

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81350**

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

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>
43-10237	WR/DECREED	6/30/1985	0.100 cfs	N/A	5.0	7.0	GROUND WATER
43-103B	WR/DECREED	4/1/1894	1.990 cfs	N/A	N/A	96.0	CASSIA CREEK
43-11263	WR/DECREED	4/1/1894	1.600 cfs	N/A	N/A	71.0	CASSIA CREEK
43-2310	WR/DECREED	5/10/1948	1.920 cfs	384.0 af	N/A	96.0	GROUND WATER
43-2355	WR/DECREED	8/7/1950	1.420 cfs	284.0 af	N/A	71.0	GROUND WATER
43-242	WR/DECREED	5/31/1884	0.800 cfs	N/A	158.0	160.0	CASSIA CREEK
43-243	WR/DECREED	4/1/1894	2.400 cfs	N/A	158.0	160.0	CASSIA CREEK
43-2530A	WR/DECREED	7/11/1961	3.060 cfs	N/A	153.0	158.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-10237	NO	NO	YES	YES	NO	NO
43-103B	NO	NO	YES	NO	NO	NO
43-11263	NO	NO	YES	NO	NO	NO
43-2310	NO	NO	YES	YES	NO	NO
43-2355	NO	NO	YES	YES	NO	NO
43-242	NO	NO	YES	NO	NO	NO
43-243	NO	NO	YES	NO	NO	NO
43-2530A	NO	NO	YES	YES	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>
43-10237	43-10237	0.100 cfs	N/A	5.0	340.0	N/A	N/A	N/A	N/A	N/A
43-103B	43-103B	1.990 cfs	N/A	96.0	340.0	N/A	N/A	N/A	N/A	N/A
43-11263	43-11263	1.600 cfs	N/A	71.0	340.0	N/A	N/A	N/A	N/A	N/A
43-2310	43-2310	1.920 cfs	384.0 af	96.0	340.0	N/A	N/A	N/A	N/A	N/A
43-2355	43-2355	1.420 cfs	284.0 af	71.0	340.0	N/A	N/A	N/A	N/A	N/A
43-242	43-242	0.800 cfs	N/A	158.0	340.0	N/A	N/A	N/A	N/A	N/A
43-243	43-243	2.400 cfs	N/A	158.0	340.0	N/A	N/A	N/A	N/A	N/A
43-2530A	43-2530A	3.060 cfs	612.0 af	153.0	340.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 81350

SUPPORT DATA

IN FILE # **43-103B**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81350

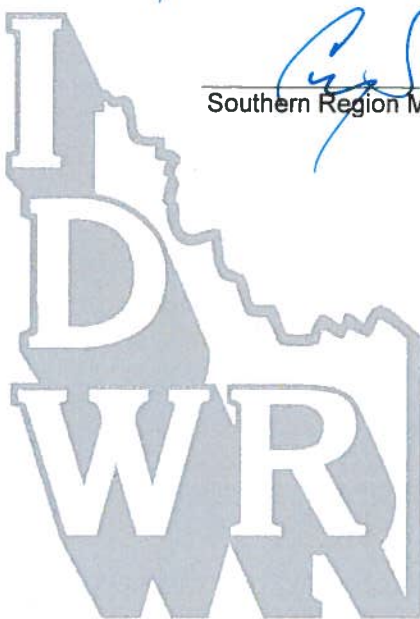
COMBINED TOTALS	13.190 cfs	N/A	325.0	340.0	N/A	N/A	N/A	N/A
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This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 4th day of January, 2018.



