

**T3185 AIKELE**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 3185

## APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1  
PROPOSED CHANGE

APPROVED

Name of applicant DON AIKELE Phone 527-3325Post Office address Route 1 Box 60, Moore, ID 83255

1. Explain Fully purpose of transfer (if additional remarks are needed explain in item #5 below)

- ☒ Change point of diversion    ☐ Add diversion point    ☐ Change place of use  
☐ Change in nature of use from \_\_\_\_\_ to \_\_\_\_\_    ☐ Other \_\_\_\_\_

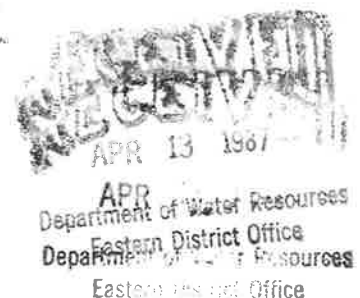
## DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 2. | Right Number   | Priority         | Amount         | Purpose           | Period of Use             |
|----|----------------|------------------|----------------|-------------------|---------------------------|
| a. | <u>34-2309</u> | <u>10-2-1953</u> | <u>2.0 cfs</u> | <u>Irrigation</u> | <u>4-1</u> to <u>11-1</u> |
| b. | _____          | _____            | _____          | _____             | _____ to _____            |
| c. | _____          | _____            | _____          | _____             | _____ to _____            |
| d. | _____          | _____            | _____          | _____             | _____ to _____            |
| e. | _____          | _____            | _____          | _____             | _____ to _____            |
| f. | _____          | _____            | _____          | _____             | _____ to _____            |
| g. | _____          | _____            | _____          | _____             | _____ to _____            |

3. Source of water groundwater tributary to \_\_\_\_\_4. Describe any other water rights for the same purpose(s) as proposed 34-2358B/2308/7244/7039

5. Remarks or Additional Explanation (Dept. Use. — Draw Diagram(s) of proposed right split(s))

Applicant proposes to change the point of diversion.



## 6. Proposed Point(s) of Diversion:

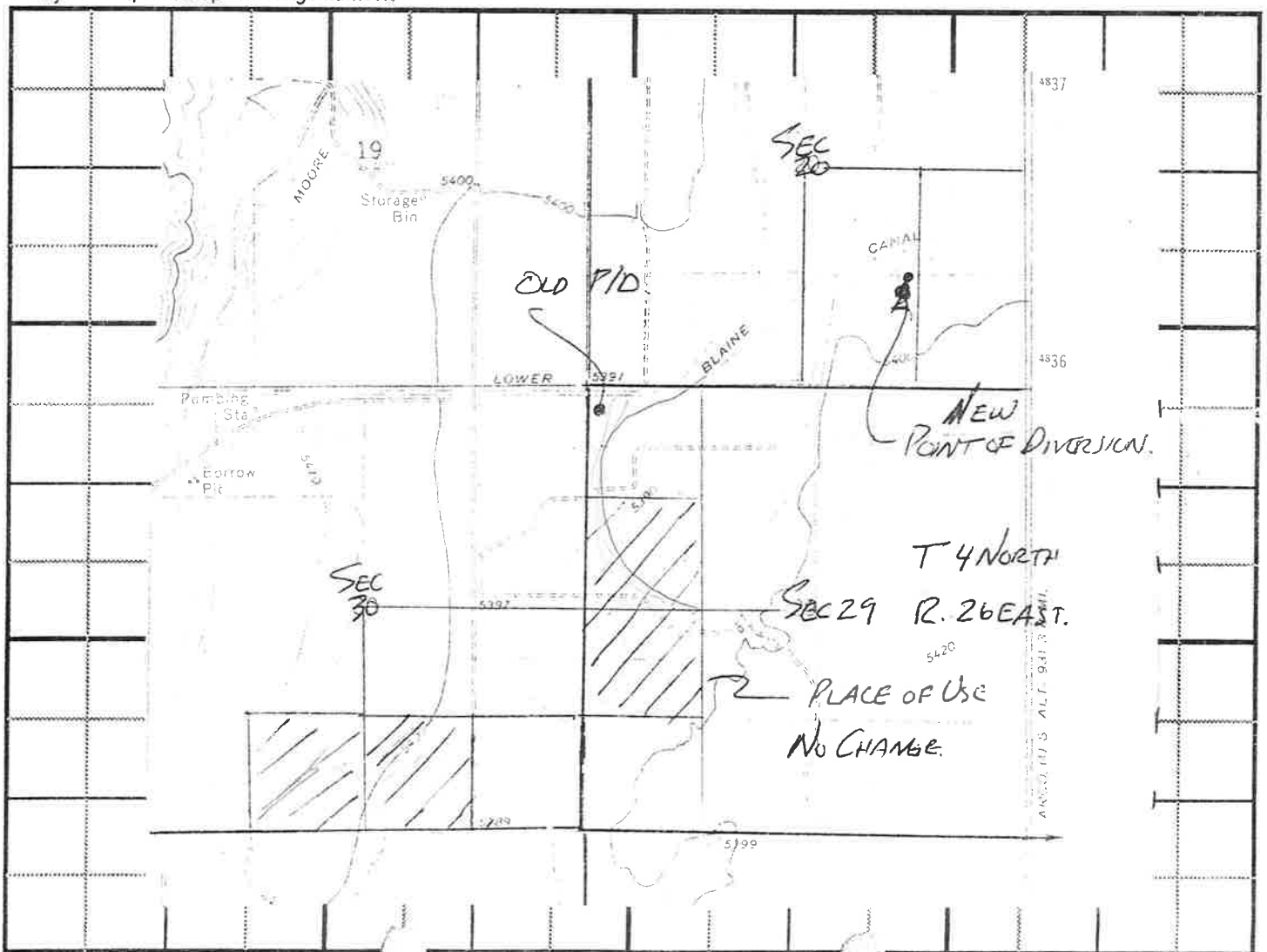
| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County | Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County |
|------|------|------|-----|-----|-----|--------|------|------|------|-----|-----|-----|--------|
| 4N   | 26E  | 20   | NE  | SW  | SE  | Butte  |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |

## 7. Proposed Place(s) 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 |        |
| 4N   | 26E  | 29   |        |        |        |        |        |        | 40     |        |        | 40     |        |        |        |        |        |        | 80     |
|      |      | 30   |        |        |        |        |        |        |        |        |        |        |        | 40     |        |        | 40     |        | 80     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total Acres 160

## 8. Draw or attach a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 2****EXISTING/REMAINING RIGHT**

(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 \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 34-2309 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 of priority 10-2-1953**5. Water is used for the following purpose:**

amount 2.0 for Irrigation purposes from Not Specified

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_

6. Total amount of water under right: a. 2.0 cubic feet per second  
and/or  
b. \_\_\_\_\_ acre feet per annum

**7. Point(s) of Diversion**

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County | Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County |
|------|------|------|-----|-----|-----|--------|------|------|------|-----|-----|-----|--------|
| 4N   | 26E  | 29   |     | NW  | NW  | Butte  |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |

**8. Place(s) 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 |        |
| 4N   | 26E  | 29   |        |        |        |        |        |        | 40     |        |        | 40     |        |        |        |        |        |        | 80     |
|      |      | 30   |        |        |        |        |        |        |        |        |        |        | 40     |        |        |        | 40     |        | 80     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total Acres 160

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? \_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT**

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

1. Amount of water: a. \_\_\_\_\_ cubic feet per second and/or b. \_\_\_\_\_ acre feet per annum
2. Point(s) of Diversion:

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County | Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County |
|------|------|------|-----|-----|-----|--------|------|------|------|-----|-----|-----|--------|
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |

**8. 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total Acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is none)**

1. Amount of water: a. \_\_\_\_\_ cubic feet per second and/or b. \_\_\_\_\_ acre feet per annum
2. Point(s) of Diversion:

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County | Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | County |
|------|------|------|-----|-----|-----|--------|------|------|------|-----|-----|-----|--------|
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |      |      |      |     |     |     |        |

**3. Place(s) of Use: (Attach additional list if required)**

| 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total Acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**  
**ADDITIONAL INFORMATION**

1. If transfer changes nature of use, answer FULLY questions 3 and 4 of this part.
2. If transfer changes place of use:
  - a. 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 change.
  - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 willfull misrepresentations made in this application may result in voiding its approval.

D. A. Cabel

(Signature of Applicant)

Subscribed and sworn to before me this 18<sup>th</sup> day of June, 19 85James W. Warr

(Notary Public)

My commission expires 5-29-1991**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by SM Date 6-18-85 Protest filed by \_\_\_\_\_Prelim. check by \_\_\_\_\_ Fee 50.00 #35439Received by of Date 7-9-85Published in Arco Advertiser Copies of protest forwarded by \_\_\_\_\_Pub. dates 7-25 & 8-1-85 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial\_\_\_\_\_ rec'd. by RDC Jim

Copy of transfer sent to lien holder \_\_\_\_\_

## 7. General Information

- a. Description of diverting works \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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. 34-2309

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

Witness my hand this 6<sup>th</sup> day of April, 19 87.

A. Glen Saxon  
Chief, Operations Bureau