

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89484**

This is to certify that: GREG GOLIGHTLY
2378 S 1600 E
PRESTON, ID 83263

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>
13-9542	WR/DECREED	2/4/1893	0.40 cfs	77.9 af	N/A	20.0	SPRING CREEK

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
13-62	WR/DECREED	5/15/1902	0.200 cfs	36.0 af		57.0	SPRING CREEK
13-217	WR/DECREED	4/1/1872	0.430 cfs	184.0 af		57.0	UNNAMED STREAMS
13-311	WR/DECREED	2/4/1893	0.940 cfs	165.0 af		47.0	SPRING CREEK
13-7792	WR/DECREED	8/31/1903	0.900 cfs	182.0 af		57.0	SPRING CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
13-9542	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>
13-9542	13-9542	0.400 cfs	77.9 af	N/A	20.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.400 cfs	77.9 af	N/A	20.0		N/A	N/A	N/A	N/A

Transfer No. 89484

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 89484

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 22nd day of July, 2025.


Regional Manager



WATER RIGHT NO. 13-9542**As Modified by Transfer No. 89484**

In accordance with the approval of Transfer No. 89484, Water Right No. 13-9542 is now described as follows:

Right Holder: SAMUEL NASH HULL
2066 TOURAINE LN
HALF MOON BAY, CA 94019-1450

Priority Date: 2/4/1893

Source: SPRING CREEK

Tributary: CUB RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to 11/01	0.400 cfs	70.0 af
STOCKWATER	11/01	to 4/01	0.150 cfs	7.9 af
			0.400 cfs	77.9 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK NWNW Sec 6 Twp 16S Rge 40E FRANKLIN 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	
16S	39E	12	7.0			13.0													20.0

POU Total Acres: 20.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	12	X			X													

CONDITIONS OF APPROVAL

1. Rights 13-62, 13-217, 13-7792, and 13-9542 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.

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WATER RIGHT NO. 13-9542
As Modified by Transfer No. 89484

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Diversion of water under this right is limited to the rate available under the priority of this right at the original point of diversion from Spring Creek, located in T15S, R39E, Section 36, SENE.
6. Use of this right is combined with water from Cub River Irrigation Company over the entire place of use for this right.
7. This right does not grant any right-of-way or easement across the land of another.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Bear River Basin Adjudication.

WATER RIGHT NO. 13-62**As Modified by Transfer No. 89484**

In accordance with the approval of Transfer No. 89484, Water Right No. 13-62 is now described as follows:

Right Holder: E & M TRUST
2378 S 1600 E
PRESTON, ID 83263

Priority Date: 5/15/1902

Source: SPRING CREEK

Tributary: CUB RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 7/01	0.200 cfs	36.0 af
			0.200 cfs	36.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK L4 (NWNW) Sec 6 Twp 16S Rge 40E FRANKLIN 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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

1. Rights 13-62, 13-217 and 13-7792 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
2. Rights 13-62, 13-217, 13-7792, and 13-9542 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER RIGHT NO. 13-217**As Modified by Transfer No. 89484**

In accordance with the approval of Transfer No. 89484, Water Right No. 13-217 is now described as follows:

Right Holder: E & M TRUST
2378 S 1600 E
PRESTON, ID 83263

Priority Date: 4/1/1872

Source: UNNAMED STREAMS **Tributary:** WORM CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.430 cfs	184.0 af
			0.430 cfs	184.0 af

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAMS	NWNE	Sec 6	Twp 16S	Rge 40E	FRANKLIN County	
UNNAMED STREAMS	NWNW	Sec 6	Twp 16S	Rge 40E	FRANKLIN County	(I)
UNNAMED STREAMS	NWNW	Sec 6	Twp 16S	Rge 40E	FRANKLIN County	(R)

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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

