

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 09 2016

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Janet Aikele and Eric Aikele Phone (208) 589-3160Mailing address 3477 West 2700 North Moore, ID 83255 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 update ownership
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.
 This transfer proposes to rearrange the place of use for water rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 to reflect current irrigation practices.

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	34-17D	1.714	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-168F	0.60	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-654A	0.46	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-7164	3.95 / 691.3	Irrigation	4/1 to 11/1	Ground Water
☒ ☐	34-12417	1.02	Irrigation	4/1 to 10/31	Ground Water
☒ ☐	34-13575	1.80	Irrigation	5/1 to 10/15	Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.72 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.34 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	5											3						3
		6															1.2	13	14.2
		7	40	19.5	12	38													109.5
		8						29	37	23									89
04N	26E	20						31	39			39	36	34					179
Total Acres (for irrigation use)																			394.7

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APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Big Lost River rights are delivered through the Moore Diversion. Ground water rights are injected into the Moore Canal. Both points are measured and regulated by the watermaster for Water District 34.

- b. Who owns the property at the point(s) of diversion? N/A Points of diversion are not changing.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A Water rights are not being moved off of property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
 If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Water rights in combination authorize 394.7 acres of irrigation. This transfer simply redefines the place of use for the rights to cover the acres currently being irrigated.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

12/31/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMAN AIKELE 3477 W 2700 N MOORE, ID 83255 (208)527-3113

Status: Active

Tributary SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	1.714 CFS	
	Total Diversion		1.714 CFS	

BIG LOST RIVER **NWSESE** **Sec. 4, Twp 05N, Rge 26E, BUTTE County**

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	26E	5											33						33
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

POU Total Acres: 394.7

1. S34 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.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00168F, 34-00654A, AND 34-13575 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.77 CFS.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00168F, 34-00654A, 34-07164, 34-12417 AND 34-13575.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 128 ACRES WITHIN THE PLACE

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4. C18 OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
6. RIGHT NO. 34-13575 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.

12/31/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMAN AIKELE 3477 W 2700 N MOORE, ID 83255 (208)527-3113

Status: Active

Tributary SINKS

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
5/01	10/15	0.600 CFS
Total Diversion		0.600 CFS

Volume

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

IRRIGATION within BUTTE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	26E	5											33						33
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

POU Total Acres: 394.7

1. S34 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.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00017D, 34-00654A AND 34-13575 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.77 CFS.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00017D, 34-00654A, 34-07164, 34-12417 AND 34-13575.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN THE PLACE

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4. C18 OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
6. RIGHT NO. 34-13575 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.

12/31/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMAN AIKELE 3477 W 2700 N MOORE, ID 83255 (208)527-3113

Status: Active

Tributary SINKS

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
5/01	10/15	0.460 CFS
Total Diversion		0.460 CFS

Sec. 4, Twp 05N, Rge 26E, BUTTE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	26E	5											3.3						3.3
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

POU Total Acres: 394.7

80675"

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4. C18 OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
6. RIGHT NO. 34-13575 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.
WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.

12/31/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMAN AIKELE 3477 W 2700 N MOORE, ID 83255 (208)527-3113

Status: Active

Tributary

<u>Source and Point(s) of Diversion</u>		
GROUND WATER	NESWNW	Sec. 20, Twp 04N, Rge 26E, BUTTE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	26E	5											33						33
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

POU Total Acres: 394.7

1.	USE OF THIS RIGHT WITH RIGHT NO. 34-12417 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1381.5 AF IN A SINGLE IRRIGATION SEASON.
2.	USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00017D, 34-00168F, 34-00654A, 34-12417 AND 34-13575. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 197.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

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- 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.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 34-12417 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
RIGHT NO. 34-12417 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

12/31/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMAN AIKELE 3477 W 2700 N MOORE, ID 83255 (208)527-3113

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	1.020 CFS	
	Total Diversion		1.020 CFS	

Sec. 20, Twp 04N, Rge 26E, BUTTE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	26E	5											3.3						3.3
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

1.		USE OF THIS RIGHT WITH RIGHT NO. 34-07164 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.95 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1381.5 AF IN A SINGLE IRRIGATION SEASON.
2.	C11	THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
3.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00017D, 34-00168F, 34-00654A, 34-07164 AND

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- 34-13575.
4. C18 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.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-07164
PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NO. 34-07164 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 197.2 ACRES WITHIN THE PLACE OF
USE DESCRIBED FOR THIS RIGHT.