Southern Region Manager



WATER RIGHT NO. 43-242

As Modified by Transfer No. 81350

In accordance with the approval of Transfer No. 81350, Water Right No. 43-242 is now described as follows:

Right Holder: HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 5/31/1884

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 3/15 **to** 11/15

Diversion Rate
0.800 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK NENENE Sec 14 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	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 158.0

POU Total Acres: 340.0

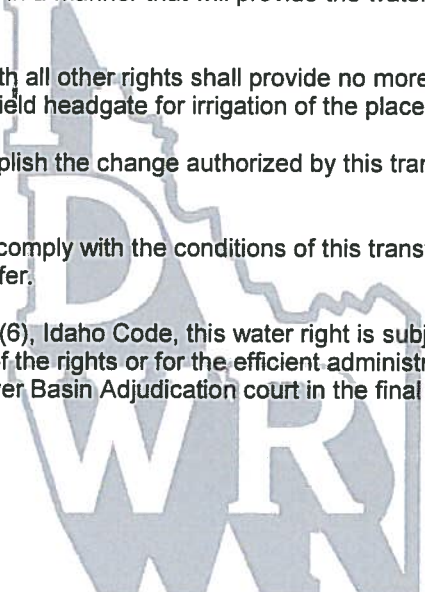
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 158 acres within the authorized place of use in a single irrigation season.
2. Rights 43-242, 43-243, 43-2530A and 43-10237 when combined shall not exceed the irrigation of 158 acres.
3. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 81350

WATER RIGHT NO. 43-242
As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. 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.
 6. 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.
 7. 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.
 8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. 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.
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WATER RIGHT NO. 43-243

As Modified by Transfer No. 81350

In accordance with the approval of Transfer No. 81350, Water Right No. 43-243 is now described as follows:

Right Holder: HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 4/1/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

From 3/15 **to** 11/15

Diversion Rate
2.400 cfs
2.400 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	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 158.0

POU Total Acres: 340.0

CONDITIONS OF APPROVAL

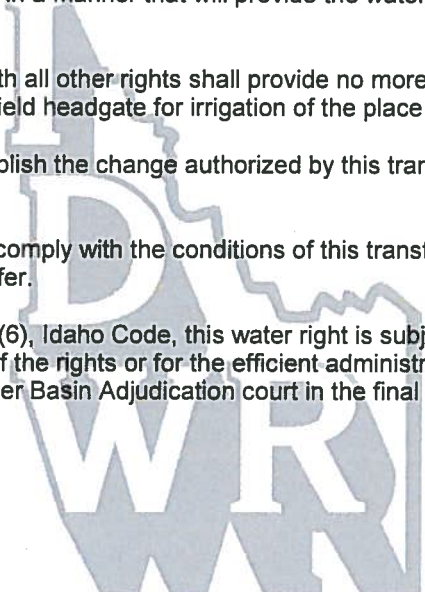
1. This right is limited to the irrigation of 158 acres within the authorized place of use in a single irrigation season.
2. Rights 43-242, 43-243, 43-2530A and 43-10237 when combined shall not exceed the irrigation of 158 acres.
3. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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WATER RIGHT NO. 43-243

As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. 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.
 6. 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.
 7. 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.
 8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. 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.
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WATER RIGHT NO. 43-2310**As Modified by Transfer No. 81350**

In accordance with the approval of Transfer No. 81350, Water Right No. 43-2310 is now described as follows:

Right Holder: HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 5/10/1948

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.920 cfs

1.920 cfs

Diversion Volume

384.0 af

384.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENW	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWNENW	Sec 13 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	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 96.0

POU Total Acres: 340.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 96 acres within the authorized place of use in a single irrigation season.
2. Rights 43-103B and 43-2310 when combined shall not exceed the irrigation of 96 acres.
3. Rights 43-2310, 43-2355, 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1280 af and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.

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WATER RIGHT NO. 43-2310

As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. 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.
7. 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 diversions.
8. 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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2355**As Modified by Transfer No. 81350**

In accordance with the approval of Transfer No. 81350, Water Right No. 43-2355 is now described as follows:

Right Holder: HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 8/7/1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.420 cfs

1.420 cfs

Diversion Volume

284.0 af

284.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENW	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWNENW	Sec 13 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	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 71.0

POU Total Acres: 340.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2355 and 43-11263 when combined shall not exceed the irrigation of 71 acres.
3. Rights 43-2310, 43-2355, 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1280 af and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.

