

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80309**MAR 23 2016****MINIMUM REQUIREMENTS CHECKLIST**DEPT OF WATER RESOURCES
SOUTHERN REGION**TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

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

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

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

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

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

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

MAR 23 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant HANK T HIGLEY Phone _____

Mailing Address PO BOX 652, MALTA ID 83342 Email _____

Name of Applicant LACEY G HIGLEY Phone _____

Mailing Address PO BOX 652, MALTA ID 83342 Email _____

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

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

☒ No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

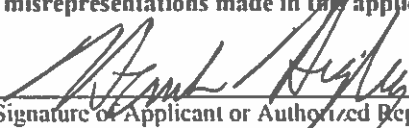
☐ Send all correspondence for this application to the representative and not to the applicant.

OR ☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it Attachment #4.

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


Signature of Applicant or Authorized Representative

Hank Higley Owner 3-22-16
Print Name and Title if applicable Date


Signature of Applicant or Authorized Representative

Lacey Higley owner 3-22-16
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

I.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-2277	Yes	Yes	Yes	No	No	No
	43-2354A	No	No	Yes	No	No	No
	43-13287	No	No	Yes	No	No	No
	43-13289	No	No	Yes	No	No	No
	43-13291	No	No	Yes	No	No	No
	43-13738	No	No	Yes	No	No	No
	43-13739	No	No	Yes	No	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

Split ground water right 43-2277, move 21.5 acres from that right and add them to an existing 78.5 acre POU where six water rights are currently utilized (43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739). The POD for the split portion of 43-2277 will be changed to the same POD used to divert the ground water rights at the 78.5 acre POU.

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

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

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13746	0.230 cfs	86.0 af	21.5	100.0	43-2277	0.570 cfs	214.0 af	N/A	53.5
43-13287	0.450 cfs	90.0 af	22.5	100.0		N/A	N/A	N/A	N/A
43-13289	0.220 cfs	43.2 af	10.8	100.0		N/A	N/A	N/A	N/A
43-13291	0.060 cfs	N/A	4.2	100.0		N/A	N/A	N/A	N/A
43-2354A	0.150 cfs	40.0 af	10.0	100.0		N/A	N/A	N/A	N/A
43-13738	0.290 cfs	58.0 af	14.5	100.0		N/A	N/A	N/A	N/A
43-13739	0.130 cfs	50.0 af	12.5	100.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

1,190 cfs 317.2 af 21.5 100.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 0.230 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

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

4. Place of Use:

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

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Unchanged Portion After Requested Changes

Original Water Right No. 43-2277

Current Water Right Owner

LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

AND

HANK T HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 8/13/1958

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.570 CFS	214.0 AFA	
Total Diversion			0.570 CFS	214.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

SWSWSW

Sec. 1 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	1											23.9	29.6					53.5

POU Total Acres: 53.5

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes

Proposed Water Right No. 43-13746

(Original Water Right No. 43-2277)

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 8/13/1958

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.230 CFS	86.0 AFA	
Total Diversion			0.230 CFS	86.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 21.5

POU Total Acres: 100.0

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

Proposed Water Right No. 43-13287

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

AND

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.450 CFS	90.0 AFA	
Total Diversion			0.450 CFS	90.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 22.5

POU Total Acres: 100.0

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

Proposed Water Right No. 43-13289

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

AND

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.220 CFS	43.2 AFA	
Total Diversion			0.220 CFS	43.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 10.8

POU Total Acres: 100.0

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

Proposed Water Right No. 43-13291

Current Water Right Owner

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

And

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

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.060 CFS	
Total Diversion			0.060 CFS	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 4.2

POU Total Acres: 100.0

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

Proposed Water Right No. 43-2354A

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

AND

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 9/17/1954

Origin: Water Right

Basis: Decreed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.150 CFS	40.0 AFA	
Total Diversion			0.150 CFS	40.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 10.0

