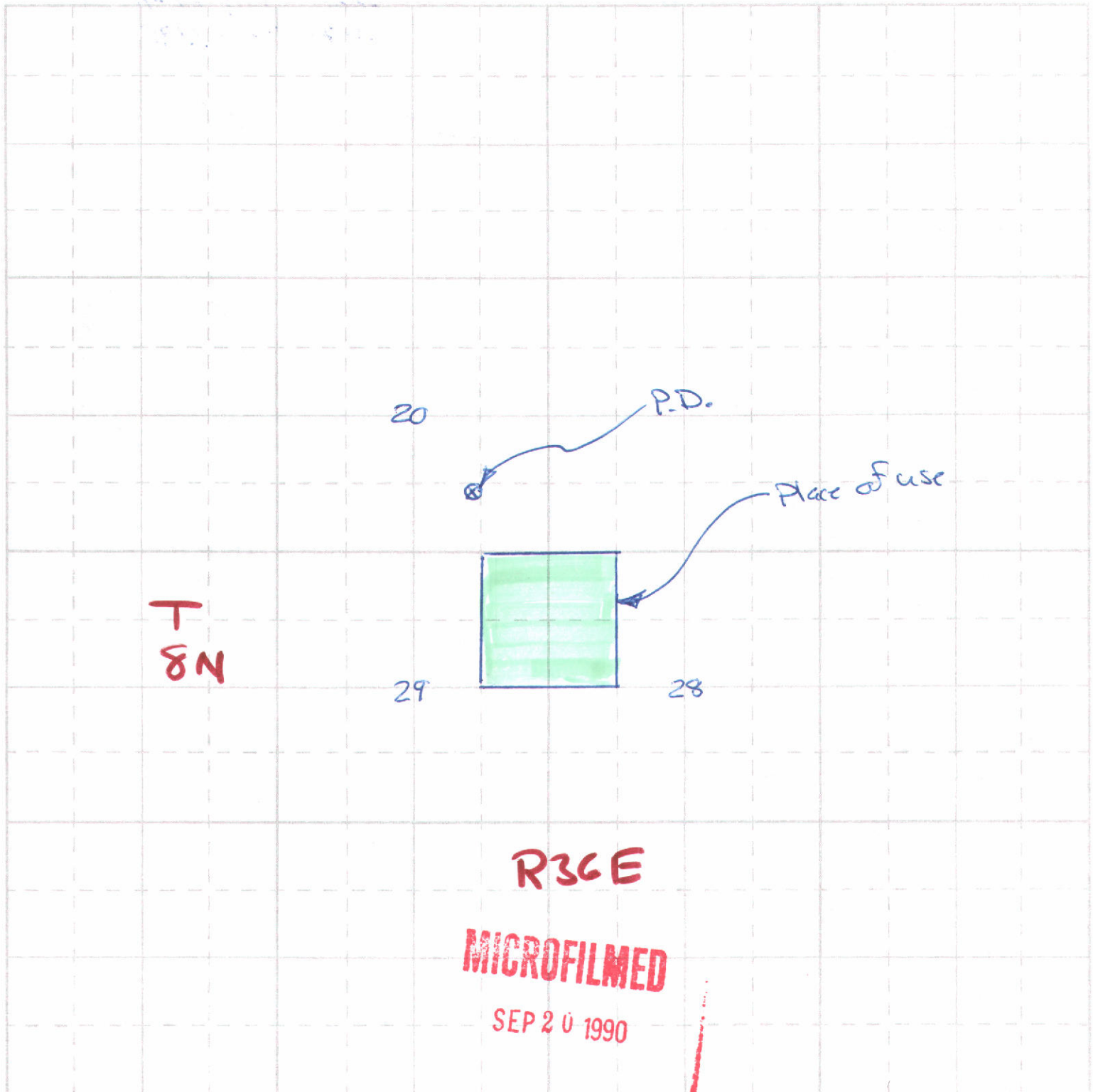


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

SEP 20 1990
MICROFILMED

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



WALTER T. MOORE
JAN 26 11. 11. 11.
BIRMINGHAM, ALABAMA
1911

304 304
304 304
304 405 411
104 304
105

Permit Map No. 330139
As Approved
GEO. N. CARTER
State Reclamation Engineer

MICROFILMED

SEP 24 1990

32437

Very POOR QUALITY

POOR QUALITY

Very POOR QUALITY

Very POOR QUALITY POOR QUALITY

MICROFILMED

SEP 20 1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not. of Proposed Change
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 18
and the last publication having been

made on Apr 25, 1990.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Robert Carlson

On this 27 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Karel F. Law
Notary Public for Idaho
Residing at Lith
My commission expires: 10-23-94

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. 31-2399/A31-10653

Notice is hereby given that Nick
Mickelsen has applied to the
Department of Water Resources to
change a point of diversion of the
waters of a groundwater source. The
right sought to be changed is evidenced
by claim No. A31-10653 and License
No. 31-2399 and recorded as follows:

CLAIM NO. A31-10653

AMOUNT: .56 CFS

PRIORITY: MAY 1, 1942

POINT OF DIVERSION: NESE S 32 T
8N R 36E, JEFFERSON COUNTY

The water is used for irrigation
(.56cfs) of 28 acres and stock (.09cfs)
purposes from April 1 to November 1
within the SENE S 32 T 8N R 36E, B.M.
LICENSE NO. 31-2399

AMOUNT: 2.74 CFS

PRIORITY: APRIL 3, 1962

POINT OF DIVERSION: NENW S 15 T
7N R 36E, JEFFERSON COUNTY

The water is used to irrigate 162
acres of land within the SW1/4 S 10,
NW1/4 NESW S 15 T 7N R 36E, B.M.

TO BE CHANGED AS FOLLOWS:

Only 2.36 cfs of water will be
diverted within the NESWSE S 20 T
8N R 36E, JEFFERSON COUNTY
and used to irrigate 135 acres of land
within the W1/2NW1/4 S 28, E1/2NE1/4
S 29 T 8N R 36E, B.M.

Any protests against the proposed
change must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Idaho Falls, ID, 83401, on
or before MAY 7, 1990.

R. Keith Higginson Director

Published in the Jefferson Star,
Rigby, Idaho, April 18 and 25, 1990.

MICROFILMED

SEP 20 1990

Fax Transmittal Memo

7672

No. of Pages

1

Today's Date

8-28-90

Time

1:48

To *Barbara Scott Brier*
 Company *U.S. Fish & Wildlife Service*
 Location *Portland OR*
 Fax #
 Telephone #

From *L. Glen Saxton*
 Company *Water Resources*
 Location *Boise Id* Dept. Charge
 Fax # *208-327-7866* Telephone #
 Original Disposition: ☐ Destroy ☐ Return ☐ Call for pickup

Comments

Attach Document At Line

'90-08-27 15:40 1ST. AMERICAN TITLE CO. RIGBY ID

P.1

Post-It™ brand

Fax Transmittal Memo

7672

No. of Pages

1

Today's Date

8-27-90

Time

5:45 pm

To *Glen Saxton*

Company

Location

Fax # *327-7866*

Comments

Telephone #

From *Blair Grover*

Company

Location

Dept. Charge

Fax #

Telephone #

Original Disposition:

☐ Destroy☐ Return☐ Call for pickup

BEFORE THE DEPARTMENT OF WATER RESOURCES
 OF THE
 STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
)
 TRANSFER NO. 3702 OF WATER RIGHT)
)
 NOS. 31-2399 AND A31-10653 IN)
)
 THE NAME OF NICK MICKELSEN)

WITHDRAWAL OF
 APPLICATION

NOTICE IS HEREBY GIVEN that NICK MICKELSEN, by and through his undersigned attorney, BLAIR GROVER, hereby withdraws the application referred to in this withdrawal, Transfer No. 3702 of water right Nos. 31-2399 and A31-10653. Said withdrawal is effective immediately.

DATED this ____ day of August, 1990.

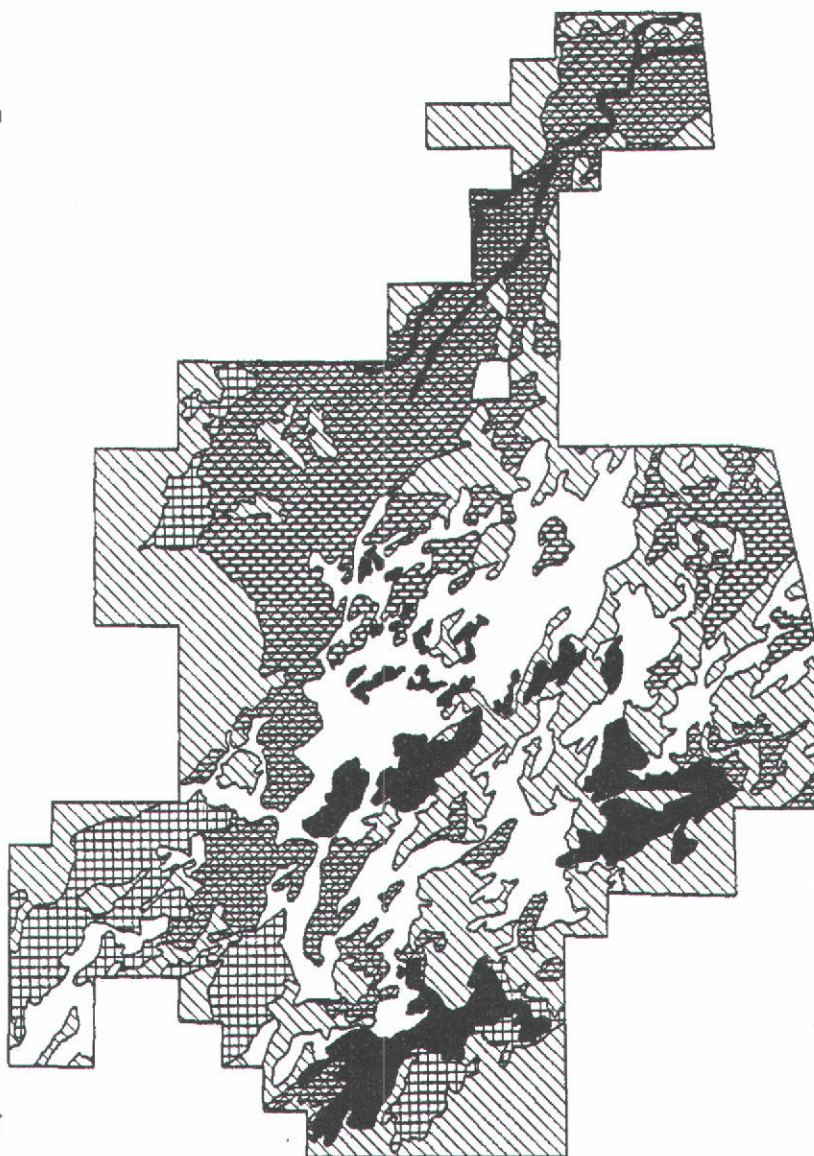
Blair Grover
 Blair Grover, Attorney

MICROFILMED

SEP 20 1990

CAMAS NATIONAL WILDLIFE REFUGE
U.S. FISH & WILDLIFE SERVICE
JEFFERSON COUNTY - IDAHO

NATURAL POTENTIAL



LEGEND

-  SALINE WET MEADOW
-  WET MEADOW
-  SANDY 8-12"
-  MARSH
-  WATER



MICROFILMED

SEP 20 1990



EXHIBIT A

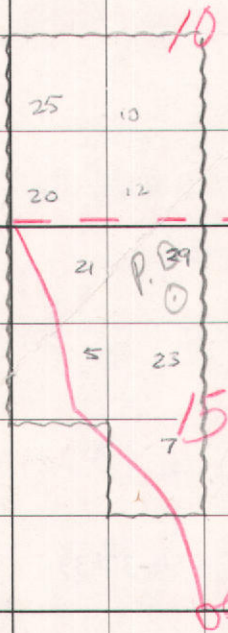
DON SHANTON
MEASURED IN JULY 1937

WATER AT DUBOIS
MASTER



Rge. 36E

Twp. 7 N.



35

32

50

28

7

152 Acres

Area - 152 Acres

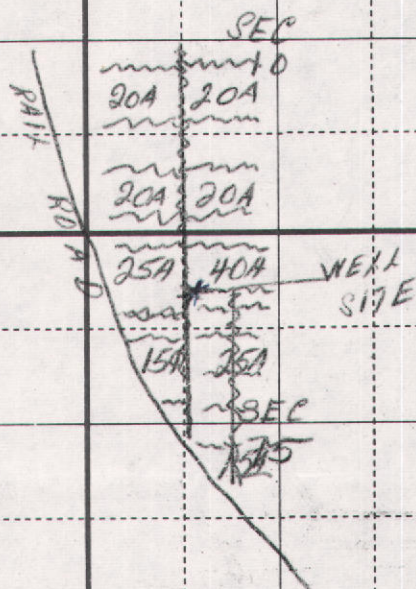
Subd - 9

Q - 2.74 c.f.s.

NAME OF APPLICANT Howard A. Harvey, Hamer, Idaho

Form No. 0

TOWNSHIP 7 NORTH
RANGE 36 E. B. M.
JEFFERSON COUNTY,
Idaho



Permit Map No. 30439
As Approved APR 9 1902
GEO. N. CARTER
State Reclamation Engineer

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3702APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Nick Mickelsen Phone 662-5428
Post Office address Hamer, ID 83425

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To irrigate a better piece of land

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------|-----------------------|------------------|---------------|
| 31-2399 | 4-3-1962 | 1.81 cfs | Irrigation | 4-1 to 11-1 |
| A 31-10653 | 5-1-1942 | 0.56 | Irrigation | 4-1 to 11-1 |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 2.36 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SE	20	8N	36E	Jefferson	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	36E	29	34			34													68
		28						33	34										67

Total acres 135

PART 1

6. General Information:

a. Description of diversion system _____ Well & pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: We want _____ farm these pieces and will use it for pasture

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____

MICROFILMED

SEP 20 1990

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-2399 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-3-1962

5. Water is used for the following purpose:

amount 2.74 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or 2.74 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	15	7N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	36E	10									10	25	20	12					67
7N	36E	15					39	21	5	23	7								95

Total acres 162

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe

PART 2

Transfer No. _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ 1.81 for _____ Irrigation purposes from _____ 4-1 to _____ 11-1
(cfs/ac-ft) amount
for _____ purposes from _____ to _____
(cfs/ac-ft) amount
for _____ purposes from _____ to _____
(cfs/ac-ft) amount
2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
							Jefferson	Hammer

3. Lands irrigated or place of use:

Twsp.	Rge.	Sec.	NE %			NW %			SW %			SE %			Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
7N	36E	15					10				23				40
7N	36E	10								10		25	20	12	67

Total acres 107

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ 0.93 for _____ Irrigation purposes from _____ 4-1 to _____ 11-1
(cfs/ac-ft) amount
for _____ purposes from _____ to _____
(cfs/ac-ft) amount
for _____ purposes from _____ to _____
(cfs/ac-ft) amount
2. Point(s) of Diversion:

																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					</
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %			NW %			SW %			SE %			Totals			
7N	36E	15	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %
																		</

Total acres 55

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A31-10653 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1942

5. Water is used for the following purpose:

amount 0.56cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount 0.09cfs for Stock purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.56 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	32	8N	36E	Jefferson	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	36E	32				28													28

MICROFILMED

SEP 20 1990

Total acres 28

9. Describe any other water rights used for the same purpose as described above:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

- | 1. amount | | 0.56 | | Irrigation | | 4-1 | | 11-1 | |
|-----------|---------------|------|---------------|------------|---------------|-----|---------------|------|---------------|
| for | amount | for | amount | for | amount | for | amount | for | amount |
| | (cfs/ac-ft) | | (cfs/ac-ft) | | (cfs/ac-ft) | | (cfs/ac-ft) | | (cfs/ac-ft) |
| | purposes from | | purposes from | | purposes from | | purposes from | | purposes from |
| | to | | to | | to | | to | | to |

3. Lands irrigated or place of use:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	32	8N	36E	Jefferson	

[illegible]**Total acres**

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- | 1. amount | | for | | Stock | | purposes from | | 4-1 | | to | | 11-1 | |
|-----------|-------------|-----|--|-------|--|---------------|--|-----|--|----|--|------|--|
| amount | (cfs/ac-ft) | for | | | | purposes from | | | | to | | | |
| amount | (cfs/ac-ft) | for | | | | purposes from | | | | to | | | |
| amount | (cfs/ac-ft) | for | | | | purposes from | | | | to | | | |

2. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	SE	32	8N	36E	Jefferson	

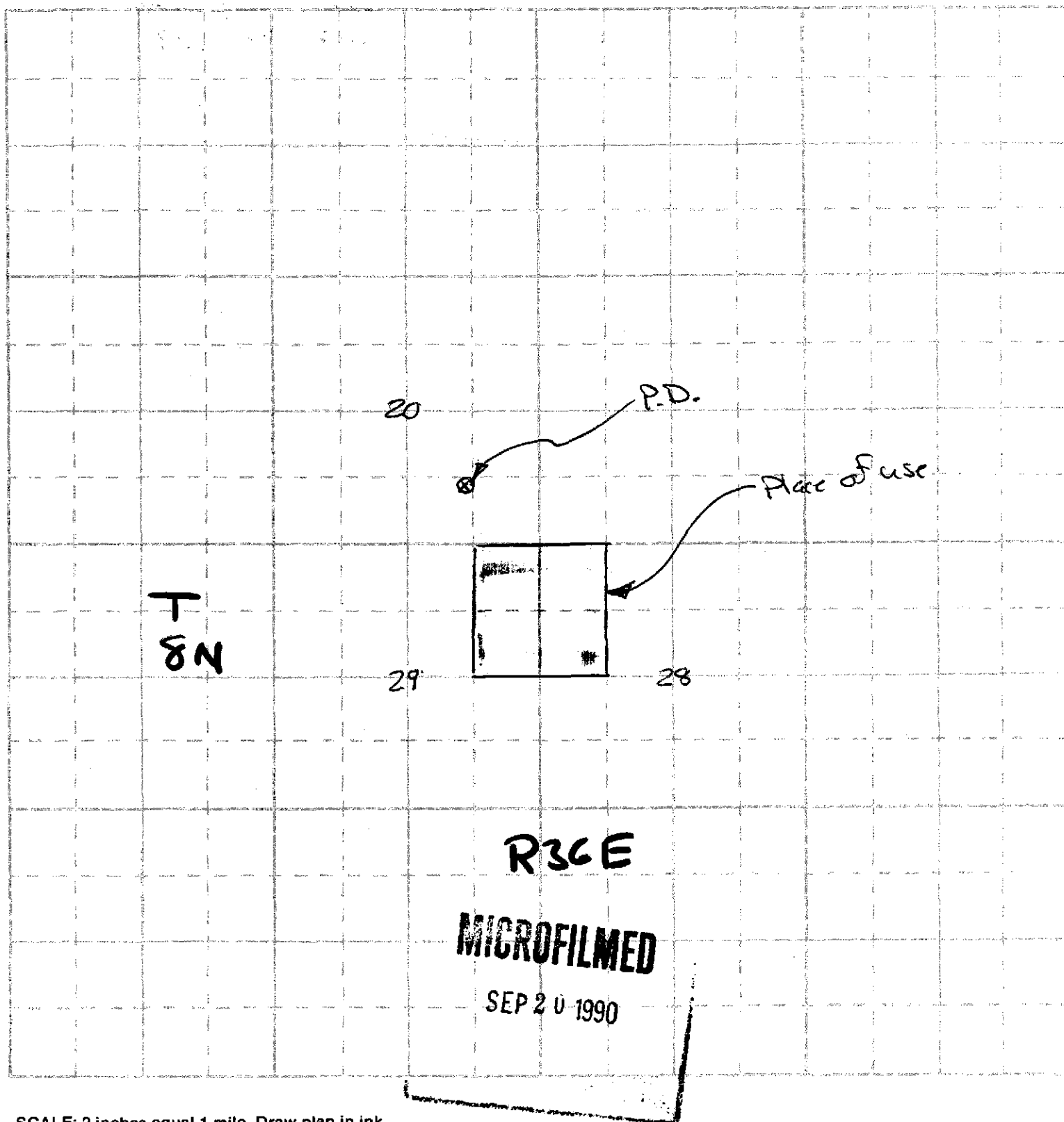
3. Lands irrigated or place of use:

[illegible]

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this _____ day of _____, 19____

(Signature of Applicant)

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date _____

Prelim. check by _____

Fee _____

Received by _____

Date _____

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

rec'd. _____

Copy of transfer sent to lien holder _____

by _____

Recommended for _____

☒ approval ☐ denial

Hearing held by _____

Date _____

Copies of protest forwarded by _____

Protest filed by _____

E012253

MICROFILMED

SEP 20 1990

State of Idaho License and Certificate of Water Right

Water License No. G-30439 Priority April 3, 1963 Amount 2.74 c.f.s.

THIS IS TO CERTIFY that HOWARD A. HARVEY of Hamer, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated April 3, 1962; that Permit No. G-30439 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.74 second feet, was issued thereunder on April 11, 1968, showing that said works were completed on the 7 day of April, 1967; and that on the 7 day of April, 1967, HOWARD A. HARVEY

of Hamer, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of domestic, stock watering & irrigation, under Use Permit No. G-30439 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record on the 11 day of April, 1968.

The right hereby confirmed dates from April 3, 1962. The Point of Diversion is located in the NE 1/4 NW 1/4, Sec. 15, Twp. 7 N, R. 26 E, B.M. Jefferson County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.74 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Part Area Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N	36 E	10	NE SW	40	10
			NW SW	40	25
			SW SW	40	20
			SE SW	10	12
		15	NE NW	40	39
			NW NW	40	21
			SW NW	10	5
			SE NW	40	23
			NE SE	40	7
			34		
Total number of acres irrigated:				152	162 Total

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 17 day of April, 1968.

MICROFILMED

SEP 20 1990

31 2399

30439

2017-2018

State Representative

~~SEP 24 1990~~

Very POOR QUALITY

Very POOR QUALITY

Very POOR QUALITY POOR QUALITY

2

ADVERTISING

☒ CHECK OFF YELLOW PAD

☒ ENTER IN BASIN BOOK

☒ DATA ENTER

☒ PROOF COPY

☒ FILE MADE

☒ RECEIPT LETTER

☒ ~~COMMENT ROUTE LETTER~~

☒ BACK OF APP. COMPLETE

☒ PROTEST DATE ON STAFF SHEET

☐ TRANSFER, COPY TO ROBERTA

☐ AFFIDAVIT IN

☐ TRANSFER, COPY FOR DRAWER

☒ *cards*

CONSOLIDATED TAX NOTICE AND RECEIPT

JEFFERSON COUNTY TAX COLLECTOR 1989
 MARGARET E. TREASURE, COURT CLERK
 RIGBY, IDAHO 83442 REAL PROPERTY

MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER

33120 37-00 RP08N36E321800A 7742

SW4NW4; SE4; SE4NE4; SEC 32
 TWP 8 NORTH RGE 36 EBM

33120

240.000 MICKELSEN, REED & LAVON
 TOT ACRES 2265 E 2350 N
 DELINQUENT CERT. HAMER, IDAHO 83425

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

STATE

COUNTY

SCHOOL DIST 253

ROAD/BRIDGE

WEST JEFF CEMT

HAMER FIRE DIST

LIBRARY DIST

W. JEFF AMB

SPEC. HIGHWAY

.003934

.006469

.000569

.000092

.000419

.000309

.000139

130.30

214.26

18.86

3.06

13.88

10.24

4.60

TAX 395.20

PEN.

SUB TOT.

INT.

TOT.

1ST INSTALLMENT

TAX 197.60

PEN.

SUB TOT.

INT.

TOT.

2ND INSTALLMENT

TAX 197.60

PEN.

SUB TOT.

INT.

TOT.

TOTAL .011931 395.20

YOUR CANCELLED CHECK IS YOUR RECEIPT
 PLEASE READ BACK OF NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1989 RP08N36E321800A
 MICKELSEN, REED & LAVON
 2265 E 2350 N 7742

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
				197.60	197.60
					37-00
					2nd
					1J

MICROFILMED

SEP 1989 PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
 MAKE CHECKS PAYABLE TO

MARGARET E. TREASURE
 JEFFERSON COUNTY TREASURER
 COURTHOUSE

RIGBY, IDAHO 83442

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1990

DATE PAID
 PAID BY

CHECK #
 CASH

CONSOLIDATED TAX NOTICE AND RECEIPT

JEFFERSON COUNTY TAX COLLECTOR 1989
MARGARET E. TREASURE, COURTHOUSE
RIGBY, IDAHO 83442 PERSONAL PROPERTY
MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER

6730 37-00 PP07N36E152001A 9433

PERSONAL PROPERTY
FROM #RP07N36E152400A

6730

MICKELSEN, NICK, ETAL
2424 E 2200 N
HAMER, IDAHO 83425

DELINQUENT CERT

YOUR CANCELLED CHECK IS YOUR RECEIPT
PLEASE READ BACK OF NOTICE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
MICKELSEN, NICK, ETAL
1989 PP07N36E152001A
2424 E 2200 N 9433

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
			40.16		40.16
				PEN	37-00
				SUB TOT	2nd
				INT	13
				TOT	

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

MARGARET E. TREASURE
JEFFERSON COUNTY TREASURER
COURTHOUSE
RIGBY, IDAHO 83442

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY
JUNE 20, 1990
CHECK #
CASH

TAXING DISTRICT	TAX	AMOUNT	RECEIPT
STATE	TAX	26.48	FULL PAYMENT
COUNTY	PEN	43.54	
SCHOOL DIST 253	SUB TOT	3.84	
ROAD/BRIDGE	INT	.62	
WEST JEFF CEMT	TOT	2.82	
HAMER FIRE DIST	TAX	2.08	
LIBRARY DIST	PEN	.94	
W. JEFF AMB	SUB TOT		
SPEC. HIGHWAY	INT		

TOTAL 80.32

SECTION FOR KCVB OVER SEVENTEEN
PICTURE YOUR SI KECHD COTLEDONVJ RUOJA

85.95

RECEIPT	AMOUNT	RATE	TAXING DISTRICT
			STATE
			COUNTY
			SCHOOL DIST 253
			ROAD/BRIDGE
			WEST JEFF CEMT
			HAMER FIRE DIST
			LIBRARY DIST
			W. JEFF AMB
			SPEC. HIGHWAY

AB DIVD
DIVD DIVD
HSVC
KCVB
0661 02 ANU
24733 CHVDT 1989
ESNOH1RNDJ
RERUSVREI YLNUO NOSRFFJF
RERUSVREI 3 LERVGRVW
PERSONAL PROPERTY
FROM #RP07N36E152400A
MICKELSEN, NICK, ETAL
2424 E 2200 N
HAMER, IDAHO 83425
DELINQUENT CERT
1989 PP07N36E152001A
2424 E 2200 N
9433
FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

MICROFILMED
SEP 20 1990

CONSOLIDATED TAX NOTICE AND RECEIPT
JEFFERSON COUNTY TAX COLLECTOR
MARGARET E. TREASURE, COURTHOUSE
RIGBY, IDAHO 83442
PERSONAL PROPERTY
FROM #RP07N36E152400A
MICKELSEN, NICK, ETAL
2424 E 2200 N
HAMER, IDAHO 83425
DELINQUENT CERT
1989 PP07N36E152001A
2424 E 2200 N
9433
FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
) ss
County of Jefferson)

I, Robert Carlson
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Not. of Proposed Change
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for two (2)
consecutive issues, the first publica-

having been made on Apr 18
and the last publication having been

made on Apr 25, 1990.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Robert Carlson

On this Apr 27 day of Apr

in the year of 1990, before
me, a Notary Public, personally ap-

peared Robert Carlson,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that he ex-
ecuted the same.

Kare Kew

Notary Public for Idaho

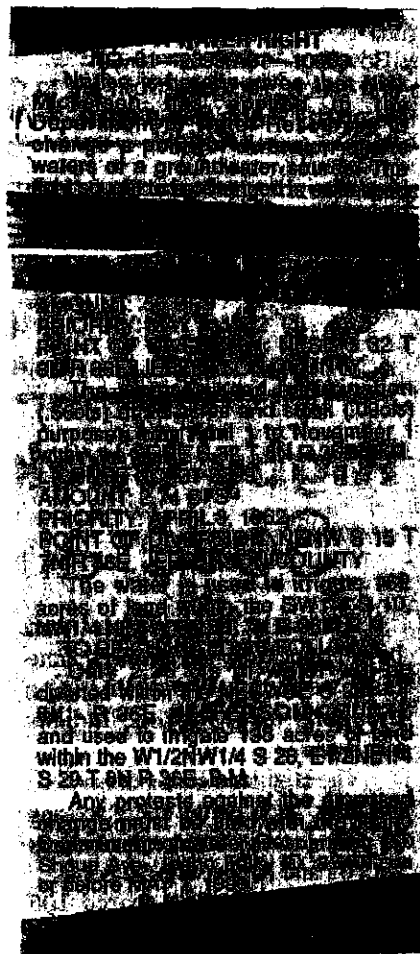
Residing at Lith

My commission expires: 10-23-94

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office



MICROFILMED

SEP 20 1990

State of Idaho

License and Certificate of Water Right

Water License No. G-30439 Priority April 3, 1962 Amount 2.74 c. f. s.

THIS IS TO CERTIFY that HOWARD A. HARVEY

of Hamer, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 3, 1962; that Permit No. G-30439 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.74 second feet, was issued thereunder on April 11, 1968, showing that said works were completed on the 7 day of April, 1967; and that on the 7 day of April, 1967 HOWARD A. HARVEY

of Hamer, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of domestic, stock watering & irrigation, under Use Permit No. G-30439 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Licenses at Page, on the 11 day of April, 1968.

The right hereby confirmed dates from April 3, 1962.

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 7 N, R. 36 E, B.M. Jefferson County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.74 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
7 N	36 E	10	NE $\frac{1}{4}$	40	10	
			NW $\frac{1}{4}$	40	25	
			SW $\frac{1}{4}$	40	20	
			SE $\frac{1}{4}$	40	12	
		15	NE $\frac{1}{4}$	40	39	
			NW $\frac{1}{4}$	40	21	
			SW $\frac{1}{4}$	40	5	
			SE $\frac{1}{4}$	40	23	
			NE $\frac{1}{4}$	40	7	
		Total number of acres irrigated:				152 162

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 11 day of April, 1968.

R. Keith Higgins
State Reclamation Engineer.

30439

1- 7
COPY
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10653
Date Received: 12/15/1988
Receipt No: E005230
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: REED MICKELSEN 208-662-5441
Address: HAMER, ID 83425

OR

Name: LEVAUN MICKELSEN 208-662-5441
Address: HAMER, ID 83425

2. Date of Priority: MAY 01, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	36E	32	SE	NE	SE		JEFFERSON

5. Description of diverting works:
25HP PUMP IN 60' WELL TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.560		
STOCKWATER	04/01	11/01	0.090		

7. Total Quantity Appropriated is:
0.560 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 400 HEAD OF RANGE CATTLE

A31-10653

Page 1

Date: 02/21/90

MICROFILMED

SEP 20 1990

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
T08N	36E	32	SE	NE	IRR	28.0
					Section Acres	28.0
		~~32~~ 33	SE	NE	STOCK	
					Total Acres	28.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
ORIGANALLY WELL UNDER LICENSE 31-2267

15. Basis of Claim: BENEFICIAL USE

JEFFERSON COUNTY TAX COLLECTOR 1989

MARGARET E. TREASURE, COURTHOUSE

RIGBY, IDAHO 83442 REAL PROPERTY

MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER

HM- 114615 37-00 RP07N36E152400A 7350

80903# S2NW4 EAST OF RAILROAD

L 40128 NE4SW4 E OF R. R. LESS

I 74487 TAX 6; SEC 15

TWP 7 N RGE 36 EBM

150.000 MICKELSEN, REED & L.

REAL PROPERTY 1989 RP07N36E152400A

MICKELSEN, REED & L.

X MICKELSEN, NICK, ETAL

2424 E 2200 N

HAMER, IDAHO 83425

DELINQUENT CERT

150.000 MICKELSEN, REED & L.

REAL PROPERTY 1989 RP07N36E152400A

MICKELSEN, REED & L.

X MICKELSEN, NICK, ETAL

2424 E 2200 N

HAMER, IDAHO 83425

DELINQUENT CERT

150.000 MICKELSEN, REED & L.

REAL PROPERTY 1989 RP07N36E152400A

STATE COUNTY

SCHOOL DIST 253

ROAD/BRIDGE

WEST JEFF CEMT

HAMER FIRE DIST

LIBRARY DIST

W. JEFF AMB

SPEC. HIGHWAY

SOLID WASTE

TOTAL

.011931

1,000.28

YOUR CANCELLED CHECK IS YOUR RECEIPT

PLEASE READ BACK OF NOTICE

318.28

523.36

46.04

7.44

33.90

25.00

11.26

35.00

1,000.28

500.14

MICROFILMED

SEP 20 1990

TAX	318.28	TAX	1,000.28
FEN	523.36	FEN	500.14
SUB TOT	46.04	SUB TOT	500.14
TOT	7.44	TOT	500.14
TAX	33.90	TAX	500.14
FEN	25.00	FEN	500.14
SUB TOT	11.26	SUB TOT	500.14
TOT	35.00	TOT	500.14
TAX	35.00	TAX	500.14
FEN	500.14	FEN	500.14
SUB TOT	500.14	SUB TOT	500.14
TOT	500.14	TOT	500.14

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE

MARGARET E. TREASURE

JEFFERSON COUNTY TREASURER

COURTHOUSE

RIGBY, IDAHO 83442

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1990

CHECK #

CASH

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LAND USE APPLICATION AND PERMIT
Sec. 302(b) of P.L. 94-579, October 21, 1976, 43 U.S.C. 1732

FORM APPROVED
OMB NO. 1004-0009
Expires: August 31, 1986

FOR BLM USE ONLY

Application Number

APPLICATION

1. Name (first, middle initial, and last) <i>Nick R Mickelsen</i>	Address (include zip code) <i>2424 E 2200 N Hamer Id 83425</i>	Phone (include area code) <i>(208)-662-5428</i>
--	---	--

2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from to

4. Give legal basis for holding interest in lands in the state of IDAHO
(Check appropriate box and explain.)

☒ Resident	☐ Partnership
☐ Corporation	☐ County
☐ Local Government	☐ State Government
☐ Other	

5. Are the lands now improved, occupied, or used? ☐ Yes ☒ No (If "yes," describe improvements and purposes, identify users and occupants.)