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WATER RIGHT NO. 43-2355

As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. 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.
7. 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 diversions.
8. 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.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-2530A
As Modified by Transfer No. 81350

In accordance with the approval of Transfer No. 81350, Water Right No. 43-2530A is now described as follows:

Right Holder: HANK T HIGLEY AND
 LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 7/11/1961

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

3.060 cfs

3.060 cfs

Diversion Volume

612.0 af

612.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENW	Sec 12 Twp 13S Rge-26E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWNENW	Sec 13 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	12										30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0				34.0												114.0

Right Acre Limit: 153.0

POU Total Acres: 340.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 153 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 3.06 cfs, a total annual maximum diversion volume of 612 af and the irrigation of 158 acres.
3. Rights 43-242, 43-243, 43-2530A and 43-10237 when combined shall not exceed the irrigation of 158 acres.
4. Rights 43-2310, 43-2355, 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1280 af and the irrigation of 325 acres.

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WATER RIGHT NO. 43-2530A
As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
6. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. 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.
8. 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 diversions.
9. 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.
10. 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.
11. Right No. 43-10237 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 43-10237
As Modified by Transfer No. 81350

In accordance with the approval of Transfer No. 81350, Water Right No. 43-10237 is now described as follows:

Right Holder: HANK T HIGLEY AND
 LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 03/15 **To** 11/15 **Diversion Rate**
 0.100 cfs
 0.100 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENW	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWSWSE	Sec 12 Twp 13S Rge 26E	CASSIA County
GROUND WATER	SWNENW	Sec 13 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	12										30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0				34.0												114.0

Right Acre Limit: 5.0

POU Total Acres: 340.0

CONDITIONS OF APPROVAL

1. This right is an expansion of Right No. 43-2530A pursuant to Section 42-1416B, Idaho Code.
2. This right is limited to the irrigation of 5 acres within the authorized place of use in a single irrigation season.
3. Rights 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 3.06 cfs, a total annual maximum diversion volume of 612 af and the irrigation of 158 acres.
4. Rights 43-242, 43-243, 43-2530A and 43-10237 when combined shall not exceed the irrigation of 158 acres.
5. Rights 43-2310, 43-2355, 43-2530A and 43-10237 when combined shall not exceed a total diversion rate of 6.4 cfs, a total annual maximum diversion volume of 1280 af and the irrigation of 325 acres.

Transfer No. 81350

WATER RIGHT NO. 43-10237

As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

6. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
7. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
8. 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.
9. 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 diversions.
10. 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.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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. 43-11263
As Modified by Transfer No. 81350

In accordance with the approval of Transfer No. 81350, Water Right No. 43-11263 is now described as follows:

Right Holder: HANK T HIGLEY AND
 LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 4/1/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.600 cfs
 1.600 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK NENENE Sec 14 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	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 71.0

POU Total Acres: 340.0

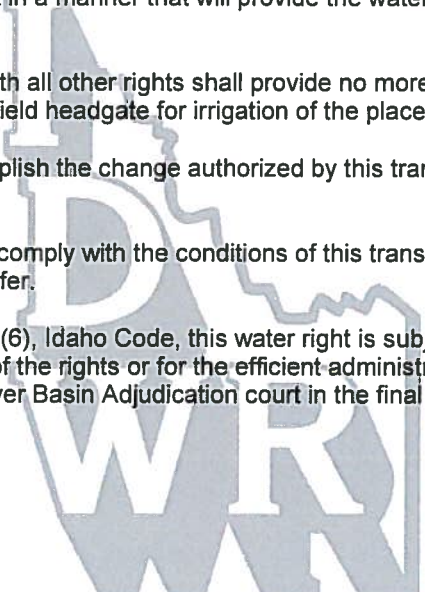
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2355 and 43-11263 when combined shall not exceed the irrigation of 71 acres.
3. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 81350

