



4829

4828

4827

35'

4826

4825

4824

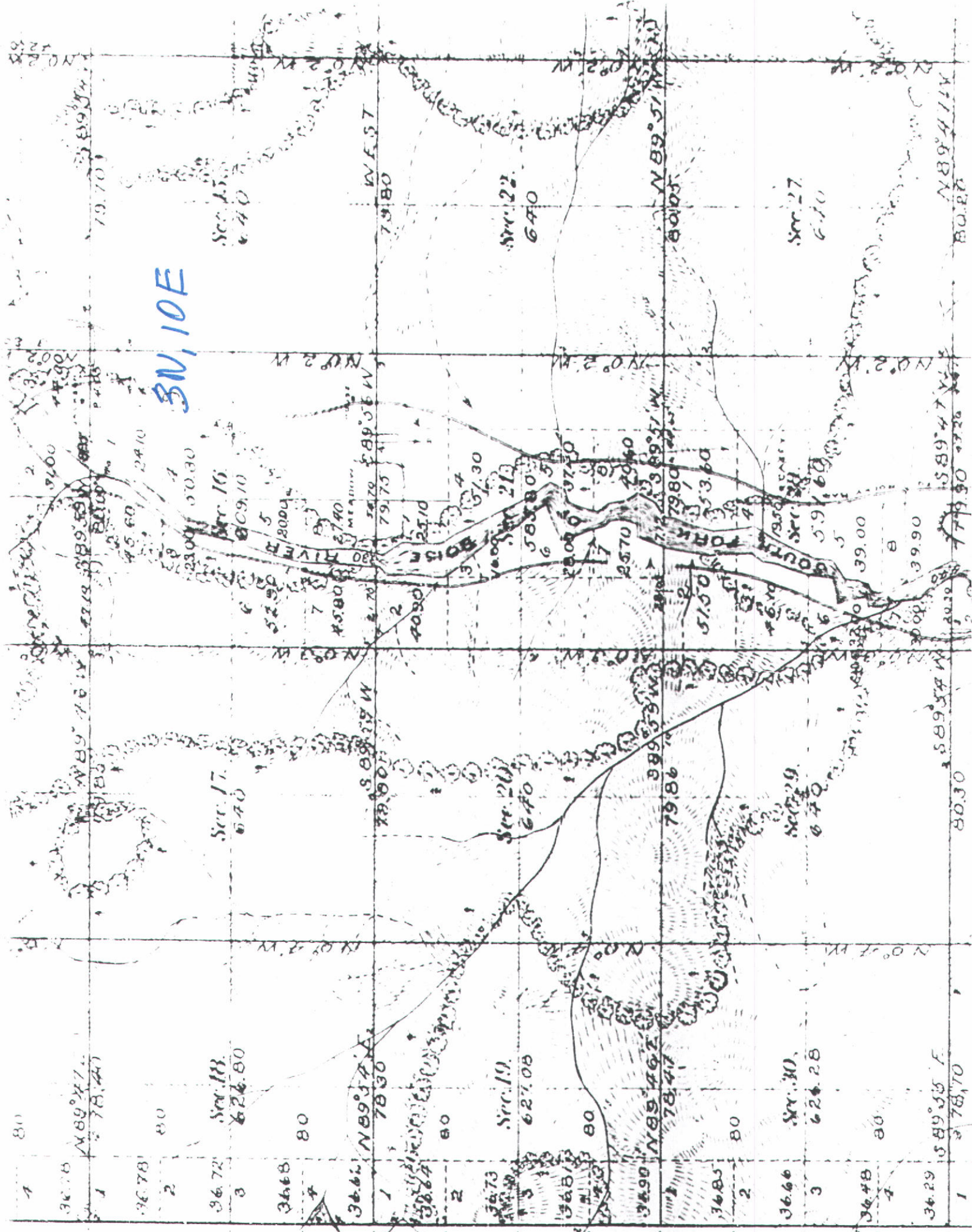
4823

A63-04746

3N, 10E

T3N

NORTH, RESURVEY



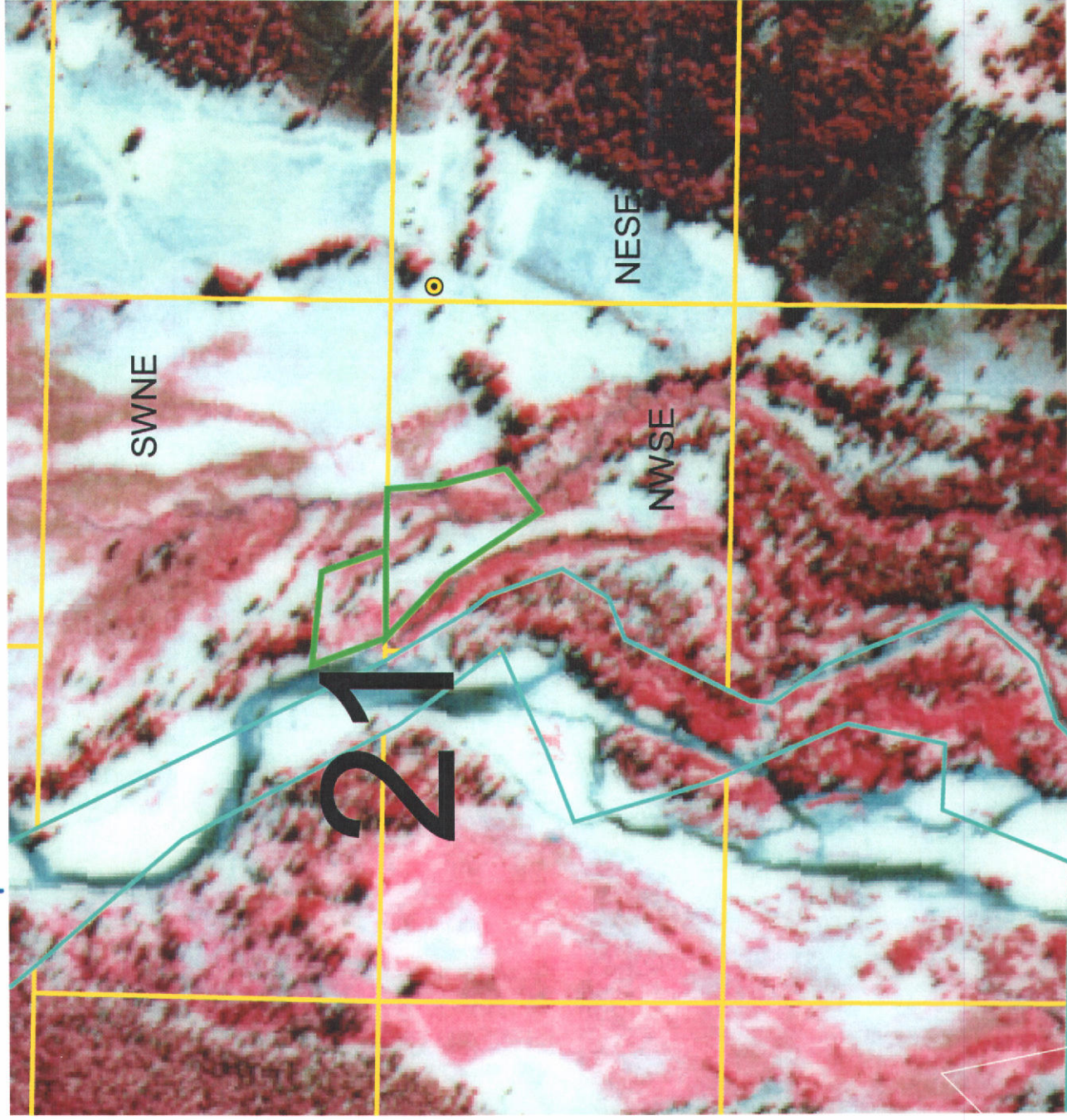
MICROFILMED
AUG 20 1992

T3N R10E



Claim No(s): 63-4746
T03N, R10E, S21
Prepared by: Sue Bock
Date: 10/9/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



63-4746 Field exam 10/3/01 Sue Bock

POD photo taken facing northwest about 100 yds off main road



Pou taken facing northwest



AG3-04746

≈ 3 acres



9-22-94 LRW

Measuring site of streamflow on Roberts Gulch creek.



9-22-94 LRW

Roberts Gulch diversion. Water backs up & flows down ditch, plus it is taken straight out of stream bed. Flood irrigation

AG3-04746



9-22-94 LRW

Place of use from gulch. Area right beside
gulch.

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 63-4746
Date Received: 7/27/1989
Receipt No: C008611
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ELK VALLEY RANCH INC
HC 87 BOX 439
PINE ID USA 83647

Phone: (208) 653-2376

2. Date of Priority: 06/01/1911

3. Source: ROBERTS GULCH CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03N	10E	21	NW	NE	SE	ELMORE	

5. Description of diverting works:

DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.1	

7. Total Quantity Appropriated is:
0.1 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
03N	10E	21	SW	NE	4	IRRIGATION 1
			NW	SE	5	IRRIGATION 4
					Section Acres	5
					Total Acres	5

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Name change by DB 3/5/2002, to Elk Valley Ranch Inc

OWNERSHIP CHANGED BY LH 9/23/96.

15. Basis of Claim: Statutory Claim

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 63-4746
Date Received: 7/27/1989
Receipt No: C008611
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICKELSEN FARMS INC Phone: (208) 653-2376

DBA ELK VALLEY RANCH INC
HC 87 BOX 439
PINE ID USA 83647

2. Date of Priority: 06/01/1911

3. Source: ROBERTS GULCH CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
03N	10E	21	NW	NE	SE	ELMORE	

5. Description of diverting works:

DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.1	

7. Total Quantity Appropriated is:
0.1 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	
03N	10E	21	SW	NE	4	IRRIGATION	1
			NW	SE	5	IRRIGATION	4
						Section Acres	5
						Total Acres	5

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY LH 9/23/96.

