

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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

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:

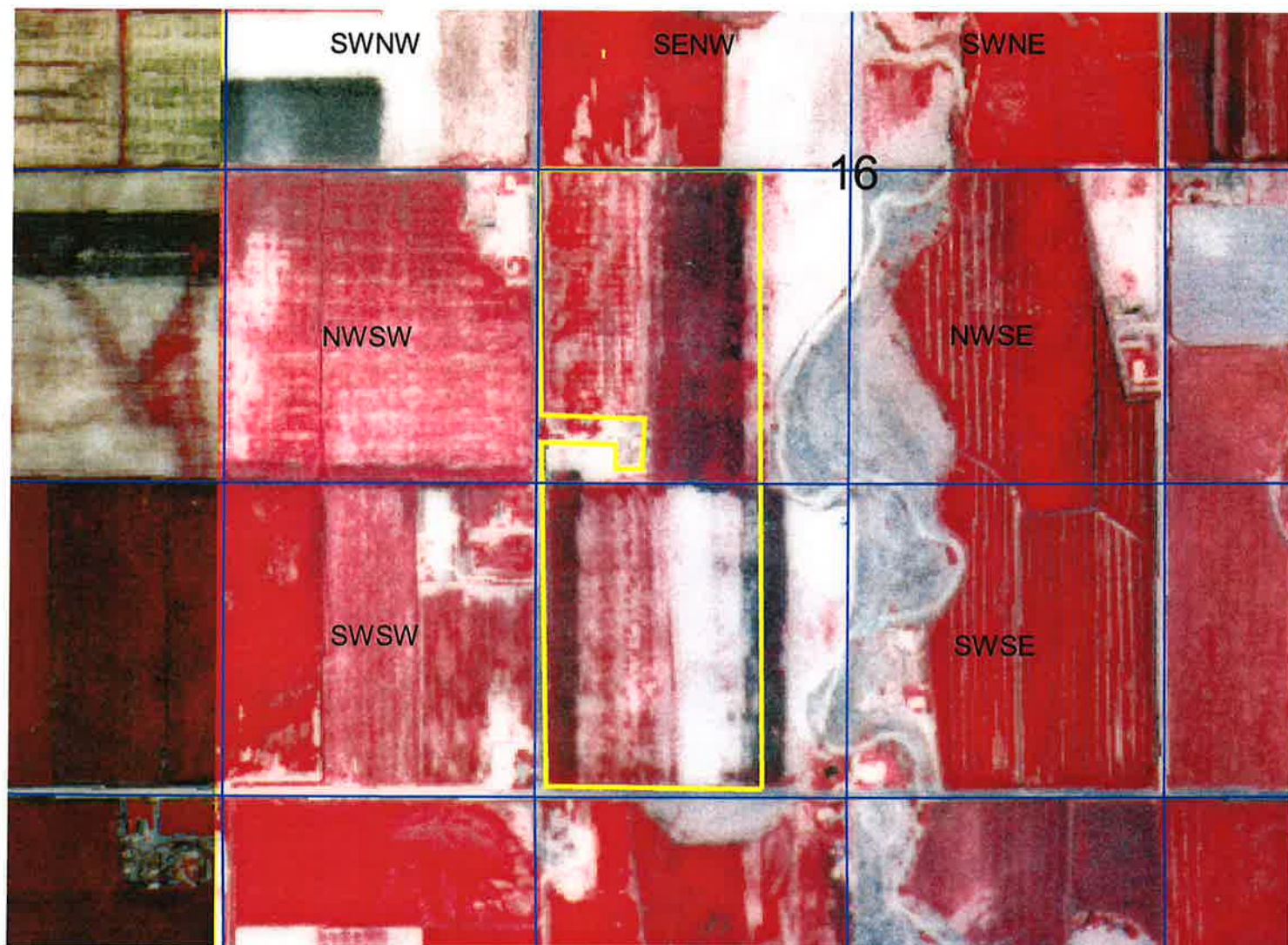


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 34-17A



Acres Irrigated = 53.5

Moore Diversion - West Side Ditch

1000 0 1000 Feet



 GCDBQuarter Section Line
 Place of Use

SCANNED
FEB 06 2003

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: September 2003

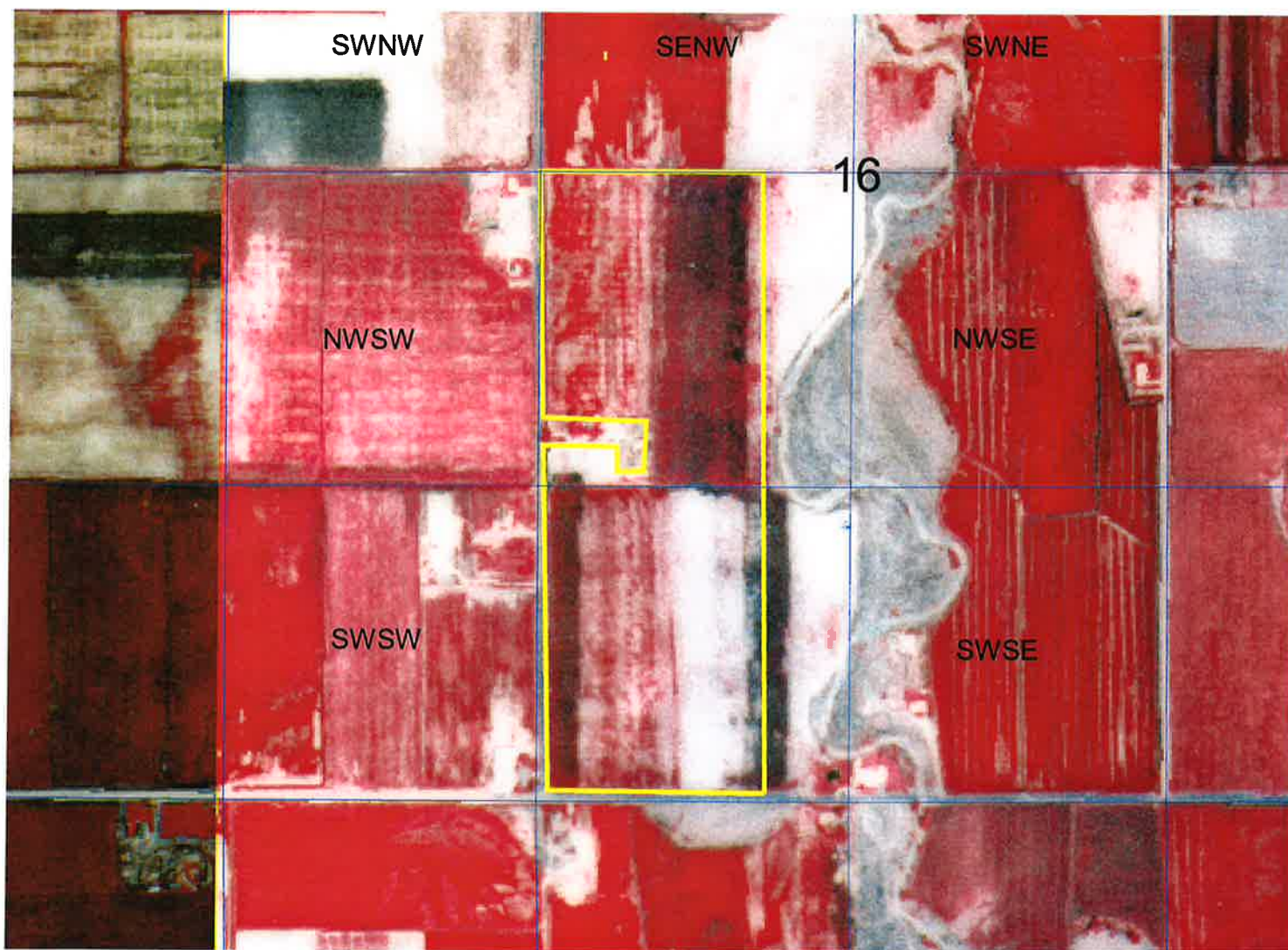


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 34-17A



Acres Irrigated = 53.5

1000 0 1000 Feet

A horizontal scale bar with alternating black and white segments, marked with '1000', '0', and '1000 Feet'.

GCDB Quarter Section Line
 Place of Use

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: September 2003

11:06:03
10/18/99
17

CLAIM NUMBER: A34-00017A

53.5

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 34	Field Inspection Flag:	
		Presumption Flag:	

Moore Diversion, Westside Ditch

C18
"shoulder remarks"
4/30 to 10/31
copy from "C" or "D"

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:45:10
10/18/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A34-00017A

LAST: AIKELE
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: ANDREAS
STATE: ID ZIP: 0

OWNER CODE: O

LAST: HARALSON
ADDRESS: RT 1 BOX 450
CITY: ARCO
PHONE NUMBER: 208-527-3357

FIRST: BILLY L
STATE: ID ZIP: 83213

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

*in-office
review*

A. AJ CLAIM: # A34-00017A PRIORITY DATE: 05-20-1884 STAGE: D

B. WR RECORD: # 34-00017A PRIORITY DATE: 05-20-1884 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

Recommend as previously decreed & claimed.