6. Do you need access to the land? ☐ Yes ☒ No (Describe needed or existing access)

Access THROUGH PRIVATE LAND

7a. What do you propose to use the lands for?
*WANT TO INSTALL A CENTER PIVOT IRRIGATION SYSTEM ACROSS SOME LAND
ADMINISTERED BY BLM*

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required.)

WANT TO BEED TO POTATOES BY MAY 7

c. What is the estimated capital cost? <i>\$ 59,000 for whole system</i>	d. What is the source of water for the proposed use? <i>EXISTING WELL</i>
---	--

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

X *Nick R Mickelsen*
(Signature of Applicant)

X *3-28-90*
(Date)

H. R. Harn
P.O. Box 297
Dubois, Idaho

See letter in file

APPLICATION FOR PERMIT 31-2399

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38506
Permit No. G- 30439
District No.

1. Name of Applicant: Howard A. Harvey
Postoffice address: Hamer County: Jefferson State: Idaho
2. Quantity of water claimed: 4.0 c.f.s.
 (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15
Twp. 7 N , Rge. 36 E , B.M., County of Jefferson
5. Water is to be used for: Domestic, stock watering and irrigation
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased with 10-inch pipe, equipped with centrifugal pump and powered by 15 H.P. electric motor
8. Estimated cost of works: \$ 2,500.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 (b) 4.0 (cubic feet per second, inches or gallons per minute) is for new lands.

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	
7 N	36 EBM	10									20	20	20	20					80
7 N	36 EBM	15					40	25	15	25					15				120
																			200

AMENDMENT TO LAND LIST ✓

Comes now Howard A. Harvey, and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30439, and requests that the list of lands to be irrigated, as described in said Permit be changed to read as follows:

SW $\frac{1}{4}$ of Section 10, and the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T 7 N., R 36 E., B.M. Jefferson County, Idaho, making a total of 200 acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected thereby.

/s/ HOWARD A. HARVEY

Date of Receipt at office of Department of Reclamation: March 13, 1967.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30439. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

✓
PERMIT NO. G-30439

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Howard A. Harvey of Hamer, County of Jefferson, and State of Idaho, the holder of Permit No. G-30439, issued upon Application No. G-38506 bearing date of priority of April 3, 1962, authorizing the diversion of 4.0 second feet of waters of a well County of Jefferson, State of Idaho, for domestic, stock watering & irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.74 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, Township 7 North, Range 36 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

SW $\frac{1}{4}$ Section 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township 7 North, Range 36 East, Boise Meridian.

Proof of completion of works made: April 7, 1967

Witness my hand this 11 day of April, A.D. 1968

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 2.74 SEC. FT.
LICENSE PAGE NO. 30439



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 20, 1990

RE: Water Right Nos. 31-2399/A31-10653

Nick Michelsen
Hamer, ID 83425

Dear Water Right Holder:

We acknowledge receipt of the correspondence withdrawing your application transferring ownership of the above referenced water rights to you.

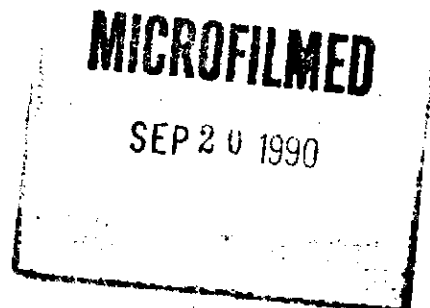
If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:blm



GROVER & WALKER

CHARTERED

LAW OFFICES

P. O. BOX 36

RIGBY, IDAHO 83442-0036

(208) 745-6653

BLAIR J. GROVER

KEITH M. WALKER

T. HAROLD LEE

(1914-1976)

August 27, 1990

L. Glen Saxton, Chief
Water Allocations Bureau
Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
AUG 28 1990

Department of Water Resources

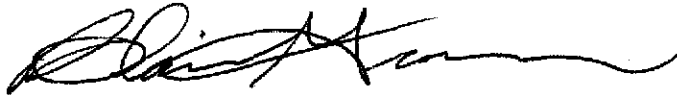
Re: Application for Transfer No. 3702
Water Right Nos. 31-2399 and A31-10653

Dear Glen:

Enclosed please find the original Withdrawal of Application
for Transfer of Water Right.

Yours truly,

GROVER & WALKER



BLAIR GROVER

BG:dem
Enclosure

MICROFILMED

SEP 20 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

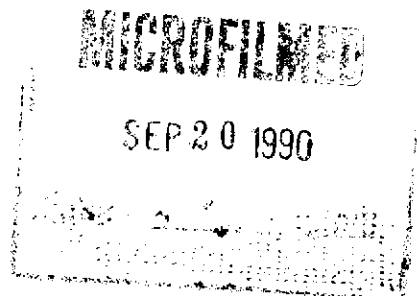
IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3702 OF WATER RIGHT)
NOS. 31-2399 AND A31-10653 IN)
THE NAME OF NICK MICKELSEN)

WITHDRAWAL OF
APPLICATION

NOTICE IS HEREBY GIVEN that NICK MICKELSEN, by and through his undersigned attorney, BLAIR GROVER, hereby withdraws the application referred to in this withdrawal, Transfer No. 3702 of water right Nos. 31-2399 and A31-10653. Said withdrawal is effective immediately.

DATED this 27th day of August, 1990.


Blair Grover, Attorney



Post-It™ brand
Fax Transmittal Memo

7672		No. of Pages	1	Today's Date	8-28-90	Time	1:48
To	Barbara Scott Brier			From	L. Allen Saxton		
Company	Fish & Wildlife Service			Company	Water Resources		
Location	Portland OR			Location	Boise ID		
Fax #				Fax #	208-327-7866		
Telephone #				Telephone #			
Comments				Original Disposition:	☐ Destroy ☐ Return ☐ Call for pickup		

Attach Document At Line

'90-08-27 15:40 1ST. AMERICAN TITLE CO. RIGBY ID

P.1

Post-It™ brand
Fax Transmittal Memo

7672		No. of Pages	1	Today's Date	8-27-90	Time	5:45 pm
To	Glen Saxton			From	Blair Grover		
Company				Company			
Location				Location			
Fax #	1-327-7866			Fax #			
Telephone #				Telephone #			
Comments				Original Disposition:	☐ Destroy ☐ Return ☐ Call for pickup		

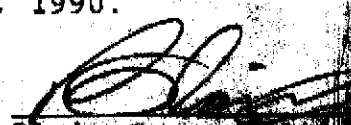
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3702 OF WATER RIGHT)
NOS. 31-2399 AND A31-10653 IN)
THE NAME OF NICK MICKELSEN)

WITHDRAWAL OF
APPLICATION

NOTICE IS HEREBY GIVEN that NICK MICKELSEN, by and through his undersigned attorney, BLAIR GROVER, hereby withdraws the application referred to in this withdrawal, Transfer No. 3702 of water right Nos. 31-2399 and A31-10653. Said withdrawal is effective immediately.

DATED this ____ day of August, 1990.


Blair Grover, Attorney

July 24, 1990

Barbara Scott-Brier
Office of the Solicitor
Pacific Northwest Region
500 N.E. Multnomah, Suite 607
Portland, OR 97232

Dear Ms. Scott-Brier:

Re: Application for Transfer No. 3702
Water Right Nos. 31-2399 and A31-10653

On July 19, 1990, I sent a Notice of Hearing which indicated that the hearing will be held on Wednesday, August 30, 1990 at 9:30 a.m. The notice should read: Thursday, August 30, 1990 at 9:30 a.m.

I hope this has not caused you any inconvenience.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

SEP 20 1990

July 24, 1990

Blair Grover
Grover & Walker
P. O. Box 36
Rigby, ID 83442-0036

Dear Mr. Grover:

Re: Application for Transfer No. 3702
Water Right Nos. 31-2399 and A31-10653

On July 19, 1990, I sent a Notice of Hearing which indicated that the hearing will be held on Wednesday, August 30, 1990 at 9:30 a.m. The notice should read: Thursday, August 30, 1990 at 9:30 a.m.

I hope this has not caused you any inconvenience.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

SEP 20 1990

July 24, 1990

Nick Mickelsen
Hamer, ID 83425

Dear Mr. Mickelsen:

Re: Application for Transfer No. 3702
Water Right Nos. 31-2399 and A31-10653

On July 19, 1990, I sent a Notice of Hearing which indicated that the hearing will be held on Wednesday, August 30, 1990 at 9:30 a.m. The notice should read: Thursday, August 30, 1990 at 9:30 a.m.

I hope this has not caused you any inconvenience.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

SEP 20 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3702 OF WATER RIGHT)
NOS. 31-2399 AND A31-10653 IN)
THE NAME OF NICK MICKELSEN)

NOTICE OF HEARING

On March 7, 1990, Nick Mickelsen filed with the Department of Water Resources an application for transfer of water right Nos. 31-2399 and A31-10653 to change the place of use.

The matter is now set for a fact finding hearing scheduled for Wednesday, August 30, 1990 at 9:30 a.m. to be held at the conference room, Idaho Department of Water Resources, 150 W. Shoup, Suite 15, Idaho Falls, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 19th day of July, 1990.

MICROFILMED

SEP 20 1990

for Rita Fleck
L. GLEN SAXTON, Chief
Water Allocations Bureau

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of July, 1990, I mailed a true and correct copy, postage prepaid, by certified mail of this NOTICE OF HEARING to the applicant(s) and protestant(s) listed:

Nick Mickelsen
Hamer, ID 83425

Barbara Scott-Brier
Office of the Solicitor
Pacific Northwest Region
500 N.E. Multnomah, Suite 607
Portland, OR 97232

Blair Grover
Grover & Walker
P. O. Box 36
Rigby, ID 83442-0036


RITA I. FLECK
Secretary/Records Manager

MICROFILMED

SEP 20 1990

GROVER & WALKER

CHARTERED

LAW OFFICES

P. O. BOX 36

RIGBY, IDAHO 83442-0036

(208)745-6653

BLAIR J. GROVER
KEITH M. WALKER

T. HAROLD LEE
(1914-1978)

July 3, 1990

RECEIVED
JUL 6 1990

Department of Water Resources

L. Glen Saxton
Department of Water Resources
1301 North Orchard Street
Boise, ID 83720

Re: Mickelson's Application For Transfer 31-2399 and
A31-10653

Dear Mr. Saxton:

The following are potential hearing dates which would be satisfactory to me are as follows:

July 23, 25, and 30, 1990.
August 13-16, 27, and 30, 1990.

We would appreciate you scheduling a hearing so that we can get this matter resolved.

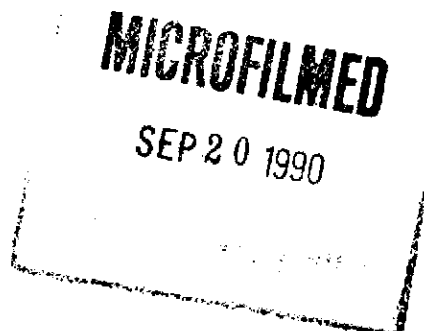
Yours very truly,

GROVER & WALKER



BLAIR GROVER

BG:jn
cc:Nick Mickelson



June 25, 1990

Blair J. Grover
P.O. Box 36
Rigby, ID 83442-0036

RE: APPLICATION FOR TRANSFER 31-2399 AND A31-10653

Dear Mr. Grover:

I have reviewed your letter dated June 14, 1990 in connection with the above referenced matter. Since correspondence in the file appears to be conflicting, the department will schedule a fact finding hearing in connection with past use of water under the water rights. The Fish and Wildlife Service will be notified of the hearing and will be allowed to participate as a full party.

Your clients are not authorized to use the water as proposed in the pending application for transfer until approval of the department is given.

Please advise the department of potential hearing dates which are satisfactory with you. Also feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau.

c: IDWR - E. Region
Barbara Scott-Brier w/copy of Mr. Grover's 6-14-90 letter

MICROFILMED

SEP 20 1990

GROVER & WALKER

CHARTERED
LAW OFFICES

P. O. BOX 36

RIGBY, IDAHO 83442-0036

(208)745-6653

BLAIR J. GROVER
KEITH M. WALKER

T. HAROLD LEE
(1914-1976)

June 14, 1990

RECEIVED
JUN 18 1990

Earl Saxton
Department of Water Resources
1301 North Orchard Street
Boise, ID 83720

Department of Water Resources

Re: Mickelson Application for Change and Point of Diversion

Dear Earl:

Reed and Nick Mickelson were in and I believe I understand better the historical use of the water which is the subject of the above application. Mickelsons purchased the land from Howard Harvey in approximately 1967. There was a pump in the well at the time of the purchase, and the Mickelsons have used that pump ever since. They believe Mr. Harvey installed it in about 1962, and that he used it until they purchased the land in 1967.

Since that date, they have turned the pump on at the beginning of the irrigation season and have used it until the season ended. Occasionally, the pump has been shut off depending on the year, but most years it has been used generally throughout the irrigation season. Since it is the same pump, the same quantity of water has been used.

The water has been used on both sides of the road. It irrigates approximately 30 to 40 acres of what is now called the wetlands on one side of the road, and about 100 acres on the other side of the road. Nick Mickelson had intended to develop and irrigate more of the wetlands, but was prevented from doing so by government programs. Had he been able to do so, more of the water would have been used on the wetlands and less on the 100 acres across the road. Incidentally, that is the only water for the wetlands and the 100 acres across the road.

For the reasons stated, the Mickelsons do not understand the allegation the water has not been used. If their transfer is granted, they will be irrigating essentially the same number of acres they have been irrigating in the past.

MICROFILMED

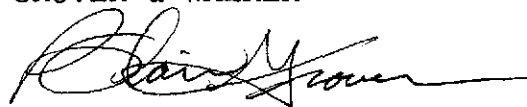
SEP 20 1990

Earl Saxton
June 14, 1990
Page 2

The Mickelsons would request that their application be granted or if a hearing is necessary that it be scheduled.

Yours very truly,

GROVER & WALKER

A handwritten signature in cursive script, appearing to read "Blair Grover", written over the typed name.

BLAIR GROVER

BG:jn
cc:Nick Mickelson

MICROFILMED

SEP 20 1990



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

RECEIVED
MAY 30 1990

MAY 25 1990

FWS.PN.0980

Department of Water Resources

Mr. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: In the Matter of Application for Transfer of Idaho Water
License No. 31-2399 and Claim No. A-31-10653 in the Name of
Nick Mickelson

Dear Mr. Higginson:

Enclosed please find two affidavits from United States Fish and Wildlife Service employees Jack Richardson and Dave Langman regarding the effect of the above-referenced proposed transfer on the water rights of the Camas National Wildlife Refuge for your use in determining whether to allow the proposed transfer.

Please let me know if you have any questions or need any further information.

For the Regional Solicitor

Barbara Scott-Brier

Barbara Scott-Brier
Attorney
Pacific Northwest Region

Enclosure

cc:

Phil Rassier, IDWR, Idaho Falls
Bob Oser, Region 1, FWS
Sandy Wilburn, Region 1, FWS
Jack Richardson, Refuge Manager, Camas, 2150 E. 2350 N., Hamer, Id.
83425

MICROFILMED

SEP 20 1990



United States Department of the Interior
FISH AND WILDLIFE SERVICE

1002 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232-4181

May 25, 1990

Memorandum

To: Office of the Regional Solicitor
Pacific Northwest Region
Attention: Ms. Scott-Brier

From: Regional Hydrologist, Region 1
Portland, Oregon (ABA/EN)

Subject: Statement of Facts Re Transfer of Water Right application 31-2399/A31-10653 (Application of Nick Mickelsen)

Attached is my signed affidavit regarding the Mickelsen Protest.


David O. Langman

Attachment

DJLangman

George - C:\wperf\dave-1\affidavi.mem

MICROFILMED

SEP 20 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER OF IDAHO WATER RIGHT)
LICENSE NO. 31-2399 AND CLAIM)
NO. A31-10653 IN THE NAME OF)
NICK MICKELSEN)

AFFIDAVIT
OF
DAVID J. LANGMAN

AFFIDAVIT

1. I am David J. Langman, Regional Hydrologist for Region 1, U.S. Fish and Wildlife Service, Portland, Oregon.

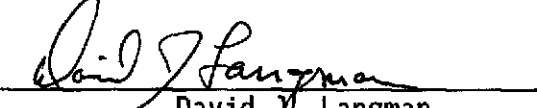
2. I am a trained hydrologist with an Associate Degree in Water Resources and a Bachelor Degree in Geology plus additional course work in hydrology. My experience consists of two years as a hydrologic technician and seven years as a hydrologist with the United States Geological Surveys (USGS) before transferring to the U.S. Fish and Wildlife Service in November 1989, as a hydrologist.