POU Total Acres: 100.0

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

Proposed Water Right No. 43-13738

Current Water Right Owner

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

And

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

Priority Date: 4/11/1948

Origin: Water Right

Basis: Decreed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.290 CFS	58.0 AFA	
Total Diversion			0.290 CFS	58.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		26.0			19.0												45.0

Right Acre Limit: 14.5

POU Total Acres: 100.0

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

Proposed Water Right No. 43-13739

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.130 CFS	50.0 AFA	
Total Diversion			0.130 CFS	50.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												24.0			31.0		55.0
13S	26E	25		28.0			19.0												45.0

Right Acre Limit: 12.5

POU Total Acres: 100.0

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
Well, pump and pipe to pivot. Locking works in place and measuring device can be installed when required
by the Department.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No, If Yes,

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

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

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

18.5 acres will be dried up in corners and two small pivots will be installed at the current place o
f use.

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

N/A

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

Yes No

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

If yes, describe:

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

Current Water Right No. 43-2277

Current Water Right Owner

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

AND

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 8/13/1958

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.800 CFS	300.0 AFA	
Total Diversion			0.800 CFS	300.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSWSW

Sec. 1 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	1										38.0	37.0						75.0

POU Total Acres: 75.0

Conditions/Remarks:

1. 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.

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

Current Water Right No. 43-13287

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

AND

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.450 CFS	90.0 AFA	
Total Diversion			0.450 CFS	90.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0

Right Acre Limit: 22.5

POU Total Acres: 78.5

Conditions/Remarks:

1. This right is limited to the irrigation of 22.5 acres within the place of use described above in a single irrigation season.
2. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
3. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13289

Current Water Right Owner

HANK T HIGLEY
 PO BOX 652
 MALTA, ID 83342

AND

LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 7/5/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.220 CFS	43.2 AFA	
Total Diversion			0.220 CFS	43.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0
			Right Acre Limit:				10.8												
			POU Total Acres:				78.5												

Conditions/Remarks:

1. This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
2. Rights 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
3. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
4. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6-25-2002.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. Right No. 43-13291 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13291

Current Water Right Owner

HANK T HIGLEY
 PO BOX 652
 MALTA, ID 83342

And

LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.060 CFS	
Total Diversion			0.060 CFS	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0

Right Acre Limit: 4.2

POU Total Acres: 78.5

Conditions/Remarks:

1. This right is limited to the irrigation of 4.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
3. Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
4. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. This right is an expansion of Right No. 43-13289 pursuant to Section 42-1416B of the Idaho Code.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-2354A

Current Water Right Owner

HANK T HIGLEY
 PO BOX 652
 MALTA, ID 83342

AND

LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 9/17/1954

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.150 CFS	40.0 AFA	
Total Diversion			0.150 CFS	40.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Well, 75 hp motor, pump, mainline to pivot sprinkler

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0

Right Acre Limit: 10.0

POU Total Acres: 78.5

Conditions/Remarks:

1. This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.
2. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13738

Current Water Right Owner

HANK T HIGLEY
PO BOX 652
MALTA, ID 83342

And

LACEY G HIGLEY
PO BOX 652
MALTA, ID 83342

Priority Date: 4/11/1948

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.290 CFS	58.0 AFA	
Total Diversion			0.290 CFS	58.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0

Right Acre Limit: 14.5

POU Total Acres: 78.5

Conditions/Remarks:

1. This right is limited to the irrigation of 14.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 58 af at the field headgate.
3. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
4. Right No.43-13739 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13739

Current Water Right Owner

HANK T HIGLEY
 PO BOX 652
 MALTA, ID 83342

And

LACEY G HIGLEY
 PO BOX 652
 MALTA, ID 83342

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.160 CFS	
Total Diversion			0.160 CFS	

Source and Point(s) of Diversion:
 GROUND WATER

NWNE

Sec. 25 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24												20.5		21.0			41.5
13S	26E	25		19.0			18.0												37.0

Right Acre Limit: 16.5

POU Total Acres: 78.5

Conditions/Remarks:

1. This right is limited to the irrigation of 16.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 58 af at the field headgate.
3. Rights 43-13287, 43-13289, 43-13291, 43-2354A, 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.96 cfs.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is an expansion of Right No.43-13738 pursuant to Section 42-1416B, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 28 2016

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

DEPT OF WATER RESOURCES
SOUTHERN REGION

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒

Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed.

