

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80062**

This is to certify that: **DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
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>
43-13237	WR/DECREED	1/28/1960	3.210 cfs	743.1 af	185.8	249.0	GROUND WATER
43-13238	WR/DECREED	1/28/1960	0.090 cfs	20.9 af	5.2	7.0	GROUND WATER
43-13239	WR/DECREED	9/17/1962	0.460 cfs	222.7 af	154.6	249.0	GROUND WATER
43-13240	WR/DECREED	9/17/1962	0.010 cfs	6.3 af	4.4	7.0	GROUND WATER
43-13241	WR/DECREED	6/30/1985	0.960 cfs	N/A	66.1	249.0	GROUND WATER
43-13242	WR/DECREED	6/30/1985	0.030 cfs	N/A	1.9	7.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
43-307	WR/DECREED	4/1/1894	0.900 cfs	N/A		249.0	RAFT RIVER
43-10363	WR/DECREED	10/19/1928	1.400 cfs	N/A		249.0	RAFT RIVER
43-10799	WR/DECREED	4/1/1886	3.840 cfs	N/A		249.0	RAFT RIVER
43-13318	WR/DECREED	10/19/1928	0.460 cfs	N/A		249.0	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>
43-13237	NO	YES	NO	NO	NO	NO
43-13238	NO	YES	YES	NO	NO	NO
43-13239	NO	YES	NO	YES	NO	NO
43-13240	NO	YES	YES	NO	NO	NO
43-13241	NO	YES	NO	NO	NO	NO
43-13242	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>
43-13237	43-13237	3.210 cfs	743.1 af	185.8	249.0	N/A	N/A	N/A	N/A	N/A

Transfer No. 80062

SUPPORT DATA

IN FILE # 43-13237

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80062

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>
43-13238	43-13238	0.090 cfs	20.9 af	5.2	249.0	N/A	N/A	N/A	N/A	N/A
43-13239	43-13239	0.460 cfs	222.7 af	154.6	249.0	N/A	N/A	N/A	N/A	N/A
43-13240	43-13240	0.010 cfs	6.3 af	4.4	249.0	N/A	N/A	N/A	N/A	N/A
43-13241	43-13241	0.960 cfs	N/A	66.1	249.0	N/A	N/A	N/A	N/A	N/A
43-13242	43-13242	0.030 cfs	N/A	1.9	249.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.770 cfs	764.0 af	249.0	249.0		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 3RD day of January, 2017.



Southern Region Manager

WATER RIGHT NO. 43-13238**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13238 is now described as follows:

Right Holder: ROGER W HICKEN AND/OR
DORRIS M HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 1/28/1960

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.090 cfs
0.090 cfs

Diversion Volume
20.9 af
20.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 12S Rge 27E CASSIA County
GROUND WATER SENW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
							L1	L2											

Right Acre Limit: 5.2

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.2 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13238, 43-13240, and 43-13242 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 20.9 af, and the irrigation of 7.0 acres.
3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 80062

WATER RIGHT NO. 43-13238

As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13242
As Modified by Transfer No. 80062

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13242 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
 ROGER W HICKEN
 1346 S 2300 E
 MALTA, ID 83342

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.030 cfs
 0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 12S Rge 27E CASSIA County
 GROUND WATER SENW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L 1	L 2										

Right Acre Limit: 1.9
 POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1.9 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13238, 43-13240, and 43-13242 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 20.9 af, and the irrigation of 7.0 acres.
3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 43-13242
As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13240**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13240 is now described as follows:

Right Holder: ROGER W HICKEN AND/OR
DORRIS M HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 9/17/1962

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.010 cfs
0.010 cfs

Diversion Volume
6.3 af
6.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

SWNE
SENW

Sec 31 Twp 12S Rge 27E CASSIA County
Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L1	L2										

Right Acre Limit: 4.4

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.4 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13238, 43-13240, and 43-13242 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 20.9 af, and the irrigation of 7.0 acres.
3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 43-13240
As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13237**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13237 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 1/28/1960

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

3.210 cfs

3.210 cfs

Diversion Volume

743.1 af

743.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

SWNE

Sec 31 Twp 12S Rge 27E CASSIA County

GROUND WATER

SENE

Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L 1	L 2										

Right Acre Limit: 185.8

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 185.8 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13237, 43-13239, and 43-13241 when combined shall not exceed a total diversion rate of 3.67 cfs, a total annual maximum diversion volume of 743.1 af, and the irrigation of 249.0 acres.
3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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WATER RIGHT NO. 43-13237
As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13241
As Modified by Transfer No. 80062

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13241 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
 ROGER W HICKEN
 1346 S 2300 E
 MALTA, ID 83342

