

12/29/2005

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

RIGHT NUMBER: 21-2081

NAME AND ADDRESS: MICKELSEN 7 RANCH
5057 N 5TH W
IDAHO FALLS ID 83401

SOURCE: DEEP CREEK

TRIBUTARY: SEILER RESERVOIR

QUANTITY: 4.900 CFS

PRIORITY DATE: 04/17/1920

POINT OF DIVERSION:

T14N R43E S10 SESW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/15	0.130 CFS
IRRIGATION	05/01 10/31	4.900 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T14N R43E S11	SWNE	0.7	T14N R43E S11	NWNW	5.5
T14N R43E S11	SWNW	37.0	T14N R43E S11	SENW	25.0
T14N R43E S11	NESW	40.0	T14N R43E S11	NWSW	13.0
T14N R43E S11	SWSW	18.0	T14N R43E S11	SESW	39.0
T14N R43E S11	NESE	1.9	T14N R43E S11	NWSE	26.0
T14N R43E S11	SWSE	40.0	T14N R43E S11	SESE	24.0
T14N R43E S14	NENW	17.0	T14N R43E S14	NWNW	40.0
T14N R43E S14	SWNW	40.0	T14N R43E S14	SENW	40.0

STOCKWATER same as IRRIGATION

407.1 ACRES TOTAL

Right Nos. 21-2081 and 21-4096 are limited to the irrigation of a combined total of 407.1 acres 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 - License

08/11/2005

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5057 N 5TH W
IDAHO FALLS ID 83401

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TRIBUTARY: SEILER RESERVOIR

QUANTITY: 4.900 CFS

PRIORITY DATE: 04/17/1920

POINT OF DIVERSION:
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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/15 10/15	0.130 CFS
IRRIGATION	05/01 10/31	4.900 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T14N R43E S11	NESW	40.0	T14N R43E S11	NWSW	11.0
T14N R43E S11	SWSW	18.0	T14N R43E S11	SESW	39.0
T14N R43E S14	NENW	17.0	T14N R43E S14	NWNW	40.0
T14N R43E S14	SWNW	40.0	T14N R43E S14	SENW	40.0

STOCKWATER same as IRRIGATION

245 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: BASIS OF CLAIM - License

AUG 11 2001

275⁰⁰

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

RECEIVED

FEB 14 1989

Ident. Number: A21-02081
Date Received: ~~1/25/1989~~ Feb 15, 1989
Receipt No: 8005774
Received By: EMC

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICKELSEN 7- RANCH 208-522-9553
Address: 5057 N. 5TH W.
IDAHO FALLS, ID 83401

2. Date of Priority: APR 17, 1920

3. Source: SEILER RESERVOIR Trib. to: SOUTH SAWTELL CREEK
SOUTH SAWTELL CREEK SINKS
DEEP CREEK SEILER RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	43E	10	SE	SW			FREMONT

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.900		
STOCKWATER	04/15	10/15	0.130		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 600 RANGE CATTLE

A21-02081

Page 1

Date: 01/25/89

A2102081



MICROFILMED
OCT 20 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	43E	11	NE		SW		IRR	5.0
			NW		SW		IRR	30.0
			SW		SW		IRR	40.0
			SE		SW		IRR	28.0
							Section Acres	103.0
		14	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	22.0
							Section Acres	142.0
							Total Acres	245.0

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:
NONE

14. Remarks:
TRANS. 2868.

15. Basis of Claim: LICENSE
Water Right Number: 14682

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 Organizations:

I do solemnly swear or affirm that I am PARTNER of _____ Title

MICKELSEN 7- RANCH , that I have signed the foregoing Organization

document in the space below as PARTNER of _____ Title

MICKELSEN 7- RANCH and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]

