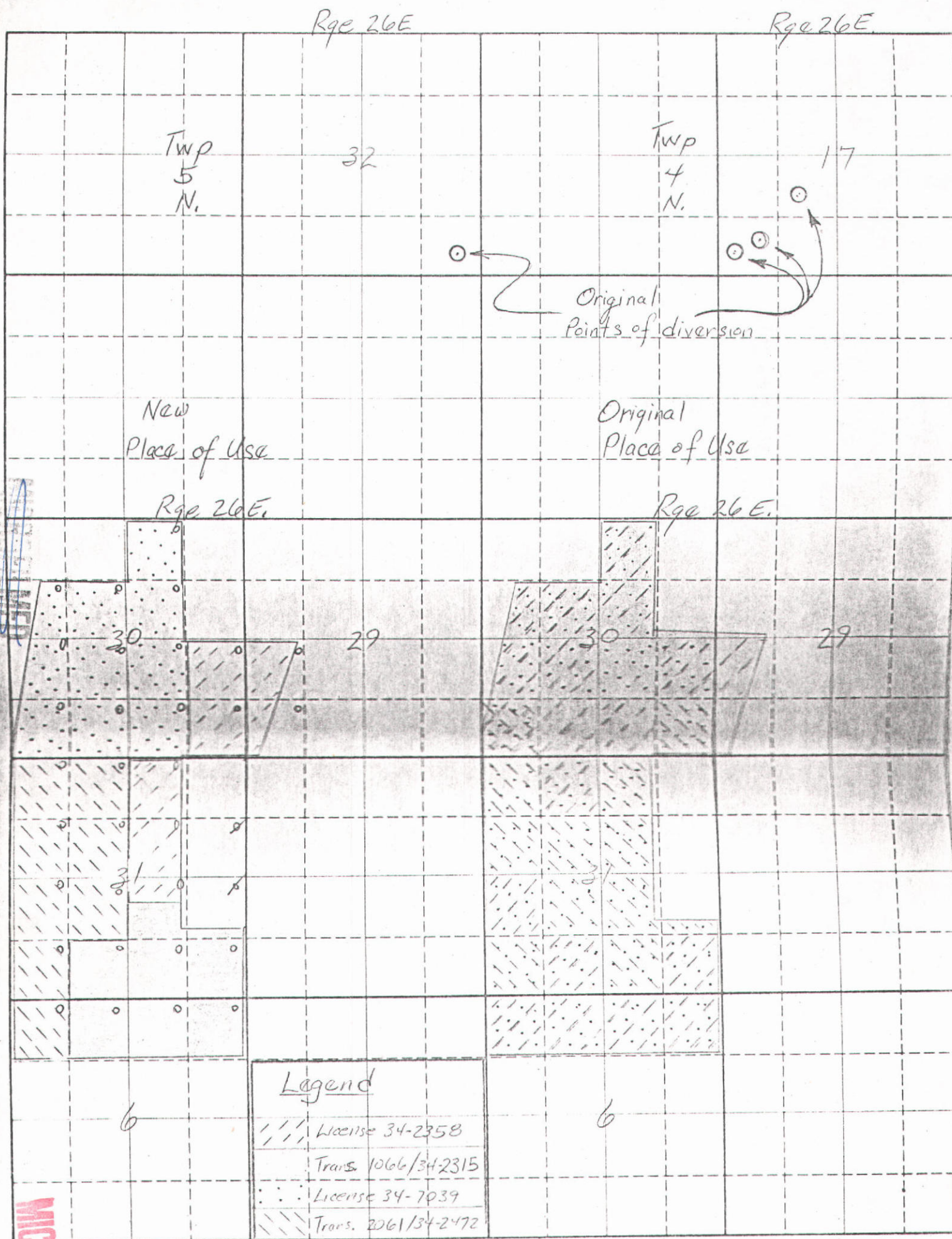
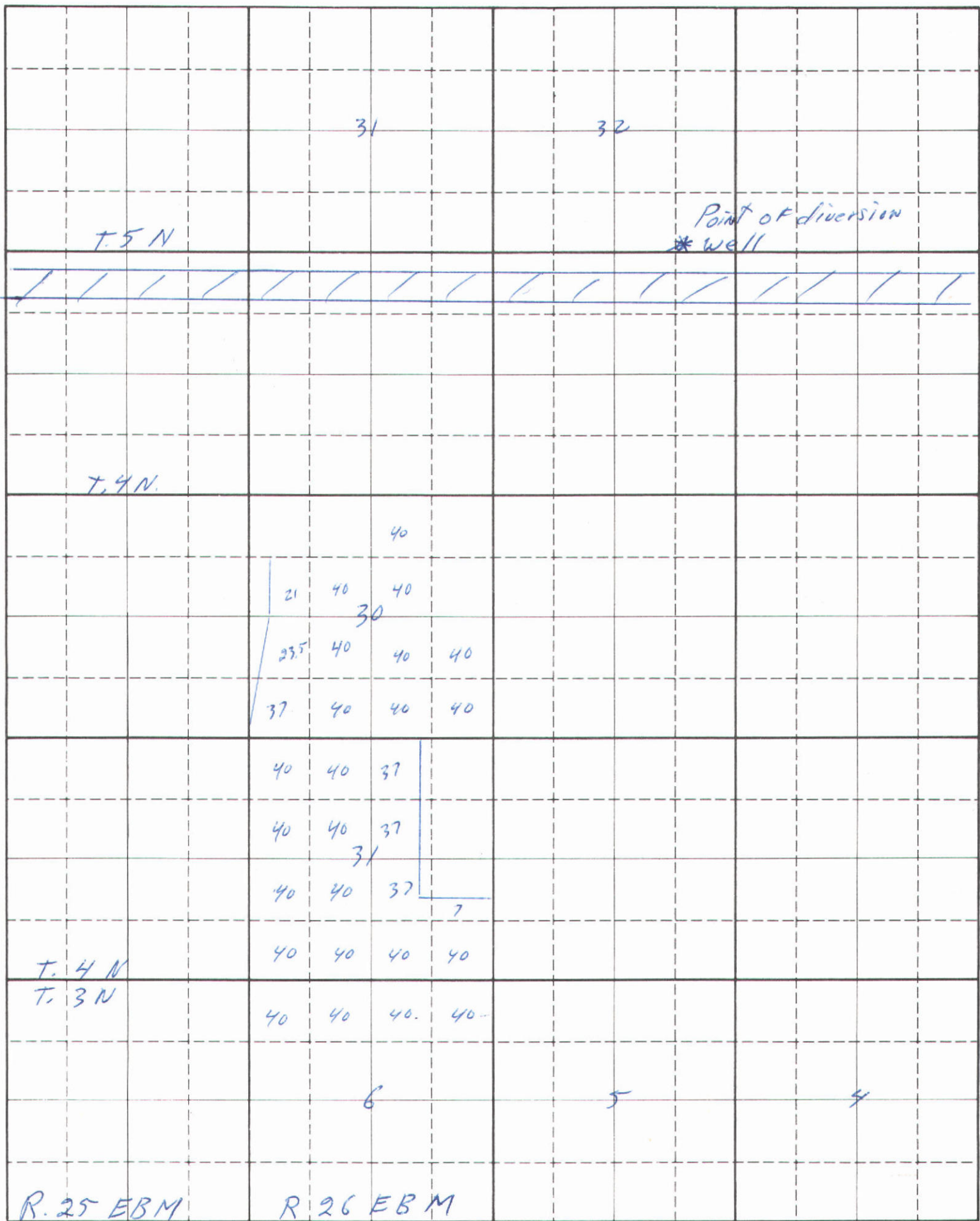


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

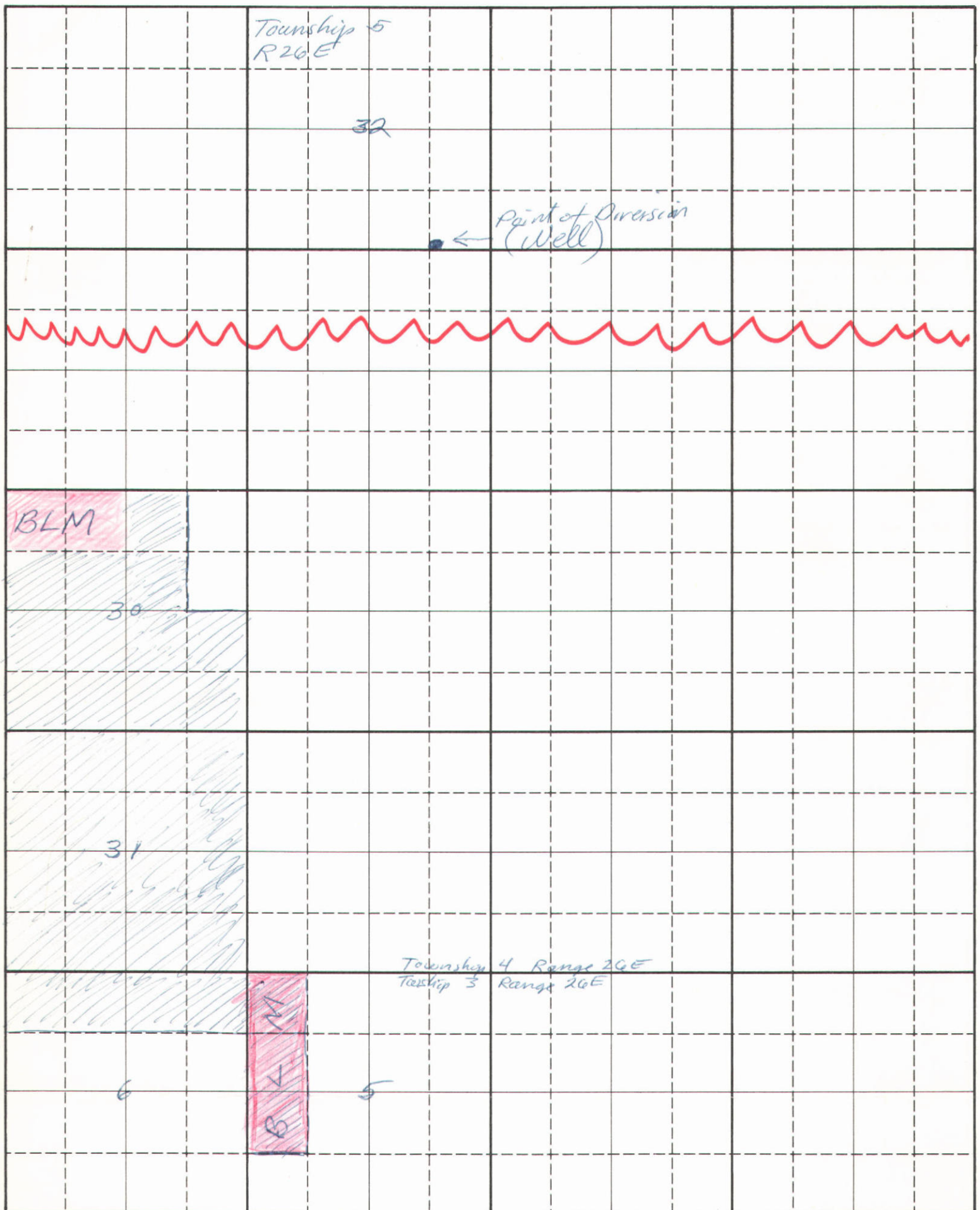


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)
Mary Anne Fikela

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Heuman Aikel
(Applicant)
Altha Aikel
Paul Aikel
Harold Aikel

RECEIVED

JUL 24 1973

Department of Water Administration
Eastern District Office

Affidavit of Publication

L. Ella Cammack, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated July 5, 1973

and ending with the issue dated July 12, 1973

L. Ella Cammack

Subscribed and sworn to before me this

23 day of July, 1973

[Signature]
Notary Public

Residence: Arco, Idaho. Nov 6, 1975
My commission expires

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Juel & Mary Ann and Herman
& Atha Aikele, P.O. Box 153,
Arco, Idaho have on 6/25/73
submitted Application No. 34-
7039 for a permit to appropri-
ate 10.0 cubic feet per second
of water from a ground-water
source by means of well and
pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 32, T. 5N, R. 26E, B.M.,
Butte County; to be used from
May 1 to Oct. 31 for the irri-
gation of 1435 acres within the
W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5;
N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T.
3N, R. 26E; all of Sec. 31;
W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 30,
T. 4N, R. 26E, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed
with the Idaho Department
of Water Administration, 240
South Holmes, Idaho Falls, Ida-
ho, 83401 on or before July 23,
1973.

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser, Arco, Idaho on July 5
and July 12, 1973.

MICROFILMED

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

36

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L 34 - 2389 - 2915
P 34 - 2472 - 9.6x15

~~2389 - 2472~~

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345-2514

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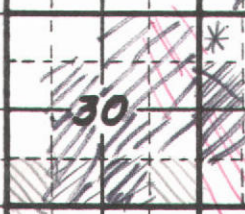
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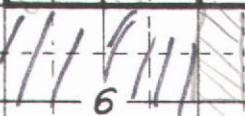
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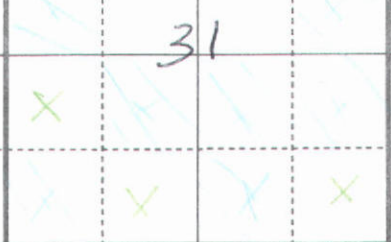
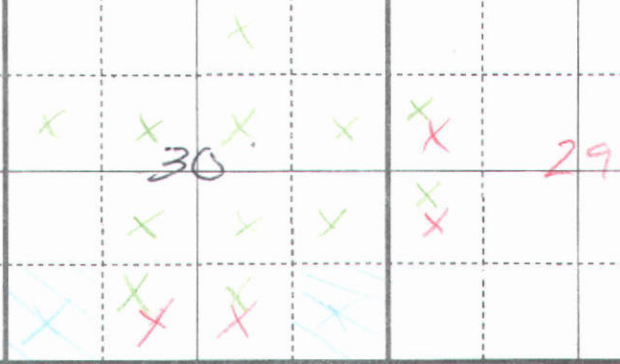
6