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.960 cfs
 0.960 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNE Sec 31 Twp 12S Rge 27E CASSIA County
 GROUND WATER SENW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
							L1	L2											

Right Acre Limit: 66.1
 POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 66.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13237, 43-13239, and 43-13241 when combined shall not exceed a total diversion rate of 3.67 cfs, a total annual maximum diversion volume of 743.1 af, and the irrigation of 249.0 acres.
3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 80062

WATER RIGHT NO. 43-13241
As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-13239**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13239 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 9/17/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
DOMESTIC	01/01	to 12/31	0.040 cfs	
IRRIGATION	03/15	to 11/15	0.460 cfs	222.7 af
			0.460 cfs	222.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SWNE	Sec 31 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SENE	Sec 31 Twp 12S Rge 27E	CASSIA County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			X														

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	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L 1	L 2										

Right Acre Limit: 154.6

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 154.6 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13237, 43-13239, and 43-13241 when combined shall not exceed a total diversion rate of 3.67 cfs, a total annual maximum diversion volume of 743.1 af, and the irrigation of 249.0 acres.

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WATER RIGHT NO. 43-13239
As Modified by Transfer No. 80062

CONDITIONS OF APPROVAL

3. Rights 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total diversion rate of 3.77 cfs, a total annual maximum diversion volume of 764 af at the field headgate, and the irrigation of 249 acres.
4. Rights 43-307, 43-10363, 43-10799, 43-13318, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241 and 43-13242 when combined shall not exceed a total irrigation of 249 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right will 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 diversion(s).
8. Right nos. 43-13241 and 43-13242 are expansions of right nos. 43-13237, 43-13238, 43-13239, and 43-13240 pursuant to section 42-1416B, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 43-307

As Modified by Transfer No. 80062

In accordance with the approval of Transfer No. 80062, Water Right No. 43-307 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 4/1/1894

Source: RAFT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

to

To

11/15

Diversion Rate

0.900 cfs

0.900 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER
RAFT RIVER

NWNWSE
NWNESW

Sec 31 Twp 12S Rge 27E CASSIA County
Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L 1	L 2										

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

- The rights listed below shall provide no more than .02 cfs per acre. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
- Use of the rights listed below is limited to the irrigation of a combined total of 249 acres in a single irrigation season. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
- 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.

WATER RIGHT NO. 43-10363**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-10363 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 10/19/1928

Source: RAFT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1,400 cfs
1,400 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER NWNWSE Sec 31 Twp 12S Rge 27E CASSIA County
RAFT RIVER NWNESW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
							L1	L2											

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. The rights listed below shall provide no more than .02 cfs per acre. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
2. Use of the rights listed below is limited to the irrigation of a combined total of 249 acres in a single irrigation season. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
3. 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.

WATER RIGHT NO. 43-10799**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-10799 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 4/1/1886

Source: RAFT RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
3.840 cfs
3.840 cfs

LOCATION OF POINT(S) OF DIVERSION

RAFT RIVER NWNWSE Sec 31 Twp 12S Rge 27E CASSIA County
RAFT RIVER NWNESW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
							L1	L2											

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. The rights listed below shall provide no more than .02 cfs per acre. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
2. Use of the rights listed below is limited to the irrigation of a combined total of 249 acres in a single irrigation season. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
3. 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.
4. This right is a combination of old Right Nos. 43-305, & 43-306.

WATER RIGHT NO. 43-13318**As Modified by Transfer No. 80062**

In accordance with the approval of Transfer No. 80062, Water Right No. 43-13318 is now described as follows:

Right Holder: DORRIS M HICKEN AND/OR
ROGER W HICKEN
1346 S 2300 E
MALTA, ID 83342

Priority Date: 10/19/1928

Source: CASSIA CREEK

Tributary: RAFT RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.460 cfs
0.460 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK SWSWNW Sec 31 Twp 12S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	27E	31			33.0		41.0	47.0	49.0	40.0						39.0			249.0
								L1	L2										

POU Total Acres: 249.0

CONDITIONS OF APPROVAL

1. Decreed water right numbers 43-303 and 43-304 are forfeited for non-use from 1970 to 1989. This water right is based on beneficial use and combines claim numbers 43-303 and 43-304.
2. Use of the rights listed below is limited to the irrigation of a combined total of 249 acres in a single irrigation season. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
3. The rights listed below shall provide no more than .02 cfs per acre. combined right nos.: 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239, 43-13240, 43-13241, 43-13242, & 43-13318.
4. 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.

Transfer No. 80062

State of Idaho
Department of Water Resources
Attachment to Transfer # 80062
43-13237, 43-13238, 43-13240, 43-13241 and 43-13242

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.