Signature of Authorized Agent

PARTNER MICKELSEN 7- RANCH
Title and Organization

25 Jan 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of January 19 89

[Signature]
Notary Public

Seal

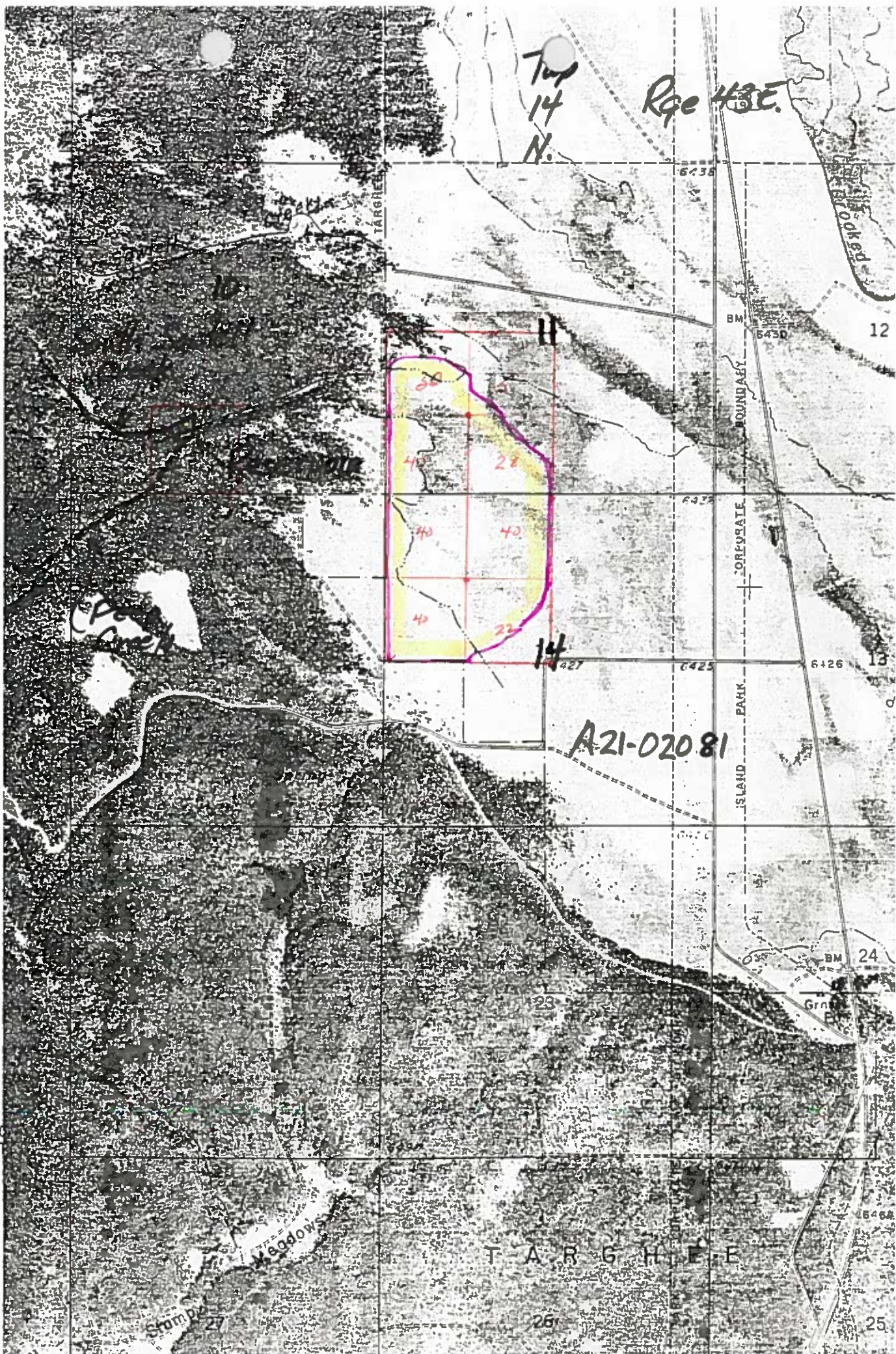
Residing at Idaho Falls, ID.