WATER RIGHT NO. 43-11263
As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. 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.
 6. 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.
 7. 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.
 8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. 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. 43-103B**As Modified by Transfer No. 81350**

In accordance with the approval of Transfer No. 81350, Water Right No. 43-103B is now described as follows:

Right Holder: HANK T HIGLEY AND
LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 4/1/1894

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.990 cfs
1.990 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SESENW Sec 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	12									30.0			38.0	39.0	40.0	40.0	39.0	226.0
13S	26E	13	40.0	40.0			34.0												114.0

Right Acre Limit: 96.0

POU Total Acres: 340.0

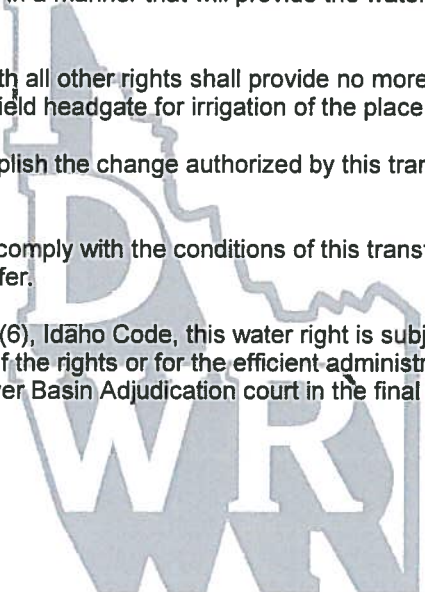
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 96 acres within the authorized place of use in a single irrigation season.
2. Rights 43-103B and 43-2310 when combined shall not exceed the irrigation of 96 acres.
3. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 when combined shall not exceed a total diversion rate of 13.19 cfs and the irrigation of 325 acres.
4. Rights 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A, 43-10237 and 43-11263 are limited to the irrigation of a specific 325 acres within the 340 acre place of use authorized by this right in a single irrigation season. The specific 325 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 325 acres to be irrigated within the 340 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 81350