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Water Right 34-13575

Owner Type **Name and Address**
Current Owner HERMAN AIKELE
3477 W 2700 N
MOORE, ID 83255
(208)527-3113

Current Owner ERIC AIKELE
3477 W 2700 N
MOORE, ID 83255
(208)527-3113

Priority Date: 5/1/1981

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	1.800 CFS	
	<u>Total Diversion</u>		1.800 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	5											3.3						3.3
03N	26E	6															1.6	13.8	15.4
03N	26E	7	40.0	21.8	13.7	37.0													112.5
03N	26E	8						33.0	33.0	21.5									87.5
04N	26E	20						36.0	40.0			40.0	40.0	20.0					176.0

POU Total Acres: 394.7

Conditions of Approval:

1. S34 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.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-00017D, 34-00168F AND 34-00654A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.77 CFS.
3. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS

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ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 394.7 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS.: 34-00017D, 34-00168F, 34-00654A, 34-07164 AND 34-12417.

5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 34-00017D, 34-00168F AND 34-00654A PURSUANT TO SECTION 42-1426, IDAHO CODE.

6. C18 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.

7. THIS RIGHT IS FOR AN ENLARGEMENT OF 213.7 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #7b.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it Attachment #8a.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

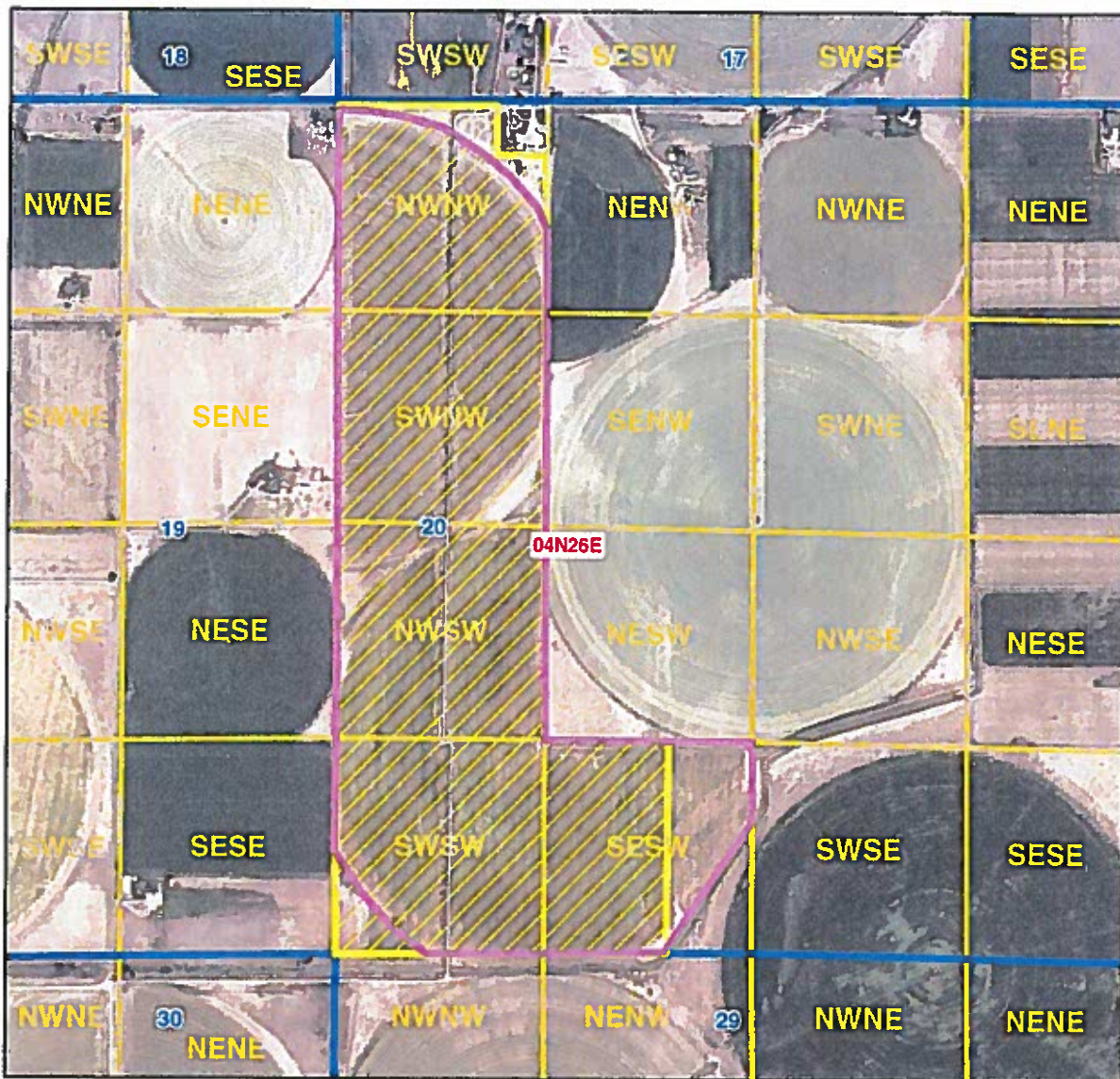
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 650.00 Date 2-10-2016 Received by [Signature] Receipt # E041815

