

4131

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4131
WATER RIGHT NO. 31-07100B

RECEIVED

AUG 13 1993

Department of Water Resources
Eastern District Office

This is to certify that: **REED MICKELSEN**
LEVAUN MICKELSEN
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	2.54 CFS	462.0 AF

SOURCE

GROUNDWATER

Priority: 01/16/1974

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 20, Township 08N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	36E	28	NWNW 33	SWNW 33		66
		29	NENE 33	SENE 33		66
Total number of acres irrigated:						132

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 4131
WATER RIGHT NO. 31-07100B

CONDITIONS/REMARKS:

Dated this 30th day of July, 1923.

F. Glen Saylor
Chief, Water Alloc. Bureau

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No: _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Reed or Levaun Mickelsen Phone 662-5441
Post Office address Hamer Id 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Change Place of use to better ground

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|--------------------|-----------------------|-------------------|---------------------------|
| <u>31-07100B</u> | <u>16 Jan 1974</u> | <u>2.54</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 2.54 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: NO CHANGE

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SE	20	8N	36E	Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	36E	28						33	33										66
		29	33			33													66

Total acres 132

PART 1

6. General Information:

a. Description of diversion system well pump mainline to center pivotb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

The United States of America

To all to whom these presents shall come, Greeting;

264929

Microfilm No.

13 Day August 19 92

At 9:20 O'Clock P M

CONNIE M. KELLER

Jefferson Co. Recorder

Fee \$ 3.00 SA Deputy

Recorded at Request of

LeVaun C. Mickelsen

IDI-27335

WHEREAS

Reed T. Mickelsen and LeVaun C. Mickelsen

are entitled to a land patent pursuant to the Act of October 21, 1976 (Section 206, 90 Stat. 2756; 43 U.S.C. 1716), for the following described land:

Boise Meridian, Idaho

T. 8 N., R. 36 E.,
sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 72.50 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above-named claimants the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimants, their successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

SUBJECT TO those rights for highway purposes granted to Idaho Department of Transportation, its successors or assigns, by Right-of-Way No. IDI-010162, pursuant to the Act of November 9, 1921 (42 Stat. 212).

RECEIVED BY

SSOR

ATTING

8-13-92 Time 3:29 PM



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the TWENTY-EIGHTH day of JULY
in the year of our Lord one thousand nine hundred and
NINETY-TWO and of the Independence of the
United States the two hundred and SEVENTEENTH

By Larry L. Hadd
Deputy State Director for Operations

Patent Number 11-92-0024

JEFFERSON COUNTY

TAX NOTICE AND RECEIPT

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

1991

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
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L	9600	37-00 RP08N36E290001A	7964
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9600	NE4; SE4NW4; N2SW4; SW4SW4; SEC 29 TWP 8 NORTH RGE 36 EBM
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STATE
COUNTY .004396
SCHOOL DIST 253 .006316
ROAD/BRIDGE .000476
WEST JEFF CEMT .000197
HAMER FIRE DIST .000408
LIBRARY DIST .000321
W. JEFF AMB .000149

42.20
60.64
4.58
1.90
3.92
3.08
1.44

FULL PAYMENT

TAX 117.76

PEN.

INT.

COST

TOT.

1ST INSTALLMENT

TAX 58.88

PEN.

INT.

COST

TOT.

2ND INSTALLMENT

TAX 58.88

PEN.

INT.

COST

TOT.

TOTAL .012263 117.76

PLEASE READ BACK OF NOTICE
YOUR CANCELLED CHECK IS YOUR RECEIPT

320.000

TOT AORES

DELINQUENT YEAR

R. & L. MICKELSEN REV TRUST
MICKELSEN, REED & LAVAUN TRSTE
2265 E 2350 N
HAMER, IDAHO 83425

**Connecticut
Mutual**

The Blue Chip Company

November 6, 1992

Connecticut Mutual
Life Insurance Company
140 Garden Street, M.S. 268
Hartford, CT 06154
(203) 987-6500

STATE OF IDAHO
Department of Water Resources

RE: CML Loan No. 97177 (ID)
Reed or Levaun Mickelsen
Hamer, Idaho

Gentlemen:

Connecticut Mutual Life Insurance Company hereby agrees to the proposed change to the water rights on the Mickelsens' property located in Jefferson County as stated on the Application For Transfer Of Water Right dated November 4, 1992 submitted by Reed or Levaun Mickelsen.

Sincerely,

CONNECTICUT MUTUAL LIFE INSURANCE COMPANY

By: Lurayn M. Haines
Lurayn M. Haines, Director
Agricultural Investments

STATE OF CONNECTICUT)
) ss.
COUNTY OF HARTFORD)

On this 6th day of November, 1992, before me, Arla M. Lundberg, the undersigned officer, personally appeared Lurayn M. Haines, who acknowledged herself to be the Director of Agricultural Investments of CONNECTICUT MUTUAL LIFE INSURANCE COMPANY, a Connecticut corporation, and that she, as such Director of Agricultural Investments being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as Director of Agricultural Investments.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Arla Lundberg
Notary Public

My commission expires: 3-31-93

Water Right Number - A31-07100

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MICKELSEN

REED

1 -
2 -
3 -City- HAMER
Phone - 208-662-5441

State- ID Zip- 83425

MICKELSEN

LEVAUN

1 -
2 -
3 -City- HAMER
Phone - 208-662-5441

State- ID Zip- 83425

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/16/1974 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
+ - - - - Stream Index (Blank if no Index Code)
+ - - - -
Twn Rng Sec Tract Lot RFlg County
08N 36E 20 NW SE SW (51) JEFFERSON
NE SW SE (51) JEFFERSON+ - - - - Water Use - - - - - +
+ - - - - Diversion Rate Diversion Volume
+ - - - -
Code Description Period From Period To
01 - IRRIGATION 04/01 11/01 5.070+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
5.070 660.0+ - - - - Place of Use - - - - - +
+ - - - -
Twn Rng Sec Tract Lot Acres Code Description County
08N 36E 20 NE SW 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 NW SW 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 SW SW 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 SE SW 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 NE SE 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 NW SE 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 SW SE 33.0 01 IRRIGATION (51) JEFFERSON
08N 36E 20 SE SE 33.0 01 IRRIGATION (51) JEFFERSON

Total Acres: 264.0

+ - - Diversion Means - TWO WELLS. 100HP PUMPS TO TWO CENTER PIVOTS, 60' WELLS

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

Water right number - A31-07100

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - +
No Remarks found.

