

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79777

RECEIVED

DEC 24 2014

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

DEPT OF WATER RESOURCES
SOUTHERN REGION
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 www.idwr.idaho.gov.

Name of Applicant(s) Hank T. and 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 #1-10.

- ☐ ☒ #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 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). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Hank T. and 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 _____

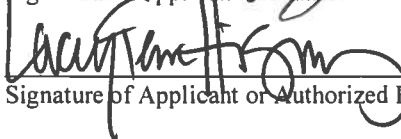
- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ 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
Print Name and Title if applicable

12.10.14
Date


Signature of Applicant or Authorized Representative

Lacey Higley Owner
Print Name and Title if applicable

12.10.14
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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**.
Applicant intends to move water rights 43-13287, 43-13289, 43-13291, 43-2354A and transfer a 31 acre portion from rights 43-10827 and 43-2308B to develop a new pivot and well. Water rights 43-13287, 43-13289, 43-13291 are leased to WSB and not in use; and 31 acres under rights 43-13287 and 43-2308B will be dried up at current POU.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	43-13287	0.450 cfs	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	43-13289	0.220 cfs	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	43-13291	0.060 cfs	Irrigation	03/15 to 11/15	Ground Water
☒ ☐	43-2354A	0.150 cfs	Irrigation	03/15 to 11/15	Ground Water
☐ ☒	43-10827	0.470 cfs	Irrigation	03/15 to 11/15	Ground Water
☐ ☒	43-2308B	0.880 cfs	Irrigation	03/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.55 cfs and/or 349.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.96 cubic feet per second and/or 231.2 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
x			NW	NE	25	13S	26E	Cassia	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre 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
Total Acres (for irrigation use)																			78.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Well and irrigation system to be constructed; measuring device and lockable controlling works to be installed as required by the Department.

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

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

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

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: Northwest Farm Credit Services; Mortgage

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☒ complete Attachment WSB.

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

No change to lands appurtenant to water rights 43-13287, 43-13289, 43-13291, 43-2354A, all currently leased to WSB. 31 acres will be dried up under rights 43-13287 and 43-2308B.

- f. Describe the use of any other water right(s) for the same purpose or land, or the 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

- g. 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:

Water rights 43-13287, 43-13289, 43-13291 and 43-2354A currently leased to WSB; Lease expires 12/31/2014 and won't be renewed if transfer is approved.

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

Current Water Right No.: 43-13287

Current Owner: HANK T HIGLEY
LACEY G HIGLEY

Priority Date: 7/5/1963

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.45 CFS	90 AF
	<u>Total Diversion</u>	0.45 CFS	90 AF

Location of Point(s) of Diversion

GROUND WATER
CASSIA County

SE1/4SW1/4SE1/4 Sec. 14, Twp 12S, Rge 26E B.M.

Place of Use

IRRIGATION Within CASSIA County

T12S R26E S14	NESE	11.90	T12S R26E S14	NWSE	11.90
T12S R26E S14	SWSE	11.80	T12S R26E S14	SESE	11.90

Total Acres: 47.5

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T19 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.
3. X27 This right is limited to the irrigation of 22.5 acres within the place of use described above in a single irrigation season.
4. 01M 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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. X61 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. X35 Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13289

Current Owner: HANK T HIGLEY
LACEY G HIGLEY

Priority Date: 7/5/1963

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.22 CFS	43.2 AF
	<u>Total Diversion</u>	0.22 CFS	43.2 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4SE1/4 Sec. 14, Twp 12S, Rge 26E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T12S R26E S14	NESE	11.90	T12S R26E S14	NWSE	11.90
T12S R26E S14	SWSE	11.80	T12S R26E S14	SESE	11.90

Total Acres: 47.5

Conditions of Approval:

1. X35 Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
2. 01M 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.
3. E25 Use of this right with Right No. 43-13291 is limited to a total combined diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Right No. 43-13291 is an expansion of this right pursuant to Section 42-1416B of the Idaho Code.
7. T19 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.
8. X27 This right is limited to the irrigation of 10.8 acres within the place of use described above in a single irrigation season.
9. X61 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.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13291

Current Owner: HANK T HIGLEY
LACEY G HIGLEY

Priority Date: 6/30/1985

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.06 CFS	
	<u>Total Diversion</u>	0.06 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4SE1/4 Sec. 14, Twp 12S, Rge 26E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T12S R26E S14	NESE	11.90	T12S R26E S14	NWSE	11.90
T12S R26E S14	SWSE	11.80	T12S R26E S14	SESE	11.90

Total Acres: 47.5

Conditions of Approval:

1. E25 Use of this right with Right No. 43-13289 is limited to a total combined diversion rate of 0.22 cfs and a total annual maximum diversion volume of 43.2 af at the field headgate.
2. X27 This right is limited to the irrigation of 4.2 acres within the place of use described above in a single irrigation season.
3. X35 Rights 43-13287, 43-13289 and 43-13291 when combined shall not exceed a total diversion rate of 0.52 cfs.
4. K04 This right is an expansion of Right No. 43-13289 pursuant to Section 42-1416B of the Idaho Code.
5. 01M 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.
6. T08 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. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. T19 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.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-2354A

