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JUN 21 2021

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 85056MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Gary and Helen DeMossCheck 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 [idwr.idaho.gov/water-rights/transfers/resources.html](http://idwr.idaho.gov/water-rights/transfers/resources.html).
- ☐ ☒ #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

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

DEPT OF WATER RESOURCES  
SOUTHERN REGIONName of Applicant(s) Gary and Helen DeMossPhone 208-352-4385Mailing address PO Box 61 Bliss, Idaho 83314

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 RepresentativeName of Representative Greg SullivanPhone 208-736-8543Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301Email greg.sullivan@brockwayeng.com☐ 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.

Gary DeMoss  
Signature of Applicant or Authorized Representative

GARY DEMOSS  
Print Name and Title if applicable

6/13/2021  
Date

Helen DeMoss  
Signature of Applicant or Authorized Representative

Helen DeMoss  
Print Name and Title if applicable

6/13/2021  
Date

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?  
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. 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.3**.  
This transfer proposes to move 6.0 acres of irrigation water from 37-22168 to a new location.

*per 8-9-21 Greg Sullivan Email*

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 37-22168     | 0.12/24.0             | Irrigation    | 4/01 to 11/01 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 1.73 cfs and/or 338.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or 24.0 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**.

*Per 8-9-21 Greg Sullivan Email*

| New ? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County  | Source       | Local name or tag # |
|-------|-----|---|----|----|-----|-----|-----|---------|--------------|---------------------|
|       |     |   | SW | SE | 26  | 05S | 14E | Gooding | Ground Water | Domestic Well       |
| X     |     |   | SW | SE | 26  | 05S | 14E | Gooding | Ground Water | Irrigation Well     |
|       |     |   |    |    |     |     |     |         |              |                     |
|       |     |   |    |    |     |     |     |         |              |                     |

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 |             |
| 05S                              | 14E | 26  |      |    |    |    |      |    |    |    |      |    |    |    |      |    | 6.0 |    | 6.0         |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |     |    | 6.0         |

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:

A new irrigation well is proposed and a new delivery system.

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

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: None

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:

Water right 37-22168 is currently leased into the water supply bank. After the transfer is approved, the 6.0 acres of ground will no longer have a permanent ground water irrigation water right assigned to it.

- 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:

37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962

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

Yes No

- |                                     |                                     |                                                                                               |
|-------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

See lease contract 1327.

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

**Current Water Right No.: 37-22168**

Current Owner: HELEN DE MOSS  
GARY A DE MOSS

Priority Date: 9/20/1974

Origin: Water Right

Status: Water Supply Bank      Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| STOCKWATER                   | 01/01 to 12/31                | 0.05 CFS                     | 2.7 AF                      |
| IRRIGATION                   | 04/01 to 11/01                | 1.68 CFS                     | 336 AF                      |
|                              | <b><u>Total Diversion</u></b> | 1.73 CFS                     | 338.7 AF                    |

**Location of Point(s) of Diversion**

GROUND WATER

GOODING County

NW1/4SE1/4NW1/4

Sec. 16, Twp 05S, Rge 13E B.M.

**Place of Use**

IRRIGATION Within GOODING County

|               |       |      |       |               |       |      |       |
|---------------|-------|------|-------|---------------|-------|------|-------|
| T05S R13E S3  | Lot 4 | NWNW | 28.00 | T05S R13E S3  |       | SWNW | 32.00 |
| T05S R13E S3  |       | NWSW | 36.00 | T05S R13E S4  | Lot 1 | NENE | 25.00 |
| T05S R13E S4  | Lot 2 | NWNE | 1.00  | T05S R13E S4  |       | SWNE | 11.00 |
| T05S R13E S4  |       | SENE | 40.00 | T05S R13E S4  |       | NESW | 27.00 |
| T05S R13E S4  |       | SESW | 40.00 | T05S R13E S4  |       | NESE | 38.00 |
| T05S R13E S4  |       | NWSE | 34.00 | T05S R13E S4  |       | SWSE | 39.00 |
| T05S R13E S4  |       | SESE | 21.00 | T05S R13E S9  |       | NWNE | 32.00 |
| T05S R13E S9  |       | SWNE | 38.00 | T05S R13E S9  |       | SENE | 19.00 |
| T05S R13E S9  |       | NENW | 34.00 | T05S R13E S9  |       | NWNW | 18.00 |
| T05S R13E S9  |       | SENW | 40.00 | T05S R13E S9  |       | NESW | 40.00 |
| T05S R13E S9  |       | SESW | 40.00 | T05S R13E S9  |       | NWSE | 25.00 |
| T05S R13E S9  |       | SWSE | 18.00 | T05S R13E S16 |       | NWNE | 13.00 |
| T05S R13E S16 |       | NENW | 40.00 | T05S R13E S16 |       | NWNW | 39.00 |
| T05S R13E S16 |       | SWNW | 30.00 | T05S R13E S16 |       | SENW | 10.00 |