POU Total Acres: 57.0

CONDITIONS OF APPROVAL

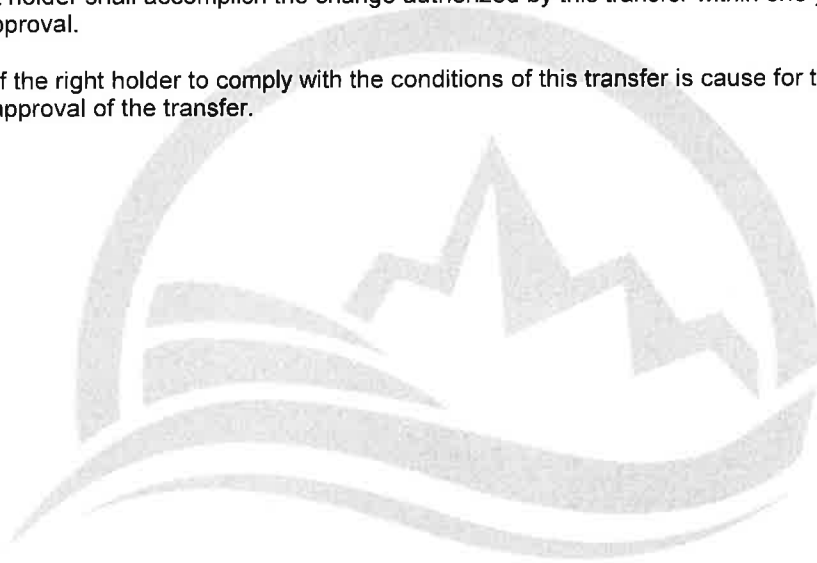
1. Rights 13-62, 13-217 and 13-7792 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
2. Rights 13-62, 13-217, 13-7792, and 13-9542 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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WATER RIGHT NO. 13-217
As Modified by Transfer No. 89484

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Point of injection into and point of rediversion from Spring Creek.
7. This right does not grant any right-of-way or easement across the land of another.
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.



WATER RIGHT NO. 13-311

As Modified by Transfer No. 89484

In accordance with the approval of Transfer No. 89484, Water Right No. 13-311 is now described as follows:

Right Holder: SAMUEL NASH HULL
2066 TOURAINE LN
HALF MOON BAY, CA 94019-1450

Priority Date: 2/4/1893

Source: SPRING CREEK **Tributary:** CUB RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.940 cfs	165.0 af
			0.940 cfs	165.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK SENE Sec 36 Twp 15S Rge 39E FRANKLIN 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	
15S	39E	36															6.0	22.0	28.0
15S	40E	31											7.0						7.0
													L 4						
16S	39E	1	6.0	6.0															12.0
			L 1	L 2															

POU Total Acres: 47.0

Transfer No. 89484

WATER RIGHT NO. 13-7792**As Modified by Transfer No. 89484**

In accordance with the approval of Transfer No. 89484, Water Right No. 13-7792 is now described as follows:

Right Holder: E & M TRUST
2378 S 1600 E
PRESTON, ID 83263

Priority Date: 8/31/1903

Source: SPRING CREEK

Tributary: CUB RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.900 cfs	182.0 af
			0.900 cfs	182.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING CREEK L4 (NWNW) Sec 6 Twp 16S Rge 40E FRANKLIN 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	
16S	39E	12	8.2			20.3													28.5
16S	40E	7						2.0	26.5										28.5
								L 1	L 2										

