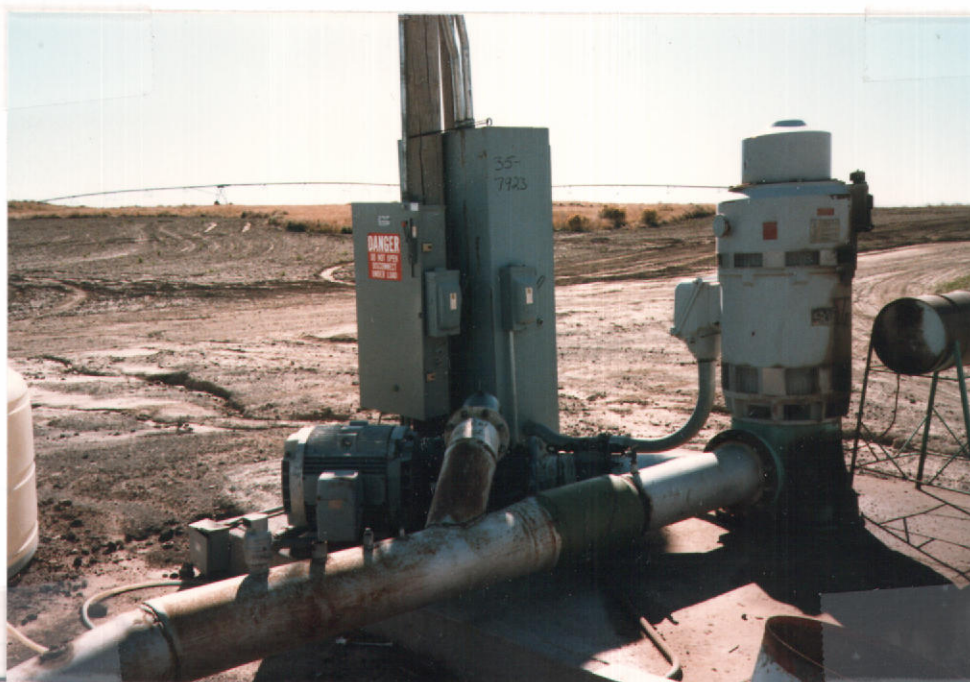
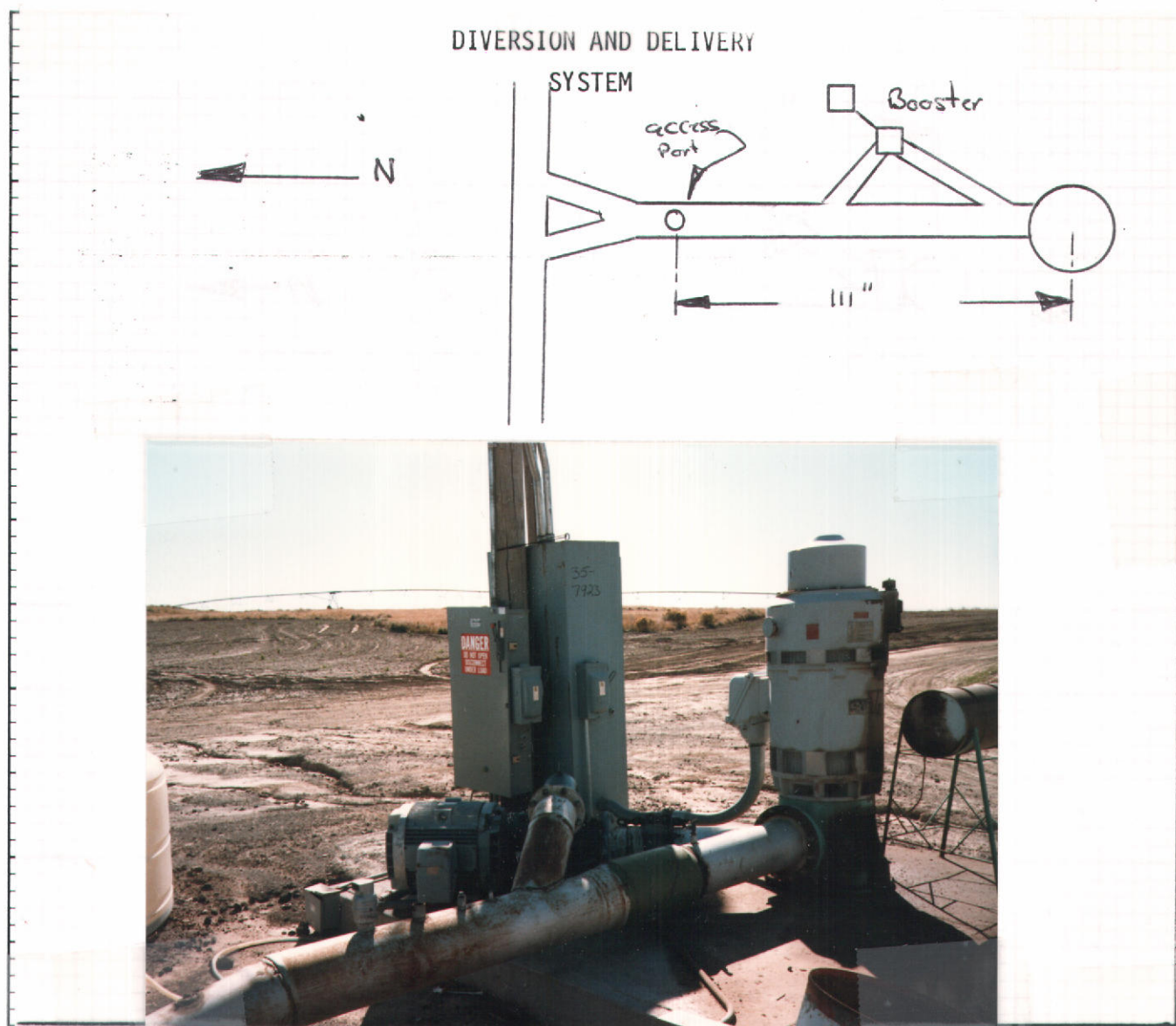