Total Acres: 808

STOCKWATER Within GOODING County

|               |       |      |  |               |       |      |  |
|---------------|-------|------|--|---------------|-------|------|--|
| T05S R13E S3  | Lot 4 | NWNW |  | T05S R13E S3  |       | SWNW |  |
| T05S R13E S3  |       | NWSW |  | T05S R13E S4  | Lot 1 | NENE |  |
| T05S R13E S4  | Lot 2 | NWNE |  | T05S R13E S4  |       | SWNE |  |
| T05S R13E S4  |       | SENE |  | T05S R13E S4  |       | NESW |  |
| T05S R13E S4  |       | SESW |  | T05S R13E S4  |       | NESE |  |
| T05S R13E S4  |       | NWSE |  | T05S R13E S4  |       | SWSE |  |
| T05S R13E S4  |       | SESE |  | T05S R13E S9  |       | NWNE |  |
| T05S R13E S9  |       | SWNE |  | T05S R13E S9  |       | SENE |  |
| T05S R13E S9  |       | NENW |  | T05S R13E S9  |       | NWNW |  |
| T05S R13E S9  |       | SENW |  | T05S R13E S9  |       | NESW |  |
| T05S R13E S9  |       | SESW |  | T05S R13E S9  |       | NWSE |  |
| T05S R13E S9  |       | SWSE |  | T05S R13E S16 |       | NWNE |  |
| T05S R13E S16 |       | NENW |  | T05S R13E S16 |       | NWNW |  |
| T05S R13E S16 |       | SWNW |  | T05S R13E S16 |       | SENW |  |

Conditions of Approval:

1. R05 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. 130.
2. O67 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 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 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
4. R43 The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. X35 The direct flow irrigation use described by rights 37-22168, 37-7754, and 37-2778 when combined shall not exceed a total annual maximum diversion volume of 2001 af at the field headgate, and the irrigation of 639 acres..
6. T07 The right holder shall accomplish the change authorized by 69896 transfer within one (1) year of the date of its approval.
7. X35 Rights 37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962, and 37-22168 when combined shall not exceed the irrigation of 808.0 acres.
8. T08 Failure of the right holder to comply with the conditions of transfer 69896 is cause for the Director to rescind approval of the transfer.
9. 115 Prior to the diversion and use of water under Transfer approval 69896, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion, in accordance with Department specifications.
10. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. X27 This right is limited to the irrigation of 84 acres within the place of use described above in a single irrigation season.
12. 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: 12/11/2002

[illegible]

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

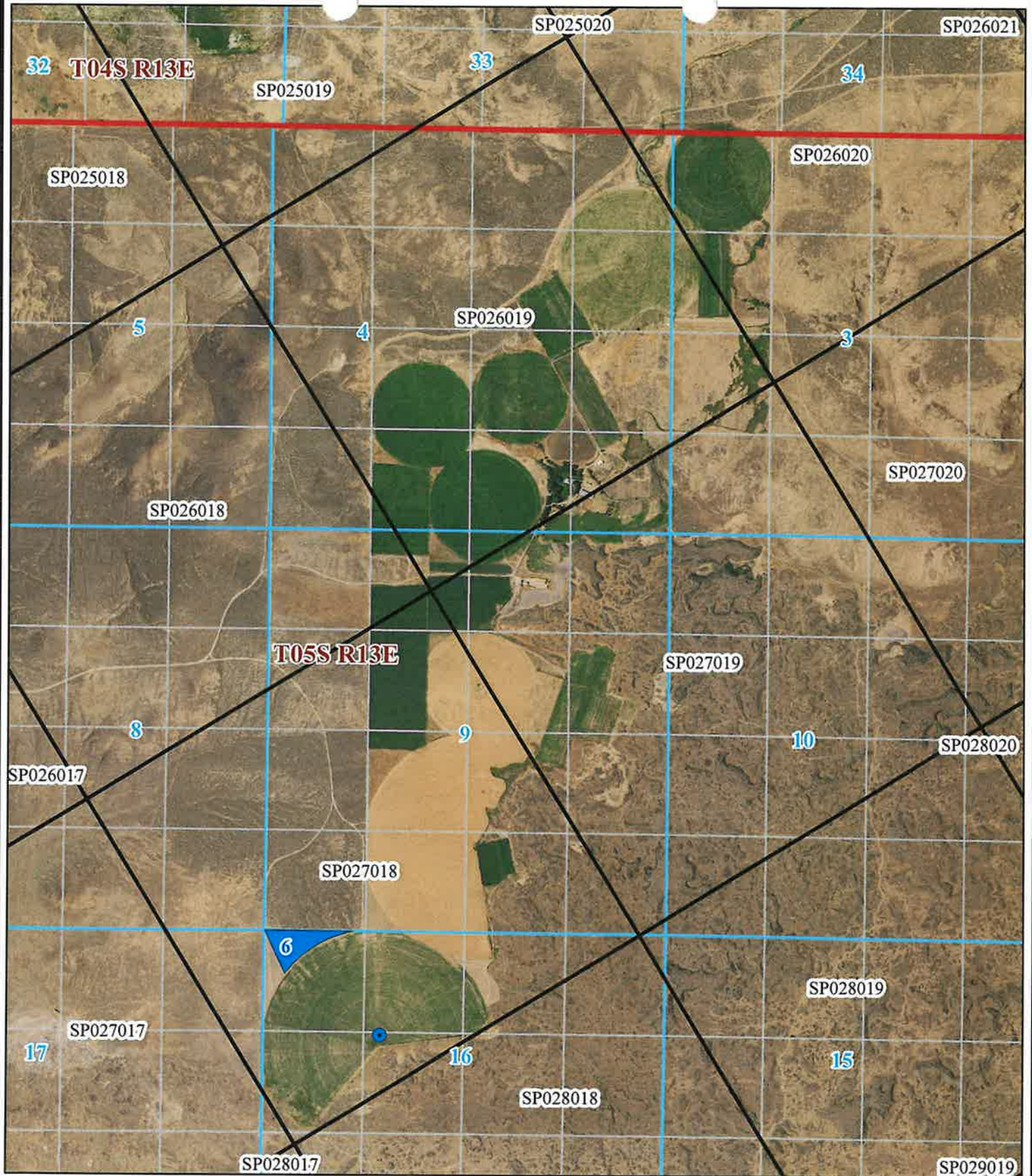
Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by SG Date 6/21/21 Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$200.00 Date 6/21/21 Received by SG Receipt # 5038649

Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



**GARY DEMOSS**  
**37-22168**  
**6.0 ACRES**

NAIP 2019 AERIAL

**Legend**

- Transfer FROM POD
- Transfer FROM
- modelgrid



0 250 500 Feet

**HANS SWENSON**  
**37-22168**  
**6.0 ACRES**

NAIP 2019 AERIAL

**Legend**

- Transfer TO POD
- Transfer TO
- modelgrid



## 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](http://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 |                                                                                     |
| 37-22168           | 12/31/2025                     | 1.73                                      | 338.7       | 84.0  | Attached? <input checked="" type="checkbox"/> or No Change <input type="checkbox"/> |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |
|                    |                                |                                           |             |       | Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>            |

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:

The 6.0 acre portion that is being transferred will have a change of ownership after the transfer is approved.

**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.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1327**

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

**LESSOR:** GARY A DE MOSS  
PO BOX 61  
BLISS, ID 83314

RECEIVED  
FEB 16 2021  
DEPARTMENT OF  
WATER RESOURCES

**RECITALS**

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on December 24, 2020.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

**Summary of Water Rights or Portions Leased to the Bank**

| Water Right No.     | Priority Date | Source       | Diversion Rate (CFS) | Diversion Volume (AF) | Acres (AC)  |
|---------------------|---------------|--------------|----------------------|-----------------------|-------------|
| 37-22168            | 9/20/1974     | GROUND WATER | 1.730                | 338.7                 | 84.0        |
| <b>Lease Totals</b> |               |              | <b>1.730</b>         | <b>338.7</b>          | <b>84.0</b> |

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

**Minimum Payment Acceptable:** Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2021 to December 31, 2025. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1327**

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER SUPPLY BANK LEASE CONTRACT No. 1327**

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

**LESSOR:** GARY A DE MOSS  
PO BOX 61  
BLISS, ID 83314

By Gary A. De Moss  
Title OWNER  
Date 2/9/2021

**IDAHO WATER RESOURCE BOARD**  
322 East Front Street  
P.O. Box 83720  
Boise, ID 83720-0098

By Brian Patton  
Brian Patton, Acting Administrator  
Idaho Water Resource Board