Pyramid L 34-2972 - 6 22-1/2 -

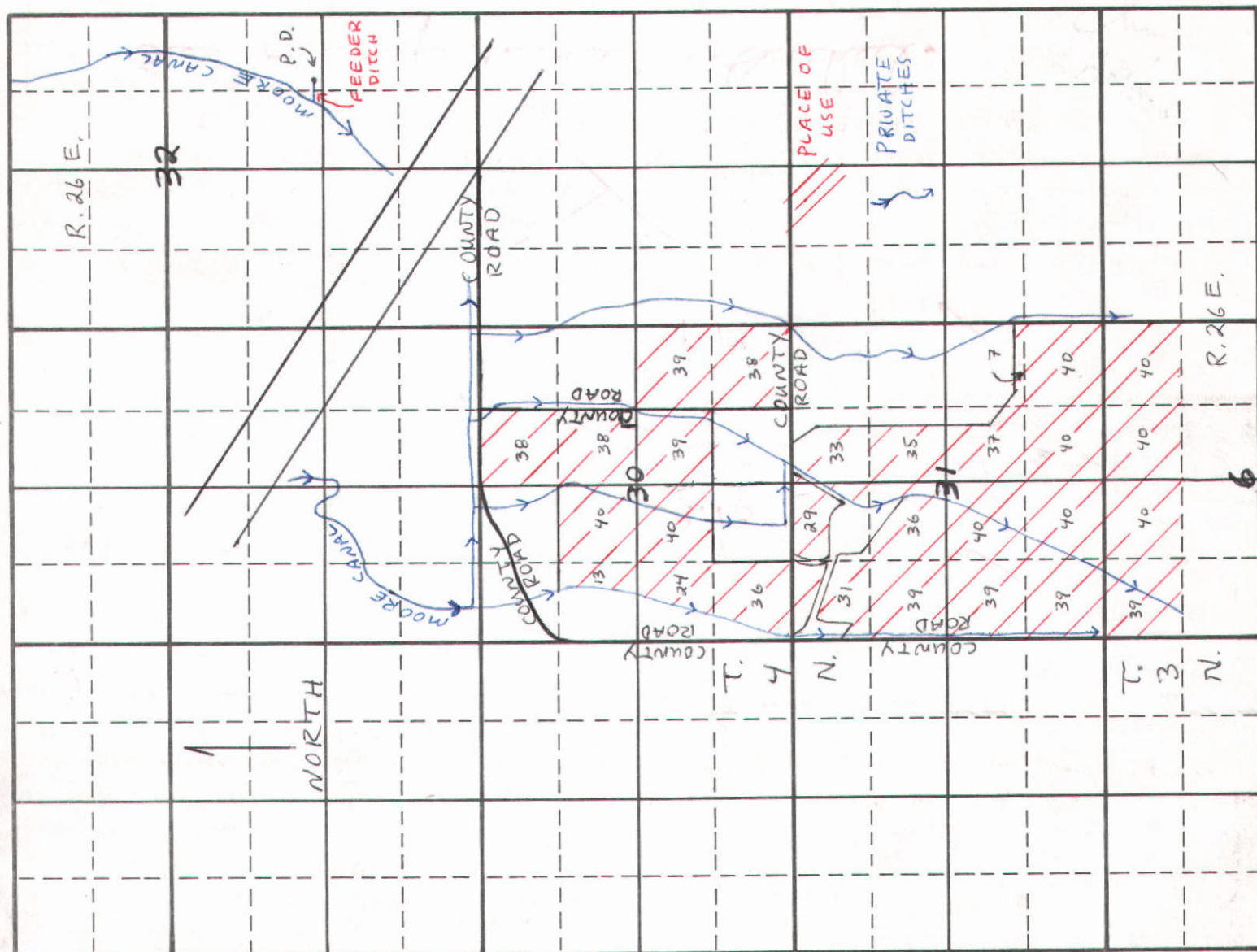
L 34-2309 - 2 cfs - 1600 cu

L 34-2315 7-1066 - 7.02 cfs



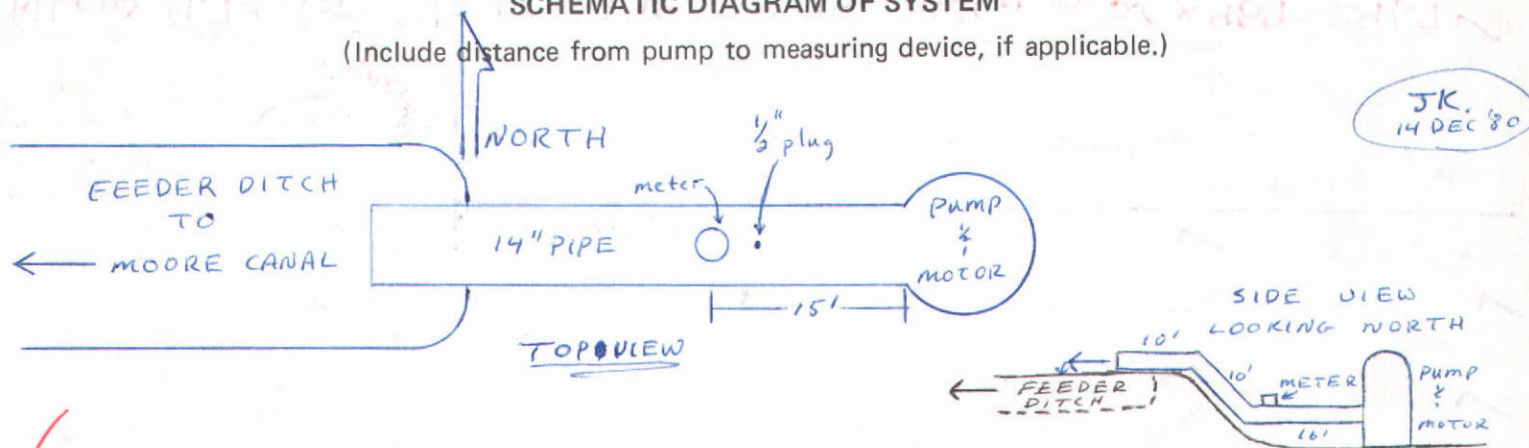
6 5

MICROFILMED



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32, T. 5 N., R. 26 E. B.M., BUTTE COUNTY.

~~Place(s) of Use~~

[illegible]

Recommended Amendments:

☐ Change P.D. as reflected above☐ Add P.D. as reflected above ☒ None☐ Change P.U. as reflected above☐ Add P.U. as reflected above☐ Other

Examiner's Signature John Kappelman

Date 15 DECEMBER 1980

Checked by H.W. Jones

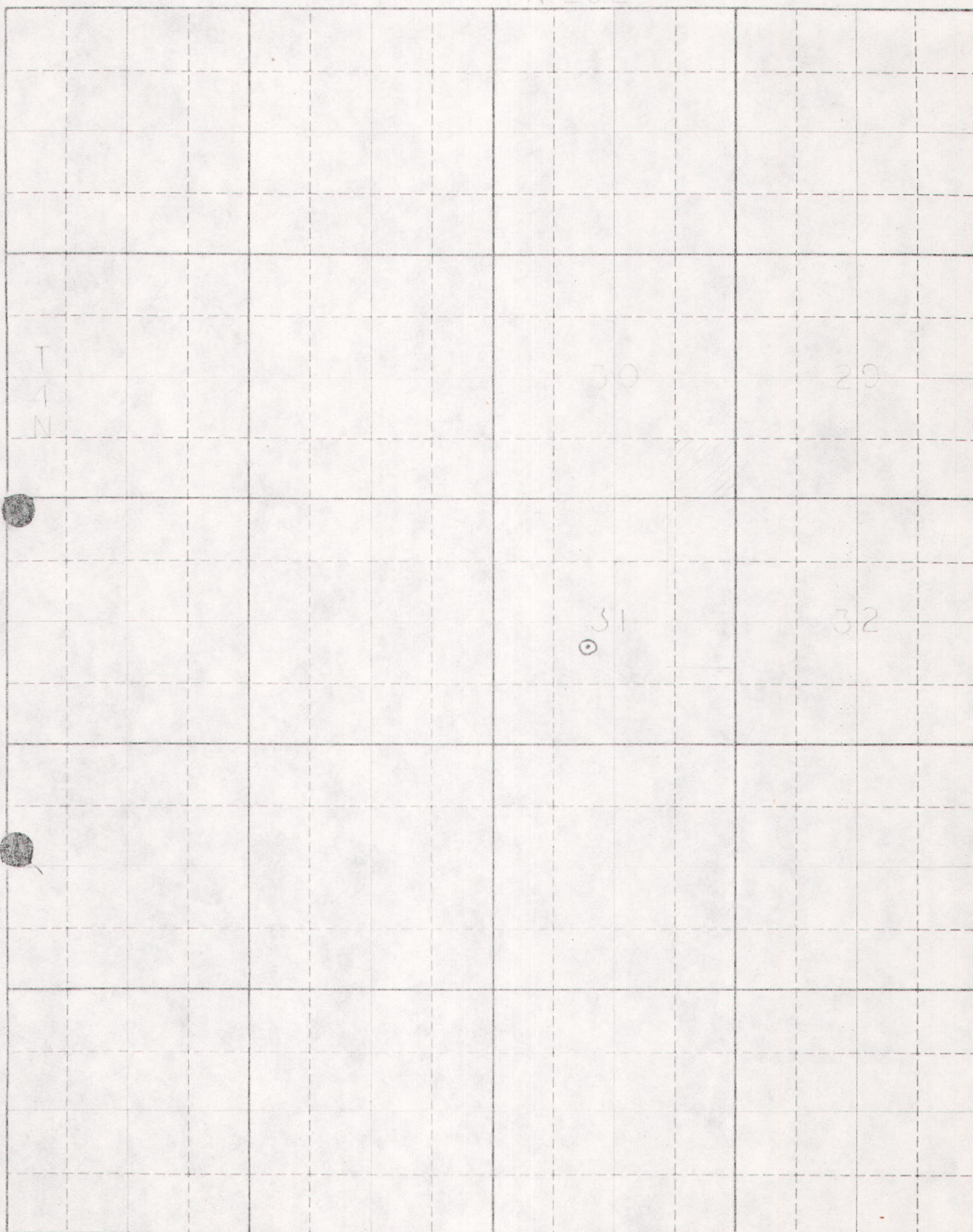
Date 2-3-81

Approved by _____

ate 4-14-82

- b. Draw 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.

R 26 E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks

I hereby assert that no one will be injured by such change and 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.

Mary Anne Scheler
(Signature of applicant)

Subscribed and sworn to before me this 3rd day of March, 1977

Mary E. Puse
(Notary public)

My commission expires Life term

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-2472, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 1 day of June, 19 77

S. Kenneth Hanna

FOR DEPARTMENT USE ONLY

Received by SW Date 3/1/77

Prelim. check by RDC Fee

Receipted by Date

Published in

Pub. dates

Watermaster recommendation requested on rec'd.

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial by Jim Johnson

License and Certificate of Water Right

Water License No. G-24515

Amount 2.0 c.f.

Water District No.

Priority October 2,

THIS IS TO CERTIFY that DON A. AIKELE

of Moore, Idaho

, made application for a permit to appropriate

public waters of the State of Idaho, dated October 2

, 19 53 ; that Permit No. G-2451

was issued under said application; that Certificate of Completion of works, with a carrying capacity

2.0 second feet, was issued thereunder on December 14

, 19 59 , showing that said wo

were completed on the 23 day of October

, 1958 ; and that on the 23

day of October

, 19 58 ,

DON A. AIKELE

of Moore

, State of Idaho

, made proof to the satisfaction of

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow

, for the purpose of irrigation and

domestic use, under Use Permit No. G-24515

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Ida

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volu

11 of Licenses at page 6852 , on the 14 day of

December

, 19 59

The right hereby confirmed dates from

October 2

, 19 53 ;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 29 Tp. 4 N., R. 2 E., B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purpo
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and s

not exceed 2.0 cubic feet per second

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	26E.	29	SW ₄ NW ₄	40	40
			NW ₄ SW ₄	40	40
		30	SW ₄ SE ₄	40	40
			SE ₄ SW ₄	40	40
			Total number of acres to be irrigated		

No Overlap

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or pla
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, t

14 day of December

, 19 59

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

34-2309

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
Juel Aikele)
of)
Arco, Idaho)
For a Transfer of Water Right in the)
County of Butte, State of Idaho,)

ORDER GRANTING TRANSFER
NO. 1066

WHEREAS, On the 20th day of January, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Juel Aikele of Arco, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

T-1066
3-1-2315

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1066

THIS IS TO CERTIFY, That Juel Aikele of Arco, Idaho, is the owner of and using a certain water right of 7.02 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. G-25355, issued by the State of Idaho, Department of Reclamation, dated December 16, 1959, bearing priority date of January 7, 1955, for the purpose of irrigating the following described lands situate, lying and being in the County of Butte, State of Idaho, to-wit:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20; NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29; NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30;
Township 4 North, Range 26 E.B.M.,
NW $\frac{1}{4}$, Section 6, Township 3 North,
Range 26 E.B.M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 11, Page 6851;

That said Juel Aikele has become the owner of said water right by purchase and by virtue of License No. G-25355;

And that now, upon the application of Juel Aikele for the transfer of 7.02 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 7.02 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

(NW $\frac{1}{4}$ NE $\frac{1}{4}$) (SE $\frac{1}{4}$ NE $\frac{1}{4}$) (SW $\frac{1}{4}$ NW $\frac{1}{4}$) (E $\frac{1}{4}$ SW $\frac{1}{4}$)
(NW $\frac{1}{4}$ SE $\frac{1}{4}$) (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 30;
NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29;
(NE $\frac{1}{4}$ NW $\frac{1}{4}$) (NW $\frac{1}{4}$ SW $\frac{1}{4}$) (SE $\frac{1}{4}$ SW $\frac{1}{4}$) (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 31; Township 4 North,
Range 26 E. B. M. (NW $\frac{1}{4}$) Section 6,
Township 3 North, Range 26 E.B.M.,

New
land

() = overlapping
lands w/ 34-7039

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

7.02 cubic feet per second of the
waters of subterranean source with
priority of January 7, 1955;

T-1066
34-7039

And that the water right hereby transferred has heretofore been conducted from subterranean source with two points of diversion in the SW1/4SW1/4, Section 17, Township 4 North, Range 26 E.B.M., and delivered through private ditches; 3 P/D

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with no change in point of diversion;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

2016
2315

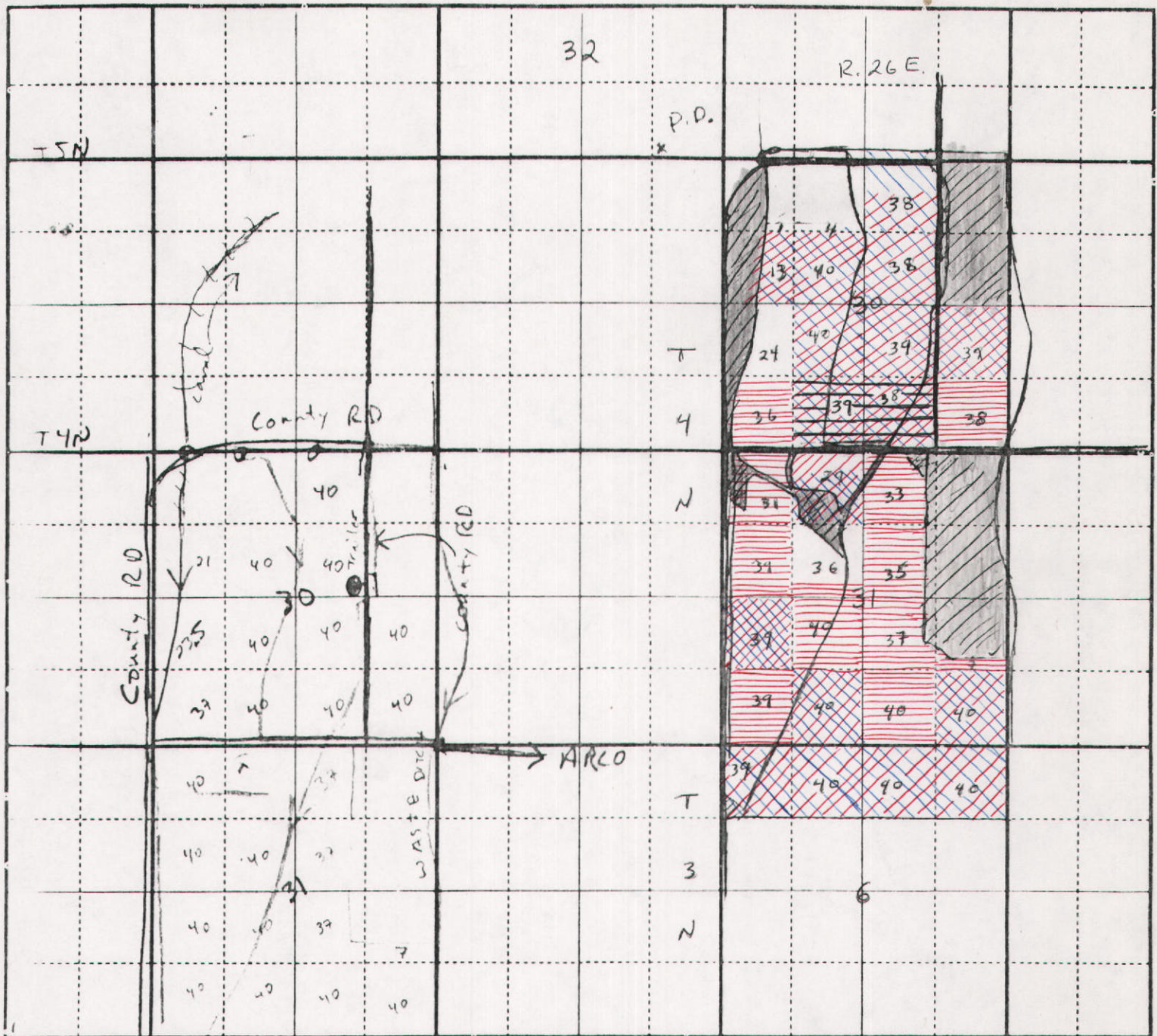


Diagram of System

— PREVIOUS
LICENSES
on
P.O.U.
34-7309



34-2309 ✓



34-2315 ✓



34-23588 ✓



34-2472



Lands
out



JIK
15 DEC 80

MICROFILMED

[illegible]