15. Basis of Claim: Statutory Claim

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: A63-04746
Date Received: 7/27/1989
Receipt No: C008611
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICKELSEN FARMS INC 208-531-5597
Address: 601B NORTH HWY 24
RUPERT ID 83350
2. Date of Priority: JUN 1, 1911
3. Source: ROBERTS GULCH Trib. to: BOISE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	10E	21	NW	NE	SE		ELMORE

5. Description of diverting works:
DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.100		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	10E	21	SW	NE	4	IRR	1.0
			NW	SE	5	IRR	4.0
						Section Acres	5.0

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
63-02144A, 63-04005A, & 63-04405B

14. Remarks:
OWNERSHIP CHANGED BY LH 9/23/96.

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-04746
Date Received: 7/27/1989
Receipt No: C008611
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT D. BUCKNER 208-585-3322
Address: RT.1, BOX 100
STAR, ID 83669
OR
Name: WILLIAM BUCKNER 208-585-3322
Address: RT.1, BOX 100
STAR, ID 83669
2. Date of Priority: JUN 01, 1911
3. Source: ROBERTS GULCH Trib. to: BOISE RIVER, SOUTH FORK
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
03N 10E 21 NW NE SE ELMORE
5. Description of diverting works:
DITCHES.
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/15 0.100
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.5 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

MICROFILMED

AUG 20 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	10E	21	SW	NE	4	IRR	1.0
			NW	SE	5	IRR	4.0
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

63-02144A, 63-04005A, & 63-04405B

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 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): Robert A Buckner Date: 7/27/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 89
Forrest E. Luthy
Notary Public

Seal

Forrest E. Luthy, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994
My Commission Expires _____

This deed was
received in order
to change water
rights into the
name of Elk Valley
Ranch.

3/4/2002

RECEIVED

MAR 04 2002

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED, Mickelsen Farms, Inc., the Grantor, does hereby grant, bargain, sell and convey unto Elk Valley Ranch, Inc., whose present address is HC 87, Box 439, Pine, Idaho 83647, the Grantee, the following described premises, located in Elmore County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 11 day of September, 2000.

MICKELSEN FARMS, INC.

By David R. Mickelsen
David R. Mickelsen, President

ATTEST: Dixie Mickelsen
Dixie Mickelsen, Secretary

STATE OF IDAHO

County of Minidoka

)
) ss.
)

On this 11 day of September, 2000, before me the undersigned notary public in and for said state, personally appeared David R. Mickelsen and Dixie Mickelsen, President and Secretary of Mickelsen Farms, Inc., known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Alan Goodman
Notary Public
Residing at Rupert, Idaho
My Commission expires 10-6-03

12921

TRACT II

Tracts of land in Sections 9, 16 and 21, in Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, described as follows:

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 21: All of Government Lots 4, 5 and 1, Northeast Quarter Southeast Quarter, Northwest Quarter Northeast Quarter, that part of the East half of the Northeast Quarter that lies west of the Pine-Featherville Road.

SAVE AND EXCEPT

All of Lots 6, 7, 8, 9, 10, 11 and 12, in Block 2, of the FEATHERVILLE ACRES SUBDIVISION #1, and Lots 1, 2, 3, 4, 5, Block 2, of the Amended plat of Lots 1 through 5, Block 2, FEATHERVILLE ACRES no. 1 SUB. ALL according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

ALSO SAVE AND EXCEPT

A Tract of land situated in the Southeast Quarter of Section 21, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows;

Commencing at the East Quarter corner of said Section 21, thence South 75°27'55" West a distance of 874.23 feet to the Northeast corner of Lot 8, Block 2, of FEATHERVILLE ACRES SUBDIVISION #1, thence North 87°45'26" West along the North boundary of said Lot 8 a distance of 382.37 feet to the Northwest corner of Lot 8, said point being the REAL POINT OF BEGINNING, thence South 82°41'42" West a distance of 536.91 feet to a steel pin; thence South 0°49'20" West a distance of 586.50 feet to a steel pin; thence South 65°40'19" East a distance of 248.24 feet to a steel pin; thence North 22°34'46" East along the westerly boundary of FEATHERVILLE ACRES SUBDIVISION #1, a distance of 819.81 feet to the REAL POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 16: All of Government Lots 8, 4 and 1, that part of Southeast Quarter that lies West of the Featherville-Pine Road, and the East half of the Northeast Quarter that lies West of the Featherville-Pine Road.

SAVE AND EXCEPT

Tract of land situated in Section 16, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, BEGINNING at the Quarter corner common to Sections 15 and 16, thence South 68°02'34" West a distance of 617.22 feet to a point on the West right-of-way of the Featherville-Pine Road, being the REAL POINT OF BEGINNING, thence South 16°50'46" West a distance of 647.84 feet along said West right-of-way, thence North 36°16'21" West a distance of 170.11 feet, thence North 10°54'02" West a distance of 244.95 feet, thence North 10°13'08" East a distance of 148.67 feet, thence North 24°42'06" East a distance of 32.20 feet, thence North 37°39'16" East a distance of 244.90 feet, thence North 24°24'56" East a distance of 106.52 feet, thence North 85°35'46" East a distance of 181.60 feet, thence South 18°32'34" West a distance of 251.06 feet to the REAL POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 9: That part of Government Lot 3, that lies West of the Featherville-Pine Road.

261415

ELMORE COUNTY, IDAHO, ss

Request of

GUARANTY TITLE, INC.

Time 11:28 A.M.