Date 02/17/21

Lease approved by IDWR Phum

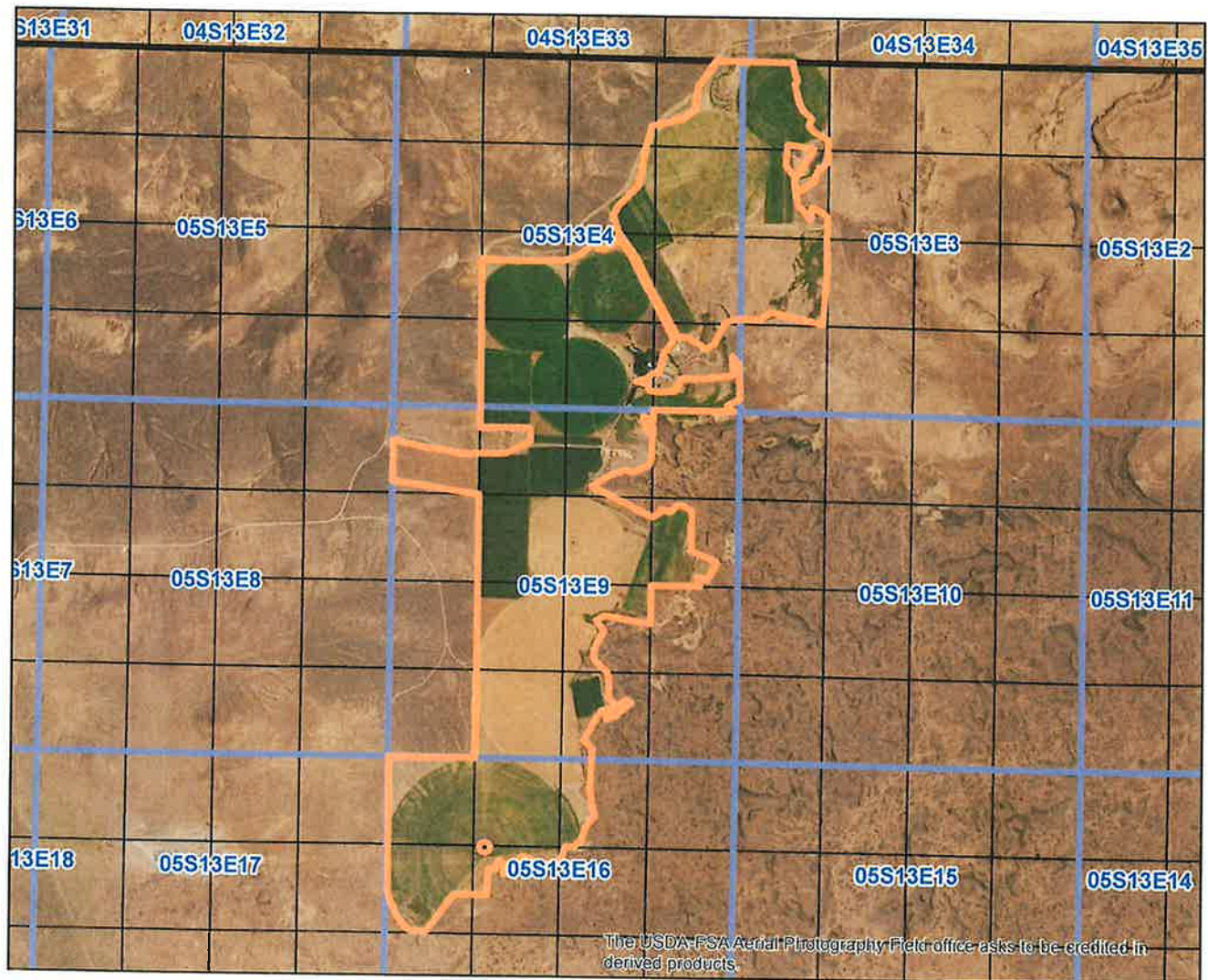
Date 02/17/21

Idaho Water Resource Board  
Water Supply Bank Lease Contract No. 1327

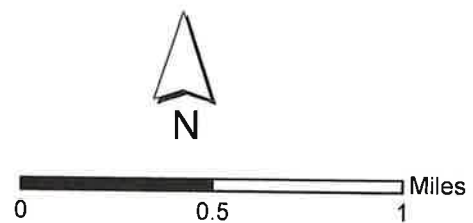
37-22168

Effective until December 31, 2025

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



- Water Supply Bank Lease POU
- Water Supply Bank Lease POD
- Township/Range
- Sections
- QQ



## Mitigation Analysis Period

Trimester

## One-Way Analysis of Independent Transfers

## New Water Right (GModelo):

| WR No. | Div. Rate<br>(CFS) | Con. Vol.<br>(AFA) | No. of Irr.<br>Acres | Priority<br>Date | POD<br>Location | Dedicated Vol.<br>AFA/ AFT | Model<br>Node |
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|
|--------|--------------------|--------------------|----------------------|------------------|-----------------|----------------------------|---------------|