My Commission Expires 14 June 1994

MICROFILMED

OCT 20 1992

1 040 000
FEET

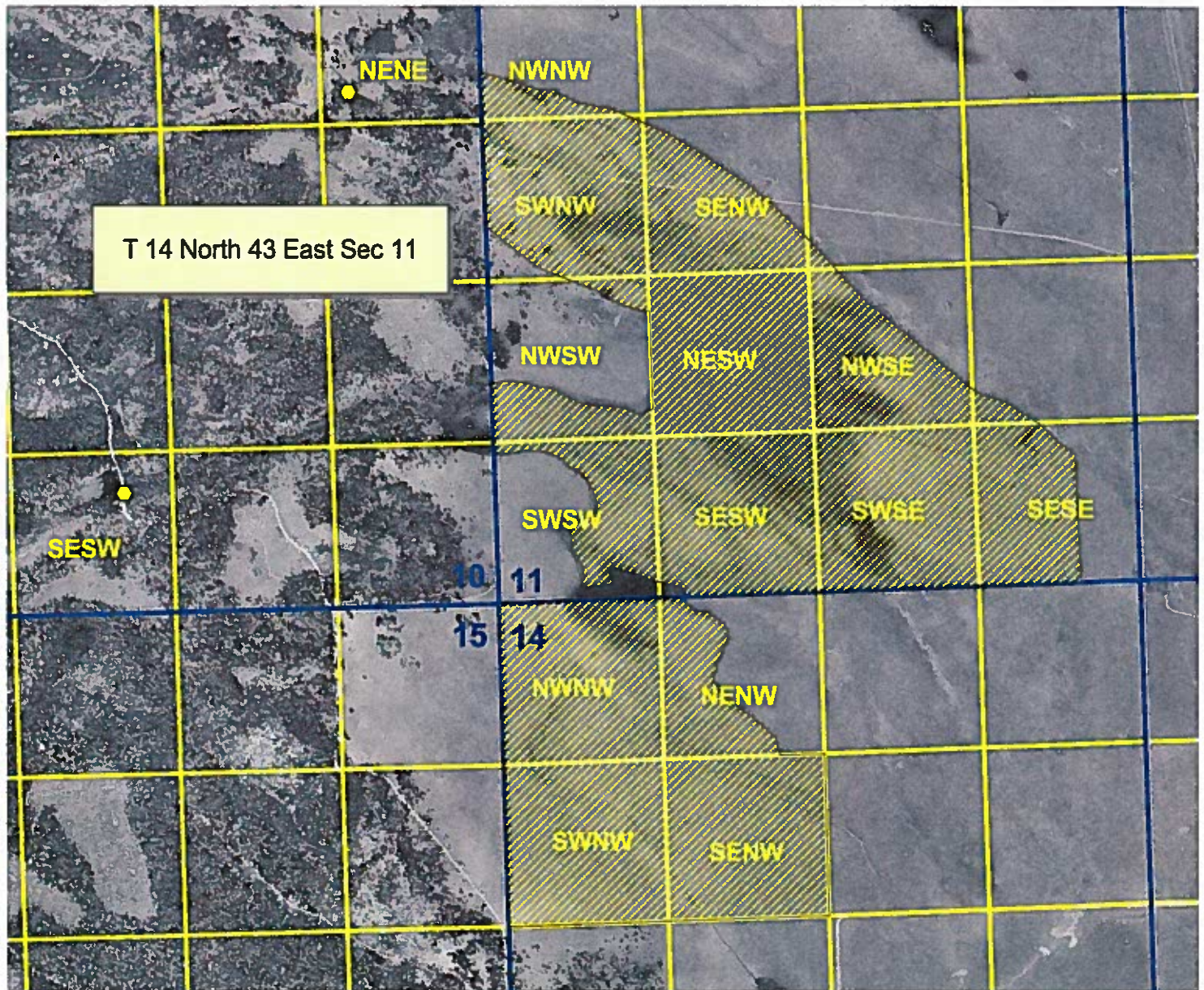




State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 21-2081, 21-4096



2000 0 2000 4000 Feet

- Place of Use
- Sections
- Quarter Quarter
- Points Of Diversion

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

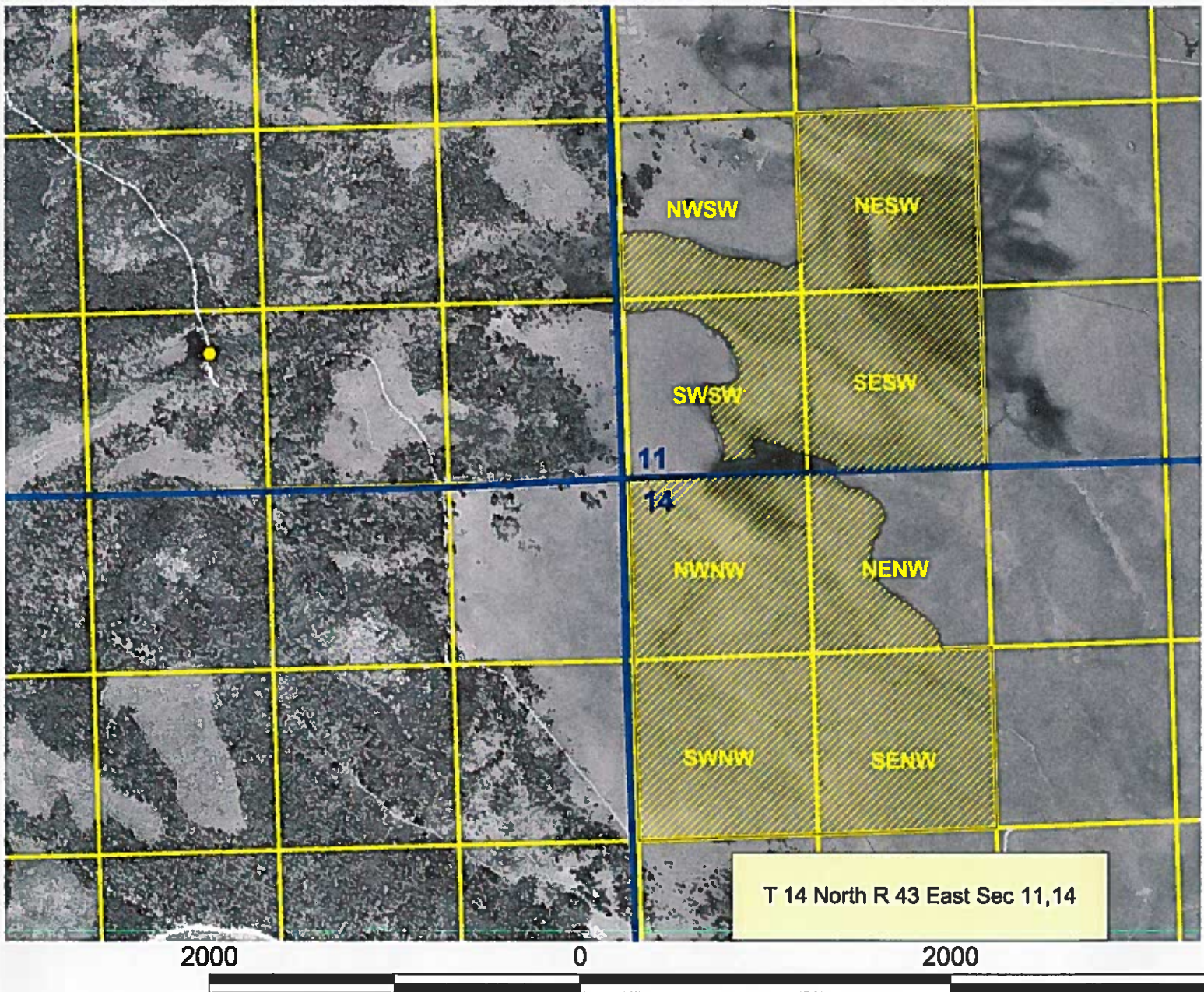




State of Idaho
Department of Water Resources
Eastern Region



Claim Number(s): 21-2081



- Place of Use
- Points of diversion
- PLSS Section LinesSections.shp
- Quarter Quarter

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



Contacts Data Entry Form

Claim Number: 21-02081

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

CURRENT OWNERSHIP - Mikkelsen 7- Ranch Inc.
90 Mikkelsen Lloyd
MIT Mikkelsen Dale
P.O. Box 628
Rigby, ID 83442
OR
4650 Old Hunt Rd 83429

