

Water Supply Bank No. _____

Water Right No. 36-2675

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 07 2008

DEPARTMENT OF
WATER RESOURCES

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Name of Seller/Lessor Michael R. & Karmy J Mickelsen Phone 531-4162

Post office address 1277 N 600 E, Rupert, ID 83350

RECEIVED

JUL 29 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

a. Decree No. 36-2675 Decreed to Applicants
in case of SRBA vs _____
(Name)

dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water
Resources.

c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

a. Amount of water under right: 0.34 cubic feet per second &/or
80 acre-feet per annum

b. Point of diversion: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 7S Range
25E, B.M. in Minidoka County.

Additional points NE/SE Sec. 20 T.7S R.25E

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	25E	20		6													7	7	20

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 20

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Corners have not been irrigated, but have been under the mitigation plan of the Magic Valley SW District.

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

No. land will be dry.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

✓ For lease for a period from 7-29-08 to ~~7-29-09~~ 12-31-08
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

7-29-08
Date

Michael B. Sturges
Signature

FOR DEPARTMENT USE ONLY

Received by J. Stanton Date 7-29-08 Preliminary check by J. Stanton

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

Magic Valley Water-Bank / GW Curtailment Acres for 2006

POD #

Magic Valley Water-Bank / GW Curtailment Acres for 2006								Wa
Owner	Twنشp	Rng	Sec	QQ	Q	AssocWRNum	2004	
100348, 100349	Mickelson, Mike	07S	25E	20	NE	NE	36-2231,36-2675	5.85
100348, 100349	Mickelson, Mike	07S	25E	20	NW	NE	36-2231,36-2675	5.931
100348, 100349	Mickelson, Mike	07S	25E	20	SE	NE	36-2231,36-2675	1.5
100348, 100349	Mickelson, Mike	07S	25E	20	SW	NE	36-2231,36-2675	1.5
100348, 100349	Mickelson, Mike	07S	25E	20	NE	SE	36-2231,36-2675	0.5
100348, 100349	Mickelson, Mike	07S	25E	20	NW	SE	36-2231,36-2675	5.083
100348, 100349	Mickelson, Mike	07S	25E	20	SW	SE	36-2231,36-2675	5.7
	Mickelson, Mike	07S	25E	20	SE	SW	36-2231,36-2675	0.5
100347	Duncan Paul	07S	25E	20	NE	SE	45-2479, 45-7108B	6.5

Idle Acres							
Interbank History		IDWR	SUBMITTED	APPROVED	ENROLLED	IRR 05	ELIGIBLE 06
2005	2006	acres	05 PLAN	05 PLAN	04 PLAN		(TENT)

5.85	5.185	4.9	Y	N	Y	N	0
5.931	5.931	5.8	Y	Y	Y	N	5.8
1.5	1.5		Y	N	Y	Y	1.5
1.5	1.5		Y	N	Y	Y	1.5
0.5	0.5		Y	N	Y	Y	0.5
5.083	5.083		Y	N	Y	Y	5.1
5.7	5.7	4.3	Y	Y	Y	N	4.3
0.5	0.5	0	N		Y	N	0
6.5	6.5	6	N		Y	Y	4

Comments IDWR 2005 DWR REVIEW COMMENTS - ITEMS
DigitzdID NEEDING ATTENTION

		acres in excess of water rights
		set aside acres found irrigated??
		set aside acres found irrigated??
		set aside acres found irrigated??
		set aside acres found irrigated??
Not reviewe		legal incorrect? Part of Duncan? Credit possible with clarification
Not reviewe		acres in excess of water right

Magic Valley Water-Bank / GW Curtailment Acres

							Idle Acres				
							Waterbank History			IDWR	UBMITTE
Owner	Twnshp	Rng	Sec	QQ	Q	AssocWRNum	2004	2005	2006	acres	05 PLAN