RECOMMENDED PRIORITY DATE:

05-20-1884

REVIEWED BY

RG

DATE

5/30/2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A34-00017A	05N	26E	4	NW	SE	SE			BUTTE	moor,	Westside ditch

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX

WR RECORDS IN SAME 40 ACRE TRACT

NONE

* 100 A PREFIX CLAIMS WITH THIS POD
** 100 R PREFIX CLAIMS WITH THIS POD

SOURCE: BIG LOST RIVER

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
34-00017A	05N	26E	4		SE	SE			BUTTE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

**** 100 WR RECORDS WITH SAME WR POD
***** 100 A PREFIX CLAIMS IN SAME 40 ACRE TR
***** 100 R PREFIX CLAIMS WITH THIS POD

SOURCE: BIG LOST RIVER

TRIB: SINKS

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

SCANNED
FEB 06 2009

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

POD & source was verified during inspection & partial decree of 34-00017 C+D

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP. 05N	RGE. 26E	SEC. 4	1/4 NW	1/4 SE	1/4 SE	LOT	POD FLAG	COUNTY BUTTE	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	<i>Moore</i>	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BIG LOST RIVER

TRIB: SINKS

REVIEWED BY:

RT

DATE:

5/30/2000

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A34-00017D
A34-00017C
R34-00017C
A34-00017A
R34-00017D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04N	26E	16	NE	SW		HARALSON, BILLY L	A34-00017A / 25.5	34-00017A /		36.0	
			NE	SW		BIG LOST RIVER IRRIGATION DIST	34-1087320/	- /			
			NE	SW		WORK COPY BIG LOST RIVER IRR	DA34-0081025/	- /			
			NE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0001220/	- /			
			NE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0001320/	- /			
			NE	SW		FOSTER, KENT W	R34-0250720/	- /			
			NE	SW		BIG LOST RIVER IRRIGATION DISTR	34-1087320/	- /			
			NE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0081020/	- /			
			NE	SW		LING, RODGER D	R34-0081120/	- /			
			NE	SW		LING, RODGER D	R34-0081720/	- /			
			NE	SW		LING, RODGER D	R34-0081820/	- /			
			NE	SW		LING, RODGER D	R34-1093520/	- /			
04N	26E	16	SE	SW		HARALSON, BILLY L	A34-00017A / 28.0	34-00017A /		40.0	
			SE	SW		WORK COPY BIG LOST RIVER IRR	DA34-0081025/	- /			
			SE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0001220/	- /			
			SE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0001320/	- /			
			SE	SW		FOSTER, KENT W	R34-0250720/	- /			
			SE	SW		LING, RODGER D	R34-0081120/	- /			
			SE	SW		LING, RODGER D	R34-0081720/	- /			
			SE	SW		LING, RODGER D	R34-0081820/	- /			
			SE	SW		LING, RODGER D	R34-1093520/	- /			
			SE	SW		BIG LOST RIVER IRRIGATION DIST	34-1087320/	- /			
			SE	SW		BIG LOST RIVER IRRIGATION DISTR	34-0081020/	- /			
			SE	SW		BIG LOST RIVER IRRIGATION DISTR	34-1087320/	- /			

ADDITIONAL POU FOUND

TOTAL ACRES	A34-00017A	53.50	76.00
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SCANNED
FEB 06 2003

POU COUNTY: BUTTE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A34-00017A	BIG LOST RIVER	HARALSON, BILLY L	1.070	0.020		
R34-0001220	BIG LOST RIVER	BIG LOST RIVER IRRIGATION DIST			17205.00	
R34-0001320	ANTELOPE CREEK	BIG LOST RIVER IRRIGATION DIST	100.000			
R34-0081020	BIG LOST RIVER	BIG LOST RIVER IRRIGATION DIST	3.200		556.50	
A34-0081025	B L R	WORK COPY BIG LOST RIVER IRR D	0.001			
R34-0081120	BIG LOST RIVER	LING, RODGER D	1.700		294.00	
R34-0081720	BIG LOST RIVER	LING, RODGER D	0.800		140.00	
R34-0081820	BIG LOST RIVER	LING, RODGER D	3.200		556.50	
R34-0250720	BIG LOST RIVER	FOSTER, KENT W			6000.00	
R34-1087320	BIG LOST RIVER	BIG LOST RIVER IRRIGATION DIST			20646.00	
34-1087320	BIG LOST RIVER	BIG LOST RIVER IRRIGATION DIST			20646.00	
R34-1093520	BIG LOST RIVER	LING, RODGER D	6.400		1113.00	