Current Owner: HANK T HIGLEY
LACEY G HIGLEY

Priority Date: 9/17/1954

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	40 AF
	<u>Total Diversion</u>	0.15 CFS	40 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4SE1/4 Sec. 14, Twp 12S, Rge 26E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T12S R26E S14	NESE	11.90	T12S R26E S14	NWSE	11.90
T12S R26E S14	SWSE	11.80	T12S R26E S14	SESE	11.90
Total Acres: 47.5					

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. 01M 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.
3. T19 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.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. X27 This right is limited to the irrigation of 10 acres within the place of use described above in a single irrigation season.

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

Current Water Right No.: 43-2308B

Current Owner: GLEN R KUNAU

Priority Date: 4/11/1948

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.88 CFS	176 AF
	<u>Total Diversion</u>	0.88 CFS	

Location of Point(s) of Diversion

GROUND WATER L3(SW1/4NW1/4SW1/4) Sec. 30, Twp 13S, Rge 27E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T13S R26E S25	NESE	40.00	T13S R26E S25	NWSE	31.00
T13S R27E S30	Lot 3 NWSW	23.00			
Total Acres: 94					

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 44 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. K01 RIGHT NO. 43-10827 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. C18 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. E61 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .88 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 176 AF. COMBINED RIGHT NOS.: 43-2308B AND 43-10827

Decreed Date: 6/28/2002

Total Acres (for irrigation use) 16.5 of 31 acres

Total Acres (for irrigation use) 14.5 of 31 acres

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

Transfer No. 79777

APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an Application to Lease a Water Right to the Water Supply Bank form, or they can request early termination of their lease contracts by completing a Request to Release a Water Right from the Water Supply Bank form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
43-13287	12/31/2014	0.45	90.0	22.5	Attached? ☒ or No Change ☐
43-13289	12/31/2014	0.22	43.2	10.8	Attached? ☒ or No Change ☐
43-13291	12/31/2014	0.06	N/A	4.2	Attached? ☒ or No Change ☐
43-2354A	12/31/2014	0.15	40.0	10.0	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

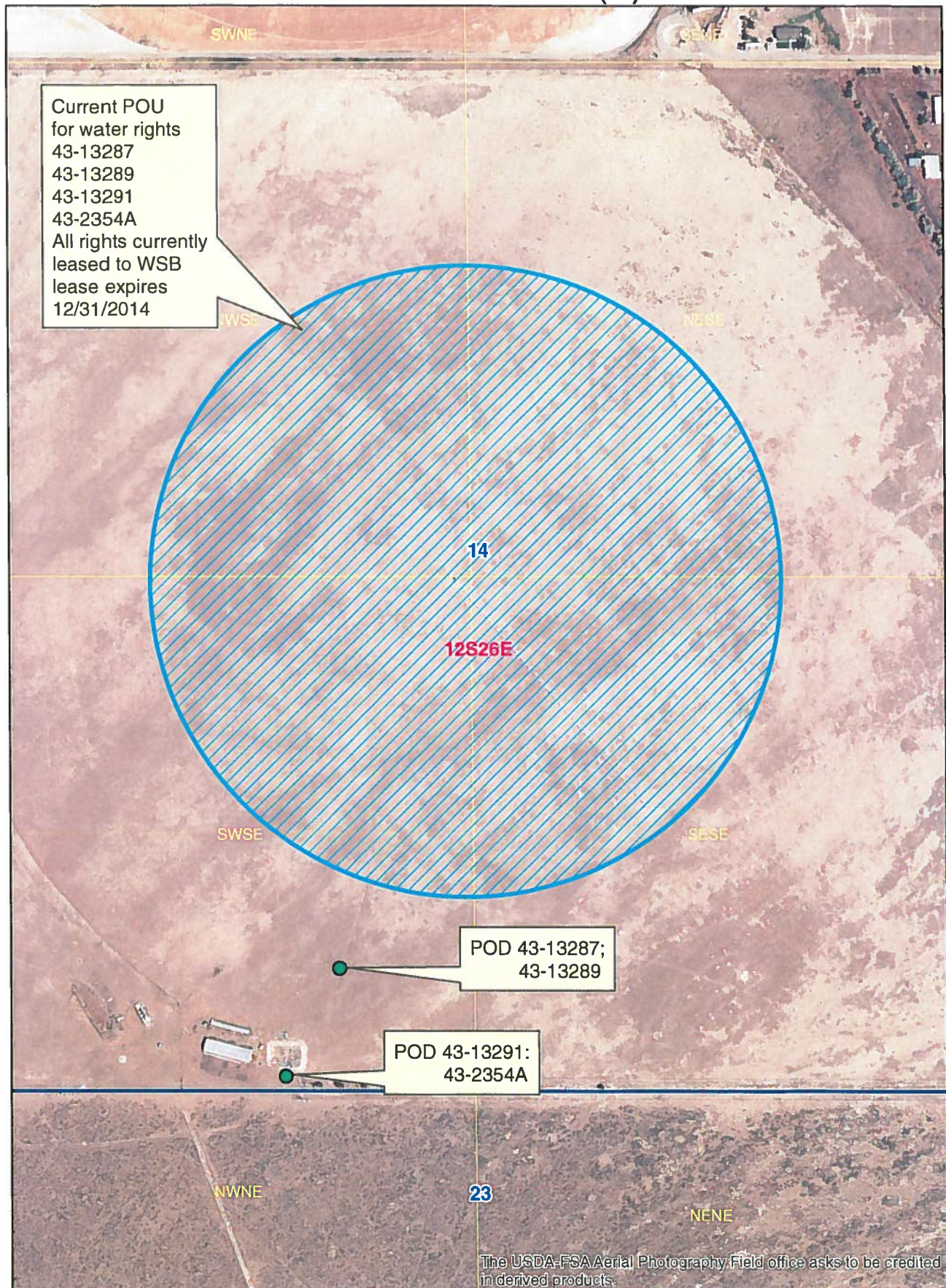
- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.

Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

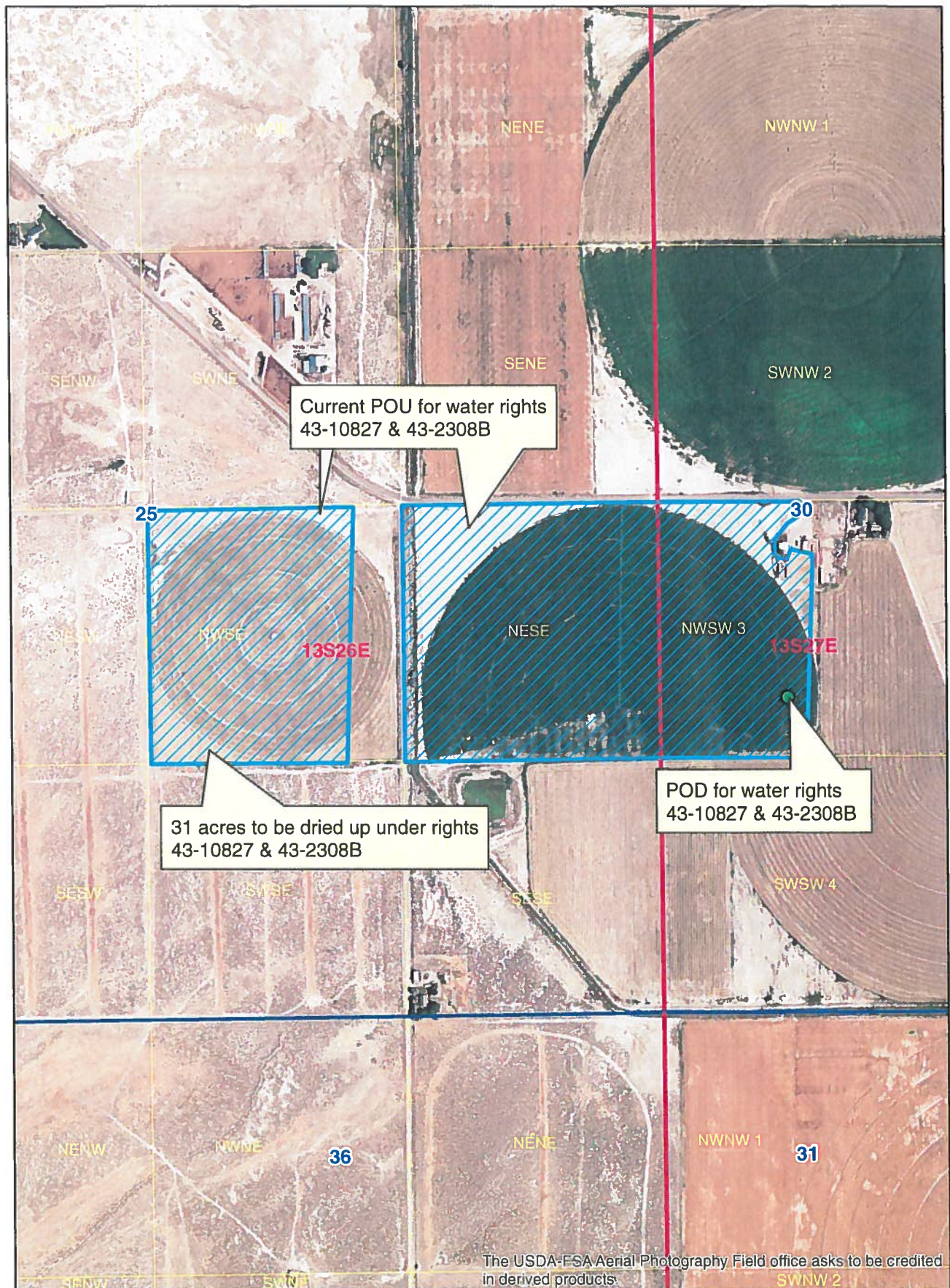


Attachment #7B (1)



