

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79777**

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

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-10827	WR/DECREED	6/30/1985	0.470 cfs	N/A	50.0	94.0	GROUND WATER
43-13287	WR/DECREED	7/5/1963	0.450 cfs	90.0 af	22.5	47.5	GROUND WATER
43-13289	WR/DECREED	7/5/1963	0.220 cfs	43.2 af	10.8	47.5	GROUND WATER
43-13291	WR/DECREED	6/30/1985	0.060 cfs	N/A	4.2	47.5	GROUND WATER
43-2308B	WR/DECREED	4/11/1948	0.880 cfs	176.0 af	44.0	94.0	GROUND WATER
43-2354A	WR/DECREED	9/17/1954	0.150 cfs	40.0 af	10.0	47.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-10827	YES	YES	YES	NO	NO	NO
43-13287	NO	YES	YES	NO	NO	NO
43-13289	NO	YES	YES	NO	NO	NO
43-13291	NO	YES	YES	NO	NO	NO
43-2308B	YES	YES	YES	NO	NO	NO
43-2354A	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>
43-10827	43-13739	0.160 cfs	N/A	16.5	78.5	43-10827	0.310 cfs	N/A	33.5	63.0
43-13287	43-13287	0.450 cfs	90.0 af	22.5	78.5	N/A	N/A	N/A	N/A	N/A
43-13289	43-13289	0.220 cfs	43.2 af	10.8	78.5	N/A	N/A	N/A	N/A	N/A
43-13291	43-13291	0.060 cfs	N/A	4.2	78.5	N/A	N/A	N/A	N/A	N/A
43-2308B	43-13738	0.290 cfs	58.0 af	14.5	78.5	43-2308B	0.590 cfs	118.0 af	29.5	63.0
43-2354A	43-2354A	0.150 cfs	40.0 af	10.0	78.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.960 cfs	231.2 af	78.5	78.5		0.59 cfs	118.0 af	N/A	63.0

SUPPORT DATA

IN FILE # 43-2308B

Transfer No. 79777

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79777

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 15th day of April, 2015.


Southern Region Manager



WATER RIGHT NO. 43-13287
As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-13287 is now described as follows:

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

Priority Date: 7/5/1963

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
 0.450 cfs
 0.450 cfs

Diversion Volume
 90.0 af
 90.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 25 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	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

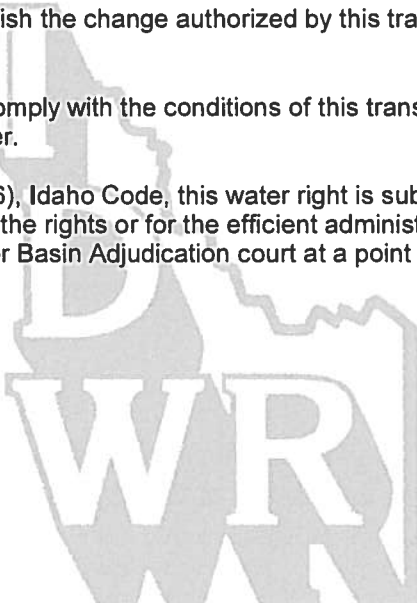
CONDITIONS OF APPROVAL

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.

Transfer No. 79777

WATER RIGHT NO. 43-13287
As Modified by Transfer No. 79777

CONDITIONS OF APPROVAL

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.
 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.
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WATER RIGHT NO. 43-13289

As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-13289 is now described as follows:

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

Priority Date: 7/5/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.220 cfs	43.2 af
			0.220 cfs	43.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 25 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	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 OF APPROVAL

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.

Transfer No. 79777

WATER RIGHT NO. 43-13289
As Modified by Transfer No. 79777

CONDITIONS OF APPROVAL

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.
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.

