

09/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 34-17A
NAME AND ADDRESS: ANDREAS AIKELE
ID
SOURCE: BIG LOST RIVER TRIBUTARY: SINKS
QUANTITY: 1.070 CFS
PRIORITY DATE: 05/20/1884
POINT OF DIVERSION:
T05N R26E S4 NWSESE Within BUTTE County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	5/01 10/15	1.070 CFS

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER
RESOURCES.

PLACE OF USE: IRRIGATION Within BUTTE County
T04N R26E S16 NESW 27.0 T04N R26E S16 SESW 27.0

54 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL:

"Shouldn't have done"
4/30 to 10/31
Copy from "C" or "D"

RECEIVED

APR 19 1996

ORIGINAL

NOTICE : 50.00
VARIABLE : 53.50
LATE : 50.00
153.50

Department of Water Resources

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: A34-00017A

Date Received: 10/13/1995

Receipt No: C035359

Received By: SL 4/19/96

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILLY L HARALSON
Address: RT 1 BOX 450
ARCO ID

208-527-3357

83213

2. Date of Priority: MAY 20, 1884

3. Source: BIG LOST RIVER

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	26E	4	NW	SE	SE		BUTTE

5. Description of diverting works:
MOORE CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/15	1.070		

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

A.F.A.

8. Total consumptive use is 133.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	26E	16	NE	SW		IRR	25.5
			SE	SW		IRR	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	53.5
					Total Acres	53.5

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

UTAH CONSTRUCTION CO.
Decree Plaintiff

JOHN F. ABBOTT, ET AL
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Billy L. Harabon Date: 12-28-95

Date:

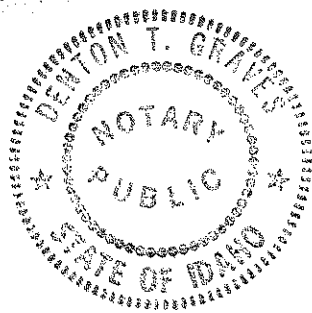
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State of Idaho)
County of BUTTE) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of DECEMBER 19 95

Denton T. Graves
Notary Public

Seal



Residing at Arco, ID.

My Commission Expires 4-23-97

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601
T-100 NH
HARALSON

NHEL
NW
①
31.7

601
T-255
HARALSON

NHEL
NW
②
4.5

NHEL
NW
④
5.3

NHEL
NW
③
31.1

NHEL
NW
①
55.8

50
T-95
BABCOCK
①
20.8

625
T-93
PU

NHEL
NW
③
80.8

②
23.0

③
30.1

1615

2122

625
T-107
PU

66 NH
126 NW
JXTON

⑤
3.8

⑦
8.6

⑥
4.7

17.2

⑧
4.8

⑤
37.0

37.0

②
107.8

④
5.2

⑪
29.0

⑪
11.8

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693
T-594
Beverly

3
T
SP

③
31.0

4.0

601
T-100 NHE
HARALSON

NHEL 255
NW
①
31.7

601
T-255
HARALSON

NHEL
NW
②
4.5

NHEL
NW
④
5.3

28
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NW
③
31.1

NHEL
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T-95
BABCOCK
①
20.8

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17.2

⑧
4.8

⑤
37.0

37.0

311
T-26
SPRA

③
107.8

④
8.2

⑪
29.0

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⑪ NOV 18 1996
11.8

693
T-594
Beverly

NHEL
NW
③
31.0

4.0

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED DANIEL J. HJELM AND
MARCENE HJELM, husband and wife, the Grantor,
 does hereby grant, bargain, sell and convey unto BILLY L. HARALSON AND
SUSAN HARALSON, husband and wife, the Grantee,
 whose current address is Route 1, Box 450, Arco, ID 83213,
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

SEE "EXHIBIT A" ATTACHED

SUBJECT TO: all easements, rights of way, covenants, restrictions,
 patent reservations, applicable building and zoning ordinances and
 use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
 thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
 to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and
 defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED 9-3-93

Daniel J. Hjelm

Marcene Hjelm

STATE OF IDAHO, County of BUTTE

On this 3 day of September 19 93
 before me, Lyle B. Boyer, a

Notary Public in and for the said State personally
 appeared Daniel J. Hjelm AKA Daniel
Jay Hjelm AKA Daniel Hjelm and
Marcene Hjelm AKA Emma Marcene
Hjelm AKA Marcene Hjelm

Known to me to be the person(s) whose name(s)
 subscribed to the within instrument, and acknowl-
 edges to me that they executed the same.

Lyle B. Boyer

Notary Public
Idaho

Registered Arco
 Comm. Expires 5-31-97

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 027225

FILED

SEP 03 1993

A.M. 5:00 P.M.
 BUTTE COUNTY RECORDER

Jean Keith

IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

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POOR ORIGINAL

Exhibit 'A'

TOWNSHIP 4 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

SECTION 16, E1/2 SW1/4, EXCEPTING therefrom the following described parcels:

Beginning at a point marking the Southwest Corner of Section 16; thence S. 89° 37' East 1331.53 feet along the South side of said Section; thence N. 0° 13' 04" West 1495.33 feet to a point in a fence line, which is the True Point of Beginning; thence continuing N. 0° 13' 04" West 116.56 feet along said fence line; thence S. 88° 13' 05" East 451.56 feet; thence South 2° 10' 43" West 287.54 feet; thence S. 88° 12' 39" West 114.60 feet; thence N. 0° 12' 12" West 103.70 feet; thence N. 89° 10' 10" West 320.03 feet to the True Point of Beginning.

ALSO EXCEPTING: A parcel of land generally described as being a portion of the Southeast quarter of the Southwest quarter of Section 16, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho; being more particularly described as follows:

Beginning at the south one-quarter corner of said Section 16, from which the Southwest corner of said Section 16 bears North 89° 37' 00" West, a distance of 2632.99 feet; thence North 00° 22' 57" East along the east boundary of the southwest quarter of said Section 16, a distance of 692.00 feet; thence North 89° 37' 00" West, parallel with the south boundary of the southwest quarter of said Section 16, a distance of 238.66 feet; Thence South 00° 22' 57" West, parallel with the east boundary of the southwest quarter of said Section 16, a distance of 692.00 feet to the south boundary of the southwest quarter of said Section 16; thence South 89° 37' 00" East, along the south boundary of the Southwest quarter of said Section 16, a distance of 238.66 feet to the south one-quarter corner of said Section 16, and the POINT OF BEGINNING.

ALSO TO INCLUDE: An easment as now established for egress and ingress on grantors property.

34-00017A

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