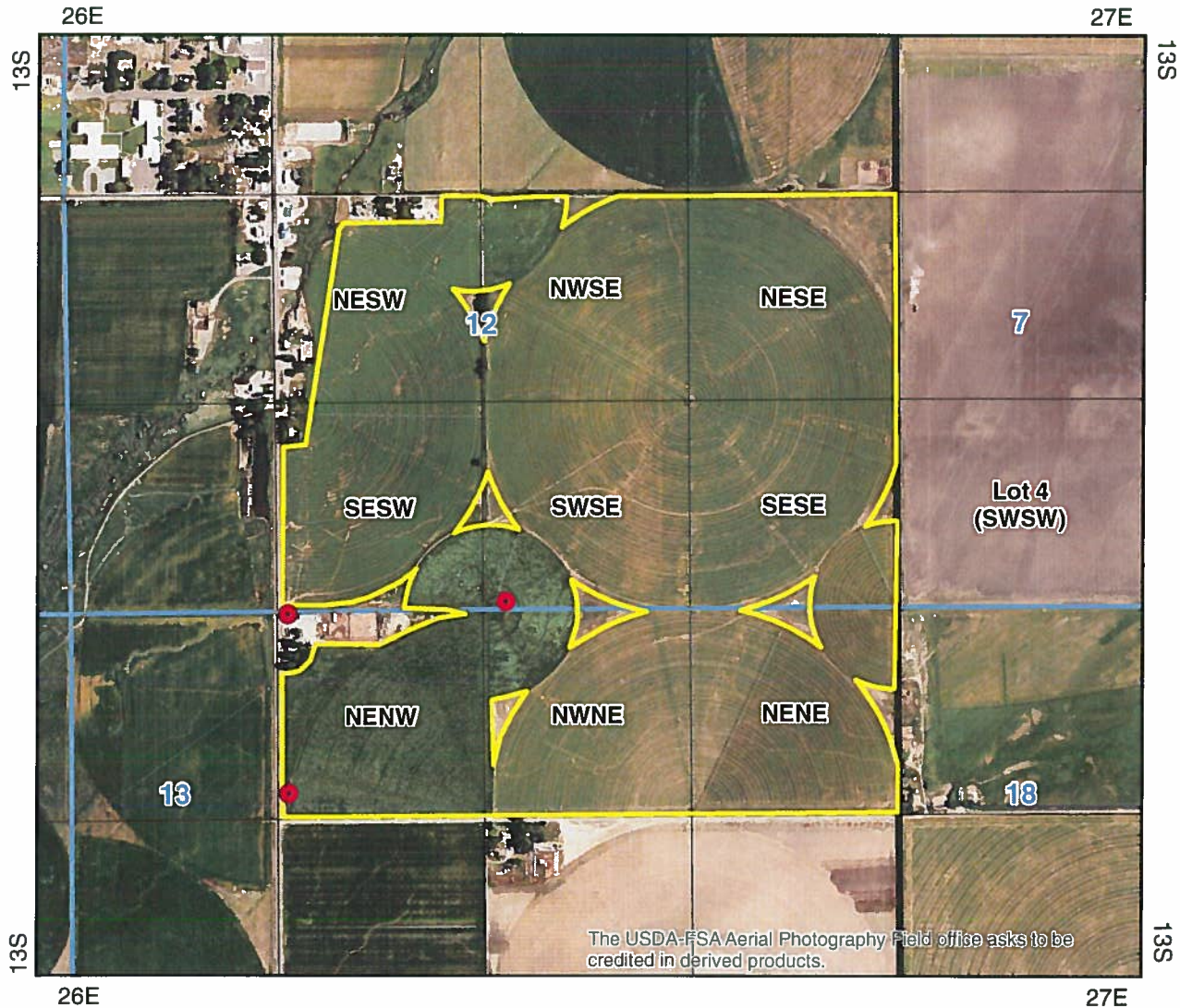
WATER RIGHT NO. 43-103B
As Modified by Transfer No. 81350

CONDITIONS OF APPROVAL

5. 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.
 6. 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.
 7. 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.
 8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. 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 # 81350
43-2310, 43-2355, 43-2530A, and 43-10237