That no one will be injured by such change, and that such change will be made at permit holders own risk.

change, and that such change will be made at permission of the Board of Directors of the Department of Water Resources, this 18 day of May, 19 77

Gary Anne Siders
(signature)

GARY ANNE SIDERS
R, DEPARTMENT OF WATER RESOURCES

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources
hereby _____

Witness my hand this _____ day of _____, 19 _____.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Juel Aikele Phone 527-3197
Post Office address Rt. #1, Moore, Idaho 83255

A DESCRIPTION OF RIGHT AS RECORDED**1 Right evidenced by**

a Decree No _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b License No 34-2358A issued by the Idaho Department of Water Resources

c Claim No _____ on file with the Idaho Department of Water Resources

2 If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant is original holder of right

3 Source of water groundwater tributary to _____

4 Date of priority February 1, 1961

5. Water is used for the following purposes:

amount 5.60 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6 Total amount of water under right. a. 5.60 cubic feet per second
b. 1,992 &/or acre feet per annum

7 Location of original point of diversion is SW 1 of SW 17 of Section 17
Township 4N Range 26E B M, in Butte County
Additional points of diversion, if any _____

8 Lands irrigated or place of use.

TWP	RANGE	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										35							35
		30		20	39				20	40	40			39	39	39	38		314
		31					37					39		40				40	156
3N	26E	6	40	40			40	39											159

Total number of acres to be irrigated 664

9 Describe any other water rights used for the same purpose as described above _____
Transfer No. 1066/34-2315, 34-7039

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No
If yes, describe in item D. REMARKS

A DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

a Decree No _____ Decreed to _____ (Name)
in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

Transfer
b ~~License~~ No 1066/34-2315 issued by the Idaho Department of Water Resources

c Claim No _____ on file with the Idaho Department of Water Resources

2 If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant is original holder of right _____

3 Source of water groundwater tributary to _____

4 Date of priority January 7, 1955

5 Water is used for the following purposes

amount 7.02 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6 Total amount of water under right: a 7.02 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW 1/4 of SW 1/4 of Section 17
Township 4N Range 26E B.M. in Butte County

Additional points of diversion, if any _____

8 Lands irrigated or place of use

TWP	RANGE	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							1			35							36
		30		38	39	2			39	40	40			39	39	39	38		353
		31					39					39		40				40	158
3N	26E	6	40	40*		40	40	39*		39									159

* JJ 9/22/1983

Total number of acres to be irrigated 706

9 Describe any other water rights used for the same purpose as described above _____
Licenses 34-2358 & 34-7039

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? None If yes, describe in item D, REMARKS

A DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a Decree No _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b License No 34-7039 issued by the Idaho Department of Water Resources
- c Claim No _____ on file with the Idaho Department of Water Resources

2 If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant and wife are original right holders

3 Source of water groundwater tributary to _____

4 Date of priority June 25, 1973 * JJ 9/22/1983

5 Water is used for the following purposes

- amount 9.73 cfs for irrigation purposes from 4/1 5/1* to 11/1 10/31*
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6 Total amount of water under right a. 9.73 cubic feet per second
&/or
b. 2967.0 acre feet per annum

7. Location of original point of diversion is SE % of SE % of Section 32
Township 5N Range 26E, B M., in Butte County
Additional points of diversion, if any _____

8 Lands irrigated or place of use

TWP	RANGE	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	
3N	26E	6	40	40			40	39											159
4N	26E	30		38	38				13	40	40	24	36		39	39		38	345
		31		33	35		29	31	39	36	40	39	39	40	7	37	40	40	485

Total number of acres to be irrigated 989

9 Describe any other water rights used for the same purpose as described above _____
License 34-2358, and Transfers 1066/34-2315; 2061/34-2472

10 To your knowledge has any portion of this water right undergone a period of five or more consecutive years of nonuse? No _____ If yes, describe in item D, REMARKS

A DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a Decree No _____ Decreed to _____ (Name)
in case of _____ VS _____
dated in _____ in _____ county of _____
(Name of court)
- b ~~License~~ Transfer No 2061/34-2472 issued by the Idaho Department of Water Resources
- c Claim No _____ on file with the Idaho Department of Water Resources

2 If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
Applicant and wife are original holders of right

3 Source of water groundwater tributary to _____

4 Date of priority December 29, 1965

5 Water is used for the following purposes

amount 6.82 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right a. 6.82 cubic feet per second
&/or
b. 1,179 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17
Township 4N Range 26E B.M. in Butte County

Additional points of diversion, if any _____

8 Lands irrigated or place of use

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	26E	30											38					38	76
		31		34.8	34.8			39	39	6	40		39		6.6	37.8	40		317

Total number of acres to be irrigated 393

9 Describe any other water rights used for the same purpose as described above _____
License No. 34-7039

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No _____ If yes, describe in item D REMARKS

1 General Information

- a Amount of water to be diverted 6.82 cfs &/or acre feet
- b Description of diverting works well, pump and ditch
- c Describe the reasons for the proposed changes I want to separate the water rights and make each one appurtenant to specific lands without increasing the overall acreage traditionally irrigated when the rights were used in combination. This separation will simplify selling tracts of land and still provide enough water for each tract to satisfy the lending institution

2 Change in point of diversion NO CHANGE

Point of diversion NE 1/4 SW 1/4, Section 17 Township 4N
Range 26E, B.M., Butte County
Additional points

3 Change in place of use

- a Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer. Land will continue to be irrigated with another right already licensed on the same farm.
- c Describe the lands or place of use to which the right will be transferred

TWP	RANGE	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	31					28	31	39	38	40	39	39						254
3N	26E	6						39											39

Total number of acres to be irrigated 293

- 4 Describe any other water rights used for the same purpose as described above None

C DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE 34-7039

1 General Information

- a Amount of water to be diverted 9.73 cfs &/or 2967.0 acre feet
- b Description of diverting works well, pump and open ditch
- c Describe the reasons for the proposed changes I want to separate the water rights and make each one appurtenant to specific lands without increasing the overall acreage traditionally irrigated when the rights were used in combination. This separation will simplify selling tracts of land and still provide enough water for each tract to satisfy the lending institution.

2 Change in point of diversion

NO CHANGE

Point of diversion SE 1/4 SE 1/4, Section 32 Township 5N
Range 26E, B M, Butte County
Additional points

3 Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer Land will continue to be irrigated with another right already licensed on the same farm.

c Describe the lands or place of use to which the right will be transferred

TWP	RANGE	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	26 E	30		38	39			20	40	40	24	36	40		39	39			355

Total number of acres to be irrigated 355

4 Describe any other water rights used for the same purpose as described above None

C DESCRIPTION OF RIGHT OR PORTION THEREOF AFTER THE REQUESTED CHANGE T. 1066/34-2315

1 General Information

- a Amount of water to be diverted 7.02 cfs &/or acre feet
- b Description of diverting works well, pump and open ditch
- c Describe the reasons for the proposed changes I want to separate the water rights and make each one appurtenant to specific lands without increasing the overall acreage traditionally irrigated when the rights were used in combination. This separation will simplify selling tracts of land and still provide enough water for each tract to satisfy the lending institution.

2 Change in point of diversion NO CHANGE

Point of diversion SW 14 SW Section 17 Township 4N Range 26E B M Butte County

Additional points

3 Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes No ☒ If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer. Land will continue to be irrigated with another right already licensed on the same farm.

c Describe the lands or place of use to which the right will be transferred

TWP	RANGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	26E	31												40	5	27	40	40	152
3N	26E	6	40	40			40												120

Total number of acres to be irrigated 272

4 Describe any other water rights used for the same purpose as described above None

C DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE 34-2358

1 General Information

- a Amount of water to be diverted 5.60 cfs &/or _____ acre feet
- b Description of diverting works well, pump and open ditches
- c Describe the reasons for the proposed changes I want to separate the water rights and make each one appurtenant to specific lands without increasing the overall acreage traditionally irrigated when the rights were used in combination. This separation will simplify selling tracts of land and still provide enough water for each tract to satisfy the lending institution.

2 Change in point of diversion NO CHANGE

Point of diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17 Township 4N
Range 26E, B M, Butte County
Additional points _____

3 Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer. Land will continue to be irrigated with another right already licensed on the same farm.

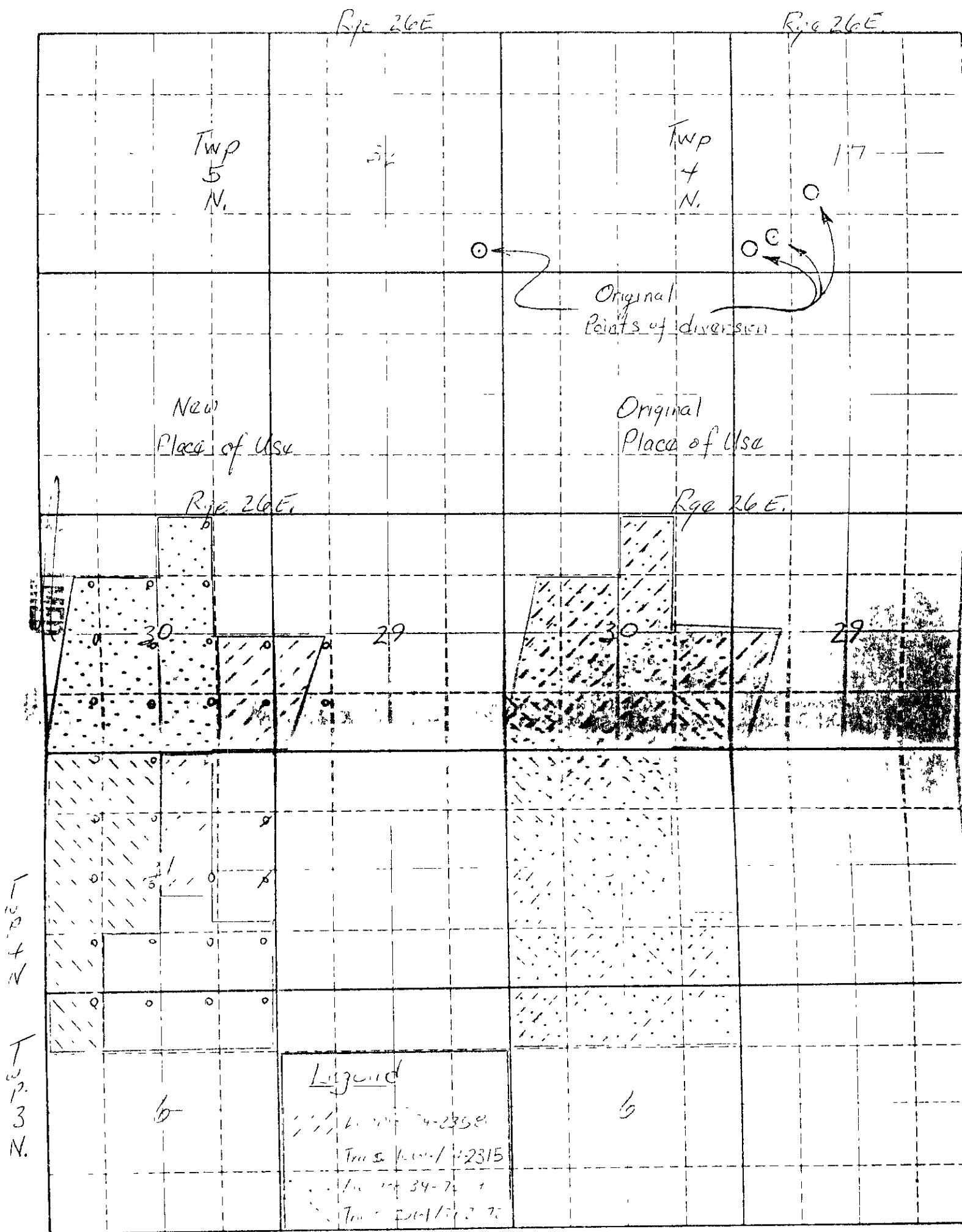
c Describe the lands or place of use to which the right will be transferred

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	26E	29									35	8							43
		30													40			39	79
		31		37	38											13			88

Total number of acres to be irrigated 210

4 Describe any other water rights used for the same purpose as described above None

3. Draw 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.



SCALE 2 inches equal 1 mile. Draw plan in ink

4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 21st day of March, 19 83.

[Signature]
(Notary public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

34-2315, 34-2358A

This is to certify that I have examined Application for Transfer of Water Rights No. 34-2472, 34-7039

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

The rate of diversion at field head gate shall not exceed 0.02 cfs/acre nor more than 4.0 acre feet/acre per annum. The water rights contained herein are further described as follows: 1) Right 34-2315: the maximum rate of diversion at well shall not exceed 7.02 cfs, and shall not exceed 5.44 cfs nor more than 1088 acre-feet/annum at the field head gate. 2) Right 34-2358A: the maximum rate of diversion shall not exceed 5.6 cfs at the well, and shall not exceed 4.2 cfs nor more than 840 acre-feet/annum at the field head gate. 3) Right 34-2472: the maximum rate of diversion shall not exceed 6.82 cfs from the well, and shall not exceed 5.86 cfs nor more than 1172 acre-feet/annum at the field head gate. 4) Right 34-7039: the maximum rate of diversion shall not exceed 9.73 cfs at the well, and shall not exceed 7.1 cfs nor more than 1420 acre-feet/annum at the field head gate.

Witness my hand this 19th day of October, 19 83.

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EC Date 3/21/83 Protest filed by _____
Prelim. check by SM Fee 50.00 _____
Receipted by BP Date 3/21/83 # 25529 _____
Published in Arco Advertiser Copies of protest forwarded by _____
Pub. dates 4/14 & 4/21/83 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial _____
_____ rec'd. _____ by EMC DET

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 34-7039 Priority June 25, 1973 Amount 9.73 cfs

THIS IS TO CERTIFY, that Juel & Mary Anne Aikele
of Moore, Idaho, has complied with the terms and conditions of Permit
No. 34-7039 issued pursuant to Application for Permit dated June 25, 1973,
and has submitted proof to the Department of Water Resources on October 30, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 9.73 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>October 1</u>	at <u>9.73</u> cfs and	<u>2967.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 9.73 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2967.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Twp.
5N, Rge. 26E in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	26E	6	40	40			40	39											159
4N	26E	30		38	38				13	40	40	24	36		39	39		38	485
		31		33	35		29	31	39	36	40	39	39	40	7	37	40	40	345

Total number of acres irrigated 989

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.0 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24TH day of
May, 19 82.

Acting for the Director

Identification No 34-7039

Application No _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED **APPLICATION FOR PERMIT**

**APPROVED
RECEIVED**

JUN 19 1978

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Department of Water Resources

1 Name of applicant Juel & Mary Anne Aikele Phone _____
post office address Box 630, Moore, IDAHO 83255

2 Source of water supply groundwater which is a tributary of _____

3 a Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 5N
Range 26E B M Butte County, additional points of diversion if any _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____

4 Water will be used for the following purposes

Amount 10.0 for irrigation purpose from May 1 to Oct. 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

5 Total quantity to be appropriated

a 10.0 cfs cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc 200 hp pump, to pump from a 200 foot deep well. The well to be cased with a perforated 20" steel pipe. Discharge to be piped approximately 130 feet to the Big Lost River Irrigation canal, through which it will be channeled to the described lands.