Reviewer: _____ Date: _____

Claim no. _____

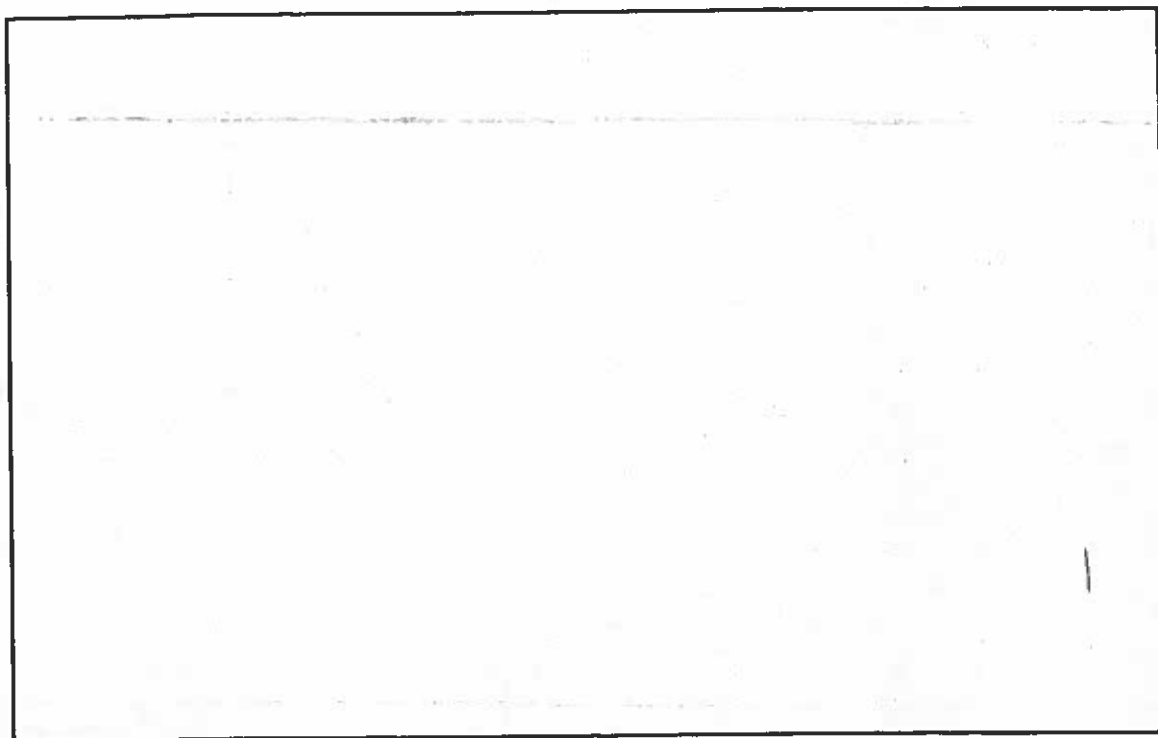
Claimant Contact Log

Date _____

Remarks

Agent initials

Water Right No(s). _____



GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: _____ Trib to: _____

MOTOR

Make: _____ Model: _____ Hp: _____

SN: _____

PUMP

Make: _____ Model: _____ Disch: _____

SN: _____

NOTES:

Field Exam Date: _____ Agent: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:

Reviewer: _____ Date: _____

Claim Number: _____

Recommended Place of Use					County	Lot Num	Acres	Purpose of Use
Twp	Rge	Sec	QQ	Q				
					Total acres			

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

Reviewer: _____ Date: _____

State of Idaho

License and Certificate of Water Right

Water License No. 14682
 Water District No. 36-A

Amount 5.4 sec. ft.
 Priority 4-17-1920

THIS IS TO CERTIFY that Edward A. Sailer
 of Lake, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 17, 1920; that Permit No. 14682
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.4
 second feet, was issued thereunder on June 13, 1920, showing that said works
 were completed on the 11th day of June, 1920; and that on the 17th
 day of July, 1920,

Edward A. Sailer
 of Lake, State of Idaho, made proof to the satisfaction of the
~~Commissioner of Reclamation~~
~~State Engineer of Idaho~~, of a right to the use of the waters of Sailer Reservoir,
 a tributary of South Sawtelle Creek, for the purpose of irrigation and domestic use,
 under Use Permit No. 14682 of the ~~State Engineer~~ Commissioner of Reclamation, and that said right to the use of said
 waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
~~Engineer of Idaho~~ Commissioner of Reclamation and entered of record in Volume 5 of Licenses, at page 2578, on the 23rd
 day of August, 1920;