Right Number: 43-2277

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acraa irrigated per 1/4 1/4 tract.)

[illegible]

Total Acres (for irrigation use) 21.5

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

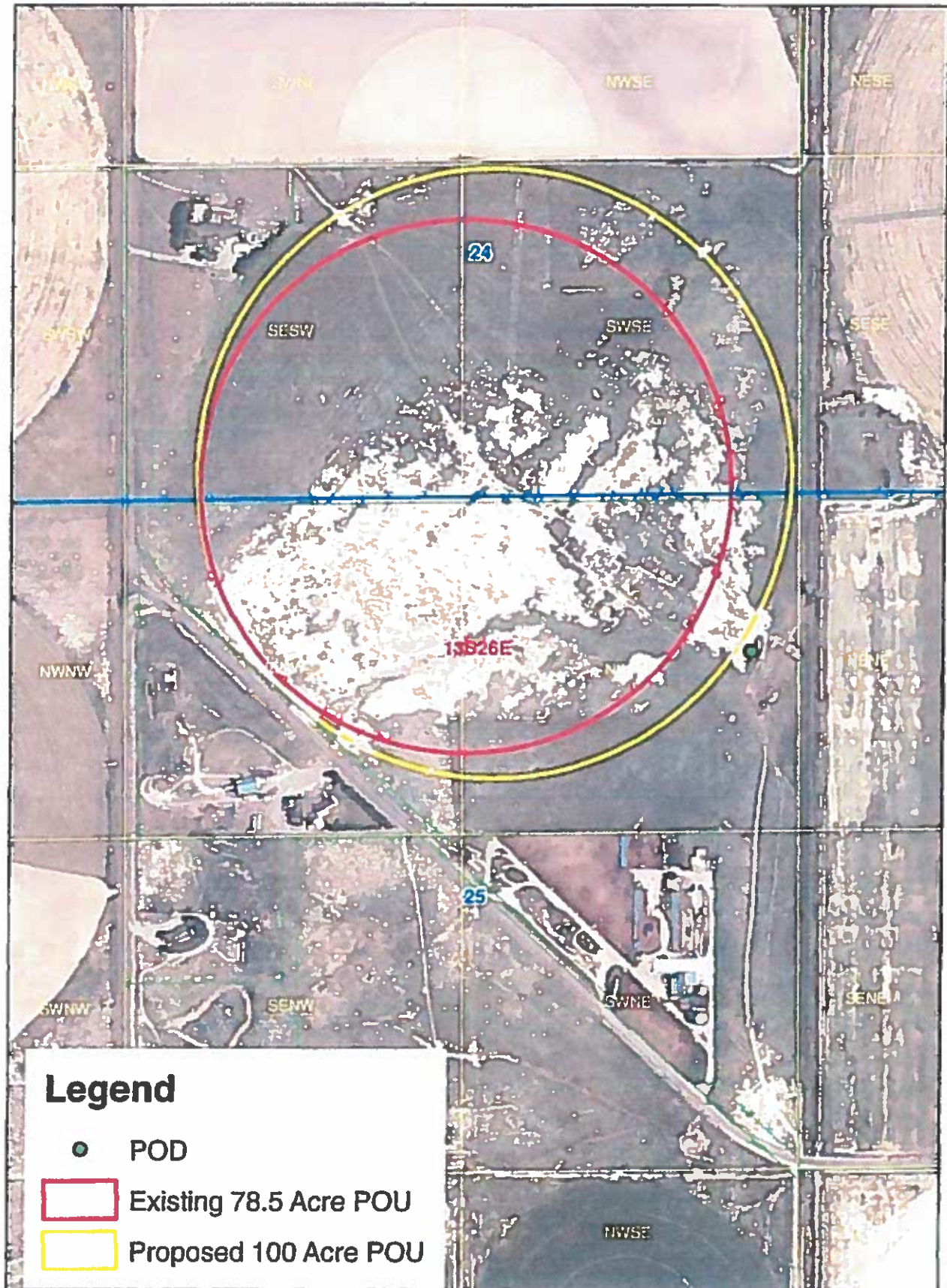
If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