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____

Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)

c Proposed well diameter is 20 inches, proposed depth of well is 200 feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years

b Estimated construction cost is \$ 15,000.00

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B M _____

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe _____

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	26E	30		40	40				21	40	40	24	37	40	40	40	40	40	442
		31		37	37		40	40	40	40	40	40	40	40	7	37	40	40	518
3N	26E	6	40	40			40	40											160

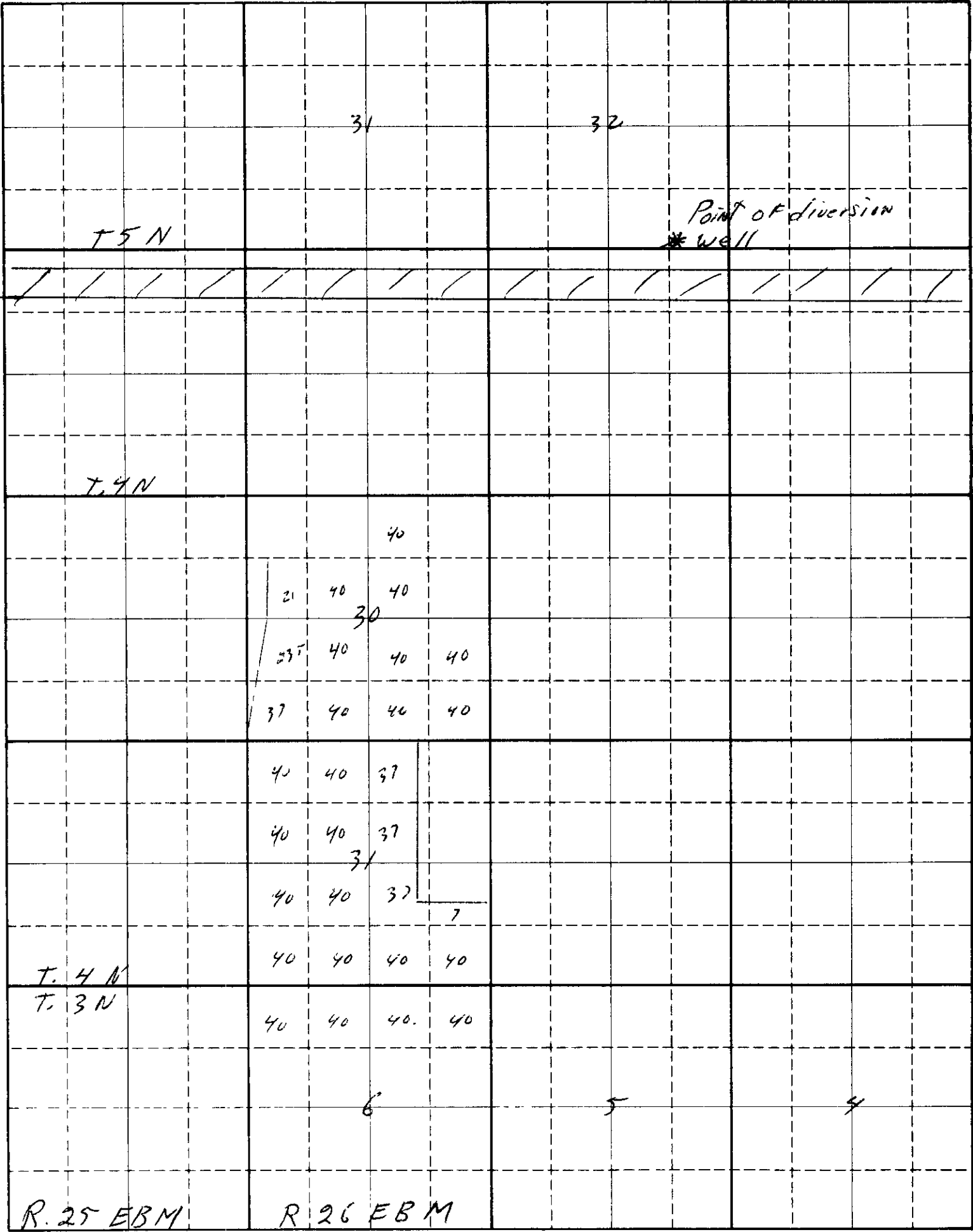
Total number of acres to be irrigated 1120

c Describe any other water rights used for the same purposes as described above Three other irrigation wells previously filed on.

- 9 a. Who owns the property at the point of diversion Harold & Marjorie Babcock
- b. Who owns the land to be irrigated or place of use Teel & Mary Anne Aikele
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

[Signature]
(Applicant)
Mary Anne Nikole

Proposed Priority 6/25/73

1st received → 6-25-73

Received by BK Date 6-29-78 Time 9:45 AM

Preliminary check by ja Fee \$ 10.00 (amended)

Receipted by ja Date fee for amendment submitted 5/19/77

Publication prepared by MW Date 6/29/73

Published in Arco Advertiser

Publication dates 7/5 & 7/12/1973 (amended)

Publication approved ja Date amended

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ja 1/8

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 34-7039, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1979.

c Other An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

2 Denial of said application is for the following reasons _____

Witness my hand this 12th day of October 19 78.

L. Glen Saxton

Chief, Operations Bureau

State of Idaho
Department of Water Resources

REC-117

MAY 19 1977

HERMAN & ATHA AIKELE
AND

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, JUEL & MARY ANNE AIKELE, hereby assign to JUEL & MARY ANNE AIKELE
of BOX 153 ARCO, IDAHO 83213

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 34 - 7039
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19____.

Herman Aikele
Permit Holder

Mary Anne Aikele
Spouse of Permit Holder

State of Idaho)

County of Butte) ss.

On this 18th day of May, 1977, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Fred L. Boyer
Notary Public residing at
Arco, Idaho

My commission expires:

Life

MICROFILMED

2nd. 3rd. 4th. 5th. 6th. 7th. 8th. 9th. 10th. 11th. 12th. 13th. 14th. 15th. 16th. 17th. 18th. 19th. 20th. 21st. 22nd. 23rd. 24th. 25th. 26th. 27th. 28th. 29th. 30th. 31st. 32nd. 33rd. 34th. 35th. 36th. 37th. 38th. 39th. 40th. 41st. 42nd. 43rd. 44th. 45th. 46th. 47th. 48th. 49th. 50th. 51st. 52nd. 53rd. 54th. 55th. 56th. 57th. 58th. 59th. 60th. 61st. 62nd. 63rd. 64th. 65th. 66th. 67th. 68th. 69th. 70th. 71st. 72nd. 73rd. 74th. 75th. 76th. 77th. 78th. 79th. 80th. 81st. 82nd. 83rd. 84th. 85th. 86th. 87th. 88th. 89th. 90th. 91st. 92nd. 93rd. 94th. 95th. 96th. 97th. 98th. 99th. 100th.
We hereby relinquish to the state of Idaho the right to appropriate public waters on the following lands, covered by permit #34 * 7039

RECEIVED

MAY 19 1977

The land to be relinquished from the permit is

Department of Water Resources
Eastern District Office

NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec 30 T4N R26 EBM

80 A.

A parcel of land in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec 30 T4N R26 EBM described as follows; Starting at the SW corner of said $\frac{1}{4}$, thence N 1320', thence E 790', thence south westerly to a point 281' W of the point of the beginning, thence 281' W, to the true point of beginning.

16.5 A.

A parcel of land in the NE $\frac{1}{4}$ of Sec. 31 T4N R26 EBM described as follows, starting in the NE corner of said section, thence 3740' south, thence 1410' west, thence 3740' north, thence 1410' east 122 A. to the point of the beginning.

W $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 5 T4N R26 EBM.

120 A.

And the property described on the following page

23.3 A.

Witnessed at Arco, Idaho this 18th day of May 1977.

Paul A. [Signature]
May Anne [Signature]

UNRECORDED

A parcel of land in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty (30), Township 4 North, Range 26 East of the Boise Meridian, more particularly described as follows:

Beginning at the Northwest Corner of the said Southwest Quarter of the Southwest Quarter, which is the real point of beginning; thence East along the North Boundary Line of the Southwest Quarter of the Southwest Quarter 281 feet to a point which is 35 feet West of the west bank of the Juel Aikele Irrigation Ditch; thence 650 feet Southwesterly parallel to said ditch to the West Boundary Line of the Southwest Quarter of the Southwest Quarter to a point on said boundary line; thence North to the real point of beginning, containing 1.3 acres, more or less.

Subject to a road right-of-way approximately 100 feet in width along the West side of said parcel.

A parcel of land in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 30, Township 4 North, Range 26 E.B.M., more particularly described as follows:

Beginning at the Northwest Corner of the Southwest Quarter of the Northwest Quarter of said Section 30, which is the real point of beginning; thence 860 feet East along the North Boundary Line of the Southwest Quarter of the Northwest Quarter to a point which is 35 feet West of the West bank of the Juel Aikele Irrigation Ditch; thence Southwesterly along a line parallel with said ditch to a point on the South Boundary of the Southwest Quarter of the Northwest Quarter which point is 790 feet East of the Southwest Corner of the Southwest Quarter of the Northwest Quarter; thence West 790 feet to a point; thence North 1320 feet to the real point of beginning, containing 22 acres, more or less. SUBJECT to a present road right-of-way approximately 100 feet in width along west side of said parcel

MICROFILMED

Identification No. 34 7039

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

ASSIGNED TO:

JUEL & MARY ANNE AIKELS
Box 153
Arco, ID 83213

- 1 Name of applicant Juel & Mary Ann Aikele and Herman & Atha Aikele
post office address P.O. Box 153 Arco, Idaho 83213
2. Source of water supply Groundwater which is a tributary of _____
- 3 a Location of point of diversion is S.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$ of Section 32 Township 5 N
Range 26 E B.M. Butte County; additional points of diversion if any: _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 10cfs for Irrigation purpose from May 1st to October 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated
a ten (10) cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. Approximately 100 H.P. pump, to pump
from a 200 foot deep well. The well to be cased with a perforated 20 inch steel pipe.
Discharge to be piped approximately 130 feet to the Big Lost River Irrigation canal,
through which it will be channeled to the described lands.

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam. _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c Proposed well diameter is 20 inches; proposed depth of well is 200 feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is one years
b Estimated construction cost is \$ 15,000.00.
- 8 Description of proposed uses:
a If water is **not** for irrigation.
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe. _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 1435

c. Describe any other water rights used for the same purposes as described above. three other irrigation wells
previously filed upon.

9. a. Who owns the property at the point of diversion Harold Babcock

b. Who owns the land to be irrigated or place of use Juel Aikele and Herman Aikele and B.L.M.

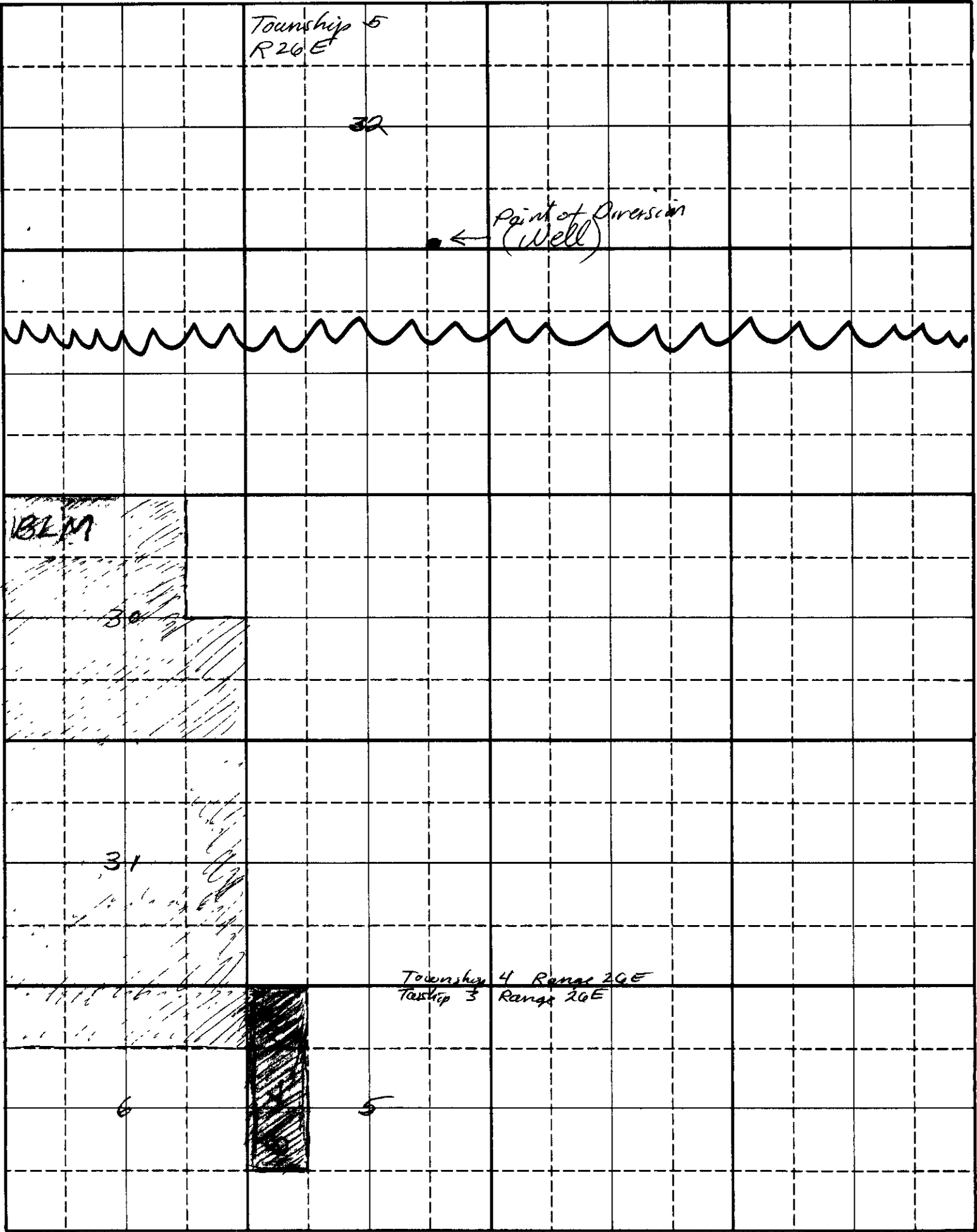
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. we are making a filing on the B.L.M. ground, a desert entry filing in the name of Herman Aikele. Desert Entry No. 7491.

10. Remarks A large portion of this water will be supplemental to the present water,
However, most of the land in the N.E. $\frac{1}{4}$ of Sec. 31 has no water yet, nor does the B.L.M.
ground which is located in Sec. 5, and in the N. $\frac{1}{2}$ of the N. W. $\frac{1}{4}$ of Section 30

T.	R.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	31	40	35	20	20	40	40	40	40	40	40	40	40	40	40	40	40	595
4N	26E	30	-	40	40	-	40	-	-	-	-	-	-	-	-	-	-	-	560
3N	26E	5						40	40			40							120
3N	26E	6	40	40			40	40											160
TOTAL NO. OF ACRES																			1935

TOTAL NO. OF ACRES

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Neuman Aikels
(Applicant)
Atha Aikels
Paul Aikels
Harvey Aikels

mb 6-25-73

Received by *mb* Date 6-15-73 Time 9 40 am
Preliminary check by *NCY* Fee \$ 115.00 (two checks)
Receipted by *mb* Date 6/25/73 # 10242 # 10243
Publication prepared by *mb* Date 6/29/73
Published in *Arco Advertiser*
Publication dates 7/5 + 7/12/1973
Publication approved *NCY* Date 7/25/73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. Other. _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director

The lands in question are already covered by:

L-34-2304	- 2.0 cts	(1 cts apparent)
L-34-2315-2 trans #1066	- 7.02 cts	(approx 6.15 cts apparent)
proposed L-34-2472	- 6.82 cts	(permit for 9.6 cts)
	<u>15.84 cts</u>	<u>16.75 cts</u>

∴ Q Not excessive

$1435 \times 0.02 = 28.7 \text{ cts}$
@ 1"/acre

RECEIVED

JUL 24 1973

Department of Water Administration
Eastern District Office

Affidavit of Publication

Le Ella Cammack, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated July 5, 1973

and ending with the issue dated July 12, 1973

Le Ella Cammack

Subscribed and sworn to before me this

23 day of July, 1973

[Signature]
Notary Public

Residence: Arco, Idaho.