The right hereby confirmed dates from April 17, 1920;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 10, Tp. 14 N., R. 43 E., B. M. County of Fremont.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed 5.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 N.	43 E.	11	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	15
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	10
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
					245
					Total ~~245~~

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
 use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation
W. Q. Swendsen, affixed at Boise, Idaho, this 23rd
 day of August, 1920

W. Q. Swendsen
 Commissioner of Reclamation State Engineer.

(SEAL)

By S. T. Baer, Deputy.

2081

Transfer No. 2868Water Right No. 21-2081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Lloyd Mickelsen Phone 522-9553
Post Office address Rt. 6, Box 394, Idaho Falls, Idaho 83401

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 21-2081 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Sailer Reservoir tributary to South Sawtell Creek
Date of priority April 17, 1920

Water is used for the following purposes:

amount 4.9 cfs for Irrigation & purposes from Not Specified to _____
amount _____ for Domestic purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 4.9 cubic feet per second
b. _____ acre feet per annum
7. Location of original point of diversion is SW % of SW % of Section 10
Township 14N Range 43E, B.M., in Fremont County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>14N</u>	<u>43E</u>	<u>11</u>									<u>40</u>	<u>10</u>	<u>20</u>	<u>40</u>	<u>15</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>245</u>

Total number of acres to be irrigated 245**9. Describe any other water rights used for the same purpose as described above**

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General information

- a. Amount of water to be diverted 4.9 c.f.s. &/or _____ acre feet
- b. Description of diverting works Reservoir to ditches for flood irrigation
- c. Describe the reasons for the proposed changes Water right has been used on other ground since 1925 to better utilize water.

2. Change in point of diversion

Point of diversion SE 1/4 SW 1/4, Section 10 Township 14N
Range 43E, B.M., Fremont County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No affect, land will be irrigated from Sawtelle Creek.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 21st day of March, 19 83
[Signature]
(Signature of Applicant)
[Signature]
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-2081
and said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 25th day of August, 19 83

[Signature]

L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>SM</u>	Date <u>3-21-83</u>	Protest filed by _____
Prelim. check by <u>HWT</u>	Fee <u>50⁰⁰</u>	_____
Received by <u>QW</u>	Date <u>3-21-83</u> # <u>25526</u>	_____
Published in <u>Fremont County Chronicle</u>	Copies of protest forwarded by _____	
Pub. dates <u>4/14 & 4/21/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
<u>WD #1</u> rec'd. <u>4-22-83</u>	by <u>[Signature]</u>	

REPORT OF ENGINEER

This proof is for A. to B. W. W.In Water District No. 36 A

1. State name of applicant and number of permit: Edward E. Seiler 14682
 2. State source of water supply: Seiler Res. & South Sawtelle Creek
 3. Location of point of diversion: SW 1/4 SW 1/4 Sec 10 - 14 T 43 E

Fremont Co.

4. Describe works as they exist, giving dimensions and capacities of same:

As described in permit
Capacity 5.4 sec ft

Estimated capacity Res 200 ft alt permit R 215

5. State whether or not water has been turned into works of diversion: yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

NE 1/4 SE 1/4 - 15A, NW 1/4 SE 1/4 - 40A, SE 1/4 SE 1/4 - 40A,
SW 1/4 SE 1/4 - 40A, NE 1/4 SW 1/4 - 40A, NW 1/4 SW 1/4 - 10A,
SW 1/4 SW 1/4 - 20A SE 1/4 SW 1/4 - 40 all in sec
11 T 14 N R 43 E

7. Submit map on enclosed plat, showing location and details of above description. See permit map

8. How many parties conduct water in this system? one

9. Give names and amount of each right: Edward E. Seiler

10. What large stream would the water here appropriated finally reach? Prob. Kiny Lake

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: under ground surface only

Remarks:

This examination was made on the

19th day ofJuly19 20

(Signed)

W. H. Swanson

Examiner.

14682

OVER

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of

} ss.

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this day of 19

My commission expires

Notary Public.

