

08/19/2005

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

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RIGHT NUMBER: 21-53D  
NAME AND ADDRESS: DON MICKELSEN  
1934 MELODY ST  
IDAHO FALLS ID 83402  
SOURCE: FALL RIVER TRIBUTARY: HENRYS FORK  
QUANTITY: 0.468 CFS  
PRIORITY DATE: 06/01/1889  
POINT OF DIVERSION:  
T08N R42E S20 SWNWSW Within FREMONT County  
PURPOSE AND  
PERIOD OF USE:  

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.468 CFS       |

  
PLACE OF USE: IRRIGATION Within FREMONT County  

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T08N R41E S24 | NWNE | 13.0 | T08N R41E S24 | NENW | 37.0 |
|---------------|------|------|---------------|------|------|

50 ACRES TOTAL

Right Nos. 21-53D and 21-12842 are limited to the irrigation of a combined total of 50 acres in a single irrigation season.

This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.

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

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 21-53D  
Date Received: 10/3/1988  
Receipt No: E002838  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DON MICKELSEN Phone: (208) 754-9323  
1260 TWIN BUTTE RD  
MENAN ID USA 83434

2. Date of Priority: 06/01/1889

3. Source: FALL RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 08N      | 42E   | 20      | SW NW SW              | FREMONT |      |

5. Description of diverting works:

CURR DITCH - CONCRETE HEADING WITH 3 FIVE FOOT WIDE SCREW GATES.

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/01 | 0.468  |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|---------------|-------|---------|----------------|------------|-------|
| 08N           | 41E   | 13      | SW SE 9        | IRRIGATION | 13.5  |
| Section Acres |       |         |                |            | 13.5  |

|     |     |    |    |    |               |      |
|-----|-----|----|----|----|---------------|------|
| 08N | 41E | 24 | NW | NE | IRRIGATION    | 13.5 |
|     |     |    | NE | NW | IRRIGATION    | 38.5 |
|     |     |    |    |    | Section Acres | 52   |
|     |     |    |    |    | Total Acres   | 65.5 |

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM REFLECTS THAT PORTION OF RIGHT 21-00053 (FARNSWORTH) WHICH WAS MADE APPURTENANT TO MY PROPERTY THRU A WATER RIGHT EXCHANGE WHICH HAPPENED MANY YEARS AGO AND WAS NOT RECORDED WITH THE STATE

15. Basis of Claim: Decreed

SCANNED

AUG 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: A21-00053D  
Date Received: 10/ 3/1988  
Receipt No: E002838  
Received By: \_\_\_\_\_

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: JACK C. ALLEN  
Address: GENERAL DELVIERY  
CHESTER ID

83421

OR

Name: LAURA ALLEN  
Address: GENERAL DELIVERY  
CHESTER ID

83421

2. Date of Priority: JUN 1, 1889

3. Source: FALLS RIVER

Trib. to: SNAKE RIVER, HENRYS FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08N      | 42E   | 20      | SW     | NW     | SW     |     | FREMONT |

5. Description of diverting works:

CURR DITCH - CONCRETE HEADING WITH 3 FIVE FOOT WIDE SCREW GATES.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.468 |      |        |

7. Total Quantity Appropriated is:

0.468 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 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 08N      | 41E   | 13      | SW     | SE     | 9   | IRR | 13.5  |

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 13.5  |
|          |       | 24      | NW         | NE  | IRR           | 13.5  |
|          |       |         | NE         | NW  | IRR           | 38.5  |
|          |       |         |            |     | Section Acres | 52.0  |
|          |       |         |            |     | Total Acres   | 65.5  |

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
21-10186 (21-00039)

14. Remarks:

THIS CLAIM REFLECTS THAT PORTION OF RIGHT 21-00053 (FARNSWORTH) WHICH WAS MADE APPURTENANT TO MY PROPERTY THRU A WATER RIGHT EXCHANGE WHICH HAPPENED MANY YEARS AGO AND WAS NOT RECORDED WITH THE STATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO. ET AL  
Decree Plaintiff

TETON IRR. CANAL CO. ET AL  
vs 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: \_\_\_\_\_

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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* A21-00053D

Ident. Number: A21-10188

Date Received: 10/03/1988

Receipt No: E002838

Received By: SMC

*DC  
12/27/94*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JACK C. ALLEN  
Address: GENERAL DELVIERY  
CHESTER, ID 83421

OR

Name: LAURA ALLEN  
Address: GENERAL DELIVERY  
CHESTER, ID 83421

A2100053D



2. Date of Priority: JUN 01, 1889

3. Source: FALLS RIVER Trib. to: SNAKE RIVER, HENRYS FORK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08N      | 42E   | 20      | SW     | NW     | SW     |     | FREMONT |