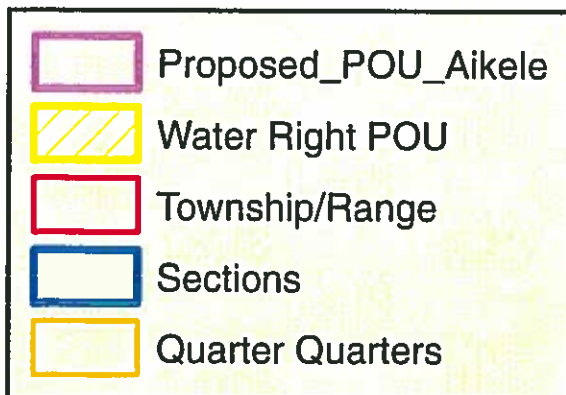
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Application for Transfer - Aikele



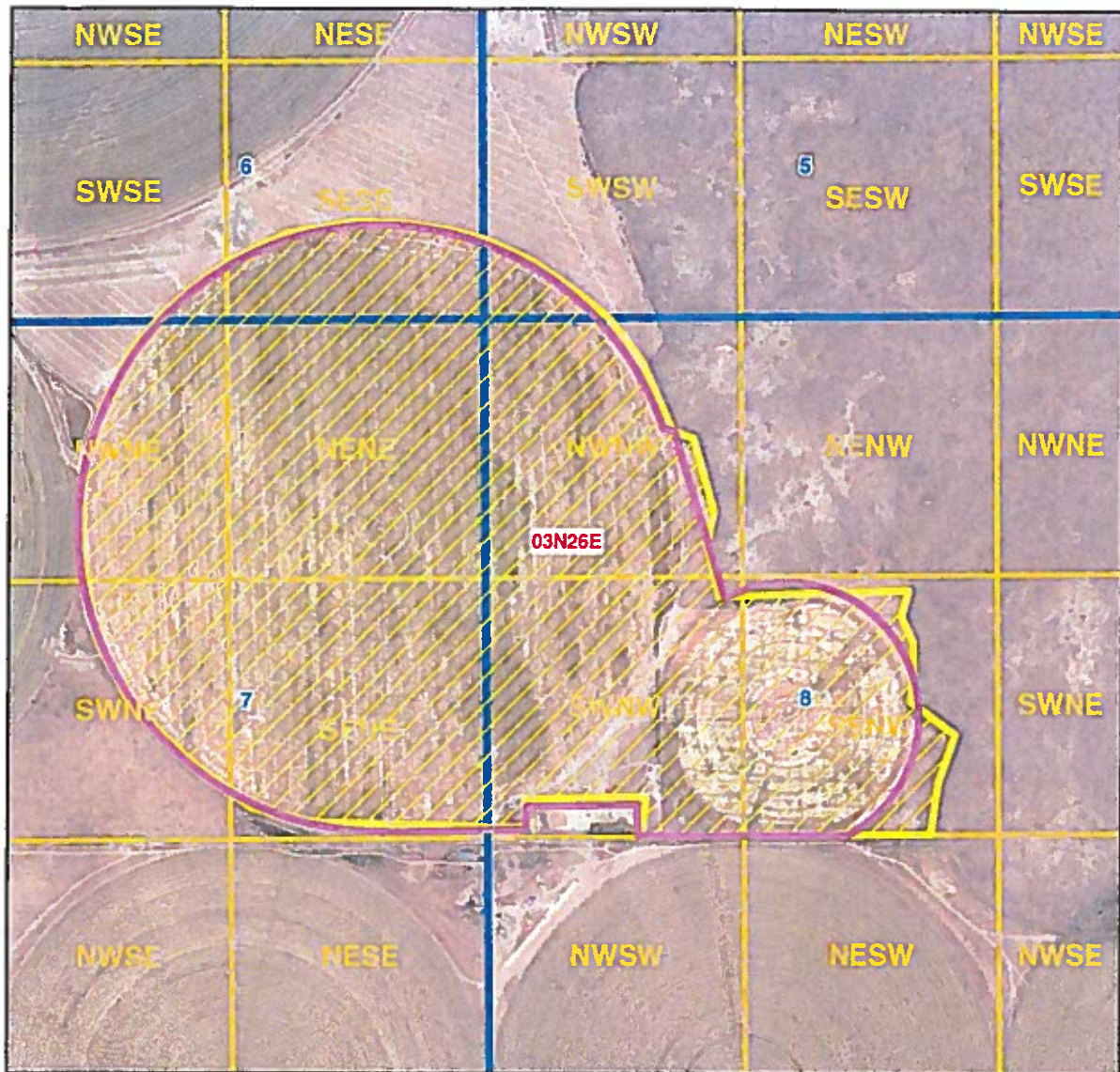
2015 Aerial Photo



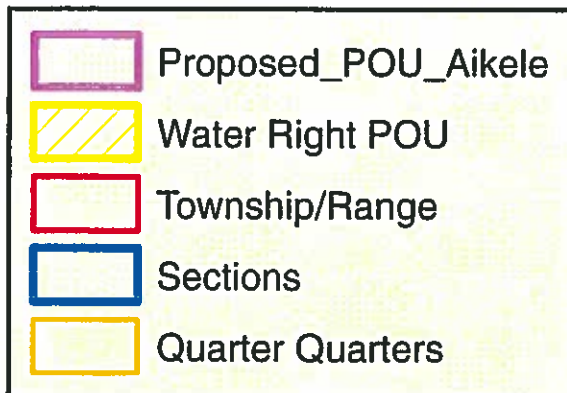
0 1,000 2,000 Feet



Application for Transfer - Aikele



2015 Aerial Photo



0 750 1,500 Feet



NO. 0052642

RECORDED

AFTER RECORDING RETURN TO:

Stephen D. Hall
PETERSEN MOSS HALL & OLSEN
485 "E" Street
Idaho Falls, ID 83402
(208)523-4650

JUN 25 2015

A.M. 4:11 P.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

QUITCLAIM DEED made this 19th day of June, 2015, between **Atha Aikele**, a widow (Transferor), and **Eric Aikele and Janet Aikele**, whose mailing address is P.O. Box 10, Arco, Idaho 83213, herein referred to as Transferee, WITNESSETH:

That Transferor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to him in hand paid by Transferee, the receipt whereof is acknowledged, does by these presents remise, release and forever quitclaim unto Transferee and to his heirs and assigns all of that certain parcel of land situated, lying and being in the County of Butte, State of Idaho, bounded and particularly described as follows:

Farm 101

Parcel 1: Township 3 North, Range 26 E.B.M., Butte County, Idaho

Section 7: NE $\frac{1}{4}$, EXCEPT the West 454 feet;

Section 8: S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

ALSO EXCEPT three parcels of land in Section 7, Township 3 North, Range 26 E.B.M., described as:

EXCEPTION PARCEL 1: That portion of the NE $\frac{1}{4}$ of Section 7 that is not irrigated by a certain 11 Tower, 1560 feet long Wade Rain Center Pivot Sprinkler System, being in the Northwesterly corner of said NE $\frac{1}{4}$, EXCEPT that portion lying in the West 454 feet of said NE $\frac{1}{4}$

EXCEPTION PARCEL 2: That portion of the NE $\frac{1}{4}$ of Section 7 that is not irrigated by a certain 11 Tower, 1560 feet long Wade Rain Center Pivot Sprinkler System, being in the Southwesterly corner of said NE $\frac{1}{4}$, EXCEPT that portion lying in the West 454 feet of said NE $\frac{1}{4}$

Note: the center of said center pivot irrigation system is located approximately 1120 feet South and 520 feet West of the SE corner of Section 6, Township 3 North, Range 26 E.B.M.

EXCEPTION PARCEL 3: Part of the Northeast Quarter of Section 7, Township 3 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as follows: Beginning at a point on a curve that is created by an existing irrigation pivot that is North 89°52'38" East 454.00 feet along the section line and South

00°18'27" East 544.88 feet from the North Quarter corner of said Section 7 and running thence 1041.74 feet to the right along said curve, Curve Data: Radius = 1562.00 feet, Delta = 38°12'45", Chord bearing = South 00°18'76" East 1022.55 feet to a point that is 454.00 feet perpendicular to the west line of the Northeast Quarter of said Section 7; thence North 00°18'27" West 1022.55 feet parallel with said west line of the Northeast Quarter to the point of beginning. Parcel contains 1.35 acres.

