

FEB 12 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84662

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) HIGLEY LAND INVESTMENTS LLC**Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.****Yes N/A** *Means the item is always required and must be included with the application.

- ☐ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☐ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant HIGLEY LAND INVESTMENTS LLC Phone (208) 312-1016
Mailing Address PO BOX 25, MALTA ID 83342-0025 Email hhigley@rrelectric.com

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

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

☒ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

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

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

 _____ 2/12/2021
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-13773	No	Yes	Yes	Yes	No	No
	43-13889	No	No	Yes	No	No	No
	43-13890	No	No	Yes	No	No	No
	43-13891	No	No	Yes	No	No	No
	43-13892	No	No	Yes	No	No	No
	43-13893	No	No	Yes	No	No	No
	43-13894	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Transfer proposes to move right 43-13773 to a nearby farm owned by the applicants and modify the place of use of that farm. Transfer will also drop one authorized POD from each of the existing rights at the farm and add the remaining PODs to the right moving in. The 10 acre description will also be dropped from each POD location description.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13773	0.170 cfs	50.4 af	N/A	628.6		N/A	N/A	N/A	N/A
43-13889	0.990 cfs	325.6 af	81.4	628.6		N/A	N/A	N/A	N/A
43-13890	5.760 cfs	1504.0 af	376.0	628.6		N/A	N/A	N/A	N/A
43-13891	2.420 cfs	492.8 af	123.2	628.6		N/A	N/A	N/A	N/A
43-13892	0.790 cfs	380.8 af	510.0	628.6		N/A	N/A	N/A	N/A
43-13893	1.220 cfs	254.4 af	63.6	628.6		N/A	N/A	N/A	N/A
43-13894	0.310 cfs	98.4 af	24.6	628.6		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

11.520 cfs	2,514.4 af	628.6	628.6	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 11.52 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13773

Current Water Right Owner
HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.170 CFS	50.4 AFA	
Total Diversion			0.170 CFS	50.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13889

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 9/8/1950

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.990 CFS	325.6 AFA	
Total Diversion			0.990 CFS	325.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 81.4

POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13890

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/5/1956

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	5.760 CFS	1504.0 AFA	
Total Diversion			5.760 CFS	1504.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 376.0

POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13891

Current Water Right Owner
HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 1/1/1953

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.420 CFS	492.8 AFA	
Total Diversion			2.420 CFS	492.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 123.2
POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13892

Current Water Right Owner
HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.790 CFS	380.8 AFA	
Total Diversion			0.790 CFS	380.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 510.0

POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13893

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.220 CFS	254.4 AFA	
Total Diversion			1.220 CFS	254.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 63.6

POU Total Acres: 628.6

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-13894

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.310 CFS	98.4 AFA	
Total Diversion			0.310 CFS	98.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESW	Sec. 9 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											35.7	32.6					68.3
14S	27E	4					36.3	35.9	37.3	37.3	36.2	36.5	37.2	32.6					289.3
							L 3	L 4											
14S	27E	9					31.6	35.7	37.4	32.9	32.2	37.2	31.6	32.4					271.0

Right Acre Limit: 24.6

POU Total Acres: 628.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

Already Installed

- b. Who owns the property at the point(s) of diversion

Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ If Yes, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Ireland Bank

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

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Dried up

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

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

Yes
☐
☐
☐
☐

No

☒
☒
☒
☒

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

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13773

Current Water Right Owner

DAWN HIGLEY
PO BOX 25
MALTA, ID 83342-0025

And

HEATH HIGLEY
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.170 CFS	50.4 AFA	
Total Diversion			0.170 CFS	50.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER

L3(SWNWSW) Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	25															12.6		12.6

POU Total Acres: 12.6

Conditions/Remarks:

1. This right is limited to the irrigation of 12.6 acres within the place of use described above in a single irrigation season.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13889

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 9/8/1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.990 CFS	325.6 AFA	
Total Diversion			0.990 CFS	325.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 81.4

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 81.4 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. Rights 43-13889, 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 11.03 cfs, a total annual maximum diversion volume of 2365.5 af at the field headgate, and the irrigation of 591.4 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**AHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13890

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/5/1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	5.760 CFS	1504.0 AFA	
Total Diversion			5.760 CFS	1504.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 376.0

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 376.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. Rights 43-13889, 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 11.03 cfs, a total annual maximum diversion volume of 2365.5 af at the field headgate, and the irrigation of 591.4 acres.
4. Rights 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2047.9 af at the field headgate, and the irrigation of 512.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13891