TRANSFER 79777

Attachment #7B (2)



TRANSFER 79777



To: Idaho Department of Water Resources

From: Northwest Farm Credit Services

Dated: 09/05/2014

Subject: Water Right Transfer for Hank and Lacey Higley

The purpose of this memo is to define Northwest Farm Credit Service's (NFCS) position regarding the water rights associated with the real estate property described in Addendum A, also known as the Bushman Tract. The Bushman Tract is held as collateral by NFCS and is secured by a Mortgage and Fixture Filing. NFCS is aware of the water rights associated with this tract but did not consider/value these rights. NFCS was fully aware of the Higley's intent to transfer these water rights to a different parcel. Therefore, NFCS did not consider them as collateral in the NFCS certified appraisal used to determine appropriate collateral values. It is of no concern to NFCS that these water rights are located to a separate tract. The water rights are described further in Addendum B.

This memo serves to clarify NFCS's position with regards to the tract described further in Addendum A and the water rights described in Addendum B 'only.' Please contact me at 208.678.6650 for any further clarification.

Regards,

A handwritten signature in black ink, appearing to read "Riley Griffin". The signature is fluid and cursive, with a large initial "R" and "G".

Riley Griffin

Relationship Manager

Northwest Farm Credit Services

TRANSFER 79777

Addendum A

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 14: SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at the NW $\frac{1}{4}$ section corner of said Section 14, said point marked by a No. 10 rebar which shall be the Point of Beginning;

Thence South 0°12' West (Basis of Bearing) along section line for 780.92 feet to a $\frac{1}{4}$ inch rebar;

Thence North 44°40'08" West for 1105.92 feet to a $\frac{1}{4}$ inch rebar on the NW $\frac{1}{4}$ section line;

Thence South 89°30'24" East along said NW $\frac{1}{4}$ section line for 780.92 feet to the Point of Beginning.

Addendum B

Bushman Tract:

1. Decree 43-2354A, Priority Date 09/17/1954 for 0.15 CFS with an annual diversion volume of 40 AFA Feet for the irrigation of 10 acres.
2. Decree 43-13287, Priority Date 07/05/1963 for 0.45 CFS with an annual diversion volume of 90 AFA for the irrigation of 22.5 acres.
3. Decree 43-13289, Priority Date 07/05/1963 for 0.22 CFS with an annual diversion volume of 43.2 AFA for the irrigation of 10.8 acres.
4. Decree 43-13291, Priority Date 06/30/1985, for 0.06 CFS, an annual diversion volume was not shown on the printout received from the IDWR and is for the irrigation of 4.2 acres.
5. Decree 43-10001, Priority Date 01/01/1974, for 0.04 CFS for domestic use. Right is limited to 13,000 gallons per day.

299818

THIS BLANK FURNISHED BY CASSIA COUNTY ABSTRACT COMPANY

WARRANTY DEED

For Value Received

GLEN R. KUNAU and DONA KUNAU, husband and wife,

the grantors do hereby grant, bargain, sell and convey unto
 HANK T. HIGLEY and CATHY MAY HIGLEY, husband and wife,
 P. O. Box 652, Malta, Idaho 83342

the grantees, the following described premises, to-wit:

SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees,
 their heirs and assigns forever. And the said Grantors do hereby covenant to
 and with the said Grantees, that they are the owners in fee simple of said premises; that
 said premises are free from all incumbrances except as above described, and that they will
 warrant and defend the same from all lawful claims whatsoever.

Dated: January 6, 2005

Glen R. Kunau
 Glen R. Kunau

Dona Kunau
 Dona Kunau

STATE OF IDAHO, COUNTY OF CASSIA:

On this 6th day of January, 2004 before me, a
 notary public in and for said State, personally appeared

Glen R. Kunau and Dona Kunau

FRED C. FILL
 NOTARY PUBLIC
 STATE OF IDAHO

known to me to be the persons whose names are subscribed to the
 within instrument, and acknowledged to me that they executed the same.