My commission expires Nov 6, 1975

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	Application No.	Name
(1)	NCY	6/15/73		Aikele
(2)	"	"	Check:	
			☒ Signature	need athen aikele OK -
			☒ Point of Diversion	
			☒ Quantity of Water and Period of Use	
			☒ Description of Diverting Works	
			☒ Time required for C/W and application of water to B/H	
			☒ Place of Use	
			☒ Map	
			☒ Fee	Require \$115
			☒ County	
(3)	"	"	Send copies to:	
			☐ Idaho State Health Department	
			☐ Idaho Fish and Game Department	
			☒ Bureau of Land Management	When complete
			☒ U.O. 34	Desert Entry
(4)	"	"	☐ Request Special Use Permit from U.S.F.S.	
			☐ Request Easement from B.L.M.	
(5)	"	"	In form for advertising	Yes
(6)	int	7-14-73	Affidavit of Publication received	
(7)	"	"	Final date for protests	July 23, 1973
			Protests received: yes	no X
(8)	"	"	Date and Place of hearing	N.A.
			Decision reached at hearing	N.A.
(9)	NCY	6/15/73	Located within Water District No.	34
(10)	"	"	Critical groundwater area: yes	no X
(11)	"	"	Groundwater levels:	
			☐ Decline (comment)	
			☐ Stable (comment)	
			☒ Increasing (comment)	U.O. # 27
(12)	"	"	Comments:	Inform applicant that the granting of this permit will not give him carrying rights in the canal he proposes to use
(13)	RDC	11/20/74	Action recommended:	(over)
			☒ Approve	Priority 6/25/73
			☐ Deny	Reason for Reduction
	RDC	11/20/74	See attached sheet for conditions of approval	
			No conditions for approval	
(14)	"	"	District	E
			Date	11/20/74
			By	RDC
			Title	
			Department of Water Resources	
			Desert Entry	
			copy to	

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

36

31

32

33

34

35

36

31

L 34 - 2309 - 2 cfs
D 34 - 2472 - 9.6 cfs

~~L 34 - 2309 - 2 cfs~~
~~D 34 - 2472 - 9.6 cfs~~

1

6

345-281

3

2

1

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6

EASEMENT FOR CONSTRUCTION AND MAINTENANCE
OF IRRIGATION WELL AND RIGHT-OF-WAY

REUBEN H. BABCOCK and MARJORIE BABCOCK, husband and wife, of Butte County, State of Idaho, hereinafter called Grantors, in consideration of FIVE HUNDRED DOLLARS (\$500.00) AND OTHER VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, hereby grants to JUEL AIKELE and MARY ANNE AIKELE, husband and wife, and HERMAN AIKELE and ATHA AIKELE, husband and wife, of Butte County, State of Idaho, perpetual easements and rights-of-way as follows:

The right to erect, maintain, repair and control an agricultural irrigation well and pump located on Grantor's property in Butte County, State of Idaho, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32, Township 5 North Range 26 E.B.M.; thence North 50 feet; thence East 50 feet; thence South 50 feet; thence West 50 feet to the point of beginning.

2. The right to construct, maintain, repair and control a pipeline from the well and pump above described to a canal owned by the Big Lost River Irrigation District; which canal is approximately 400 feet North of the above described pump.

3. The pipeline will be constructed as close as possible to the fence line on the West side of the above mentioned legal subdivision.

IN WITNESS WHEREOF, THE Grantors have set their hands, this 12 Day of June, 1973.


Reuben H. Babcock

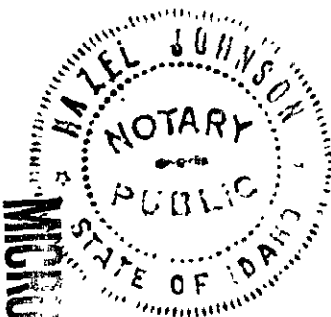

Marjorie Babcock

STATE OF IDAHO)
 : ss.
County of Butte)

On this 12 Day of June, 1973, before me, the undersigned, a Notary Public in and for said State, personally appeared REUBEN H. BABCOCK and MARJORIE BABCOCK, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

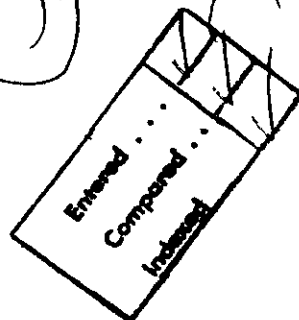
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)



No. 2701
FILED
JUN 13 1973
BUTTE COUNTY RECORDS


Notary Public for Idaho,
Residing at Arco, Idaho



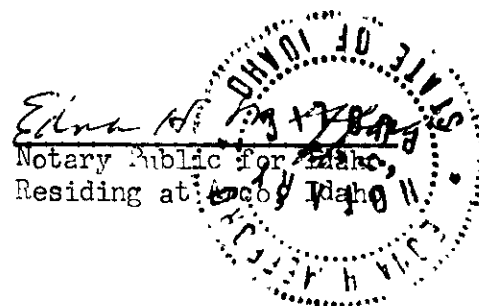
This is to certify that I, CARL JOSEPH RINDFLEISCH, JR., being the sale contract and deed holder of the aforementioned property, do give my consent to the well construction and maintenance easement agreement between Mr. & Mrs. Reuben H. Babcock and Mr. & Mrs. Juel Aikele and Mr. & Mrs. Herman Aikele; and will in no way attempt to curtail the operation and maintenance of said pump and well. This agreement will in no way effect the remainder of the land involved in the contract between Carl Joseph Rindfleisch Jr. and Reuben H. Babcock.

Carl Joseph Rindfleisch Jr.
Carl Joseph Rindfleisch, Jr.

STATE OF IDAHO)
 : ss.
County of Butte)

On this 13th day of June, 1973, before me, the undersigned, a Notary Public in and for said State, personally appeared CARL JOSEPH RINDFLEISCH JR., known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.
(SEAL)



NAME OF APPLICANT.....

Form No. 0

L 34-2309 - 2 c/r - 1000
L 34-2315 - 7-1006 - 7.00 c/r

X 30 X 2
X X X
X X

31

6

5

INTER-DEPARTMENT MEMO — 1

DATE June 15, 1973

RECEIVED

JUN 20 1973

Department of Water Administration
Eastern District Office

FROM 10: NORM

TO E. J.

SUBJECT

Please send me copies of the licenses and any transfers for any existing water rights in Sections 30 & 31, T. 4N, R. 26E; and Sections 5 & 6, T. 3N, R. 26E. I have a new application for this ground, which before I can process will require evaluating prior rights.

NG4
SIGNATURE

This is in the process of being licensed.
Awaiting "go ahead" letter from applicant.

State of Idaho

Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32656/34-2472 Priority Dec. 29, 1965 Amount 6.82 cfs

THIS IS TO CERTIFY, that JUEL & MARY ANNE AIKELE
of Arco, Idaho, have, ~~xxx~~ complied with the terms and conditions of Permit
No. 32656/34-2472 issued pursuant to Application for Permit dated December 29, 1965,
and has submitted proof to the Department of Water Administration on December 16, 1970,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 6.82 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 6.82 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 6.82 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 4N, Rge. 26E, B.M.

in the county of Butte; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,179 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	26E	30										38						38	76
		31				40		39	39	40		39		40	40	40			317

Total number of acres irrigated 393

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of

_____, 19____.

Director

State of Idaho
License and Certificate of Water Right

34-2309

Water License No. G-24515

Amount 2.0 c.f.s.

Water District No.

Priority October 2, 1953

THIS IS TO CERTIFY that DON A. AIKELE
of Moore, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 2, 1953; that Permit No. G-24515
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on December 14, 1959, showing that said works
were completed on the 23 day of October, 1958; and that on the 23
day of October, 1958,

DON A. AIKELE

of Moore, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation and
domestic use, under Use Permit No. G-24515 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6852, on the 14 day of December, 1959;
The right hereby confirmed dates from October 2, 1953;

The Point of Diversion is located

in the NW 1/4, NW 1/4, Sec. 29, T. 4 N., R. 25 E., B. M., Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	26 E.	29	SW 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
		30	SW 1/4 SE 1/4	40	40
			SE 1/4 SW 1/4	40	40
Total number of acres to be irrigated					160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

14 day of December, 1959

/s/ GEO. N. CARTER

State Reclamation Engineer

(SEAL)

34-2315

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of
Juel Aikele
of
Arco, Idaho

For a Transfer of Water Right in the
County of Butte, State of Idaho.

ORDER GRANTING TRANSFER
NO. 1066

WHEREAS, On the 20th day of January, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Juel Aikele of Arco, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

T-1066
34-2315

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1066

THIS IS TO CERTIFY, That Juel Aikele of Arco, Idaho, is the owner of and using a certain water right of 7.02 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. G-25355, issued by the State of Idaho, Department of Reclamation, dated December 16, 1959, bearing priority date of January 7, 1955, for the purpose of irrigating the following described lands situate, lying and being in the County of Butte, State of Idaho, to-wit:

SW1/4SE1/4, SE1/4SW1/4, Section 20; NW1/4, NE1/4SW1/4, Section 29; NE1/4, SE1/4NW1/4, E1/4SW1/4, NW1/4SE1/4, SW1/4SE1/4, Section 30; Township 4 North, Range 26 E.B.M., NW1/4, Section 6, Township 3 North, Range 26 E.B.M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 11, Page 6831;

That said Juel Aikele has become the owner of said water right by purchase and by virtue of License No. G-25355;

And that now, upon the application of Juel Aikele for the transfer of 7.02 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 7.02 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

W1/4NE1/4, SE1/4NE1/4, SW1/4NW1/4, E1/4SW1/4, NW1/4SE1/4, SW1/4SE1/4, Section 30; NW1/4SW1/4, SW1/4NW1/4, Section 29; NE1/4NW1/4, NW1/4SW1/4, SE1/4SW1/4, SE1/4SE1/4, Section 31; Township 4 North, Range 26 E. B. M., NW1/4, Section 6, Township 3 North, Range 26 E.B.M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

7.02 cubic feet per second of the waters of subterranean source with priority of January 7, 1955;

T-1066
34-2315

And that the water right hereby transferred has heretofore been conducted from subterranean source with two points of diversion in the SW/4SW/4, Section 17, Township 4 North, Range 26 E.B.N., and delivered through private ditches;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with no change in point of diversion;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

1-1066
34-2315

INTER-DEPARTMENT MEMO — 1

DATE October 19, 1983

FROM Sharla

TO Files 34-2315, 34-2472 and 34-7039

SUBJECT Transfer No. 2817

See water right file No. 34-2358 for all correspondence regarding the above referenced transfer.

RECEIVED

Sharla

SIGNATURE

June 9, 1982

RE: Permit No. 34-7039

Juel & Mary Anne Aikele
Box 63-D
Moore, ID 83255

Dear Mr. and Mrs. Aikele:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 16, 1982

RE: Permit No. 34-7039

Juel & Mary Anne Aikele
Box 63-D
Moore, ID 83255

Dear Mr. and Mrs. Aikele:

A representative of this Department has made an examination of the works covered by your Permit No. **34-7039**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: **9.73 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **2967.0** acre feet per year.

Point(s) of diversion: **SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 26E, Butte County**

Beneficial use: **Irrigation of 989 acres within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 6, Twp. 3N, Rge. 26E; W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 31; Twp. 4N, Rge. 26E**

Priority date established: **June 25, 1973**

Conditions (if any): **This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.**

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

M. JOHNSON
Water Distribution Supervisor

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. 34-2315 G-25355

Amount 7.02 c.f.s.

Water District No. _____

Priority January 7, 1955

THIS IS TO CERTIFY that ANDREAS AIKELE

of Moore, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 7, 1955; that Permit No. G-25355 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 7.02 second feet, was issued thereunder on December 11, 1959, showing that said works were completed on the 16 day of March, 1959; and that on the 16 day of March, 1959,

ANDREAS AIKELE

of Moore, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-25355 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6851, on the 11 day of December, 1959;

The right hereby confirmed dates from January 7, 1955;

The Point of Diversion is located (two points)

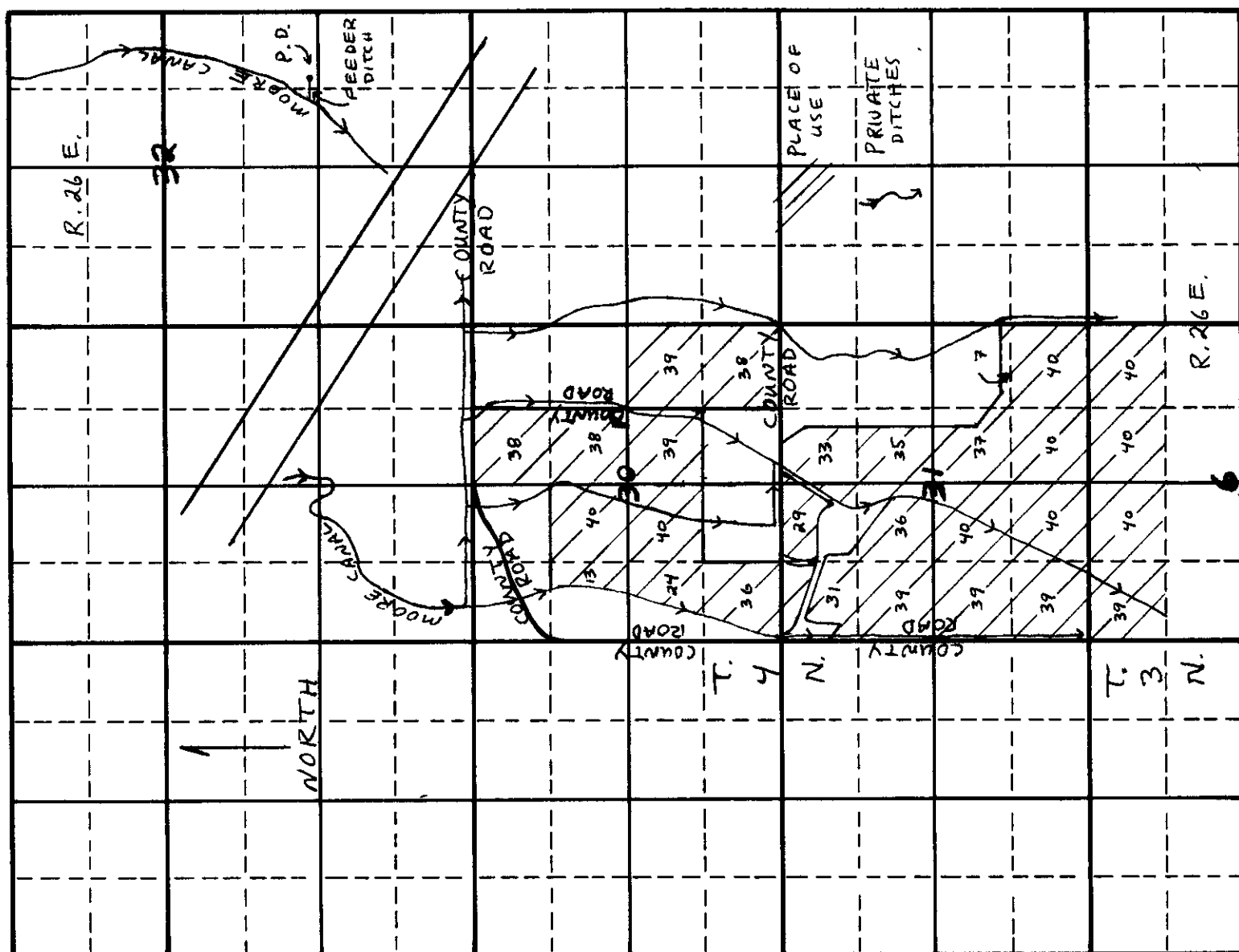
in the SW 1/4 SW 1/4, Sec. 17, Tp. 4 N., R. 26 E., B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 7.02 cubic feet per second.

