

05/03/2006

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

RIGHT NUMBER: 1-10163

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/30/1900

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

0.200 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.

This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.

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

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.

This right is old Right No. 1-125E.

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: 1-10163

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

SCANNED
MAY 10 2007

PROFILED

RECEIVED

SEP 11 2006

Department of Water Resources
Eastern Region

KWD
10/02

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.

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
01-10163					

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MAY 10 2007

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) ARLENE HOOPE / MATT GELLINGS
4760 W 33 N 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 10-01-1991

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 APR 17 2006
 Department of Water Resources
 Eastern Region

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	_____	_____

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MAY 10 2007

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	_____	_____

PROFILED

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Louis Stiel
Board Chairman

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 _____

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT TRANSFERRED RIGHT NO. 1025

THIS IS TO CERTIFY, That C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, all of Route #5, Idaho Falls, Idaho; Loran Morris of Idaho Falls, Idaho; Nelma McNeil of Heyburn, Idaho; Adrian Crossley Burke of Springer, Oklahoma; and Leora Flynn of Philadelphia, Pennsylvania; are the owners of and using a certain water right of the waters of Snake River as follows; and under State of Idaho, Department of Reclamation, Certificates of Transfer of Water Right Nos. 614, 764, 809, and 934, or portions thereof, arising out of the Decree of Judge J. M. 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, et al

Plaintiffs

vs.

TETON IRRIGATION CANAL CO., et al

Defendants

SCANNED

MAY 10 2007

said Decree bearing date of December 16, 1910, said transferred rights being in the following amounts and dates of priority, and all standing in the name of C. W. Burke, and for use on the following described lands:

01-0083H

Transfer No. 614: 1.00 cubic foot per second
Priority date: June 1, 1891, for use on the
East half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$)
and Northeast Quarter of Southeast Quarter
($NE\frac{1}{4}SE\frac{1}{4}$) of Section Five (5), Township Two
(2) North, Range Thirty-seven (37) East of
the Boise Meridian;

01-00035

Transfer No. 764: 1.30 cubic feet per second (Ralph Moss)
Priority date: June 1, 1885, for use on the
West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$)
of Section Five (5), Township Two (2) North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-0125C

Transfer No. 809: 2.05 cubic feet per second
Priority date: April 30, 1900, for use on
Lots Three (3) and Four (4), the South Half
of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section
Five (5), Lot One (1) and the Southeast
Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of
Section Six (6), all in Township Two (2), North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-0083T

Transfer No. 934: 0.60 cubic foot per second
Priority date: June 1, 1891, for use on the West
Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Sec-
tion Five (5), Township Two (2) North, Range
Thirty-seven (37), East of the Boise Meridian;

PROFILED

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 3 of Decrees at Page 450 thereof;

That said C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke and Leora Flynn, have become the owners of said water rights by purchase or by deeds of gift;

And that now upon the application of C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke, and Leora Flynn, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 4.95 cubic feet per second of the waters of Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water rights HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

TED RAY HOOPES: 0.80 cubic foot from Transfer No. 614:

Beginning at a point on the section line common to Sections 4 and 5 of Township 2 North, Range 37 East of the Boise Meridian; which point is North $0^{\circ}12'51''$ East, 24 feet from the Southwest corner of the aforesaid Section 4, Township 2 North, Range 37, East of the Boise Meridian; thence running North $0^{\circ}12'51''$ East along the West line of Section 4, a distance of 3768.51 feet; thence turning and running South $89^{\circ}03'46''$ East a distance of 639.59 feet; thence South $0^{\circ}17'46''$ East 185.80 feet; thence South $23^{\circ}05'02''$ West 551.0 feet; thence South $0^{\circ}29'32''$ West 541.20 feet; thence South $13^{\circ}27'33''$ East 358.50 feet; thence South $3^{\circ}35'23''$ East 231.60 feet; thence South $9^{\circ}38'57''$ West 303.3 feet; thence South $1^{\circ}46'03''$ East 383.70 feet; thence South $5^{\circ}21'33''$ East 675.6 feet; thence South $30^{\circ}03'27''$ West 224.40 feet; thence South $3^{\circ}57'33''$ East 131.0 feet; thence South $28^{\circ}50'53''$ East 203.3 feet; thence South $0^{\circ}21'30''$ West 92.0 feet; thence North $89^{\circ}24'$ West a distance of 549.8 feet, more or less, to the point of beginning. Containing a calculated area of 43.23 acres, more or less.

