

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 82371**

This is to certify that: **HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-13805	WR/DECREED	4/1/1927	0.110 cfs	21.6 af	N/A	5.4	GROUND WATER
43-13806	WR/DECREED	4/1/1912	0.050 cfs	N/A	N/A	5.4	CASSIA CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-13805	NO	YES	YES	NO	NO	NO
43-13806	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-13805	43-13805	0.090 cfs	18.8 af	N/A	4.7	N/A	N/A	N/A	N/A	N/A
43-13806	43-13806	0.050 cfs	N/A	N/A	4.7	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.140 cfs	N/A	N/A	4.7		N/A	N/A	N/A	N/A

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

Dated this 24th day of August, 2018.


Southern Region Manager

SUPPORT DATA

IN FILE # 43-13805

Transfer No. 82371

WATER RIGHT NO. 43-13805
As Modified by Transfer No. 82371

In accordance with the approval of Transfer No. 82371, Water Right No. 43-13805 is now described as follows:

Right Holder: HANK T HIGLEY And
 LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342-0652

Priority Date: 4/1/1927

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.090 cfs	18.8 af
			0.090 cfs	18.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSW Sec 1 Twp 13S Rge 26E 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	1										4.7							4.7

POU Total Acres: 4.7

CONDITIONS OF APPROVAL

1. Rights 43-13805 and 43-13806 when combined shall not exceed the irrigation of 4.7 acres.
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. 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.
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.

Transfer No. 82371

WATER RIGHT NO. 43-13805
As Modified by Transfer No. 82371

CONDITIONS OF APPROVAL

5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Section 42-222, Idaho Code, or other Department approval.
6. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-13806
As Modified by Transfer No. 82371

In accordance with the approval of Transfer No. 82371, Water Right No. 43-13806 is now described as follows:

Right Holder: HANK T HIGLEY And
 LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342-0652

Priority Date: 4/1/1912

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
 IRRIGATION

From
 03/15 to **To**
 11/15

Diversion Rate
 0.050 cfs
 0.050 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK NENENE Sec 14 Twp 13S Rge 26E 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	26E	1										4.7							4.7

POU Total Acres: 4.7

CONDITIONS OF APPROVAL

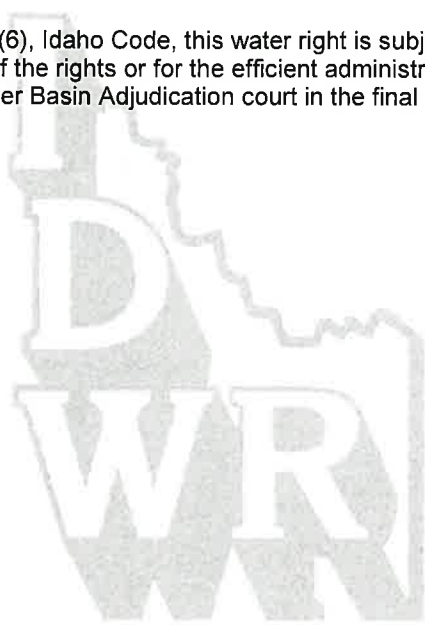
1. Rights 43-13805 and 43-13806 when combined shall not exceed the irrigation of 4.7 acres.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.43C.
3. 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.
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. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Transfer No. 82371