+ - - - - Old Water Right Numbers - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/15/88 VERNER

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/28/1985	Old Judicial District	-
Claim Received Date	- 12/15/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E005230	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR	Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-07100 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 16 Jan 1974

5. Water is used for the following purpose:

amount 5.07 cfs for Irrigation purposes from 4/1 to 4/1
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 5.07 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	20	8N	36E	Jefferson	
	NE	SW	SE	20	8N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	36E	20									33	33	33	33	33	33	33	33	264

Total acres 264

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.54 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SE	20	8N	36E	Jefferson	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
8N	36E	20													33	33	33	33	132

Total acres 132

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.53 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	20	8N	36E	Jefferson	

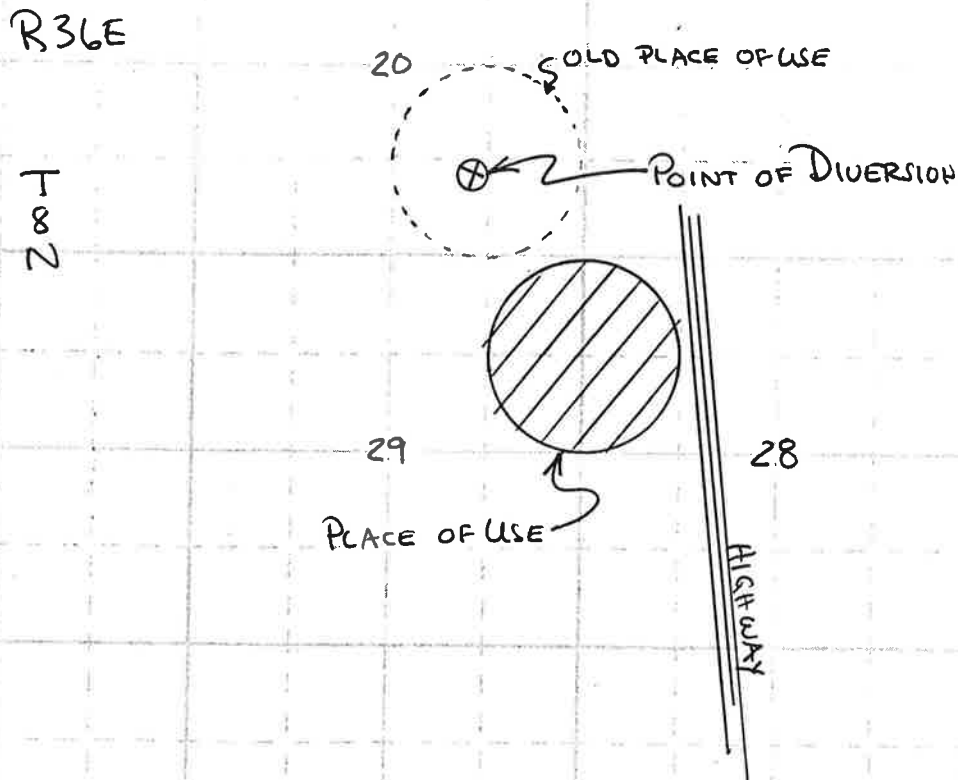
3. Lands irrigated or place of use:

Twp.	Rge.	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	
8N	36E	20									33	33	33	33					132

Total acres 132

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 4th day of November, 1992.

(Signature of Applicant)

Anthony S. Olenichuk
(Notary Public)

My commission expires 9/12/1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted by Kew Received by Kew Date 4 NOV 1992

Protest filed by _____

Prelim. check by _____ Fee \$ 50⁰⁰ #E018060

Receipted by _____ Date _____

Published in T Jefferson Star

Copies of protest forwarded by _____

Pub. dates Nov. 26; Dec. 3, 92

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by Dec

Copy of transfer sent to lien holder _____

CONVERSATION MEMORANDUM

DATE 10 Feb 93FILE 31-07100BNAME OF PARTY Ray Rigby (529-5531)EMPLOYEE ERNE CARLSEN

RE: TELECONS with Ray Rigby: Ray's initial enquire concerned the status of the transfer application filed by Michelsons on license 31-07100. During our discussion he revealed the new P.O.U. is being purchased by Circle B Farms, and the sale hinged on getting the application transfer. It relayed to Ray that review of the application raised a couple of questions. First ~~the~~ the new place of use is already covered by a permit application 31-7555 being held in the Mud Lake Meritum. This application however indicates the Michelsons intended to put a 178 acre pivot on the property. The transfer application is limited to irrigation of 132 acres. So how big ~~will~~ ~~Circle B~~ is the pivot that Circle B intends to install? Secondly there was no request for a change in point of diversion and consequently the well servicing the property will be located on Michelson's property & will also serve one of Michelson's pivots. Does Circle B hope to drill a new well for their pivot?

Ray stated he would relay these questions to his son and ask that he call ~~ERNE~~ with the answers to these questions.