WATER RIGHT NO. 43-13291 **As Modified by Transfer No. 79777**

In accordance with the approval of Transfer No. 79777, Water Right No. 43-13291 is now described as follows:

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

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.060 cfs
0.060 cfs

LOCATION OF 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: 4.2

POU Total Acres: 78.5

CONDITIONS OF APPROVAL

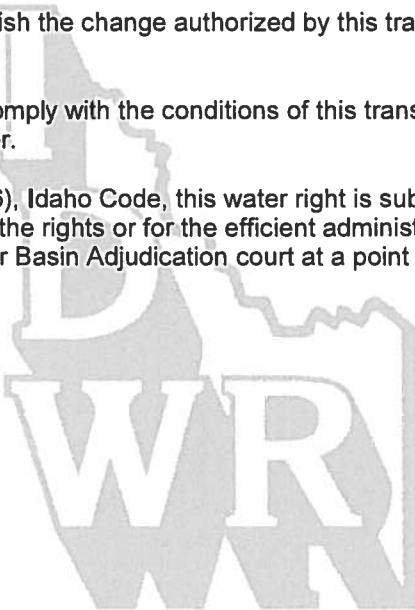
1. This right is limited to the irrigation of 4.2 acres within the place of use described above in a single irrigation season.
2. Rights 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
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.

Transfer No. 79777

WATER RIGHT NO. 43-13291
As Modified by Transfer No. 79777

CONDITIONS OF APPROVAL

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.
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.



WATER RIGHT NO. 43-2354A
As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-2354A is now described as follows:

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

Priority Date: 9/17/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.150 cfs	40.0 af
			0.150 cfs	40.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 25 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	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 OF APPROVAL

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.

Transfer No. 79777

WATER RIGHT NO. 43-2354A
As Modified by Transfer No. 79777

CONDITIONS OF 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.



WATER RIGHT NO. 43-2308B
As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-2308B is now described as follows:

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

Priority Date: 4/11/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.590 cfs	118.0 af
			0.590 cfs	118.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (SWNWSW) Sec 30 Twp 13S 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	
13S	26E	25													40.0				40.0
13S	27E	30										23.0							23.0
												L 3							

Right Acre Limit: 29.5

POU Total Acres: 63.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 29.5 acres within the place of use described above in a single irrigation season.
2. Right No. 43-10827 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
3. The rights listed below are limited to a total combined diversion rate of 0.59 cfs and to a total combined annual diversion volume of 118 AF. Combined Right Nos.: 43-2308B and 43-10827
4. 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.

Transfer No. 79777

WATER RIGHT NO. 43-13738
As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-13738 is now described as follows:

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

Priority Date: 4/11/1948

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.290 cfs	58.0 af
			0.290 cfs	58.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 25 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	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 OF APPROVAL

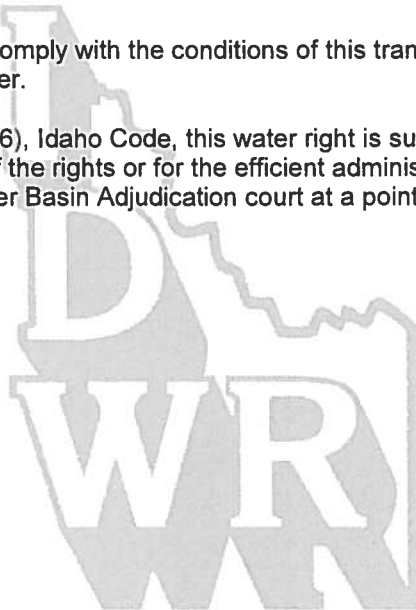
1. This right is limited to the irrigation of 14.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13738 and 43-13739 when combined shall not exceed a total diversion rate of 0.29 cfs and a total annual maximum diversion volume of 58 af at the field headgate.
3. Rights 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.

Transfer No. 79777

WATER RIGHT NO. 43-13738
As Modified by Transfer No. 79777

CONDITIONS OF APPROVAL

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.
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.



WATER RIGHT NO. 43-10827
As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-10827 is now described as follows:

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

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 0.310 cfs
 0.310 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (SWNWSW) Sec 30 Twp 13S 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	
13S	26E	25													40.0				40.0
13S	27E	30										23.0							23.0
												L 3							

Right Acre Limit: 33.5

POU Total Acres: 63.0

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 0.59 cfs and to a total combined annual diversion volume of 118 AF. Combined Right Nos.:43-2308B and 43-10827
2. This right is limited to the irrigation of 33.5 acres within the place of use described above in a single irrigation season.
3. This right is an expansion of Right No. 43-2308B pursuant to Section 42-1416B, Idaho Code.
4. 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.

Transfer No. 79777

WATER RIGHT NO. 43-13739

As Modified by Transfer No. 79777

In accordance with the approval of Transfer No. 79777, Water Right No. 43-13739 is now described as follows:

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

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.160 cfs
0.160 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNE Sec 25 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	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 OF APPROVAL

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.

