

07/01/2004

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

RIGHT NUMBER: 27-10416

NAME AND ADDRESS: LINDON A MICKELSEN
2011 RIVERTON RD
BLACKFOOT ID 83221

LOREEN A MICKELSEN
2011 RIVERTON RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS

The daily diversion volume for the commercial use authorized under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T03S R35E S5 SWSE Lot 3 Within BINGHAM County
2 POINTS OF DIVERSION LOCATED IN T3S, R35E, S5, L3, SWSE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.090 CFS
COMMERCIAL	01/01 12/31	0.070 CFS

Domestic use is for 4 home.

PLACE OF USE: STOCKWATER Within BINGHAM County

T03S R35E S05 Lot 3 SWSE

DOMESTIC Within BINGHAM County

T03S R35E S05 Lot 3 SWSE

COMMERCIAL Within BINGHAM County

T03S R35E S05 Lot 3 SWSE

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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: **Beneficial Use**

PROFILE

BLANKED
MAY 25 2006

Notes

6/28/04 Volume $V_{dr} = 0.09 * 365 * 1.9835 = 65 \text{ AFA}$.
Recommend as noted.
No layout needed.

2-10-06 Client paid \$57⁰⁰ - see receipt M003355.

- \$7⁰⁰ variable fee applies to commercial use in animal processing & packing plant.

figure will operate 4 hours per day, 5 days week

$$0.07 \text{ cfs} \times 448.8 \text{ g/cfs} \times 240 \text{ m}^3/\text{hr/day} \times 5 \text{ d/wk} \times 52 \text{ wks} \\ = 1,960,358 \text{ gal/year} \div 325,860 \text{ gal/AF} = \underline{\underline{6.02 \text{ AF}}}$$

- volume for commercial use = 6.0 AF.
- add N14 & N09
- Domestic use for 1 home
- Commercial use for animal processing & packing plant.

SCANNED
MAY 25 2006

PROFILE

Claim Summary Worksheet

Claim No. 27 - 10416

Completion of claim is dependent
on processing the following
documents and/or actions.

	Requested	Response date	Received	Completed	Notes
OWNERSHIP					
Ownership Change Form					Sent 2 line disallow 1-30-04
Warranty Deed					Phone call from Clement 2-3-04
Map(s)					Time lapse
Is this a split? Y N					
Evidence - priority	12-8-03	12-16			
AMENDMENT					
Notarized amended claim					
Correction in POD/Source	3/4/04	3-25	3-22		
Correction in POU	3/4/04	3-25	"		
Change in Priority Date	3/4/04	3-25	"		
Change in Diversion Rate	3/4/04	3-25	"		
ENLARGEMENT					
1. Advised claimant need to file enlargement claim					
2. Receive enlargement claim					
3. Eastern registration process					
4. Notarized claim					Enlargement Claim # -
SPLIT CLAIM		Obtain information from Eastern			Parent Right # - : CFS
Ownership					Children # - : CFS
					Children # - : CFS
					Children # - : CFS
					Children Total: CFS

Children total must agree with parent right.

Notes

1/30/04 Sent disallow notice to claimants to see if we can get them to respond to our request for evidence

This claim also needs to be amended because the pod: pole is located in the SWSE; L-3, T3S, R35E, Sec. 5. Not the SESE of Section 5.

- Skip theoretical is only "0.09 cfs).
- Can't make it additive because the well won't support the flow.
- Change domestic to 0.09 cfs

2-3-04 Lindon Mickelsen phoned this afternoon to ask about the 2 line Disallow letter he received. He said he would get on it right away, have something in the mail this week to us. re

3/4/04 sent claimant an amended claim for signature CB
3-22-04 Received amended claim. BTP

Notes

A27-10416

1/ Exam done 12-12-2003

2/ New phone # to use on claim is

A/208-785-0860 - Packing Plant

B/208-785-7403 - Home, Lindon Mickelson

3/ I told Mr. Mickelson to get his mom or brother to provide Affidavit as to original start up of Family packing plant + well use.

4/ The main well now used was put in on June 1, 1962. See photo of 1962 date in concrete base of main well house.

This well is in an 8" casing, 70' deep with a 2 1/2 Hp pump. GPS data is 0631593 0232708

File 10416A GPS Tag # A0009088

5/ Original "1946" well is under the floor of an office in the main plant + is used for backup, only.