Beginning at a point which is 24.0 feet North $0^{\circ}12'15''$ East of the Southeast Corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian, said point being coincident with the East line of said Section 5; thence running North $89^{\circ}33'$ West and parallel to the South line of the said Section 5, a distance of 1315.8 feet; thence turning and running North $0^{\circ}07'33''$ East a distance of 2669.32 feet; thence North $57^{\circ}39'30''$ East 1057.7 feet; thence North $24^{\circ}18'20''$ East 625.2 feet; thence South $89^{\circ}03'46''$ East 173.01 feet; thence turning and running South $0^{\circ}12'51''$ West a distance of 3768.51 feet, more or less, to the point of beginning. Containing a calculated area of 94.34 acres, more or less, and being in Bonneville County, Idaho;

DARREL W. BURKE: 0.60 cubic feet from Transfer No. 934; 01-0083 Z
1.30 " " " " " 764; 01-00035 AF
0.80 " " " " " 809; 01-0125 D

Beginning at a point that is North $89^{\circ}33'20''$ West along the section line 54.91 feet from the Northeast corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian; thence

thence South $14^{\circ}05'01''$ West 2360.89 feet; thence South 30.0 feet; thence South $89^{\circ}01'15''$ East 1722.9 feet; thence North 30.0 feet; thence North $57^{\circ}39'30''$ East 1057.20 feet; thence North $24^{\circ}18'20''$ East 616.70 feet; thence North $14^{\circ}24'14''$ East 497.60 feet; thence North $0^{\circ}11'15''$ East 666.50 feet to the point of beginning. Containing 127.7 acres, and located in Bonneville County, Idaho;

C. W. BURKE: 0.20 cubic feet from Transfer No. 809 01-0125 E
0.20 " " " " " 614 01-0083 V (AB)

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section Thirty-three (33), Township Three (3) North, Range Thirty-seven (37), East of the Boise Meridian, in Bonneville County, Idaho;

A. N. ISOM: 1.05 cubic feet from Transfer No. 809; 01-0125 F

The North half of the Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$) of Section Sixteen (16), Township Two (2) North, Range Thirty-seven (37), East of the Boise Meridian, in Bonneville County, Idaho;

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:

DARREL W. BURKE: 0.60 cfs, priority June 1, 1891 01-0083
1.30 cfs, priority June 1, 1885 01-00035
0.80 cfs, priority April 30, 1900 01-0125 D

C. W. BURKE: 0.20 cfs, priority April 30, 1900 01-0125 E
0.20 cfs, priority June 1, 1891 01-0083 V (AB)

A. N. ISOM: 1.05 cfs, priority April 30, 1900 01-0125 F

TED RAY HOOPES: 0.80 cfs, priority June 1, 1891 01-0083

That the water rights hereby transferred have heretofore been conducted from Snake River to the first above described lands as follows:

Transfer No. 614: Through the Great Western Canal with point of diversion in the $NE\frac{1}{4}$, Section 35, Township 4 North, Range 37 E.B.M.,

Transfer No. 764: Through the Great Western Canal, with point of diversion in the $NE\frac{1}{4}$, Section 35, Township 4 North, Range 37 E.B.M.,

Transfer No. 809: Through the Great Western Canal, with point of diversion in the $NE\frac{1}{4}$, Section 35, Township 4 North, Range 37 E.B.M.,

Transfer No. 934: Through the Great Western Canal, with point of diversion in the $NE\frac{1}{4}$, Section 35, Township 4 North, Range 37 E.B.M.,

SCANNED

MAY 10 2007

PROFILED

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the rights to the use of the waters aforesaid, hereby confirmed, is restricted to the lands 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 official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 20th day of March, 1964.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer

PROFILED

SCANNED
MAY 10 2007

817268

ORDER

Now, Therefore, it is hereby ordered that all the above described lands in Bonneville, Bingham County, State of Idaho, be and said described lands are hereby, annexed and will hereafter be included within the boundaries of the NEW SWEDEN IRRIGATION DISTRICT.