10. Other water rights on these lands NA
11. Other water right diverted from same p.d. NA
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature W. Jones Date 11-15-85

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct

Beneficial Use Examination \_\_\_\_\_

Date \_\_\_\_\_

CONSULTANT SEAL  
MICROFILMED

OCT 11 1989

R29E

82

3293

33/34

T7S

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80

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65 1776

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$$\begin{array}{r} 54 \\ 89 \end{array}$$

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1744

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Bertrand Poona

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**MICROFILMED**

OCT 11 1989

106.7 106.9 107.1

129.9

G-7

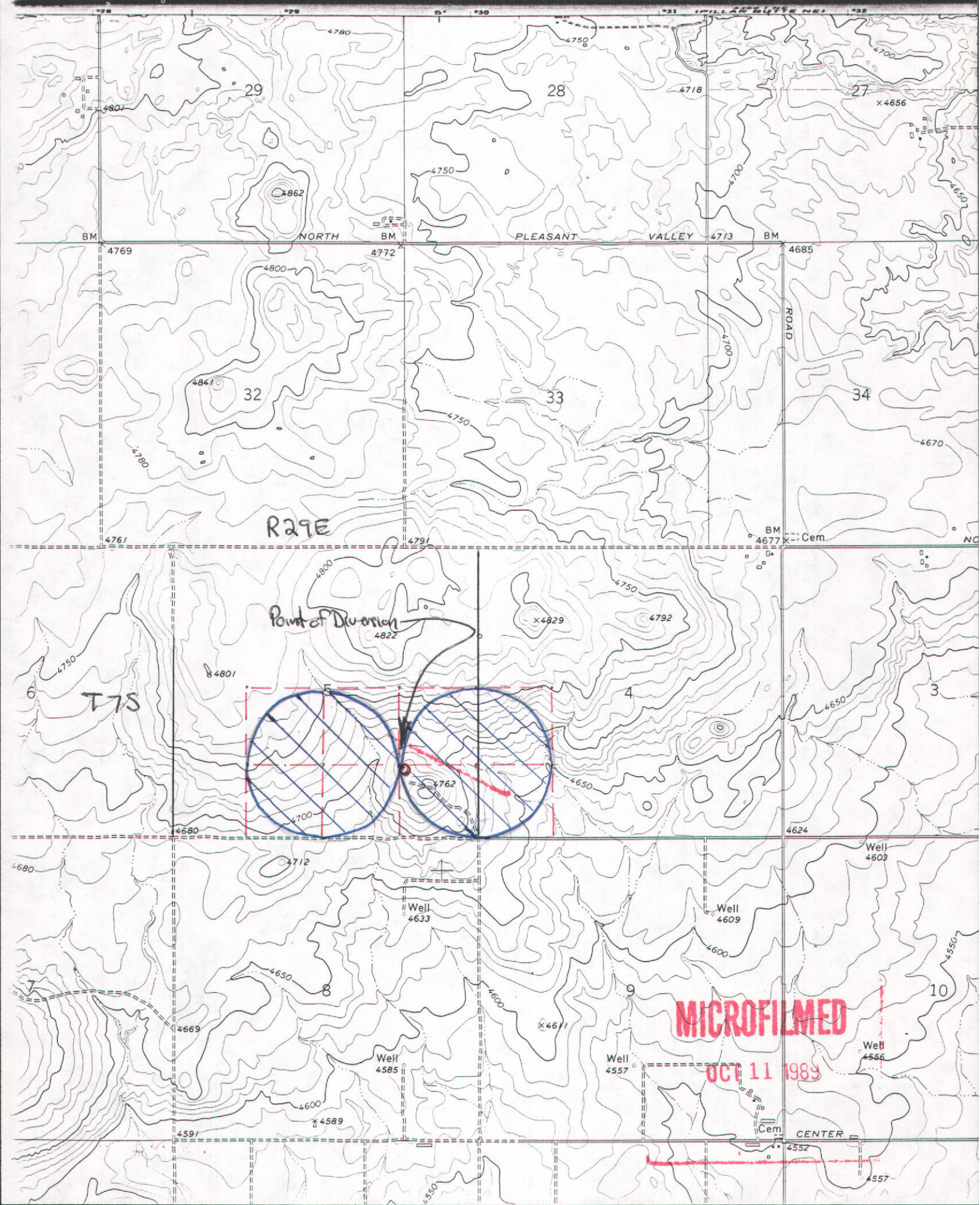
78 1944-1945  
1817

(22 2) 52.0

177 頁上

NOT TO SCALE

# 35-7923



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 35-07923

Priority: October 14, 1980

Maximum Diversion Rate: 3.86 CFS  
Maximum Diversion Volume:<sup>1</sup> 924.0 AF

