above mentioned water right shall be abandoned to the Snake River to compensate other water users for less return flow from the lands to which the water right is hereby transferred.

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:

3.8 cubic feet per second, bearing date of priority
of June 1, 1891

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TR664

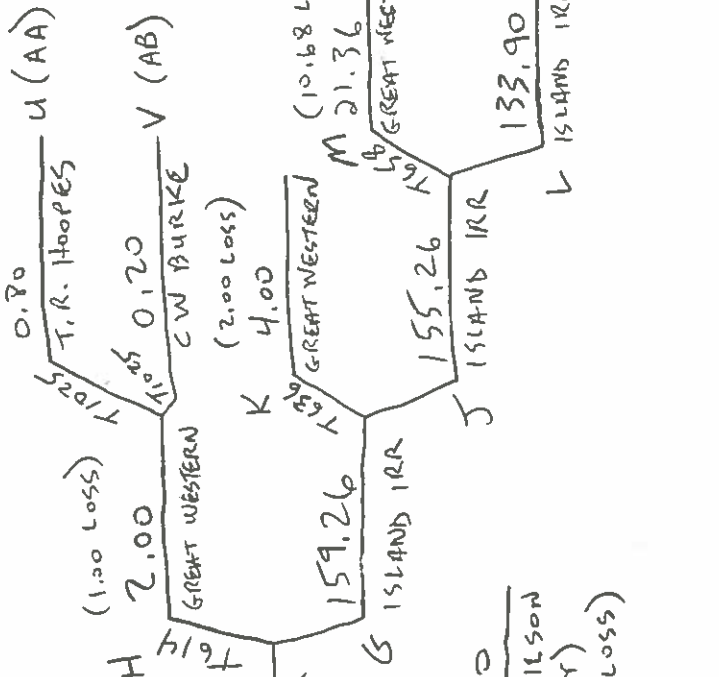
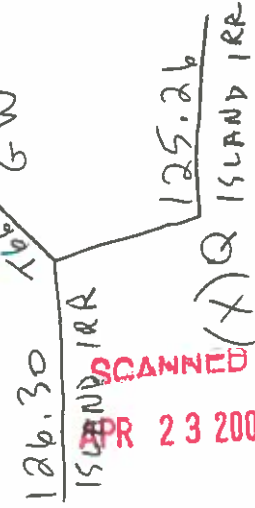
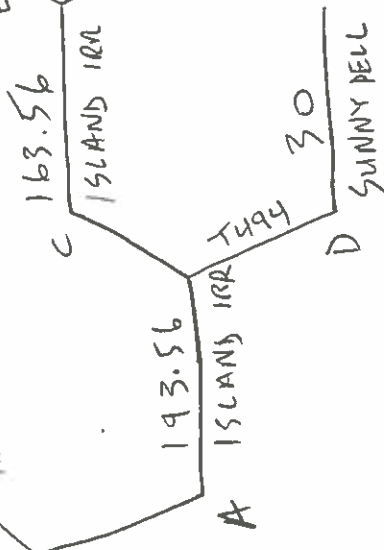


3.20

G.W.
 W 1/2 section 9, 2N 37E

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 ED HILL
 HILL - PERTINER

1-83
 ISLAND IRR
 6/1/1891
 195



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 APR 23 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
Director

April 19, 2005

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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760
T1028

①

66.5

Ivan Johnson

2442

T1113

HEL

HEL

P.O.D.

②

66.3

89 HEL

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16 2401
T1001

⑪

47.0

2001
T1064

Map
M-5

HEL

⑫ 22.5

① 8 2037
HEL T2212

②

7.7

①

6.5

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30.2

641
T2569

③

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④

9.7

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T2568

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642
T886

⑥

22.6

⑦

55.9

①

23.3

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23

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21

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APR 22 1963

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New Sweden Irrigation District Annexations 9-14-2004

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APR 22 2005



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

DELOG
M# 3/10/05
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 a 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
01-00195N					
01-00083AC					

CHANGE COMPLETED
DATE: 4/19/05
K.M.J.

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) Ivan Johnson
2558 N 45th W Idaho Falls ID 83402
4. New Owner/Claimant(s) New Sweden Irrigation District
 Name Connector (Check one): [] and, [] or, [] and/or
2350 W 1700 S
 New Mailing Address
 City, State and ZIP Code Idaho Falls ID 83402
 New Telephone Number (208) 523-0175
5. Date you acquired the property 9-14-2004

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APR 22 2005

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 _____

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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

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**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

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APR 22 2005

SCANNED

A01-220

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: A01-00083AC
Date Received: 6/14/1989
Receipt No: E009081
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVAN W, JOHNSON 208-522-4388
Address: 2558 NORTH 45 WEST
IDAHO FALLS, ID 83402

2. Date of Priority: JUN 01, 1891

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:
DELIVERY THROUGH OAKLAND CANAL, PUMP FROM CANAL 60 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 350.0 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	SW	NW		IRR	2.0
			NE	SW		IRR	30.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

A0100083AC



COPY

A01-00083AC

Page 1

Date: 06/14/89

MICROFILMED
OCT 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	37E	9	SE	SW		IRR	30.0
Section Acres							142.0
Total Acres							142.0

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:

A01-00195N, PALISAIDES STORAGE WATER

14. Remarks:

TRANS. 934.

P/D GREAT WESTERN CANAL.

THIS RIGHT IS A SPLIT OF 01-00083S FOR 60" OR 1.2 CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

REXBURG IRRIGATION CO.

Decree Plaintiff

vs

TETON IRRIGATION 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: 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): *Swan W. Johnson* Date: 6-14-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of June 19 89

Anna Baum
Notary Public

Seal

Residing at Bose Idaho
My Commission Expires 12/7 1994

3N
2N

A01-00083AC