3. A "Notice of proposed change of a water right" No. 31-2399/A31-10653 published in the Jefferson Star by the Department of Water Resources was given to me for review.

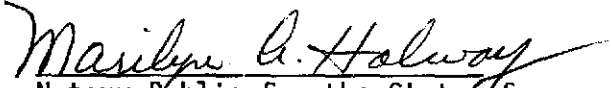
SEP 20 1990

4. After reviewing the published notice, previous hydrological studies (e.g. USGS Flow Characteristics of the Snake River and Water Budget for the Snake River Plain, Idaho and Eastern Oregon (L.C. Kjelstrom), USGS water contour map for the Refuge area; and USGS Geology and Water Resources of the Mud Lake Region, Idaho) and mapping the existing and proposed points of diversion, it is my professional opinion that the transferring of water right No. 31-2399 would have an adverse affect on the water supply to Camas National Wildlife Refuge. Water in the area aquifer, which supplies the Refuge, flows in a southwesterly direction. The existing point of diversion for water right No. 31-2399 is located at the eastern boundary of the Refuge

as well as the eastern portion of the aquifer. Pumping from the existing point of diversion would not likely intercept water which would normally supply the Refuge. However, diversions from the proposed point of diversion at the northern boundary of the Refuge which is upgradient, would intercept water from the area aquifer which supplies the Refuge. Therefore, allowing the proposed transfer could injure Refuge water rights.


David J. Langman

SUBSCRIBED AND SWORN to before me this 25th day of May, 1990


Notary Public for the State of
Oregon. My Commission
expires 11/17/92.



FAX MEMORANDUM

Date: May 24, 1990

To: Barbara Scott-Brier
Office of the Regional Solicitor
Portland, OR

From: Jack Richardson
Camas National Wildlife Refuge
Hamer, ID

Subject: Statement of Facts re Water Conditions at Camas National
Wildlife Refuge, Jefferson County, Idaho

1. I am Jack L. Richardson, Refuge Manager of the Camas National Wildlife Refuge near Hamer, Idaho.
2. Camas National Wildlife Refuge (NWR) was established by Executive Order 7720 on October 12, 1937. The stated purpose is a "refuge and breeding ground for migratory birds and other wildlife." A total of 17 duck species regularly use the refuge and 12 are common nesters. Canada geese are abundant, both as migrants and nesters. Tundra swans are common during spring and fall migrations and trumpeter swans have been a nesting species since 1976.
3. A high priority objective of the U. S. Fish and Wildlife Service, of which Camas NWR is a part, is the preservation of endangered species. Bald eagles, an endangered species, are a regular wintering species on Camas NWR. Peak numbers are usually in the range of 10-30, although we had 80-85 present during the winters of 1983-84 and 1984-85. Peregrine falcons, another endangered species, may be seen at any time of year on Camas NWR, though sightings are most frequent during the spring and fall migration periods. In 1983, Camas NWR began cooperating with The Peregrine Fund in their program to increase the number and range of peregrine falcons in the western United States. From 1983-1987, 15 young falcons were successfully hatched from our tower. Hatching was terminated in 1988 when a sub-adult pair of peregrines were found to be using our tower. We assume the same pair returned in 1989 and was 1 of only 2 known pairs of peregrines to successfully raise young in Idaho that year. Today (May 25, 1990), a pair of falcons are again incubating eggs in our hatch box.
4. Ducks, geese and swans require wetlands to survive and reproduce. Bald eagles rely on fish produced by wetlands for food. Peregrine falcons use wetlands as hunting areas. In order to meet its objectives, Camas NWR must maintain wetlands.
5. A large portion of Camas NWR is wetlands (Exhibit A).
6. A high water table is required to maintain wetlands in areas of low rainfall. Camas NWR has experienced a significant drop in water table during the past 5 years (Exhibits B and C).

MICROFILMED
SEP 20 1990

7. Below average precipitation was received at Camas NWR during 1988 and 1989 (Exhibit D). Thus far in 1990 (May 25), Camas NWR has received 2.28 inches of precipitation. The 1949-1989 average precipitation for January-May is 3.61 inches at Camas NWR.

8. Because of the low precipitation and dropping water table, Camas NWR has not been able to maintain its wetlands during 1990.

9. A review of public records maintained by the U. S. Geological Survey, indicates that, with the exception of the 1983-85 period, the draft of ground water resources in the Camas NWR area has exceeded recharge of the aquifer.

10. For the above reasons, I am opposed to any actions by any persons which may increase the draft of ground water resources in the vicinity of Camas NWR.

Jack L. Richardson
Jack L. Richardson

Witnesseth:

(Seal)

Margaret E. Wood
Notary Public
May 25, 1990

Attachments

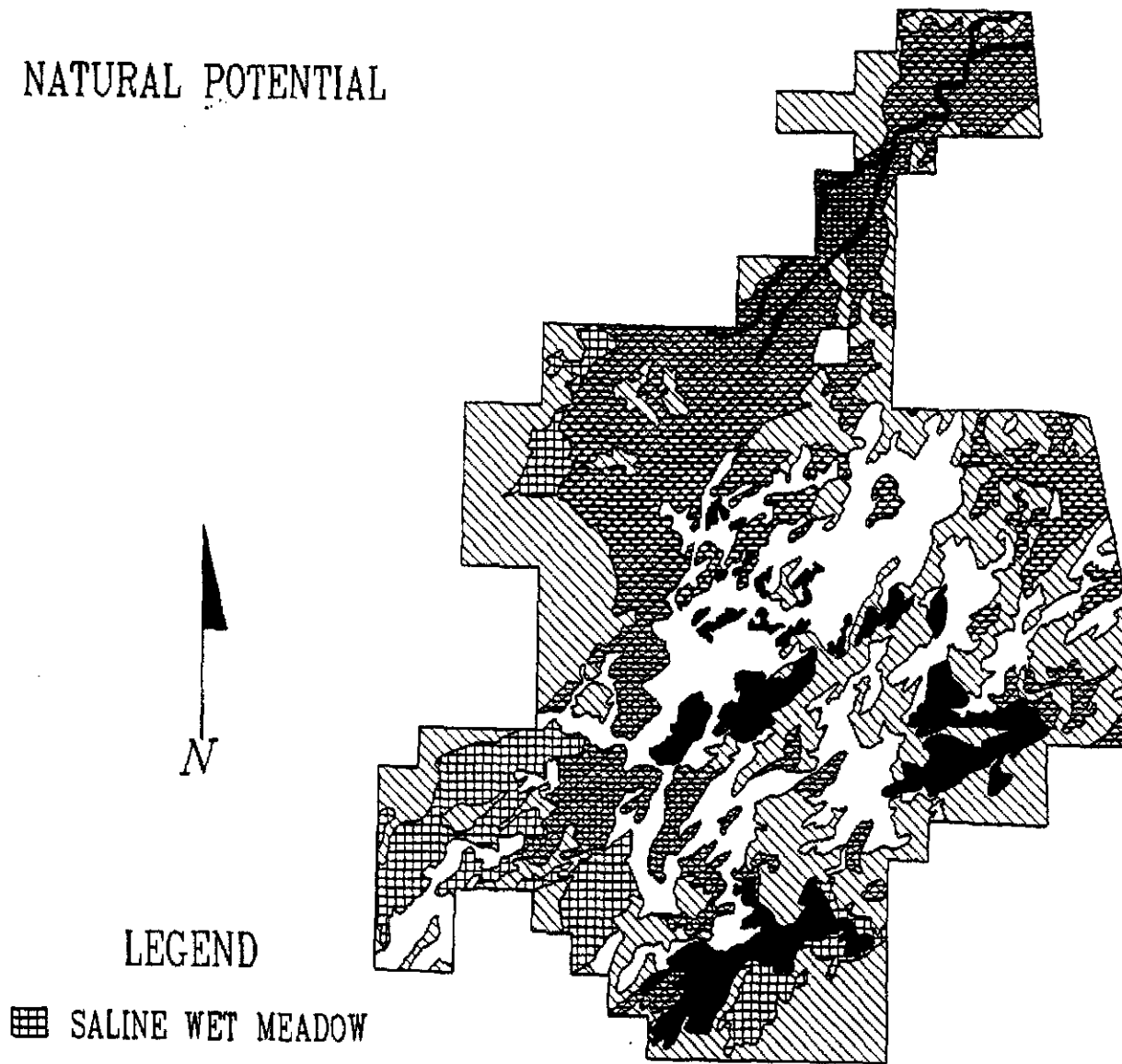
cc: Bob Oser w/attachments
SIRC w/out attachments

refer: waterrts.013



CAMAS NATIONAL WILDLIFE REFUGE
U.S. FISH & WILDLIFE SERVICE
JEFFERSON COUNTY - IDAHO

NATURAL POTENTIAL



LEGEND

-  SALINE WET MEADOW
-  WET MEADOW
-  SANDY 8-12"
-  MARSH
-  WATER

0 0.5 1 1.5 2
SCALE IN MILES



EXHIBIT A

EXHIBIT B, 1 of 2

WELL LEVEL MEASUREMENTS - CANAS NWR

Date	One	Two	Three	Four	Five	Six	Seven	Eight
7/1/73	17.42	7.08	8.42	8.50	5.25	9.42	7.00	
7/20/73	17.58	7.58	9.25	8.25	5.33	9.83	7.33	
8/1/73	18.17	7.75	9.33	9.25	6.50	10.00	7.58	
8/13/73	18.17	8.75	9.58	9.17	6.08	10.25	8.08	
9/5/73	17.17	8.58	9.52	9.67	5.75	9.67	7.50	
10/14/73	19.00	7.42	9.25	9.08	5.58	9.25	7.58	
10/28/73	18.00	7.33	9.17	9.08	5.50	9.42	7.58	
10/31/73	17.58	7.00	8.75	8.67	5.25	9.25	8.50	
11/1/73	17.33	6.33	8.38	8.66	4.67	8.83	6.67	
12/1/73	16.58	6.67	8.17	8.42	8.17	9.00	6.33	
2/1/74	17.00	6.08	8.75	8.17	6.58	8.83	6.33	
3/1/74	17.08	6.17	8.00	8.08	5.42	7.25	6.42	
3/29/74	17.25	6.75	8.08	8.33	4.67	9.00	6.58	
7/1/74	17.83	7.33	9.75	9.00	5.25	11.67	7.58	
8/1/74	18.08	8.36	10.17	10.17	6.83	11.17	8.80	
10/30/74	21.33	7.33	9.25	9.67	6.67	10.00	7.50	
12/2/74	17.67	7.42	8.92	8.00	5.33	6.42	7.17	
1/31/75	18.00	8.00	8.58	8.50	4.25	6.00	5.67	
3/1/75	17.17			7.25		5.82	6.00	
4/1/75	18.08	7.00	8.00	5.17	5.17	5.67	6.68	
7/1/75	17.17	7.00	8.17	8.25	5.33	6.17	6.50	
8/1/75	18.25	7.67	9.00	6.33	5.50	9.75	7.42	
9/1/75	18.42	8.83	9.58	9.33	6.00	9.75	7.25	
3/1/76	16.67	6.17	7.25	8.00	4.00	8.33	5.83	
6/1/76	17.08	6.42	7.67	8.00	4.25	8.82	6.50	
8/1/76	19.08	9.33	10.50	6.83	6.82	10.08	9.00	
10/1/76	18.50	8.42	8.67	9.67	5.82	10.17	7.83	
12/1/76	17.75	7.50	8.33	7.17	8.50	9.58	7.17	
1/3/77	17.17	7.00	8.33	8.50	6.67	10.00	7.17	
3/1/77	17.25	7.00	8.83	8.83	5.33	11.92		
4/1/77	17.58	7.58	9.00	6.75	5.67	8.92	7.08	
5/1/77	18.25	7.75	9.80	9.25	5.58	9.33	7.50	
6/1/77	21.08	8.67	10.00	10.00	5.92	10.50	8.08	
7/1/77	20.08	9.58	11.00	11.00	7.50	11.75	8.33	
8/1/77	21.00	9.67	12.00	12.00	7.17	12.75	9.00	
10/1/77	22.50	10.58	11.83	12.00	8.00	14.17	10.08	
10/31/77	20.17	9.83	12.00	11.50	8.08	11.92	9.42	
12/2/77	19.50	9.17	12.00	11.00	7.33	9.83	8.08	
1/3/78	19.00	9.17	11.88	10.50	7.08	11.33	7.67	
2/1/78	19.00	9.00	10.58	9.50	7.00	11.00	8.67	
3/9/78			7.17					
5/1/78	19.17	8.33	10.33	9.50	6.42	10.50	8.83	
6/1/78	19.25	8.50	10.00	6.25	6.33	11.00	9.00	
7/3/78		10.25	11.75	7.17		12.50	10.75	
8/1/78	21.58	11.50	12.75	13.17		13.50	11.17	
9/1/78	22.00	11.68	12.50	12.67		14.33	11.33	
10/2/78	22.72	10.92	11.83	12.25		13.00	11.58	
11/1/78	22.33	10.42	11.75	11.67	8.17	12.92	11.50	
12/1/78	19.42	9.67	11.00	7.33	7.75	11.17	9.33	13.08
4/2/79	20.33	9.00	10.25	10.00	7.17	11.67	9.00	14.00
6/1/79	21.00	9.83	11.50	9.25	7.83	12.83	10.42	14.00
7/6/79	21.75	11.67	9.00	12.00	9.17	13.25	9.33	14.50
8/1/79	22.67	12.88	14.17	12.83	10.17	15.00	10.00	15.50
9/4/79	22.33	12.33	13.50	13.33	9.75	14.17	9.50	15.00
10/1/79	21.67	12.00	13.17	13.50	8.00	14.67	9.00	15.83
11/1/79	19.50	11.42	12.75	12.50		13.88	11.00	16.17
12/3/79	19.00	11.00	12.00	10.00	8.50	10.17	10.33	10.00
1/2/80	19.00	10.75	13.00	12.25	7.50	10.00	10.17	15.50
4/1/80	20.50	10.67	11.17	11.83	8.00	13.00	10.50	15.50
6/2/80	19.00	9.83	11.25	9.42	6.58	12.00	9.58	14.17
7/1/80	21.00	10.50	12.00	13.00	9.83	13.00	9.50	14.50
8/1/80	22.33	12.50	14.00	13.50	10.00	14.67	1.06	15.00
9/2/80	22.42	12.50	13.75	13.17	10.00	14.50	15.17	12.00
11/1/80	21.17	10.58	10.83	12.42	9.67	11.92	10.83	16.00
1/7/81	21.00	10.17	11.75	11.58	7.75	12.42	9.58	13.50
3/3/81	20.58	9.50	11.33	9.67		12.25	9.42	13.00
4/1/81	19.50	10.08	11.00	11.00	11.50	12.50	11.50	18.00
5/11/81	19.50	9.67	13.00	11.50	7.50	12.33	11.00	14.83
6/1/81		9.42	11.50	11.33	7.83	11.17	9.33	11.25
6/25/81	19.50	10.58	12.00	9.00	9.50	13.00	10.00	17.00
8/3/81				14.00	11.17	13.00		18.00
9/1/81	23.00	13.17	15.17	15.42	10.92	15.42	12.75	17.92
10/2/81	22.67	13.08	13.75	14.17	12.17	15.00	14.17	18.00
11/2/81	20.50	10.58	15.00	11.50		14.25	11.58	15.00
3/30/82	19.25	10.67	12.00	12.00	13.50	14.17		13.83
6/30/82	20.00	9.83	13.50	12.17	9.00	13.33		16.00
8/2/82	22.00	12.00	18.00	16.00	13.00	16.00		17.00
9/1/82		12.75		17.00	11.33	13.00		18.50
10/1/82	21.33	13.75	14.50	17.00	12.00	11.50		20.17
11/1/82		11.25	12.50	14.00	9.33	12.00		15.33
4/1/83	19.75	9.33	11.00	11.00	8.00	12.00		14.58
5/1/83	19.58	9.00	11.33	11.00	7.75	11.75		14.80