WATER RIGHT NO. 43-13806
As Modified by Transfer No. 82371

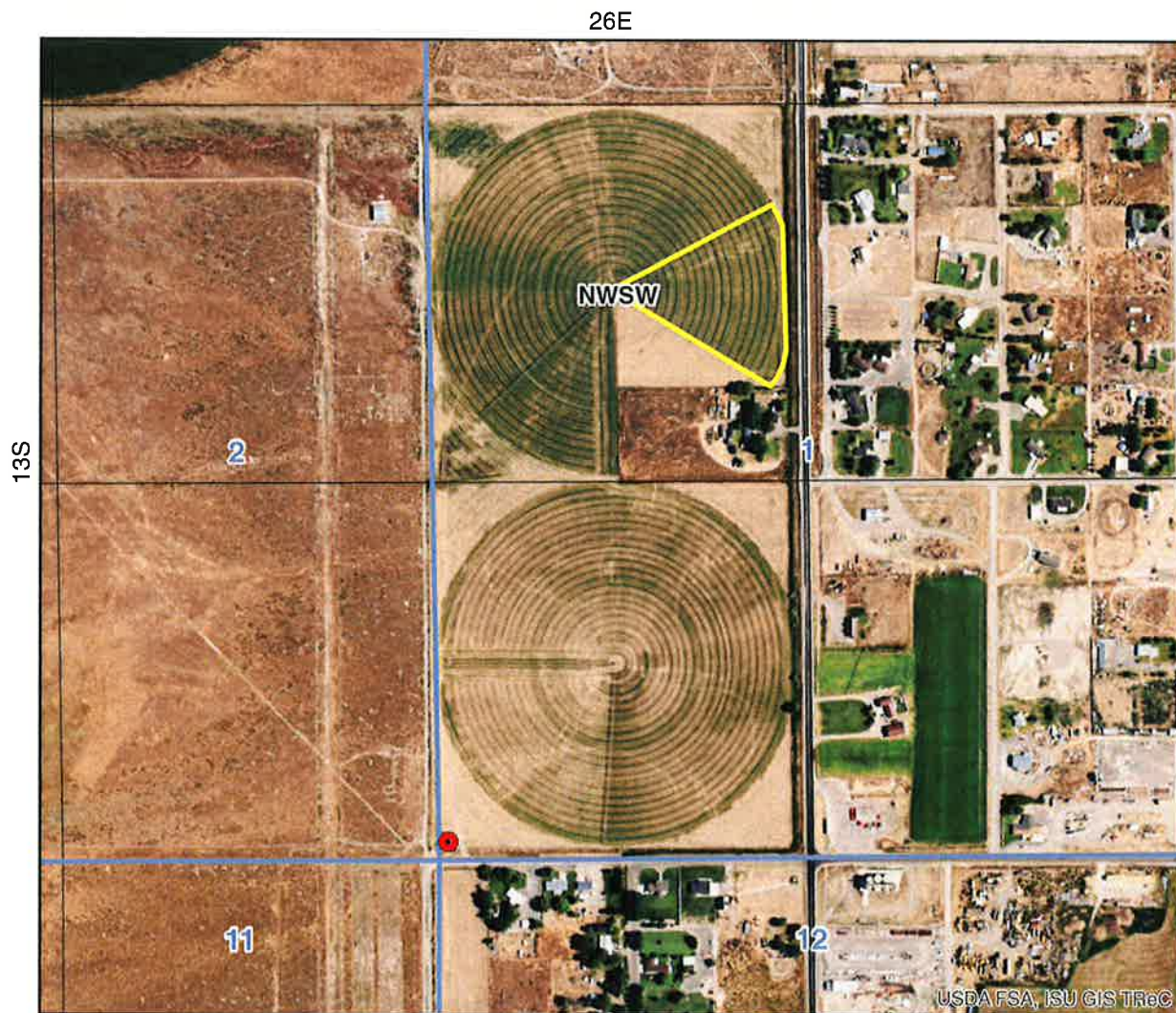
CONDITIONS OF APPROVAL

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 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 82371
43-13805

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



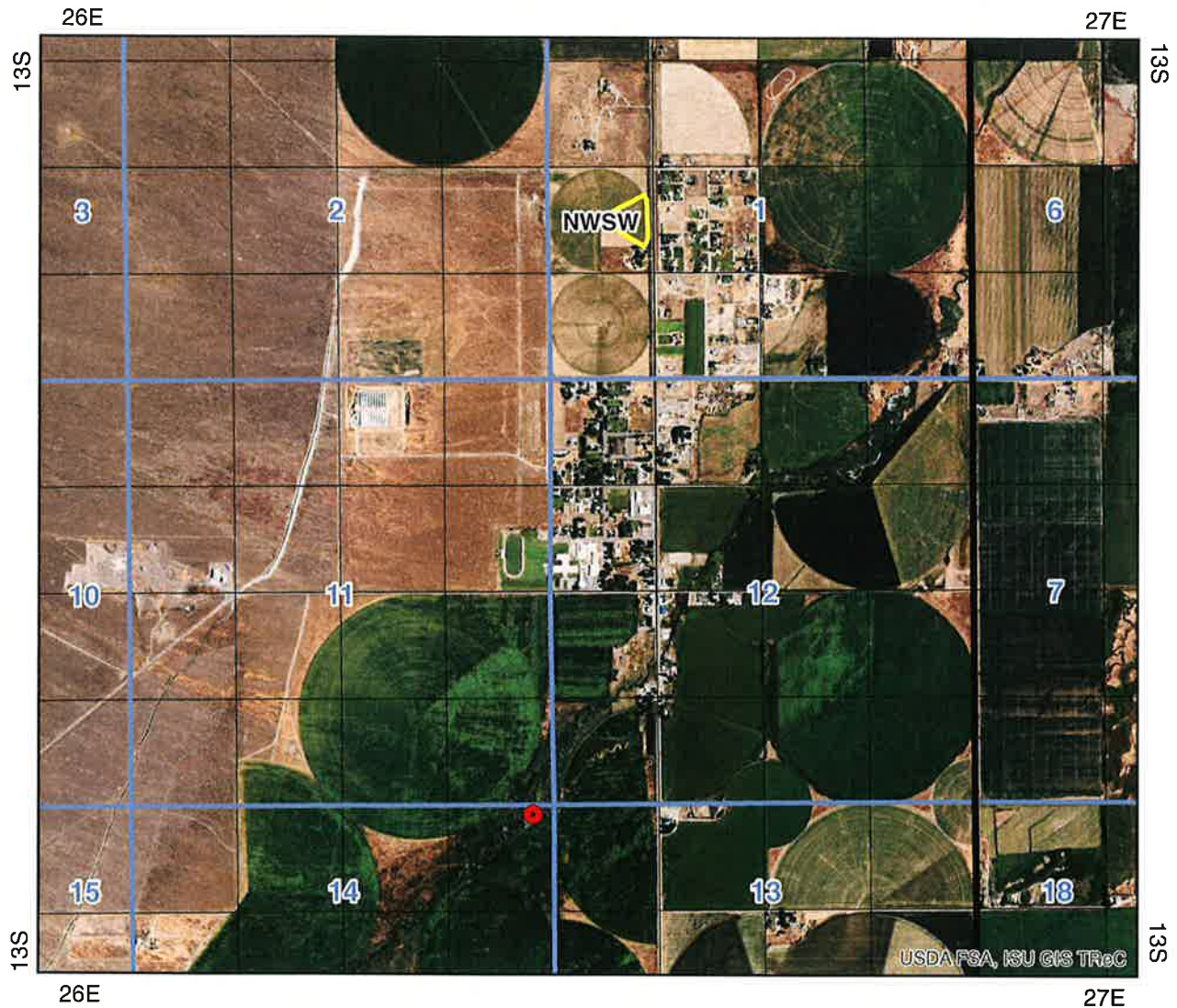
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 82371
43-13806

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.275 0.55 1.1 Miles





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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2018

HANK T HIGLEY
LACEY G HIGLEY
PO BOX 652
MALTA ID 83342-0652

Re: Transfer No: 82371
Water Right No(s): 43-13805, 43-13806

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

WATER DISTRICT 43C
ROBER MUSSER
917 PARK LN
POCATELLO ID 83201

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82371
Water Right No(s): 43-13805, 43-13806

HANK T HIGLEY
LACEY G HIGLEY
PO BOX 652
MALTA ID 83342-0652

WATER DISTRICT 143 *via e-mail*
NATHAN ERICKSON (Water master)
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

WATER DISTRICT 43C
ROBER MUSSER (Water master)
917 PARK LN
POCATELLO ID 83201



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 7, 2018

WATER DISTRICT #43C
ROGER MUSSER
917 PARK LN
POCATELLO, ID 83201

RE: Transfer No. 82371
Water Right No(s). 43-13805, 43-13806

Dear Roger:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office **within 14 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 water master, 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's regional offices 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 14 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
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: July 30, 2018
To: Transfer 82371 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the place of use for water right 43-13805, a 0.096 cfs ground water right and water right 43-13806, a 0.05 cfs Cassia Creek water right that are used to irrigate 4.7 acres on a farm located approximately 2.2 miles to 2.4 miles south and 0.4 to 0.5 miles east of Malta to a new place of use located at the northwest edge of Malta. Application also proposes a change in point of diversion for the ground water right from a well located on the farm southeast of Malta to an existing well on the farm at the northwest edge of Malta. The application also proposes moving the Cassia Creek right's point of diversion 0.3 miles downstream to an existing diversion located approximately 1.8 miles south and 0.1 mile west of Malta.

Analysis of water use at the current place of use utilizing satellite and aerial imagery indicated that 0.7 acres of the 5.4 acres authorized under both water rights has likely not been irrigated as far back as 1987. Therefore, 0.7 acres have been forfeited in the transfer due to non-use at the current POU, thus reducing both rights to 4.7 acres at the proposed new place of use. Condition 205 will be added to the water rights indicating that the elements of the water rights have been redefined in the transfer.

Overlap analysis indicates that there is no overlap with other water rights at the current place of use. The water rights will be transferred to cover 4.7 acres under an existing pivot that currently aren't covered under a water right. The other 20 acres at the pivot are irrigated using water rights 43-13785, a 0.40 cfs ground water right and 43-13786, a 0.410 cfs Cassia Creek right.

All ground water PODs are within Water District 143 and all Cassia Creek PODs are within Water District 43C. Watermaster comments were solicited from both water districts. The Watermaster for Water District 143 did not oppose the approval of this transfer and the Watermaster for Water District 43C did not provide comments.

- **Authority to File:** IDWR records indicate the applicants currently own all the water rights and properties involved in this transfer
- **Water Right Validity:** Both water rights were decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery indicate that 4.7 acres of the property appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application was subject to public notice.

- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

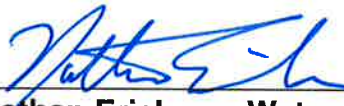
Transfer No: 82371
Water Right No: 43-13805, etc.
Applicant Name: HANK & LACEY HIGLEY

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: July 20, 2018

Water District 143



Nathan Erickson, Watermaster

*** , roof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 70136

Ruby Aufderheide

(Legals Clerk)

STATE OF IDAHO)
)SS
COUNTY OF TWIN FALLS)

On this 12 day of July in the year of 2018 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Wanda Smith

Notary Public FOR Idaho

Residing at: Twin Falls, Idaho

My Commission expires: 6.13.2023

PUBLISHED ON: 07/05/2018, 07/12/2018

TOTAL AD COST: 436.77

FILED ON: 7/12/2018

NOELLE R. SMITH
Notary Public
State of Idaho

RECEIVED

JUL 19 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23110

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098

Point of Diversion L4(SWSE) S25 T04S R19E LINCOLN County

Source LITTLE WOOD RIVER Tributary MALAD RIVER

Point of Diversion SWNE S36 T05S R17E LINCOLN County

Source LITTLE WOOD RIVER Tributary MALAD RIVER

Point of Injection SESW S15 T05S R17E LINCOLN County

Source LITTLE WOOD RIVER Tributary MALAD RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 800 CFS

Total Diversion: 800 CFS

Date Filed: 4/17/2018

Place Of Use: GROUND WATER RECHARGE

Located within portions of:

T04S R19E S25, S36T05S R15E S10, S12, S13, S14, S15, S16, S21, S22, S28, S29, S32

T05S R16E S7, S8, S9, S11, S12, S13, S14, S15, S16

T05S R17E S7, S8, S15, S16, S17, S18, S22, S23, S25, S26, S36T05S R18E S34

T05S R19E S2, S10, S11, S15, S22, S26, S27, S34, S35

T06S R18E S2, S3, S4, S9, S10, S11, S12, S13, S14, S24, S25, S36

T06S R19E S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S26, S27, S28, S29, S30, S31, S32, S33, S34

T07S R19E S1, S2, S3, S4, S10, S11, S12

Application for permit proposes to divert up to 800 cfs from 2 existing points of diversion on the Little Wood River located approximately 0.5 mile south and 0.6 mile east of Richfield and approximately 0.9 mile north and 1.2 miles east of Shoshone for ground water recharge purposes. The application proposes to inject &/or red divert this water through portions of the Dietrich Canal system, the Milner Gooding Canal, and the Big Wood River channel as well as existing and proposed off-channel recharge sites located near Richfield, Dietrich, & Shoshone.

✓ OK AM 7/23/2018

37-23111

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720

BOISE, ID 83720-0098

Point of Diversion SENE S30 T02S R18E BLAINE County
Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Injection NWSE S25 T04S R19E LINCOLN County

Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Re-diversion L4(SWSE) S25 T04S R19E LINCOLN

County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Re-diversion SWNE S36 T05S R17E LINCOLN County

Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Injection SESW S15 T05S R17E LINCOLN County

Source BIG WOOD RIVER Tributary MALAD RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 800 CFS

Total Diversion: 800 CFS

Date Filed: 4/17/2018

Place Of Use: GROUND WATER RECHARGE

Located within portions of:

T02S R18E S29, S30, S32, S33, S34

T03S R18E S2, S3, S10, S11, S13, S14, S15, S16, S20, S21,
S22, S23, S24, S25, S28, S36

T03S R19E S13, S14, S15, S16, S17, S18, S19, S20, S21, S22,
S23, S24, S25, S26, S27, S28, S30, S31, S32, S35, S36

T03S R20E S19, S30, S31

T04S R18E S1, S12, S13

T04S R19E S1, S2, S5, S6, S7, S8, S9, S10, S11, S12, S13,
S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25,
S26, S27, S28, S29, S30, S31, S32, S33, S34, S35, S36

T04S R20E S5, S6, S7, S8, S17, S18, S19

T05S R15E S10, S12, S13, S14, S15, S16, S21, S22, S28, S29,
S32

T05S R16E S7, S8, S9, S11, S12, S13, S14, S15, S16

T05S R17E S7, S8, S15, S16, S17, S18, S22, S23, S25, S26,
S36

T05S R18E S34

T05S R19E S2, S4, S5, S6, S7, S10, S11, S15, S22, S26, S27,
S34, S35

T06S R18E S2, S3, S4, S9, S10, S11, S12, S13, S14, S24, S25,
S36

T06S R19E S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13,
S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S26, S27,
S28, S29, S30, S31, S32, S33, S34

T07S R19E S1, S2, S3, S4, S10, S11, S12

Application for permit proposes to divert up to 800 cfs from an existing point of diversion on the Big Wood River located approximately 20 miles north and 2.5 miles east of Shoshone for ground water recharge purposes. The application proposes to inject &/or redivert this water through portions of the Richfield Canal system, Dietrich Canal system, Milner Gooding Canal, Little Wood River, and the Big Wood River channel as well as existing and proposed off-channel recharge sites located near Richfield, Dietrich, & Shoshone. Published in the Idaho Mountain Express on July 4th & 11th, 2018, and Times News, Idaho Statesman, Post Register & Lewiston Tribune on July 5th & 12th, 2018