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



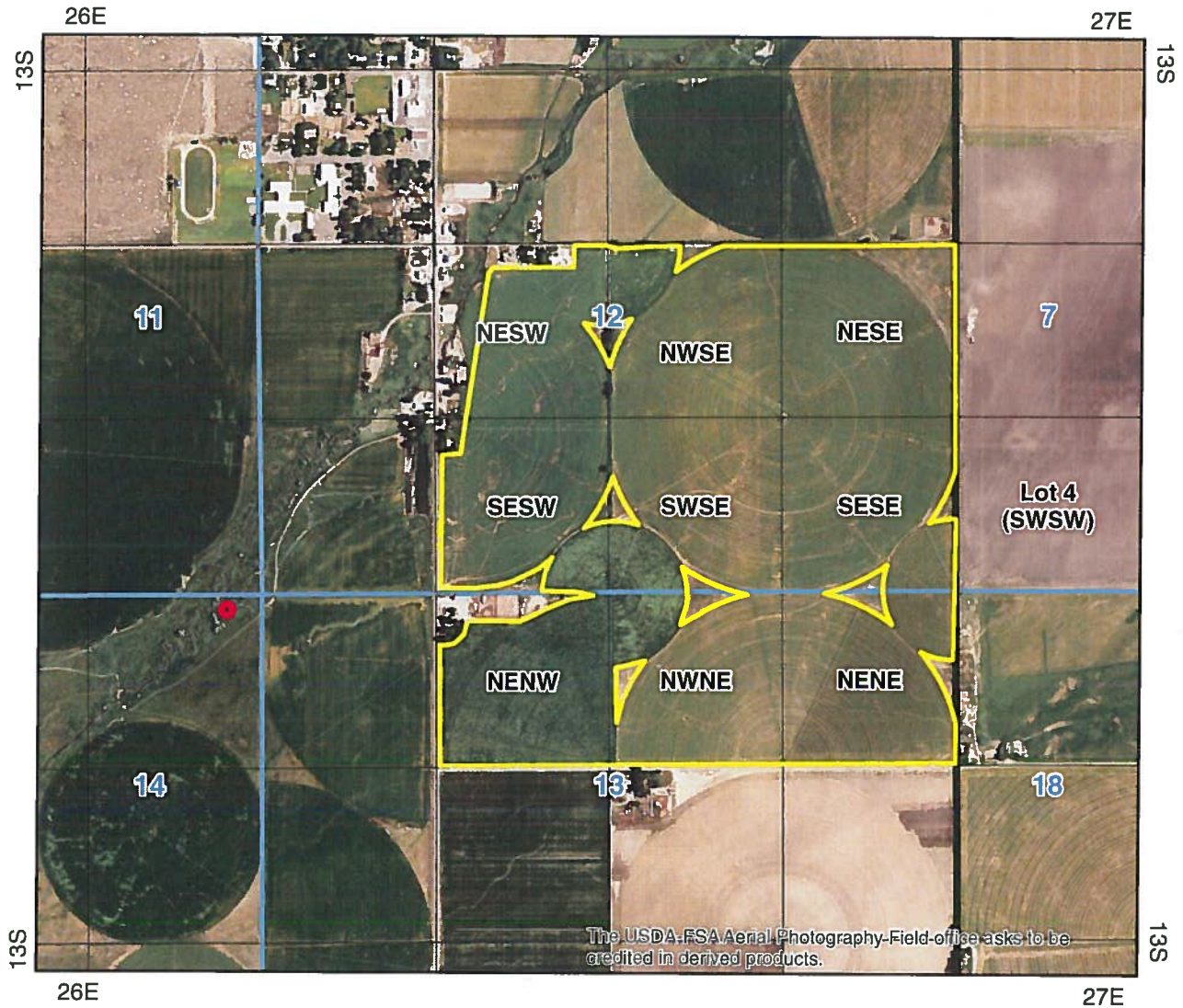
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.125 0.25 0.5 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 81350
43-242, 43-243, and 43-11263