GPS data: 0631535 023278

File 10416

No GPS Tag

6/ System is 2 wells, Packing Plant, Main House (Bndc) and 3 Mobile (Modular) Homes. Some stockwater for packing plant also. P.O.U. + P.O.D. appear to be in Lot 3 of Section 5.

A27-10416



Original "1946" well under floor of this office
Back-up well, only!

"1962" date in concrete at main well House



A27-10416

A27-10416



Inside main well House

A27-10416



Middletown Parking Plant

Mickelson Reliance's Home



A07-10416

Middleton Relph's Home



A27-10416

A27-10416



Linden Mickelson Home



GPS Tag
Main Well House

Grissina Home (Loren)

A27-10416



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

March 4, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Lindon A. Mickelsen.
Loreen A. Mickelsen
2011 Riverton Road
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10416

Subject: AMENDING YOUR CLAIM

RESPONSE DATE: March 25, 2004

Dear Claimant(s):

After reviewing Harold Jones notes on your SRBA claim A27-10416. I'm recommending you amend your claim to correct the place of use and point of diversion. For your convenience I've enclosed the amended claim for your review and signature.

If you agree with the amended claim please sign it in front of a notary. This office must receive your response by the date shown above. If no response is received, then your claim to water **will not** be recommended to be decreed. If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