IT IS HEREBY FURTHER ORDERED, that this order be entered in the minutes of said board and that a copy of said order, duly certified by the President and Secretary of the Board, be filed for record in the office of the County Recorder in Bonneville, Bingham County, Idaho.

Done in an open and regular meeting this 14th day of October.

NEW SWEDEN IRRIGATION DISTRICT

Louis Thiel
DIRECTOR

Carl P. Berggren
DIRECTOR

Bill Jensen
DIRECTOR

817268

PROFILED

ATTEST:

DeLillian Reed
SECRETARY TREASURER

SCANNED

MAY 10 2007

CERTIFICATE

We, Louis Thiel, President, and DeLillian Reed, Secretary-Treasurer, of the New Sweden Irrigation District, hereby certify that the above foregoing is a true and correct copy of the order annexing lands to the NEW SWEDEN IRRIGATION DISTRICT in the petition of Matt Gellings, dated Sept. 9, 1991.

Dated this 14th day of October, 1991.

SEAL OF DISTRICT:
DeLillian Reed
SECRETARY TREASURER

INSTRUMENT NO. 817268
DATE 10-14-91
INST. CODE 130129
SHE NO. 60

STATE OF IDAHO
COUNTY OF BINGHAM
RECORDED
BY [Signature]
NEW SWEDEN
2350 W. 1700 S. 83402

PETITION FOR ANNEXATION

TO THE BOARD OF DIRECTORS
NEW SWEDEN IRRIGATION DISTRICT
IDAHO FALLS, IDAHO

Gentlemen:

We, the undersigned, residents and taxpayers of Bonneville and Bingham Counties, State of Idaho, and owning real property adjacent to the boundaries of the New Sweden Irrigation District, respectfully request that the lands hereinafter described be annexed to, and made a part of said New Sweden Irrigation District, in the manner provided by law.

Said lands are described as follows:
Part of the $\frac{W}{2}$ of $\frac{W}{2}$ of Section 4, Township 2 North, (40 ac.)
Range 37 East B.M. Bonneville Cty., Idaho

That all of said lands are susceptible to irrigation from the water supply and irrigation system of the New Sweden Irrigation District.

Wherefore, your petitioners respectfully pray that an order be made for the hearing of this petition, as provided by law, and that upon such hearing and the proofs to be adduced, that the Board of Directors of said Irrigation District make the proper order annexing the above-described lands to the New Sweden Irrigation District.

Dated this ninth DAY OF September 1991.

Matt Bellings
Jeri Tucker
SCANNED
MAY 10 2007

STATE OF IDAHO

COUNTIES OF BONNEVILLE
AND BINGHAM

On this 10th day of SEPTEMBER, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared, MATT BELLINGS known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to be 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.

Jeri Tucker
Notary Public for Idaho

273 N. 4000 E. RIBBY Idaho.
Residing at:
My commission expires: 6/97



BEFORE THE BOARD OF DIRECTORS
OF THE
NEW SWEDEN IRRIGATION DISTRICT, IDAHO FALLS, IDA.

IN THE MATTER OF THE PETITION OF)

Order annexing lands into the
NEW SWEDEN IRRIGATION DISTRICT.

The board of directors of the New Sweden Irrigation District, having received a petition from Matt Gellings on the 9th day of September 1991 for the inclusion of certain lands within the said district, and having considered the above entitled petition and the testimony presented when it came on for hearing at the meeting of the Board of Directors called for that purpose on the tenth day of September, 1991, and being fully advised in the premises, and good cause appearing, therefore, now make the following findings of Facts and Order:

Finding A Fact

1. That the Petition was duly signed by the holders of title to said lands adjacent to the District and is regular in all respects.
2. That by an order of the Board of Directors dated Sept. 10, 1991 A HEARING ON SAID PETITION WAS SET FOR Oct. 1, 1991, AT A REGULAR MEETING of the Board of Directors at its office 2350 W. 17th S. Idaho Falls, Idaho Idaho Falls, Idaho Bonneville or Bingham County, and that notice of said hearing was to be published prior to the date thereof in three consecutive weekly issues of the Post Register, and the Shelley Pioneer, newspapers in Bonneville and Bingham counties, State of Idaho.
3. That notice of the hearing of said petition was duly and regularly published in said newspapers for three consecutive weeks prior to the date of said hearing and affidavits from said newspapers showing such publications are on file as part of the records of proceedings.
4. That said petition came on regularly for hearing on the 1st day of Oct. 1991.
5. That the lands which the petitioners desire to have annexed to and included within the boundaries of the New Sweden Irrigation District are described as follows, to-wit:

Part of the $W\frac{1}{2}$ $W\frac{1}{2}$ of Sec. 4, T2N, R37E Bonneville County (40 acres)

Recorded in the name of Matt Gellings

6. That no person or persons appeared in opposition to the inclusion and annexation of said lands within the New Sweden Irrigation District, and no written objections were filed thereto, and the Board of Directors of said New Sweden Irrigation District deem it in the best interests of the District to include said lands within the boundaries of said District, as prayed for in and by said petition.

SCANNED
MAY 10 2007

FILED

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE....., first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for Three..... consecutive weeks, first publication having been made on the 17th..... day of September....., 1991.., last publication having been made on the 1st..... day of October....., 1991.., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 2nd.... day of October....., 1991..

S. Bob Bright.....
Susan Mayson.....
Notary Public

My commission expires July 1st....., 1997..

Legal Notice NOTICE OF HEARING OF PETITION FOR

inclusion of lands before the Board of Directors of the New Sweden Irrigation District.

In the matter of the petition of Matt Gellings, for the inclusion of lands into the New Sweden Irrigation District.

NOTICE IS HEREBY GIVEN, that a petition for annexation, dated Sept. 9, 1991, was filed with New Sweden Irrigation District by Matt Gellings, holder of the title to all lands hereinafter described praying that the following described lands be annexed to and be included within said Irrigation District to wit:

Part of the W½ W½ of Sec. 4, T2N, R37E Bonneville County ID (40 acres)

All persons interested in, or that may be affected by such annexation to an inclusion of the lands above described within the boundaries of said New Sweden Irrigation District, are hereby notified to appear at the office of the Board of Directors of said New Sweden Irrigation District, located at 2350 W 1700 So., Idaho Falls, Bonneville County, Idaho on October 8, 1991, AT THE hour of 7:00 p.m., AND SHOW CAUSE, IN WRITING, IF ANY THEY HAVE, why such lands should not be annexed to and included within said district as prayed for in the petition.

Dated this 11th day of Sept. 1991.

New Sweden Irrigation District

DeLillian Reed, Sec.

Published: Sept 17, 24, Oct 1, 1991

FILED

SCANNED
MAY 10 2007

B10

0.025 CFS/AC

1-125 A

15.32 CFS
MATTSON, BC+CG

1-125

MATTSON, BC+CG

4/30/1900

20 CFS

SNAKE RIVER

P.O.M.
B.G. MATTSON

4N 40E 35 NW 1/4

160 AC

C.G. MATTSON

4N 40E 25 SW 1/4

26 SE 1/4

36 NW 1/4

35 NE 1/4

640 AC

XFR 809

- * 0.58 CFS ABANDONED TO COMPENSATE FOR TRANSMISSION LOSSES
- WATER MOVED OFF OF SENW + E 1/2 SWNW OF SECTION 36

1-125 B

2.05 CFS

W.G. BURKE

P/D: GREAT WESTERN HEAD

POH: 2N 37E 7 NE 1/4

E 1/2 NW 1/4

LOTS 1+2

1-125 C

2.05 CFS

C.W. BURKE

P/D: GREAT WESTERN HEAD

POH: 2N 37E 5 LOTS 3+4

5 1/2 NW 1/4

6 LOT 1

SENE

XFR 1025 LEFT
P/D UNCHANGED

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MAY 10 2007

1-125 D

PARREL W BURKE

0.80 CFS

127.7 AC

W/IN 2N 37E 5

1-125 E

C.W. BURKE

0.20 CFS

3N 37E 33 SWSW

1-125 F

A. N. 150M

1.05 CFS

2N 37E 16 N 1/2 NE 1/4

Notes

Claim A01-10163

- 1/ I discussed this claim with Matt Gellings, owner of P.O.U. + also New Sweden Irrig. District.