## Transfer 1: Proposed Steady State Impacts following Transfer

## Transfer 1: Worst Case Transient State Impacts following Transfer

Pre SS 100% 6 acres  
Post SS 100% 6 acres

## Impact by Reach (AF/Trimester)

| Ashton to<br>Rexburg | Heise to<br>Shelley | Shelley to<br>Nr Bickft | Nr Bickft To<br>Neeley | Neeley to<br>Minidoka | Dev. Wbl. To<br>Buhl | Buhl to<br>Kspr | Kspr | Kspr to<br>Malad | Malad | Malad to<br>Bancroft |
|----------------------|---------------------|-------------------------|------------------------|-----------------------|----------------------|-----------------|------|------------------|-------|----------------------|
|----------------------|---------------------|-------------------------|------------------------|-----------------------|----------------------|-----------------|------|------------------|-------|----------------------|

|         |     |     |     |     |     |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Pre-SS  | 0.0 | 0.0 | 0.1 | 0.2 | 0.0 | 0.5 | 1.1 | 1.0 | 1.0 | 3.1 | 0.4 |
| Post-SS | 0.0 | 0.1 | 0.2 | 0.6 | 0.0 | 1.0 | 1.7 | 1.1 | 0.9 | 1.8 | 0.2 |
| Pre TS  | 0.0 | 0.0 | 0.1 | 0.2 | 0.0 | 0.5 | 1.1 | 1.0 | 1.0 | 3.1 | 0.4 |
| Post TS | 0.0 | 0.1 | 0.2 | 0.6 | 0.0 | 1.2 | 2.2 | 1.7 | 1.4 | 3.8 | 0.4 |

## Steady State Analysis

|                                          |        |        |        |        |        |       |       |       |       |        |        |
|------------------------------------------|--------|--------|--------|--------|--------|-------|-------|-------|-------|--------|--------|
| Mitigation Check 1 - >10% of Historical: | 189.1% | 189.2% | 189.2% | 189.2% | 188.8% | 93.3% | 62.9% | 8.7%  | -8.3% | -41.9% | -58.1% |
| Mitigation Check 2: > 2 AF/T:            | 0.0    | 0.0    | 0.1    | 0.4    | 0.0    | 0.5   | 0.7   | 0.1   | -0.1  | -1.3   | -0.2   |
| Mitigation Check 3 - >10% of Total:      | 0.3%   | 0.9%   | 2.6%   | 8.1%   | 0.4%   | 12.8% | 22.7% | 14.8% | 11.7% | 23.7%  | 2.1%   |
| Mitigation Required?:                    | NO     | NO     | NO     | NO     | NO     | NO    | NO    | NO    | NO    | NO     | NO     |
| Mitigation Vol. Req'd (ac-ft):           | 0.0    | 0.0    | 0.1    | 0.4    | 0.0    | 0.5   | 0.7   | 0.1   | -0.1  | -1.3   | -0.2   |

## Transient State Analysis

|                                          |        |        |        |        |        |        |        |       |       |       |       |
|------------------------------------------|--------|--------|--------|--------|--------|--------|--------|-------|-------|-------|-------|
| Mitigation Check 1 - >10% of Historical: | 189.1% | 190.1% | 198.5% | 199.4% | 203.4% | 131.1% | 106.5% | 59.3% | 46.0% | 22.6% | 12.9% |
| Mitigation Check 2: > 2.01 AF/T:         | 0.0    | 0.0    | 0.1    | 0.43   | 0.0    | 0.7    | 1.1    | 0.6   | 0.4   | 0.7   | 0.0   |
| Mitigation Required?:                    | NO     | NO     | NO     | NO     | NO     | NO     | NO     | NO    | NO    | NO    | NO    |
| Mitigation Vol. Req'd (ac-ft):           | 0.0    | 0.0    | 0.1    | 0.43   | 0.0    | 0.7    | 1.1    | 0.6   | 0.4   | 0.7   | 0.0   |

Read Me

# ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are  
set up for user entries

ENTER STARTING DATE FOR  
SIMULATION. THEN PUSH  
"UPDATE DATES" BUTTON

YEAR

1950

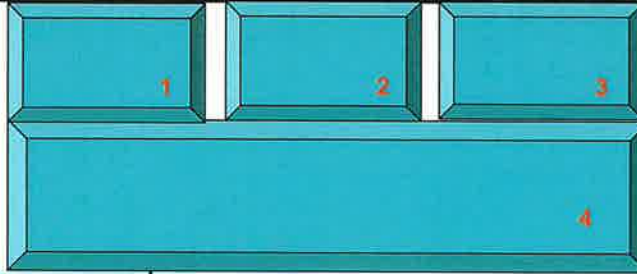
TRANSFER NO:

SEASON

SPRING

TRANSFER NAME:

Swenson



ENTER CELL LOCATIONS:

|        | 'TO' CELL | 'FROM1' CELL | 'FROM2' CELL | 'FROM3' CELL |
|--------|-----------|--------------|--------------|--------------|
| ROW    | 34        | 27           |              |              |
| COLUMN | 24        | 18           |              |              |

