

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF BINGHAM

ss.

Virginia Anderson..... being first duly sworn
on oath, states:

That she is the chief clerk of the printer
of The Aberdeen Times, a newspaper of general circulation
in Bingham County, Idaho, published weekly at Aberdeen
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 publica-
tion of the annexed notice or advertisement:

That the annexed notice or advertisement was publish-
ed 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 29... day of May....., 1969
the date of last publication being the
...5.... day of June....., 1969

(Signed. *Virginia Anderson*)

Subscribed and sworn to before me this

5th day of June....., 1969
James L. Smith

Notary Public, residing at Aberdeen, Idaho.

My Commission expires the

(SEAL)

8th day of December....., 1970

LEGAL NOTICE

Published in The Aberdeen
Times May 29 and June 5, 1969.
NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that
Travis Michaelson, Aberdeen,
Idaho has on May 12, 1969 ap-
plied for permit under applica-
tion No. 35-7077 to divert 3.2
cubic feet per second of water
from a ground water source.
Water will be diverted by well,
pump and sprinkler system
within the NE1/4NE1/4NW1/4
NE1/4, SW1/4NE1/4, SE1/4NE
1/4 Sec. 26 T. 6S., R. 30 E.,
B.M. in Bingham County and
is to be used from April 1 to
October 31 for irrigation in the
NE1/4 Sec. 26, T. 6S., R. 30
E., B.M.

Any protest against this ap-
plication must be filed with the
Department of Reclamation
within ten days from the last
date of publication of this not-
ice.

Bill submitted 6-13-69

35-7077

T
6
S

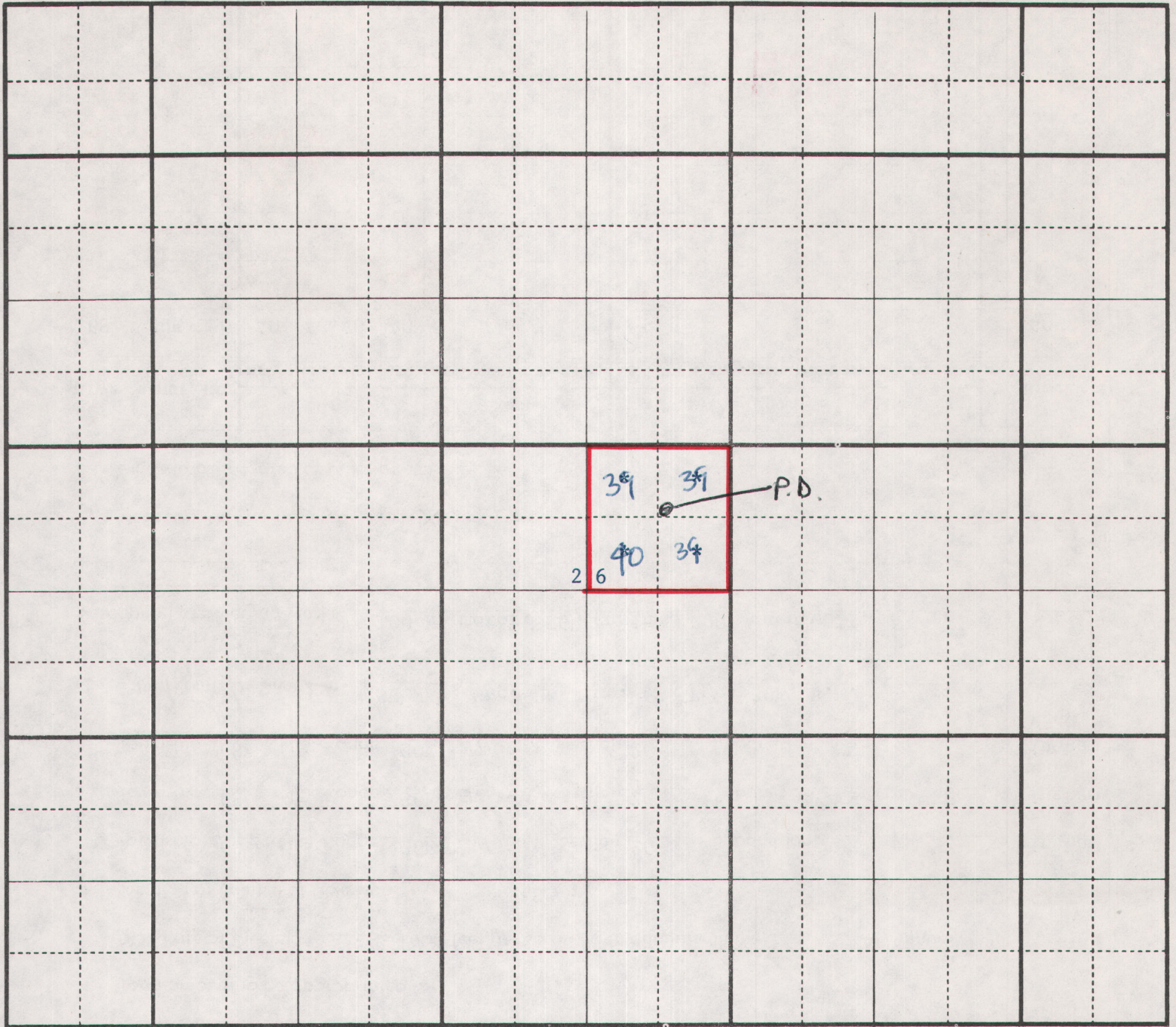
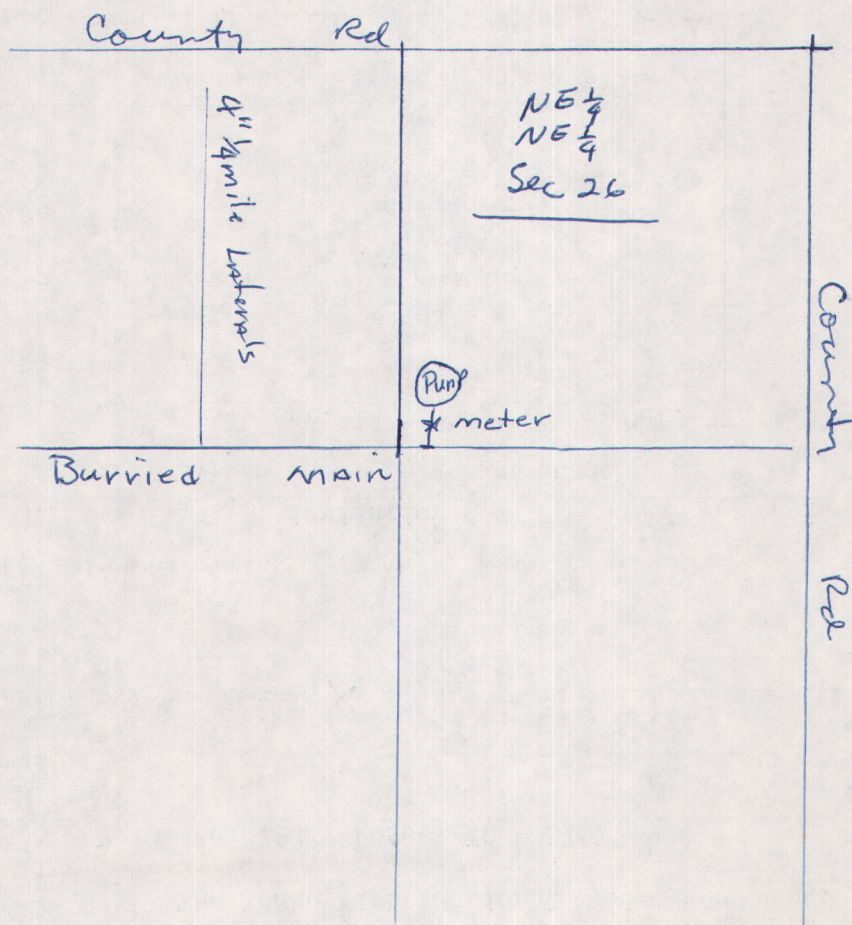


Diagram of System



APPROVED FOR
REVISION 11-11-11



T-6-S

A-2

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7077 Priority May 12, 1969 Amount 2.95 cfs

THIS IS TO CERTIFY, that The Idaho First National Bank as Trustee of the Estate
of Travis Michaelson, of Boise, Idaho, has complied with the terms and conditions of Permit
No. 35-7077 issued pursuant to Application for Permit dated May 12, 1969,
and has submitted proof to the Department of Water Resources on June 3, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.95 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Oct. 31</u> at <u>2.95</u> cfs and			<u>549.5 acre feet or</u>
			<u>3.5 af per acre</u>
_____ from _____ to _____ at _____ cfs and			_____
_____ from _____ to _____ at _____ cfs and			_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.95 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
549.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26,
Twp. 6 S, Rge. 30 E, B.M. in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	30 E	26	39	39	40	39													157

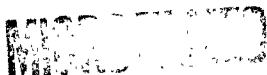
Total number of acres irrigated 157

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
February, 19 75.



Director

[Signature]

Identification No. 35-7077

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Idaho First National Bank Trust Dept.

Appointed as trustee of estate P. O. Box 7928

Travis Michaelson

Boise, Idaho

1. Name of applicant _____
post office address Aberdeen, Idaho 83210

2. Source of water supply Ground Water which is a tributary of _____

3. a. Location of point of diversion is NE $\frac{1}{4}$ center $\frac{1}{4}$ of NE $\frac{1}{4}$ $\frac{1}{4}$ of Section 26 Township 6 South
Range 30 E. B.M. Bingham County; additional points of diversion if any: _____
NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, T. 6 S., R. 30 E., B.M.

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 3.2 cfs for irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.2 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
deep well turbine pump and sprinkler system

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 220 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 15,000.

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: _____ hp 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: _____

35-7077

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

Sec.	Twp.	Range	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
26	6 So.	30 E	40	40	40	40													160

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes None

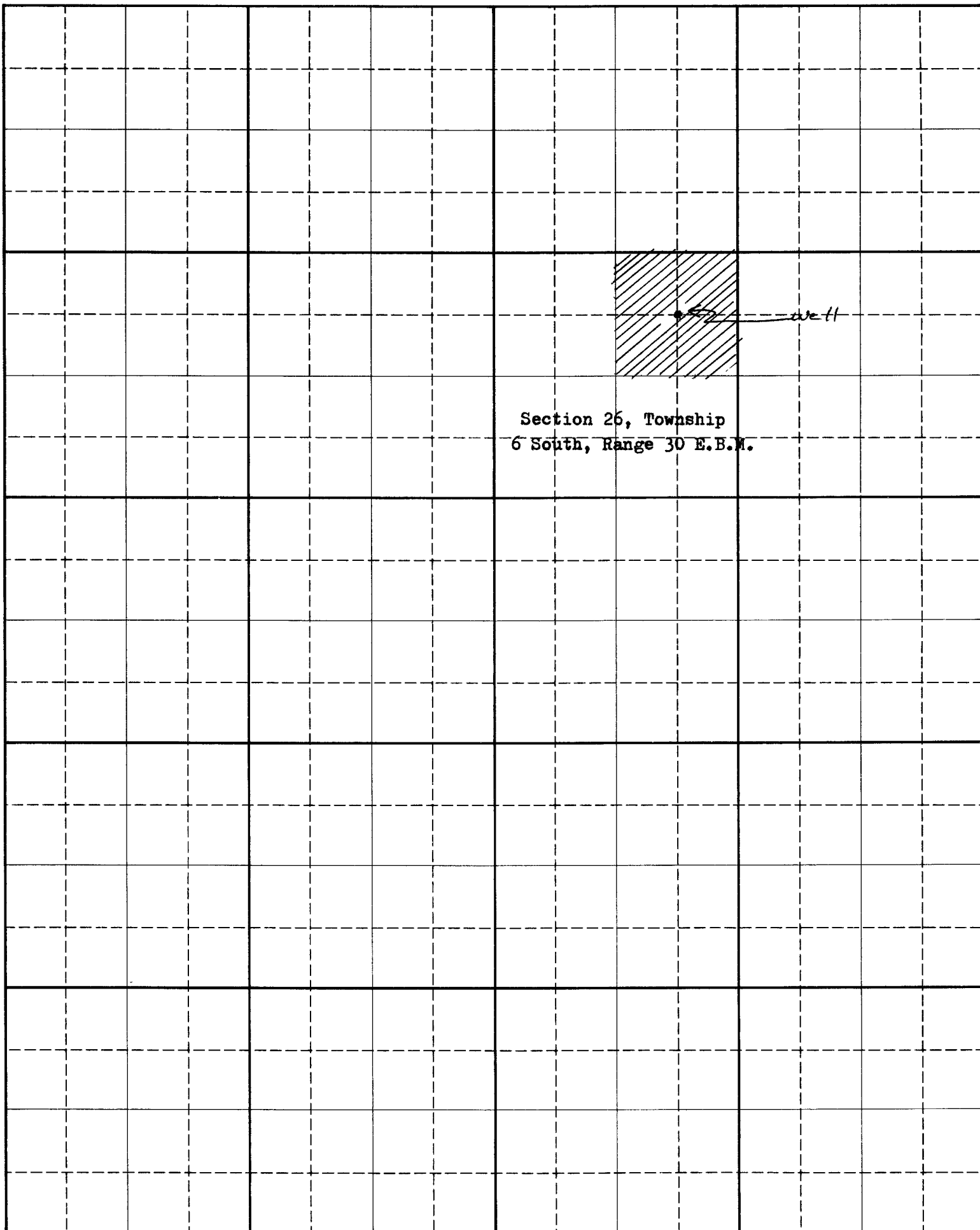
9. a. Who owns the property at the point of diversion Travis Michaelson

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

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 _____

11. Map of proposed project:



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.

Trevor Michaelson
(Applicant)

35-7027

Received by ej Date 5-12-69 Time 8:00a
Preliminary check by Dave Fee \$ 35.00 5-12-69
Receipted by ej Date 5-15-69
Publication prepared by JB Date 5-22-69
Published in Albion Times
Publication dates 5-29 + 6-5-69
Publication approved JB Date 5-27-69
Priority reduced to _____ Reason _____

Protests filed by: Marc 6-16-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Dave JB R.H.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7077, and said application is hereby APPROVED

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 74.
- Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 23rd day of June, 19 69.

R. Kirk Higg
State Reclamation Engineer

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF BINGHAM

ss.

That I, Travis Michaelson, being first duly sworn on oath, states:

That the Aberdeen Times is the only newspaper of The Aberdeen Times, a newspaper of general circulation in Bingham County, Idaho, published weekly at Aberdeen 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 successive weekly issues thereof, the date of the first publication being the 22 day of May, 1969 the date of last publication being the 22 day of June, 1969

(Signed. Travis Michaelson)

Subscribed and sworn to before me this

5th day of June, 1969
Travis Michaelson

Notary Public, residing at Aberdeen, Idaho.

My Commission expires the

(SEAL) 2nd day of December, 1970

LEGAL NOTICE

Published in The Aberdeen Times May 29 and June 5, 1969.
NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Travis Michaelson, Aberdeen, Idaho has on May 12, 1969 applied for permit under application No. 35-7077 to divert 3.8 cubic feet per second of water from a ground water source. Water will be diverted by well, pump and sprinkler system within the NE1/4NE1/4NW1/4 NE1/4, SW1/4NE1/4, SE1/4NE1/4 Sec. 28 T. 6S, R. 30 E., B.M. in Bingham County and is to be used from April 1 to October 31 for irrigation in the NE1/4 Sec. 28, T. 6S, R. 30 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

Bill submitted 6-13-69

35-7077

C February 25, 1975

O Re: Permit No. 35-7077

P Idaho First National Bank Trustee Dept.
Trustee of the Estate of Travis Michaelson
Box 7928
Boise, Idaho 83707

Gentlemen:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Y Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MAILED

February 10, 1975

Idaho First National Bank, Trust Dept.
Trustee of Travis Michaelson Estate
Box 7928
Boise, Idaho 83707

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7077 and has found the following:

Quantity of water diverted: 2.95 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.95 cfs

The maximum quantity diverted shall not exceed 549.5 acre feet per year.

Beneficial use: For irrigation of 157 acres within the NE 1/4, Sec. 26, Twp. 6S, Rge. 30E

Point of diversion: NE 1/4, Sec. 26, Twp. 6S, Rge. 30E, B.M.

Priority date established: May 12, 1969

If you do not concur with these findings, please advise us within 10 days; otherwise a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jr

RECEIVED
AUG 16 1974

Department of Water Resources
Eastern District Office

August 13, 1974

State of Idaho
Dept. of Water Administration

RE: Permit No. 35-7077

Dear Sirs:

Have received your letter in regard to installing a measuring device on property that I have purchased from Travis Michaelson, No. 41-4121-4.

I have installed this measuring device on property mentioned. Pleased be advised that we are ready for your inspection.

Very truly yours,



Duane L. Poulson

jp

NOTED

XXXXXXXXXXXXXXXXXXXXX RESOURCES

July 31, 1974

RE: Permit No. 35-7077

The Idaho First National Bank Trust Department
P.O. Box 7928
Boise, Idaho 83707

Gentlemen:

During the last week, I performed a proof of beneficial use exam on your above referenced permit. The data resulting from that examination has been arranged in the proper form and is now ready to be sent to our State Office. Before the State Office will issue a license on your permit, an approved measuring device must be permanently installed on your irrigation system.

Would you please notify this office when you have installed your measuring device so that we may inspect the installation and finalize licensing of the permit? Failure to comply with the mandatory requirement could result in a show cause order why your permit should not be cancelled.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

BILL RHOADS
Water Resource Technician

BR:cb

MAILED

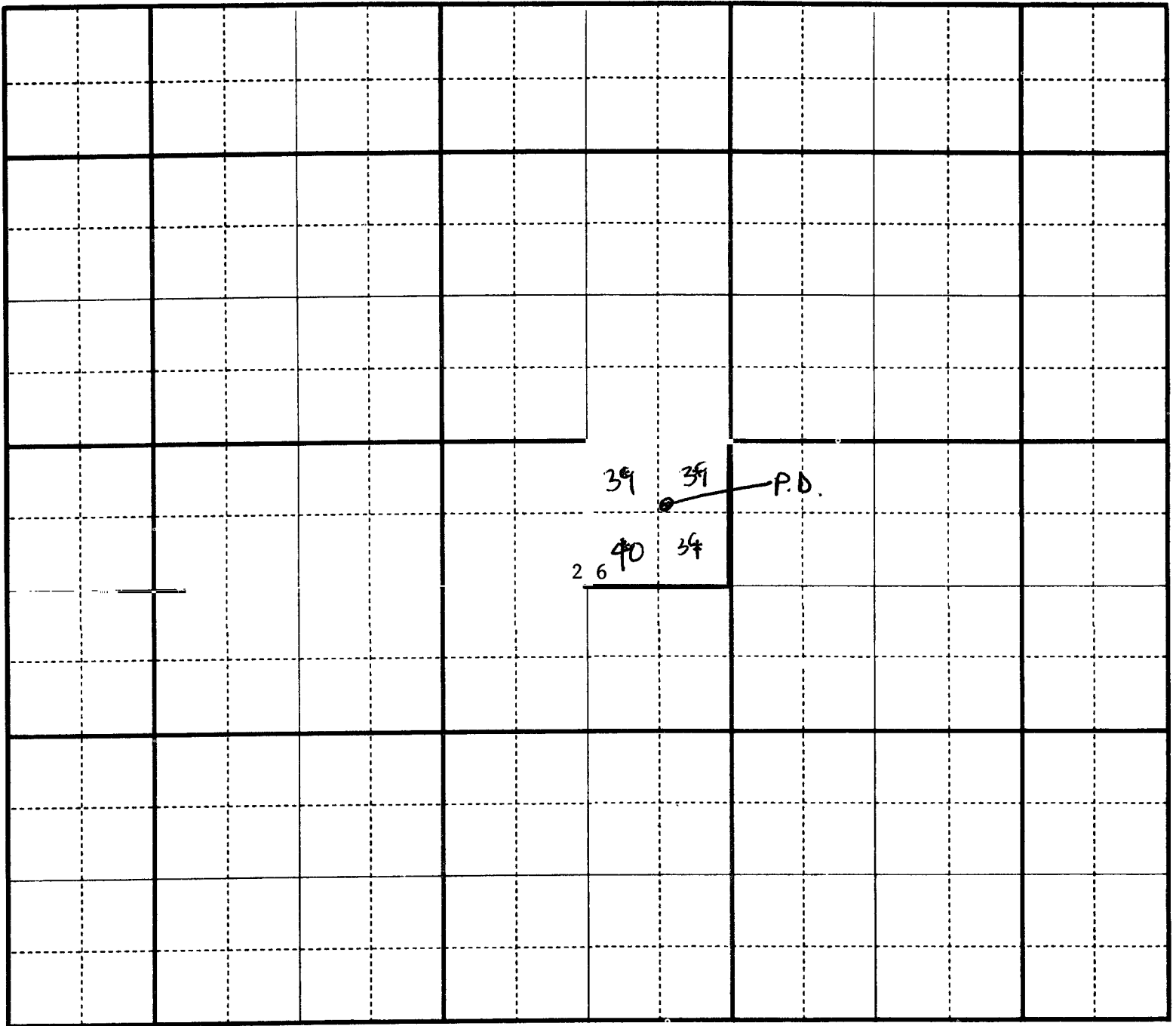
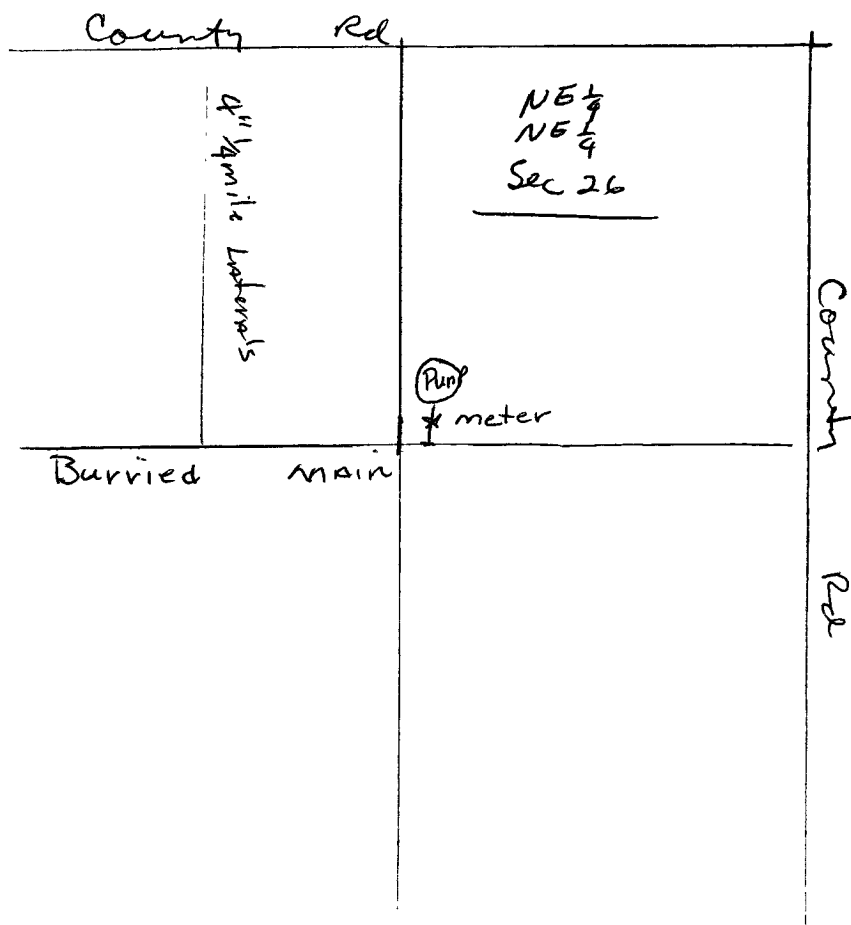
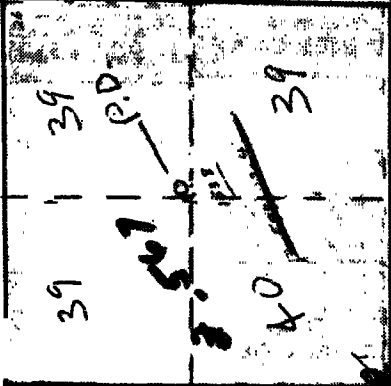


Diagram of System



23 24



20 25

Power Count

22 27

21 26

Power

F-64-33

28 29

23 24

DATE OF EXAM July 29, 1974

ACREAGE
Found 157
Recommended 157

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 2.95 c.f.s. V = 549.5 AF/Ann. from Apr 1 to Oct 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2.95 cts Method of measurement In Line Meter

Total Q recommended 2.95 cts Meter No 11100 Type Rakwell Condition New

Total V recommended 549.5 AF/Ann

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
$$Q = \frac{1325 \text{ gal/min}}{448.8 \text{ gal/cts}} = 2.95 \text{ cts}$$
$$V = 157 \text{ Ac} \times 3.5 \text{ AF/Ac} = 549.5 \text{ AF/Ann}$$

SYSTEM DESCRIPTION:
U.S. Motors Holloshaff motor 100 Hp #1246786
Win + tooth pump #10115
E-W buried main line 6 wheel moves 1/4 mile with 12" dia

REMARKS:
A rep of the permit holder was not present
during the Pref Exam

Examiner's Signature William Rhoads Date Aug 22, 1974
Checked by LO Thaler Date Sept 5, 1974
Approved by _____ Date _____

June 13, 1974

Re: Permit No. 35-7077

The Idaho First National Bank Trust Dept.
Trustee for Travis Michaelson
P. O. Box 7928
Boise, Idaho 83707

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. We also acknowledge receipt of the Decree of Distribution.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions concerning the field exam, please contact our Eastern District Office at 1515 Lincoln Road, Idaho Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

35-7077

RECEIVED
Identification No. _____
Permit No. 35-7077
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

JUN 3 1974

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

The Idaho First National Bank Trust Department, Department of Water Administration
Trustee for Travis Michaelson

1. a) Name of Permit Holder Subject to Contract of Sale to Duane L. Poulson
b) Post Office Address P.O. Box 7928 Boise, Idaho 83707
2. Permit Number 35-7077
3. Date of Priority that you are prepared to establish May 10, 1961
4. a) Source from which water was appropriated Underground
b) Location of the point of diversion: NE 1/4 1/4, Section 26
Township 6 S., Range 30 Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 3.2 cfs for irrig. purposes from April 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

- b) Total amount appropriated _____ cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Sprinkler system - 6 lines
with 192 - 1/4" nozzles

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: None
b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 100 H P motor 16" casing
200 ft depth of well

- b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger - propeller meter

- c) Give well drillers name and address and date the well was completed Paul Vollmer - Well driller Arviden Idaho
Completed May 10, 1961

Exam typed 6/13/74 by ja

35-7077

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	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	
62	30	26	40	40	40	40													160

Total number of acres irrigated 160

10. Remarks:

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

Idaho First National Bank, Trustee

5-31-74
(Date)

John O. Byerly
by John O. Byerly, Property Administrator - Trusts
(Signature)

State of Idaho)
County of Ada) ss.

On this 10th day of June, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

William L. Denny
Notary Public residing at Boise, Idaho

My commission expires 8/30/77

TRUST DEPARTMENT

The Idaho First National Bank

ESTABLISHED 1867

P.O. BOX 7928

BOISE, IDAHO

June 11, 1974

RECEIVED

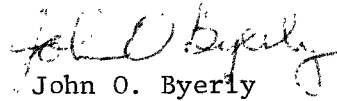
Bobby D. Fleenor
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Re: Michaelson, Travis
#41-4121-4

Dear Mr. Fleenor:

Enclosed is the affidavit which has my signature
notarized as requested. Also enclosed is a copy of the Decree
of Distribution for Mr. Michaelson's Estate as you requested.

Very truly yours,

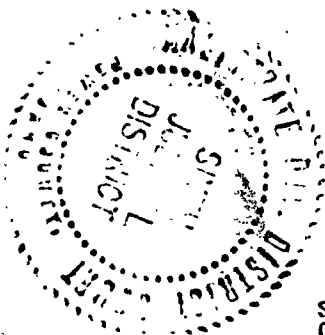


John O. Byerly
Property Administrator - Trusts

JOB:cn
Enclosures

35-7677

STOUT & MOSS
Attorneys at Law, P.A.
75 East Judicial Street
Blackfoot, Idaho 83221
Telephone: 208-785-1940



176948

11-4019-3 -

Michaelson - Legals

STATE OF IDAHO } SS.
COUNTY OF POWER

I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the District Court, Magistrate's Division, of the Sixth Judicial District of Idaho, for Power County.

Helen Hill
CLERK, MAGISTRATE'S DIVISION
BY *Mary Farwell*
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF POWER
MAGISTRATE'S DIVISION

IN THE MATTER OF THE ESTATE) CASE NO. 348
) DECREE OF DISTRIBUTION
OF)
TRAVIS MICHAELSON,)
) Deceased.)

THE IDAHO FIRST NATIONAL BANK of Boise, Idaho, the duly appointed, qualified, and acting executor of the above estate, having, on the 28th day of June, 1972, filed in this Court its Petition setting forth, among other things, that its First and Final Account and Report as said executor has been filed for settlement, and the said estate is in a condition to be closed and settled, and a Petition for settlement of said Final Account and a full report of its proceedings had been filed in said matter, and that a portion of said estate remains to be distributed to the legatees as provided under the terms of the Will filed herein.

AND EXECUTOR having, at said time, filed its Petition in due form praying for the final distribution of said estate to the persons entitled thereto, and having asked for other relief as more fully appears in said Petition.

AND HEARING on said Petition coming on regularly to be heard in Open Court on the 11th day of July, 1972, upon due proof that due and legal notice of such hearing had been given as directed by Order of the Court heretofore made herein, and as provided by law,

THE COURT proceeded to the hearing of said Petition and it appearing to the satisfaction of the Court that the residue of the estate of Travis Michaelson is now ready for distribution, and that the estate is now in a condition to be closed, and that a portion of the same, to-wit: the sum of \$15,000.00 should be set aside until such time as the United States Estate Tax Return has been audited,

AND IT FURTHER APPEARING to the Court that the whole of the estate of deceased consisted of community property disposed of by the last Will of deceased filed herein, and that the Final Account of said executor has been duly made and confirmed by this Court, and that all taxes due upon said estate have been paid, and that all claims presented against the said estate have been paid, and the expenses of said estate, including statutory attorneys' fees and statutory executor's fees have been paid, including State of Idaho Inheritance Taxes fixed by the Court.

AND IT FURTHER APPEARING to the Court that the said Travis Michaelson, deceased, died testate on May 27, 1971, at American Falls, Power County, Idaho, and that at the time of his death he was a resident of Power County, Idaho, and that he left surviving him the following heirs at law, to-wit: Helen Michaelson, widow, over 21; Jeneal Osborne, daughter, over 21; Janice Britven, daughter, over 21; Joyce Hopkins, daughter, over 21; Judy Michaelson, daughter over 21.

AND IT FURTHER APPEARING to the Court from testimony given to the Court that executor should account further to the Court with respect to the amount owed to Fred Henderson, lessee, and Melvin R. Funk, creditor, and that the additional sum of \$5,000.00 should be retained by executor from the distribution to be made to the Travis Michaelson trust and an additional sum of \$5,000.00 should be retained by executor from the distribution to be made to the Helen Michaelson trust in order that executor will have sufficient funds on hand to settle both accounts.

AND IT FURTHER APPEARING to the Court that in accordance with the terms of the Last Will and Testament of deceased, and the verified statement of the executor, that the estate of said deceased should be distributed in accordance with the prayer of the Petition of the executor filed herein.

AND IT FURTHER APPEARING to the Court that a portion of said estate has been bequeathed by said deceased to The Idaho First National Bank of Boise, Idaho, as trustee, subject to the uses and purposes as set forth in the last Will of said deceased on file herein.

AND IT FURTHER APPEARING to the Court that Helen Michaelson did on the 21st day of October, 1971, assign all of her right, title and interest in and to her community property share of the estate of Travis Michaelson to The Idaho First National Bank of Boise, Idaho, as trustee of the Helen Michaelson trust, a copy of which Assignment has been filed herein as Exhibit D, except for that portion thereof excluded in said Assignment,

NOW, THEREFORE, THE COURT being duly advised in the law and the premises, and on motion of Jay H. Stout, one of the attorneys for the executor, it is hereby ORDERED, ADJUDGED AND DECREED that the estate of Travis Michaelson be, and the same is hereby distributed as follows, to-wit:

1. To Helen Michaelson as her sole and separate property, the following:

(a) All of Lots 8 and 9 in Block 68 of the Reclamation Addition to the City of American Falls, according to the official plat thereof on record in the Office of the County Recorder of Power County, Idaho, save and except a tract of land located in the Northeastern portion of the aforesaid lots, which tract may be more specifically described as follows, to-wit: Beginning at the Northeastern corner of Lot 8, thence Northwestwardly along the Northwestwardly boundary line of Lots 8 and 9 to the Northwest corner of said Lot 9; thence Southwestwardly along the Southwestwardly boundary line of said Lot 9 a distance of 15 feet to a point in said Northwestwardly boundary line of Lot 9; thence Southeastwardly across said Lots 8 and 9

in a straight line to a point on the Southeasterly boundary line of Lot 3, which point is 10 feet Southeasterly of the Northeasterly corner of said Lot 8; thence Northeasterly along the Southeasterly boundary line of Lot 8 a distance of 10 feet, more or less, to the point of beginning.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Provided, the distribution of the above described real property is made to Helen Michaelson subject to a mortgage existing there-against, the payment of which mortgage is guaranteed by a certain Real Estate Agreement dated February 13, 1970, between Travis Michaelson and Helen Michaelson as purchasers, and Raymond K. Briggs and Georgia R. Briggs as vendors. By awarding the above described real property to the said Helen Michaelson, as her sole and separate property, the Court does hereby decree to her all rights and privileges accruing to the said Travis Michaelson, deceased and Helen Michaelson as the result of the execution of said Real Estate Agreement of February 13, 1970, and the Court further decrees to the said Helen Michaelson sole and absolute ownership of all proceeds due and owing by the said Briggses with respect to the payment of said mortgage, and particularly the amounts owing by the said Briggses on a Deed of Trust executed by them on the following described real property, to-wit:

Lots 3 and 4 in Block 67, Reclamation Addition to the City of American Falls, Power County, Idaho,

which last mentioned Deed of Trust was given by the said Briggses to the Michaelsons to guarantee the payment of the mortgage on the real property first herein described in this paragraph 1(a). The said Helen Michaelson shall have all rights and privileges arising or to accrue from said Real Estate Agreement of February 13, 1970 as aforesaid, and the Deed of Trust referred to therein which was given as a guarantee to the Michaelsons of the payment of the mortgage on the real property first hereinbefore described in this paragraph 1(a).

(b) All furniture, furnishings household goods, domestic articles and equipment situated in the home on the first above described real property in Paragraph 1(a).

(c) 1969 Dodge Polara automobile.

(d) Any checking or savings accounts held by the deceased Travis Michaelson and Helen Michaelson in joint tenancy at the time of his death.

2. TO The Idaho First National Bank of Boise, Idaho, as trustee of the Helen Michaelson Trust dated October 21, 1971:

(a) Cash in the amount of \$100,141.93.

(b) 674 shares, Eastern Idaho Production Credit Association stock.

(c) To Idaho First National Bank of Boise, Idaho, as trustee of the Helen Michaelson Trust dated October 21, 1971, to be held in trust for the said Helen Michaelson subject to the terms of the Trust Agreement of October 21, 1971:

A One-Half Interest in the following:

<u>Amount</u>	<u>Description</u>	<u>Certificate Number</u>	<u>Issued</u>
\$1,183.33	Western Farmers Association Finance Fund Certificate	W-60224-NR	1969
1,117.68	Western Farmers Association Finance Fund Certificate	T-60374-NR	1968
34.80	Western Farmers Association Finance Fund Certificate	W-60225-NR	1969
1,155.38	Western Farmers Association Finance Fund Certificate	I-03312-F	1968
2,209.69	Western Farmers Association Finance Fund Certificate	I-03312-G	1968
3,967.86	Western Farmers Association Finance Fund Certificate	I-03312-H	1968
4,223.62	Western Farmers Association Finance Fund Certificate	I-03312-I	1968
3,281.04	Western Farmers Association Finance Fund Certificate	I-03312-J	1968
10.00	Western Farmers Association Finance Fund Certificate	I-01689-J	1971

\$96,000.00

Contract for Deed held in escrow at First Security Bank of Idaho, Aberdeen Branch, Aberdeen, Idaho, dated January 30, 1970, between Travis Michaelson and Helen Michaelson, husband and wife, as sellers, and Duane L. Poulsen and Connie J. Poulsen, husband and wife, buyers. Original amount \$96,000.00 covering the following described property situated in the County of Bingham, State of Idaho, to-wit:

Southeast Quarter of Section 21, Township 6 South, Range 31 East of Boise Meridian, Bingham County, Idaho,

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including appurtenant ditches and water rights, and Water License No. 35-7070. Also, sprinkling system consisting of main line and six laterals, pump and manual. Also 180 shares of the capital stock of the Aberdeen-Springfield Canal Company.

82,466.63

Contract for Deed held in escrow at First Security Bank of Idaho, Aberdeen Branch, Aberdeen, Idaho, dated January 30, 1970, between Travis Michaelson and Helen Michaelson, husband and wife, sellers, and Duane L. Poulsen and Connie Poulsen, husband and wife, buyers. Original amount \$82,466.63, covering the following described property situated in the County of Bingham, State of Idaho, to-wit:

Northeast Quarter of Section 26, Township 6 South, Range 30 East Boise Meridian, Bingham County, Idaho.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; also included within the sale hereof is the following described irrigation equipment: Four one-quarter mile electric pump wheel Movers and Motors, as well as all irrigation equipment located on said premises.

Accounts Receivable of Norvin L. Brown

4,250.00

Premissory Note of Don Michaelson dated June 10, 1971

1,200.00

Premissory Note of William Liese dated April 20, 1971

- 1,500.00 Promissory Note of Max Stoker dated August 9, 1971
- 3,072.00 Promissory Note of Oman H. Gary dated May 1, 1971

The West Half of the Southeast Quarter of Section 20, Township 6, South of Range 31 East of Boise Meridian, in Bingham County, Idaho, excepting right of way of the Aberdeen-Springfield Canal Company for canal through said land, and the North Half of the Northeast Quarter, less highway, Section 29, Township 6 South, Range 31 East, Boise Meridian, Bingham County, Idaho.

Investment in Farmers Coop Oil Association, Inc., Capital Reserve A

Investment in Farmers Coop Oil Association, Inc., Capital Reserve B

3. To The Idaho First National Bank, of Boise, Idaho, as trustee of the Last Will of Travis Michaelson, deceased, the following:

- (a) Cash in the amount of \$7,797.03.
- (b) 674 shares, Eastern Idaho Production Credit Association stock
- (c) A One-Half Interest in the following:

<u>Amount</u>	<u>Description</u>	<u>Certificate Number</u>	<u>Issued</u>
\$ 1,188.33	Western Farmers Association Finance Fund Certificate	W-60224-NR	1969
1,117.68	Western Farmers Association Finance Fund Certificate	T-60374-NR	1968
34.80	Western Farmers Association Finance Fund Certificate	W-60225-NR	1969
1,155.33	Western Farmers Association Finance Fund Certificate	I-03312-F	1968
2,209.69	Western Farmers Association Finance Fund Certificate	I-03312-G	1968
3,967.86	Western Farmers Association Finance Fund Certificate	I-03312-H	1968
4,223.62	Western Farmers Association Finance Fund Certificate	I-03312-I	1968

\$ 3,201.04	Western Farmers Association Finance Fund Certificate	I-03312-J	1968
10.00	Western Farmers Association Finance Fund Certificate	I-01669-J	1971

96,000.00 Contract for Deed held in escrow at First Security Bank of Idaho, Aberdeen Branch, Aberdeen, Idaho, dated January 30, 1970, between Travis Michaelson and Helen Michaelson, husband and wife, as sellers, and Duane L. Poulson and Connie J. Poulson, husband and wife, buyers. Original amount of \$96,000.00 covering the following described property situated in the County of Bingham, State of Idaho, to-wit:

Southeast Quarter of Section 21, Township 6 South, Range 31 East of Boise Meridian, Bingham County, Idaho,

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including appurtenant ditches and water rights, and Water License No. 35-7078. Also, sprinkling system consisting of main line and six laterals, pump and panel. Also 160 shares of the capital stock of the Aberdeen-Springfield Canal Company.

82,466.68 Contract for Deed held in escrow at First Security Bank of Idaho, Aberdeen Branch, Aberdeen, Idaho, dated January 30, 1970, between Travis Michaelson and Helen Michaelson, husband and wife, sellers, and Duane L. Poulson and Connie Poulson, husband and wife, buyers. Original amount \$82,466.68, covering the following described property situated in the County of Bingham, State of Idaho, to-wit:

Northeast Quarter of Section 26, Township 6 South, Range 30 East Boise Meridian, Bingham County, Idaho.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; also included within the sale hereof is the following described irrigation equipment: Four one-quarter mile electric Pank Wheel Moves and Motors, as well as all irrigation equipment located on said premises.

Accounts Receivable of Norvin L. Brown

4,250.00 Promissory Note of Don Michaelson dated
June 18, 1971

1,200.00 Promissory Note of William Liese dated
April 20, 1971

1,500.00 Promissory Note of Max Stoker dated
August 9, 1971

3,072.00 Promissory Note of Oman H. Gary dated
May 1, 1971

The West Half of the Southeast Quarter of
Section 20, Township 6, South of Range 31
East of Boise Meridian, in Bingham County,
Idaho, excepting right of way of the
Aberdeen-Springfield Canal Company for
canal through said land, and the North
Half of the Northeast Quarter, less high-
way, Section 29, Township 6 South, Range
31 East, Boise, Meridian, Bingham County,
Idaho.

Investment in Farmers Coop Oil Association,
Inc., Capital Reserve A

Investment in Farmers Coop Oil Association, Inc.
Capital Reserve B

Provided, that with respect to the distribution made to The
Idaho First National bank, trustee of the Travis Michaelson trust,
executor is hereby authorized and ordered to withhold the sum of
\$15,000.00 from such disbursement for the purpose of having cash
on hand with which to pay any United States Estate Tax, income tax
or other tax deficiency which may arise from an audit of the execu-
tor's estate tax return, or other tax returns; provided, that at
such time as said returns have been audited and finally settled,
executor shall account for such \$15,000.00 and any balance of said
funds which shall be transferred by said executor to trustee, at
which time executor shall make a Supplemental Report to the Court
explaining the use and distribution of such funds.

4. That the distribution as aforesaid to The Idaho First
National Bank, as trustee of the Travis Michaelson trust is made
subject to the following uses and purposes, to-wit:

(a) Trustee shall receive compensation for its services as
trustee in accordance with its schedule of compensation established

from time to time by its Trust Department for the administration of trusts of a character similar to this trust, and such compensation may be collected annually by the trustee, out of income or principal or both, and shall be shown in its annual accounting to the beneficiaries.

(b) Trustee shall hold, manage and control the property comprising the trust estate, collecting the income therefrom, and out of the same, shall pay all taxes and further incidental expenses of the trust, including its own commissions, and it shall hold or distribute the trust estate and the income therefrom as follows:

4(b)(1) The trustee shall pay the entire net income in convenient installments, not less frequently than quarterly, to Helen Michaelson for and during her natural lifetime.

4(b)(2) Trustee may not invade the principal of the trust for the benefit of Helen Michaelson.

4(b)(3) Upon the death of Helen Michaelson, trustee may pay her unpaid expenses of last illness, funeral and burial unless the trustee, in its absolute discretion, determines that adequate property is otherwise available in the estate of Helen Michaelson from which such expenses may be paid.

4(b)(4) Upon the death of Helen Michaelson, trustee shall divide said trust into four equal shares, one for each of the following: Joneal Osburne, Janice Britven, Joyce Hopkins and Judy Michaelson, said trust property to be held, managed and controlled by trustee, the trustee to collect the income therefrom, and out of the same trustee shall pay all taxes and other incidental expenses of said trust, including its own commissions, and shall hold or distribute the trust estate and the income therefrom to or for the benefit of said children, and their lineal descendants upon their death as follows:

4(b)(4)(a) Trustee shall pay the net income in quarterly installments to said children respectively, or in equal shares, per stirpes, to the issue of each deceased child, or applied for their use and benefit respectively. Trustee may not invade the principal for the benefit of Jeneal Osburne, Janice Britven, Joyce Hopkins or Judy Michaelson, but may, as hereinafter provided, invade the principal for the benefit of their issue as provided hereinafter in Paragraph 4(b)(4)(c).

4(b)(4)(b) Trustee is directed to distribute the corpus and any and all undistributed income of each trust to the beneficiary thereof upon such beneficiary attaining the age of 50 years, and such trust shall then terminate. If any such beneficiary should die prior to or during the existence of his or her trust, leaving issue then living, then such deceased beneficiary's trust shall be continued for the benefit of the issue of the beneficiary, by right of representation, under the same terms as herein set forth for such beneficiary, and the continuation of such deceased beneficiary's trust shall cease at such time as said deceased beneficiary would have been 50 years of age had such beneficiary not died, and the corpus of said deceased beneficiary's trust shall be distributed to those entitled thereto at such time; provided, that if at the termination of any trust created, all or a portion of principal of such trust shall be distributable to a beneficiary who is under the age of 30 years, the trustee shall retain such principal in trust for such beneficiary who is under 30 years of age until such beneficiary attains the age of 30 years and until the deceased beneficiary would have attained the age of 50 years, both of said conditions to be met before said trust is to be distributed to such beneficiary; provided further, that management and control of such trust shall be continued subject to the trustee having the following powers:

4(b)(4)(c) Until such beneficiary shall attain the age of 30 years, trustee is authorized to pay to or for the benefit of the beneficiary, out of the principal or accumulated income of said trust, such amounts as in its absolute discretion it may consider necessary or desirable for such beneficiary's needs for proper support, maintenance, health and education, after taking into consideration to the extent trustee deems advisable, the beneficiary's independent income and other resources known to the trustee.

(c) If at death any beneficiary be without issue then living, then the remainder of the trust shall be divided among the surviving beneficiaries of the grantor, or to their living issue if deceased by right of representation; provided, that if any part of that balance would otherwise be distributed to a person for whose benefit a trust is then being administered, that part shall instead be added to the trust and shall thereafter be administered according to its terms; or if there be no surviving beneficiaries of the grantor, to the estate of said deceased beneficiary.

5. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that with respect to the Travis Michaelson trust, the trustee herein named shall manage the trust estate and may sell, exchange, lease for terms, either within or beyond the duration of the trust, lend, relend, invest and reinvest the trust estate or any part thereof in any kind of property which men of prudence, discretion and intelligence exercise for their own account, specifically and including, but not by way of limitation, acquisition of corporate obligations of every kind and preferred and common stocks, including any common trust fund of which it is trustee. Trustee shall have the same general powers that an individual being the absolute owner of real and personal property possesses not inconsistent with the purposes and intentions of the trust. The trustee is authorized to retain in the trust, in the same form as that in which they were received

by the trustee, assets of any kind, and to continue and operate any business or interest therein which may be received hereunder as long as the same produces a reasonable income, and it appears to the best interest and advantage of the trust estate.

6. IT IS FURTHER ORDERED, ADJUDGED AND DECREED in respect to the Travis Michaelson trust that neither the principal nor the income of the trust herein created shall be liable for the debts of any beneficiary nor shall the same be subject to seizure by any creditor of any beneficiary under Writ or proceedings at law or in equity, nor bankruptcy proceedings, nor any other legal process. No beneficiary shall have power to sell, assign, transfer, encumber or in any other manner to anticipate disposition of his or her interest in the trust estate or the income produced thereby.

7. IT IS FURTHER ORDERED, ADJUDGED AND DECREED in respect to the Travis Michaelson trust that trustee shall, from time to time, but not less than once yearly, render to the beneficiary or beneficiaries of said trust, an account of its transactions as trustee. A beneficiary shall have full power to settle finally any such account and on the basis of such account, to release the trustee, individually and as trustee, from all liability, responsibility or further accountability for its acts or omissions as trustee of such beneficiary's trust. Such settlement and release by the beneficiary shall be binding upon all income beneficiaries, remaindermen and other interested parties, even if then under legal disability or not as yet in being, and shall have the force and effect of a final decree, judgment or order of a court of competent jurisdiction rendered in an appropriate action or proceeding for an accounting in which jurisdiction was obtained of all necessary and proper parties. This provision shall not preclude the trustee from having its accounts judicially settled if it shall so desire.

8. All the rest and residue of the estate of Travis Michaelson, deceased, whether now known or hereafter discovered, is hereby decreed in equal shares to The Idaho First National Bank of Boise, Idaho, as trustee, of the Travis Michaelson trust, and as trustee, of the Helen Michaelson trust, including specifically the following accounts, to-wit:

Roger Maisch for hay, amount unliquidated; Norman Jones, \$300.00 on open account; Clyde Shoemaker, \$275.00 on open account; Lowell Thornley, \$500.00 on open account; Glee Michaelson, \$5,250.00 on open account; Frank Phillips, \$350.00 on open account.

9. That the cash distribution and adjustments set forth in Schedules A and B of the executor's Account and Report be, and the same are specifically approved, allowed and settled.

10. That the statement of the executor's accounts as more fully set forth in Exhibit C attached to its Final Account and Report and Petition for Distribution is hereby allowed, approved and settled in full, and the accounting therein set forth is in all respects ordered approved, allowed and settled by the Court.

11. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that executor is hereby authorized and ordered to withhold an additional sum of \$5,000.00 from the disbursement to the Travis Michaelson trust, and the additional sum of \$5,000.00 from the Helen Michaelson trust, for the purpose of having cash on hand with which to settle the Fred Henderson and Melvin R. Funk accounts; provided, that at such time as said accounts are finally settled, executor shall account for such sum of \$10,000.00, in addition to the \$15,000.00 hereinbefore referred to, and any balance of said funds shall be transferred by said executor to the respective trustee of the trust entitled to receive such unused funds, at which time executor shall make a Supplemental Report to the Court explaining the use and distribution of such funds.

DONE IN Open Court this 11th day of July, 1972.

/s/ Ray O. Bunge
RAY O. BUNGE, Magistrate

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS, that I, HELEN MICHAELSON, the undersigned, do hereby assign to THE IDAHO FIRST NATIONAL BANK of Boise, Idaho, all of my right, title and interest in and to my community property share of the estate of Travis Michaelson, deceased, who died testate on the 27th day of May, 1971, to which I am entitled by law or by his Will, and which estate is being probated in the District Court, Magistrate's Division, Power County, Idaho; provided, that this Assignment shall not pertain to any such interest to which I am entitled in the home referred to in Paragraph the Third (a) of his Last Will and Testament dated April 3, 1970.

AND BY THIS ASSIGNMENT, I hereby instruct and direct the executor of said estate, THE IDAHO FIRST NATIONAL BANK as aforesaid, as executor, to convey the property herein being assigned by me to THE IDAHO FIRST NATIONAL BANK of Boise, Idaho, as trustee of that certain Trust Agreement dated the 9/1st day of October, 1971, between myself as Grantor and THE IDAHO FIRST NATIONAL BANK of Boise, Idaho, as Trustee.