Date November 16, 1970

By

RAMONA YRAZABAN

By

Neil J. [Signature]

(Agent)

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

63-2144A, 474⁶, 4005C, 4005E

Previous Mailing Address:

RECEIVED

FEB 25 2002

**WATER RESOURCES
WESTERN REGION**

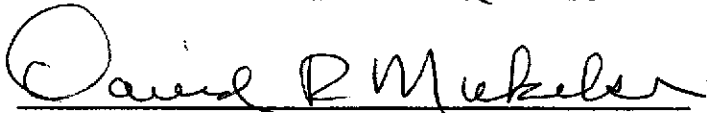
New Mailing Address:

Elk Valley Ranch Inc.
HC 87 Box 439
Pine, Id 83647

Telephone Number:

(208) 653-2376

Signature of Claimant(s):



Please return this completed form to:

**Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177**

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 63-04746
Adjudication Claim Number(s) A63-04746
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Robert or William Buckner
Rt 1, Box 100, Star ID 83669
4. New Owner/Claimant(s) Mickelson Farms Inc.
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 601B North Hwy 24
City, State and ZIP Code Rupert ID 83350
New Telephone Number (208) 531-5597
5. Date you acquired the property 11-14-1990
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Mickelson Farms Inc. Date 9-20-96
Lee David P. Mickelson Date _____
- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to communicate directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

For Value Received WILLIAM J. BUCKNER and JODY ANN BUCKNER,
husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto
MICKELSEN FARM, INC.

the grantee , whose current address is Rt 4, Box 214, Rupert, Idaho 83350

the following described premises, in Elmore County Idaho, to-wit:

See Exhibit "B" attached hereto and made a part hereof

This Warranty Deed is being re-recorded to correct the legal description

Re-Record
261656

261418

ELMORE COUNTY, IDAHO, ss
Request of
GUARANTY TITLE, INC.
Time 3:44 P.M.
Date December 10, 1990
Book _____ of _____
Page _____
By RAMONA YRAZABAL
Merla L. Buckner Deputy
Fee \$15.00

ELMORE COUNTY, IDAHO, ss
Request of
GUARANTY TITLE, INC.
Time 11:31 A.M.
Date December 16, 1990
Book _____ of _____
Page _____
By RAMONA YRAZABAL
Merla L. Buckner Deputy
Fee \$6.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee that they are the owners in fee simple of said premises; that they are free
from all incumbrances Except: current year taxes, conditions, covenants, restrictions,
reservations, easements, rights and rights of way, apparent or of record

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 14, 1990

William J. Buckner
William J. Buckner

Jody Ann Buckner by William J. Buckner
Jody Ann Buckner by attorney in fact

STATE OF IDAHO, COUNTY OF ADA
On this 15th day of November, 1990,
before me, a notary public in and for the said State, personally
appeared

William J. Buckner

Jody Ann Buckner by attorney in fact

known or identified to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me
that he executed the same.

Residing at Boise
Comm. Expires 07/30/93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the

before me, a Notary Public, personally appeared
WILLIAM J. BUCKNER

known or identified to me to be the person whose name is subscribed
to the within instrument as the attorney in fact of JODY ANN
BUCKNER and acknowledged to me
that he subscribed the name of JODY ANN BUCKNER
therein as principal, and his (her) own name as attorney in fact.

Notary Public
Residing at Boise Idaho
Comm Expires 7/30/93

EXHIBIT B

TRACT II

Tracts of land in Sections 9, 16 and 21, in Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, described as follows:

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 21: All of Government Lots 4, 5 and 1, Northeast Quarter Southeast Quarter, Northwest Quarter Northeast Quarter, that part of the East half of the Northeast Quarter that lies west of the Pine-Featherville Road.

SAVE AND EXCEPT

All of Lots 6, 7, 8, 9, 10, 11 and 12, in Block 2, of the FEATHERVILLE ACRES SUBDIVISION #1, and Lots 1, 2, 3, 4, 5, Block 2, of the Amended plat of Lots 1 through 5, Block 2, FEATHERVILLE ACRES no. 1 SUB. ALL according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

ALSO SAVE AND EXCEPT

A Tract of land situated in the Southeast Quarter of Section 21, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows;

Commencing at the East Quarter corner of said Section 21, thence South 75°27'55" West a distance of 874.23 feet to the Northeast corner of Lot 8, Block 2, of FEATHERVILLE ACRES SUBDIVISION #1, thence North 87°45'26" West along the North boundary of said Lot 8 a distance of 382.37 feet to the Northwest corner of Lot 8, said point being the REAL POINT OF BEGINNING, thence South 82°41'42" West a distance of 536.91 feet to a steel pin; thence South 0°49'20" West a distance of 586.50 feet to a steel pin; thence South 65°40'19" East a distance of 248.24 feet to a steel pin; thence North 22°34'46" East along the westerly boundary of FEATHERVILLE ACRES SUBDIVISION #1, a distance of 819.81 feet to the REAL POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 16: All of Government Lots 8, 4 and 1, that part of Southeast Quarter that lies West of the Featherville-Pine Road, and the East half of the Northeast Quarter that lies West of the Featherville-Pine Road.

SAVE AND EXCEPT

Tract of land situated in Section 16, Township 3 North, Range 10 East, Boise Meridian, Elmore County, Idaho, BEGINNING at the Quarter corner common to Sections 15 and 16, thence South 68°02'34" West a distance of 617.22 feet to a point on the West right-of-way of the Featherville-Pine Road, being the REAL POINT OF BEGINNING, thence South 16°50'46" West a distance of 647.84 feet along said West right-of-way, thence North 36°16'21" West a distance of 170.11 feet, thence North 10°54'02" West a distance of 244.95 feet, thence North 10°13'08" East a distance of 148.67 feet, thence North 24°42'06" East a distance of 32.20 feet, thence North 37°39'16" East a distance of 244.90 feet, thence North 24°24'56" East a distance of 106.52 feet, thence North 85°35'46" East a distance of 181.60 feet, thence South 18°32'34" West a distance of 251.06 feet to the REAL POINT OF BEGINNING.