Description and location of use:

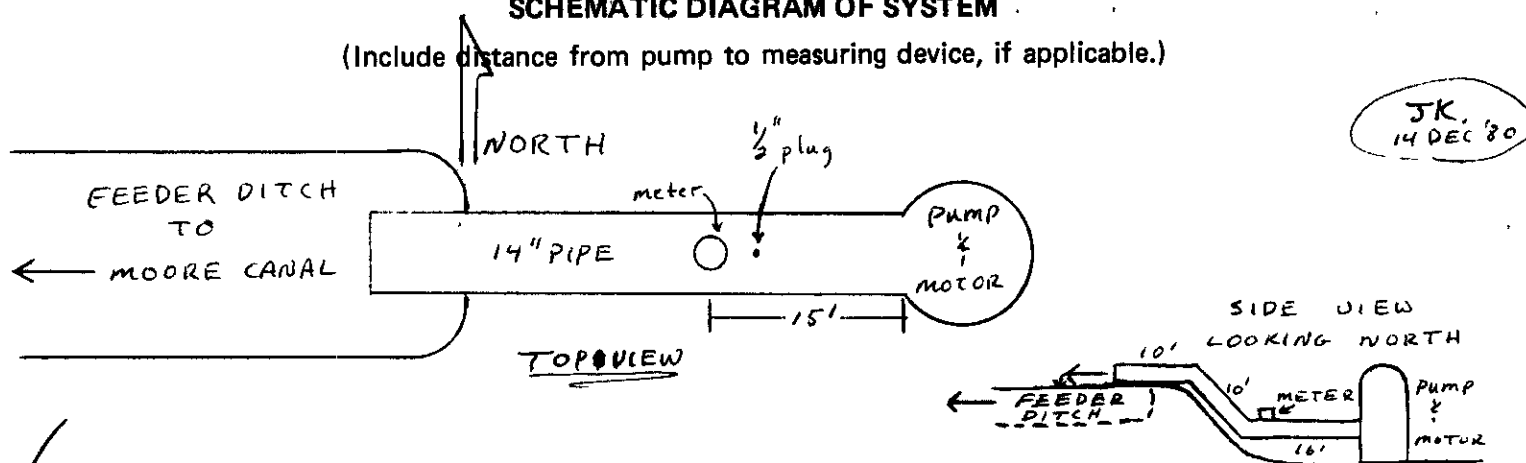
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	26 E.	6	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
4 N.	26 E.	20	SW 1/4 SE 1/4	40	20
			SE 1/4 SW 1/4	40	18
		29	NE 1/4 NW 1/4	40	35
			NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	30
			NE 1/4 SW 1/4	40	5
			NW 1/4 SW 1/4	40	40
		30	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40

Total number of acres to be irrigated: 788



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32, T. 5 N., R. 26 E Bm., BUTTE COUNTY.

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above ☒ None
- ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 15 DECEMBER 1980

Date 2-3-81

Date 4-14-82



Overlap Review for 34-7039

Permits 34-7240 & 34-7244

Amended License 34-2358 (Part) gw P/D NWSW Sec 17 ✓
T4N R26E (different well) ✓

P/U see attached copy

No Overlap - different well & acres

License 34-2358 (part) gw P/D SWSW Sec 17 ✓
T4N R26E (different well)

$$\frac{5.6}{664} = .00845 \text{ ac}$$

P/U see attached copy
(some same acres)

Overlap in land only - but due to
a different P/D recommend R16 ✓
OK

License 34-2315 T 1066 gw P/D SWSW Sec. 17
T4N R26E
(different well)

P/U see attached copy
(some same acres)

✓ Overlap in land only - but due to different
P/D recommend R16 OK

License 34-2309 gw P/D NWNW Sec 29
T4N R26E ✓
(different well)

P/U see attached copy
(different lands)

No Overlap ✓ ok

License 34-2472 gw P/D NE SW Sec 17
T2061 T4N R26E
(different well) ✓

$\frac{6.82}{393} = .017 \text{ cfs/ac}$

P/U see attached copy
(same lands)

Conclusion

Recommend licensing 34-7039 at .02 cfs/ac ^(limited by capacity)
because none of the rights listed
on this review have the same P/D. ✓
P/U should have condition R16.(3.0)

RC $\frac{4-15}{82}$ Jim 4-19-82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Juel & Mary Anne Aikele Phone

Post office address Arco, Idaho 83213

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree to _____
in case of _____ (Name)
dated _____ in _____ county of _____ vs _____
(Name of court)
 - b. License No. 34-2472 issued by the Idaho Department of Water Resources
 - c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water ground water tributary to _____
4. Date of priority Dec. 29, 1965
5. Water is used for the following purposes:
amount 6.82 for irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 6.82 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE 1/4 of SW 1/4 of Section 17
Township 4N Range 26E, B.M., in Butte County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

TWP	RANGE	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	30											36					36	76
		31				40		39	39		40		39		40	40	40		317

Total number of acres to be irrigated 393

MICROFILMED

B. DESCRIPTION OF RIGHT TO BE TRANSFERRED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion: _____
Range _____ B.M. _____ Township _____
Additional points _____

3. Place of use

TWP	RANGE	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	

C. DESCRIPTION OF RIGHT TO BE TRANSFERRED (If the entire right is requested changed, omit part C)

1. Change in point of diversion

- a. Amount of water to be diverted: 6.82 _____ &/or _____ acre feet
- b. Point of diversion: NE _____ SW _____
Range 26E _____ Butte _____ Township 4N _____
Additional points _____

c. Description of diverting works: well and pump

d. Describe the reasons for applying for a change in the point of diversion

This transfer is necessary because of a land trade between Herman Aikele and Juel Aikele

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP	RANGE	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	30										(38)					(38)		76
		31	(34.8 34.8)				(39 39.6)	(10)			(39)				(6.6 37.8 40)				317

() = same lands as 34-7039

Total number of acres to be irrigated 393

- b. Draw 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.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks

I hereby assert that no one will be injured by such change and 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.

Wayne S. Schell
(Signature of applicant)

Subscribed and sworn to before me this 3rd day of March, 1977

James J. Ross
(Notary public)

My commission expires September 1, 1978

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-2472, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 1 day of June, 19 77

S. Kenneth Simon

FOR DEPARTMENT USE ONLY

Received by RLC Date 3/1/77 Protest filed by _____

Prelim. check by RDC Fee _____

Receipted by _____ Date _____

Published in Bozeman Daily Copies of protest forwarded by _____

Pub. dates 3/1/77 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial
rec'd. by Jim Johnson

License and Certificate of Water Right

Water License No. G-2451

Amount 2.0 c.f.

Water District No

Priority October 2,

THIS IS TO CERTIFY that DON A. AIKLE
of Moore, Idaho, made application for a permit to appropriate
public waters of the State of Idaho, dated October 2, 1953; that Permit No. G-2451
was issued under said application; that Certificate of Completion of works, with a carrying capacity
2.0 second feet, was issued thereunder on December 14, 1959, showing that said works
were completed on the 23 day of October, 1958; and that on the 23
day of October, 1958,

DON A. AIKLE

of Moore, State of Idaho, made proof to the satisfaction of
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation and
domestic use, under Use Permit No. G-24515 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 1852, on the 14 day of December, 1959
The right hereby confirmed dates from October 2, 1953;

The Point of Diversion is located

in the NW 1/4, NE 1/4, Sec. 29, T. 1 N., R. 2 E., B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.0 cubic feet per second

Description and location of use

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	2 E.	29	SW 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
		30	SW 1/4 SE 1/4	40	40
			SE 1/4 SW 1/4	40	40
Total number of acres to be irrigated					160

No Overlap

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

14 day of December, 1959

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

34-2309.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the application of)
Juel Aikela)
of)
Arco, Idaho)

ORDER GRANTING TRANSFER
NO. 1066

For a Transfer of Water Right in the)
County of Butte, State of Idaho,)

WHEREAS, On the 20th day of January, 1966, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Juel Aikela of Arco, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1066

THIS IS TO CERTIFY, That Juel Aikele of Arco, Idaho, is the owner of and using a certain water right of 7.02 cubic feet per second of the waters of subterranean flow, said water being obtained by virtue of License No. G-25355, issued by the State of Idaho, Department of Reclamation, dated December 16, 1959, bearing priority date of January 7, 1955, for the purpose of irrigating the following described lands situate, lying and being in the County of Butte, State of Idaho, to-wit:

SW1/4, SW1/4, Section 20; NW1/4,
NW1/4, Section 29; NE1/4, SE1/4NW1/4,
SW1/4, NW1/4, SW1/4, Section 30;
Township 4 North, Range 26 E.B.M.,
NW1/4, Section 6, Township 3 North,
Range 26 E.B.M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 11, Page 6851;

That said Juel Aikele has become the owner of said water right by purchase and by virtue of License No. G-25355;

And that now, upon the application of Juel Aikele for the transfer of 7.02 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 7.02 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this Certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

(NW1/4) (SE1/4) (SW1/4) (E1/4SW1/4)
(NW1/4) (SW1/4) Section 30;
(NW1/4) (SW1/4) Section 29;
(NE1/4NW1/4) (NW1/4SW1/4) (SE1/4SW1/4) (SE1/4SE1/4)
Section 31; Township 4 North,
Range 26 E. B. M. (NW1/4) Section 6,
Township 3 North, Range 26 E.B.M.,

New
land
() = overlapping
lands 4/31-7039

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

7.02 cubic feet per second of the
waters of subterranean source with
priority of January 7, 1955;

1066
3/1-7039

And that the water right hereby transferred has heretofore been conducted from subterranean source with two points of diversion in the SW1/4SW1/4, Section 17, Township 4 North, Range 26 E.B.M., 3 P/D and delivered through private ditches;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with no change in point of diversion;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 8th day of February, 1966.

CARL E. TAPPAN
State Reclamation Engineer

106
2215

State of Idaho
License and Certificate of Water Right

Trans # 1

Water License No. G-25355

Amount 7.02 c.f.s.

Water District No.

Priority January 7, 1955

THIS IS TO CERTIFY that ANDREAS ATYLE of Moore, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 7, 1955; that Permit No. G-25355 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 7.02 second feet, was issued thereunder on December 1, 1959, showing that said works were completed on the 16 day of March, 1959; and that on the 16 day of March, 1959, ANDREAS ATYLE

of Moore, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of two wells, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-25355 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6941, on the 11 day of December, 1959; The right hereby confirmed dates from January 7, 1955; The Point of Diversion is located (two points)

on the SW 1/4 SW 1/4, Sec. 17, Tp. 4 N., R. 26 E., B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 7.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	26 E.	6	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	10
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
4 N.	26 E.	20	SW 1/4 SE 1/4	40	20
			SE 1/4 SW 1/4	40	18
			NE 1/4 NW 1/4	40	35
			NW 1/4 NW 1/4	40	40
		29	SW 1/4 NW 1/4	40	40
			NE 1/4 NW 1/4	40	30
			NW 1/4 NW 1/4	40	5
			NE 1/4 SW 1/4	40	40
		30	NW 1/4 SW 1/4	40	40
			NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40

Total number of acres to be irrigated: 178

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No 28590/34-2358 Priority Feb. 1, 1961 Amount 5.60 cfs
(PART)

THIS IS TO CERTIFY, that

JUEL AIKELE

of Arco, Idaho, has complied with the terms and conditions of Permit
No 28590/34-2358 issued pursuant to Application for Permit dated April 6, 1960
(PART) and has submitted proof to the Department of Water Resources on February 2, 1966 (late proof)
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.60 cfs of water from a ground water source
tributary to and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to Nov. 1	at 5.60 cfs and	1,992 acre feet or
	from to	at cfs and	3.0 af per acre
	from to	at cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 5.60 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,992 acre feet per year said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17,
Twp. 4 N, Rge. 26 E, B. M. in the County of Butte

Description and location of place of use

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
N	26 E	29									35								35
		30	(20	39)			(20	40	40)			39	(39	39)	38				314
		31				(37)				(39)	(40)				(40)				156
3 N	26 E	6	(40	40)		(40	39)												159

Total number of acres irrigated 664

() = same lands as 34-7039

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18 day of
September 19 76

Director

State of Idaho
Department of Water Resources

AMENDED
WATER RIGHT LICENSE

License of Water Right No 28590/34-2358 Priority April 20, 1961 Amount 4.06 cfs
(PART)

THIS IS TO CERTIFY, that DON A. AIKELE

of Moore, Idaho, has complied with the terms and conditions of Permit
No 28590/34-2358 issued pursuant to Application for Permit dated April 6, 1960
(PART)
and has submitted proof to the Department of Water Resources on April 21, 1966 (late proof),
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 4.06 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Nov. 1</u>	at <u>4.06</u> cfs and	<u>1,269 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 4.06 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,269 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17,

Twp. 4 N, Rge. 26 E, B. M. in the County of Butte

Description and location of place of use

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	26 E	17									40	40	32	39		39	36		226
		20												19					19
		29					30	34	29	19									112
		30	38			28													66

Total number of acres irrigated 423

No Overlap

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

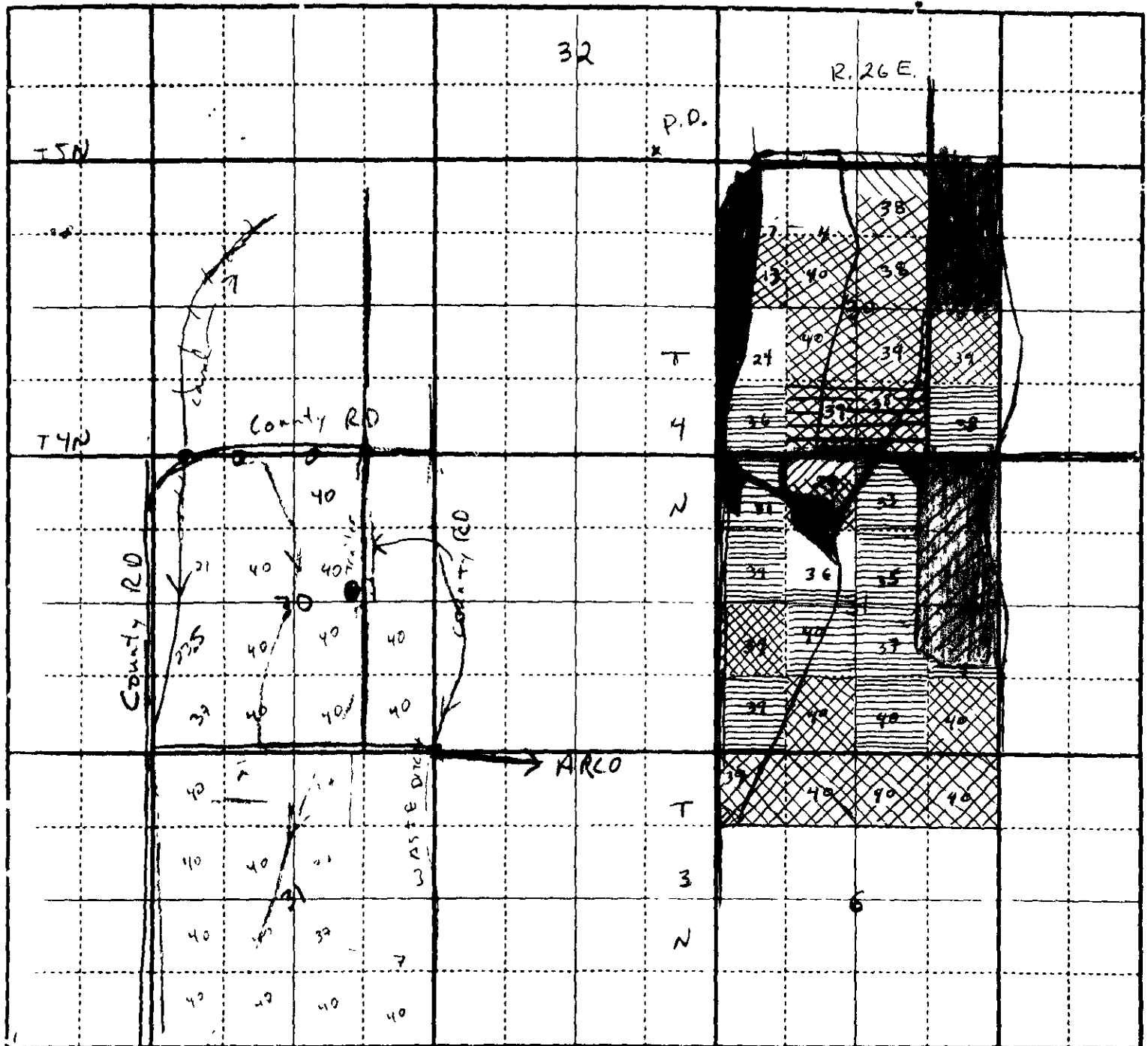
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho

Witness the seal and signature of the Director affixed at Boise, Idaho, this 30 day of
August, 19 76

Director

Aikele, Tuel

34-7039



37
40 40 40 40

Diagram of System

— PREVIOUS
LICENSES
on
P.O.U.
34-7309



34-2309 -



34-2315 -



34-2358 B -



34-2472



Lands
out



JK
15 DEC 80

MICHAEL

CONDITIONING
P. 1

TUE. AIKELE
34-7039

TSN/R26E

Section 6

Acreage
Found
34-7309

40 Ac

NE $\frac{1}{4}$ NE $\frac{1}{4}$

34-2315 @ 40 Ac

0.506" or 0.01012 cfs / Ac

34-2358B @ 40 Ac

0.422" or 0.00844 cfs / Ac

TOTAL 40Ac = 0.928" or 0.01856 cfs / Ac

40 Ac x 0.00144 cfs = 0.0576 = 0.0576 cfs

NW $\frac{1}{4}$ NE $\frac{1}{4}$

40 Ac

As Above

= 0.0576 cfs

NE $\frac{1}{4}$ NW $\frac{1}{4}$

40 Ac

As Above

= 0.0576 cfs

NW $\frac{1}{4}$ NW $\frac{1}{4}$

39 Ac

34-2315 @ 40 Ac

0.506" or 0.01012 cfs

34-2358B @ 39 Ac

0.422" or 0.00844 cfs

TOTAL 39 = 0.928" or 0.01856 cfs / Ac

39 Ac x 0.00144 = 0.0562 = 0.0562 cfs

✓ SUBTOTAL (1) = 0.229
~~0.2296~~

✓ SUBTOTAL (1) = 0.23 cfs

TOTAL (from page 7) = 3.04 cfs

JK
15 DEC '80

EDMUNSON

4N, R26E

Section 30

Acres
Found
34-2309

SE 1/4 NW 1/4

40

34-2315 @ 40 Ac

0.506" or 0.01012 cfs / Ac

34-2358B @ 40 Ac

0.422" or 0.00844 cfs / Ac

TOTAL 40 Ac = .928" or 0.01856 cfs

40 Ac x 0.00144 cfs = 0.0576 cfs

NE 1/4 SW 1/4

40

As above.

TOTAL = 0.0576 cfs

NW 1/4 SW 1/4

24

None

TOTAL 24 Ac x 0.02 cfs = 0.48 cfs

SW 1/4 SW 1/4

36

34-2472 @ 38 Ac

.768" or 0.01736 cfs / Ac

TOTAL 36 Ac x 0.00464 cfs = 0.095 cfs

SE 1/4 SW 1/4

39

34-2309 @ 40 Ac

.625" or 0.0125 cfs / Ac

34-2315 @ 40 Ac

.506" or 0.01012 cfs / Ac

34-2358B @ 39 Ac

.422" or 0.00844 cfs / Ac

TOTAL 40 Ac = 1.553" or 0.03104 cfs

✓ SUBTOTAL (3) = 0.6902 cfs

CONDITIONING
P. 2

TUEL AIKELE
34-7309

T4N, R26E

Section 30

Average
Found
34-7309

NW $\frac{1}{4}$ NE $\frac{1}{4}$

38

34-2315 @ 40 Ac

$$0.506" \approx 0.01012 \text{ cfs/Ac}$$

34-2358B @ 20 Ac

$$0.422" \approx 0.00844 \text{ cfs/Ac}$$

$$1) \text{ TOTAL } 20 \text{ Ac} = 0.928" \approx 0.01856 \text{ cfs}$$

$$20 \text{ Ac} \times 0.00144 \text{ cfs} = \underline{0.0289 \text{ cfs}}$$

$$2) \text{ TOTAL } 20 \text{ Ac} = 0.506" \approx 0.01012 \text{ cfs}$$

$$18 \text{ Ac} \times 0.00988 = \underline{0.178 \text{ cfs}}$$

SW $\frac{1}{4}$ NE $\frac{1}{4}$

38

34-2315 @ 40 Ac

$$0.506" \approx 0.01012 \text{ cfs/Ac}$$

34-2358B @ 39 Ac

$$0.422" \approx 0.00844 \text{ cfs/Ac}$$

$$\text{TOTAL } 39 \text{ Ac} = 0.928" \approx 0.01856 \text{ cfs}$$

$$38 \text{ Ac} \times 0.00144 = \underline{0.0547 \text{ cfs}}$$

SW $\frac{1}{4}$ NW $\frac{1}{4}$

13

34-2315 @ 16 Ac

$$0.506" \approx 0.01012 \text{ cfs/Ac}$$

34-2358B @ 20 Ac

$$0.422" \approx 0.00844 \text{ cfs/Ac}$$

$$\text{TOTAL } 16 \text{ Ac} = 0.928" \approx 0.01856 \text{ cfs}$$

$$13 \text{ Ac} \times 0.00144 \text{ cfs} = \underline{0.0187 \text{ cfs}}$$

$$\text{SUBTOTAL (2)} = \underline{0.2773 \text{ cfs}}$$

P.5

Acres Found
34-2704

T4N, R26E

Section 31

NW 1/4 NE 1/4

33

34-2472 @ 31.8 Ac

.868" or 0.01736 cfs/Ac

TOTAL 33 Ac x 0.00264 cfs = 0.0871 cfs

SW 1/4 NE 1/4

35

As Above

TOTAL 35 Ac x 0.00264 cfs = 0.0924 cfs

NE 1/4 NW 1/4

29

34-2715 @ 30 Ac

.506" or 0.01012 cfs/Ac

34-2358B @ 32 Ac

.422" or 0.00744 cfs/Ac

TOTAL ~~30~~ 30 Ac = 0.01856 cfs or .928"/Ac

29 Ac x 0.00144 cfs = 0.0418 cfs

NW 1/4 NW 1/4

31

34-2472 @ 32 Ac

.868"/Ac or 0.01736 cfs/Ac

TOTAL 31 Ac x 0.00264 cfs = 0.0818 cfs

SW 1/4 NW 1/4

39

As Above @ 39 Ac

TOTAL 39 Ac x 0.00264 cfs = 0.103 cfs

SE 1/4 NW 1/4

36

As Above @ 6 Ac

(1) TOTAL 6 Ac x 0.00264 cfs = 0.0158 cfs

(2) TOTAL 30 Ac x 0.02 cfs = 0.6 cfs

✓ SUBTOTAL (5) = 1.0219 cfs

P. 7

T4N, R26E

Section 30

Acres
Found
34-2309

NE 1/4 SE 1/4

39

34-2315 @ 40 Ac

0.506" or 0.01012 cfs/Ac

34-2358B @ 39 Ac

0.422" or 0.00844 cfs/Ac

TOTAL 39 Ac = 0.728" or 0.01856 cfs

39 Ac x 0.00144 cfs = 0.0562 cfs

NW 1/4 SE 1/4

39

As Above.

TOTAL = 0.0562 cfs

SW 1/4 SE 1/4

38 Ac

34-2309 @ 40 Ac

.625" or 0.0125 cfs/Ac

34-2315 @ 40 Ac

.506" or 0.01012 cfs/Ac

34-2358B @ 38 Ac

.422" or 0.00844 cfs/Ac

TOTAL 38 Ac = 1.553" or 0.03106 cfs

SE 1/4 SE 1/4

38

34-2472 @ 38 Ac

.868" or 0.01736 cfs/Ac

TOTAL 38 Ac x 0.00264 cfs = 0.1003 cfs

✓ SUBTOTAL (4) = 0.2127 cfs

RECEIVED

T4W, R 26 E

Section 31

Across
Point
34-2309

NE $\frac{1}{4}$ SW $\frac{1}{4}$

40

34-2472 @ 40 Ac

.868" $\underline{\text{or}}$ 0.01736 cfs / Ac

TOTAL 40 Ac $\times$ 0.00264 cfs = 0.1056 cfs

NW $\frac{1}{4}$ SW $\frac{1}{4}$

39

34-2315 @ 40 Ac

.506" $\underline{\text{or}}$ 0.01012 cfs / Ac

34-2358B @ 39 Ac

.422" $\underline{\text{or}}$ 0.00844 cfs / Ac

TOTAL 39 Ac = .728" $\underline{\text{or}}$ 0.01856 cfs / Ac

39 Ac $\times$ 0.00144 cfs = 0.0562 cfs

SE $\frac{1}{4}$ SW $\frac{1}{4}$

40

As above, both @ 40 Ac

TOTAL 40 Ac $\times$ 0.00144 cfs = 0.0576 cfs

SW $\frac{1}{4}$ SW $\frac{1}{4}$

39

34-2472 @ 39 Ac

.868" $\underline{\text{or}}$ 0.01736 cfs / Ac

TOTAL 39 Ac $\times$ 0.00264 cfs = 0.103 cfs

NE $\frac{1}{4}$ SE $\frac{1}{4}$

7
2

As Above @ 6.6 Ac

1) TOTAL 6.6 Ac $\times$ 0.00264 cfs = 0.0174 cfs

2) TOTAL .4 Ac $\times$.02 cfs = 0.008 cfs

NW $\frac{1}{4}$ SE $\frac{1}{4}$

37

As Above @ 37.8 Ac

TOTAL = 37.8 Ac $\times$ 0.00264 cfs = 0.0977 cfs

SW $\frac{1}{4}$ SE $\frac{1}{4}$

40

As Above @ 40 Ac

TOTAL 40 Ac $\times$ 0.00264 cfs = 0.1056 cfs
OVER

MICROFILMED

T4N, R2E

$$\text{SUBTOTAL (6)} = \underline{\underline{0.5511 \text{ cfs}}}$$

Section 31 *Acres
Flooded
34-7309*
SE 1/4 SE 1/4 40

$$34-2315 @ 40 \text{ Ac}$$

$$.506" \text{ or } 0.01012 \text{ cfs}$$

$$84-2358B @ 40 \text{ Ac}$$

$$.422" \text{ or } 0.00844 \text{ cfs}$$

$$\text{TOTAL } 40 \text{ Ac} = .928" \text{ or } 0.01856 \text{ cfs}$$

$$40 \text{ Ac} \times 0.00144 \text{ cfs} = \underline{\underline{0.0576 \text{ cfs}}}$$

$$\underline{\underline{\text{SUBTOTAL (7)}}} = 0.0576 \text{ cfs}$$

$$(6) = 0.5511 \text{ cfs}$$

$$(5) = 1.0217 \text{ cfs}$$

$$(4) = 0.2122 \text{ cfs}$$

$$(8) = 0.6902 \text{ cfs}$$

$$(2) = 0.2723 \text{ cfs}$$

$$(1) = \begin{matrix} 0.229 \\ \cancel{0.2723} \end{matrix} \text{ cfs}$$

TOTAL

$$= \begin{matrix} 3.0318 \\ \cancel{3.0408} \end{matrix}$$

$$= 3.04 \text{ cfs.}$$

RECEIVED

3/79

IDENT. NO. 34-7639

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 30 1979

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of permit holder Juel & Mary Anne Aikele
b) Post office address Box 63-D Moore, Idaho 83255
2. Permit number 34-7039
3. Date of priority that you are prepared to establish 6/25/1973
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SE 1/4 SE 1/4, Section 32
Township 5 N, Range 26 E Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 10.0 cfs for irrigation purposes from May to Oct 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

- b) Total amount appropriated 10.0 cfs and/or acre-feet per annum.

- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

displacement or propeller meter

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

- a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

Moore Canal owned & operated by
The Big Lost River Irrigation Dist.

- b) Describe the agreement of understanding by which you take water from the works: _____

written agreement of which the Dept. has a copy

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

200 hp pump The well is cased with a perforated
20" steel pipe & is 200' deep. water runs through approx.
130' of ditch to the Moore canal through which it will be delivered
to the described lands

- b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

Flow meter installed on discharge of pump

Exam typed
11/5/79

MICROFILMED

c) Give well driller's name and address and the date the well was completed: _____

Boyd Lambert, Mackay, Idaho
May 1973

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	26E	30		40	40				21	40	40	23	37	40	40	40	40	40	361.5
4N	26E	31		37	37		40	40	40	40	40	40	40	40	7	37	40	40	518.0
3N	26E	6	40	40			40	40											160.0

Total number of acres irrigated 1039.5

10. Remarks: this same land is irrigated by 3 other wells & it might seem like excessive water, but because of ditch loss & canal loss of water & the type of soils we have & flood irrigation, I assure you that the water is needed & is put to beneficial use.

The above information is a true statement of the extent to which the above numbered permit has been developed.

May 7, 1979
(Date)
28 Oct 1979

[Signature]
(Signature)
Cheryl Anne Schiele

State of Idaho)
County of Butte) ss.

On this 29th day of October, 1979, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public
Residing at Arco, Idaho

My commission expires 11/5/83

Paul A. K. K.
Box 63-D
Moore, Idaho 83213



Dept of Water Resources
Statehouse
Boise, Idaho

83720

NOT FILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

101271

AIKELE, JUEL AND MARY ANNE
P.O. BOX 630
MOORE, ID 83255

AUGUST 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7039 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1979. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

EM 1
MICROFILMED

March 27, 1979

Mr. Juel Aikele
Box 630
Moore, ID 83255

Dear Mr. Aikele:

Re: Permit No. 34-7039

This letter hopefully will clarify the questions raised in your recent letter received March 23, 1979.

The Department normally does not send Proof of Beneficial Use affidavits to permit holders until sixty (60) days before proof is due since a maximum of five (5) years is provided for the development of a water right. Enclosed, however, is a Proof of Beneficial Use affidavit since you have requested it.

The purpose of forwarding the letter dated October 12, 1978 simply was to let you know that there currently is a pending law suit filed by Idaho Power Company which may affect your future use of water under your permit, depending on the results of the law suit. The Department felt that that information might be worthwhile for you to be aware of.

If you have further questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enc: 2

MICROFILMED

S. Glen Saxton

Permit #
34-7039

There are a couple of things I
don't understand about the operation
of the Dept. of water resources.

1. why don't you send with the
permit the form that we need
to make proof for our water
licence?
2. your letter of Oct. 12, 1978
sounds to me like you are
working for Idaho Power Co.
How come you are so concerned
about Idaho Power's problems?

Thank you
Paul A. Kirk
Moore, Idaho

Please send form for proof.