Fred C. Fill

Residing at

Burley

Idaho. Comm. Expires 8/28/06

RECORDED AT THE REQUEST OF
 CASSIA COUNTY ABSTRACT

2005 JAN 6 PM 4 11

FEE 900
 DEPUTY *W*

CASSIA COUNTY, IDAHO
 LARRY A. MICKELSEN
 RECORDER

299818

TRANSFER 79777

PARCEL #1:

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO
Section 25: E½SE¼SW¼

PARCEL #2:

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO
Section 24: E½SE¼SW¼, SW¼SE¼, W½SE¼SW¼

EXCEPTING the following tract of land: Beginning at the Southwest corner of the SE¼SW¼ of said Section 24, which point is the intersection of the South line of said Section 24 with the centerline of the Raft River F.A.P. 131-E Highway; Thence running North along the centerline of the said Highway 1320 feet more or less to an intersection with the North line of the SE¼SW¼ of Section 24; Thence at right angles Easterly along the said North line 100 feet to a point; Thence at right angles Easterly 581 feet Southerly; Thence at right angles 100 feet Easterly; Thence at right angles 300 feet Southerly; Thence at right angles 100 feet Westerly; Thence at right angles 439 feet Southerly to a point in the South line of said Section 24; Thence West along said South line 100 feet to the Point of Beginning.

ALSO EXCEPTING: Commencing at the Northwest corner of said SE¼SW¼; Thence East along the North boundary line of said SE¼SW¼ a distance of 650 feet; Thence in a Southerly direction parallel to the West boundary of said SE¼SW¼ 267 feet; Thence South 48°17'13" West 223.28 feet; Thence South 28°09'48" West 446.57 feet; Thence South 8°02'24" West 223.28 feet; Thence in a Westerly direction and parallel to the North boundary line of said SE¼SW¼ 241 feet more or less, to the West boundary of said SE¼SW¼; Thence Northerly along the West boundary line 1030 feet, more or less to the Point of Beginning.

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO
Section 25: W½NE¼, NE¼NW¼, NW¼SE¼ and NE¼SE¼

EXCEPTING the following tract of land in the NE¼NW¼ of said Section 25; Beginning at the Southwest corner of the NW¼NW¼ of said Section 25; Thence North 89°39'01" East for 1375.65 feet to the East Right-of-Way of old U.S. Highway 30 South, which point shall be the True Point of Beginning; Thence North 0°01'33" West along said Right-of-Way for 1065.43 feet to a point where said Right-of-Way intersects the centerline of a County Road; Thence South 39°22'33" East along said centerline for 230.36 feet to a point; Thence South 46°51'29" East along said centerline for 1287.99 feet to a point on the 1/16th section line; Thence South 89°39'01" West along said 1/16th section line for 1085.48 feet to the True Point of Beginning.

ALSO EXCEPTING part of the SW¼NE¼, described as follows: Beginning at an iron pin in the Northwest corner of the SW¼NE¼ of said Section 25, which shall be the True Point of Beginning; Thence North 89°39'11" East along the 1/16th section line for 1000 feet to an iron pin; Thence South 0°01'25" West for 997.13 feet to an iron pin; Thence South 43°08'31" West for 85.84 feet to a P.K. nail on the centerline of the County Road; Thence North 46°51'29" West along centerline for 1289.56 feet to a P.K. nail on the 1/4 section line; Thence North 0°01'25" East along the 1/4 section line for 171.86 feet to an iron pin, the True Point of Beginning.

SUBJECT TO a County Road Right-of-Way over and across said Section 25.

TOWNSHIP 13 SOUTH, RANGE 27 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO
Section 30: Lot 3

EXCEPTING the following tract of land: Commencing at the Northwest corner of Lot 3; Thence East 843 feet 6 inches, which is the True Point of Beginning; Thence Southerly 1320 feet, more or less, to a point on the South boundary line of Lot 3, which point is 890 feet West of the Southeast corner of said Lot 3; Thence East 890 feet, more or less, to the Southeast corner of said Lot 3; Thence North 1320 feet, more or less, to the Northeast corner of Lot 3; Thence West 880 feet, more or less, to the Point of Beginning.

ALSO EXCEPTING: Beginning 843 feet 6 inches East of the Northwest corner of said Lot 3; Thence South 450 feet; Thence East 90 feet; Thence North 275 feet; Thence East 247 feet; Thence North 175 feet to the North boundary line of said Lot 3; Thence West 336 feet along the North boundary line of said Lot 3, to the Point of Beginning.

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO
Section 25: E½SW¼, SW¼SE¼

ALL IN CASSIA COUNTY, STATE OF IDAHO

SUBJECT TO:

General taxes for the year 2003 and subsequent years.

OIL and GAS LEASE, dated March 10, 1950, by and between O. John Nye and Esther E. Bingham, recorded April 25, 1950 as Instrument No. 169079 in Book 7 of B.S.A. A. on Page 511, records of Cassia County, Idaho. NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 24, all in Twp. 13 S., Rge. 26 E.B.M. PARCEL #2.

AGREEMENT FOR PURCHASE OF POWER, dated May 6, 1974, between Raft River Rural Electric Cooperative, Inc., and Glen Kunau, recorded May 7, 1976 as Instrument No. 90453 on Film No. 101, records of Cassia County, Idaho. NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, Twp. 13 S., Rge. 26, E.B.M. and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 30, Twp. 13 S., Rge. 27, E.B.M. and has a well on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20. PARCEL #2.