This is to certify, that KEVIN GLEE MICHAELSON  
RT. 1 BOX 158

AMERICAN FALLS, ID 83211 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 14, 1980; and has submitted Proof of Beneficial Use on July 1, 1985. An examination indicates that the works have a diversion capacity of 3.860 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01       | 3.86 CFS                 | 924.0 AF             |

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 5, Township 07S, Range 29E  
POWER County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|--------------|
| 07S        | 29E        | 4          | NWSW 33      | SWSW 33      |              |              | 66           |
|            |            | 5          | NESW 33      | SESW 33      | NESE 33      |              |              |
|            |            |            | NWSE 33      | SWSE 33      | SESE 33      |              | 198          |

Total number of acres irrigated: 264

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29<sup>TH</sup> day of September, 1989.

**MICROFILMED**

Acting for R. Keith Higginson, Director

OCT 11 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Kevin Glee Michaelson Phone 226-2029

Post office address Route #1, Box 158, American Falls, ID 83211

2. Source of water supply groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township 7S

Range 29E B.M. Power County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 5.0 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 5.0 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and two  $\frac{1}{4}$  mile center pivots.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 350 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_

(5) If water is to be used for other purposes describe: \_\_\_\_\_

[illegible]

320

\_\_\_\_\_none

Who owns the property at the point of diversion

Applicant

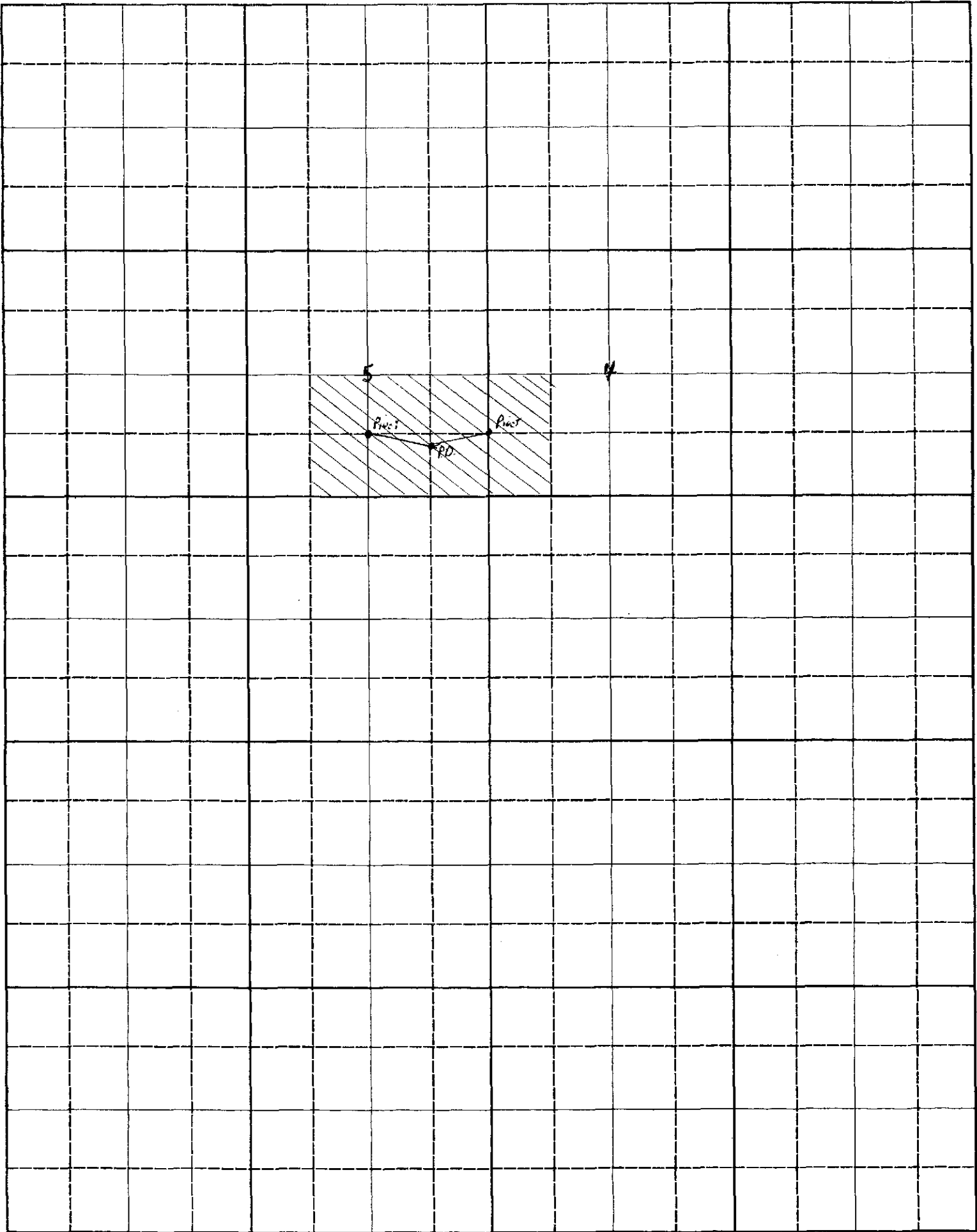
Who owns the land to be irrigated or place of use \_\_\_\_\_ Applicant

If the property is owned by a person other than the applicant, describe the arrangement enabling the

\_\_\_\_\_  
Applicant to make this filing

marks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Hevin Ske Michaelson  
(Applicant)

Proposed Priority 10/14/80

Received by gc Date 10/14/80 Time 4:15 PM  
Preliminary check by HDS Fee \$ 125.00  
Received by kw Date 10/14/80 # 160214  
Publication prepared by kw Date 10/16/80  
Published in Power Co. Record  
Publication dates 10/30/80 to 10/30/80  
Publication approved kw Date 11/10/80  
Protests filed by: None  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by EW RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7923, and said application is hereby approved \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, November 1, 1985.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 18 day of November, 1980.