TOWNSHIP 3 NORTH, RANGE 10 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

Section 9: That part of Government Lot 3, that lies West of the Featherville-Pine Road.



4829

4828

A63-04746

3N, 10E

4827

35'

22

4826

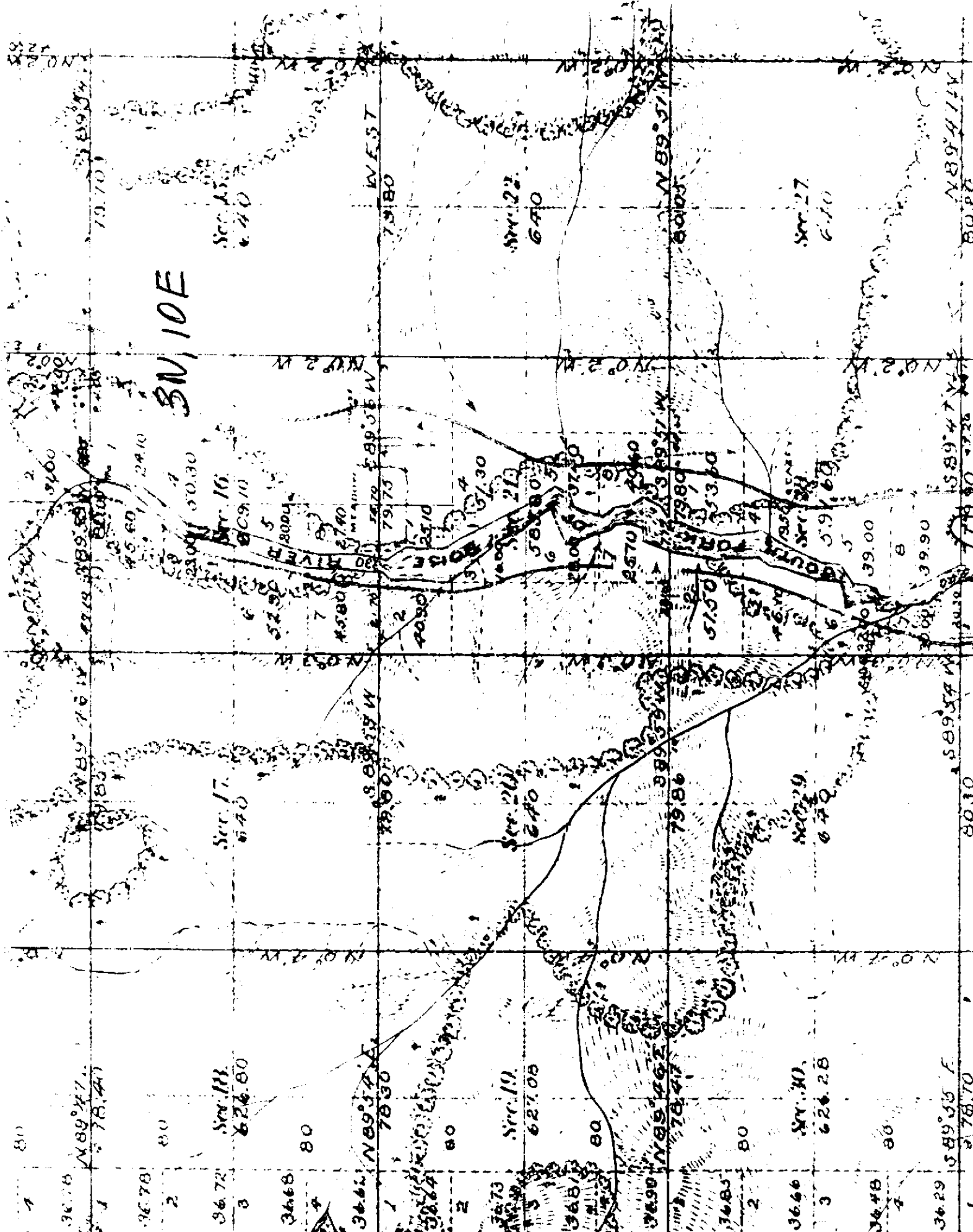
4825

4824

4823

T3N

NORTH RESURVEY



BN, 10E

Ser. 111
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

Ser. 112
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

Ser. 113
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

Ser. 114
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

Ser. 115
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

Ser. 116
624.00

Ser. 17
640

Ser. 16
609.10

Ser. 15
640

OWNERSHIP CHANGE CHECKLIST

 AJQ1 ADJUDICATION CLAIMS FOUND Y N

AL3-04746, AL3-28409

 AJQ4 ADJUDICATION CLAIMS FOUND ✓ Y N

A63-04746

WRQ1 WATER RIGHTS FOUND Y ☒ N

WRQ4 WATER RIGHTS FOUND ☒ Y ☐ N

63-04746 63-04005

CLAIM(S) FILED ☒ Y

N

IF NO, CLAIM(S) REQUIRED Y N

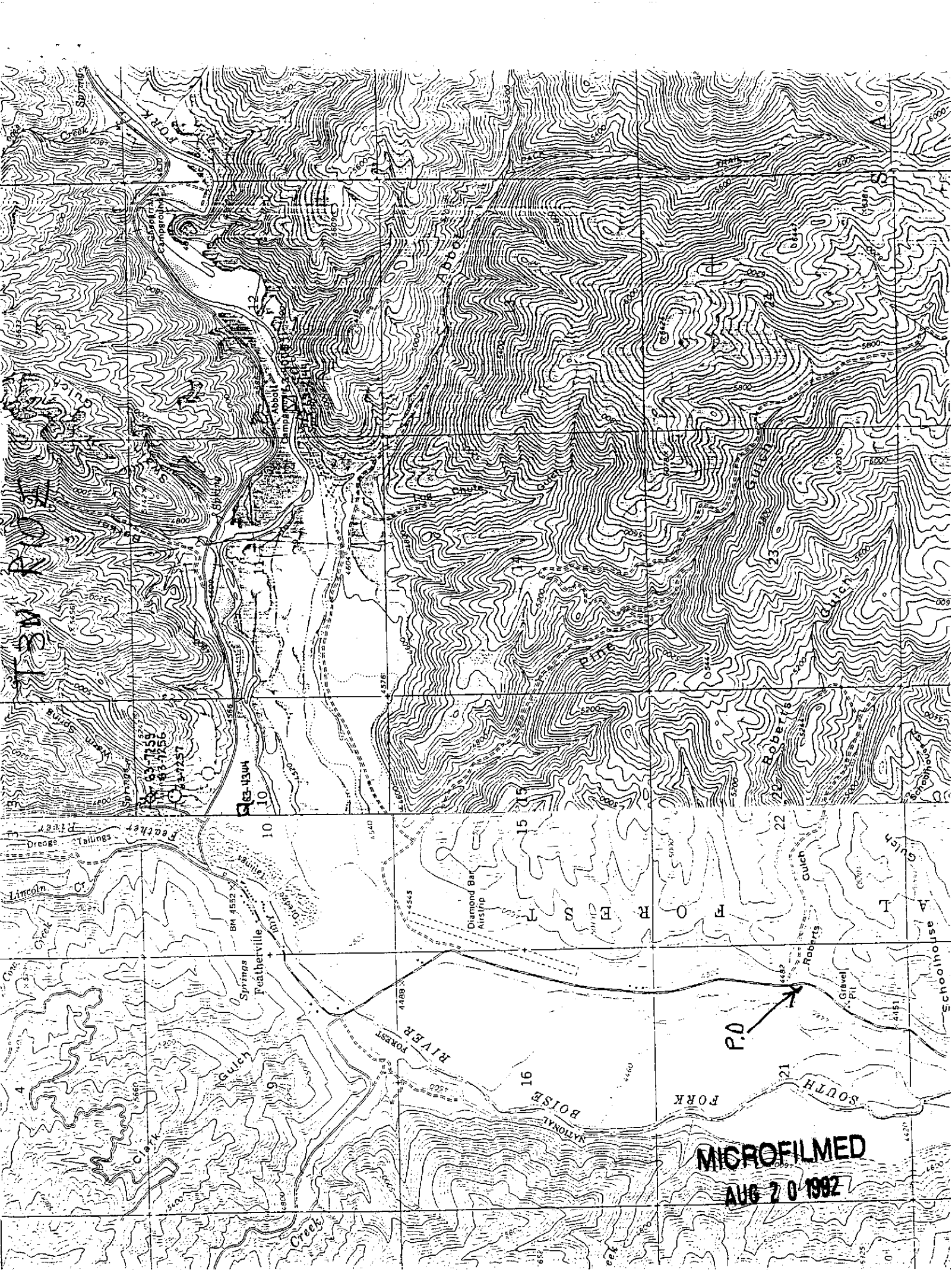
IF YES, DATE LETTER REQUESTING CLAIM SENT

IF NO, DATE SENT TO S.O. _____

NEW CLAIM RECEIVED Y N

IF NO, DATE SENT TO S.O.

COMMENTS _____



MICROFILMED
AUG 20 1992

TRN R105



4831

710 000
FEET

4830

4829

4828

4827

35'

4826

4825