6

24

| TRIMESTER<br>OF<br>ACTIVITY | TO WELL                       | FROM1 WELL                    |                                  | FROM2 WELL                    |                                  | FROM3 WELL                    |                                  |
|-----------------------------|-------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|-------------------------------|----------------------------------|
|                             | Projected Use<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER | With Transfer<br>AF/TRIMESTER | Without Transfer<br>AF/TRIMESTER |
| SPR 1950                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1950                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1950                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1951                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1951                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1951                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1952                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1952                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1952                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1953                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1953                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1953                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1954                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1954                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1954                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1955                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1955                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1955                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1956                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1956                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1956                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1957                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1957                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1957                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1958                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1958                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1958                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1959                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1959                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1959                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1960                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1960                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1960                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1961                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1961                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1961                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1962                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1962                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1962                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SPR 1963                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| SUM 1963                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |
| WIN 1963                    | 0.0                           | 0.0                           | 0.0                              | 0.0                           | 0.0                              | 0.0                           | 0.0                              |

[illegible]



|          |     |     |     |     |     |     |     |
|----------|-----|-----|-----|-----|-----|-----|-----|
| SPR 2014 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2014 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2014 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2015 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2015 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2015 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2016 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2016 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2016 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2017 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2017 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2017 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2018 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2018 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2018 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2019 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2019 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2019 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2020 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2020 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2020 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2021 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2021 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2021 | 0.0 | 8.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2022 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2022 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2022 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2023 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2023 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2023 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2024 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2024 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2024 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2025 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2025 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2025 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2026 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2026 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2026 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2027 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2027 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2027 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2028 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2028 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2028 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2029 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2029 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2029 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2030 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2030 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2030 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2031 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2031 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2031 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2032 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2032 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2032 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2033 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2033 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2033 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2034 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2034 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2034 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2035 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2035 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2035 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2036 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2036 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2036 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2037 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2037 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2037 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2038 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2038 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2038 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |

[illegible]

[illegible]

|          |     |     |     |     |     |     |     |
|----------|-----|-----|-----|-----|-----|-----|-----|
| SPR 2089 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2089 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2089 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2090 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2090 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2090 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2091 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2091 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2091 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2092 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2092 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2092 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2093 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2093 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2093 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2094 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2094 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2094 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2095 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2095 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2095 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2096 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2096 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2096 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2097 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2097 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2097 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2098 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2098 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2098 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SPR 2099 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUM 2099 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| WIN 2099 | 8.0 | 0.0 | 8.0 | 0.0 | 0.0 | 0.0 | 0.0 |

## CONTRACT OF AGREEMENT

To Whom It May Concern,

I, Hans Swenson give my consent to Gary and Helen DeMoss to transfer 6.0 acres of irrigation water right 37-22168 to property in which I own in Gooding County Idaho. The property address is 1676 E 1700 S Gooding, Idaho 83330. An agreement has be reached to purchase the 6.0 acres irrigation water after the proposed transfer is approved by the Idaho Department of Water Resources.

Hans Swenson:



Date: 6/16/21

# Customer Ad Proof

60003161 IDAHO DEPT OF WATER RESOURCES

Order Nbr 117994

|             |                                    |       |                 |                         |
|-------------|------------------------------------|-------|-----------------|-------------------------|
| Publication | Times News                         |       | PO Number       |                         |
| Contact     | IDAHO DEPT OF WATER RESOURCES      |       | Rate            | Legal Notice            |
| Address 1   | 2735 AIRPORT WAY                   |       | Order Price     | 235.98                  |
| Address 2   |                                    |       | Amount Paid     | 0.00                    |
| City St Zip | BOISE ID 83705                     |       | Amount Due      | 235.98                  |
| Phone       | 2083342190                         |       | Start/End Dates | 08/19/2021 - 08/26/2021 |
| Fax         |                                    |       | Insertions      | 2                       |
| Section     | Legals                             |       | Size            | 156                     |
| SubSection  |                                    |       | Salesperson(s)  | Jenny Green - Legals    |
| Category    | 50 Legal                           |       | Taken By        | Sherri Davis            |
| Ad Key      | 117994-1                           | 85172 |                 |                         |
| Keywords    | 3 TRANSFER NO. 85056, 58172, 85190 |       |                 |                         |
| Notes       |                                    |       |                 |                         |

Ad Proof

*Proof of legal notice received  
from Times News 8/12/2021 (2 pgs)*

✓ Dm 8-13-2021

# Customer Ad Proof

60003161 IDAHO DEPT OF WATER RESOURCES

Order Nbr 117994

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

**45-14539**

ALBION 12 INVESTMENTS LLC

7595 E MCDONALD DR STE 130

SCOTTSDALE, AZ 85250-6081

Point of Diversion SWNWSE S16 T12S R25E CASSIA County

Source UNNAMED STREAM Tributary SUMMIT CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County

Source SPRING CREEK Tributary HOWELL CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County

Source SPRING CREEK Tributary HOWELL CREEK

Use: AESTHETIC STORAGE 0101 to 12%1 7.5 AF

Use: WILDLIFE STORAGE 0101 to 12%1 7.5 AF

Total Diversion: 7.5 AF

Date Filed: 07-27-2021

Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE

T12S R25E S16 NWSE

T12S R25E S21 NENW

Application for permit proposes the appropriation of 3.6 af from Spring Creek and 3.9 af from an unnamed stream (total for both 7.5 af) for uses associated with 3 on-stream ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Two ponds on Spring Creek are located approximately 1.9 miles east and 2.7 miles to 2.8 miles south of Albion. The pond on unnamed stream is located approximately 2 miles east and 2.4 to 2.5 miles south of Albion.