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

FOR DEPARTMENT USE ONLY

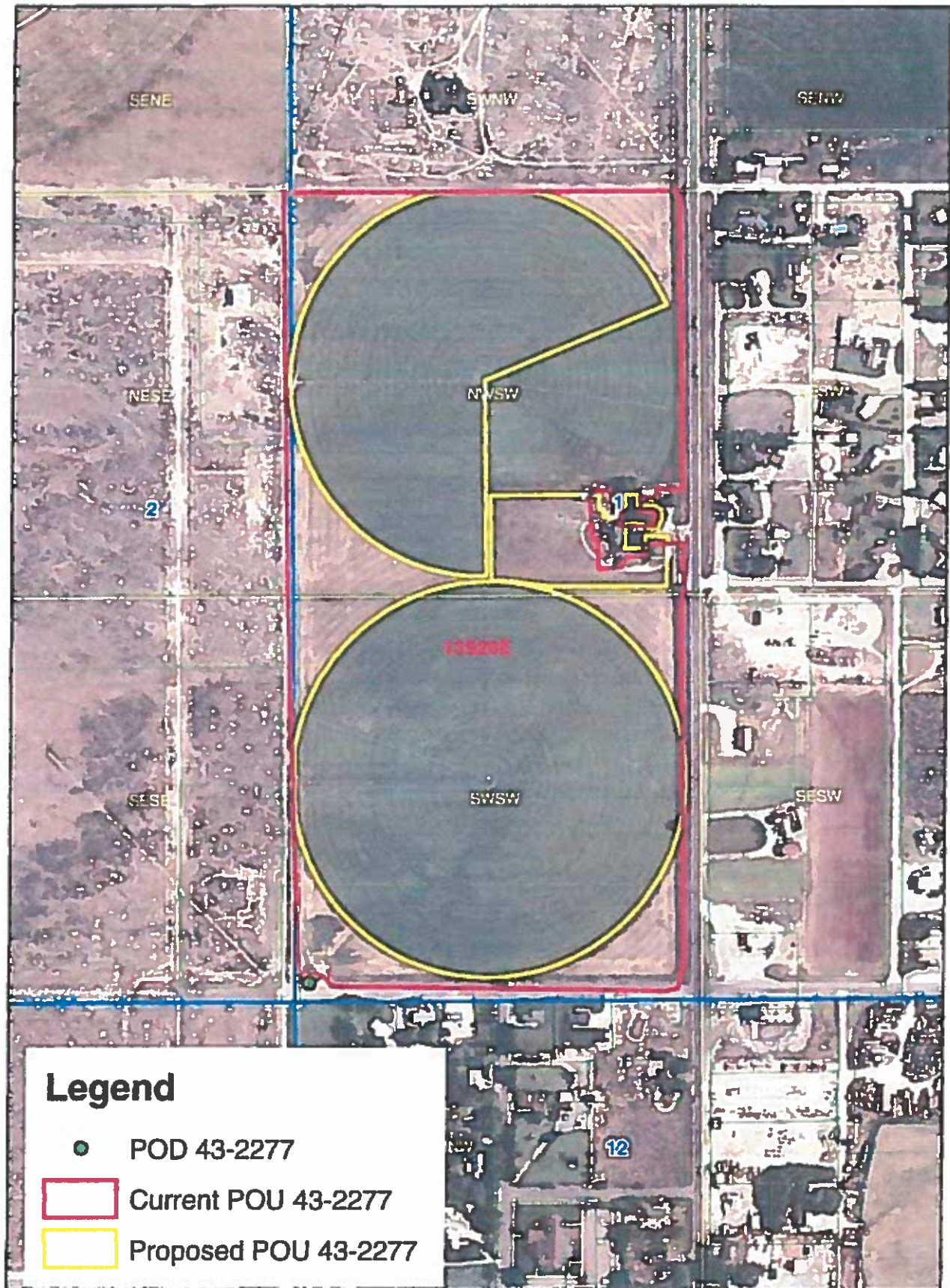
Transfer Contains 26 pages and 2 attachments.
Received By TF/DM Date 3-23-2016 Prelim. Check By HB Date 3-23-2016
Fee Paid \$575-* Date 3-23-2016 Receipted By DM Receipt # 5035352
Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____
* \$500.00 Transfer Fee & \$75.00 For Ownership change on 3 water rights