When Mr Gellings petitioned into the District, it was with the understanding that canal water rights would revert to New Sweden Irrig. District.

Both Parties have verbally acknowledged that this is so. Therefore this claim should belong to New Sweden Irrigation District.

- 2/ This exam was done by Harold W. Jones of Water Rights Contracting Services

SCANNED

NOV 18 2004

PROFILED

PARTIES PETITIONING INTO
NEW SWEDEN IRRIG DISTRICT

Township 2 N Range 37 E

July 11, 1989 Dennis and Loretta Marshall 3.68 acres

Part of the NW $\frac{1}{4}$ of section 10, lying west of the Great Western Canal.

October 1, 1991 Matt Gellings 40 acres

Part of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of section 4. ? TED HOOPES EAST SIDE OF Sec 4

December 3, 1991 Ralph Isom 31.4 acres

A portion of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 8

April 6, 1993 Matt Isom 95 acres

Part of the N $\frac{1}{2}$ of section 5

June 8, 1993 Ann McAtee 1 acre

Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 10

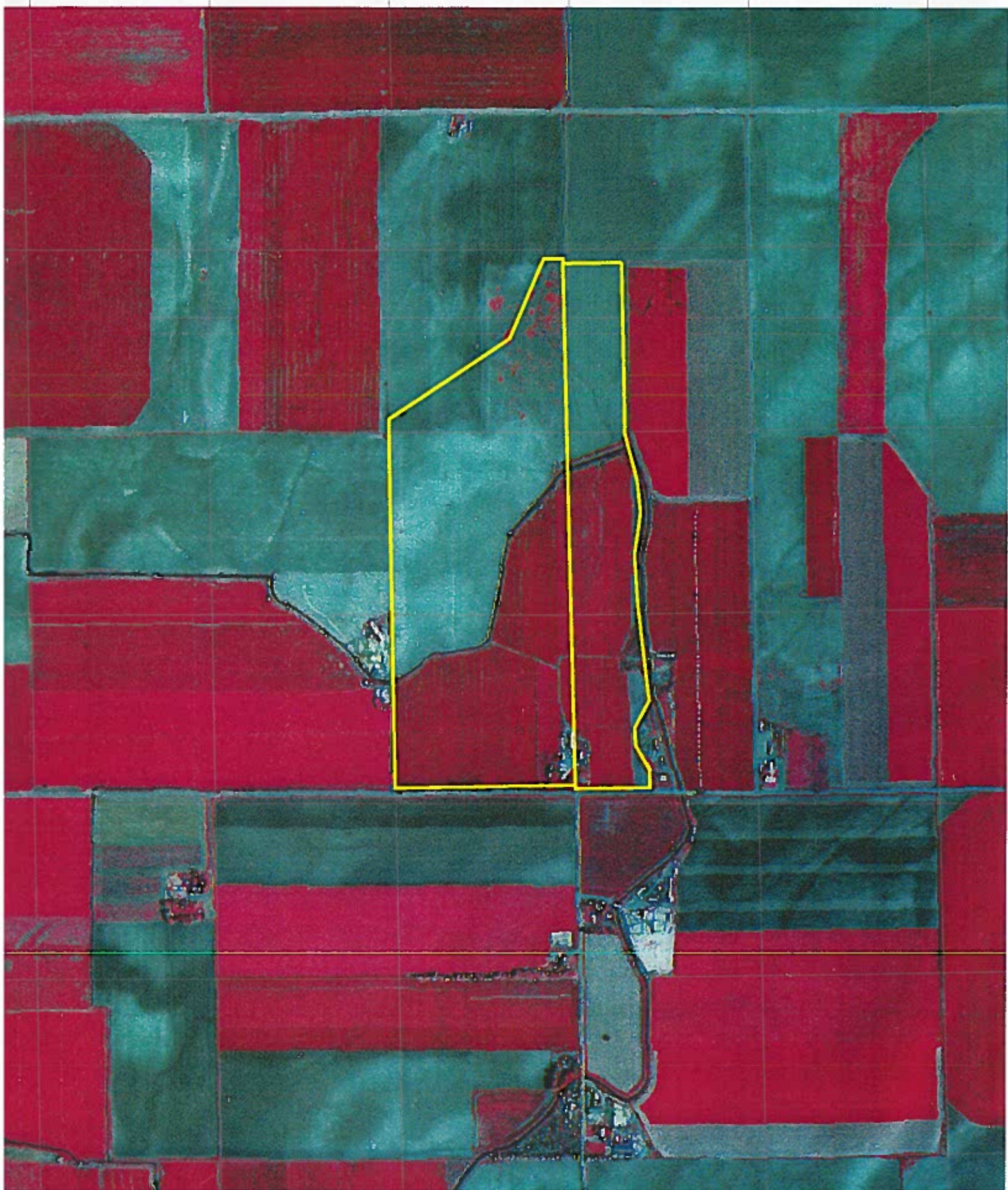
March 10, 1998 Marty L. and Donna Pettingill 2 acres