A. Allen Gayton  
Chief, Operations Bureau

# Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

s.s.

Brett Crompton being first duly sworn  
on oath, states:

That he is the Editor/Manager of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 22 day of Oct, 1980

the date of last publication being the

29 day of Oct, 1980

(Signed) Brett Crompton

Subscribed and sworn to before me this

29 day of Oct, 1980

Lois Foster  
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

1st day of April, 1981

## Legal notice

Published in the Power County Press Oct. 22, 1980 and Oct. 29, 1980.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

35-7921

PETERSEN, KEVIN F.  
RT. 1 BOX 158, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 10/14/1980

Amount: 4.80 CFS

Diversion Point: SENE Sec 31 T 06S R 29E, POWER Co.

Use: IRRIGATION (4.80 CFS) from 04/01 to 11/01

Place of Use: SWNE SENE NESE NWSE SWSE SESE Sec 31 T 06S R 29E FOR 240 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

35-7922

PETERSEN, KEVIN F.  
RT. 1 BOX 158, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 10/14/1980

Amount: 5.00 CFS

Diversion Point: SENW Sec 31 T 06S R 29E, POWER Co.

Use: IRRIGATION (5.00 CFS) from

04/01 to 11/01

Place of Use: SWNW SENW NESW NWSW SWSW SESW Sec 31 T 06S R 29E LOT 01 (NENE) Sec 01 T 07S R 28E FOR 275 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

35-7923

MICHAELSON, KEVIN GLEE  
RT. 1 BOX 158, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 10/14/1980

Amount: 5.00 CFS

Diversion Point: SESE Sec 05 T 07S R 29E, POWER Co.

Use: IRRIGATION (5.00 CFS) from 04/01 to 11/01

Place of Use: NWSW SWSW Sec 04 T 07S R 29E NESW SESW NESE NWSE SWSE SESE Sec 05 T 07S R 29E FOR 320 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

It issued, the permits will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1315 Lincoln Road, Idaho Falls, Idaho 83401 on or before NOVEMBER 10, 1980.

C. STEPHEN ALLRED  
Director

RECEIVED

NOV 5 1980

Department of Water Resources  
Eastern District Office

MICROFILMED

October 2, 1989

KEVIN GLEE MICHAELSON  
RT. 1 BOX 158  
AMERICAN FALLS, ID 83211

RE: PERMIT NO. 35-07923

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

OCT 11 1989

September 11, 1989

KEVIN GLEE MICHAELSON  
RT. 1 BOX 158  
AMERICAN FALLS, ID 83211

RE: PERMIT NO. 35-07923

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

OCT 11 1989

MEMORANDUM

TO:FILE

FROM:ROXANNE MCCARTHY

RE: SWAN FALLS PROCESSING

DATE: 2-AUG-1989

=====

The point of diversion under this right is clearly within Trust Water boundaries. The proof was submitted in June, 1985 and received July 1, 1985. This, in conjunction with the examiner's findings in September of that year are enough to exempt this right from Swan Falls processing.

INDEXED  
OCT 11 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORT

RECEIVED

JAN 13 1986

35-7923  
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$(9.75 \text{ I.D. mainline})^2 \times 3.85 \sqrt{24" \text{ meter reading}} = 1792.9 \text{ gpm} \times 0.966 = 1731.9 \text{ gpm}$$

or  
3.86 cfs

correction  
Factor

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 264 \text{ acres} \times 3.5 \text{ af/a} = 924 \text{ af/a}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.86 \text{ cfs} \times 214 \text{ d} \times 1.9835 = 1638.4$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{924 \text{ af/a}}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: N.A.
- b) Other water rights with same point of diversion: N.A.
- c) Analysis:

MICROFILMED

OCT 11 1989

| Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
|------------|----------|--------|-----------|----------------------|-----------------|

4

Permit Holder:

**Address:**

5. Source:

## 6. Genetics

### Beneficial Use

Period of Use  
From To

Rate of Diversion  
Q (cfs)

Annual Volume  
V (ata)