Parcel 2: A parcel of land in Sections 5 and 6, Township 3 North, Range 26 East of the Boise Meridian; being that portion of the S½SE¼ of Section 6 and that portion of the SW¼SW¼ of Section 5 that are irrigated by a certain 11 Tower, 1560 feet long Wade Rain Center Pivot Irrigation System, which pivot has its center point in the NE¼ of Section 7, said center point being located approximately 1120 feet South and 520 feet West of the SE corner of Section 6.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises together with the appurtenances unto Transferee and to his heirs and assigns forever.

IN WITNESS WHEREOF Transferor has hereunto set his hand the day and year first above written.

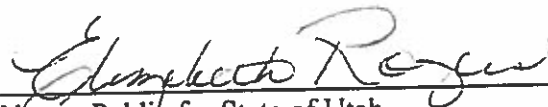


Atha Aikele

STATE OF UTAH)
) ss.
County of Washington)

On June 19th, 2015, before me, the undersigned Notary Public in and for the State of Utah, personally appeared Atha Aikele, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)



Notary Public for State of Utah

Residing at: St. George, UT

My Commission Expires: 10-14-2018

AFTER RECORDING RETURN TO:

Stephen D. Hall
PETERSEN MOSS HALL & OLSEN
485 "E" Street
Idaho Falls, ID 83402
(208)523-4650

JUN 25 2015

4:12
A.M. P.M.
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

QUITCLAIM DEED made this 17th day of June, 2015, between **Atha Aikele**, a widow (Transferor), and **Eric Aikele and Janet Aikele**, whose mailing address is P.O. Box 10, Arco, Idaho 83213, herein referred to as Transferee, WITNESSETH:

That Transferor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to him in hand paid by Transferee, the receipt whereof is acknowledged, does by these presents remise, release and forever quitclaim unto Transferee and to his heirs and assigns all of that certain parcel of land situated, lying and being in the County of Butte, State of Idaho, bounded and particularly described as follows:

Farm 100

Parcel 1: All of the $W\frac{1}{2}W\frac{1}{2}$, of Section 20, Township 4 North, Range 26 E.B.M., containing 160 acres more or less; less that portion thereof described as: Beginning at the Northwest corner of Section 20, Township 4 North, Range 26 E.B.M., thence South 150 feet, thence East 100 feet, thence North 150 feet, thence West 100 feet to the point of beginning, containing .3447 acres more or less.

Parcel 2: All that portion of the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 20, Township 4 North, Range 26 E.B.M., lying North and West of the old U.C. Canal, containing 23.78 acres more or less

Parcel 3: Part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 20; thence North $89^{\circ}40'02''$ East 1301.26 feet along the North line of said section to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, said point being the Point of Beginning; thence continuing along said North line North $89^{\circ}40'02''$ East 25.91 feet to a point that is the intersection of said North line and an existing North-South fence line; thence along said existing fence line the following two (2) courses; (1) South $01^{\circ}58'34''$ West 142.76 feet; thence (2) South $00^{\circ}18'50''$ West 1542.61 feet; thence South $64^{\circ}37'34''$ West 11.10 feet to the West line of the Southeast $\frac{1}{4}$ of said Northwest $\frac{1}{4}$; thence North $00^{\circ}05'05''$ West 376.07 feet to the Northwest corner of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; thence North $00^{\circ}05'05''$ West 1313.80 feet along the West line of the Northeast $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ to the Point of Beginning.

EXCEPTING THEREFROM: Beginning at a point that is 425 feet West and 250 feet South from the Northeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of Section 20, Township 4 North, Range 26 East, Boise Meridian, thence South 50 feet; thence West 50 feet; thence North 50 feet; thence East 50 feet to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises together with the appurtenances unto Transferee and to his heirs and assigns forever.

QUITCLAIM DEED - 1

IN WITNESS WHEREOF Transferor has hereunto set his hand the day and year first above written.

Atha Aikele

Atha Aikele

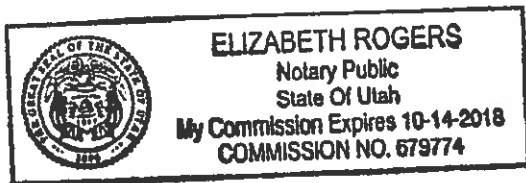
STATE OF UTAH

County of Washington

SS.

On June 19th, 2015, before me, the undersigned Notary Public in and for the State of Utah, personally appeared Atha Aikele, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

(SEAL)



Elizabeth Rogers

Notary Public for State of Utah

Residing at: St. George, UT

My Commission Expires: 10-14-2018