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 1/1/1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.420 CFS	492.8 AFA	
Total Diversion			2.420 CFS	492.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 123.2

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 123.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. Rights 43-13889, 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 11.03 cfs, a total annual maximum diversion volume of 2365.5 af at the field headgate, and the irrigation of 591.4 acres.
4. Rights 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2047.9 af at the field headgate, and the irrigation of 512.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13892

Current Water Right Owner
HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.790 CFS	380.8 AFA	
Total Diversion			0.790 CFS	380.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 510.0

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 510.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. Rights 43-13889, 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 11.03 cfs, a total annual maximum diversion volume of 2365.5 af at the field headgate, and the irrigation of 591.4 acres.
4. Rights 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2047.9 af at the field headgate, and the irrigation of 512.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13893

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 4/1/1954

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.220 CFS	254.4 AFA	
Total Diversion			1.220 CFS	254.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 63.6

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 63.6 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. Rights 43-13889, 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 11.03 cfs, a total annual maximum diversion volume of 2365.5 af at the field headgate, and the irrigation of 591.4 acres.
4. Rights 43-13890, 43-13891, 43-13893, and 43-13892 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2047.9 af at the field headgate, and the irrigation of 512.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 43-13894

Current Water Right Owner

HIGLEY LAND
INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

Priority Date: 3/15/1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.310 CFS	98.4 AFA	
Total Diversion			0.310 CFS	98.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	L3(NENENW)	Sec. 5 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SWSESW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESENW	Sec. 9 Twp 14S Rge 27E	CASSIA County
GROUND WATER	SESESW	Sec. 4 Twp 14S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	33											37.0	31.0					68.0
14S	27E	4					32.0	35.0	37.0	34.0	32.0	37.0	37.0	33.0					277.0
							L 3	L 4											
14S	27E	9					31.5	36.0	36.5	32.5	32.5	37.0	32.5	32.5					271.0

Right Acre Limit: 24.6

POU Total Acres: 616.0

Conditions/Remarks:

1. This right is limited to the irrigation of 24.6 acres within the place of use described above in a single irrigation season.
2. Rights 43-13889, 43-13890, 43-13891, 43-13892, 43-13893 and 43-13894 when combined shall not exceed a total diversion rate of 11.35 cfs, a total annual maximum diversion volume of 2464.0 af at the field headgate, and the irrigation of 616.0 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**. If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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

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

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

Received By	<u>DM/gb</u>	Date	<u>2-12-2021</u>	Prelim. Check By		Date	
Fee Paid	<u>\$525.-</u>	Date	<u>2-12-2021</u>	Received By	<u>DM</u>	Receipt #	<u>S038395</u>
Add'l Fee Paid		Date		Received By		Receipt #	