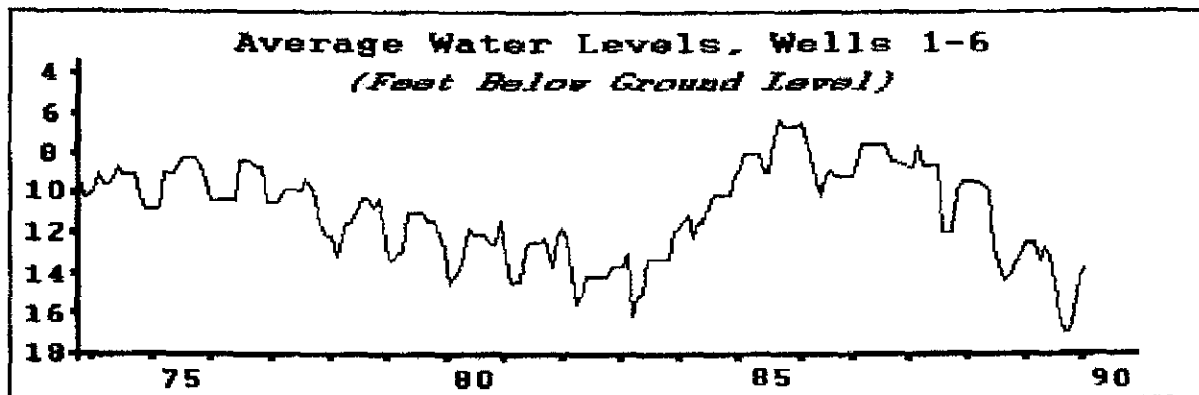
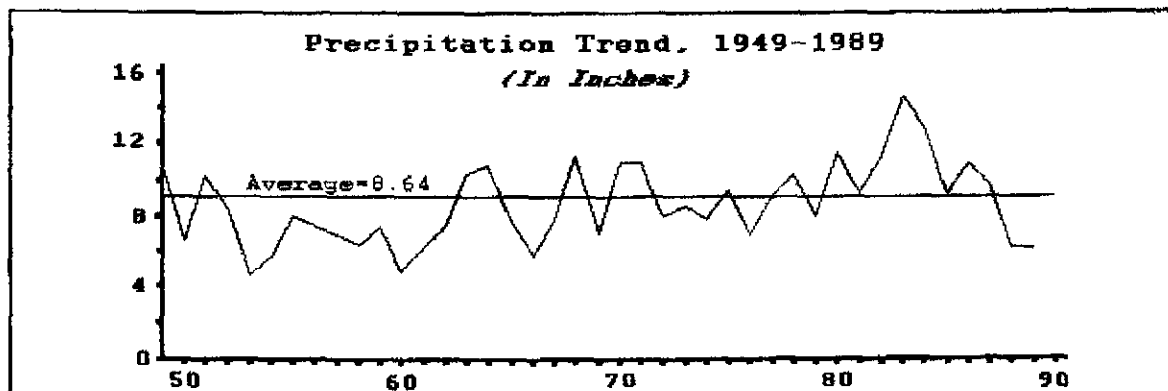
EXHIBIT B

SEP 20 1991

EXHIBIT B, p. 2

2

6/1/83	19.33		11.50	11.75	6.33	10.83	13.50
7/6/83	19.25	9.75	10.00	10.25	7.00	11.50	14.17
8/1/83	22.00	9.67	11.58	11.25	7.00	12.17	15.25
9/1/83	20.00	10.00	9.00	10.67	7.00	12.00	14.50
10/3/83	20.00	9.67	11.58	11.17	6.75	11.00	11.58
11/1/83	19.00	8.00	9.67	9.58	6.00	11.50	12.58
12/1/83	18.00	7.33	10.00	9.00	5.67		12.17
4/2/84	17.00	6.50	8.33	8.50	5.00	9.17	12.00
5/1/84	16.58	6.17	9.00	8.08	4.17	8.83	8.67
5/31/84	15.83	5.17	7.00	8.17	3.67	8.00	8.17
10/1/84	16.00	5.50	8.17	9.83	5.00	9.17	10.50
12/1/84	15.00	4.75	6.17	5.92	4.00	7.50	9.83
1/10/85	11.25	4.50	6.00	5.67	3.67	7.08	8.83
2/14/85		4.58	6.67	7.17		6.00	8.25
4/1/85		4.25	6.50				8.25
4/17/85		4.00					
5/1/85	14.50	4.17	5.58	5.75	2.17	7.00	7.17
6/1/85	15.00	4.67	6.00	6.50	2.83	9.00	11.25
7/1/85	15.25	6.00	6.33	7.83	4.00	9.00	10.00
8/1/85	17.83	7.58	8.42	7.25	6.00	9.08	12.50
9/3/85	18.67	7.83	10.00	8.00	6.00	10.50	13.33
10/3/85	17.00	6.92	9.25	8.83	4.75	8.50	12.67
11/4/85	16.33	6.83	9.58	7.58	4.25	8.75	11.50
1/1/86		5.50					
2/1/86		5.33					
3/3/86	18.00	5.42	8.00	8.93	5.33	9.00	12.33
4/1/86	16.50	5.33	10.00	6.50		8.50	10.42
5/1/86	16.00	5.08	7.00	6.38	3.00	7.83	10.33
11/3/86	16.33	6.25	7.50	7.58	4.08	8.75	10.25
1/1/87	18.83	5.50	7.33	7.25	5.50	9.50	10.50
2/1/87	15.92	5.25	7.17	7.67		10.00	10.42
4/6/87	15.58	5.33	6.83	6.75	3.17	8.17	6.25
5/6/87	17.25	5.92	7.25	7.50		9.17	12.25
9/1/87	19.17	9.17	16.00			11.25	13.68
12/1/87	17.25	7.25	9.58	8.50	6.75	9.83	12.67
1/1/88	17.00	7.08	9.25	8.25	5.50	9.58	12.17
5/2/88	17.33	6.92	10.42	8.83	6.75	9.42	12.00
5/26/88	18.08	7.75	8.83	9.33	5.50	10.08	13.08
7/7/88	20.67	10.67	12.00			12.42	13.67
8/1/88	21.75	11.92	13.25			12.75	16.83
9/1/88	22.00	12.33	14.33			13.92	17.00
10/4/88	22.17	12.42	13.75			13.92	17.00
11/2/88	21.58	11.50	12.83	13.42	9.75	13.25	16.50
12/1/88	21.17	10.83	12.50	13.00	9.33	12.58	15.92
1/1/89	20.50	10.17	11.75	12.42	8.67	12.00	13.75
4/1/89	20.42	9.92	11.67	12.00	8.08	11.92	15.17
5/1/89	20.67	10.33	11.58	12.33		12.83	10.58
6/1/89	21.50	11.17	12.42	12.67		13.42	16.33
6/29/89	22.58	12.50	13.67	13.92		14.33	17.42
8/1/89	24.25	13.25	16.00	15.88		16.17	20.17
8/31/89	25.92	13.00	15.92	16.00		15.83	20.08
10/2/89	23.83	13.83	15.58	15.42		15.67	18.50
11/1/89	23.00	12.83	14.50	14.75		14.75	18.17
12/4/89	22.08	11.75	13.58	13.83	10.08	13.83	16.83
1/2/90	21.58	11.17	12.92	13.58	9.33	13.25	16.08
2/1/90	21.17	10.92	12.75	12.67	9.42	12.83	16.00
3/1/90	21.25	10.89	12.75		9.17	12.75	14.92
4/2/90	21.50	11.17	12.83	13.17	9.50	13.33	16.50
4/30/90	22.00	11.67	13.50	13.67	9.67	13.67	16.75

EXHIBIT C**EXHIBIT D**

RECEIVED
MAY 25 1990
09:02

009 P02

May 25, 1990

Blair Grover
P.O. Box 36
Rigby, Idaho 83442-0036

RE: APPLICATION FOR TRANSFER 31-2399 AND A31-10653

Dear Mr. Grover:

I have reviewed your letter dated May 22, 1990, associated with our recent telephone conversation in which we discussed alleged non-use of the water rights sought to be changed in the above referenced transfer.

In our telephone conversation, I advised you that the question of forfeiture through non-use has been alleged by the U.S. Fish and Wildlife Service. I also advised you that forfeiture is a matter the department is required to review whether a protest has been filed or not. Your letter seems to suggest that only about 60 acres have been irrigated with these rights during the last 5 to 10 years. If this is so, the transfer can not be approved as submitted i.e. 2.36 cfs for the irrigation of 135 acres.

Please advise which 60 acres of the 135 acres the applicant would like to use water on. If this approach is not satisfactory, the department likely will need to schedule and hold a fact finding hearing to determine past use of these rights and appropriate action to take on the pending application.

Please feel free to contact me if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region

MICROFILMED

SEP 20 1990

GROVER & WALKER

CHARTERED

LAW OFFICES

P. O. BOX 36

RIGBY, IDAHO 83442-0036

(208)745-6653

**BLAIR J. GROVER
KEITH M. WALKER**

**T. HAROLD LEE
(1914-1976)**

May 22, 1990

RECEIVED
MAY 24 1990

Department of Water Resources

Earl Saxton
Department of Water Resources
1301 North Orchard Street
Boise, ID 83720

Re: Mickelson Application for Change and Point of Diversion

Dear Earl:

This letter will confirm in part our telephone conversation of Tuesday, May 22, 1990, regarding the above matter. I indicated to you that Nick Mickelson had been irrigating and cutting hay on 30 to 40 acres for a period of approximately ten years. The last five years he has been using that hay ground for pasture. It was irrigated both as hay ground and pasture ground.

The other well was used for stock water and to help irrigate approximately 20 acres in the corner of a circle. It was pumped into a ditch where it joined other water that went to the corner of the circle.

Mr. Mickelson has been trying to utilize the water for the past four or five years. He was going to irrigate right where the well is located, but that is apparently wetland next to the Camas Bird Refuge. Consequently, both the ASCS and the SCS told him if he irrigated there he would be disqualified for all government programs on all of his property. In addition, the refuge manager told him they might terminate his refuge grazing permit. Therefore, Mr. Mickelson has been trying to find a more acceptable place for use of the water and that is the reason for the Application for Change the Point of Diversion.

If he is not permitted to move the point of diversion, he has little alternative but to use the water on the wetlands where the well is located. He does not want to do that and other government agencies do not want him to. Hopefully, the Department of Water Resources will take the same view and approve the transfer.

SEP 20 1990

Earl Saxton
May 22, 1990
Page 2

Hopefully, this information will assist in making a prompt decision on the Mickelson application.

Yours very truly,

GROVER & WALKER

A handwritten signature in dark ink, appearing to read "Blair Grover", is written over the typed name.

BLAIR GROVER

BG:jn
cc:Nick Mickelson

MAILED 1990
MAY 22 1990

MAY 22 1990

MEMORANDUM

To: File 31-2399 / A31-10653
From: L. Glen Saxton *ms*
RE: CONVERSATION WITH BLAIR GROVER
Date: May 22, 1990

I called Blair Grover today and advised that the U.S. Fish and Wildlife Service have alleged forfeiture of some of the water rights sought to be transferred.

Grover called me back and advised that in fact the water has been used on only about 40 acres during the last 5 or more years.

I requested a written response from him.

MICROFILMED

SEP 20 1990

RECEIVED
MAY 18 1990**FAX MEMORANDUM**Date: May 15, 1990
Department of Water Resources

To: Barbara Scott-Brier
Office of the Regional Solicitor
Portland, OR

From: Jack Richardson
Camas National Wildlife Refuge
Hamer, ID

Subject: Statement of Facts re Water Right Application 31-2399/A31-10653 (Application of Nick Mickelsen)

1. I am Jack L. Richardson, Refuge Manager of the Camas National Wildlife Refuge near Hamer, Idaho.
2. About mid-April, 1990, I noticed a tractor working in a range area just north of the Camas National Wildlife Refuge. An on-ground inspection of the area showed that the sagebrush had been beat off the E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec29 T8N R36E, B.M. To the best of my knowledge, this land belongs to Reed Mickelsen of Hamer, Idaho.
3. On April 18, 1990, a "NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 31-2399/A31-10653....." appeared in the Jefferson Star. The application proposed irrigating the above described lands and the W $\frac{1}{4}$ NW $\frac{1}{4}$ Sec28 T8N R36E, B.M. The latter is Public Domain administered by the Idaho Falls District, Bureau of Land Management.
4. I first observed these parcels in October, 1974. At that time, these lands were a mature stand of sagebrush/bunchgrass.
5. There is no evidence that these lands have ever been farmed.
6. It is my understanding that irrigation of these lands would be a violation of the moratorium issued by the Idaho Department of Water Resources banning "new irrigation" in the Mud Lake drainage. Therefore, a license for irrigation of these lands should not be issued.

Jack L. Richardson
Jack L. Richardson

MICROFILMED

SEP 20 1990



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

RECEIVED
MAY 17 1990

MAY 16 1990

FWS.PN.0980

Department of Water Resources

Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

Re: Application for Transfer of Idaho Water Right License No.
31-2399 and Claim No. A31-10653 in the Name of Nick Mickelson

Dear Mr. Higginson:

As you are aware, the United States Fish and Wildlife Service (Service) recently filed a petition for leave to intervene in the above-entitled matter. Since then, I have been informed of two other issues regarding the proposed transfer.

First, the Service believes that the water right and claim in question may not have been used during the previous five years or more and, thus, may have been forfeited. Second, the proposed place for the transfers is undeveloped land. There is some question whether the Department's December 1, 1989, Order Establishing a Moratorium would prohibit the proposed transfer. Apparently some personnel in the Department of Water Resources interpret that Order to preclude all new development in the study area whether by new water right permits or by transfer of existing rights. Others appear to believe that all permits for new development are barred by that Order, but as to transfers to new development, only transfers from outside the study area to inside the study area are barred (and, thus, transfers from inside the study area to inside the study area would not violate the Order).

Please consider these above matters as part of our petition to intervene and also investigate these matters and those within our petition in making your determination as to whether to allow the transfer, pursuant to Section 42-222, Idaho Code:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provide no other water rights are injured thereby and the change does not constitute an enlargement in use of the original right.

MICROFILMED

SEP 20 1990

Thank you for your consideration in this matter. If you have any questions, please call me at 503-231-2139.

For the Regional Solicitor



Barbara Scott-Brier
Attorney
Pacific Northwest Region

cc:

Phillip Rassier, Esq., IDWR, Boise

Idaho Water Resources, Idaho Falls, Id.

Bob Oser, Region 1, FWS

Jack Richardson, Refuge Manager, Camas, 2150 E. 2350 N., Hamer, Id.
83425

RECEIVED

SEP 20 1990

RECEIVED
MAY 14 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

Department of Water Resources

IN THE MATTER OF)
)
APPLICATION FOR TRANSFER OF) PETITION FOR LEAVE
IDAHO WATER RIGHT LICENSE) TO INTERVENE
NO. 31-2399 AND CLAIM NO. A31-10653)
IN THE NAME OF NICK MICKELSON)

The Petitioner United States Fish and Wildlife Service respectfully requests the Director of the Department of Water Resources to issue an order granting leave for the Petitioner to intervene in the above-entitled matter concerning the Application for Transfer of certain water rights by Nick Mickelson.

The petition of the United States Fish and Wildlife Service for leave to intervene in the above-entitled matter respectfully represents the following:

1. Petitioner is the holder of numerous water rights to the use of surface and ground water for domestic, wildlife, and irrigation use for the Camas National Wildlife Refuge pursuant to the laws of the State of Idaho including among others: Water Right Nos. 31-2250, 31-2551, 31-2362, 31-2350, 31-2363, 31-2322, 31-7301, 31-4066, 31-4016, 31-0269, 31-0270, 31-6271, 31-0272, 31-0273, 31-0274, 31-0275, 31-0276, 31-0277, 31-0278, 31-0279, 31-0280, 31-0281, 31-0282, 31-0283, 31-0284, 31-0231, 31-2008, and 31-2035.

2. Petitioner filed a protest to said Application for Transfer, but has been advised that its protest reached the Idaho

MICROFILMED

SEP 20 1990

1 Department of water resources one day after the deadline for
2 filing protests.

3 3. The application for transfer of Idaho Water Right
4 License No. 31-2399 and Claim No. A31-10653 (Jefferson County)
5 filed by Nick Mickelson is for a change in the Points of
6 Diversion and the Place of Use of a groundwater source. The
7 water would be diverted from wells located within Jefferson
8 County and would be used to irrigate 135 acres of land.

9 4. The Application is for the transfer of the points of
10 diversion and place of use of 2.36 cubic feet per second of
11 public ground water of the State of Idaho. The Applicant
12 proposes to change the Points of Diversion and Place of Use from
13 east of the Camas National Wildlife Refuge, a federal refuge, to
14 an area immediately north of the refuge.

15 5. Based on the data in the Notice of Proposed Change of
16 Water Right, it appears that the exercise of the transfer would
17 detrimentally affect the water resources of the Camas Refuge.

18 6. There is not sufficient water available to satisfy the
19 water needs of the applicant and existing water rights. The
20 applicant should demonstrate that sufficient water is available
21 to satisfy his purposes in addition to protecting all existing
22 other uses.

23 7. The Camas National Wildlife Refuge supports migratory
24 birds and other wildlife. Loss of sufficient water for the
25 Refuge could eliminate or degrade wildlife habitat and eliminate
26

MICROFILMED
SEP 20 1990

1 some or all of the migratory birds and other wildlife for which
2 the Refuge was reserved. These adverse conditions would conflict
3 with the purposes of the Refuge and the public interest.

4 8. Furthermore, the Service has a responsibility to
5 administer the Refuge lands for, inter alia, migratory birds and
6 other wildlife purposes. Reducing water availability to
7 insufficient amounts would interfere with the Service meeting its
8 responsibilities under Federal law, including the protection of
9 migratory birds under the Migratory Bird Treaty Act, 16 U.S.C.
10 § 703 et seq. The American people, including local residents,
11 would be denied a range of recreation opportunities because of
12 the loss of habitat and loss of migratory birds and other
13 wildlife. This also conflicts with the public interest.