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

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 5, 2002

ELK VALLEY RANCH INC
HC 87 BOX 439
PINE ID 83647

Re: Notice of Claim to a Water Right No. 63-2144A, 63-4005C, 63-4005E & 63-4746

Dear Claimant:

Enclosed is a copy of the above referenced claim, which reflects the necessary name change for the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

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

1

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-4744)
)
)

State of Idaho)
County of _____)

AFFIDAVIT

David Mickelsen

being first duly sworn,

deposes and says: To the best of my knowledge,
the Roberts Gulch water has always
been used. When I bought the ranch,
I talked to John Higgins and Bill
Buckner, both previous owners, and
they stated the water has been used
on the ranch since it was first
brought into production.

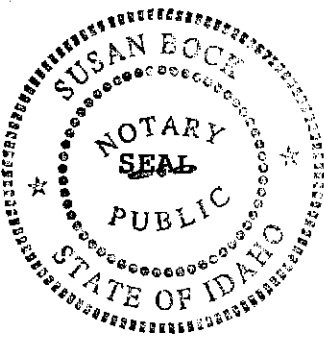
David P Mickelsen
(Signature)

Subscribed and sworn to before me this
day 25 of Feb., 2002

Susan Boel
(Notary Public)

Residing at Alba

My Commission Expires 10/23/2004



I Artie E Herod WAS IN THE
Featherville Area IN LATE AUGUST
1955 WITH MY FATHER AND A BROTHER
TO LOOK AT THE BUMGARDNER RANCH.