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT

### TRANSFER NO. 85056

GARY DE MOSS and HELEN DE MOSS, PO BOX 61, BLISS, ID 83314 has filed Application No. 85056 for changes to the following water rights within GOODING County(s): Right No(s). 37-22168. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for a 6.0 acre (0.12 cfs) portion of ground water irrigation right 37-22168 which is currently appurtenant to land located approximately 9.7 to 11.0 miles west and 4.5 to 7.0 miles north of the intersection of State Highway 46 and U.S. Highway 26 in Gooding. The proposed POU is located approximately 4.5 miles west and 2.2 miles north of Gooding. A new well and an existing well located within the proposed POU will be utilized as PODs for the transferred portion.

### TRANSFER NO. 85172

ALBION 12 INVESTMENTS LLC, 7595 E MCDONALD DR STE 130, SCOTTSDALE, AZ 85250-6081 has filed Application No. 85172 for changes to the following water rights within CASSIA County(s): Right No(s). 45-517D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion to a 0.2 cfs Spring Creek irrigation water right that is located approximately 1.9 miles east and 2.8 miles south of Albion. Application also proposes removing a currently authorized point of diversion from the same water right.

### TRANSFER NO. 85190

SCHENK LAND & CATTLE LP, 1380 S 50 W, OAKLEY, ID 83346-8715 has filed Application No. 85190 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12444. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded place of use of an existing Land Ranch Spring water right (0.50 cfs) to reflect actual water use for stock water purposes at a feedlot facility located approximately 3.4 miles east and 7.2 miles north of Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 7, 2021**. The protestant must also send a copy of the protest to the applicant.

Published 19, 26 August, 2021

✓ DM 8-13-2021



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

August 12, 2021

GARY DE MOSS  
HELEN DE MOSS  
PO BOX 61  
BLISS, ID 83314-0061

RE: Transfer No. 85056  
Water Right No(s). 37-22168

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 8/19/2021 and 8/26/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **September 7, 2021**.

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

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

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

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

c: Brockway Engineering PLLC



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

August 12, 2021

WATER DISTRICT 130  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 85056, Water Right No. 37-22168 (De Moss)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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

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

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

## **Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Thursday, August 12, 2021 11:07 AM  
**To:** Times News  
**Subject:** LEGAL NOTICE  
**Attachments:** Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on August 19<sup>th</sup> & 26<sup>th</sup>, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

**Denise Maline, Administrative Assistant**  
**Idaho Dept of Water Resources, Southern Region**  
**650 Addison Ave W Ste 500**  
**Twin Falls ID 83301-5858**  
**(208) 293-9908**  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

August 12, 2021

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

RE: Application for Permit No. 45-14539

RE: Transfer No. 85172  
Water Right No(s). 45-517D

RE: Transfer No. 85056  
Water Right No(s). 37-22168

RE: Transfer No. 85190  
Water Right No(s). 45-12444

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 September 7, 2021. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

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

**45-14539**

ALBION 12 INVESTMENTS LLC  
7595 E MCDONALD DR STE 130  
SCOTTSDALE, AZ 85250-6081

Point of Diversion SWNWSE S16 T12S R25E CASSIA County Source UNNAMED STREAM Tributary SUMMIT CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County Source SPRING CREEK Tributary HOWELL CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County Source SPRING CREEK Tributary HOWELL CREEK

Use: AESTHETIC STORAGE 01/01 to 12/31 7.5 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 7.5 AF

Total Diversion: 7.5 AF

Date Filed: 07-27-2021

Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE

T12S R25E S16 NWSE

T12S R25E S21 NENW

Application for permit proposes the appropriation of 3.6 af from Spring Creek and 3.9 af from an unnamed stream (total for both 7.5 af) for uses associated with 3 on-stream ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Two ponds on Spring Creek are located approximately 1.9 miles east and 2.7 miles to 2.8 miles south of Albion. The pond on unnamed stream is located approximately 2 miles east and 2.4 to 2.5 miles south of Albion.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

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**TRANSFER NO. 85190**

SCHENK LAND & CATTLE LP, 1380 S 50 W, OAKLEY, ID 83346-8715 has filed Application No. 85190 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12444. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded place of use of an existing Land Ranch Spring water right (0.50 cfs) to reflect actual water use for stock water purposes at a feedlot facility located approximately 3.4 miles east and 7.2 miles north of Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 7, 2021**. The protestant must also send a copy of the protest to the applicant.