Attachment 7A



TRANSFER 80309

Attachment 7B



TRANSFER 80309



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

March 31, 2016

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

RE: Transfer No. 80309
Water Right No(s). 43-13287, 43-13289, 43-13291, 43-13738, 43-13739, 43-2277,
43-2354A

Dear Applicant(s):

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

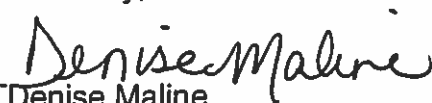
A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/7/2016 and 4/14/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 25, 2016**).

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

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

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

Sincerely,


Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 31, 2016 11:43 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on April 7th & 14th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, 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

March 31, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17066, 47-17649

RE: Amended Transfer No. 79943
Water Right No(s): 45-14284

RE: Transfer No. 80309
Water Right No(s): 43-13287, 43-13289, 43-13291, 43-13738, 43-13739, 43-2277, 43-2354A

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 25, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

36-17066

BLUE LAKES COUNTRY CLUB INC

PO BOX 5729

TWIN FALLS, ID 83303-5729

Point of Diversion NWSE S28 T09S R17E JEROME County Source ALPHEUS CREEK Tributary SNAKE RIVER

Point of Diversion L6(NWNE) S33 T09S R17E JEROME County Source ALPHEUS CREEK Tributary SNAKE RIVER

Use: AESTHETIC 03/15 to 11/15 1.11 CFS

Use: RECREATION 03/15 to 11/15 1.11 CFS

Use: WATER QUALITY IMPROVEMENT 03/15 to 11/15 1.11 CFS

Total Diversion: 1.11 CFS

Date Filed: 3/21/2016

Place Of Use: AESTHETIC, RECREATION, WATER QUALITY IMPROVEMENT

T09S R17E S33 NENE

Application for Permit proposes to divert a total of 1.11 cfs for Water Quality Improvement, Recreation, and Aesthetic purposes from Alpheus Creek via two existing points of diversion. Proposed place of use is Bass Lake at Blue Lakes Country Club. Application includes a mitigation plan to address increased evaporation at Bass Lake.

47-17649

JAY BLACKHURST

AMY WESTOVER

4813 RIVER RD

BUHL, ID 83316

Point of Diversion NWNWSW S33 T08S R14E TWIN FALLS County Source WASTE WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.02 CFS 0.7 AF

Use: HEATING 01/01 to 12/31 0.02 CFS 0.7 AF

Use: RECREATION 01/01 to 12/31 0.02 CFS 0.7 AF

Total Diversion: 0.02 CFS

Date Filed: 10/26/2015

Place Of Use: DOMESTIC, HEATING, RECREATION

T08S R14E S33 L6(NWSW)

Application proposes to divert up to 0.02 cfs of low temperature geothermal waste water for heating, recreation, and in-house domestic purposes for use on a property located along River Road approximately 3.3 miles west and 5.7 miles north of the city center of Buhl.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