SUBJECT TO the interest of O. J. Thacker and Edith S. Thacker, husband and wife, as evidenced by WARRANTY DEED, recorded July 28, 1977 as Instrument No. 100580 on Film No. 110, records of Cassia County, Idaho for "The Right of Use of a Water Well for domestic purposes and easement for power, water lines and a 25 foot wide service road from the County Road to the well site located approximately 268 feet East from the centerline of old U. S. Highway 30 South and 421 feet North of the centerline of the County Road." Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, Twp. 13 S., Rge. 26, E.B.M. PARCEL #2.

OIL & GAS LEASE, dated July 13, 1979, by and between Glen R. Kunau and Dona Kunau, husband and wife, and Adobe Oil & Gas Corporation, recorded October 22, 1979 as Instrument No. 120816 on Film No. 129, records of Cassia County, Idaho. PARCEL #2 and COL.

AGREEMENT FOR PURCHASE OF POWER, dated July 28, 1977, between Raft River Rural Electric Cooperative, Inc., and O. J. Thacker and Ray Thacker, recorded March 19, 1982 as Instrument No. 141991 on Film No. 140, records of Cassia County, Idaho. SW $\frac{1}{4}$ of Sec. 25, Twp. 13 S., Rge. 26, E.B.M. and has domestic and commercial service on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25. PARCEL #2.

AGREEMENT FOR ELECTRIC SERVICE, dated February 23, 1993, between Raft River Rural Electric Cooperative, Inc., and Glen Kunau, recorded April 5, 1993 as Instrument No. 223883 on Film No. 243, records of Cassia County, Idaho. NW $\frac{1}{4}$ of Sec. 25, Twp. 13 S., Rge. 26, E.B.M. and has a well on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25. PARCEL #2.

GRANT OF EASEMENT to Golden Gardiner and Barbara E. Gardiner, husband and wife, dated April 21, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded May 25, 1993 as Instrument No. 224724 on Film No. 245, records of Cassia County, Idaho. PARCEL #2.

GRANT OF EASEMENT to Rodney E. Hall and Doris J. Hall, husband and wife, dated March 12, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded May 25, 1993 as Instrument No. 224729 on Film No. 245, records of Cassia County, Idaho. PARCEL #2.

ELECTRIC LINE RIGHT-OF-WAY EASEMENT to Raft River Rural Electric Cooperative, Inc., dated April 21, 1993, executed by Glen R. Kunau and Dona Kunau, husband and wife, recorded June 10, 1993 as Instrument No. 225051 on Film No. 245, records of Cassia County, Idaho. PARCEL #2.

AGREEMENT FOR ELECTRIC SERVICE, dated April 20, 1999, between Raft River Rural Electric Cooperative, Inc., and Glen Kunau, recorded June 8, 1999 as Instrument No. 263246, records of Cassia County, Idaho. NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Twp. 13 S., Rge. 27 E.B.M. PARCEL #2.

CASSIA COUNTY ORDINANCE NO. 99-10-02, recorded October 27, 1999 as Instrument No. 265642, records of Cassia County, Idaho, pertaining to confined animal feeding operations. PARCEL #1 and PARCEL #2.

CASSIA COUNTY

Recorded for:

LAND TITLE AND ESCROW

2:24:14 pm 03-30-2012

2012-001339

No. Pages: 4

Fee: \$19.00

JOSEPH W. LARSEN

County Clerk

Deputy: VIKI

QUITCLAIM DEED

49050

st

March 2012

This indenture, made this

day of January, 2012, between Cathy M. Higley of 3563

East 108 North, Idaho Falls, ID 83402, herein called the "Grantor", and Hank T. Higley of P.O.

Box 652, Malta, ID 83342, herein called the "Grantee".

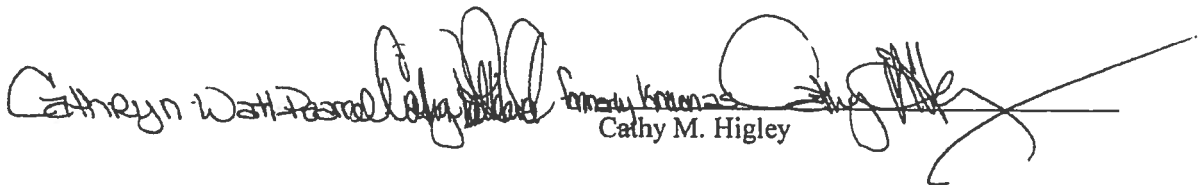
WITNESSETH:

The said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the Grantee and the heirs and assigns of the Grantee, all of the interest of the Grantor in that certain lot, piece or parcel of land situated, lying and being in the County of 8, State of Idaho, bounded and particularly described as follows, to-wit:

See attached Exhibit "A"

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof. To have and to hold all and singular the said premises, together with the appurtenances, unto the Grantee, and to the heirs and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor has executed this Quitclaim Deed.