Transfer No. 79777

WATER RIGHT NO. 43-13739
As Modified by Transfer No. 79777

CONDITIONS OF APPROVAL

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.
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.

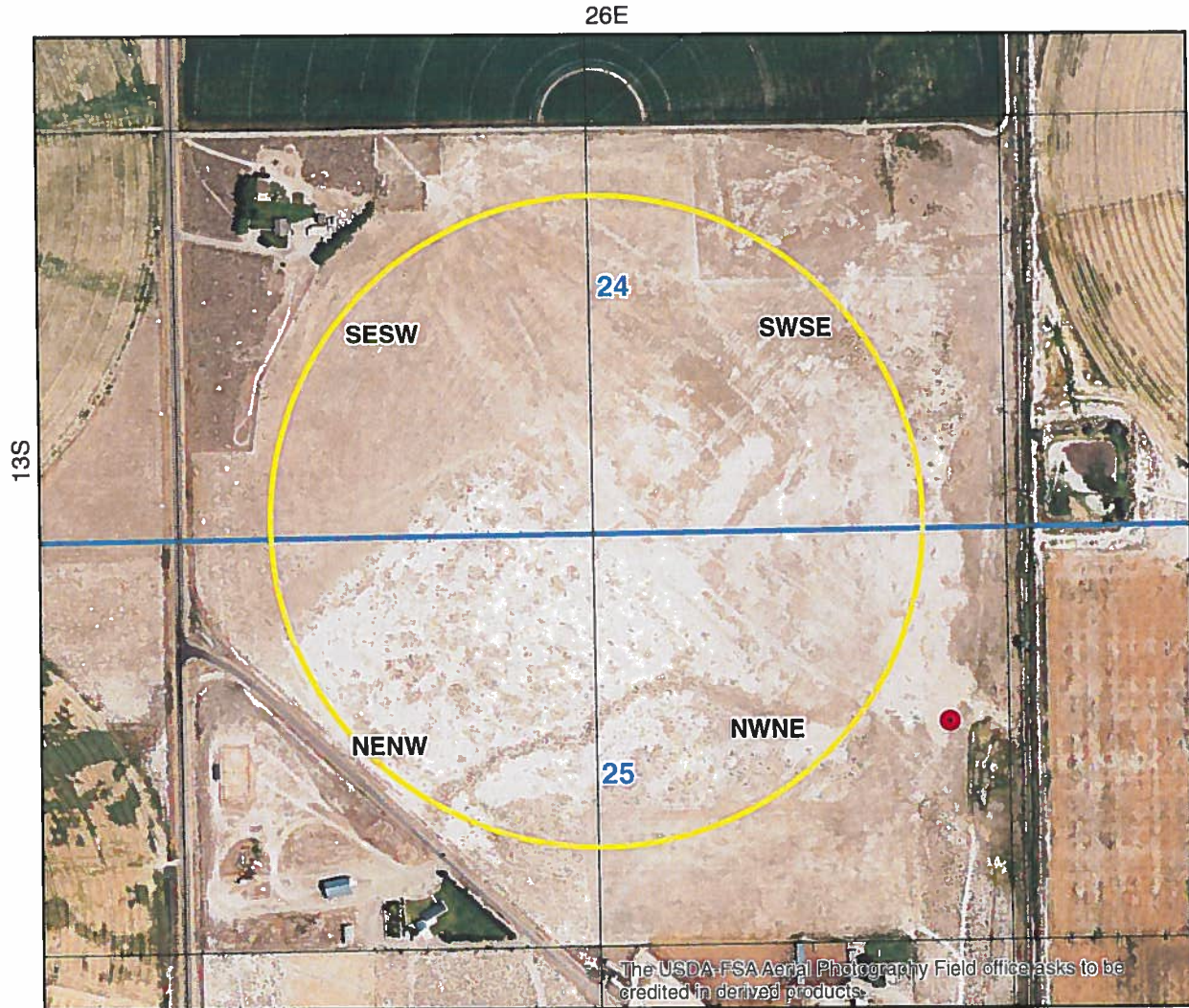


State of Idaho
Department of Water Resources

Attachment To Transfer No. 79777

Rights: 43-2354A, 43-13739, 43-13287, 43-13289, 43-13291 and 43-13738

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
- Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79777
Rights: 43-2308B and 43-10827

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
- Quarter Quarters

0 0.05 0.1 0.2 Miles

