

(Internet)

Page 1 of 9STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 72955

## APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant Don Mickelsen Phone 208 754 9323  
Post Office address 1260 Twin Butte Rd Merion ID 83434

## 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 Abandon well in SWSW and replace with new well NWSW. Also modify place of use omitting lands administered by BLM.  
Capacity of new well will not exceed 900 gpm.

## 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>21-4000</u>  | <u>5-7-1959</u> | <u>3.76 cfs</u><br><u>658 AFY</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u>   |
| <u>21-2166</u>  | <u>5-7-1951</u> | <u>3.76 cfs</u><br><u>658 AFY</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u>   |
|                 |                 | <u>0.02 cfs</u>                   | <u>stockwater</u> | <u>01-01</u> to <u>12-31</u> |
2. Total amount of water being transferred 7.52 cubic feet per second and/or 1316 acre-feet per annum.
3. Source of water ground water tributary to \_\_\_\_\_
4. Point(s) of Diversion: \_\_\_\_\_

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|-----|-----|-----|------|------|------|---------|--------------------------|
|     | NE  | SE  | NW  | 34   | 6N   | 38E  | Madison |                          |
|     | SE  | SE  | NW  | 34   | 6N   | 38E  | Madison |                          |
|     | NE  | SE  | SE  | 34   | 6N   | 38E  | Madison |                          |
|     |     | NW  | SW  | 34   | 6N   | 38E  | Madison | new well                 |

## 5. 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 |        |
| 6N   | 38E  | 34   | 38     | 25     | 40     | 40     | 12     |        | 32     | 40     | 36     | 28     | 9      |        | 40     | 31     |        | 5      | 376    |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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Total acres 376

**PART 1**

**6. General Information:**

a. Description of diversion system 4 wells, mainline, center pivots & hand lines.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X 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:  
land will be dry.

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 \_\_\_\_\_

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Transfer No. 72955  
Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 21-4000

**Priority Date:** 05/07/1959

**Origin:** Adjudication Recommendation

**Basis:** Beneficial Use

**Status:** Active

**Source:** GROUND WATER

**Tributary to:**

| <u>Beneficial Use</u> | <u>From To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31    | 3.76 CFS              | 658.0 AFA     |                    |
| Total Diversion       |                | 3.76 CFS              | 658.0 AFA     |                    |

Source and Point(s) of Diversion:

|              |        |         |    |         |
|--------------|--------|---------|----|---------|
| GROUND WATER | NESENW | 06N 38E | 34 | MADISON |
| GROUND WATER | NESESE | 06N 38E | 34 | MADISON |
| GROUND WATER | NENESW | 06N 38E | 34 | MADISON |
| GROUND WATER | NESWSW | 06N 38E | 34 | MADISON |

**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  |        |
| 06N | 38E | 34  | 38.0 | 25.0 | 40.0 | 40.0 | 11.0 |    | 31.0 | 40.0 | 36.0 | 26.0 | 9.1 | 2.0 | 40.0 | 31.0 |    | 5.3 | 374.4  |
| 06N | 38E | 35  |      |      |      |      |      | .2 | .8   |      |      | .6   |     |     |      |      |    |     | 1.6    |

Total Acres: 376

Conditions/Remarks:

1. 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.
2. This right is limited to the irrigation of 188 acres within the place of use described above in a single irrigation season.
3. Use of this right with Right No. 21-2166 is limited to the irrigation of a combined total of 376 acres in a single irrigation season.

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IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2

Transfer No. 72955  
Receipt No. \_\_\_\_\_

Current Water Right No. 21-4000

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *land will be dry.*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *No*

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**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 21-2166

**Priority Date:** 05/07/1951

**Origin:** Adjudication Recommendation

**Basis:** License

**Status:** Active

**Source:** GROUND WATER

**Tributary to:**

| <u>Beneficial Use</u> | <u>From To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31    | 3.76 CFS              | 658.0 AFA     |                    |
| STOCKWATER            | 01/01 12/31    | 0.02 CFS              |               |                    |
| Total Diversion       |                | 3.76 CFS              | 658.0 AFA     |                    |

Source and Point(s) of Diversion:

|              |        |         |    |         |
|--------------|--------|---------|----|---------|
| GROUND WATER | NENESW | 06N 38E | 34 | MADISON |
| GROUND WATER | NESWSW | 06N 38E | 34 | MADISON |
| GROUND WATER | NESESE | 06N 38E | 34 | MADISON |
| GROUND WATER | NESENW | 06N 38E | 34 | MADISON |

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE   |      |      |      | NW   |    |      |      | SW   |      |     |     | SE   |      |    |     | Totals |
|-------------|------|------|------|------|------|----|------|------|------|------|-----|-----|------|------|----|-----|--------|
| 06N 38E 34  | NE   | NW   | SW   | SE   | NE   | NW | SW   | SE   | NE   | NW   | SW  | SE  | NE   | NW   | SW | SE  | 374.4  |
|             | 38.0 | 25.0 | 40.0 | 40.0 | 11.0 |    | 31.0 | 40.0 | 36.0 | 26.0 | 9.1 | 2.0 | 40.0 | 31.0 |    | 5.3 |        |
| 06N 38E 35  |      |      |      |      |      | .2 | .8   |      |      | .6   |     |     |      |      |    |     | 1.6    |