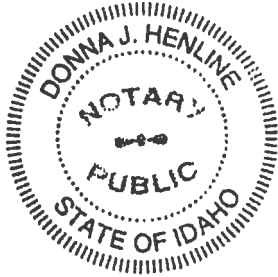

Cathy M. Higley

STATE OF IDAHO)

) ss

County of Blaineville)

On this 1st day of ^{March} ~~January~~, in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Cathy M. Higley, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.



Donna J. Henline
Notary Public for Idaho
Residing at Idaho Falls ID
My commission expires on 10-6-2012

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 24: E1/2SE1/4SW1/4, SW1/4SE1/4, W1/2SE1/4SW1/4

EXCEPTING the following tract of land:

Beginning at the Southwest corner of the SE1/4SW1/4 of said Section 24, which point is the intersection of the South line of said Section 24 with the centerline of the Raft River F.A.P. 131-E Highway,

Thence running North along the centerline of the said Highway 1320 feet more or less to an intersection with the North line of the SE1/4SW1/4, of Section 24;

Thence at right angles Easterly along the said North line 100 feet to a point; Thence at right angles 581 feet Southerly;

Thence at right angles 100 feet Easterly;

Thence at right angles 300 feet Southerly;

Thence at right angles 100 feet Westerly;

Thence at right angles 439 feet Southerly to a point in the South line of said Section 24;

Thence West along said South line 100 feet to the Point of Beginning.

ALSO EXCEPTING:

Commencing at the Northwest corner of said SE1/4SW1/4;

Thence East along the North boundary line of said SE1/4SW1/4, a distance of 650 feet;

Thence in a Southerly direction parallel to the West boundary of said SE1/4SW1/4 267 feet;

Thence South 48°17'13" West 223.28 feet;

Thence South 28°09'48" West 446.57 feet;

Thence South 8°02'24" West 223.28 feet;

Thence in a Westerly direction and parallel to the North boundary line of said SE1/4SW1/4, 241 feet more or less, to the West boundary of said SE1/4SW1/4;

Thence Northerly along the West boundary line 1030 feet, more or less to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 25: W1/2NE1/4, NE1/4NW1/4, NW1/4SE1/4, and NE1/4SE1/4

EXCEPTING the following tract of land in the NE1/4NW1/4 of said Section 25:

Beginning at the Southwest corner of the NW1/4NW1/4 of said Section 25; Thence North 89°39'01" East for 1375.65 feet to the East Right-of-Way of old U.S.

Highway 30 South, which point shall be the True Point of Beginning;

Thence North 0°01'33" West along said Right-of-Way for 1065.43 feet to a point

where said Right-of-Way intersects the centerline of a county road;
Thence South 39°22'33" East along said centerline for 230.36 feet to a point;
Thence South 46°51'29" East along said centerline for 1287.99 feet to a point on the
1/16th section line;
Thence South 89°39'01" West along said 1/16th section line for 1085.48 feet to the True Point of
Beginning,

ALSO EXCEPTING part of the SW1/4NE1/4, described as follows:

Beginning at an iron pin in the Northwest corner of the SW1/4NE1/4 of said Section 25, which shall
be the True Point of Beginning;
Thence North 89°39'1" East along the 1/16th section line for 1000 feet to an iron pin;
Thence South 0°01'25" West for 997.13 feet to an iron pin;
Thence South 43°08'31" West for 85.84 feet to a P.K. nail on the centerline of the county road;
Thence North 46°51'29" West along centerline for 1289.56 feet to a P.K. nail on the 1/4 section line;
Thence North 0°01'25" East along the 1/4 section line for 171.86 feet to an iron pin,
The True Point of Beginning.

PARCEL NO. 3

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
IDAHO

Section 30: Lot 3

EXCEPTING the following tract of land:

Commencing at the Northwest corner of Lot 3; Thence East 843 feet 6 inches, which is the True
Point of Beginning;
Thence Southerly 1320 feet, more or less, to a point on the South boundary line of
Lot 3, which point is 890 feet West of the Southeast corner of said Lot 3; Thence East 890 feet,
more or less, to the Southeast corner of said Lot 3; Thence North 1320 feet, more or less, to the
Northeast corner of Lot 3; Thence West 880 feet, more or less, to the Point of Beginning,

PARCEL NO. 4

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
IDAHO

Section 25: E1/2SW1/4, SW1/4SE1/4

PARCEL NO. 5

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY,
IDAHO

Section 25: E1/2SE1/4NW1/4

QUITCLAIM DEED

CASSIA COUNTY
Recorded for:
LAND TITLE AND ESCROW
4:02:12 pm 08-08-2012
2012-003681
No. Pages: 3 Fee: \$16.00
JOSEPH W. LARSEN
County Clerk
Deputy: THERESA

49050

For Value Received

HANK T. HIGLEY, a married man as his sole and separate property

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

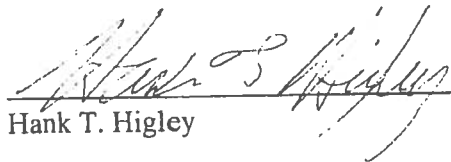
HANK T. HIGLEY and LACEY G. HIGLEY, husband and wife as community property with right of survivorship
ADDRESS: P.O. Box 652 Malta, ID 83318