## Bitzenburg, James

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**From:** Greg Sullivan <greg.sullivan@brockwayeng.com>  
**Sent:** Monday, August 9, 2021 10:19 AM  
**To:** Bitzenburg, James  
**Subject:** RE: Gary and Helen DeMoss transfer

James,

The "Add diversion point" box should have been checked on page 1 and the "New" box should have been checked on page 3. Hans would like to be able to drill a new well to provide the irrigation water. This will reduce the water demand on his current domestic well.

Greg Sullivan  
Brockway Engineering  
2016 North Washington Street, Suite 4  
Twin Falls, Idaho 83301  
208-736-8543

*All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

**From:** Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]  
**Sent:** Friday, August 06, 2021 8:50 AM  
**To:** Greg Sullivan <greg.sullivan@brockwayeng.com>  
**Subject:** Gary and Helen DeMoss transfer

Greg-

In looking at the DeMoss transfer, I noticed that on page 4, question 5.a., it says that a new irrigation well is proposed, but on page 2, A. Purpose of Transfer, you have 'Change point of diversion' checked. I believe that 'Add diversion points' should be also checked as the split portion will have 2 PODs instead of one. And on page 3, #3. Points of Diversion, shouldn't the 'New?' box be checked next to the irrigation well? I assume the domestic well listed is an existing well?

Thank you, and have a good Friday,

Jim

**Jim Bitzenburg**  
**Senior Water Resource Agent**  
**Idaho Department of Water Resources**  
**Southern Regional Office**  
**Phone (208)-293-9909**  
[james.bitzenburg@idwr.idaho.gov](mailto:james.bitzenburg@idwr.idaho.gov)

## TRANSFER SYNOPSIS

**Date:** June 23, 2021  
**To:** Transfer #85056, Gary and Helen DeMoss file  
**From:** Jim Bitzenburg  
**Re:** Summary of transfer

---

Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for a 6.0 acre (0.12 cfs) portion of ground water irrigation right 37-22168 which is currently appurtenant to land located approximately 9.7 to 11.0 miles west and 4.5 to 7.0 miles north of the intersection of State Highway 46 and U.S. Highway 26 in Gooding. The proposed POU is located approximately 4.5 miles west and 2.2 miles north of Gooding. A new well and an existing well located within the proposed POU will be utilized as PODs for the transferred portion.

Right 36-22168 is currently leased into the Water Supply Bank and the split portion will remain there until after the transfer is approved and the ownership is changed to the owner of the proposed POU.

This transfer will be advertised and comments will be sought from the Watermaster of Water District 130.

The transfer involves a change in point of diversion from non-adjacent ESPA model grid cells so ESPA modeling is required. The model analysis shows no mitigation will be required for the proposed change.

## FEE MEMORANDUM

**Date:** June 22, 2021  
**To:** Gary and Helen DeMoss Transfer #85056 File  
**From:** Jim Bitzenburg  
**Re:** Receipting/disposition of fees paid

---

This transfer was filed on June 21, 2021 and splits off 6.0 acres from a ground water irrigation right, moving it to a new POU with two new PODs. The entire flow rate of the split portion, 0.12 cfs, is used to calculate the fee because it can be diverted from the proposed PODs. The fee, from the transfer fee schedule, is \$200.00 and was paid by Brockway Engineering with check #16480, IDWR receipt #S038649.



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 21 2021

DEPT OF WATER RESOURCES  
SOUTHERN REGION

June 16, 2021

Corey Skinner  
Idaho Department of Water Resources  
650 Addison Ave. W., Ste. 500  
Twin Falls, ID 83301

Re: Hans Swenson and Gary DeMoss 37-22168

Dear Mr. Skinner:

Gary DeMoss has agreed to sale 6.0 acres of water right 37-22168 to Hans Swenson. The attached transfer proposes to move the 6.0 acres from Gary DeMoss's property to Hans Swenson property near Gooding, Idaho.

Water right 37-22168 is currently under lease contract in the Idaho Water Supply Bank. The 6.0 acre portion that is to be transfer will remain in the Water Supply Bank until after the transfer is approved and the ownership updated.

The beneficial use, period use and the ownership of the 6.0 acres will not be changing with this transfer. The point of diversion and place of use will be changing with this transfer. The ESPA Model analysis of this transfer indicates that no mitigation is required.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Hans Swenson, Gary DeMoss

Enc: Transfer Application, Aerial Maps, ESPA Model Analysis, WSB Documents, Brockway Engineering Check # 16450 for \$200.00.

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506