POU Total Acres: 57.0

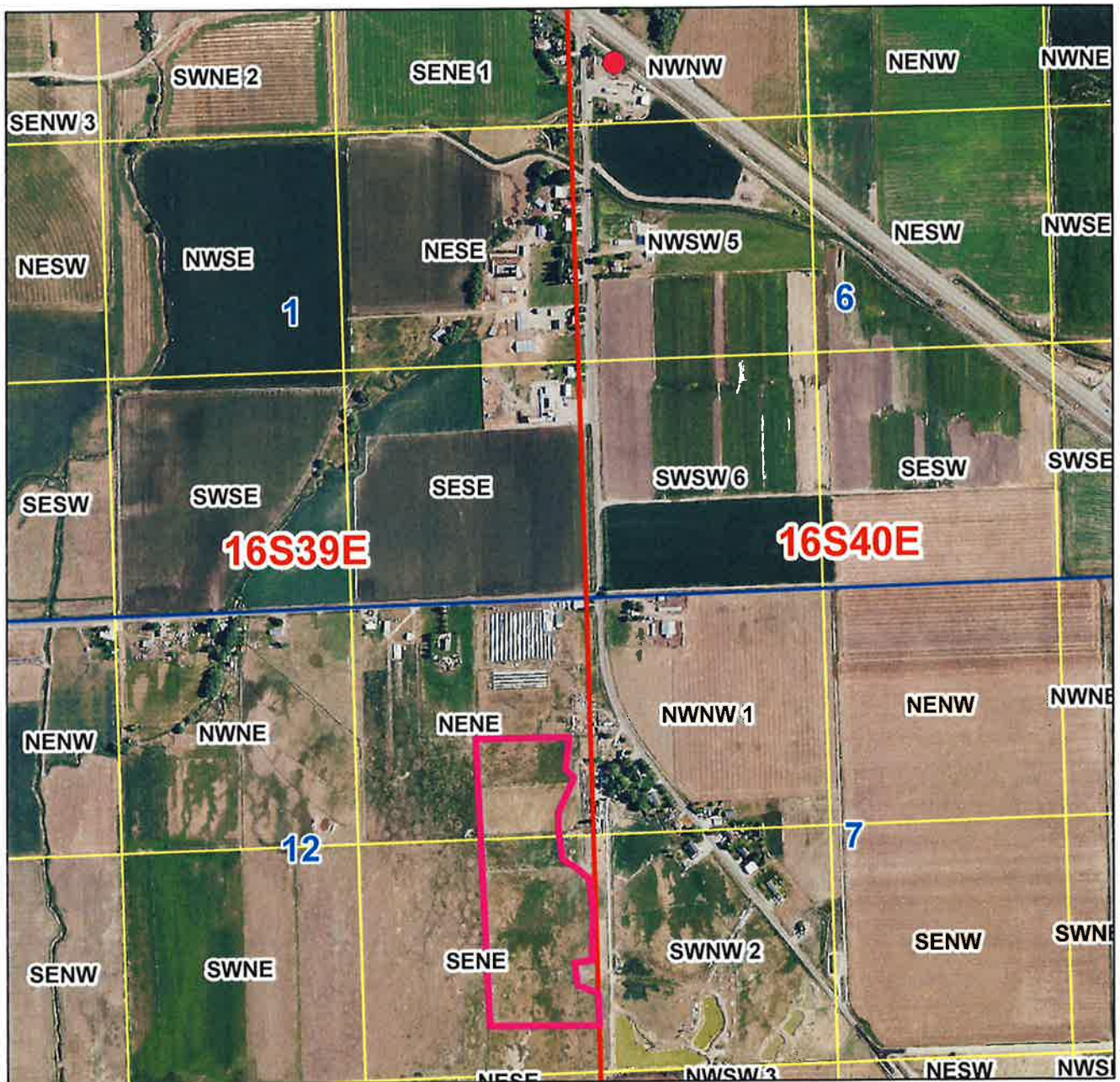
CONDITIONS OF APPROVAL

1. Rights 13-62 and 13-7792 when combined shall not exceed the irrigation of 57 acres.
2. Rights 13-62, 13-217, 13-7792, and 13-9542 when combined shall not exceed a total diversion rate of 1.14 cfs, a total annual maximum diversion volume of 218 af at the field headgate, and the irrigation of 57 acres.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.

Transfer No. 89484

Attachment to Transfer Approval 89484

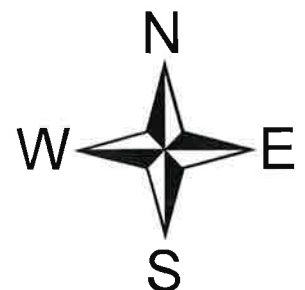
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



Date: 7/22/2025



July 22, 2025

GREG GOLIGHTLY
2378 S 1600 E
PRESTON ID 83263

Re: Transfer No: 89484
Water Right No(s): 13-62, 13-217, 13-311, 13-7792, 13-9542

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

E & M TRUST
2378 S 1600 E
PRESTON ID 83263

SAMUEL NASH HULL
2066 TOURAINE LN
HALF MOON BAY CA 94019-1450

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2025 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89484

Water Right No(s): 13-62, 13-217, 13-311, 13-7792, 13-9542

**GREG GOLIGHTLY
E & M TRUST
2378 S 1600 E
PRESTON ID 83263**

**ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552**

**SAMUEL NASH HULL
2066 TOURAINE LN
HALF MOON BAY CA 94019-1450**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.