Higley POD/POU Transfer #84662



Legend

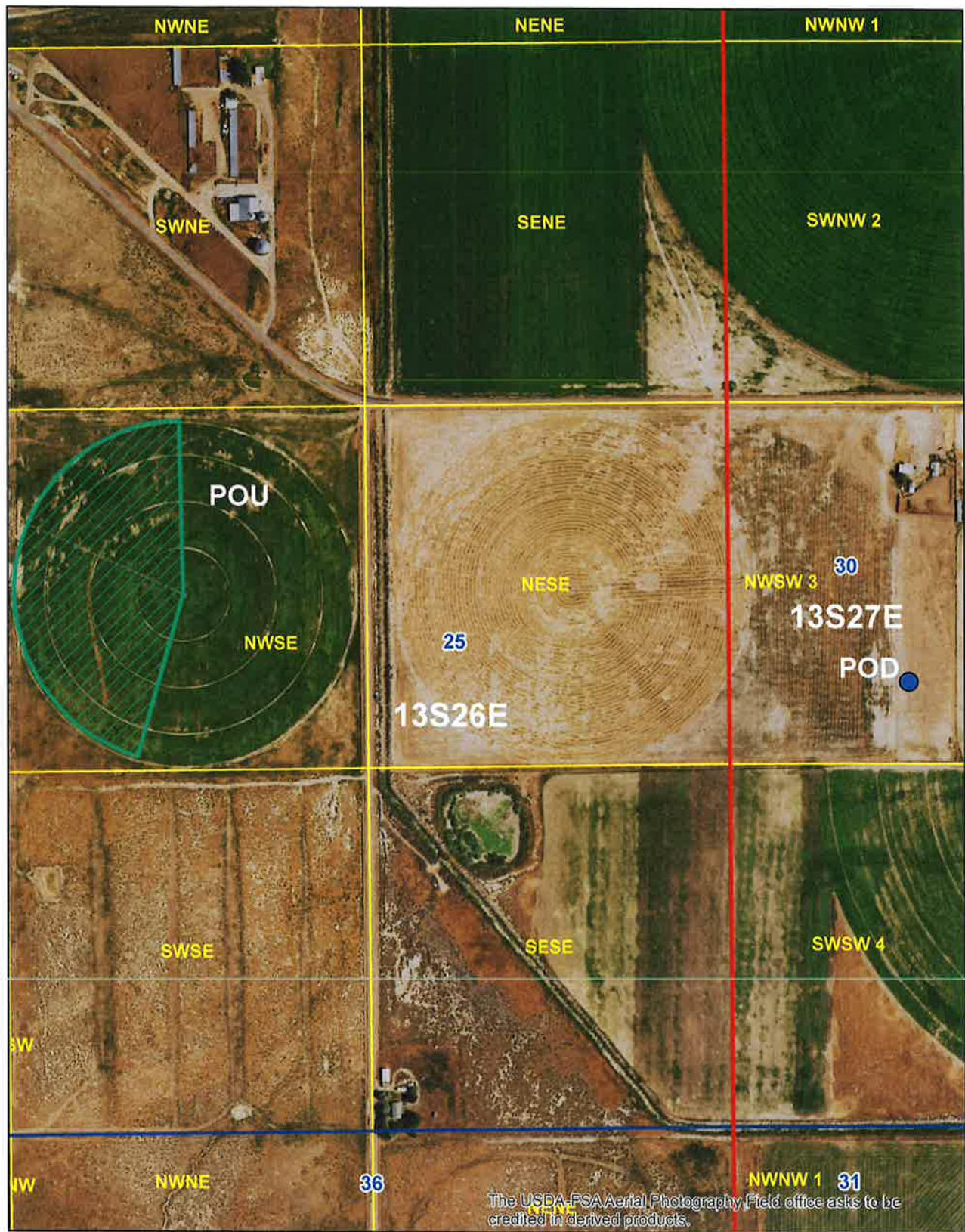
- Transfer POD
- Transfer POU
- Township/Range
- Sections
- QQ

TRANSFER 84662 Proposed Place of Use and Points of Diversion

0 0.15 0.3 0.6 Miles



Right 45-13773 - Current POL & POU



Legend

- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles





0004120270

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004120270

Date Filed: 1/6/2021 1:44:54 PM

Entity Name and Mailing Address:

Entity Name: HIGLEY LAND INVESTMENTS, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0003398115

Address: PO BOX 25
MALTA, ID 83342-0025

Entity Details:

Entity Status: Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: HEATH T HIGLEY
Registered Agent
Physical Address
1971 S 2350 E
MALTA, ID 83342
Mailing Address
1971 S 2350 E
MALTA, ID 83342

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
Dawn Higley	Manager	PO BOX 25 MALTA, ID 83342-0025

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Dawn Higley

Sign Here

01/06/2021

Date

B0000-1004 V1/06/2021 1:44 PM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	241.80
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	241.80
Fax			
Section	Legals	Start/End Dates	03/18/2021 - 03/25/2021
SubSection		Insertions	2
Category	50 Legal	Size	160
Ad Key	112407-1	Salesperson(s)	Jenny Green - Legals
Keywords	CHANGE OF WATER RIGHT	Taken By	Jenny Green
Notes			

Ad Proof

✓ dm 3/12/2021

Proof of legal notice received
from Times News 3/12/2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84662

✓ HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

✓ BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

✓ PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

✓ VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 5, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 18th & 25th, 2021

✓ DM 3/12/2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2021

HIGLEY LAND INVESTMENTS LLC
PO BOX 25
MALTA, ID 83342-0025

RE: Transfer No. 84662

Water Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893,
43-13894

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 3/18/2021 and 3/25/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **April 5, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Ireland Bank, Pocatello, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2021

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84662 (Higley Land Investments LLC)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Friday, March 12, 2021 4:40 PM
To: Maline, Denise
Subject: FW: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on March 18th & 25th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Gary Spackman
Director