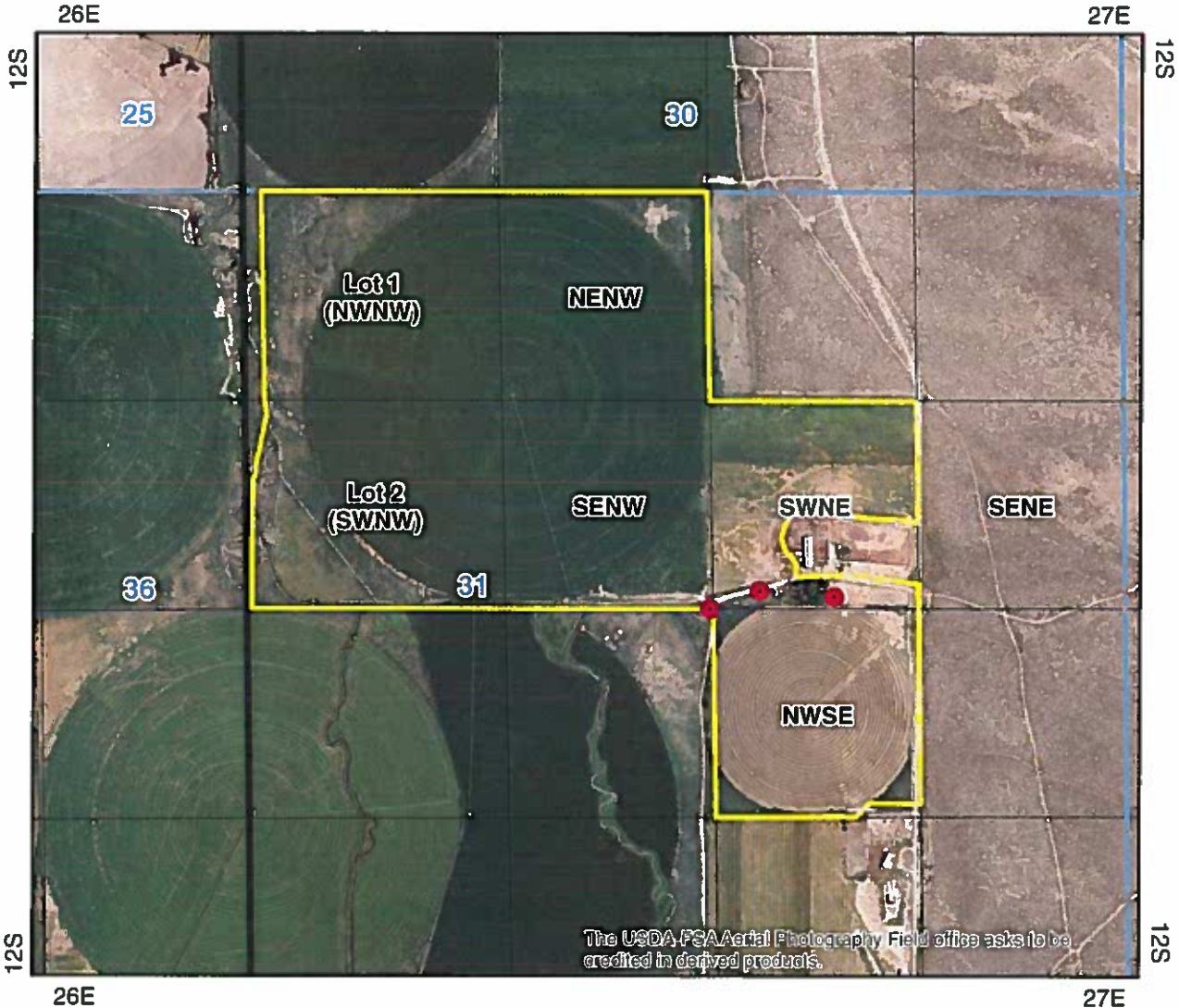
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.125 0.25 0.5 Miles

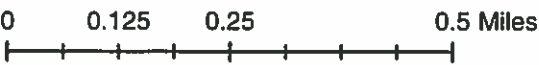


State of Idaho
Department of Water Resources
Attachment to Transfer # 80062
43-13239

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.

