

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77799

This is to certify that: GARY A DE MOSS

PO BOX 61
BLISS ID 83314
(208)352-4385

And

HELEN DE MOSS
PO BOX 61
BLISS ID 83314
(208)352-4385

have 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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-857	WR/Decreed	02/01/1917	8 cfs	190 af	N/A	81.5	DRY CREEK

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-856	WR/Decreed	02/01/1917	32 cfs	760 af	N/A	808.0	DRY CREEK
37-2778	WR/Decreed	02/26/1957	80 cfs	1936 af	242.0	808.0	DRY CREEK
37-2780	WR/Decreed	04/13/1954	157 cfs	905 af	N/A	808.0	DRY CREEK
37-7754	WR/Decreed	12/14/1978	3.23 cfs	2504 af	313.0	808.0	DRY CREEK
37-21962	WR/Decreed	04/13/1954	6.62 cfs	N/A	330.0	808.0	DRY CREEK
37-21961	WR/Decreed	01/17/1932	1.88 cfs	N/A	93.0	808.0	DRY CREEK
37-22168	WR/Decreed	09/20/1974	1.73 cfs	338.7 af	84.0	808.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-857	NO	NO	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 37-857

SCANNED

MAR 13 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77799

Summary of Water Rights After the Approved Change

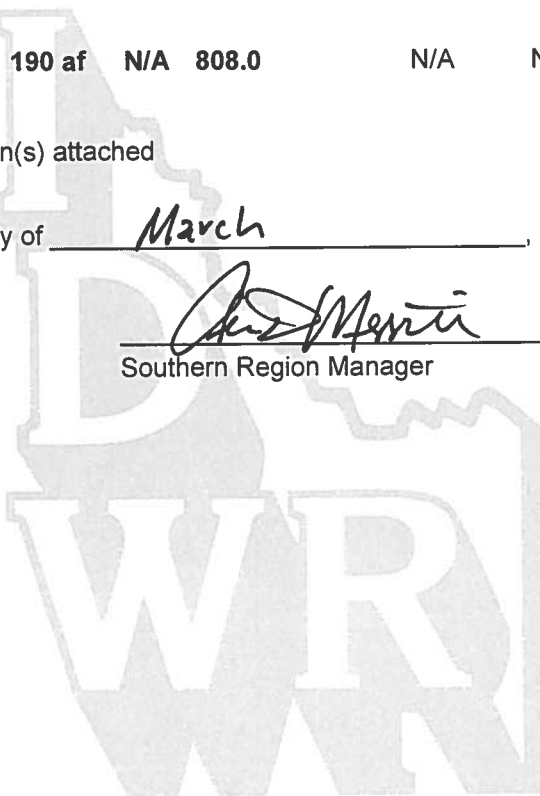
Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-857	37-857	8 cfs	190 af	N/A	808.0		N/A	N/A	N/A	N/A
COMBINED TOTALS										
		8 cfs	190 af	N/A	808.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of March, 20 12



Southern Region Manager



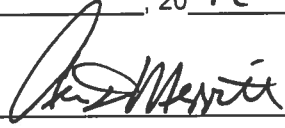
WATER RIGHT NO. 37-857
As Modified by Transfer No. 77799

CONDITIONS OF APPROVAL

1. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
2. 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.
3. 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 place of use.
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. 37.
5. 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).
6. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. The period of use for the irrigation from storage described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than May 30, 2008.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right 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.

Dated this 9th day of March, 2012


Southern Region Manager

WATER RIGHT NO. 37-856
As Modified by Transfer No. 77799

In accordance with the approval of Transfer No. 77799, Water Right No. 37-856 is now described as follows.

Right Holder: GARY A And HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: February 01, 1917

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	32.00 CFS	
STOCKWATER STORAGE	01/01	to 12/31		15.0 AF
IRRIGATION FROM STORAGE	04/01	to 10/31		760.0 AF
STOCKWATER FROM STORAGE	04/01	to 10/31		15.0 AF
IRRIGATION STORAGE	01/01	to 12/31		760.0 AF
			32.00 CFS	760.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
04S 13E 26													X			X	
04S 13E 35	X	X	X	X													
04S 13E 36	L 1	L 1	L 4	L 5													
						X	X										
						L 1	L 2										

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

WATER RIGHT NO. 37-856
As Modified by Transfer No. 77799

PLACE OF USE: STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						X L 4	X			X							
05S 13E 4	X L 1	X L 2	X	X					X			X	X	X	X	X	
05S 13E 9		X	X	X	X	X		X	X			X		X	X		
05S 13E 16		X			X	X	X	X									

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X L 1						
04S 13E 26													X			X L 7	
04S 13E 35	X L 1	X L 1	X L 4	X L 5													
04S 13E 36						X L 1	X L 2										

CONDITIONS OF APPROVAL

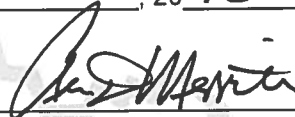
1. All storage uses described by rights 37-856, 37-857, 37-2778, 37-2780 and 37-7754 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
2. Rights 37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962, and 37-22168 when combined shall not exceed the irrigation of 808.0 acres.
3. 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.
4. Pursuant to a call in times of scarcity, the diversion to storage from November 1 to March 31 is not subject to curtailment by Water Right Nos. 37-238A, 37-239A, 37-239D, 37-240A, 37-240D, 37-447C, 37-447D, 37-607D, 37-608D, 37-1160, 37-1175 and 37-11131.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
7. The reservoir may be refilled multiple times in a single year.