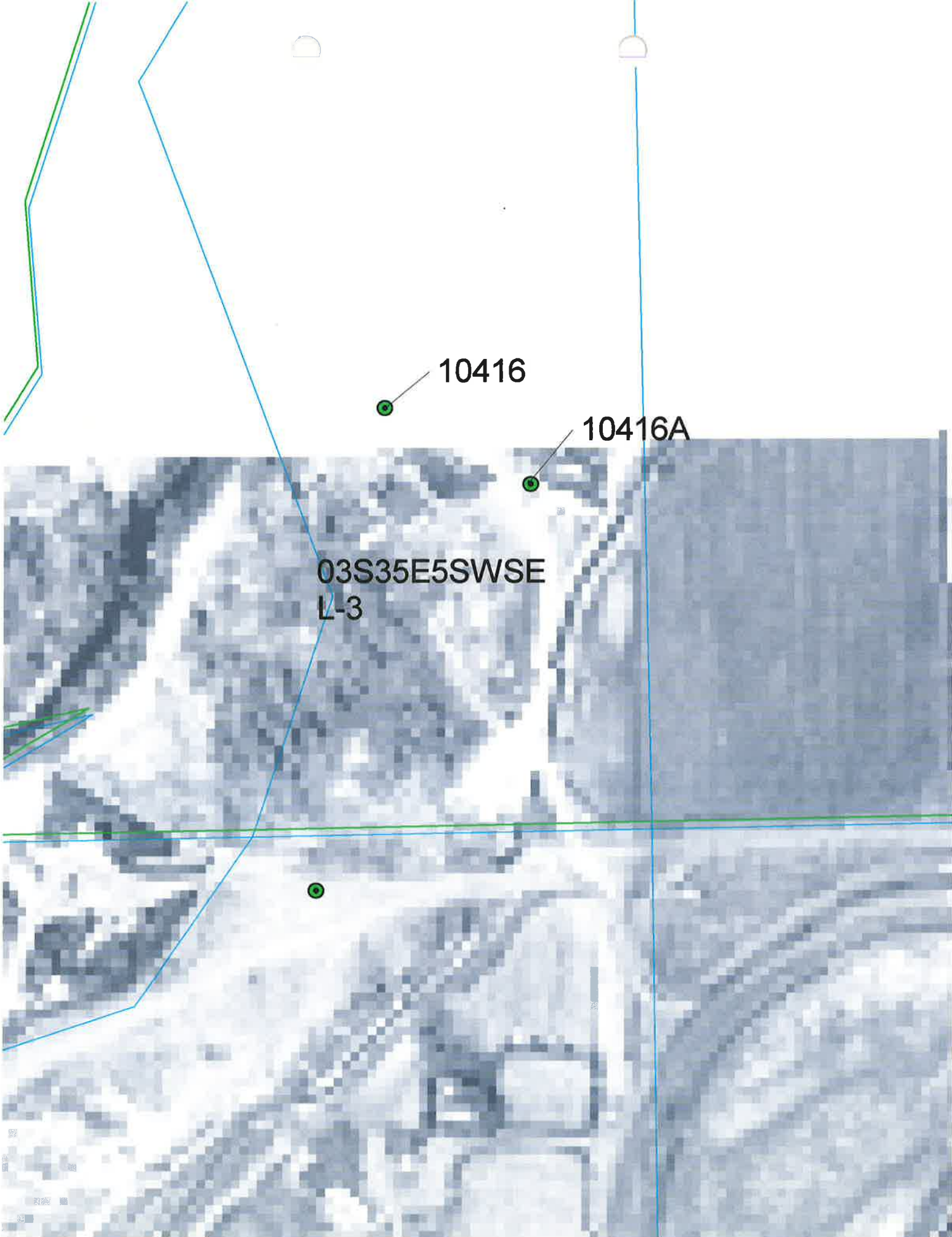
Respectfully,

COPY

Cindy E. Bird
Adjudication Bureau

CEB/ceb

Enclosure: Amended Notice of Claim 27-10416



10416

10416A

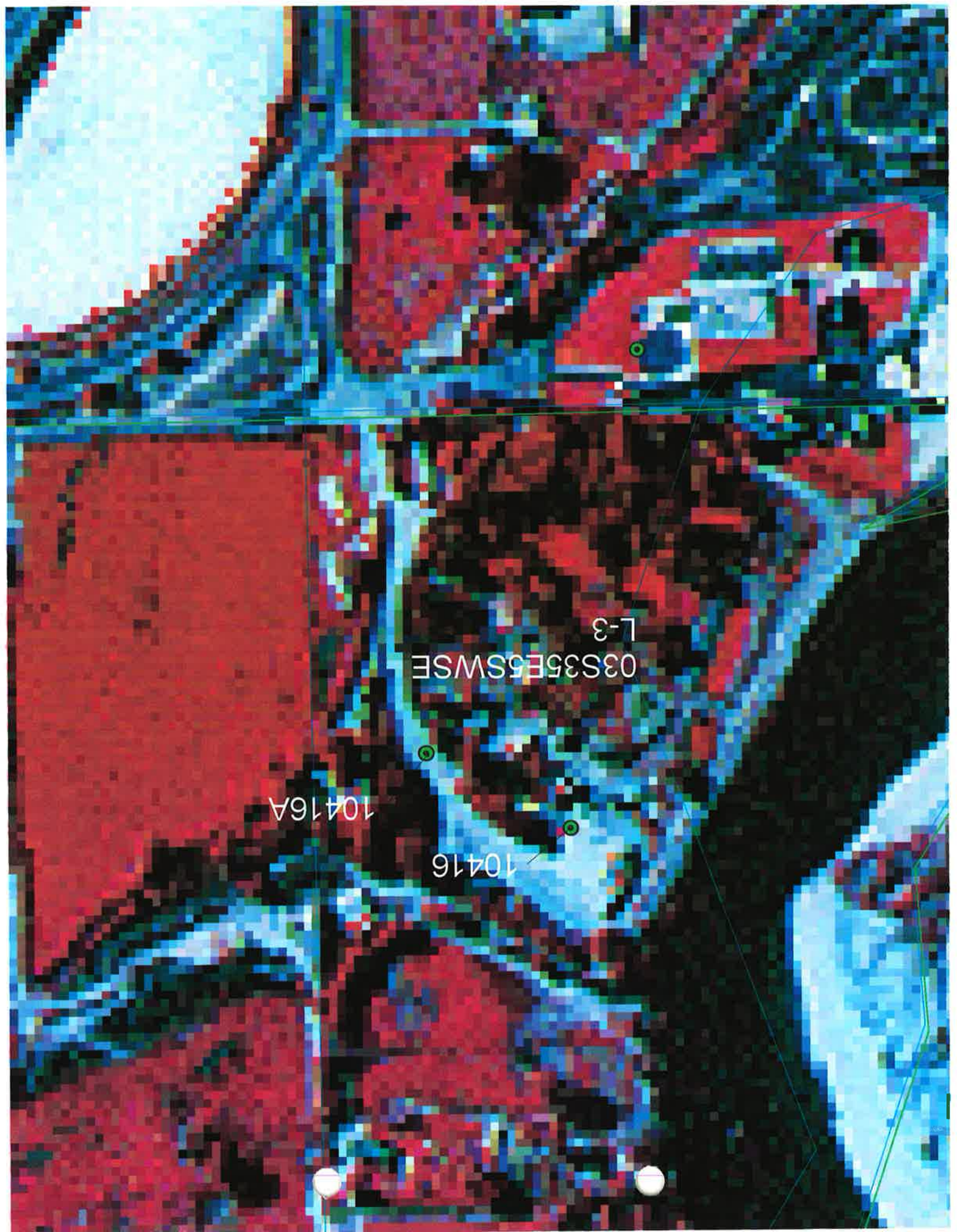
03S35E5SWSE
L-3

1/30/04 CB

1964 imagery

1987 NAPP Photography

Y30/04 CB



03S35E5SWSE
L-3

10416A

10416



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Lindon & Loreen Mickelsen
2011 Riverton Road
Blackfoot, Idaho 83221