AND BY THIS ASSIGNMENT, I do hereby release and discharge the executor of the estate of Travis Michaelson, upon the transfer of said assets as aforesaid, from any further liability or responsibility to me as executor of said estate with respect to such assets.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in execution hereof this 9/1st day of October, 1971.

/s/ Helen Michaelson
HELEN MICHAELSON

STATE OF IDAHO)
County of Power) ss

On this 21st day of October, 1971, before me, the under-
signed, a Notary Public in and for said State, personally appeared
HELEN MICHAELSON, known to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that she executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above
written.

J. E. JOHNSON
Notary Public Residing at Idaho Falls, Idaho
My Commission Expires August 14, 1974

Notary Public for Idaho
Residing at _____

My com exprs:

STATE OF IDAHO } ss.
COUNTY OF POWER
I hereby certify that the foregoing instrument is a
full, true and correct copy of the original on file in
the office of the undersigned Clerk of the District
Court, Magistrate's Division, of the Sixth Judicial
District of Idaho, for Power County.
BY Helen Taylor CLERK, MAGISTRATE'S DIVISION
Mary Larwell DEPUTY CLERK

Instrument No. 100634

State of Idaho, } ss.
County of Power } I hereby
certify that this instrument was filed
for record at the request of
Idaho First Nat'l Bank
Filed at 15 minutes past
2 o'clock P M., this 8th
day of Jan 19 73 and record-
ed as Inst # 100604
Drawer # 2
Helen Taylor
Recorder

By _____
Deputy

FILMED

176948

73 JAN 10 AM 10 11

13
FEE 16.00
RECORDED & INDEXED

THE IDAHO FIRST NATIONAL BANK

June 7, 1974

Re: Permit No. 35-7077 - Travis Michaelson

The Idaho First National Bank Trust Department
Attn: John O. Byerly, Property Administrator
P. O. Box 7928
Boise, Idaho 83707

Dear Mr. Byerly:

We are in receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

However, we cannot process your proof unless your signature is notarized. Therefore, we are herewith returning your proof affidavit.

Please forward the Decree of Distribution for Mr. Michaelson's estate along with the notarized affidavit, as requested by our Deputy Attorney General in his recent conversation with your office.

If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JG
Enclosure

35-7077

Identification No. _____

Permit No. 35-7077

RECEIVED

JUN 3 1974

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

The Idaho First National Bank Trust Department, Department of Water Administration
Trustee for Travis Michaelson

1. a) Name of Permit Holder Subject to Contract of Sale to Duane L. Poulson

b) Post Office Address P.O. Box 7928 Boise, Idaho 83707

2. Permit Number 35-7077

3. Date of Priority that you are prepared to establish May 10, 1961

4. a) Source from which water was appropriated Underground

b) Location of the point of diversion: NE 1/4 1/4, Section 26

Township 6 S, Range 30 Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount 3.2 cfs for irrig purposes from April 1 to Oct. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated _____ cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Sprinkler system - Galenes
with 192 - 1/4 nozzles

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: None

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean

source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 100 H P motor 16" casing
200 ft depth of well

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

Barker - propeller meter

c) Give well drillers name and address and date the well was completed _____

Paul Vollmer - Well driller Arden Idaho
Completed May 10, 1961

COPY

35-7077

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	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	30	26	40	40	40	40													160

Total number of acres irrigated 160

10. Remarks:

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

Idaho First National Bank, Trustee

John O. Byerly
by John O. Byerly, Property Administrator - Trusts
(Signature)

(Date)

State of _____)
County of _____) ss.

On this _____ day of _____, 19____, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at _____

My commission expires _____

607-9

35-7077

May 15, 1974

Re: Permit No. 35-7077 - Travis Michaelson

Mr. J. L. Claussen, Sr.
2409 E. Romneya Drive
Anaheim, California 92806

Dear Mr. Claussen:

In reference to your letter dated May 7, 1974, we are enclosing a copy of the above referenced permit for your review. We have contacted the assessor's office concerning the ownership of this property and found that it is still in the name of Travis Michaelson in care of Duane Poulson, Aberdeen, Idaho.

The proof of beneficial use must be made by the administrator of Mr. Michaelson's estate along with proof of his appointment as administrator. This proof must be submitted on or before the date that proof is due, June 1, 1974.

If you have any questions concerning this matter, please contact us.'

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JG
Enclosure

35-7077

1

RECEIVED

Department of Water Administration

Mr. J.L. Claussen, Sr.
2409 East Romneya Drive
Anaheim, California 92806

May 7, 1974

The State of Idaho
Department of Water Administration
The State House - Annex 2
Boise, Idaho 83707
Attn: Mr. R. Keith Higginson

Reference: Permit #35-7077
Travis Michaelson
Aberdeen, Idaho 83210

Dear Mr. Higginson:

In reference to this request for the proof affidavit, I have tried in everyway that I know of how to locate the form that this permit matches, but as of yet, I have not been able to locate it.

Since Mr. Michaelson is deceased, this form has been sold to one of four or five different people. I must know for what section this permit is for.

If at all possible, perhaps you could find out who this land is registered to at this time. This would be of a great aide in securing this permit.

Sincerely yours,

J.L. Claussen, Sr.
Personal Business Manager

JLC:mevk

35-7077

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Chas E Tulp 69

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

AR Wood

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

35-7077

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

PS Form 3811
June 1973

35-707

April 1, 1974

CERTIFIED MAIL

#25253

Re: Permit No. 35-7077

Travis Michaelson
Aberdeen,
Idaho 83210

Dear Mr. Michaelson:

One of the conditions of approval of your water Permit No. 35-7077 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

35-7077

June 24, 1969

Re: Permit No. 35-7077 & 35-7079

**Mr. Travis Michaelson
Aberdeen,
Idaho 83210**

Dear Mr. Michaelson:

We enclose a copy of your approved application for permit 35-7077 & 35-7079 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

**Enclosures: Copy of permits
Receipt No. 3035 for \$85.00
2 informational letters**

35-7077

Published in The Aberdeen
Times May 29 and June 5, 1969.
NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Travis Michaelson, Aberdeen, Idaho has on May 12, 1969 applied for permit under application No. 35-7077 to divert 3.2 cubic feet per second of water from a ground water source. Water will be diverted by well, pump and sprinkler system within the NE1/4NE1/4NW1/4 NE1/4, SW1/4NE1/4, SE1/4NE1/4 Sec. 26 T. 6S., R. 30 E., B.M. in Bingham County and is to be used from April 1 to October 31 for irrigation in the NE1/4 Sec. 26, T. 6S., R. 30 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON 
State Reclamation Engineer

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 22, 1969

Re: Permit Application Nos. 35-7077 - Travis Michaelson
35-7078 - Travis Michaelson
35-7079 - Travis Michaelson

Aberdeen Times
Aberdeen,
Idaho 83210

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriations Examiner

DWM:kh

Enclosures: legal notices (3)

35-7077

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Travis Michaelson, Aberdeen, Idaho

_____ has on May 12, 1969

applied for permit under application No. 35-7077 to divert ~~store~~

3.2 cubic feet per second acre feet of water from

a ground water source. Water will be diverted by _____

well, pump and sprinkler system within the NE₄NE₄,

NW¹NE¹ SW¹NE¹ SE¹NE¹ Sec. 26 T. 6 S. R. 30 E., B.M. in Bingham County

_____ and is to be used from ~~April 1 to October 31~~ for irrigation

in the NE 1/4 Sec. 26, T. 6 S., R. 30 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Aberdeen Times, Aberdeen, Idaho.

on May 29th and June 5th

AC

35-7077