Trisyllable

$$\frac{1}{1-x} = 1 + x + x^2 + x^3 + \dots$$

११८

726

**Allowable Maximums:**

3.865

340 486

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

## 10. Recommended Amendments

11. Examiner's Signature

Checked in Regional Office by \_\_\_\_\_

Approved in State Office by \_\_\_\_\_

Date \_\_\_\_\_

5/3/84

Date \_\_\_\_\_

98-60-1

Date \_\_\_\_\_

58-51-11

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☒ None

~~OCT 11 1989~~

**MICROFILMED**

RECEIVED

JAN 13 1980

Department of Water Resources

Permit No. 35-7923

Phone No. 226-7207  
226-1029

1. Owner: Kevin Glee Michaelson Permit No. 226-7207  
Current Address: Rt. 1 Box 158 Ammon Falls, ID Phone No. 226-4029
2. Accompanied by: Applicant EXAM. DATE: 9-23-85  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: \_\_\_\_\_
3. Source: Groundwater tributary to \_\_\_\_\_

| Well/Diversion*<br>No. | Motor<br>Make | HP  | Motor<br>Serial No. | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|---------------|-----|---------------------|--------------|--------------------------------------|
|                        | Yaskawa       | 300 | 0071802702          | Johnston     | NA                                   |
| Booster                | G.E.          | 75  | F6236015            | Carnell      | 33099                                |
|                        |               |     |                     |              |                                      |
|                        |               |     |                     |              |                                      |
|                        |               |     |                     |              |                                      |

\*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well/pump with booster two T & L 10 Town pivots.

Bowls set approx 480' - operating line pressure 100 psi

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size  | Calib. Date |
|-----------------------|------|------|-----------|------------|-------|-------------|
| Annubar               |      |      |           |            | 7.9   |             |
| Eagle Eye Meter       |      |      |           | 091471     | 16-80 | 7-19-85     |
|                       |      |      |           |            |       |             |
|                       |      |      |           |            |       |             |

7. Measurements 9.75" mainline 24" ☐ Additional data/computation sheets attached  
ID Meter Reading

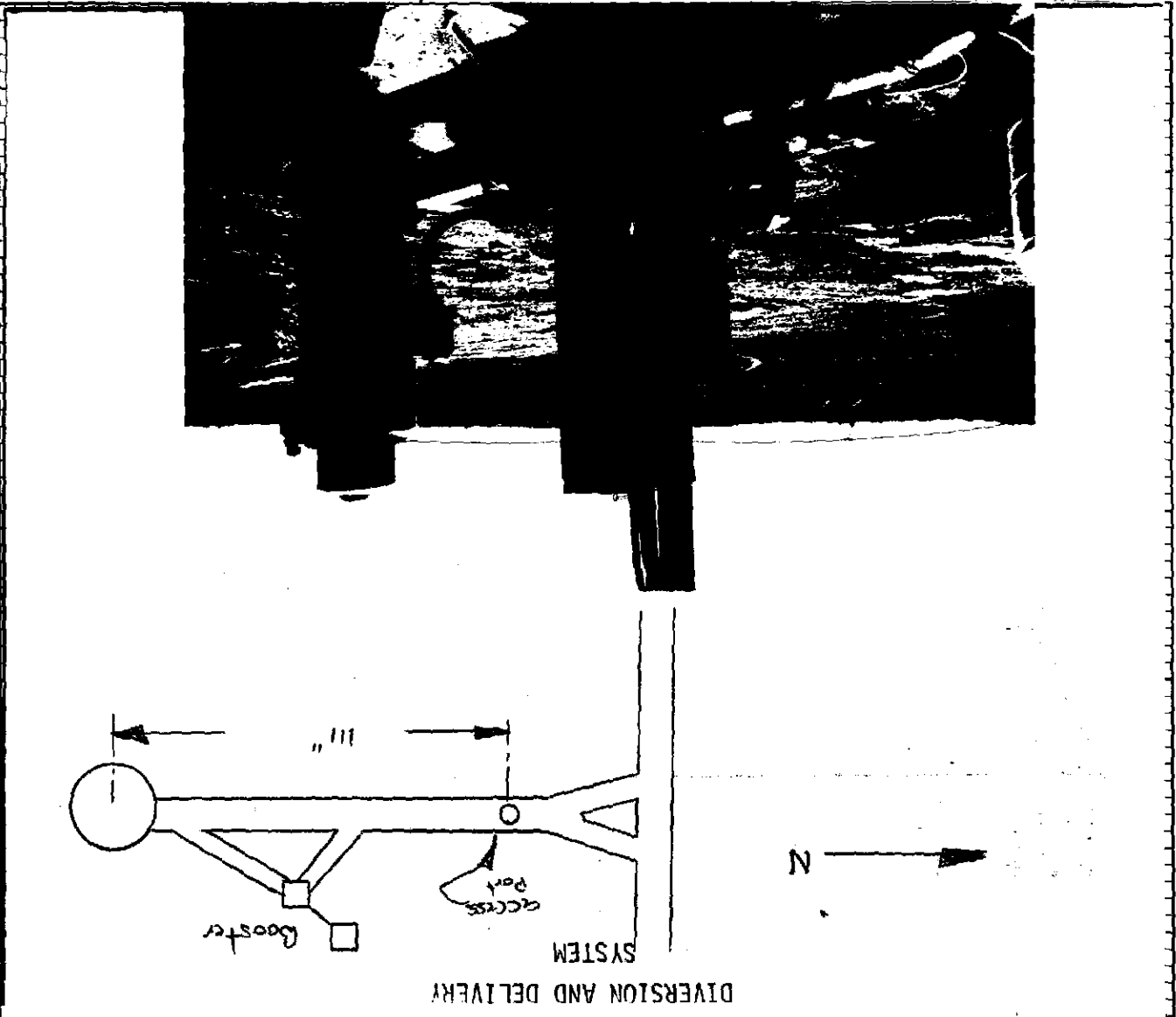
- |                           |                                  |                |
|---------------------------|----------------------------------|----------------|
| 8. Point(s) of Diversion: | Indicate Method of Determination | ASCS Air Photo |
|---------------------------|----------------------------------|----------------|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.  
Indicate Method of Determination ASCS Air Photo

