

Form 222
1-87

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

RECEIVED
FEB 22 2007
Department of Water Resources
Eastern Region

Name of Applicant Mickelsen Properties, LLC Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, Idaho 83405

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 A pivot sprinkler system has been installed which changes the configuration of the decreed place of use somewhat. Applicant desires to have the record conform to the practice.

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>34-10028</u> | <u>04/01/1961</u> | <u>4.36 cfs</u> | <u>Irrigation</u> | <u>04/01</u> to <u>10/31</u> |
| | <u>34-10896</u> | <u>04/01/1983</u> | <u>0.38 cfs</u> | <u>Irrigation</u> | <u>04/01</u> to <u>10/31</u> |
| | _____ | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ | _____ to _____ |
| | _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 4.36 cubic feet per second and/or 836.5 acre-feet per annum.
3. Source of water Groundwater Tributary to: _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	2	3N	26E	BUTTE	

5. Lands irrigated or place of use: (Permissible place of use for all water rights)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	26E	2									9.5	22.1	40	34.7					106.3
		3													25.3		27		52.3
		10	14.2																14.2
		11					27.1	39.1											66.2

Total Acres 239

6. General Information:

- a. Description of diversion system Well & Pump
- b. 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Some of the acres formerly irrigated by flood irrigation are no longer irrigated and some of the land now irrigated with the pivot were not previously irrigated.
- 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 _____, 2002.

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

02/02/2007

WATER RIGHT NO. 34-10028

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVERETT T ACOR JR 3196 N YELLOWSTONE HWY IDAHO FALLS, ID 83401 (208)524-5138
Attorney	HOLDEN KIDWELL HAHN & CRAPO C/O KENT W FOSTER PO BOX 50130 IDAHO FALLS, ID 83405-0130 (208)523-0620

Priority Date: 04/01/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	4.36 CFS	
Total Diversion			4.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNWSW|Sec. 02|Township 03N|Range 26E|BUTTE County

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IRRIGATION Use:
Acre Limit: 218

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
03N	26E	2		NESW	15		NWSW	4		SWSW	40		SESW	40
		3		NESE	25		SESE	26						
		10		NENE	18									
		11		NENW	25		NWNW	40		SWNW	6			

Total Acres: 239

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-10896 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.36 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 836.5 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-10896 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 239 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 218 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. C18 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.
4. WATER RIGHT 34-10896 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT SECTION 42-1426, IDAHO CODE. RIGHT NO. 34-10896 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 11/24/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

02/02/2007

WATER RIGHT NO. 34-10896

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVERETT T ACOR JR 3196 N YELLOWSTONE HWY IDAHO FALLS, ID 83401 (208)524-5138

Priority Date: 04/01/1983

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.38 CFS	
Total Diversion			0.38 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNWSW|Sec. 02|Township 03N|Range 26E|BUTTE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	26E	2		NESW	15		NWSW	4		SWSW	40		SESW	40
		3		NESE	25		SESE	26						
		10		NENE	18									
		11		NENW	25		NWNW	40		SWNW	6			

Total Acres: 239

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-10028 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.36 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 836.5 AF.
THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS
2. C11 PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-10028 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 239 ACRES IN A SINGLE IRRIGATION SEASON.
4. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-10028 PURSUANT TO SECTION 42-1426, IDAHO CODE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
5. C18 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.
6. RIGHT NO. 34-10028 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 11/24/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

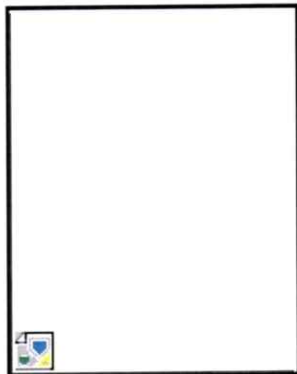
Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0



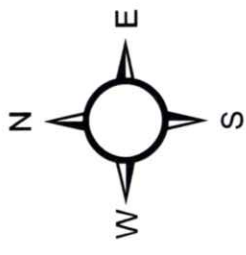
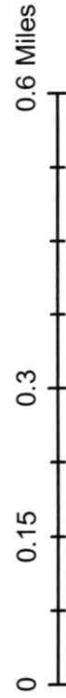
- Legend**
- Major Roads**
 - Interstate
 - U.S. Highway
 - State Highway
 - Other
 - Lakes**
 - Major Rivers**
 - Rivers**
 - Canals**
 - Rivers**
 - Small streams**
 - Streams**
 - Cities**
 - Counties**
 - state**
 - High Res. NAIP (2006)**



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 Mickelson_Property
 Mickelson_Property_POU
 MajorRoads
 PLS-QQ
 Pivot
 Rivers

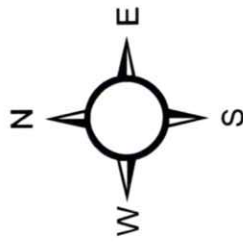
Prepared by:
Robert L. Harris
Jan. 3, 2007

R HARRIS @ HOLDEN
LEGAL
.com

MICKELSEN PROPERTY (W.R. # 34-10028 & 34-10896)

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Legend

-  Mickelson_Property
-  Mickelson_Property_POU
-  Major Roads
-  PLS-QQ
-  Pivot
-  Rivers



Prepared by:
Robert L. Harris
Feb. 2, 2007
2006 NAIP Aerial Photo

B. CHANGES IN NATURE OF USE

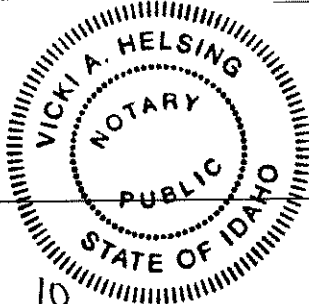
- | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ to _____ |
- Quantity and quality of return flows and location of discharge:
No change
- Describe effects on other water uses resulting from the proposed change:
No effects

I hereby asset 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.

Mickelsen Properties LLC by Vicki A. Mickelsen
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of February, 2007.



Vicki A. Helsing
Notary Public

Residing at: Bigby, Idaho

My Commission Expires 6-15-2011

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 0 attachments
 Received by SC Date 2/22/07 Protest filed by _____
 Prelim. check by _____ Fee 410⁰⁰
 Receipted by SC Date 2/22/07 E032633
 Published in Aeco Advertiser Copies of protest forwarded by _____
 Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for MICKELSEN PROPERTIES, L.L.C.](#)]

MICKELSEN PROPERTIES, L.L.C.

1050 W RIVERVIEW DR
IDAHO FALLS, ID 83401

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 01 May 2006

State of Origin: IDAHO

Date of 12 Jul 2000

Origination/Authorization:

Current Registered Agent: MARK MICKELSEN
1050 W RIVERVIEW DR
IDAHO FALLS, ID 83401

File Number: W12414

Date of Last Annual Report: 12 Jun 2006

Amendments:

Amendment filed 12 Jul 2000 ARTICLES OF
ORGANIZATION

[View Image \(TIFF
format\)](#)

Annual Reports:

Report for year 2006 ANNUAL REPORT	View Image (TIFF format)
Report for year 2005 ANNUAL REPORT	View Image (TIFF format)
Report for year 2004 ANNUAL REPORT	View Image (TIFF format)
Report for year 2003 ANNUAL REPORT	View Image (TIFF format)
Report for year 2002 ANNUAL REPORT	View Image (TIFF format)
Report for year 2001 ANNUAL REPORT	View Image (TIFF format)

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