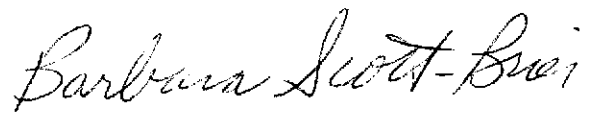
14 WHEREFORE, your Petitioners pray that upon examination into
15 this matter as required by law, the Director of the Department of
16 Water Resources enter his Order:

17 (1) Allowing Petitioner to intervene herein.

18 (2) Denying the Application for Transfer of Water Right No.
19 31-2399 and Claim No. A31-10653.

20 (3) Allowing Petitioner to participate in any hearings on
21 this matter.

22 Respectfully submitted this 10th day of May, 1990.

23 
24
25 Barbara Scott-Brier
26 Attorney for the United States
Fish and Wildlife Service

May 11, 1990

RE: Application for Transfer No. 31-2399/A31-10653
NICK MICKELSEN

Ms. Barbara Scott-Brier, Attorney
Department of Interior
U.S. Fish & Wildlife Service
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

Dear Ms. Scott-Brier:

On May 9, 1990, the Department received your letter in reference to the above captioned application. It is necessary to return your letter as it arrived in this office after the last date of protest and, therefore, cannot be considered as a timely protest.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

MICROFILMED

SEP 20 1990

RECEIVED

MAY - 9 1930

Department of Water Resources
Eastern District Office

MAY 07 1930

CERTIFICATE OF MAILING

I HEREBY CERTIFY that no mailing was made to Applicant because his address is unknown to this office.

For the Regional Solicitor

Barbara Scott-Brier

Barbara Scott-Brier
Attorney for
U.S. Fish and Wildlife Service

MICROFILMED

SEP 20 1980



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

MAY - 9 1990

Department of Water Resources
Eastern District Office

FWS.PN.0980

MAY 07 1990

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Protest of Application for Transfer of Idaho Water
Right License No. 31-2399 and Claim No. A31-10653

Dear Mr. Higginson:

The United States Department of the Interior, Fish and Wildlife Service, protests the Application for Transfer of Idaho Water Right No. 31-2399 and Claim No. A31-10653 (Jefferson County). The application for transfer of this water right was filed by Nick Mickelson for a change in the Points of Diversion and the Place of Use of a groundwater source. The water would be diverted from wells located within Jefferson County and would be used to irrigate 135 acres of land.

Our initial analysis indicates the following facts. The Application is for the transfer of the points of diversion and place of use of 2.36 cubic feet per second of public ground water of the State of Idaho. The Applicant proposes to change the Points of Diversion and Place of Use from east of the Camas National Wildlife Refuge, a federal refuge, to an area immediately north of the refuge. Based on the data in the Notice of Proposed Change of Water Right, it appears that the exercise of the transfer would detrimentally affect the water resources of the Camas Refuge.

Idaho Code Ann. § 42-203A (Supp. 1987) provides for the Director of the Department of Water Resources to consider the following for all applications for transfers, whether protested or not:

1. Will the application reduce the quantity of water under existing water rights?
2. Is the water supply insufficient for the purpose set forth in the application?

MICROFILMED

SEP 20 1990

3. Is the application made in good faith and not for delay or speculative purposes?
4. Does the applicant have sufficient financial resources to complete the project?
5. Will the project conflict with the local public interest?

We lack knowledge regarding the matters addressed by items 3 and 4. We protest the Application with regard to the considerations set forth in items 1, 2, and 5 as follows:

1. The Service has the following water rights to surface and ground water for domestic, wildlife, and irrigation use for the Camas National Wildlife Refuge pursuant to the laws of the State of Idaho: Water Right Nos. 31-2250, 31-2551, 31-2362, 31-2350, 31-2363, 31-2322, 31-7301, 31-4066, 31-4016, 31-0269, 31-0270, 31-6271, 31-0272, 31-0273, 31-0274, 31-0275, 31-0276, 31-0277, 31-0278, 31-0279, 31-0280, 31-0281, 31-0282, 31-0283, 31-0284, 31-0231, 31-2008, and 31-2035. It appears that the exercise of the requested transfers would significantly reduce the water availability in the area of the Refuge and thus would detrimentally affect our water rights.
2. There is not sufficient water available to satisfy the water needs of the applicant and existing water rights. The applicant should demonstrate that sufficient water is available to satisfy his purposes in addition to protecting all existing other uses.
3. The Camas National Wildlife Refuge supports migratory birds and other wildlife. Loss of sufficient water for the Refuge could eliminate or degrade wildlife habitat and eliminate some or all of the migratory birds and other wildlife for which the Refuge was reserved. These adverse conditions would conflict with the purposes of the Refuge and the public interest.

Furthermore, the Service has a responsibility to administer the Refuge lands for, inter alia, migratory birds and other wildlife purposes. Reducing water availability to insufficient amounts would interfere with the Service meeting its responsibilities under Federal law, including the protection of migratory birds under the Migratory Bird Treaty Act, 16 U.S.C. § 703 et seq. The American people, including local residents, ~~would be denied a~~ range of recreation opportunities because of the ~~loss of~~ habitat and loss of migratory birds and other wildlife. This also conflicts with the public interest.

SEP 20 1990

For the above reasons, the Application should be denied.

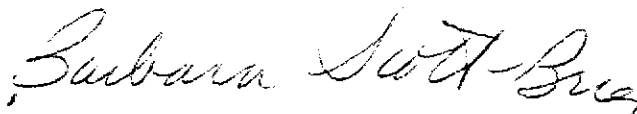
The United States Fish and Wildlife Service will participate in the hearing on this matter. Please notify the Service through the undersigned attorney of the date, time, and place of the hearing.

Also, please send to the undersigned attorney a copy of the subject Application and supporting materials, License No. 31-2399, Claim No. A31-10653, and all other filings submitted to day in this matter. Copies of all filings, correspondence, orders, etc., in this matter should be sent to the undersigned attorney:

Barbara Scott-Brier, Attorney for the
United States Department of the Interior,
Fish and Wildlife Service
Office of the Regional Solicitor
500 N.E. Multnomah, Suite 607
Portland, Oregon 97232
Telephone: (503) 231-2139

Sincerely,

For the Regional Solicitor



Barbara Scott-Brier
Attorney
Pacific Northwest Region

cc: Robert Oser, FWS, Region 1
Sandy Wilbur, FWS, Region 1
Jack Richardson, FWS, Camas NWR
Phillip J. Rassier, Attorney,
Idaho Department of Water Resources
Idaho Department of Water Resources;
Idaho Falls, Idaho Office

MICROFILMED

SEP 20 1990

RECEIVED
MAY 09 1990

Department of Water Resources

MAY 07 1990

CERTIFICATE OF MAILING

I HEREBY CERTIFY that no mailing was made to Applicant because his address is unknown to this office.

For the Regional Solicitor

Barbara Scott-Brier

Barbara Scott-Brier
Attorney for
U.S. Fish and Wildlife Service

MICROFILMED

SEP 20 1990



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

FWS.PN.0980

MAY 07 1990

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RE: Protest of Application for Transfer of Idaho Water
Right License No. 31-2399 and Claim No. A31-10653

Dear Mr. Higginson:

The United States Department of the Interior, Fish and Wildlife Service, protests the Application for Transfer of Idaho Water Right No. 31-2399 and Claim No. A31-10653 (Jefferson County). The application for transfer of this water right was filed by Nick Mickelson for a change in the Points of Diversion and the Place of Use of a groundwater source. The water would be diverted from wells located within Jefferson County and would be used to irrigate 135 acres of land.

Our initial analysis indicates the following facts. The Application is for the transfer of the points of diversion and place of use of 2.36 cubic feet per second of public ground water of the State of Idaho. The Applicant proposes to change the Points of Diversion and Place of Use from east of the Camas National Wildlife Refuge, a federal refuge, to an area immediately north of the refuge. Based on the data in the Notice of Proposed Change of Water Right, it appears that the exercise of the transfer would detrimentally affect the water resources of the Camas Refuge.

Idaho Code Ann. § 42-203A (Supp. 1987) provides for the Director of the Department of Water Resources to consider the following for all applications for transfers, whether protested or not:

1. Will the application reduce the quantity of water under existing water rights?
2. Is the water supply insufficient for the purpose set forth in the application?

MICROFILMED

SEP 20 1990

3. Is the application made in good faith and not for delay or speculative purposes?
4. Does the applicant have sufficient financial resources to complete the project?
5. Will the project conflict with the local public interest?

We lack knowledge regarding the matters addressed by items 3 and 4. We protest the Application with regard to the considerations set forth in items 1, 2, and 5 as follows:

1. The Service has the following water rights to surface and ground water for domestic, wildlife, and irrigation use for the Camas National Wildlife Refuge pursuant to the laws of the State of Idaho: Water Right Nos. 31-2250, 31-2551, 31-2362, 31-2350, 31-2363, 31-2322, 31-7301, 31-4066, 31-4016, 31-0269, 31-0270, 31-6271, 31-0272, 31-0273, 31-0274, 31-0275, 31-0276, 31-0277, 31-0278, 31-0279, 31-0280, 31-0281, 31-0282, 31-0283, 31-0284, 31-0231, 31-2008, and 31-2035. It appears that the exercise of the requested transfers would significantly reduce the water availability in the area of the Refuge and thus would detrimentally affect our water rights.
2. There is not sufficient water available to satisfy the water needs of the applicant and existing water rights. The applicant should demonstrate that sufficient water is available to satisfy his purposes in addition to protecting all existing other uses.
3. The Camas National Wildlife Refuge supports migratory birds and other wildlife. Loss of sufficient water for the Refuge could eliminate or degrade wildlife habitat and eliminate some or all of the migratory birds and other wildlife for which the Refuge was reserved. These adverse conditions would conflict with the purposes of the Refuge and the public interest.

Furthermore, the Service has a responsibility to administer the Refuge lands for, inter alia, migratory birds and other wildlife purposes. Reducing water availability to insufficient amounts would interfere with the Service meeting its responsibilities under Federal law, including the protection of migratory birds under the Migratory Bird Treaty Act, 16 U.S.C. § 703 et seq. The American people, including local residents, would be denied a range of recreation opportunities because of the loss of habitat and loss of migratory birds and other wildlife. This also conflicts with the public interest.

For the above reasons, the Application should be denied.

SEP 20 1990

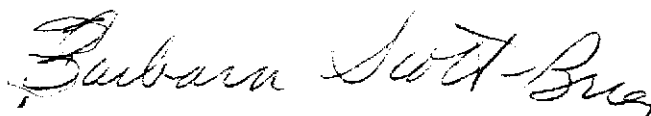
The United States Fish and Wildlife Service will participate in the hearing on this matter. Please notify the Service through the undersigned attorney of the date, time, and place of the hearing.

Also, please send to the undersigned attorney a copy of the subject Application and supporting materials, License No. 31-2399, Claim No. A31-10653, and all other filings submitted to day in this matter. Copies of all filings, correspondence, orders, etc., in this matter should be sent to the undersigned attorney:

Barbara Scott-Brier, Attorney for the
United States Department of the Interior,
Fish and Wildlife Service
Office of the Regional Solicitor
500 N.E. Multnomah, Suite 607
Portland, Oregon 97232
Telephone: (503) 231-2139

Sincerely,

For the Regional Solicitor



Barbara Scott-Brier
Attorney
Pacific Northwest Region

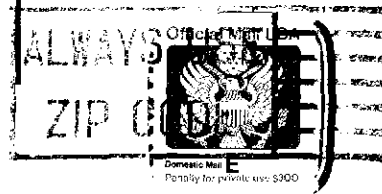
cc: Robert Oser, FWS, Region 1
Sandy Wilbur, FWS, Region 1
Jack Richardson, FWS, Camas NWR
Phillip J. Rassier, Attorney,
Idaho Department of Water Resources
Idaho Department of Water Resources;
Idaho Falls, Idaho Office

MICROFILMED

SEP 20 1990

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
PACIFIC NORTHWEST REGION
500 N.E. MULTNOMAH STREET, SUITE 607
PORTLAND, OREGON 97232

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



POSTAGE AND FEES PAID
UNITED STATES DEPARTMENT
OF THE INTERIOR
INT 418

PHILLIP J. RASSIER, ATTORNEY
IDAHO DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
BOISE, ID 83706

Delivered by the United States Postal Service

13-12-90
1-28-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

1. Right number 31-2399/31-10653 Applicant NICK MICKELSEN
2. Type of right: ☐ Decree ☒ License ☒ ^{Ad.} Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NONE
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

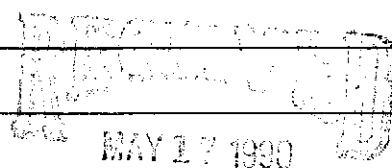
FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RDC Date 5/11/90



18-Apr-1990

Nick Mickelsen

Hamer, ID 83425

RE: Application for Transfer No. 31-2399/A31-10653

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Jefferson Star on April 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

SEP 20 1990

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 31-2399/A31-10653

Notice is hereby given that Nick Mickelsen has applied to the Department of Water Resources to change a point of diversion of the waters of a groundwater source. The right sought to be changed is evidenced by claim No. A31-10653 and License No. 31-2399 and recorded as follows:

CLAIM NO. A31-10653 AMOUNT: .56 CFS PRIORITY: MAY 1, 1942

POINT OF DIVERSION: NESE S 32 T 8N R 36E, JEFFERSON COUNTY

The water is used for irrigation(.56cfs) of 28 acres and stock(.09cfs) purposes from April 1 to November 1 within the SENE S 32 T 8N R 36E, B.M.

LICENSE NO. 31-2399 AMOUNT: 2.74 CFS PRIORITY: APRIL 3, 1962

POINT OF DIVERSION: NENW S 15 T 7N R 36E, JEFFERSON COUNTY

The water is used to irrigate 162 acres of land within the SW1/4 S 10, NW1/4 NESW S 15 T 7N R 36E, B.M.

TO BE CHANGED AS FOLLOWS:

Only 2.36 cfs of water will be diverted within the NESWSE S 20 T 8N R 36E, JEFFERSON COUNTY and used to irrigate 135 acres of land within the W1/2NW1/4 S 28, E1/2NE1/4 S 29 T 8N R 36E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83401, on or before MAY 7, 1990.

R. Keith Higginson
Director

Published in the Jefferson Star on APRIL 19 & 26, 1990.

MICROFILMED

SEP 20 1990

15 March 1990

Nick Mickelsen
Hamer, Idaho 83425

RE: Transfer 31-2399 & A31-10653 Ownership of Land in Sec 32,
T08N, R36E.

Dear Mr. Mickelsen:

In order to complete the analysis of the proposed transfer a
copy of last years tax notice for Sec 32 must be received by
this office.

Please send the copy of this tax notice on or before 30 March
1990 so that we can complete the analysis of the proposed
transfer.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED

SEP 20 1990

DEPARTMENT OF WATER RESOURCES

NAME AND ADDRESS OF SENDER

STATEHOUSE
BOISE, IDAHO 83720

Indicate type of mail:
☐ Registered
☐ Insured
☐ COD
☒ Certified
☐ Return Receipt For Merchandise
☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender (if C.O.D.)	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
------	-------------------	--	---------	-----	-----------------	------------------------	---------------	------------------------	-----------	-----------	-----------	----------------	---------

1	138056	Pick Nickelson											
---	--------	----------------	--	--	--	--	--	--	--	--	--	--	--

2		Stamer, Al 83425											
---	--	------------------	--	--	--	--	--	--	--	--	--	--	--

3													
---	--	--	--	--	--	--	--	--	--	--	--	--	--

4	138057	Barbara Scott-Brier											
---	--------	---------------------	--	--	--	--	--	--	--	--	--	--	--

5		Office of the Solicitor											
---	--	-------------------------	--	--	--	--	--	--	--	--	--	--	--

6		Office of the Attorney General											
---	--	--------------------------------	--	--	--	--	--	--	--	--	--	--	--

7		500 W. E. Pratt Road, Suite 607											
---	--	---------------------------------	--	--	--	--	--	--	--	--	--	--	--

8		Portland, OR 97232											
---	--	--------------------	--	--	--	--	--	--	--	--	--	--	--

9													
---	--	--	--	--	--	--	--	--	--	--	--	--	--

10	138058	Blair Storer											
----	--------	--------------	--	--	--	--	--	--	--	--	--	--	--

11		Storer & Walker											
----	--	-----------------	--	--	--	--	--	--	--	--	--	--	--

12		300 E. 36											
----	--	-----------	--	--	--	--	--	--	--	--	--	--	--

13		Boise, ID 83442-0036											
----	--	----------------------	--	--	--	--	--	--	--	--	--	--	--

14													
----	--	--	--	--	--	--	--	--	--	--	--	--	--

15													
----	--	--	--	--	--	--	--	--	--	--	--	--	--

Total number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels.