POD #

100348, 100349	Mickels	07S	25E	20	NE	NE	36-2231,36-2675	5.85	5.85	5.185	4.9	Y
100348, 100349	Mickels	07S	25E	20	NW	NE	36-2231,36-2675	5.931	5.931	5.931	5.8	Y
100348, 100349	Mickels	07S	25E	20	SE	NE	36-2231,36-2675	1.5	1.5	1.5		Y
100348, 100349	Mickels	07S	25E	20	SW	NE	36-2231,36-2675	1.5	1.5	1.5		Y
100348, 100349	Mickels	07S	25E	20	NE	SE	36-2231,36-2675	0.5	0.5	0.5		Y
100348, 100349	Mickels	07S	25E	20	NW	SE	36-2231,36-2675	5.083	5.083	5.083		Y
100348, 100349	Mickels	07S	25E	20	SW	SE	36-2231,36-2675	5.7	5.7	5.7	4.3	Y
	Mickels	07S	25E	20	SE	SW	36-2231,36-2675	0.5	0.5	0.5	0	N
100347	Duncal	07S	25E	20	NE	SE	45-2479, 45-7108E	6.5	6.5	6.5	6	N

APPROVED	ENROLLED	IRR 05	ELIGIBLE 06	ID	W	R	2	0	0
05 PLAN	04 PLAN		(TENT)	Comment					

DWR REVIEW COMMENTS -
ITEMS NEEDING ATTENTION

N	Y	N	0			acres in excess of water rights
Y	Y	N	5.8			
N	Y	Y	1.5			set aside acres found irrigated??
N	Y	Y	1.5			set aside acres found irrigated??
N	Y	Y	0.5			set aside acres found irrigated??
N	Y	Y	5.1			set aside acres found irrigated??
Y	Y	N	4.3			
	Y	N	0	Not review		legal incorrect? Part of Duncan?
	Y	Y	4	Not review		Credit possible with clarification acres in excess of water right

Marshall, Aaron

From: Michael Mickelsen [mkmickelsen@gmail.com]
Sent: Monday, December 07, 2009 9:10 AM
To: Marshall, Aaron
Subject: amending water rights #36-02675 & 36-02231

Would you please amend my lease application for the water bank so it will run til the end of 2010.

Thank You, Michael B Mickelsen
1277 N 600 E
Rupert Idaho 83350

#36-02675 & #36-02231

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2675

WATER RIGHT NUMBER: 36-2675

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KARMA J MICKELSEN 1277 N 600 E RUPERT, ID 83350 (208)531-4162
Current Owner	MICHAEL B MICKELSEN 1277 N 600 E RUPERT, ID 83350 (208)531-4162

Priority Date: 04/24/1966

Basis: Decreed

Status: Active

170 ac
2.017 cfs/ac
4 AFA

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	2.920 CFS	680.00 AF
	<u>Total Diversion:</u>	2.920 CFS	680.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4NE1/4	Sec. 20, Twp 07S, Rge 25E, B.M.
MINIDOKA County		
GROUND WATER	NE1/4NE1/4SE1/4	Sec. 20, Twp 07S, Rge 25E, B.M.
MINIDOKA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	25E	20	32.0	39.0	38.0	38.0									38.0	38.0	40.0	40.0	303.0

Total Acres: 303

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. WB4 The total instantaneous diversion of water from all points of diversion under Rights 36-2231 and 36-2675 shall not exceed 5.58 cfs, nor a total combined annual volume of 1212 af for the irrigation of 303 acres.

IDAHO DEPARTMENT OF WATER RESOURCES

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3. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 1/15/98, the SRBA partial decree date.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. T18 Prior to diversion of water under this approval, the right holder shall provide lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. X36 Right 36-2231 is also diverted through the points of diversion described above.
8. 131 Prior to the diversion and use of water under Transfer approval 71057, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized points of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. X27 This right is limited to the irrigation of 170 acres within the place of use described above in a single irrigation season.
12. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Remarks:Comments:

1. pskaggs 1/18/2005 1:42:22 PM Transferred Right
Comment: This is now an approved transfer, transfer number = 71057

2. tluke 3/17/2005 POD
Comment: Correlated PODID 612972 from SpatialDataID 207246 to SpatialDataID 207244

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Water Right Report 36-2675

Dates and Other Information:

Licensed Date:
Decreed Date: 8/27/2001 ✓
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And ✓
Water District Number: 130
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: