

JUN 11 2018

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

Transfer No. 82371

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) HANK T HIGLEY AND LACEY G HIGLEYCheck 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: _____

JUN 11 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant HANK T HIGLEY Phone (208) 645-2545
 Mailing Address PO BOX 652, MALTA ID 83342-0652 Email _____

Name of Applicant LACEY G HIGLEY Phone (208) 645-2545
 Mailing Address PO BOX 652, MALTA ID 83342-0652 Email _____

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

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

☒ No Representative

Name of Representative _____ Phone _____
 Mailing Address _____ Email _____

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

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

[Signature]
 Signature of Applicant or Authorized Representative

Hank Higley
 Print Name and Title if applicable

6-4-18
 Date

[Signature]
 Signature of Applicant or Authorized Representative

Lacey Higley
 Print Name and Title if applicable

6-4-18
 Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-13805	No	Yes	Yes	No	No	No
	43-13806	No	Yes	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**

Application seeks to change the place of use and points of diversion for two water rights, 43-13805 and 43-13806.

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
43-13805	0.096 cfs	18.8 af	N/A	4.7		N/A	N/A	N/A	N/A
43-13806	0.050 cfs	N/A	N/A	4.7		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

0.146 cfs N/A N/A 4.7 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 0.146 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. 43-13805

Current Water Right Owner

**HANK T HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

And

**LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

Priority Date: 4/1/1927

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	0.096 CFS	18.8 AFA	
Total Diversion			0.096 CFS	18.8 AFA	

**Source and Point(s) of Diversion:
GROUND WATER**

SWSWSW

Sec. 1 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										47							47

POU Total Acres: 4.7

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

Proposed Water Right No. 43-13806

Current Water Right Owner

**HANK T HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

And

**LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

Priority Date: 4/1/1912

Origin: Water Right

Basis: Decreed

Status Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.050 CFS

Subuse Code

Total Diversion

0.050 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rgc 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										47							47

POU Total Acres:

4.7

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
Ground water rights are metered and have lockable controlling works. Surface water is delivered by Watermaster with measuring device at head of ditch.
- 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: 4.7 acres of irrigation will be dried up.
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:
4.7 additional acres will be added at an existing pivot where there is currently 20 acres of authorized irrigation under water rights 43-13785 & 43-13786.
- 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:
Water rights 43-13785 (ground water) 43-13786 (Cassia Creek water) currently authorize the irrigation of 20.0 acres under the pivot.
- 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. 43-13805

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342-0652

And

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342-0652

Priority Date: 4/1/1927

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	0.110 CFS	21.6 AFA	
Total Diversion			0.110 CFS	21.6 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SE-SWNE

Sec. 24 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	24			5.4														5.4

POU Total Acres: 5.4

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-13805 AND 43-13806.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-13805 AND 43-13806.

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

Current Water Right No. 43-13806

Current Water Right Owner

**HANK T HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

And

**LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342-0652**

Priority Date: 4/1/1912

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK Tributary: RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.050 CFS	
Total Diversion			0.050 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK SESENW Sec. 23 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	24			5.4														5.4
POU Total Acres:			5.4																

Conditions/Remarks:

1. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 43-13805 AND 43-13806
2. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-13805 AND 43-13806.
4. Authorized diversion rate was rounded by software application. Actual authorized diversion rate is 0.054 cubic feet per second (cfs).

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

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer Contains 9 pages and attachments.
Received By DM Date 6-11-2018 Prelim. Check By H Date 6-11-18
Fee Paid 200- Date 6-11-18 Received By DM Receipt # 5036786
Add'l Fee Paid Date Received By Receipt #

**TRANSFER 82371**

**TRANSFER 82371**



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

June 28, 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

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 7/5/2018 and 7/12/2018**. 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 **July 23, 2018**.

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,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant



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

June 28, 2018

WATER DISTRICT #143 *via hand delivery*
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RE: Transfer No. 82322
Water Right No(s). 43-13773

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

Dear Nathan:

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 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 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 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
Administrative Assistant

Enclosure(s)



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

June 28, 2018

WATER DISTRICT #43B
RICK NEFF
PO BOX 55
MALTA ID 83342-0055

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

Dear Rick:

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 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 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 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
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 28, 2018 8:50 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on July 5th & 12th, 2018. 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

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



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

June 28, 2018

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82322
Water Right No(s): 43-13773

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

RE: Application For Permit No.(s): 37-23110, 37-23111

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 July 23, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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, S36
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, 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
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 redirect 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

MEMORANDUM

Date: June 19, 2018
To: Transfer 82371 File
From: Bill Mills
Re: Transfer Proposal

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 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.

All ground water PODs are within Water District 143 and all Cassia Creek PODs are within Water District 43C. Watermaster comments will be solicited from both water districts.

MEMORANDUM

Date: June 18, 2018
To: Transfer 82371
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #82371 were based on the on the current transfer fee schedule and included \$200.00 for the 0.146 cfs being transferred in the application (Receipt No.S036786).