

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80675**

This is to certify that: ERIC AIKELE AND
JANET AIKELE
PO BOX 10
ARCO, ID 83213

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-12417	WR/DECREED	5/1/1981	1.020 cfs	N/A	N/A	394.7	GROUND WATER
34-13575	WR/DECREED	5/1/1981	1.800 cfs	N/A	N/A	394.7	BIG LOST RIVER
34-168F	WR/DECREED	6/1/1883	0.600 cfs	N/A	30.0	394.7	BIG LOST RIVER
34-17D	WR/DECREED	5/20/1884	1.714 cfs	N/A	128.0	394.7	BIG LOST RIVER
34-654A	WR/DECREED	3/27/1899	0.460 cfs	N/A	23.0	394.7	BIG LOST RIVER
34-7164	WR/DECREED	12/14/1976	3.950 cfs	691.3 af	197.5	394.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
34-12417	NO	NO	YES	NO	NO	NO
34-13575	NO	NO	YES	NO	NO	NO
34-168F	NO	NO	YES	NO	NO	NO
34-17D	NO	NO	YES	NO	NO	NO
34-654A	NO	NO	YES	NO	NO	NO
34-7164	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-12417	34-12417	1.020 cfs	N/A	197.2	394.7	N/A	N/A	N/A	N/A	N/A
34-13575	34-13575	1.800 cfs	N/A	213.7	394.7	N/A	N/A	N/A	N/A	N/A
34-168F	34-168F	0.600 cfs	N/A	30.0	394.7	N/A	N/A	N/A	N/A	N/A
34-17D	34-17D	1.714 cfs	N/A	128.0	394.7	N/A	N/A	N/A	N/A	N/A
34-654A	34-654A	0.460 cfs	N/A	23.0	394.7	N/A	N/A	N/A	N/A	N/A
34-7164	34-7164	3.950 cfs	691.3 af	197.5	394.7	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		6.720 cfs	N/A	394.7	394.7		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 34-17B

Transfer No. 80675

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80675

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 22nd day of March, 2016.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 34-17D **As Modified by Transfer No. 80675**

In accordance with the approval of Transfer No. 80675, Water Right No. 34-17D is now described as follows:

Right Holder: JANET AIKELE AND
ERIC AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 5/20/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
1.714 cfs
1.714 cfs

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	5											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			39.0	36.0	34.0					179.0

Right Acre Limit: 128.0
POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 128 acres within the authorized place of use in a single irrigation season.
2. Rights 34-17D, 34-168F, 34-654A and 34-13575 when combined shall not exceed a total diversion rate of 2.77 cfs.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-17D
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 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.
8. Right No. 34-13575 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Water is delivered through the Moore Diversion, Westside Canal.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-168F**As Modified by Transfer No. 80675**

In accordance with the approval of Transfer No. 80675, Water Right No. 34-168F is now described as follows:

Right Holder: JANET AIKELE AND
ERIC AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 6/1/1883

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 to **To** 10/15

Diversion Rate
0.600 cfs
0.600 cfs

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			39.0	38.0	34.0					179.0

Right Acre Limit: 30.0

POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. Rights 34-17D, 34-168F, 34-654A and 34-13575 when combined shall not exceed a total diversion rate of 2.77 cfs.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-168F
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 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.
8. Right No. 34-13575 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Water is delivered through the Moore Diversion, Westside Canal.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-654A**As Modified by Transfer No. 80675**

In accordance with the approval of Transfer No. 80675, Water Right No. 34-654A is now described as follows:

Right Holder: JANET AIKELE AND
ERIC AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 3/27/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 to **To** 10/15

Diversion Rate
0.460 cfs
0.460 cfs

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			99.0	36.0	34.0					179.0

Right Acre Limit: 23.0

POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23 acres within the authorized place of use in a single irrigation season.
2. Rights 34-17D, 34-168F, 34-654A and 34-13575 when combined shall not exceed a total diversion rate of 2.77 cfs.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-654A
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 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.
8. Right No. 34-13575 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Water is delivered through the Moore Diversion, Westside Canal.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-7164**As Modified by Transfer No. 80675**

In accordance with the approval of Transfer No. 80675, Water Right No. 34-7164 is now described as follows:

Right Holder: JANET AIKELE AND
ERIC AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 12/14/1976

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 11/01

Diversion Rate
3.950 cfs
3.950 cfs

Diversion Volume
691.3 af
691.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWNW Sec 20 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

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											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			39.0	38.0	34.0					179.0

Right Acre Limit: 197.5

POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 197.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7164 and 34-12417 when combined shall not exceed a total diversion rate of 3.95 cfs and a total annual maximum diversion volume of 1381.5 af.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-7164
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. Right No. 34-12417 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-12417**As Modified by Transfer No. 80675**

In accordance with the approval of Transfer No. 80675, Water Right No. 34-12417 is now described as follows:

Right Holder: JANET AIKELE AND
ERIC AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 5/1/1981

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
1.020 cfs
1.020 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWNW Sec 20 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

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											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			39.0	38.0	34.0					179.0

Right Acre Limit: 197.2

POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 197.2 acres within the place of use described for this right.
2. Rights 34-7164 and 34-12417 when combined shall not exceed a total diversion rate of 3.95 cfs and a total annual maximum diversion volume of 1381.5 af.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-12417
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 80675, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. This right is based upon an enlargement of 34-7164 for 197.2 acres pursuant to section 42-1426, Idaho Code.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13575

As Modified by Transfer No. 80675

In accordance with the approval of Transfer No. 80675, Water Right No. 34-13575 is now described as follows:

Right Holder: ERIC AIKELE AND
JANET AIKELE
PO BOX 10
ARCO, ID 83213

Priority Date: 5/1/1981

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
1.800 cfs
1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

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

PLACE OF USE: IRRIGATION

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											3.0						3.0
03N	26E	6															1.2	13.0	14.2
03N	26E	7	40.0	19.5	12.0	38.0													109.5
03N	26E	8						29.0	37.0	23.0									89.0
04N	26E	20						31.0	39.0			39.0	36.0	34.0					179.0

Right Acre Limit: 213.7

POU Total Acres: 394.7

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 213.7 acres within the place of use described for this right.
2. Rights 34-17D, 34-168F, 34-654A and 34-13575 when combined shall not exceed a total diversion rate of 2.77 cfs.
3. Rights 34-17D, 34-168F, 34-654A, 34-7164, 34-12417 and 34-13575 when combined shall not exceed the irrigation of 394.7 acres.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 80675

WATER RIGHT NO. 34-13575
As Modified by Transfer No. 80675

CONDITIONS OF APPROVAL

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
7. 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.
8. This right is based upon an enlargement of 34-17D, 34-168F and 34-654A for 213.7 acres pursuant to Section 42-1426, Idaho Code.
9. 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.
10. Water is delivered through the Moore Diversion, Westside Canal.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.