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



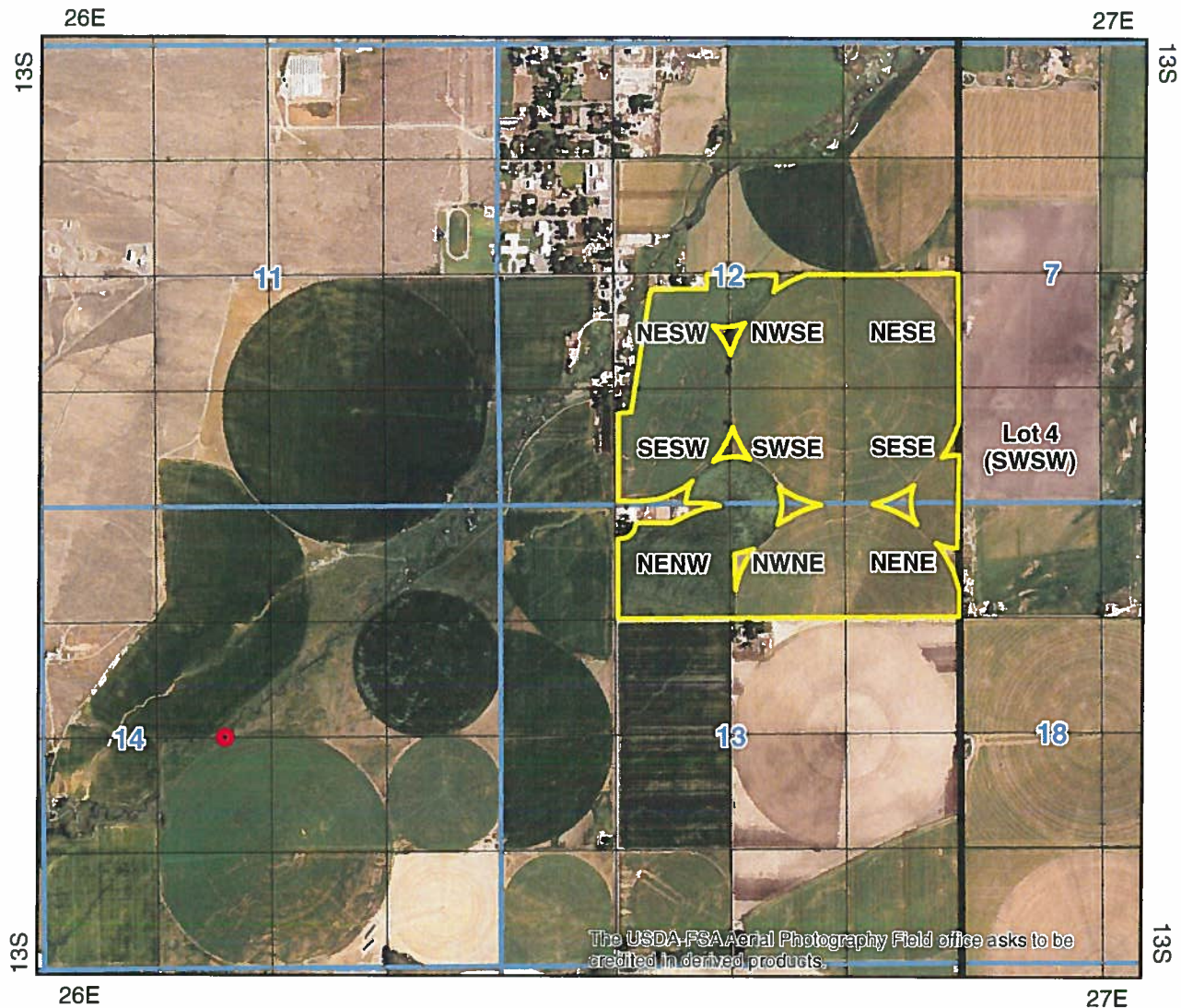
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.15 0.3 0.6 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 81350
43-103B

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 0.25 0.5 1 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 5, 2018

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

Re: Transfer No: 81350
Water Right No(s): 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A,
43-10237, 43-11263

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.

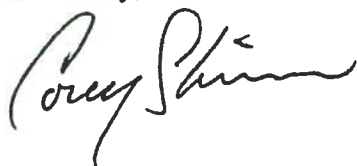
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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 black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

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

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 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.: 81350

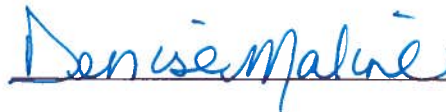
**Water Right No(s): 43-103B, 43-242, 43-243, 43-2310, 43-2355, 43-2530A,
43-10237, 43-11263**

**HANK T HIGLEY
LACEY G HIGLEY
PO BOX 652
MALTA ID 83342**

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

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

via e-mail



**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

RECOMMENDATION OF WATERMASTER

Transfer No: 81350
Water Right No: 43-103B, etc.
Applicant Name: Higley, Hank & Lacey

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: June 9, 2017

Water District 143



Nathan Erickson, Watermaster

*** Proof 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

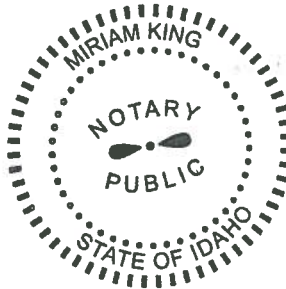
ORDER NUMBER 45883

Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 11 day of May in the year of 2017 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.