WE ALSO LOOKED AT THE WORTH
LEE RANCH. AT THIS TIME THE WATER
FROM ROBERTS GULCH WAS BEING
USED FOR IRRIGATION ON THE LEE
RANCH. I 1959 I WAS HERE AGAIN
AND LAWENCE RIPPINGS WAS USING
THE WATER ON THE RANCH.

Artie E Herod
HC 87 BOX 438
Featherville, Id

IDAHO DEPARTMENT OF WATER RESOURCES 10/09/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: MICKELSEN FARMS INC
601B NORTH HWY 24
RUPERT ID 83350

SOURCE: ROBERTS GULCH CREEK TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 06/01/1911

POINT OF DIVERSION:

T03N R10E S21 NWNESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T03N R10E S21 Lot 4 SWNE 1.0 T03N R10E S21 Lot 5 NWSE 4.0

5 ACRES TOTAL

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.

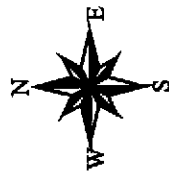
EXPLANATORY MATERIAL: Beneficial Use

Left message on 2-14-02 regarding priority

Idaho Dept of Water Resources

Claim No(s): 63-4746
T03N, R10E, S21
Prepared by: Sue Bock
Date: 10/9/2001

- ☐ Place of Use
- ☒ Point of Diversion
- ☐ Section lines
- ☐ 1/4 1/4 lines



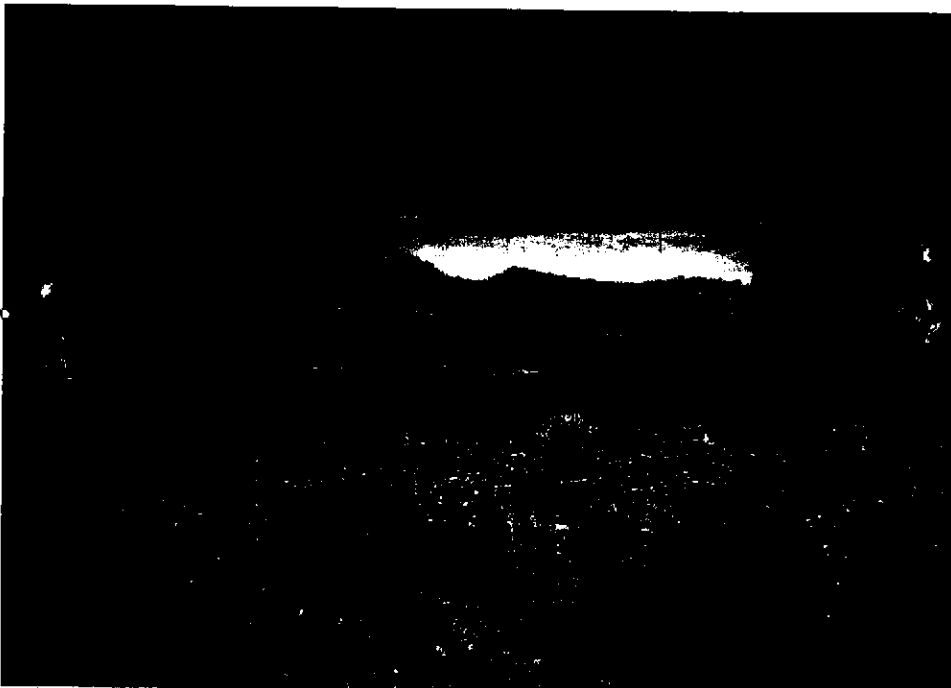
1987 NAPP Photo

63-4746 Field exam 10/3/01 Sue Bock

POD photo taken facing northwest about 100 yds off main road



Podu taken facing northwest



DATE: 05/22/01
PAGE: 25

DIVERSION
VOLUME

DIVERSITY
RATE

Stage: STATUTORY CLAIM

NUWESE

NE
Irrigation for: IRRIGATION
NW

CS

100-48-70

• • •

5.0

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Other Rights: 63-02144A, 63-04005A, & 63-04405B

OWNER

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

DIVERSION

VOLUME

CODE

FROM

RATE

C

LAURENCE RIGGINS

06/01/1911

IRRIGATION

04/15 10/15

0.100 CFS

RT. 8, BOX 293

CALDWELL ID 83605

TOTAL DIVERSION:

0.100 CFS

Water Source: ROBERTS GULCH

Tributary to: BOISE RIVER, SOUTH FORK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T03N R10E S21

NESE

ELMORE County

Place of use Legal Description for: IRRIGATION

NE

SE

SW

SESE

SUM

T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac

03N 10E 21 : 04-01

05-04

TOTAL ACRES

5.0

5.0

Pou County: ELMORE

Dates:

App. Received:

Proof Due Date:

Exam Made Date:

Licensed Date:

Priority Date:

06/01/1911

Exam Sent to S.O.:

Misc:

Water District Number:

Field Exam Fee:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

MICKELSEN FARMS INC
601B NORTH HWY 24
RUPERT, ID 83350

Re: Claim No(s) 63-4746

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 23, 1996

Re: Notice of Claim to a Water Right No. A63-04746

MICKELSEN FARMS INC
601B NORTH HWY 24
RUPERT ID 83350

Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosure

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-04746

SUBJECT: Change of Ownership

EMPLOYEE: MTMickelson

DATE: 07/16/1996

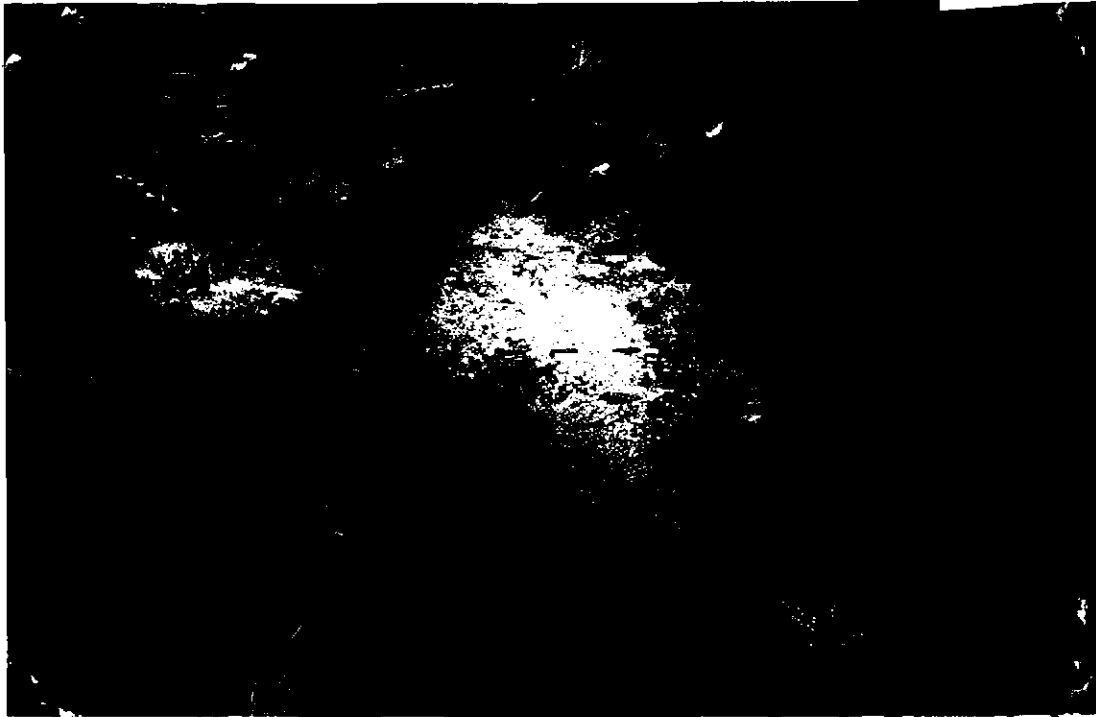
Mr. Mickelson stopped by the office to change the ownership of the above-referenced claim. This claim was apparently overlooked when the other Mickelson claims were changed. Mr. Mickelson did not have a copy of his deed and the numbers (recording numbers, document numbers?) of the deed we do have do not match (Attachment # is not the same as the deed #). Rather than plow my way through the morass, Mr. Mickelson agreed to send a copy of his deed to this office, within the next week or so. Mr. Mickelson signed the COF O form and left it @ our office.

A search of the data base did not find any additional claims of Buckner's that need to be changed to Mickelson Farms Inc.

9-20-96 - Change of Ownership completed by Mr. Mickelson, MTS.

AG3-04746

≈ 3 acres



9-22-94 LRW

measuring site of streamflow on Roberts Gulch creek.



9-22-94 LRW

Roberts Gulch diversion. Water backs up & flows down ditch, plus it is taken straight out of stream bed. Flood irrigation

AG3-04746



9-22-94 LRS

Place of use from gulch. Area right beside
gulch!

Open Channel Discharge Measurement Notes

(if applicable)

A. GENERAL INFORMATION

1. Name of stream or ditch: Roberta Gulch, Mickelson # 3-4005 4746
2. Location: Sec. 21, NESE
3. Person(s) conducting measurement: D. Werner
4. Date of measurement: 9-22-94 5. Weather conditions: Clear, Calm/Warm
6. Measuring device size and ID no.: Pygmy 090175
7. Spin test before: 1.14 after:
8. Purpose of measurement: Q - Irr.
9. Cross section description: Gravel, cobbles, Veg @ LEW + REW

B. MEASUREMENT DATA

Dist. from initial point	Width	Depth	Obs. Depth	Revolutions	Time in Seconds	Velocity		Area	Discharge
						At point	Average		
0.2	0.35	0		REW @	104.5				
0.9	0.4	0.1		3	52	0.06		0.04	0.002
1.0	0.20	0.1		25	52	0.48		0.02	0.01
1.3	0.30	0.1		30	43	0.70		0.03	0.02
1.6	0.25	0.1		45	48	0.94		0.02	0.02
1.8	0.15	0.1		20	41	0.49		0.01	0.005
1.9	0.15	0.1		30	53	0.57		0.01	0.006
2.1	0.15	0.1		35	40	0.87		0.01	0.009
2.2	0.20	0.1		30	43	0.70		0.02	0.01
2.5	0.55	0.1		25	46	0.54		0.05	0.03
3.3	0.40	0		LEW @	1101				
3.1	3.10							0.19	0.157 cfs
									= 0.16 cfs
						Q =	0.16 cfs =		
							8 inches		

C. REMARKS

Good mmt.

SIGNATURE

D. Werner