Part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$, section 20

SCANNED

NOV 18 2004

PROFILED



2/11/04

PM0100 - PARCEL MASTER INQUIRY

11:24:32

PARCEL: RP 02N37E051896

F9=MS F10=V
F17=DDF12=RC
F23=AG

*TREND -

LEGAL DESCRIPTION

HOOPES, ARLENE
% GELLINGS, MATTHEW JE 96.18 A SE1/4 NE1/4 &
E1/2 SE1/4, SEC 5, T 2N, R 37
(WR) +

4760 W 33RD N

ProVal Area Number 1

CODE AREA 9-0000 OWNER CD

PARC TYPE RL LOC CODE

EFFDATE 10/1/92 EXPDATE

PREV PARCEL RP02N37E051896A

IDAHO FALLS ID 83402

4524 W 033RD N

83402

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	1999	91680	AC	33738				
10	1999	1000	AC	6950				
19	1999	3500	AC					
31	1999			5100				
TOTALS		96180		46788				

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Arlene Hoopes is
deceased. Property
owned by Matt
Gellings.

Phone # 524-4946

PROFILED

SCANNED

NOV 18 2004

AUG 27 2000

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: A01-10163

Date Received: 8/28/1989

Receipt No: 11004086

Received By: BHS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLENE HOOPES
Address: 4524 W 33RD NORTH
IDAHO FALLS, ID

208-522-3095

83402

2. Date of Priority: APR 30, 1900

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	1	JEFFERSON

5. Description of diverting works:
HEADGATE AND CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.970		

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

A.F.A.

8. Total consumptive use is 183.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	37E	4	NW		NW		IRR	4.0
			SW		NW		IRR	12.0

Section Acres 16.0

A01-10163

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Date: 08/28/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	37E	5	NE	NE	IRR	1.0
			SE	NE	IRR	19.0
			NE	SE	IRR	23.0
			SE	SE	IRR	5.0
Section Acres						48.0
Total Acres						64.0

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:
NONE

14. Remarks:

THIS CLAIM IS BASED ON COMBINED DECREED RIGHTS 01-00035AF, 0.11 CFS, 01-00083AA, 0.14 CFS, 01-00083K, 0.35, 01-00083U, 0.05 CFS 01-00083S, 0.22 CFS, AND 01-00125 FOR 0.10 CFS. THESE RIGHTS HAVE PRIORITIES OF 6/1/1891, 6/01/1891, 6/01/1891, 6/01/1891, 6/01/1891, AND 4/30/1900 RESPECTIVELY.BAS.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO.

Decree Plaintiff

vs

TETON IRR. CANAL CO. ET AL

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: 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): Arlene Hoopes Date: Aug 28, 1989
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of August 19 89 Bruce A. Schuld
Notary Public

Seal

BRUCE A. SCHULD, NOTARY PUBLIC
Residing at RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995

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OCT 20 1992