

05/02/2006

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

RIGHT NUMBER: 1-195N

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.800 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

0.800 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.

This right is limited to the irrigation of 40 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.

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 1-195E.

Water is delivered through Great Western Canal and Porter Canal.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 1-195N

WATER RIGHT NUMBER: 1-195N

<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
Original Owner	WEST LABELLE IRRIGATION CO LTD 575 N 4000 E RIGBY, ID 83442 (208)745-7944
Original Owner	JOHN T QUINTON RIGBY, ID 83442
Original Owner	HEBER M BRAMWELL , ZZ
Original Owner	IVAN W JOHNSON 2558 N 45 W IDAHO FALLS, ID 83402 (208)522-4388

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	1/01 to 11/01	0.800 CFS	
	<u>Total Diversion:</u>	0.800 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 1-195N

Remarks:

1. General RIGHT RESULT OF TRANS. 56 & 657 LESS TRANS. 293 & 537.
TRANS. 657 P/U AND P/D CHANGE TO GREAT WESTERN CANAL.
RIGHT LESS 2.4 CFS LOST TO RIVER.
| THIS CLAIM IS A SPLIT OF 01-00195E, FOR 40" OR 0.8 CFS.

Comments: CHANGE OF OWNERSHIP COMPLETE 04/19/2004.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: 1-195N

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:

SCANNED

MAY 03 2007

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

DATE: Sept 16, 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

RECEIVED

SEP 11 2006

Department of Water Resources
Eastern Region

KWD
10/12

Certificate of Water Right
Transferred Water Right No. 657

THIS IS TO CERTIFY THAT H. M. BRAMWELL, of Rigby, Idaho, is the owner of and using a certain water right, bearing date of priority of June 1, 1885, for 4.8 cubic feet per second of the waters of Snake River, County of Jefferson, State of Idaho, decreed to WEST LABELLE IRRIGATING COMPANY, by decree of 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, bearing date of December 16, 1910, in the case of

REXBURG IRRIGATION COMPANY,

Plaintiff,

vs.

TETON IRRIGATION CANAL COMPANY,

Defendant,

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

N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6,
Township 4 North, Range 39 East, B.M.

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

That said H. M. BRAMWELL has become the owner thereof by mesne conveyance.

SCANNED

MAY 03 2007

That now, upon the application of H. M. BRAMWELL, of Rigby, Idaho, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 4.8 cubic feet per second of the waters of Snake River is hereby abandoned upon the lands above described, and the place of use of 2.4 cubic feet per second 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 2.4 cubic feet per second of said water right has 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, to-wit:

- 1.0 cubic foot per second on 56 acres lying above the Oakland Valley Canal, in W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 5, and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6, Twp. 2 North, Range 37 East, B.M.
0.8 cubic foot per second on SW $\frac{1}{4}$ Section 9, Township 2 North, Range 37 East, B. M.
0.6 cubic feet per second on that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, Township 2 North, Range 37 East, B.M., lying north of the Oakland Valley Canal.

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

2.4 cubic feet per second of the waters of Snake River, with date of priority of June 1, 1885

REGISTERED MAP NO. 22A
CERTIFICATE OF MAP
DEPARTMENT OF RECLAMATION
STATE OF IDAHO

That the water right hereby transferred has been conducted to the first above described lands through the White Ditch from the Great Feeder Canal of Snake River, with point of diversion near the South quarter corner of Section 5, Township 4 North, Range 39 East, B.M.

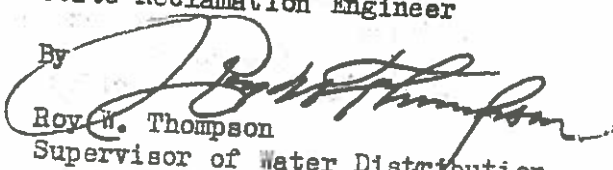
That the water right hereby transferred will hereafter be conducted to the last above described lands through the Great Western Canal from Snake River, with point of diversion in the NE $\frac{1}{4}$ Section 35, Township 4 North, Range 37 East, B.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be affixed, at Boise, Idaho, this 28th day of March, A. D. 1944.