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

See GIS shapefile

RECOMMENDATIONS:

TOTAL ACRES: 54 N/A()

REVIEWED BY: RA

DATE: 5/30/00

SCANNED
FEB 06 2003

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A34-00017A IRRIGATION	FROM 05-01 TO 10-15	1.070 CFS	
TOTAL DIVERSION RATE/VOLUME		1.070 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
34-00017A IRRIGATION	FROM 05-01 TO 10-15	1.070 CFS	
TOTAL DIVERSION RATE/VOLUME		1.070 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

As decreed & claimed

SCANNED
FEB 06 2017

WR RECORD CONDITIONS/REMARKS:

GEN TRANS. 747.
P/D HORGER-SULLIVAN DITCH.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION ✓	05-01 10-15 ✓	DATABASE 1.070 ✓ EXAMINER _____	DATABASE EXAMINER _____	DATABASE 133.7 EXAMINER _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		1.070 _____		133.7 _____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: RB

DATE: 5/30/00

FLAG: _____

STANDARD CONDITIONS (CODE):

C18

STANDARD REMARKS (CODE):

"Shoulder remarks" copied from 31-00017C.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 34-00017

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 5.330 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A34-00017A	1.070	R34-00017C	2.556	34-00017	
-	A34-00017C	2.556	R34-00017D	1.714	34-00017A	1.070
-	A34-00017D	1.714	-	over	34-00017B	
-	-	-	-	-	34-00017C	2.556
-	-	-	-	-	34-00017D	1.704
TOTAL CFS		5.340	4.270		5.330	

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

588-2231

Claim No(s). 34-00017A

Claim No(s). 34-00017A

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-30-2000
PAGE: A-1

RIGHTS FROM:	SOURCE: BIG LOST RIVER	TRIBUTARY: SINKS
RIGHT NUMBER:	34-00017C	
NAME & ADDRESS:	DON A AIKELE RT 1 BOX 60 MOORE ID 83255	
SOURCE:	BIG LOST RIVER	TRIBUTARY: SINKS
QUANTITY:	2.556 CFS	
PRIORITY DATE:	05/20/1884	
POINT OF DIVERSION:	T05N R26E S04	NWSESE Within BUTTE County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 05-01 10-15
		QUANTITY 2.556 CFS
PLACE OF USE:	IRRIGATION T04N R26E S17	Within BUTTE County NESW 36 NWSE 37
		NWSW 36 SWSE 34
		SWSW 32
		SESW 37
	212 ACRES TOTAL	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 127.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 207.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00168G AND 34-00654B.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 212 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00168G, 34-00654B AND 34-02358E.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH WESTSIDE DITCH AT THE MOORE DIVERSION.

SCANNED

FEB 06 2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-30-2000
PAGE: A-2

RIGHTS FROM:	SOURCE: BIG LOST RIVER	TRIBUTARY: SINKS
RIGHT NUMBER:	34-00017D	
NAME & ADDRESS:	HERMAN AIKELE 3477 W 2700 N MOORE ID 83255	
SOURCE:	BIG LOST RIVER	TRIBUTARY: SINKS
QUANTITY:	1.704 CFS	
PRIORITY DATE:	05/20/1884	
POINT OF DIVERSION:	T05N R26E S04	NWSESE Within BUTTE County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 05-01 10-15
		QUANTITY 1.704 CFS
PLACE OF USE:	IRRIGATION	Within BUTTE County
	T03N R26E S05	SWSW 3.3
	S06	SWSE 1.6
	S07	NENE 40
	S08	NWNW 33
	T04N R26E S20	NWNW 36
		SESE 13.8
		NWNE 21.8
		SWNE 13.7
		SENE 37
		SENW 21.5
		NWSW 40
		SWSW 40
	394.7 ACRES TOTAL	

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

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 986.7 AF, AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00168F, 34-07164,
34-00654A AND 34-12417.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 42-1416(1).