January 30, 2004

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10416

Subject: **CLAIM RECOMMENDATION - DISALLOW**

Dear Claimant(s):

Please be advised that since we have had no response from you, we will recommend to the Court that the above referenced claim be disallowed.

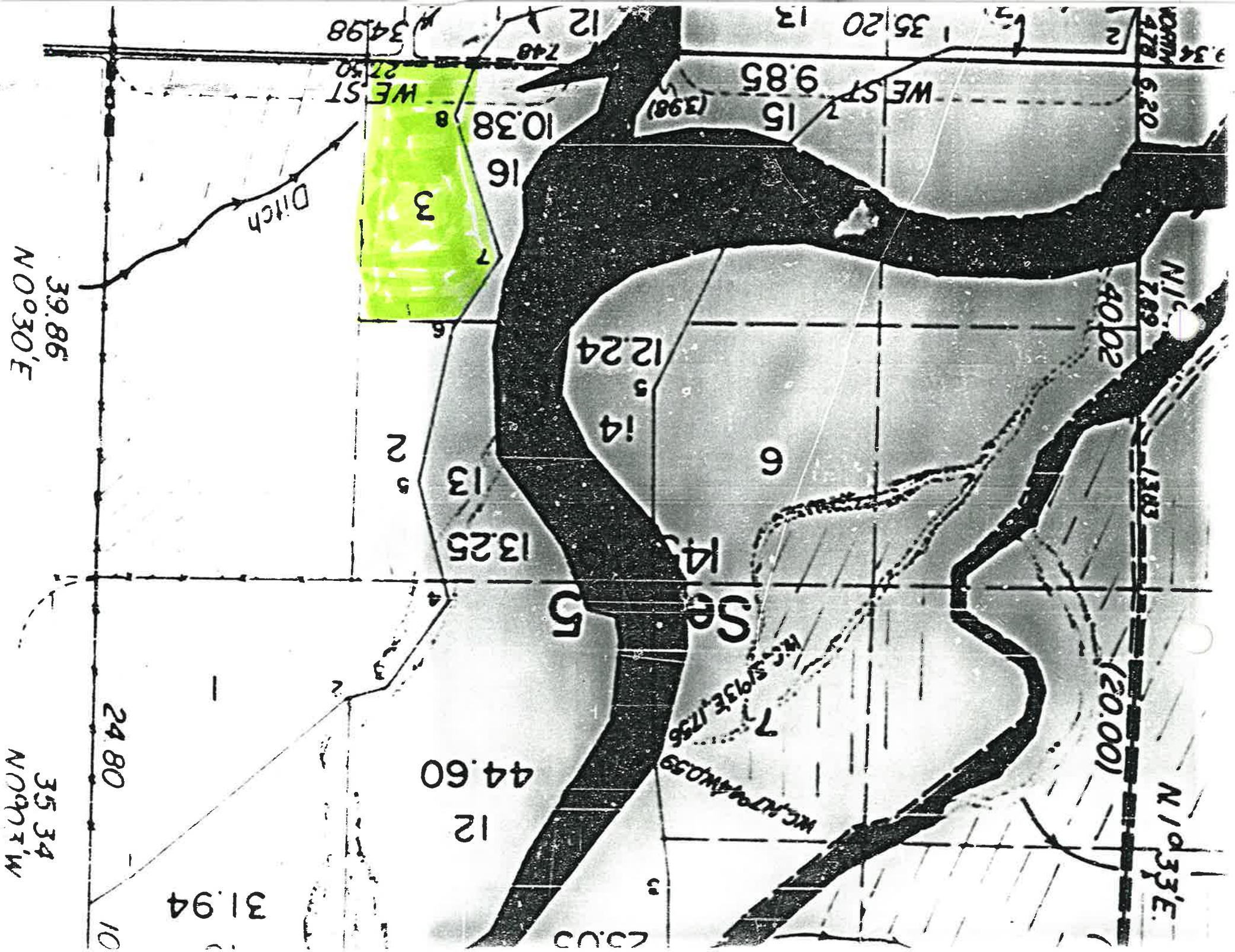
Very truly yours,

Cindy E. Bird

CEB/pb

* 3/14/21 12:00 PM
1st floor from Loren
JMF

Actual points of division
& plans of use.
d/ Looks like 5000 or
6000 lot³ rather
than 5000.