Miriam King
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5-10-22



PUBLISHED ON: 05/04/2017, 05/11/2017

TOTAL AD COST: 340.74

FILED ON: 5/11/2017

RECEIVED

MAY 18 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

→
OVER

✓ OK DM 5-18-2017

✓ 47-17660

DOUGLAS L ELGAN

PO BOX 544

SODA SPRINGS, ID 83276

Point of Diversion SWSE S30 T08S R14E TWIN FALLS County

Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Use: HEATING 09/01 to 05/31 0.05 CFS

Total Diversion: 0.07 CFS

Date Filed: 3/20/2017

Place Of Use: DOMESTIC, HEATING

T08S R14E S30 SWSE

Application for permit proposes to divert up to 0.07 cfs of low temperature geothermal water from an existing well for in-house domestic and heating uses. The property and point of diversion are located on the east side of Hwy 30 approximately 8.1 miles south and 2.0 miles east of Hagerman.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81344**

✓ HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342; has filed Application No. 81344 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13287, 43-13289, 43-13291, 43-13738, 43-13739, 43-13746, 43-2277, 43-2354A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 0.21cfs and 20 acre portion of a groundwater right from the northwest edge of Malta to a farm located 2.7 to 3.2 miles south 0.0 to 0.5 miles east of Malta. The transferred right will be combined with seven other ground water rights on the farm southeast of Malta to create a 120 acre permissible place of use. The transferred right and the existing rights will divert up to 1.4 cfs from an existing well located on the farm southeast of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81347**

✓ HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342; has filed Application No. 81347 for changes to the following water rights within CASSIA County(s): Right No(s). 43-103B, 43-2310. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 0.4 cfs portion of a ground water right and a 0.41 cfs portion of a Cassia Creek right used to irrigate 20 acres on a farm located approximately 1.0 to 1.2 miles south and 0.1 to 0.7 miles east of Malta to a farm located on the northwest edge of Malta. The 0.41 cfs of surface water will be moved from a diversion located approximately 1.0 mile south and 0.3 miles west of Malta to an existing diversion and ditch located approximately 0.3 miles downstream. The transferred ground water will be diverted from an existing well at the farm on the northwest edge of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81350**

✓ HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342; has filed Application No. 81350 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10237, 43-103B, 43-11263, 43-2310, 43-2355, 43-242, 43-243, 43-2530A. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes irrigating 325 acres within a 340 acre permissible place of use with 4 ground water rights and 4 Cassia Creek rights with a combined limit of 13.19 cfs that are currently used on adjacent properties. Application also proposes identifying 3 existing wells as authorized PODs for all 4 ground water rights. Place of use and existing wells are located approximately 0.5 to 1.3 miles south and 0.0 to 0.8 miles east of Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81544**

✓ GARY ERICKSON and TODD ERICKSON, PO BOX 545, ALBION, ID 83311; RICH REDMAN, PO BOX 14, ALBION, ID 83311; has filed Application No. 81544 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13429. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion of a ground water irrigation right currently authorized to be diverted from a well located approximately 0.3 miles east and 0.5 miles south of the City of Albion (Main and Market streets) to an existing well located approximately 0.5 miles east and 0.3 miles south of the City of Albion. This water right allows for the diversion of up to 0.27 cfs (63.0 af) and the irrigation of 18.0 acres.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81546**

✓ GARY ERICKSON, PO BOX 545, ALBION, ID 83311; RICH REDMAN, PO BOX 14, ALBION, ID 83311; has filed Application No. 81546 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13464. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a Marsh Creek irrigation right currently authorized to be diverted from a point located approximately 1.0 mile south and 1.0 mile west of the City of Albion (Main and Market streets) to an existing point of diversion on Marsh Creek located approximately 0.5 miles east and 0.15 miles north of the City of Albion. This water right allows for the diversion of up to 0.07 cfs and the irrigation of 3.7 acres.

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/#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 together with a protest fee of \$25.00 for each application on or before May 22, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 4th & 11th, 2017

✓ OK DM 5-18-2017