COPIED
FEB 06 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

April 22, 1996

KARL J. DREHER
DIRECTOR

BILLY L HARALSON
RT 1 BOX 450
ARCO ID 83213

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A34-00017A

Dear Claimant:

Your Notice of Claim to a Water Right was received from the SRBA Court recently. We have enclosed receipt #C035355 for the filing fee and late fee. Please retain the receipt for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Sincerely,



Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region
Enclosure:
Receipt #C035355

MICROFILMED

NOV 18 1996

SCN 100

FEB 18 1997

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED

APR 19 1996

Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

April 17, 1996

Dave Shaw
Adjudication Bureau Chief
Idaho Department of Water Resources
Post Office Box 83720
Boise, Idaho 83720-0098

Re: SRBA Case No. 39576
Subcase 34-00017A

Dear Dave:

Please be advised that on April 16, 1996, a hearing was held on a *Motion to File a Late Notice of Claim*, filed herein by Billy Haralson, in Subcase 34-00017A. As there was no opposition to the motion, Judge Hurlbutt granted same, and an Order was filed on this date. I have enclosed a copy for your reference.

I have also enclosed the **original** *Notice of Claim to a Water Right Acquired Under State Law* and three checks, payable to IDWR, as follows:

1. Check No. 2874, in the amount of \$50.00;
2. Check No. 2875, in the amount of \$50.00; and
3. Check No. 2876, in the amount of \$53.50.

Thank you and if you should have any questions, please do not hesitate to call the SRBA Court at (208) 736-3011.

Very truly yours,

Tiffany M. Hudak,
Deputy Clerk of the Court

MICROFILMED

NOV 18 1996

tmh
Encl:

1996 APR 17 AM 8:45

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase 34-00017A

Case No. 39576

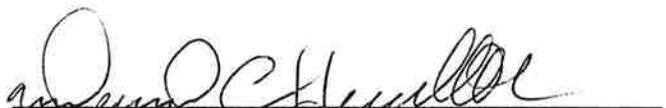
**ORDER GRANTING MOTION TO
FILE A LATE NOTICE OF CLAIM**

A hearing on the *Motion to File a Late Notice of Claim* filed by Billy L. Haralson was held April 16, 1996.

There was no opposition to the motion. For good cause appearing, IT IS ORDERED that the *Motion to File a Late Notice of Claim* is hereby GRANTED.

IT IS SO ORDERED.

DATED April 17, 1996


DANIEL C. HURLBUTT, JR.

Presiding Judge
Snake River Basin Adjudication

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: DL 8/19/96

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:

Department of Water Resources
Eastern Region

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	28.0

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SCANNED

FEB 06 2000

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. Larson Date: 12-28-95

Date: _____
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NOV 18 1996

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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NOV 18 1996
SCANNED
Date: 10/13/95
FEB 06 2003

601
T-100 NW
HARALSON

NHSL
NW
①
31.7

601
T-25
HARALSON

NHSL
NW
②
4.5

NHSL
NW
④
5.3

NHSL
NW
③
31.1

NHSL
NW
①
55.8

50
T-95
BABCOCK
①
20.8

625
T-93
PU

②
23.0

③
30.1

1615

107.8
UXTON

⑤
3.8

⑦
8.6

④
4.7

⑤
37.0

⑧
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⑥
4.6

2122
625
T-107
PU

17.2

37.0

②
107.8

3.
T-
SPI

⑩
29.0

⑪
11.8

NOV 8 1954
NOV 18 1954

693
T-654
Beverly

40

601
T-100 NHE
HARALSON

NHEL 255
NW
①
31.7

601
T-25
HARALSON

NHEL
NW
②
4.5

NHEL
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28
NHEL
NW
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31.1

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BABCOCK
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311
T-20
SPRA

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NOV 18 1996

⑩
11.8

⑪
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693
T-594
Beverly

40

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.

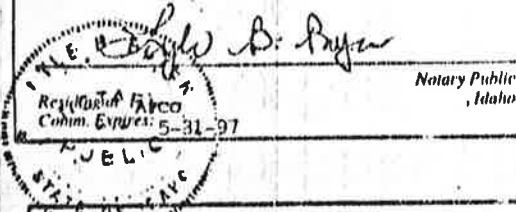
TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances
thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant
to and with the said Grantee that IT is the owner in fee simple of said premises and that IT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



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 80387, Idaho Falls, ID 83405-0387 (208) 522-7895

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NOV 18 1996

POOR ORIGINAL

Exhibit 'A'

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

SECTION 16: $\frac{1}{2}$ SW $\frac{1}{4}$, 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 1495.53 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 207.54 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 328.03 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 easement as now established for egress and ingress on grantors property.

SCANNED

FEB 06 2003

34-00017A

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NOV 18 1996