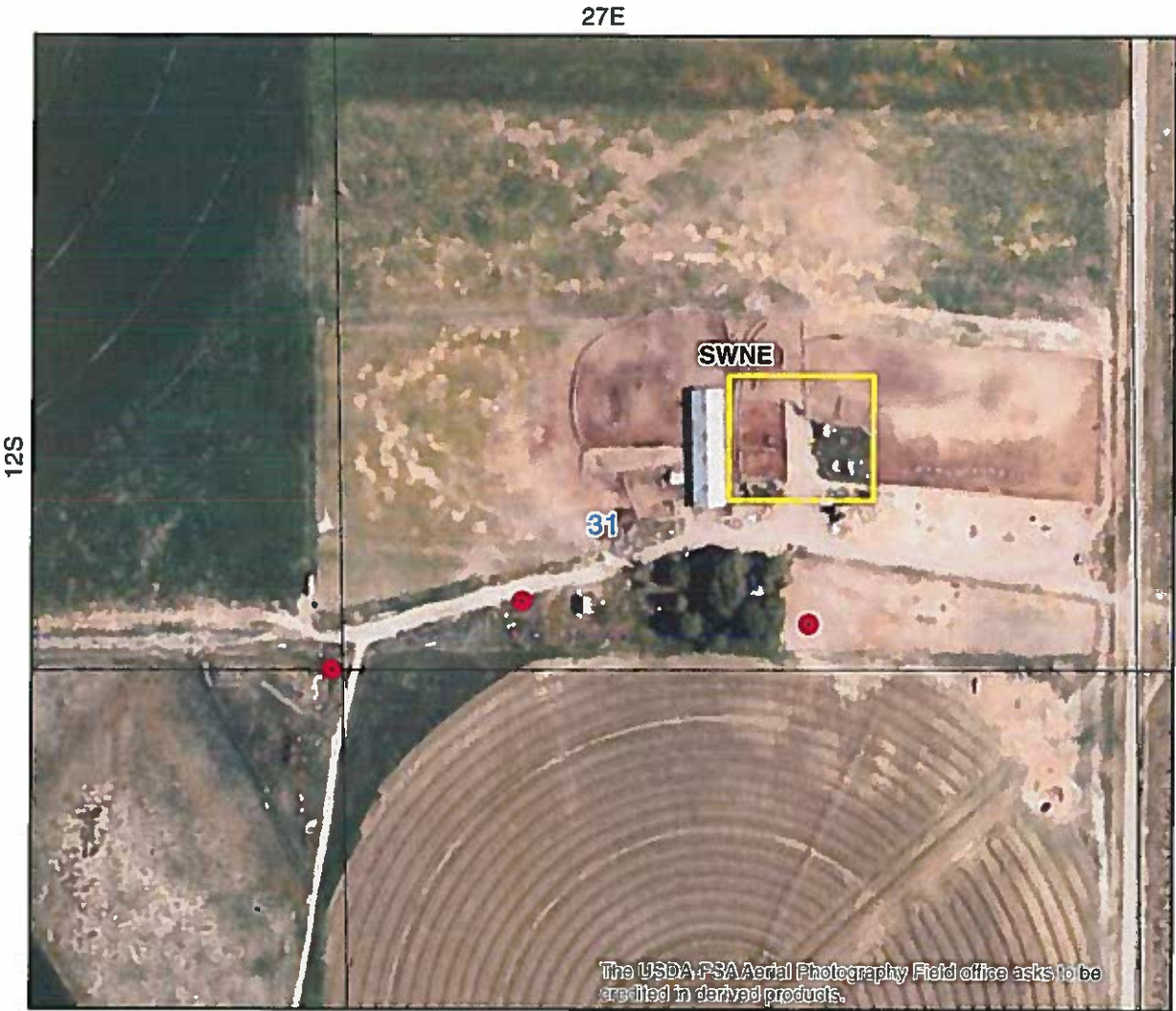


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



State of Idaho
Department of Water Resources
Attachment to Transfer # 80062
43-13239

This map depicts the DOMESTIC 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 0.035 0.07 0.14 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 4, 2017

ROGER W HICKEN
DORRIS M HICKEN
1346 S 2300 E
MALTA ID 83342

Re: Transfer No: 80062
Water Right No(s): 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239,
43-13240, 43-13241, 43-13242, 43-13318

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:

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

BUREAU OF LAND MANAGEMENT
STEVE DAVIS, BURLEY FIELD OFFICE
15 E 200 S
BURLEY ID 83318

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

CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80062

**Water Right No(s): 43-307, 43-10363, 43-10799, 43-13237, 43-13238, 43-13239,
43-13240, 43-13241, 43-13242, 43-13318**

**ROGER W HICKEN
DORRIS M HICKEN
1346 S 2300 E
MALTA ID 83342**

**BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709**

**BUREAU OF LAND MANAGEMENT
STEVE DAVIS, BURLEY FIELD OFFICE
15 E 200 S
BURLEY ID 83318**

via e-mail

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

via e-mail

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**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.