Hereinafter called the grantee, the following described premises, in Cassia County, Idaho to-wit:

See Attached Exhibit "A"

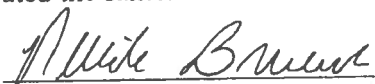
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: 8-8-12


Hank T. Higley

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 8th day of August, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Hank T. Higley, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at: Malta, ID
My Commission expires: 7-14-12

TRANSFER 79777

EXHIBIT "A"

PARCEL NO. 3:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 24: E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING the following tract of land:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 24, which point is the intersection of the South line of said Section 24 with the centerline of the Raft River F.A.P. 131-E Highway,
Thence running North along the centerline of the said Highway 1320 feet more or less to an intersection with the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24;
Thence at right angles Easterly along the said North line 100 feet to a point;
Thence at right angles 581 feet Southerly;
Thence at right angles 100 feet Easterly;
Thence at right angles 300 feet Southerly;
Thence at right angles 100 feet Westerly;
Thence at right angles 439 feet Southerly to a point in the South line of said Section 24;
Thence West along said South line 100 feet to the Point of Beginning.

ALSO EXCEPTING:

Commencing at the Northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence East along the North boundary line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of 650 feet;
Thence in a Southerly direction parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 267 feet;
Thence South 48°17'13" West 223.28 feet;
Thence South 28°09'48" West 446.57 feet;
Thence South 8°02'24" West 223.28 feet;
Thence in a Westerly direction and parallel to the North boundary line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 241 feet more or less, to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence Northerly along the West boundary line 1030 feet, more or less to the Point of Beginning.

-Continued-

PARCEL NO. 4:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: W $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING the following tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 25:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 25; Thence North 89°39'01" East for 1375.65 feet to the East Right-of-Way of old U.S. Highway 30 South, which point shall be the True Point of Beginning;

Thence North 0°01'33" West along said Right-of-Way for 1065.43 feet to a point where said Right-of-Way intersects the centerline of a county road;

Thence South 39°22'33" East along said centerline for 230.36 feet to a point;

Thence South 46°51'29" East along said centerline for 1287.99 feet to a point on the 1/16th section line;

Thence South 89°39'01" West along said 1/16th section line for 1085.48 feet to the True Point of Beginning.

ALSO EXCEPTING part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at an iron pin in the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 25, which shall be the True Point of Beginning;

Thence North 89°39'11" East along the 1/16th section line for 1000 feet to an iron pin;

Thence South 0°01'25" West for 997.13 feet to an iron pin;

Thence South 43°08'31" West for 85.84 feet to a P.K. nail on the centerline of the county road;

Thence North 46°51'29" West along centerline for 1289.56 feet to a P.K. nail on the $\frac{1}{4}$ section line;

Thence North 0°01'25" East along the $\frac{1}{4}$ section line for 171.86 feet to an iron pin, The True Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 13 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lot 3

EXCEPTING the following tract of land:

Commencing at the Northwest corner of Lot 3; Thence East 843 feet 6 inches, which is the True Point of Beginning;

Thence Southerly 1320 feet, more or less, to a point on the South boundary line of Lot 3, which point is 890 feet West of the Southeast corner of said Lot 3;

Thence East 890 feet, more or less, to the Southeast corner of said Lot 3;

Thence North 1320 feet, more or less, to the Northeast corner of Lot 3;

Thence West 880 feet, more or less, to the Point of Beginning.

PARCEL NO. 6:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: E $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 7:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: E $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$



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

February 13, 2015

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

RE: Transfer No. 79777
Water Right No(s). 43-10827, 43-13287, 43-13289, 43-13291, 43-2308B, 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 **2/19/2015** and **2/26/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**March 9, 2015**).

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 12, 2015 1:30 PM
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 February 19th & 26th, 2015. 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

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Governor

GARY SPACKMAN
Director

February 12, 2015

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

RE: Transfer No. 79777

Water Right No(s): 43-10827, 43-13287, 43-13289, 43-13291, 43-2308B, 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 March 9, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79777**

HANK T HIGLEY and LACEY G HIGLEY, PO BOX 652, MALTA, ID 83342; has filed Application No. 79777 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10827, 43-13287, 43-13289, 43-13291, 43-2308B, 43-2354A; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring four ground water rights (0.67 cfs; 173.2 af) from a farm located approximately 4.5 miles north and 0.5 miles west of Malta, along with portions of two ground water rights (0.29 cfs; 58 AF) from a farm located approximately 3.3 miles south and 0.8 miles east of Malta to a new location and point of diversion approximately 2.5 to 3.0 miles south and 0.0 miles to 0.5 miles east of Malta. A new well is proposed to be drilled for the diversion of the water rights in this transfer.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 March 9, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 19th & 26th, 2015