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82322**

DAWN HIGLEY and HEATH HIGLEY, 1971 S 2350 E, MALTA, ID 83342-8645; has filed Application No. 82322 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 12.6 acre, 0.17 cfs ground water irrigation right from its current place of use (POU) and point of diversion (POD) to an existing well and a new POU at an existing farm. The current farm and POD are located approximately 4.7 to 5.4 miles south and 1.8 to 2.8 miles east of Malta. The proposed farm and well are located approximately 3.5 to 3.8 miles south and 0.1 to 0.9 miles east of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82371**

HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342-0652; has filed Application No. 82371 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13805, 43-13806. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use of a 0.096 cfs ground water right and a 0.05 cfs Cassia Creek right that are used to irrigate 4.7 acres on a farm located approximately 2.2 miles to 2.4 miles south and 0.4 to 0.5 miles east of Malta to a new place of use located at the northwest edge of Malta. Application also proposes a change in point of diversion for the ground water right from a well located on the farm southeast of Malta to an existing well on the farm at the northwest edge of Malta. The application also proposes moving the Cassia Creek right's point of diversion 0.3 miles downstream to an existing diversion located approximately 1.8 miles south and 0.1 mile west of Malta.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **July 23, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on July 5th & 12th, 2018

✓ OK DM 7/23/2018

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 70136

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	436.77
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	436.77
Fax			
Section	Legals	Start/End Dates	07/05/2018 - 07/12/2018
SubSection		Insertions	2
Category	50 Legal	Size	294
Ad Key	70136-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer Nos 82322 & 82371	Taken By	Ruby Aufderheide
Notes			

Ad Proof

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23110

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098
Point of Diversion L4(SWSE) S25 T04S R19E LINCOLN County
Source LITTLE WOOD RIVER Tributary MALAD RIVER
Point of Diversion SWNE S36 T05S R17E LINCOLN County
Source LITTLE WOOD RIVER Tributary MALAD RIVER
Point of Injection SESW S15 T05S R17E LINCOLN County
Source LITTLE WOOD RIVER Tributary MALAD RIVER
Use: GROUND WATER RECHARGE 01/01 to 12/31 800 CFS
Total Diversion: 800 CFS
Date Filed: 4/17/2018
Place Of Use: GROUND WATER RECHARGE
Located within portions of:
T04S R19E S25, S36T05S R15E S10, S12, S13, S14, S15, S16, S21, S22, S28, S29, S32
T05S R16E S7, S8, S9, S11, S12, S13, S14, S15, S16
T05S R17E S7, S8, S15, S16, S17, S18, S22, S23, S25, S26, S36T05S R18E S34
T05S R19E S2, S10, S11, S15, S22, S26, S27, S34, S35
T06S R18E S2, S3, S4, S9, S10, S11, S12, S13, S14, S24, S25, S36
T06S R19E S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S26, S27, S28, S29, S30, S31, S32, S33, S34
T07S R19E S1, S2, S3, S4, S10, S11, S12
Application for permit proposes to divert up to 800 cfs from 2 existing points of diversion on the Little Wood River located approximately 0.5 mile south and 0.6 mile east of Richfield and approximately 0.9 mile north and 1.2 miles east of Shoshone for ground water recharge purposes. The application proposes to inject &/or divert this water through portions of the Dietrich Canal system, the Milner Gooding Canal, and the Big Wood River channel as well as existing and proposed off-channel recharge sites located near Richfield, Dietrich, & Shoshone.

