

08/14/2006

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

RIGHT NUMBER: 1-134A

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 119.650 CFS

When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Water District 01 Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 01/07/1886

POINT OF DIVERSION:

T02N R37E S12 NWNENW Within BONNEVILLE County

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	119.650 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 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

08/14/2006

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Water is delivered through Great Western Canal and Porter Canal.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. As of July 17, 2006, this water right is within State Water District No. 01.

The right holder shall accomplish the change authorized by transfer 71810 by July 17, 2007.

Failure of the right holder to comply with the conditions of transfer 71810 is cause for the Director to rescind approval of the transfer.

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: 1-134A

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

SCANNED

APR 30 2007

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

PROFILED

RECEIVED

SEP 11 2006

Department of Water Resources
Eastern Region

11/15/06

WATER RIGHT NO. 1-134A
As Modified by Transfer No. 71810

In accordance with the approval of Transfer No. 71810, Water Right No. 1-134A is now described as follows.

Right Holder: NEW SWEDEN IRRIGATION DIST
2350 W 1700 S
IDAHO FALLS ID 83402

Priority Date: January 07, 1886

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31		119.65 CFS	
			119.65 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER	NWNENW	Sec. 12 Twp 02N Rge 37E BONNEVILLE County
SNAKE RIVER	NENE	Sec. 35 Twp 04N Rge 37E JEFFERSON County

CONDITIONS OF APPROVAL

1. Place of use is within the boundary of New Sweden Irrigation District pursuant to Section 43-323, Idaho Code.
2. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Water District 01 Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use.
6. This right is limited to the irrigation of 27,920 acres within the place of use described above in a single irrigation season.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

SCANNED

APR 30 2007

PROFILED

WATER RIGHT NO. 1-134A
As Modified by Transfer No. 71810

CONDITIONS OF APPROVAL

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of July, 20 06

Gay Spackman
Chief, Water Allocation Bureau

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 1-134A
Date Received: 7/22/2005
Receipt No: E011034
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 01/07/1886

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	Type
02N	37E	12	NW NE NW	BONNEVILLE	
04N	37E	35	NE NE	JEFFERSON	

5. Description of diverting works:

HEADING FOR GREAT WESTERN CANAL AND PORTER CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	119.65	

7. Total Quantity Appropriated is:
119.65 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

This claim is for 28,130.1 acres within the boundaries of New Sweden Irrigation District.

COPY

11. Place of use in counties: BONNEVILLE, BINGHAM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

LAND WITHIN THE DISTRICT IS PRIVATELY OWNED BY INDIVIDUALS OR ENTITIES SERVICED BY THE DISTRICT.

OTHER WATER RIGHTS: A01-00136D/00080D/10161/00134/00115R/ 0047L/10162/00137B/00135 /10182/10183/02009A/02009B/02009C/ 02009D/00265C/02074 /00320 /00109F.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am Board Chairman of
New Sweden Irrigation District, that I have signed the foregoing

Board Chairman Title
Organization
document in the space below as Board Chairman of
New Sweden Irrigation District, and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of *Dennis Stuhl* Authorized Agent

Chairman New Sweden Irrigation District
Title and Organization

July 28, 2005
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of July 2005

Delillian Reed
Notary Public

Residing at Idaho Falls, Idaho
My commission Expires 1/24/2009