5. Description of diverting works:  
CURR DITCH - CONCRETE HEADING WITH 3 FIVE FOOT WIDE SCREW GATES.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.468  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 08N           | 41E   | 13      | SW     | SE  | 9   | IRR | 13.5  |
| Section Acres |       |         |        |     |     |     | 13.5  |
|               |       | 24      | NW     | NE  |     | IRR | 13.5  |
|               |       |         | NE     | NW  |     | IRR | 38.5  |
| Section Acres |       |         |        |     |     |     | 52.0  |
| Total Acres   |       |         |        |     |     |     | 65.5  |

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
21-10186 (21-00039)

14. Remarks:  
THIS CLAIM REFLECTS THAT PORTION OF RIGHT 21-00053 (FARNSWORTH)  
WHICH WAS MADE APPURTENANT TO MY PROPERTY THRU A WATER RIGHT  
EXCHANGE WHICH HAPPENED MANY YEARS AGO AND WAS NOT RECORDED  
WITH THE STATE.

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

|                               |    |                                   |
|-------------------------------|----|-----------------------------------|
| <u>REXBURG IRR. CO. ET AL</u> | vs | <u>TETON IRR. CANAL CO. ET AL</u> |
| Decree Plaintiff              |    | Decree Defendant                  |

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NOV 05 1996

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~~MICROFILMED~~  
OCT 22 1992

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jack C. Geller Date: Oct 3 1988  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 3 day  
of Oct 19 88