Instructions to Examiners

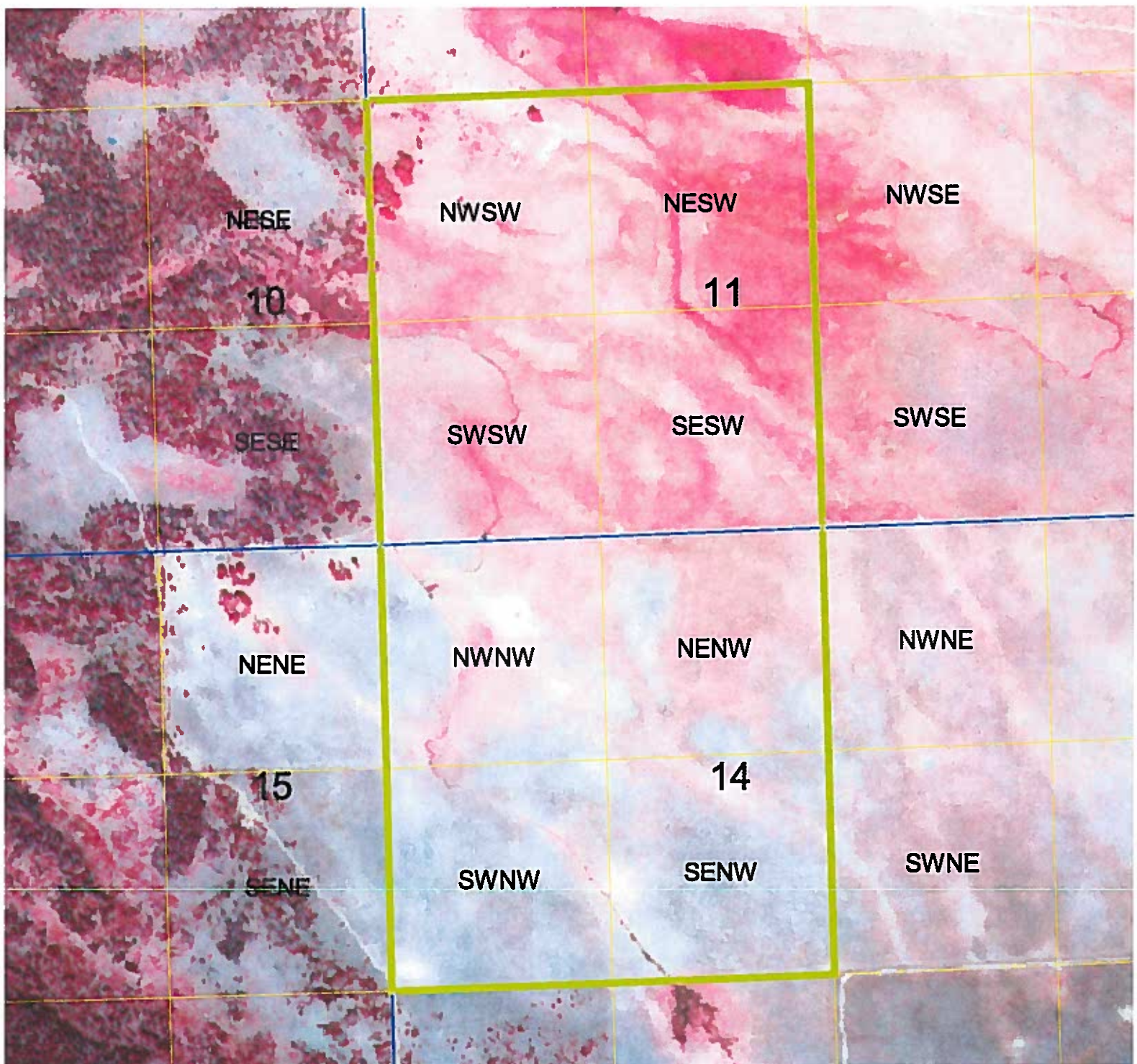
1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they call, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

RECEIVED

JUL 30 1929

DEPARTMENT OF RECLAMATION

21-2081
14N 43E



Claim No. 21-2081

Document Checklist

☒ Copy License/Decree

☒ Copy Transfer 2868

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map