JAMES SPOFFORD
State Reclamation Engineer

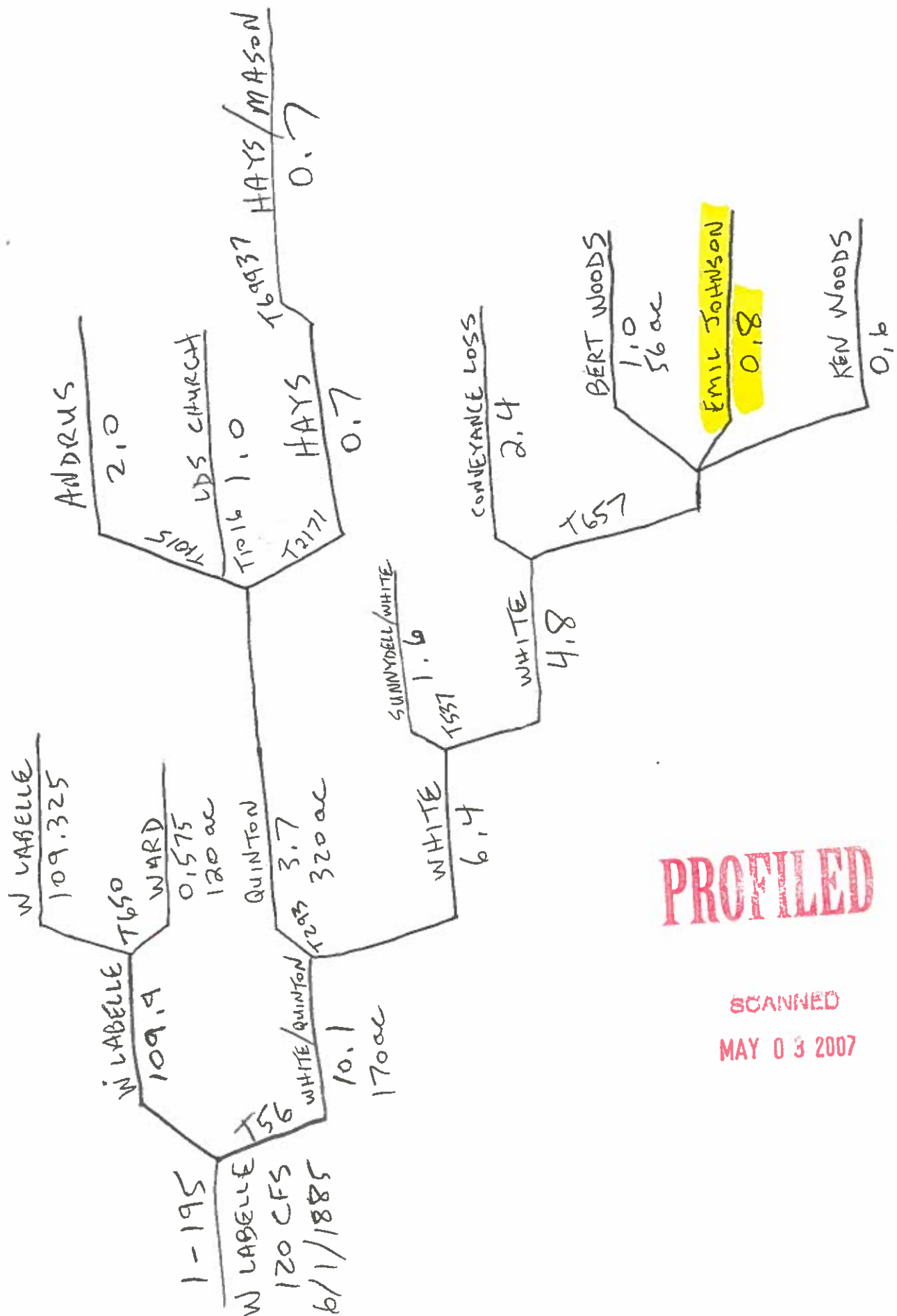
By


Roy W. Thompson
Supervisor of Water Distribution

SCANNED

MAY 03 2007

PROFILED



PROFILED

SCANNED
MAY 03 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. BREHER
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

PROFILED

SCANNED
APR 22 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 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: 4/12/05
 KMD

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
Idaho Falls ID 83402
 City, State and ZIP Code
 New Telephone Number (208) 523-0175
5. Date you acquired the property 9-14-2004

PROFILE

SCANNED

APR 22 2005

AUG 22 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: A01-00195N

Date Received: 6/14/1989

Receipt No: E009081Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVAN W. JOHNSON
Address: 2558 NORTH 45 WEST
IDAHO FALLS, ID

208-522-4388

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, 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	01/01	11/01	0.800		

7. Total Quantity Appropriated is:

0.800 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	SW	NW		IRR	2.0
			NE	SW		IRR	30.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

A01-00195N

Page 1

Date: 06/14/89

A0100195N

COPY

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:
A01-00083AC, PALISAIDES STORAGE WATER

14. Remarks:
RIGHT RESULT OF TRANS. 56 & 657 LESS TRANS. 293 & 537.
TRANS. 657 P/U AND P/D CHANGE TO GREAT WESTERN CANAL.
RIGHT LESS 2.4 CFS LOST TO RIVER.
|
THIS CLAIM IS A SPLIT OF 01-00195E, FOR 40" OR 0.8 CFS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

REXBURG IRRIGATION CO.
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET.
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): X *Ivan 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 B. [Signature]
Notary Public

Seal

Residing at Base Idaho
My Commission Expires 12/7 1994

3N
2N

A01-001952



43° 30'
112° 07' 30"

MICROFILMED