Ernest Carlson  
Notary Public

Seal

Residing at Idaho Falls ID

My Commission Expires 14 June 1994

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A21-10186  
A21-10188

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OCT 27 1992

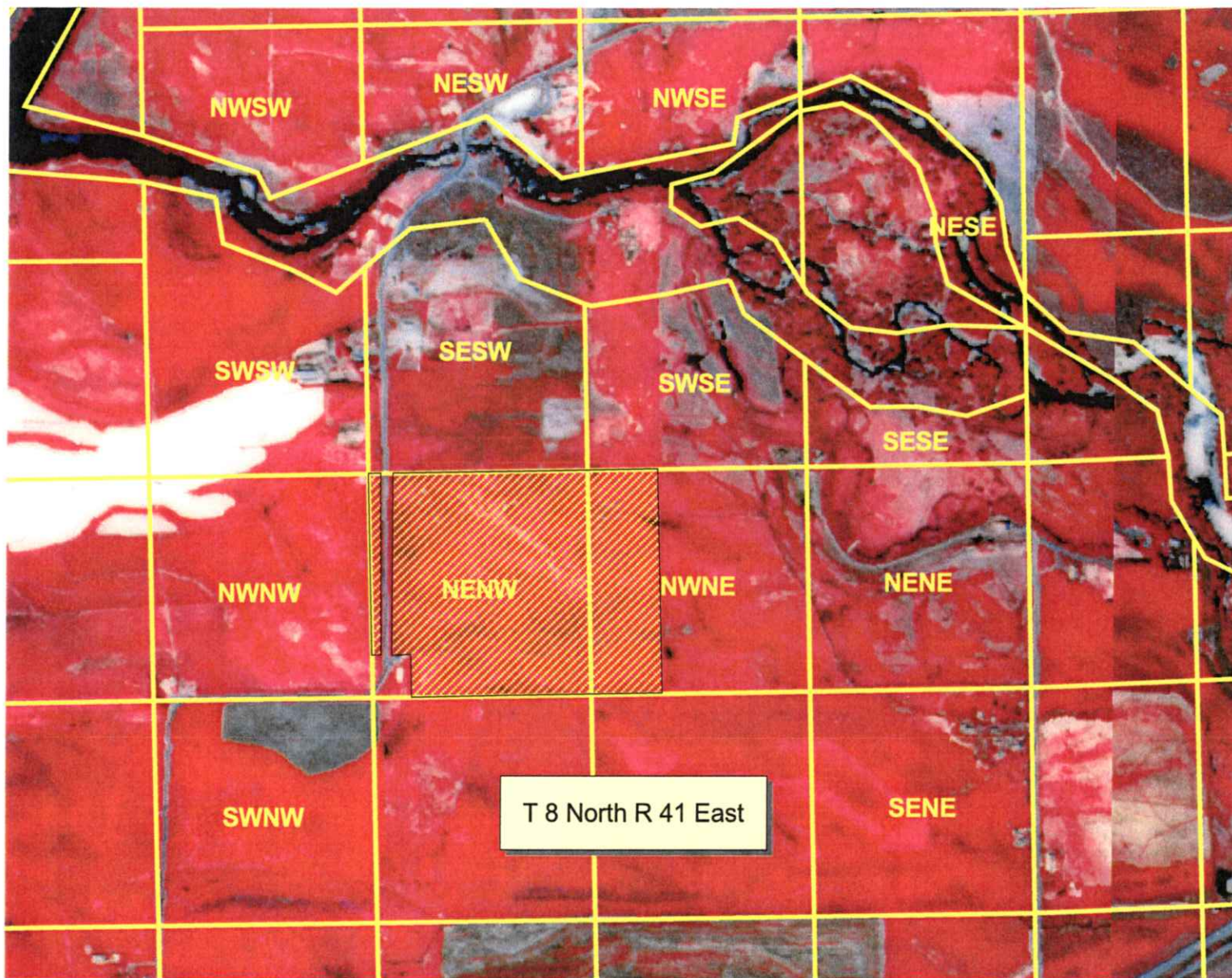
24



State of Idaho  
Department of Water Resources  
Eastern Region



# Place of Use



1000 0 1000 2000 Feet

- Place of Use
- Points of diversion
- Quarter Quarter

GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by T. Galbraith  
Date: May 2005

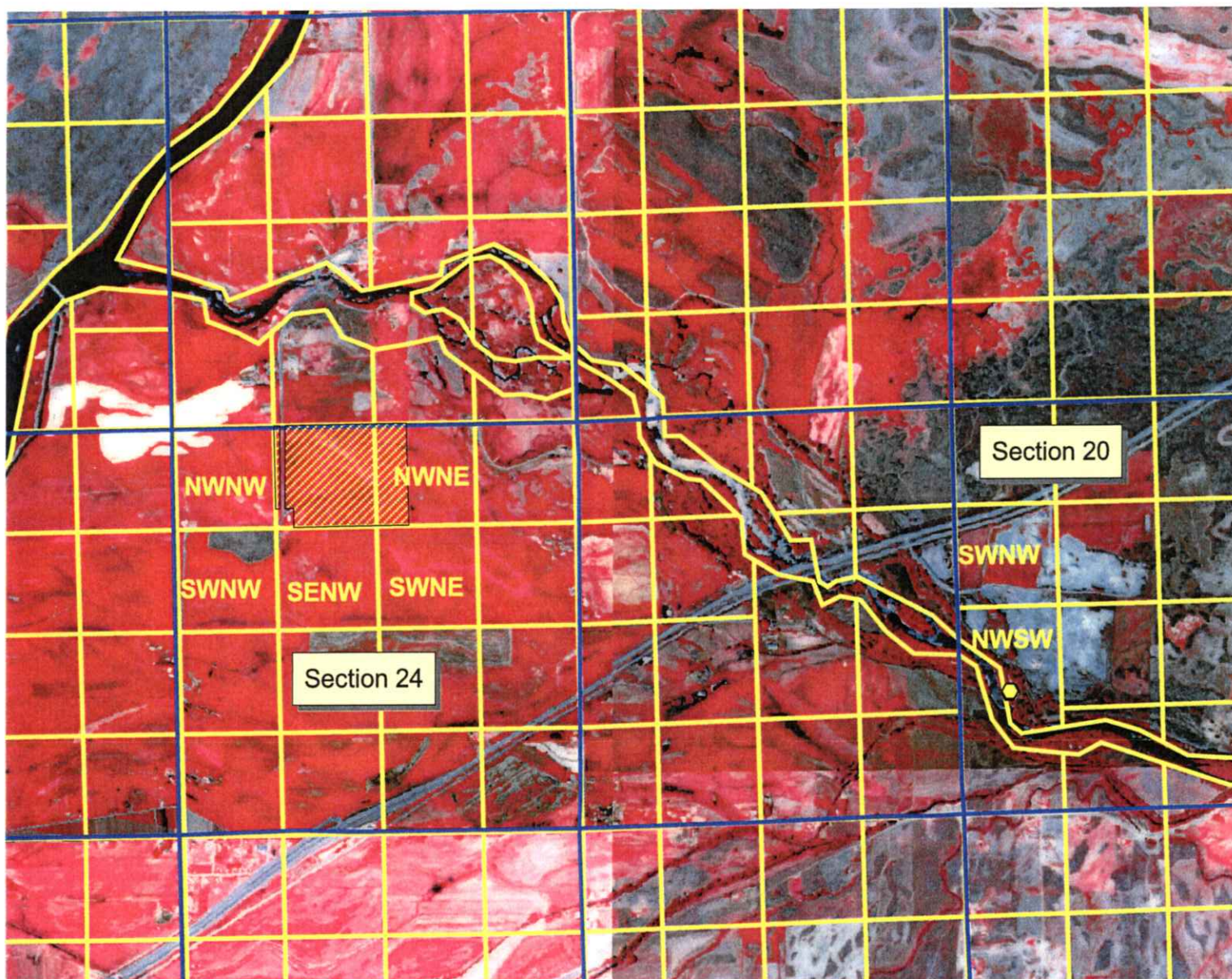




State of Idaho  
Department of Water Resources  
Eastern Region



# Place of Use



3000 0 3000 6000 Feet

- Place of Use
- Points of diversion
- PLSS Section Lines
- Quarter Quarter

GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by T. Galbraith  
Date: May 2005