AMENDED TRANSFER NO. 79943

ALBION 12 INVESTMENTS LLC, 7595 E MC DONALD DR STE 130, SCOTTSDALE, AZ 85250; has filed Amended Application No. 79943 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14284. The purpose of the transfer is to change a portion of the above rights as follows: Amended application for transfer proposes to change the place of use and add two new points of diversion to ground water right 45-14284 (1.31 cfs), which currently supplements three surface water rights (45-14288, 45-14286, and 45-10912) on 67.0 acres of farm ground located approximately 0.8 to 1.3 miles west and 0.7 to 1.2 miles south of the intersection of Main and Market Streets in Albion. The new place of use will be on farm ground located approximately 1.4 to 2.4 miles east and 1.8 to 3.2 miles south of Albion, supplementing surface water right 45-284B (1.50 cfs, 90.0 acres), which is within a 399.2 acre permissible place of use. Right 45-14284 is currently diverted from two wells located approximately 1.3 miles west and 1.1 miles south of Albion. The proposed transfer will relocate the points of diversion to two new wells located approximately 1.7 miles east and 3.2 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80309

HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342; has filed Application No. 80309 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13287, 43-13289, 43-13291, 43-13738, 43-13739, 43-2277, 43-2354A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 0.23 cfs & 21.5 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 six other ground water rights on the farm southeast of Malta to create a 100 acre permissible place of use. The transferred right and the existing rights will divert up to 1.19 cfs from an existing well located on the farm southeast of Malta.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . For additional information on new permits, please see [www.idwr.idaho.gov/WaterManagement/WaterRights/#New Listings](http://www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings). Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before April 25, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 7th & 14th, 2016



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

March 31, 2016

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

Via hand delivery

RE: Transfer No. 80309
Water Right No(s). 43-13287, 43-13289, 43-13291, 43-13738, 43-13739, 43-2277,
43-2354A

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: March 28, 2016
To: Transfer 80309 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes moving a 21.5 acre portion (0.23 cfs) of a ground water irrigation right, 43-2277 (0.80 cfs), from a farm located in the northwest of the city of Malta to a second farm located approximately 2.7 to 3.2 miles south and 0.05 to 0.5 miles east of Malta to an existing well and permissible place of use (PPU)

At the proposed PPU for the split portion of 43-2277, there are currently six irrigation ground water rights with a combined limit of 0.96 cfs that are used to irrigate a 78.5 acre PPU: 43-2354A (0.150 cfs, 40.0 af); 43-13287 (0.450 cfs, 90.0 af); 43-13289 (0.220 cfs, 43.2 af); 43-13291 (0.060 cfs); 43-13738 (0.290 cfs, 58.0 af) and 43-13739 (0.160 cfs). The current PPU will increase from 78.5 to the proposed 100 acres. A combined limit of 1.19 cfs will be added to all the water rights and the portion of 43-2277 (43-13746) will be limited to 21.5 acres within the PPU.

Overlap review indicates there are no other irrigation water rights appurtenant to the place of use on either farm. All points of diversion (POD) at the current and proposed POU are within the Raft River Critical Ground Water Area and Water District 143. Watermaster comments will be solicited.

- **Authority to File:** IDWR records indicate the applicants are the current owners of all water rights in this transfer.
- **Water Right Validity:** The water rights in this transfer were all decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery (2015) indicates the new well and pivot were completed at the second farm (authorized in 2015 under Transfer #79777) and grounds appear partially irrigated. Grounds at the farm the water right is being transferred from appear irrigated in recent imagery.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application is subject to public notice.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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

MEMORANDUM

Date: March 28, 2016
To: Transfer 80650
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #80309 were based on the portion of the water right that is being moved to new ground in the transfer application:

$(21.5 \text{ new acres} / 75.0 \text{ acre POU}) \times 0.80 \text{ cfs} = 0.230 \text{ cfs}$

The current fee for the transfer of 0.23 cfs is \$500.00. Additional fees were paid for ownership changes on three rights (one in the transfer and ownership change was processed prior to transfer application)

\$25.00 each, for a total of \$75.00

$\$500.00 + \$75.00 = \$575.00$ total fee.

\$575.00 paid on Receipt #S035352.