MICROFILMED
SEP 20 1990

31-8399
A31-10453

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

RECEIVED
AUG 15 1907
Department of Reclamation

WELL OWNER:
Name - Howard A. Harvey

Address Hammer, Idaho.
G-39459

Owner's Permit No. G-50439

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other

(explain)

CASING SCHEDULE: Threaded ☐ Welded ☒ A

10 "Diam. from 0 ft. to 52'4" ft

"Diam. from	ft. to	ft.
"Diam. from	ft. to	ft.
"Diam. from	ft. to	ft.

Thickness of casing: 2 1/2" Material:

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of
perforator used:

Size of perforations:		"	by	"
perforations from		ft.	to	ft.
perforations from		ft.	to	ft.
perforations from		ft.	to	ft.
perforations from		ft.	to	ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☒ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐
No. ☒ Type of water: _____
Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used?	Yes		No.	X
----------------------	-----	--	-----	---

Cemented in place? Yes ☐ No ☐

Locate well in section

A blank coordinate grid with a horizontal axis labeled "Sec." and a vertical axis labeled "Min." The grid consists of a solid horizontal line and a solid vertical line intersecting at the origin. Dashed lines extend from the origin to the edges of the grid, creating a 2x2 grid of quadrants. The horizontal axis is labeled "Sec." and the vertical axis is labeled "Min.".

LOCATION OF WELL: County Jefferson
 NE 1/4 NW 1/4 Sec. 15 T.7N N 36 E R. 36 E E 1/4

Use other side for additional remarks

Size of drilled hole: 10" Total
depth of well: 85' Standing water
level below ground: 8' Temp.
Fahr. ° Test delivery: gpm
or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: _____ Hrs. _____ Min.
 Drawdown: _____ ft. Artesian pressure: _____ ft.
 above land surface _____ Give flow _____ cfs
 or _____ gpm. Shutoff pressure: _____
 Controlled by: Valve ☐ Cap ☐ Plug ☐
 No control ☐ Does well leak around casing?
 Yes ☐ No ☒

DEPTH		MATERIAL	WATER
FROM	TO		YES OR NO
100	105		
105	110		
110	115		
115	120		
120	125		
125	130		
130	135		
135	140		
140	145		
145	150		
150	155		
155	160		
160	165		
165	170		
170	175		
175	180		
180	185		
185	190		
190	195		
195	200		
200	205		
205	210		
210	215		
215	220		
220	225		
225	230		
230	235		
235	240		
240	245		
245	250		
250	255		
255	260		
260	265		
265	270		
270	275		
275	280		
280	285		
285	290		
290	295		
295	300		
300	305		
305	310		
310	315		
315	320		
320	325		
325	330		
330	335		
335	340		
340	345		
345	350		
350	355		
355	360		
360	365		
365	370		
370	375		
375	380		
380	385		
385	390		
390	395		
395	400		
400	405		
405	410		
410	415		
415	420		
420	425		
425	430		
430	435		
435	440		
440	445		
445	450		
450	455		
455	460		
460	465		
465	470		
470	475		
475	480		
480	485		
485	490		
490	495		
495	500		
500	505		
505	510		
510	515		
515	520		
520	525		
525	530		
530	535		
535	540		
540	545		
545	550		
550	555		
555	560		
560	565		
565	570		
570	575		
575	580		
580	585		
585	590		
590	595		
595	600		
600	605		
605	610		
610	615		
615	620		
620	625		
625	630		
630	635		
635	640		
640	645		
645	650		
650	655		
655	660		
660	665		
665	670		
670	675	</	

FEET		FEET	
0	4	fine yellow sand	no
4	49	yellow clay	no
49	52	loose basalt and clay	no
52	56	medium hard black basalt	no
56	60	soft red basalt	yes
60	67	hard brown basalt	no
67	73	hard black basalt	no
73	85	soft brown basalt	yes

April 12, 1968

Re: Permit No. G-30439

C
O
P
Y

Howard A. Harvey
Hamer,
Idaho 83425

Dear Mr. Harvey:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 462 in the amount of \$23.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

30439

Feb. 2, 1968

Department of Reclamation

107 State House

Bain, Idaho

Att: Donald W. McElhorney,

Water Rights Clerk.

RECEIVED

FEB 5 1968

Department of Reclamation

Please find enclosed
check in amount of \$23⁰⁰ as
fee for Certificate of Completion
of works and License and Certificate
of Water Right for 2.74 c.f.s.
covered by permit W-30439.

Respectfully

Harward A. Harvey

Bain, Idaho 83425

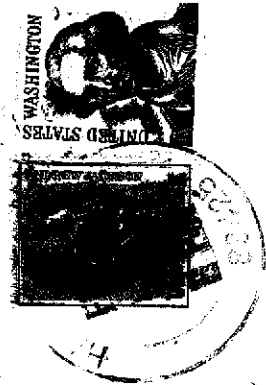
30439

Howard C. Hager
Barnes, Idaho.

Department of Reclamation
Room 107, State House
 Boise

Idaho 83701

30439



January 30, 1968

Re: Permit No. G-30439

Howard A. Harvey
Hamer,
Idaho 83425

30439

Dear Mr. Harvey:

A representative of this department has made an examination of the works covered by your permit G-30439 and has found the following:

Quantity of water diverted: 2.74 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.74 c.f.s.

Purpose of use: domestic, stock watering, and
irrigation of 152 acres in SW $\frac{1}{4}$, sec. 10, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
sec. 15, T. 7 N, R. 36 E, B.M.

The priority date established is: April 3, 1962.

A fee totaling \$ 23.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

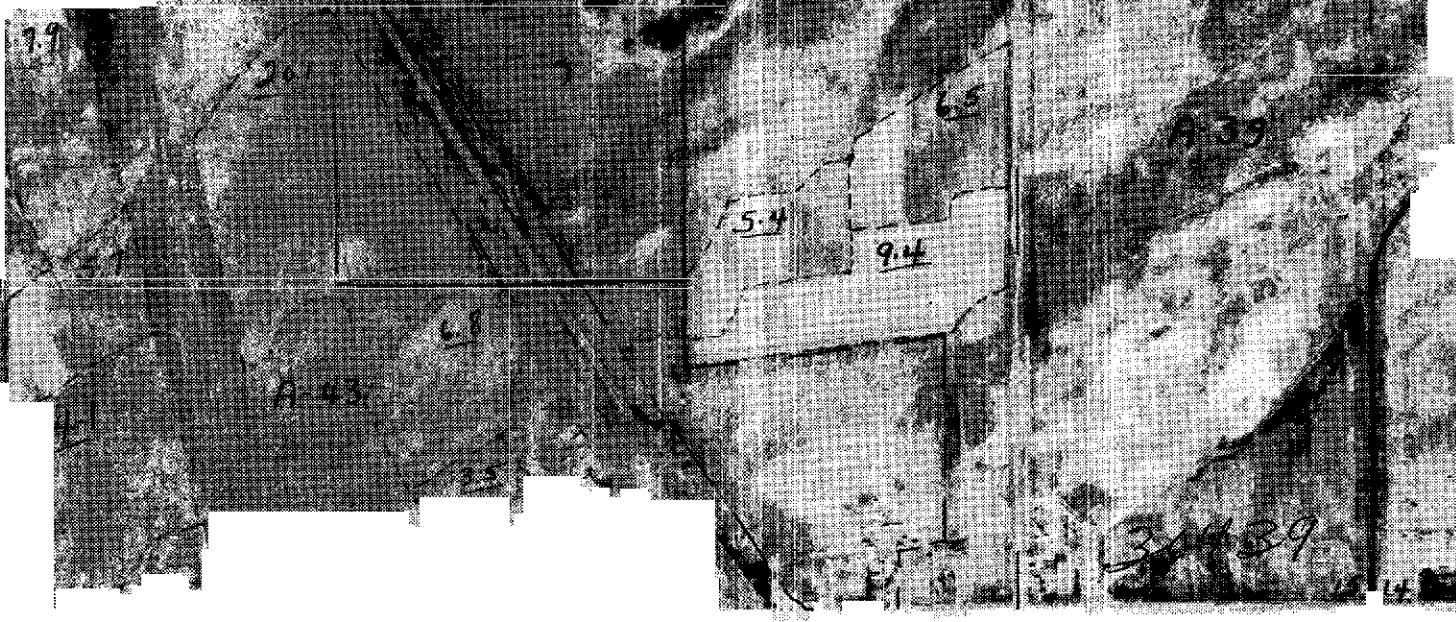
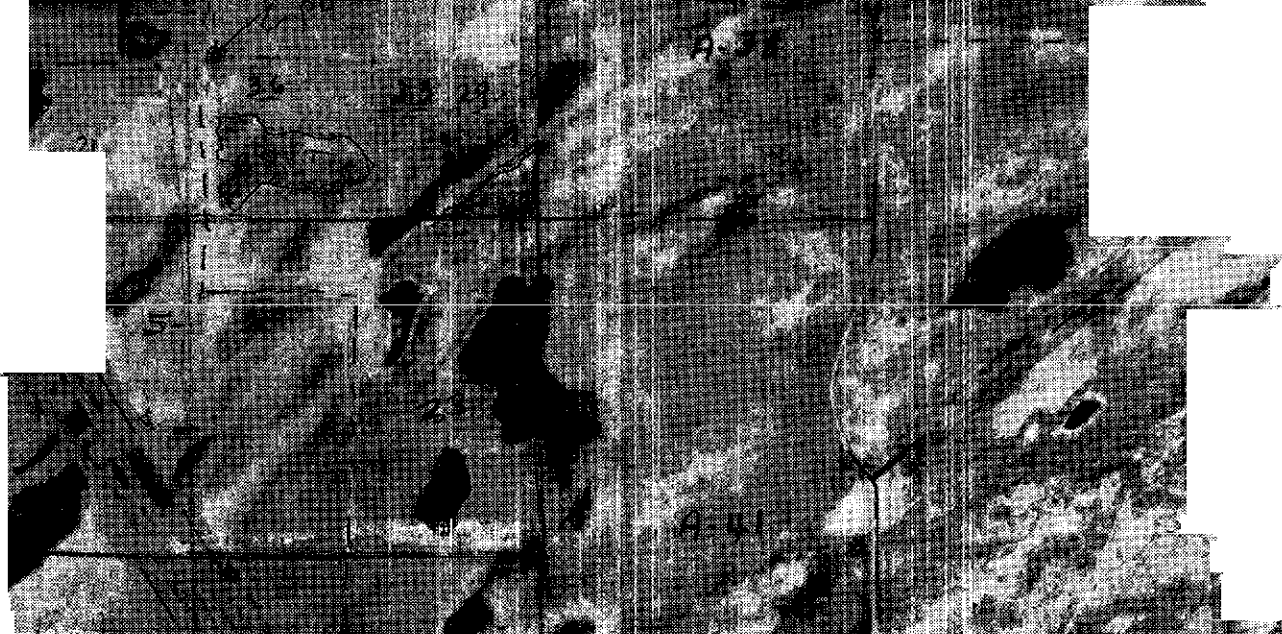
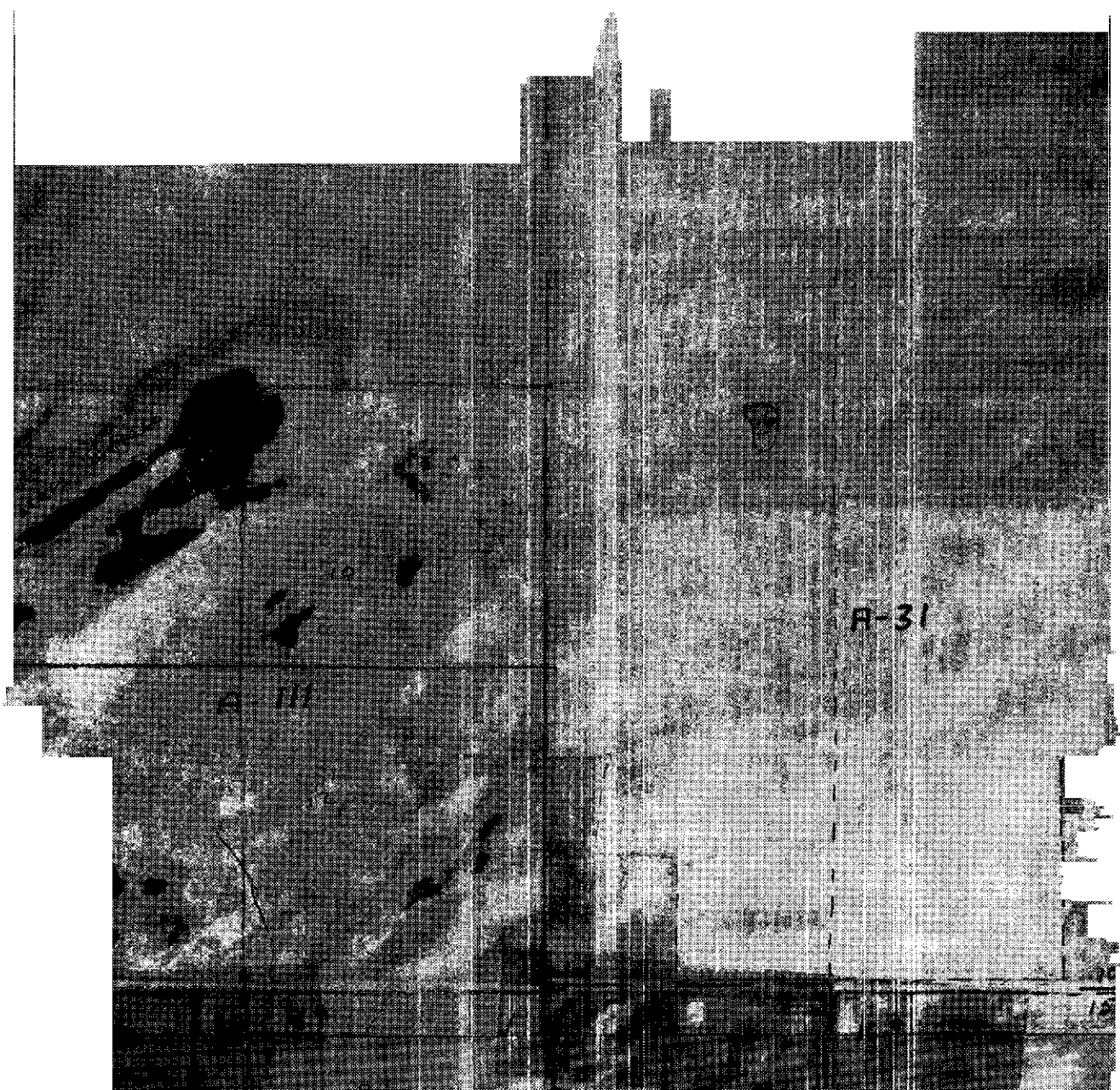
Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

D

30439



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

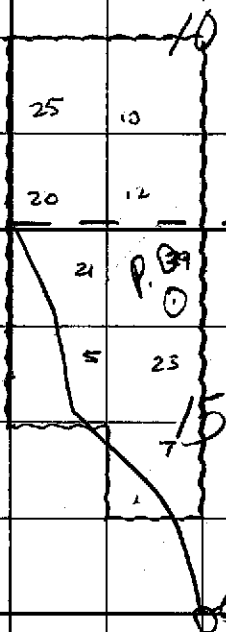
REPORT OF EXAMINER

PERMIT NO. G-30439

REPORT ON PROOF OF Completion of Works and Beneficial Use

Rge. 36E

Twp. 7 N.



35

32

50

28

7

152 Acres

Area - 152 Acres

Subd - 9

Q - 2.74 c.f.s.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30439

This proof is for Comp. of Works & Beneficial Use

In Water District No. _____

1. Name of applicant Howard A. Harvey

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE 1/4 of Section 15

T. 7 N R. 36 E, B.M. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same:

15 HP ALLIS CHALMERS INDUCTION ELEC
MOTOR # 4160 - 1225 - 6152 - A
10 BRN CENTRIFUGAL PUMP
12" DISCHARGE THROUGH CONCRETE
DIVERSION OUTLET - CONCRETE & EARTH DITCHES

5. Water is used for: Domestic, stock watering, and irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4, Sec. 10; NW 1/4, NE 1/4, SW 1/4, Sec. 15, T. 7 N, R. 36 E, B.M.

(200 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: MR & MRS HOWARD A HARVEY PRESENT

MR DON SHENTON (BOISE WATER MASTER
MEASURED 137" BY CURRENT METER IN
JULY 1967)

This examination was made on the 29TH day of SEPT, 1967

(Signed) D.R. Examiner.

30439

DW
plat ✓

A.
Howard/Harvey

Hammer, Idaho
Permit No. G-10439

Examination for Comp. of Works & Beneficial Use

County Jefferson

Quantity: 4.0 c.f.s.
Sec. 15 T. 7N R. 36 E

Source: Subterranean

P.D.: NE 1/4, Sec. 15, T. 7 N, R. 36 E, S.H.

Use: Domestic, stock watering and irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: April 3, 1962

Due: April 9, 1967

Made: April 7, 1967

Priority: April 3, 1962

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

ALICE C. KACHMERS

15 HP. INDUCTION

WATER 24 HRS

60 cycles 1150 RPM
220V

4160 - 1228 - 652-4

BEAN SPRING PUMP CO.
#10 BEAN

10" CENTRIFUGAL PUMP

10" DISCHARGE THRESHOLD

CONCRETE OUTLET BOY

CONCRETE DITCHES

NOT FILED ON
12" (USING)

RUBBING - INVERTS
DOMESTIC

WATER - 24 HRS
PA 903A

LINCOLN LINE - WELLS # 100742

7.5 HP

CENTRIFUGAL PUMP 8" D.S.