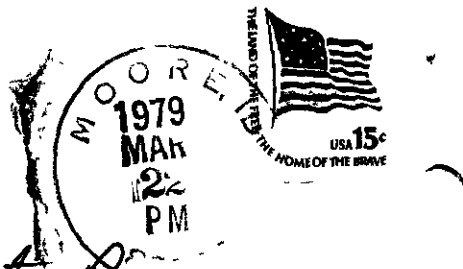
MICROFILMED

RECEIVED

MAR 23 1979

Department of Water Resources

RECEIVED



Dept of Water Resource
State office

373 W. Franklin St.

Boise, Idaho

83720

INTER-DEPARTMENT MEMO — 1

FROM Jim J.

DATE

TO Glen S.

SUBJECT Application for Permit No. 34-7019

Well logs were in the area of proposed diversion were reviewed by Paul Castalin and my self. Because of the fact there ~~were~~ ^{is} only one well previously drilled close to the new p.d., ~~at~~ ~~the~~ we could not determine where the first confining layer would be located. It does not appear that we have any available ~~information~~ **MICROFILMED** to determine if the confining layer condition would be necessary on this application.

Jim

SIGNATURE

DATE 7-25-78

FROM Glen S.

TO Jim Johnson

SUBJECT app 34-7039

- apparently there have been some g.w. problems in the past in the proposed area of appropriation. Please review well logs in the area to determine the likelihood of interference as Norm's note suggests.

(The attached permit 34-7019 is in the approximate area)

198-54-1000-11
11

INTER-DEPARTMENT MEMO — 1

FROM *Men S*TO *NCY*DATE *7-14-78*SUBJECT *app 34-17039*

Should this app be conditioned
w/ the "confining layer" language
as on permit 34-7019?

Wells separated $\approx 4\frac{1}{2}$ to 5 mi.
I suggest that well logs be reviewed to
determine the likelihood of interference
from shallow pumping with the canal
on the river. *NCY*

SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 12, 1978

Re: Permit No. 34-7039

Jeul & Mary Aikele
Box 630
Moore, Idaho 83255

Dear Mr. and Mrs. Aikele:

Your approved copy of Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECORDED
11

- | | |
|--|---|
| 1. ☒ Name vs. Signature | 7. ☐ Place of Use for other than irrig. |
| 2. ☒ Source | 8. ☒ Place of Use for irrigation (add acres) |
| 3. ☒ Point of Diversion | 9. ☒ Property Owner at Pt. of Div. & Pl. of Use |
| 4. ☒ Amnt. & Period of Use | 10. ☒ Map |
| 5. ☒ Descrip. of Diverting Wrks. | 11. ☒ Fee & Rec't. No. |
| 6. ☒ Time req. for Proof of B/U | |

Copies Sent To:

☒ Idaho Health Department	☒ U.S.F.S.
☒ Idaho Fish & Game Dept.	☒ Dept. of Lands
☒ Bureau of Land Management	☒ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ☐ yes ☒ no

Other rights on same land 34-2472 is for 393 acres (same lands) for 6.82 cfs + 34-2358 for 629 acres (same land) for 5.30 cfs. Total can apply for is 22.4 - they for all rights combined equal 22.12 - not an overfiling.
2 wells, above + 3rd well to Don Achela - not same land.

Withdrawals of all protests received ☐ yes ☐ no

6/22/78

Conditions:

ID Power Co. Letter - Snake R. ☐

Meas. Dev. or Sc. Meas. ☒

ID Power Co. Letter - G.W. & Tribs. ☒

Totalizing meter ☐

Snake River Condition ☐

Supplemental ☐

Payette River Letter ☐

Right-of-Way Cond. ☐

Priority Date 6-25-73

Watermaster Cond. ☐

Wtr. Dist No. ☐

Water Quality #16 ☐

Meas. Dev. Cond. for apps within a Water Dist. ☐

Water Quality #10 ☐
intrastate ☐ interstate ☐

Jan Grover
6/21/78
Date

MEMO

To: File #34-7039

From: Jan Grover

Subject: Amended Application

Juel and Mary Anne Aikele filed the first application for Permit for both the Desert Land Entry (BLM) land and their deeded land. After their DLE was rejected they wanted to amend the application to show their deeded land only. They sent an application for amendment to do so, however, since the application for permit was not approved, an amended application for permit was needed. A partially completed application for permit was sent, but nothing received.

In checking DLE's later we found their DLE had been cancelled, sent them a pre-can notice which prompted the return of the amended application. As it does not constitute a change in land location, no increase in acres or amount, it will not be re-advertised and will be processed as it is.

11/10/73



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED

June 2, 1977

JUN 19 1978

Department of Water Resources

Re: Permit No. 34-7039

*New address
Box 630
Moore, SD 57855*

Juel and Mary Anne Aikele
Box 153
Arco, ID 83213

Dear Mr. and Mrs. Aikele:

We acknowledge receipt of the assignment submitted conveying the above referenced application to you. The Department's records have been changed accordingly.

However, in order to amend this application, an amended Application for Permit must be submitted. The Application for Amendment form you submitted is used only for approved permits, and this application has not been approved yet pending approval from the Bureau of Land Management of your Desert Land Entry.

Therefore we are enclosing a partially amended Application for Permit form which you need to sign and return to us. The \$10.00 filing fee for the Application for Amendment form you submitted will be transferred to cover this amended application. Also enclosed is the Application for Amendment form you submitted. Please note the correction in the number of acres under Section 31.

If you have any questions, please contact us.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor
JG/cah
Enclosures

*I am sorry about being so slow
with this. Just got filed away &
slipped my mind I guess.
If you need any additional information
Please let me know.*

Juel Aikele

PS Form 3811, Jan 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse

1. The following service is requested (check one)

- ☒ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Joel + Mary Anne Aikele
 Box 153
 Araco, Id 83213

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

32698

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee☐ Authorized agent

4

DATE OF DELIVERY

JUN 13 1978

5

ADDRESS (Complete only if requested)

6

UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

NY

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below

- Complete items 1, 2, and 3 on reverse side
- Moisten gummed ends and attach to back of article

**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

Re: Application for Permit No. 34-7039

*Certified Mail
32098*

Juel & Mary Anne Aikele
Box 153
Arco, ID 83213

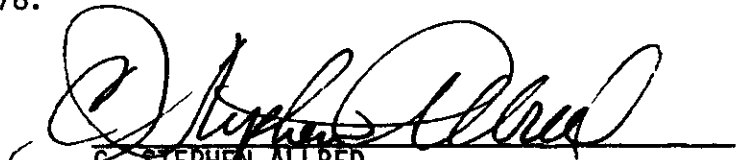
Dear Mr. and Mrs. Aikele:

It appears to the Department of Water Resources that the terms and conditions of Application for Permit No. 34-7039 to appropriate the public waters of the State of Idaho have not been complied with. The Desert Land Entry filed in connection with this application was rejected on June 21, 1974, and consequently you no longer have any possessory interest in these lands.

Therefore, you are notified that under the provisions of Section 42-204, Idaho Code, the Department will void the record of the application unless you show cause before the Director, Department of Water Resources on or before July 9, 1978, why said application should not be voided.

This application claims the use of 10 cubic feet per second of water from a groundwater source, the point of diversion to be located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, Twp. 5N, Rge. 26E, B. M. and the application was filed June 25, 1973.

Dated this 9 day of June, 1978.


C. STEPHEN ALLRED
Director

CSA:kw

MICROFILMED

34-7039

RECEIVED

Legal Reference	File Code	Serial Number
Desert Land Application, Act 3-3-1877	2520	I-7491
Name and Mailing Address		
Herman Aikele Box 10 Arco, ID 83213		
Description of Land		
T. 3 N., R. 26 E., B.M., Idaho Sec. 5: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ T. 4 N., R. 26 E., B.M., Idaho Sec. 30: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$		
Butte County 199.57 acres		
DATE OF ACTION	ACTION TAKEN	
1-15-74	Application filed. Rect. #433128 - \$65.00 filing fee and payment of 1/5. cc of SR to GS and DM I-3.	
6/21/74	Appln. deficient. Case closed.	
MAR 12 1975	Case file to GSA for review, Seattle, Wash.	
	FRC C. 32216	
	Acc. 75-A1096	
	rejected	

MICROFILMED

file
June 2, 1977

Re: Permit No. 34-7039

Juel and Mary Anne Aikele
Box 153
Arco, ID 83213

Dear Mr. and Mrs. Aikele:

We acknowledge receipt of the assignment submitted conveying the above referenced application to you. The Department's records have been changed accordingly.

However, in order to amend this application, an amended Application for Permit must be submitted. The Application for Amendment form you submitted is used only for approved permits, and this application has not been approved yet pending approval from the Bureau of Land Management of your Desert Land Entry.

Y Therefore we are enclosing a partially amended Application for Permit form which you need to sign and return to us. The \$10.00 filing fee for the Application for Amendment form you submitted will be transferred to cover this amended application. Also enclosed is the Application for Amendment form you submitted. Please note the correction in the number of acres under Section 31.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/cah

Enclosures

cc: KAY Weaver

MICROFILMED

June 2, 1977

Re: Permit No. 34-7039

Juel and Mary Anne Aikele
Box 153
Arco, ID 83213

Dear Mr. and Mrs. Aikele:

We acknowledge receipt of the assignment submitted conveying the above referenced application to you. The Department's records have been changed accordingly.

However, in order to amend this application, an amended Application for Permit must be submitted. The Application for Amendment form you submitted is used only for approved permits, and this application has not been approved yet pending approval from the Bureau of Land Management of your Desert Land Entry.

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If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/cah

Enclosures

cc Aikele 6/14/77

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 19 1977

Department of Water Resources
Eastern District Office

APPLICATION FOR AMENDMENT

RECEIVED

JUN 19 1978

Department of Water Resources

Permit No. 34 - 7039

Comes now JUEL & MARY ANNE AIKELE of (address) _____

BOX 153 ARCO, IDAHO 83213

BOX 153 ARCO, IDAHO 83213, and represents to the Director of
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 34 - 7039, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____ Twp. _____
Rge. _____, B.M., County of _____. Other points of diversion: _____

NO CHANGE

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or ~~land to be~~ irrigated:

[illegible]

Total number of acres to be irrigated

MICROFILMED

[illegible]

Director

INTER-DEPARTMENT MEMO — 1

FROM Ron Carlson

DATE November 21, 1974

TO Darlene

SUBJECT Application for Permit No. 34-7039

Expenditures
REVENUE SOURCES

I recommend this application be approved if and when the Desert Land Entry application is classified as suitable for entry. As a condition of approval, I recommend that a measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

At the time of approval, the applicant should be informed that this permit does not grant an easement to use the existing canal system to convey water to the proposed place of use.

RDC/ls

MICROFILMED

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

April 11, 1974

RECEIVED
MAY 2 1974

WATER ADMINISTRATION
Area Office

Re: Application for Permit No. 34-7039

Juel & Mary Ann Aikele and
Herman & Atha Aikele
P. O. Box 153
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

This office has on file the above referenced application to appropriate the public waters of the State of Idaho which has been submitted in your names. This application indicates you will use this water for the irrigation of land you hope to obtain through the Desert Land Act.

Due to a recent Supreme Court decision, we must have your desert entry number within 30 days of the date you applied for the water permit or your application will be considered speculative and voided. Therefore, we must request that you send us your desert entry number within 30 days of the date of this letter or we will have to submit your Application for Permit to be voided.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Ronald D. Carlson

RONALD D. CARLSON
Asst. to the District Engineer

RDC:mb

Our desert entry number is #7491

*Very truly yours,
Herman Aikele*

April 11, 1974

Re: Application for Permit No. 34-7039

Juel & Mary Ann Aikele and
Herman & Atha Aikele
P. O. Box 153
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

This office has on file the above referenced application to appropriate the public waters of the State of Idaho which has been submitted in your names. This application indicates you will use this water for the irrigation of land you hope to obtain through the Desert Land Act.

Due to a recent Supreme Court decision, we must have your desert entry number within 30 days of the date you applied for the water permit or your application will be considered speculative and voided. Therefore, we must request that you send us your desert entry number within 30 days of the date of this letter or we will have to submit your Application for Permit to be voided.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:mb

July 25, 1973

J
Juel & Mary Ann Aikele and
Herman & Atha Aikele
P. O. Box 153
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

O
Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, this office will take no further action until such time as evidence that your desert entry has been classified as suitable for entry is submitted to the Department of Water Administration in writing.

If we may be of further assistance, please contact us.

Very truly yours,

Y
NORMAN C. YOUNG
District Engineer

NCY:mb

cc: Bureau of Land Management
Room 334, Federal Bldg.
550 West Fort St.
Boise, Idaho 83702

MICROFILMED

June 29, 1973

Re: Application for Permit No. 34-7039 Juel & Mary Ann Aikele
Herman & Atha Aikele

Arco Advertiser.
Box "C"
Arco, ID 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enc: Legal notice (1)

Bill submitted 7-24-73 by mk

IMPROVED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Juel & Mary Ann and Herman & Atha Aikele, P.O. Box 153, Arco, Idaho have on 6/25/73 submitted Application No. 34-7029 for a permit to appropriate 10.0 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 5N, R. 26E, B.M., Butte County; to be used from May 1 to Oct. 31 for the irrigation of 1435 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 3N, R. 26E; all of Sec. 31; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 30, T. 4N, R. 26E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 210 South Holmes, Idaho Falls, Idaho. 83401 on or before July 27, 1973.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho on July 5 and July 12, 1973.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Juel & Mary Ann and Herman & Atha Aikele,

P.O. Box 153, Arco, Idaho

have ~~XXXX~~ on 6/25/73 submitted Application No. 34-7039

for a permit to appropriate 10.0 cubic feet per second ~~XXXXXX feet per annum~~

of water from a ground-water source

by means of well and pump

within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 5N, R. 26E, B.M., Butte County;

to be used from May 1 to Oct. 31

for the irrigation of 1435 acres

within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 3N, R. 26E; all of
Sec. 31; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 30, T. 4N, R. 26E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before July 23, 1973.

R. KEITH HIGGINSON

Director

Published in the Arco Advertiser, Arco, Idaho

on July 5 and July 12, 1973.

microFILMED

NCY

201

June 25, 1973

Joel and Mary Ann Aikele
Box 153
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

Attached herewith is departmental receipt No. 10242 in the amount of \$57.50 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY;mb

Attachment

MICROFILMED

June 25, 1973

Herman & Atha Aikele
Box 10
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

Attached herewith is departmental receipt No. 10243 in the amount of \$57.50 for your application for permit which was received in this office under the above date.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Attachment

MICROFILM

June 20, 1973

Juel & Mary Aikele
Herman & Atha Aikele
P.O. Box 153
Arco, Idaho 83213

Dear Mr. & Mrs. Aikele:

We are returning your application for permit to appropriate ground water because the signature of Atha Aikele is required before the application can be processed. Also the statutory filing fee of \$115.00 for an application for 10 c.f.s. must be submitted before the application can be accepted. I have made two minor changes to the application. In Item 2 I have changed the source to groundwater and in Item 8b I have erased the 10 acres listed in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 31, as it appeared to duplicate in part the 40 acres listed a few lines lower for the same subdivision.

The application indicates that the water will be pumped into the Big Lost River Irrigation Canal for conveyance to the described land. You should be aware that a permit issued by this department does not constitute an easement or carrying right in said canal. The right to use the canal will have to be obtained in a separate action with the canal company.

Please have Mrs. Atha Aikele sign the application and return it with the required filing fee to this office for processing. If we can be of further assistance, please contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM NORM

DATE June 15, 1973

TO E. J.

SUBJECT

Please send me copies of the licenses and any transfers for any existing water rights in Sections 30 & 31, T. 4N, R. 26E; and Sections 5 & 6, T. 3N, R. 26E. I have a new application for this ground, which before I can process will require evaluating prior rights.

SIGNATURE