Total Acres: 376

Conditions/Remarks:

1. Use of this right with Right No. 21-4000 is limited to the irrigation of a combined total of 376 acres in a single irrigation season.
2. 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.
3. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2

Current Water Right No. 21-2166

4. This right is limited to the irrigation of 188 acres within the place of use described above in a single irrigation season.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

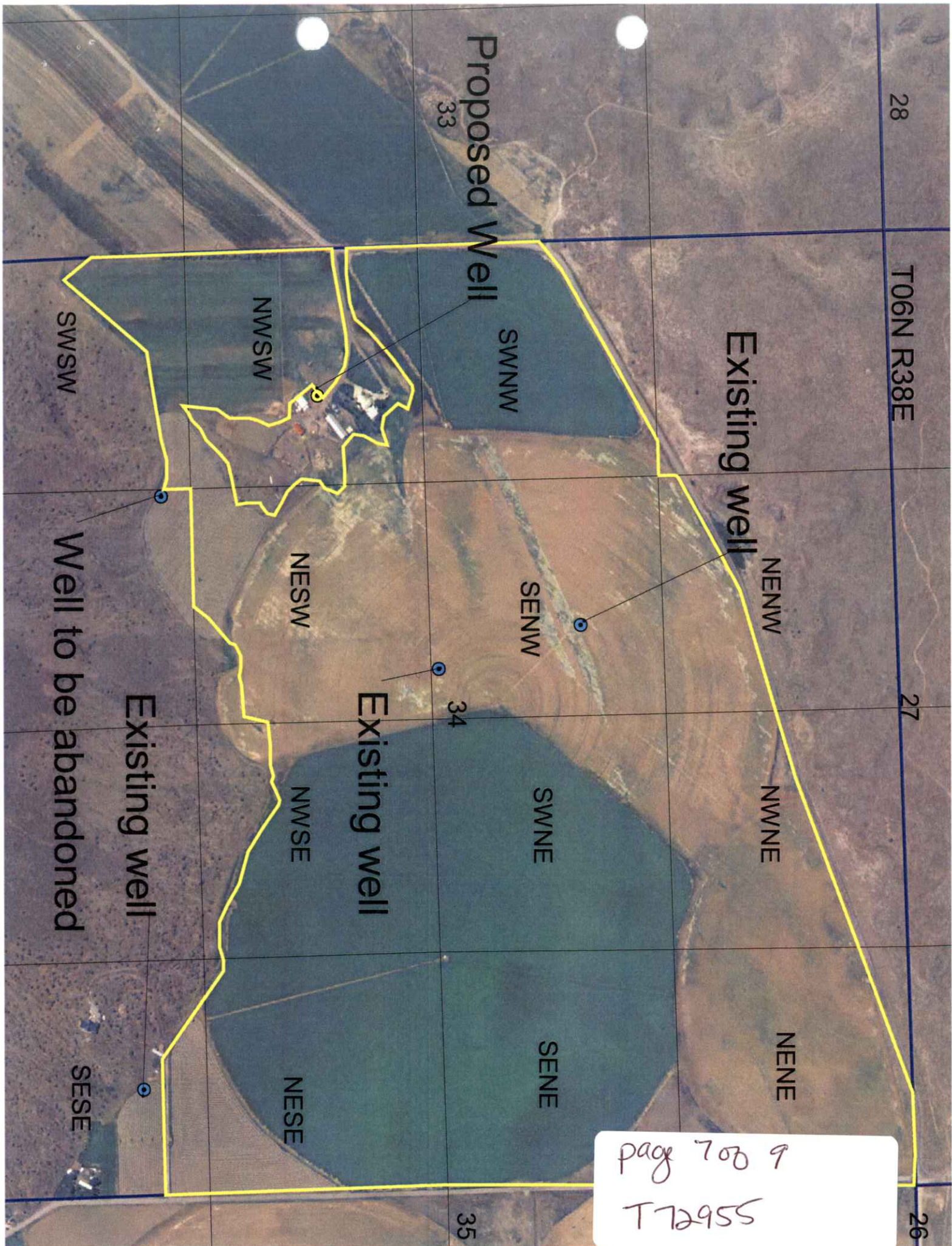
Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? *No*

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Land will be dry*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *No*

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28

T06N R38E

27

26

Existing well

NENW

NWNE

NENE

SWNW

SENV

SWNE

SENE

Proposed Well

33

34

35

Existing well

NESW

NWSE

NESE

NWSW

SWSW

Existing well

Well to be abandoned

SESE

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## PART 3

## B. CHANGES IN NATURE OF USE

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

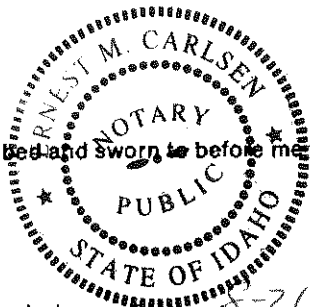
2. Quantity and quality of return flows and location of discharge:

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



(Signature of Applicant)

27 day of June, 19 2006Ernest M. Carlsen  
(Notary Public)

My commission expires

8-21-2009

## FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 0 attachmentsReceived by EMCDate 6-27-06

Protest filed by

Prelim. check by

Fee

\$290<sup>00</sup>

Receipted by

Date

6/27/06E032025

Published in

Rexburg Standard Journal

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

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