March 12, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84662

Water Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893,
43-13894

RE: Transfer No. 84729

Water Right No(s). 47-17555, 47-17560, 47-17565

RE: Transfer No. 84735

Water Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261

RE: Transfer No. 84764

Water Right No(s). 36-17012, 36-17013, 36-2257

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before **April 5, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84662**

HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **April 5, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 18th & 25th, 2021

Bitzenburg, James

From: Brett P. Crowther <BPCrowther@ireland-bank.com>
Sent: Thursday, February 25, 2021 12:34 PM
To: Bitzenburg, James
Cc: Dawn Higley (higdawn@gmail.com)
Subject: RE: Higley transfer
Attachments: Aberdeen@ireland-bank.com_20210225_143256.pdf

This message was sent securely using Zix®

Hello Jim,

Attached is the requested letter for Higley Land Investments LLC. Please let me know if you need anything else.

Thanks,

Brett P. Crowther

Vice President, Loan Officer

NMLS # 451643

(208) 397-7100 Office

(208) 397-7111 Fax

(208) 339-8664 Cell

BPCrowther@ireland-bank.com

www.ireland-bank.com



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. If you have received this email in error please notify the sender and delete the email. Please note that any views or opinions presented in this email are solely those of the author and not necessarily those of the company. The recipient should check this email and any attachments for the presence of viruses. The company accepts no liability for any damage caused by any virus transmitted by this email.

From: Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>

Sent: Wednesday, February 24, 2021 2:35 PM

To: Brett P. Crowther <BPCrowther@ireland-bank.com>

Subject: External:Use Caution! Higley transfer

Brett-

Attached is a copy of the Higley transfer for your review. Also attached is a synopsis of the transfer, which gives a short summary of the transfer. Let me know if you have any questions, and thank you for your time and assistance with the process.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

This message was secured by [Zix®](#).



February 25, 2021

RECEIVED

FEB 25 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Attn: Jim Bitzenburg
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858

RE: Higley Land Investments LLC (Transfer #84662)

Jim:

This letter is to inform you that Ireland Bank agrees to the proposed water transfer outlined in transfer #84662 that will move water right # 43-13773 present place of use to the new farm that was recently purchased by Higley Land Investments LLC in Malta, ID. Please maintain Ireland Bank's lien on water right # 43-13773.

Sincerely;

Brett Crowther
Vice President/Loan Officer
NMLS# 451643

LENDER ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF BINGHAM) SS

This record was acknowledged before me on 25th DAY OF FEBRUARY 20 21 by Brett Crowther as Vice President of Ireland Bank.



Notary Public in and for the State of IDAHO

My commission expires 2-5-2024
Ireland-Bank.com



Member
FDIC

TRANSFER SYNOPSIS

Date: February 16, 2021
To: Higley Land Investments, LLC Transfer #84662 file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

The applicant also requests to drop the 10 acre (QQQ) description from the PODs on all seven rights.

Because the transfer is located within the Raft River Critical Ground Water Area, it will be advertised. Comments will be solicited from the Watermaster of WD-143.

The rights involved in the transfer are:

43-13773	0.17 cfs	50.4 AF	12.6 acres	12.6 acre POU
43-13889	0.99 cfs	325.6 AF	81.4 acres	616.0 acre POU
43-13890	5.76 cfs	1504.0 AF	376.0 acres	616.0 acre POU
43-13891	2.42 cfs	492.8 AF	123.2 acres	616.0 acre POU
43-13892	0.79 cfs	380.8 AF	510.0 acres	616.0 acre POU
43-13893	1.22 cfs	254.4 AF	63.6 acres	616.0 acre POU
43-13894	0.31 cfs	98.4 AF	24.6 acres	616.0 acre POU

FEE MEMORANDUM

Date: February 16, 2021
To: Higley Land Investments, LLC Transfer #84662 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on February 12, 2021 and its purpose is to move a ground water irrigation right with a flow rate of 0.17 cfs from a nearby farm to a recently purchased farm owned by the applicants, and then modify the place of use at the new farm. The rearranged acres at the new farm carry a flow rate of 0.29 cfs, and the fee is calculated by adding the flow rate of the right moving in, plus the flow rate of the acres changing, which totals 0.46 cfs. From the transfer fee schedule, this equates to a fee of \$500.00. The fee was paid at the time of filing by Higley Farms, LLC with check #1442, IDWR receipt #S038395. A \$25.00 fee was also paid at that time to change the ownership of right 43-13773 (the right moving in) pre-transfer.