30439

January 30, 1968

Re: Permit No. G-30439

Howard A. Harvey
Hamor,
Idaho 83425

Dear Mr. Harvey:

A representative of this department has made an examination of the works covered by your permit G-30439 and has found the following:

Quantity of water diverted: 2.74 c.f.s.
Amount of water that can be recognized as beneficially used under Idaho Law: 2.74 c.f.s.
Purpose of use: domestic, stock watering, and
irrigation of 152 acres in SW $\frac{1}{4}$, sec. 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
sec. 15, T. 7 N, R. 36 E, B.M.

The priority date established is: April 3, 1962.

A fee totaling \$ 23.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

has paid
2-5-68
KA

30439

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HOWARD A. HARVEY
 of Hamer , County of Jefferson , and State of
 Idaho , the holder of Permit No. G-30439 , issued upon
 Application No. G-38506 bearing date of priority of April 3, 1962 , authorizing the
 diversion of 4.0 second feet of waters of a well

County of Jefferson , State of Idaho, for ... domestic, stock watering & irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 2.74 second feet of the waters of a well from subterranean flow

that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, Township
 ... 7 North, Range 36 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: ... SW $\frac{1}{4}$ Section 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township ...
 ... 7 North, Range 36 East, Boise Meridian, ...

Proof of completion of works made: April 7, 1967

Witness my hand this 11 day of April , A. D. 19 .. 68 ..

R. Keith Higgins
 State Reclamation Engineer

30439

April 14, 1967

Re: Permit No. G-30439

Howard A. Harvey
Hamer, Idaho 83425

Dear Mr. Harvey:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Right Star~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~G-30439~~.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:df

30439

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED
APR 14 1967

STATE OF IDAHO,

ss.

Department of Reclamation

County of Jefferson

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 7th day of April 1967, at Dubois County of Clark, State of Idaho before H. R. Harn, Notary Public, at Dubois, Idaho proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 30439, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Howard A.

Harvey, Hamer, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is domestic, stock watering and irrigation, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 7 North, Range 36 East Boise Meridian, County of Jefferson.

5. The place where said water is used is SW $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 15, T. N. 7, R. 36 E, B. M.

6. The date of priority which said user is prepared to establish is April 3, 1962.

R. Keith Higginson, State Reclamation Engineer.

Pub.: Mar. 2, 9, 16, 23, 30, 1967

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for four consecutive issues thereof; first publication having been made on the

2nd day of March, 1967
and the last publication on the

30th day of March, 1967

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 7th day of April, 1967.
(SEAL)

H. R. Harn
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires 5/1, 1969

Publication Fee: \$ 19.25

30439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30439

M. S.
RECEIVED
APR 14 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Howard A. Harvey, age 58, residence Hamer, Idaho, Occupation farming.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G-30439,
date of approval April 9, 1962 - priority April 3, 1962.

Ques. 4. State source of water supply: subterranean

Give location of point of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 7 North, Range 36 E.B.M., Jefferson Co., Idaho

Ques. 5. Describe your works of diversion: subterranean well, powered with electric motor, and ditches; state amount of water they are capable of conveying from point of diversion to place of use: 4 c.f.s.; Give name of canal or ditch or other works by which water is conducted to such place of use: _____
_____; if a well, state depth of well 85 ft.; depth and size of casing 50 ft. 10-inch casing; depth to water 8 ft.; if pump is used, state discharge of pump: 10-inch discharge; tell how it was measured or determined best judgment of myself and Keith W. Driver if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: irrigation and stock watering
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 20 acres in Section 10. NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 38 acres;

NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 25 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15 acres in Section 15, all in Township 7 North.

Range 36 E.B.M., Jefferson County, Idaho.

I have had water in all the ditches and know that they are adequate to convey water to all the lands described in my Application. Also, I have pumped water into ponds on these lands for stock watering and sub-irrigation purposes.

No log

30439

[Signature]

State nature of all improvements which have been made as a direct result of said use:

I actually irrigated 108 acres, on which I have raised alfalfa, wild hay and irrigated pasture.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Robert Wade, Hamer, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

For stock watering purposes I have pumped water into ponds, which has also developed sub-irrigation for pasture purposes.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1966 - Time used since first use:

1966

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Since 1962, the date of this filing, I have used water from another well drilled in April 1941 on part of the land upon which I am showing completion of works for beneficial use.

(sign)

Howard A. Harvey ✓
Howard A. Harvey

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Dubois

, County of

Clark

State of Idaho, on this 7th day of April, A. D. 19 67.

My commission expires: May 1, 1969

H. A. Harvey
Notary Public
Residing at Dubois, Idaho

30439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
APR 14 1967

Department of Reclamation

Permit No. G-30439

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Melvin P. Ellis, age 56, residence & P.O. address, Hamer, Idaho,
occupation, farming and livestock.

Ques. 2 Are you acquainted with Howard A. Harvey, the holder of
Permit No. G-30439? How long have you known him and where does he reside?

Yes, I have known him since 1931, and he resides 1½ mi. northeast of Hamer,
Idaho.

Ques. 3. Have you read or heard said Permit No. G-30439 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NE¼NW¼, Section 15, Township 7 North, Range 36 E.B.M., Jefferson Co., Idaho

Describe works for conveying water to place of use: Pump, powered with electric
motor, and ditches to convey the water to place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 c.f.s. How much water have you seen being so
conveyed? 4 c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

Applicant has ditches to convey water to all the lands described in the
Application, and has actually had water in all these ditches. However, to
the best of my knowledge he has irrigated the following lands:

SW¼SW¼ - 20 acres; SE¼SW¼ - 10 acres in Section 10 and NW¼NW¼ - 25 acres;
NE¼NW¼ - 38 acres; SW¼NW¼ - 15 acres, in Section 15, all in Township 7 North,
Range 36 E.B.M., Jefferson County, Idaho.

30439

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

In addition to irrigation, applicant has pumped water on to portions of this land to develop ponds for stock watering purposes and sub-irrigation, but I do not know the exact location of the ponds.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Sandy Loam, and my experience would indicate that not less than one inch per acre is needed.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Some time in the fall of 1966.

Other times you have seen such use: About October of 1966, to the best of my knowledge.

(Signed):

Melvin P. Ellis
Melvin P. Ellis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Dubois

_____, County of Clark, State of Idaho, on
this 7th day of April, A. D. 1967.

H. R. Harn
H. R. Harn
Notary Public for the State of Idaho
Residing at Dubois, Idaho

My commission expires May 1, 1969

30439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30439

* * * * *

RECEIVED
APR 14 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Keith W. Driver, age 51, residence & P.O. address, Hamer, Idaho,
occupation, farming and livestock.

Ques. 2 Are you acquainted with Howard A. Harvey, the holder of
Permit No. G-30439? How long have you known him and where does he reside?

Yes, I have known Mr. Harvey for 23 years, and he resides about 2 miles north-
east of Hamer, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30439 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 7 North, Range 36 E.B.M., Jefferson Co., Idaho

Describe works for conveying water to place of use: Ditches, irrigation well and
pump, powered with electric motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 4 c.f.s. How much water have you seen being so
conveyed? 4.c.f.s.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

I have viewed this land and know that there are irrigation ditches sufficient
to convey water to all subdivisions, but actual irrigation, to the best of my
knowledge, is as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 20 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 10 acres, in Section
10; NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 25 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 38 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 15 acres, in Section 15,
all in Township 7 North, Range 36 E.B.M., Jefferson County, Idaho.

30439

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Applicant has pumped water into ponds for stock watering purposes and sub-irrigation at places, but I do not know the legal description.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Lake bottom sandy loam soil, and it is my opinion that one inch per acre will be required.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Fall of 1966.

Other times you have seen such use: Probably as late as October, 1966.

(Signed):

Keith W. Driver ✓
Keith W. Driver

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Dubois

 , County of Clark, State of Idaho, on
this 7th day of April, A. D. 1967.

H. R. Harn ✓
H. R. Harn
Notary Public for the State of Idaho
Residing at Dubois, Idaho

My commission expires May 1, 1969

30439

March 16, 1967

RE: Permit G-30439
Howard A. Harvey

H. R. Harn
P.O. Box 297
Dubois, Idaho

Dear Mr. Harn:

Enclosed herewith is departmental receipt No. G-11451
in the amount of \$1.00 which covers the fee for recording
of amendment to land list on the above numbered permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Receipt

30439

March 13, 1967

RE: Permit ⁹³⁰⁴³⁹~~634039~~
Howard A. Harvey

H. R. Harn
P.O. Box 297
Dubois, Idaho

Dear Mr. Harn:

Enclosed is amendment to land list which has been recorded in this office under the above referenced permit.

There is a recording fee, however, in the amount of \$1.00 which you may remit to this department at your earliest convenience.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment

30439

Application for Amendment

LAND LIST

Permit No. G-30439✓RECEIVED
MAR 13 1967

Department of Reclamation

Comes now Howard A. Harvey, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. G-30439, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

SW $\frac{1}{4}$ of Section 10 and the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township
7 North, Range 36 East Boise Meridian, Jefferson County, Idaho

, making a total of 200 acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at Hamer, Idaho this 8th day of March, 1967

Howard A. Harvey
Howard A. Harvey

Date of receipt at office of Department of Reclamation March 13, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-30439. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded: 3-13-67

R. Keith Higgins
State Reclamation Engineer

30439

DON SAMUELSON
GOVERNOR



RECEIVED
FEB 24 1967

KEITH HIGGINSON
State Reclamation Engineer

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 21, 1967

Re: Permit No. G-30439

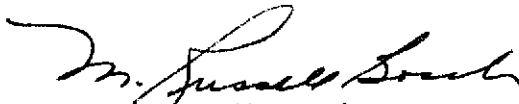
Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to April 7, 1967. The expense of the publication is to be paid by Howard A. Harvey of Hamer, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,


M. Russell Bosch
Office Manager

MRB:nw

Received Feb 27, 1967

Publication dates will be Mar 2-9-16-23, 1967

Thank you

The Rigby Star
MBJ

30439

RECEIVED
FEB 21 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 18, 1967

(P. O.) Hamer, Idaho 83425

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Rigby Star of
Rigby, Idaho Published in
the county in which the works are situated.

Howard A. Harvey
Howard A. Harvey

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached
notice are true.

Engineer

30439

RECEIVED
FEB 21 1967

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at ~~10-100-1~~, on the 7th day of April
1967, at Dubois, County of Clark, State of Idaho
before H.R. Harn, Notary Public, at (address) _____
Dubois, Idaho, proof will be submitted of the completion
of works for the diversion of 4 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G 30439, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Howard A. Harvey, Hamer, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 4 cubic feet per second.

3. The use to which said water has been applied is domestic, stock watering and
irrigation, purposes and the amount applied to beneficial use is
4 cubic feet per second.

4. The point of diversion of said water is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township
7 North, Range 36 East Boise Meridian, County of Jefferson

5. The place where said water is used is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of
Section 10, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, all in Township 7 North,
Range 36 East Boise Meridian, Jefferson County, Idaho NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 15
SW $\frac{1}{4}$ Sec 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec 15, T. 7 N, R. 36 E, B.M.

6. The date of priority which said user is prepared to establish is April 8³, 1962

State Reclamation Engineer

30439

mw

February 21, 1967

Re: Permit No. G-30439

Rigby Star
Rigby, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to April 7, 1967. The expense of the publication is to be paid by Howard A. Harvey of Hamer, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30439

February 21, 1967

Re: Permit No. **G-30439**

Howard A. Harvey
Hamer, Idaho

Dear Mr. Harvey:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-30439**. The proofs are to be made ~~xx~~ ~~xxxxxx~~, on the 7th day of April, 19 67, before H. R. Harn Notary Public.

As of this date, we have mailed the Notice to the Bigby Star, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

MRB:nw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

30439

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 30439

Mr. Howard A. Harvey
Hamer, Idaho

Dear Mr. Harvey:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30439 are due not later than April 9, 1967

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,



STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30439

H. R. HARN
LOANS — REAL ESTATE
P. O. Box 297 — Tel. FRontier 4-5740
DUBOIS, IDAHO

Apr. 19, 1962

RECEIVED
APR 20 1962

Department of Reclamation

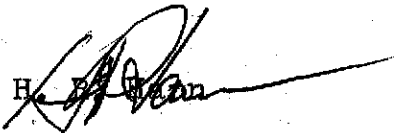
Department of Reclamation
107 State House
Boise, Idaho

Re: Permit No. G-30439, Howard A. Harvey

Gentlemen:

When making captioned Application to
Appropriate the Subterranean Waters of the
State of Idaho by Mr. Harvey, I requested
that all communications be directed to me.
Now that this application has been approved
as applied for, please change your records
so that all communications will go direct to
Mr. Harvey at Hamer, Idaho.

Yours very truly,


H. R. Harn

HRH/pl

cc: Howard A. Harvey
Hamer, Idaho

30439

April 17, 1962

Re: Permit No. G-30439
Howard A. Harvey

Mr. H. R. Harn,
Box 297,
Dubois, Idaho.

Dear Mr. Harn:

We enclose Permit No. G-30439 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-6891 which was issued covering payment in the amount of \$5.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

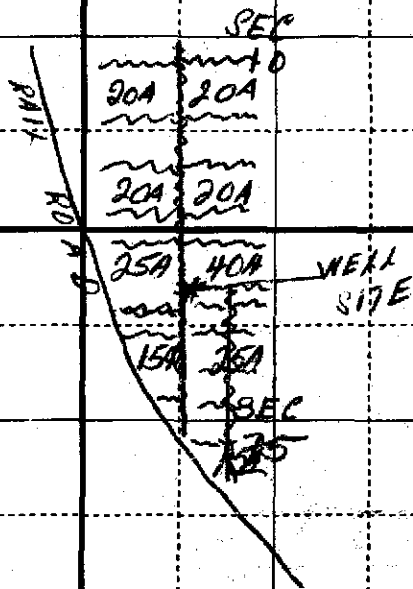
Encl.
EPR:pmk
cc: Howard A. Harvey
Hamer, Idaho

30439

NAME OF APPLICANT.....Howard.....Harvey, Hamer, Idaho.....

Form No. 0

TOWNSHIP 7 NORTH
RANGE 36 E. B. M.
JEFFERSON COUNTY,
Idaho



Permit Map No. 30439
As Approved
GEO. N. CARTER
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30439

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Re: 31-2399
A31-18653

4. Article Number

138056

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X *Nick Mickelsen*

SEP 20 1995

6. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent

X

7. Date of Delivery

7-23-90

MICROFILMED

Water Alloc.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" and attach to number 3.

MICROFILMED

PENALTY FOR PRIVATE
USE, \$300

Print sender's name, address, and ZIP Code in the space below.

RECEIVED
JUL 25 1990
Department of Water Resources

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Blair Grover
Grover & Walker
P.O. Box 36
Bigby, Id 83442-0036

Re: *31-2399*
#31, 10/53

4. Article Number

138058

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Registered Mail ☐ Return Receipt for Merchandise

Obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature -- Addressee

X *Bill Chalky* SEP 10 1953

6. Signature -- Agent

X *BS*

7. Date of Delivery

7-23-99

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

SEP 20 1990

MICROFILMED



**PENALTY FOR PRIVATE
USE, \$300**

RETURN TO

RECEIVED

JUL 25 1990

Print sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

Department of Water Resources

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: *Re: 31-2374
A31-10653*

*Barbara Scott-Brier
Office of the Solicitor, Region
Pacific Northwest
500 N.E. Multnomah, Suite 200
Portland, OR 97232*

5. Signature — Address

X

6. Signature — Agent

X *C. C. Smith*

7. Date of Delivery

7/23/90

4. Article Number

138057

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

8. Addressee's Address (ONLY if requested and fee paid)

SEP 2 1990

Water Allen

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article. Return Receipt Requested adjacent to number.

RECEIVED

JUL 27 1990



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

Print Sender's name, address, and ZIP Code in the space below.

RETURN
TO

SEP 27 1990
DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720
MICROFILMED

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 7th day of April 1967, at Dubois County of Clark, State of Idaho before H. R. Harn, Notary Public, at Dubois, Idaho proof will be submitted of the completion of works for the diversion of 4 cubic feet per second of underground water from a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30439, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Howard A. Harvey, Hamer, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 4 cubic feet per second.

3. The use to which said water has been applied is domestic, stock watering and irrigation, purposes and the amount applied to beneficial use is 4 cubic feet per second.

4. The point of diversion of said water is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 7 North, Range 36 East Boise Meridian, County of Jefferson.

5. The place where said water is used is SW $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15. T. N, R. 36 E, B. M.

6. The date of priority which said user is prepared to establish is April 3, 1962.

R. Keith Higginson, State Reclamation Engineer.

Pub.: Mar. 2, 9, 16, 23, 1967