37-23111

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098
Point of Diversion SENE S30 T02S R18E BLAINE County
Source BIG WOOD RIVER Tributary MALAD RIVER
Point of Injection NWSE S25 T04S R19E LINCOLN County
Source BIG WOOD RIVER Tributary MALAD RIVER
Point of Re-diversion L4(SWSE) S25 T04S R19E LINCOLN County
Source BIG WOOD RIVER Tributary MALAD RIVER

Proof of legal notice received

from Times News 7/2/2018

(3 pgs)

✓ OK Am 7/2/2018
E-mail sent to newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 70136

Point of Re-diversion SWNE S36 T05S R17E LINCOLN County
Source BIG WOOD RIVER Tributary MALAD RIVER
Point of Injection SESW S15 T05S R17E LINCOLN County
Source BIG WOOD RIVER Tributary MALAD RIVER
Use: GROUND WATER RECHARGE 01/01 to 12/31 800 CFS
Total Diversion: 800 CFS
Date Filed: 4/17/2018
Place Of Use: GROUND WATER RECHARGE
Located within portions of:
T02S R18E S29, S30, S32, S33, S34
T03S R18E S2, S3, S10, S11, S13, S14, S15, S16, S20, S21,
S22, S23, S24, S25, S28, S36
T03S R19E S13, S14, S15, S16, S17, S18, S19, S20, S21, S22,
S23, S24, S25, S26, S27, S28, S30, S31, S32, S35, S36
T03S R20E S19, S30, S31
T04S R18E S1, S12, S13
T04S R19E S1, S2, S5, S6, S7, S8, S9, S10, S11, S12, S13,
S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25,
S26, S27, S28, S29, S30, S31, S32, S33, S34, S35, S36
T04S R20E S5, S6, S7, S8, S17, S18, S19
T05S R15E S10, S12, S13, S14, S15, S16, S21, S22, S28, S29,
S32
T05S R16E S7, S8, S9, S11, S12, S13, S14, S15, S16
T05S R17E S7, S8, S15, S16, S17, S18, S22, S23, S25, S26,
S36
T05S R18E S34
T05S R19E S2, S4, S5, S6, S7, S10, S11, S15, S22, S26, S27,
S34, S35
T06S R18E S2, S3, S4, S9, S10, S11, S12, S13, S14, S24, S25,
S36
T06S R19E S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13,
S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S26, S27,
S28, S29, S30, S31, S32, S33, S34
T07S R19E S1, S2, S3, S4, S10, S11, S12

Application for permit proposes to divert up to 800 cfs from an existing point of diversion on the Big Wood River located approximately 20 miles north and 2.5 miles east of Shoshone for ground water recharge purposes. The application proposes to inject &/or redivert this water through portions of the Richfield Canal system, Dietrich Canal system, Milner Gooding Canal, Little Wood River, and the Big Wood River channel as well as existing and proposed off-channel recharge sites located near Richfield, Dietrich, & Shoshone. Published in the Idaho Mountain Express on July 4th & 11th, 2018, and Times News, Idaho Statesman, Post Register & Lewiston Tribune on July 5th & 12th, 2018

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82322

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82371

HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342-0652; has filed Application No. 82371 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13805, 43-13806. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use of a 0.096 cfs ground water right and a 0.05 cfs Cassia Creek right that are used to irrigate 4.7 acres on a farm located approximately 2.2 miles to 2.4 miles south and 0.4 to 0.5 miles east of Malta to a new place of use located at the northwest edge of Malta. Application also proposes a change in point of diversion for the ground water right from a well located on the farm southeast of Malta to an existing well on the farm at the northwest edge of Malta. The application also proposes moving the Cassia Creek right's point of diversion 0.3 miles downstream to an existing diversion located approximately 1.8 miles south and 0.1 mile west of Malta.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern District office at (208) 736-3000 or for a full description of the

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Order Nbr 70136

region office at (208) 733-3033, or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **July 23, 2018**. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on July 5th & 12th, 2018

A handwritten signature in blue ink, followed by a large checkmark, indicating approval or completion.