[illegible]

10. Other water rights on these lands N/A
11. Other water right diverted from same p.d. N/A
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached
14. Remarks

15. Recommended Amendments
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other
- ☒ None

16. Examiner's/Consultant's Signature Will Jensen Date 11-15-85

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct \_\_\_\_\_

Beneficial Use Examination \_\_\_\_\_

Date \_\_\_\_\_

CONSULTANT SEAL

# 35-7923

R29E

32

3283

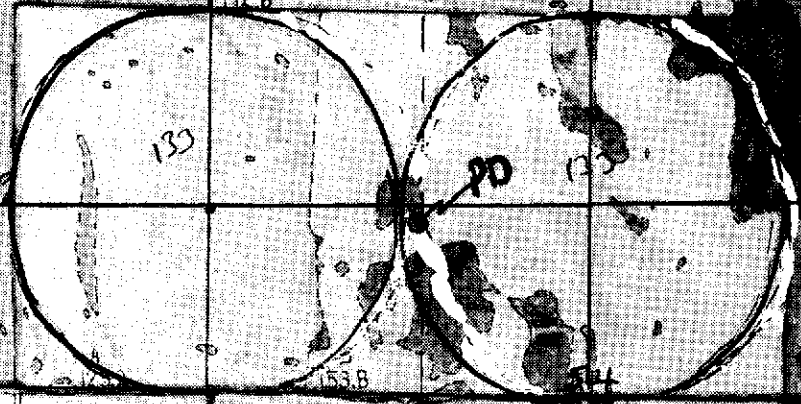
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C  
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A 25  
L. Burgeon

B  
5 1776

538

E  
1744

H 340  
H. - 1106

A 17  
L. Burgeon

**MICROFILMED**

OCT 11 1969

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L

NOT TO SCALE

OCT 11 1989

CENTER

METER NO. 091471RANGE 10"-80"DATE TESTED 7-19-1985

| UPSCALE | DOWNSCALE | AVERAGE | METER<br>READING | FLOW<br>ERROR | FLOW CORREC<br>FACTOR |
|---------|-----------|---------|------------------|---------------|-----------------------|
| 9.37    | 9.06      | 9.215   | 10               |               | 0.959                 |
| 14.62   | 14.62     | 14.62   | 16               |               | 0.955                 |
| 18.50   | 18.50     | 18.50   | 20               |               | 0.962                 |
| 24.25   | 24.50     | 24.375  | 26               |               | 0.968                 |
| 27.87   |           | 27.87   | 30               |               | 0.963                 |
|         | 29.87     | 29.87   | 31               |               | 0.981                 |
| 34.25   |           | 34.25   | 36               |               | 0.975                 |
| 40.25   |           | 40.25   | 41               |               | 0.990                 |
|         |           |         |                  |               |                       |
|         |           |         |                  |               |                       |
|         |           |         |                  |               |                       |
|         |           |         |                  |               |                       |
|         |           |         |                  |               |                       |

# 35-7923

MICROFILMED

OCT 11 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup, Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

AUGUST 12, 1985

KEVIN G. MICHAELSON  
RT. 1, BOX 158  
AMERICAN FALLS ID 83211

RE: Permit No. 35-7923

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A condition of approval of your original permit required the installation of an access port which, according to the proof card submitted by you, has not been installed. An access port must be installed prior to the time a field examination is made.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,  
s/HAROLD W. JONES  
Sr. Resource Agent

**MICROFILMED**

OCT 11 1989

FORM A

RECEIVED  
JUL 1 1985  
Department of Water Resources  
Southern District Office

Copy 55 TTS R29E

RECEIVED

JUL 1 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Southern District Office

## PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-7923  
 Name(s) of Permit Holder: Kevin G. Michaelson  
Route #1 Box 158  
 Post Office Address: AMERICAN FALLS, Idaho  
83211 Telephone No. 226-2029  
 Source of Water: GROUND WATER  
 Extent of Use: Domestic \_\_\_\_\_ (number of households)  
 Stockwater \_\_\_\_\_ (number and type of stock)  
 Irrigation 320 (acres)  
 Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: APRIL 1, 1981

Measuring Device: Required? \_\_\_\_\_ Yes \_\_\_\_\_ No  
 Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

Flow Measurement Port: Required? X Yes \_\_\_\_\_ No  
 Required? X Yes \_\_\_\_\_ No

Person to contact to accompany the Department representative during field examination: APPLICANT  
 (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-25-85

Date

Kevin G. Michaelson  
 Signature of Permit  
 (and Title, if appropriate)

OCT 11 1989

RECEIVED

NOV 21 1980

Department of Water Resources  
Eastern District Office

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

35 7923  
Ident. No.

field Copy

APPROVED

Department of Water Resources  
Eastern District Office appropriate the public waters of the State of Idaho1. Name of applicant Kevin Glee Michaelson Phone 226-2029Post office address Route #1, Box 158, American Falls, ID 832112. Source of water supply groundwater which is a tributary of \_\_\_\_\_3. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township 7SRange 29E B.M. Power County, additional points of diversion if any: \_\_\_\_\_

## 4. Water will be used for the following purposes:

Amount 5.0 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

## 5. Total quantity to be appropriated:

a. 5.0 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

## 6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and two  $\frac{1}{4}$  mile center pivots.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)c. Proposed well diameter is 16 inches; proposed depth of well is 350 feet.

## 7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year - maximum 5 years).

## 8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_

Water is to be used for other purposes describe: \_\_\_\_\_

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7S  | 29E   | 4    |     |     |     |     |     |     |     |     |     | 40  | 40  |     |     |     |     |     | 80     |
|     |       | 5    |     |     |     |     |     |     |     |     | 40  |     |     | 40  | 40  | 40  | 40  | 40  | 240    |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

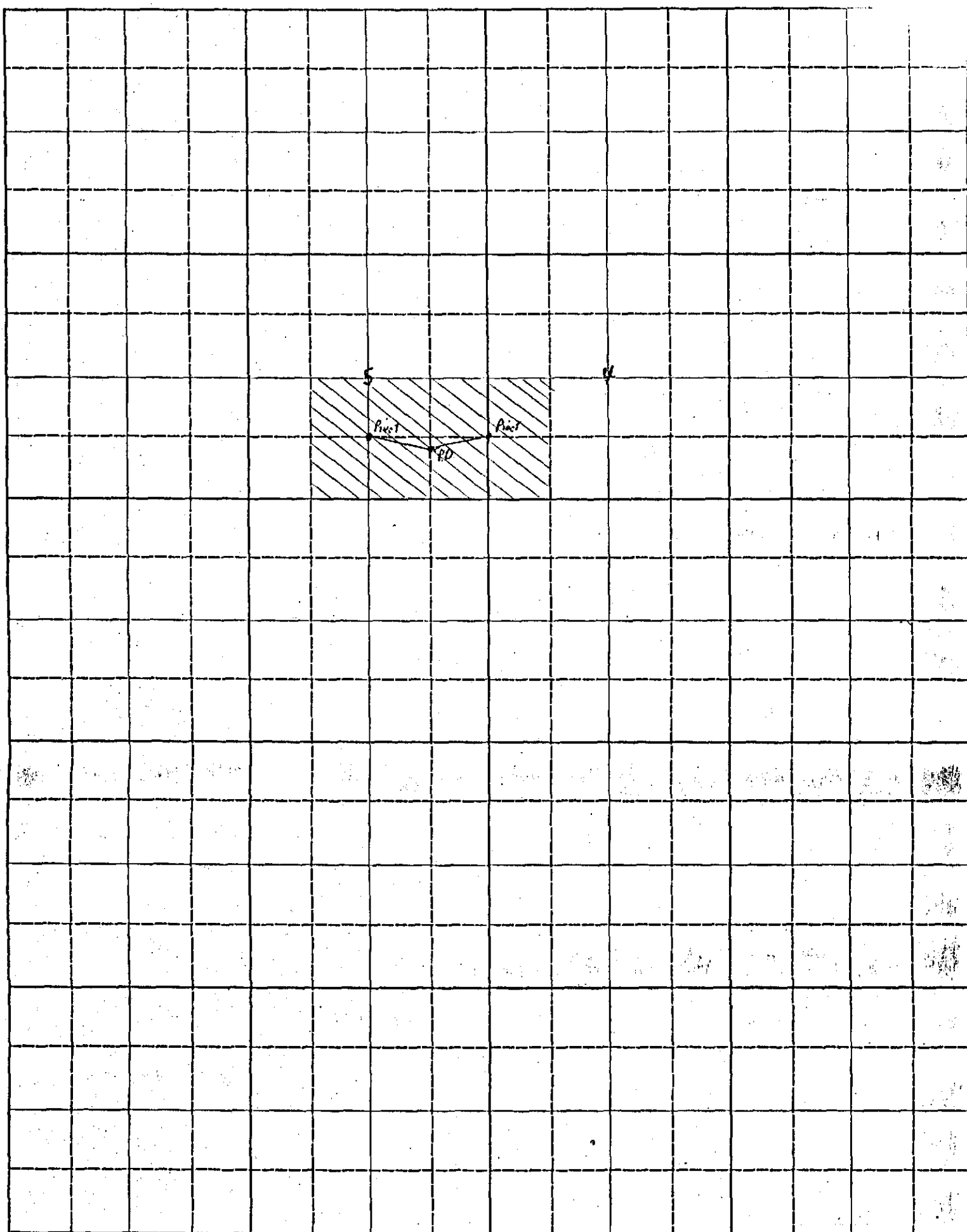
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \_\_\_\_\_

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11. Map of proposed project: show clearly the proposed point of diversion, place of use, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

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OCT 11 1989

Hevin Lee Michaelson  
(Applicant)

Proposed Priority

10/14/80

Received by jc Date 10/21/80 Time 4:15 PM

Preliminary check by HWS Fee \$ 125.00

Received by KW Date 10/14/80 # 10044

Publication prepared by KW Date 10/16/80

Published in Power Co. Press

Publication dates 10/23 & 10/30/80

Publication approved KW Date 11/10/80

Protests filed by: None

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by ELC RA

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7923, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 18<sup>th</sup> day of November, 1980.

J. Glen Saxton  
Chief, Operations Bureau

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POINT OF DIVERSION OVERLAP REVIEW

| WR-NUMBER | TWP | RNG | SC | TRACT |     |     | LT | #SOURCE     | #NAME          |
|-----------|-----|-----|----|-------|-----|-----|----|-------------|----------------|
|           |     |     |    | 1\4   | 1\4 | 1\4 |    |             |                |
| 3507923   | 07S | 29E | 5  | SE    | SE  |     |    | GROUNDWATER | MICHAELSON, KE |

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OCT 11 1989



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

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OCT 11 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 35 7923  
Name(s) of Permit Holder(s): Kevin Glec Michaelson  
Post Office Address: Route 1 Box 158  
American Falls Idaho 83211 Tel. No. 936-2029

☒ I hereby certify that construction of diversion works for the above referenced permit began on December 1, 1989 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

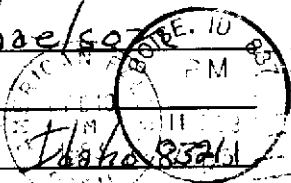
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control\*:  
\_\_\_\_\_  
\_\_\_\_\_

\*Note: A financing difficulty is not an acceptable reason.

Feb. 9, 1983  
Date

Kevin G. Michaelson  
Signature of Permit Holder

Kevin G. Michael/507  
P.O. Box 158  
American Falls Idaho 83211



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FEB 14 1983

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE

BOISE, IDAHO 83720

Idaho Department of Water Resources

FORM 20

RECEIVED  
JUL 1 1985

STATE OF IDAHO

RECEIVED  
JUL 3 1985

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

## PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 35-7923  
 Name(s) of Permit Holder: Kevin G. Michaelson  
Route #1 Box 158  
 Post Office Address: AMERICAN FALLS, Idaho  
83211 Telephone No. 226-2029  
 Source of Water: Groundwater  
 Extent of Use: Domestic \_\_\_\_\_ (number of households)  
 Stockwater \_\_\_\_\_ (number and type of stock)  
 Irrigation 320 (acres)  
 Other/Remarks \_\_\_\_\_

Indicate the date water was first diverted and beneficially used under this permit: April 1, 1981

Measuring Device: Required? \_\_\_\_\_ Yes X No  
 Installed? \_\_\_\_\_ Yes X No

Flow Measurement Port: Required? X Yes \_\_\_\_\_ No  
 Required? X Yes \_\_\_\_\_ No

Person to contact to accompany the Department representative during field examination: APPLICANT (Name)

(Address)

(Telephone number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

6-25-85  
 Date

Kevin G. Michaelson  
 Signature of Permit  
 (and Title, if appropriate)

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MD

3/79

IDENT. NO.

35 7923

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

MICHAELSON, KEVIN GLEE  
RT. 1 BOX 158  
AMERICAN FALLS, ID 83211

DECEMBER 04, 1980

RE: PERMIT NO. 35-7923

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

35 7923

INITIAL REVIEW BY: Skip

APPLICATION NUMBER: Michaelson  
35-7923

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee  
☒ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☒ No\* In form to receipt.

Field check by: \_\_\_\_\_  
Date: \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROCESSING:

- ☒ Yes ☒ No Platted by: Skip Map No. Barn 35 7 S 29 E  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: Nov. 10 ✓  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11-05-1980 ✓  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☐ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☒ Yes ☐ No Access port required.  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_  
✓ 10-14-1980 Date of priority recommended.  
Special conditions of approval or cover letter. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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By: Ernest Carlson Date: 11-12-1980

STATE OFFICE REVIEW:

SLW/LO3 oic

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NOV 13 1980

- ☐ See attached sheet for more information.

By: Robyn Date: 11/17/80

Department of Water Resources

35-7923

MICHAELSON, KEVIN GLEE

RT. 1 BOX 158, AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Date Filed: 10/14/1980

Amount: 5.00 CFS

Diversion Point: SESE Sec 05 T 07S R 29E, POWER Co.

Use: IRRIGATION (5.00 CFS) from 04/01 to 11/01

Place of Use: NWSW SWSW Sec 04 T 07S R 29E NESW SESW NESE NWSE SWSE SESE  
Sec 05 T 07S R 29E FOR 320 ACRES

Diversion Means: WELL, PUMP & PIPELINE.

35-7923

MICHAELSON, KEVIN GLEE  
RT. 1 BOX 158, AMERICAN FALLS,  
ID 83211

Source: GROUNDWATER

Date Filed: 10/14/1980

Amount: 5.00 CFS

Diversion Point: SESE Sec 05 T 07S R  
29E, POWER Co.

Use: IRRIGATION (5.00 CFS) from  
04/01 to 11/01

Place of Use: NWSW SWSW Sec 04  
T 07S R 29E NESW SESW NESE  
NWSE SWSE SESE Sec 05 T 07S R  
29E FOR 320 ACRES

Diversion Means: WELL, PUMP &  
PIPELINE.

If issued, the permit(s) will be sub-  
ject to all prior water rights. Protests  
against the granting of any permit  
must be filed with the Director of the  
Idaho Department of Water  
Resources, 1515 Lincoln Road,  
Idaho Falls, Idaho 83401 on or  
before NOVEMBER 10, 1980.

C. STEPHEN ALLRED  
Director

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OCT 22 1980

Department of Water Resources  
Eastern District Office

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