Dec. 8, 2003

Lindon Mickelsen
2011 Riverton Rd.
Blackfoot, ID 83221

Mr. Mickelsen:

I am working with the Idaho Dept. of Water Resources on your water right Claim # 27-10416 (see copy enclosed). I will need you to contact me within the next 14 days so I can do the required on-site field exam. Also we still need evidence of the priority date this use first started. This is required on a Beneficial Use Claim like the one you filed.

Please give me a call at my home phone – 523-7240 – or my cell – 589-6145.

Sincerely,

Harold W Jones



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Loreen A. Mickelsen
2011 Riverton Road
Blackfoot, Idaho 83221

May 7, 2003

Re: Evidence of Priority

Claim No.(s) A27-10416

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some examples of Documents Which May Be Evidence of the Priority Date**".

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 27-10416
Date Received: 5/4/1989
Receipt No: M003355
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

LINDON A MICKELSEN Phone: (208)785-0653

2011 RIVERTON RD
BLACKFOOT ID USA 83221

LOREEN A MICKELSEN Phone: (208)785-0653

2011 RIVERTON RD
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1962

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

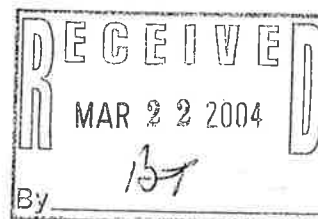
Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	35E	5	SW SE 3	BINGHAM	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
COMMERCIAL	01/01	12/31	0.07	
DOMESTIC	01/01	12/31	0.09	

7. Total Quantity Appropriated is:
0.09 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
03S	35E	5	SW	SE	3	STOCKWATER
			SW	SE	3	DOMESTIC
			SW	SE	3	COMMERCIAL

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

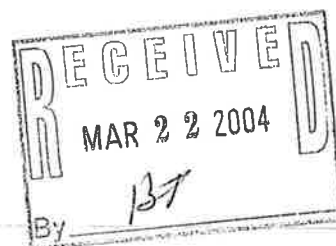
14. Remarks:

AMENDED CLAIM TO CORRECT THE POD AND POU. 3-4-04 CB

15. Basis of Claim: Beneficial Use

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): Linda A. Muckelbauer Date: 3-17-04

Date: _____

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 17th day of March 2004.

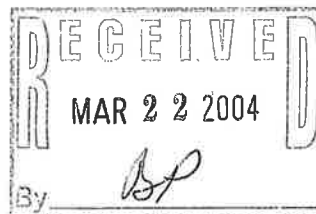


Lavaun Sykes

Notary Public

Residing at Blackfoot

My commission Expires 5-17-08



JUL 20 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: A27-10416

Date Received: 5/04/1989

Receipt No: 4003355

Received By: JAE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOREEN A. MICKELSEN
Address: 2011 RIVERTON RD.
BLACKFOOT, ID

208-785-0653

83221

AND/OR

Name: LINDON A. MICKELSEN
Address: 2011 RIVERTON RD.
BLACKFOOT, ID

208-785-0653

83221

2. Date of Priority: MAY 10, 1946

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	5	SW	SE	SE		BINGHAM

5. Description of diverting works:
8" AND 6" WELL 70' DEEP AND 35' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		
COMMERCIAL	01/01	12/31	0.070		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/ 1 HOUSE 3 TRAILER HOUSES, C/ SLAUGHTER HOUSE, S/ 50 HD BEEF.

A27-10416

Page

1

Date: 05/04/89

MICROFILMED

NOV 12 1992

A2710416



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	5	SE	SE		DOMEST	
			SE	SE		STOCK	
			SE	SE		COMMER	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SHARES IN MINER DITHC CO.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Loren Mickelson Date: 4-4-89

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of may 19 89

John Paul Larson
Notary Public

Seal

Residing at Bonnet
My Commission Expires 5/2/94

T3

352
352
8