WATER RIGHT NO. 37-856
As Modified by Transfer No. 77799

8. This water right is subject to the terms of the Agreement Between Gary A. and Helen DeMoss and Northside Canal Company Regarding Water Rights 37-856, 37-2778, 37-2780, 37-7754, executed October 5, 2007, and recorded in Gooding County, Idaho on October 19, 2007 (Instrument No. 223865).
9. The right holder shall accomplish the change authorized by this transfer by February 18, 2004.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right 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.

Dated this 9th day of March, 20 12


Southern Region Manager

WATER RIGHT NO. 37-2778
As Modified by Transfer No. 77799

In accordance with the approval of Transfer No. 77799, Water Right No. 37-2778 is now described as follows.

Right Holder: GARY A And HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: February 26, 1957

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	to 12/31		1,210.0 AF
IRRIGATION FROM STORAGE	04/01	to 10/31		1,210.0 AF
IRRIGATION	04/01	to 10/31	4.84 CFS	726.0 AF
DIVERSION TO STORAGE	01/01	to 12/31	80.00 CFS	
			80.00 CFS	1,936.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
04S 13E 26											L 1		X			X	
04S 13E 35	X	X	X	X													
04S 13E 36	L 1	L 1	L 4	L 5													
						X	X										
						L 1	L 2										

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
05S 13E 4	25.0	1.0	11.0	40.0		L 4			27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9			32.0	38.0	19.0	34.0	18.0	40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0				40.0	39.0	30.0	10.0								132.0

Total Acres: 808

WATER RIGHT NO. 37-2778
As Modified by Transfer No. 77799

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

CONDITIONS OF APPROVAL

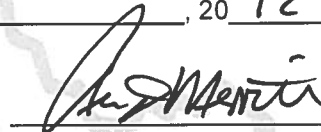
1. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, and 37-21962 when combined shall not exceed the irrigation of 555 acres.
2. Rights 37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962, and 37-22168 when combined shall not exceed the irrigation of 808.0 acres.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The right holder shall accomplish the change authorized by this transfer by February 18, 2004.
6. The direct flow irrigation use described by this right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season. Irrigation from storage is not limited but currently confined to the place of use described above.
7. Pursuant to a call in times of scarcity, the diversion to storage from November 1 to March 31 is not subject to curtailment by Water Right Nos. 37-238A, 37-239A, 37-239D, 37-240A, 37-240D, 37-447C, 37-447D, 37-607D, 37-608D, 37-1160, 37-1175, 37-4091 and 37-11131.
8. This water right is subject to the terms of the Agreement Between Gary A. and Helen DeMoss and Northside Canal Company Regarding Water Rights 37-856, 37-2778, 37-2780, 37-7754, executed October 5, 2007, and recorded in Gooding County, Idaho on October 19, 2007 (Instrument No. 223865).
9. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

WATER RIGHT NO. 37-2778
As Modified by Transfer No. 77799

10. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
11. The direct flow irrigation use described by rights 37-2778, 37-7754, and 37-22168 when combined shall not exceed a total annual maximum diversion volume of 2001 AF at the field headgate.
12. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, 37-21962 and 37-22168 when combined is limited to the irrigation of 639 acres.
13. 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.
14. All storage uses described by rights 37-856, 37-857, 37-2778, 37-2780 and 37-7754 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.

This water right 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.

Dated this 9th day of March, 2012


Southern Region Manager

WATER RIGHT NO. 37-2780
As Modified by Transfer No. 77799

In accordance with the approval of Transfer No. 77799, Water Right No. 37-2780 is now described as follows.

Right Holder: GARY A And HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: April 13, 1954

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	157.00 CFS	
IRRIGATION STORAGE	01/01	to 12/31		905.0 AF
IRRIGATION FROM STORAGE	04/01	to 10/31		905.0 AF
			157.00 CFS	905.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
04S 13E 26											L 1		X			X	
04S 13E 35	X	X	X	X													
04S 13E 36	L 1	L 1	L 4	L 5													
						X	X										
						L 1	L 2										

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
05S 13E 4	25.0	1.0	11.0	40.0		L 4			27.0			40.0	38.0	34.0	39.0	21.0	276.0
05S 13E 9	L 1	L 2															
		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

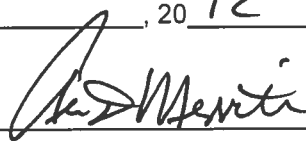
WATER RIGHT NO. 37-2780
As Modified by Transfer No. 77799

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. All storage uses described by rights 37-856, 37-857, 37-2778, 37-2780 and 37-7754 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
4. This water right is subject to the terms of the Agreement Between Gary A. and Helen DeMoss and Northside Canal Company Regarding Water Rights 37-856, 37-2778, 37-2780, 37-7754, executed October 5, 2007, and recorded in Gooding County, Idaho on October 19, 2007 (Instrument No. 223865).
5. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. Pursuant to a call in times of scarcity, the diversion to storage from November 1 to March 31 is not subject to curtailment by Water Right Nos. 37-238A, 37-239A, 37-239D, 37-240A, 37-240D, 37-447C, 37-447D, 37-607D, 37-608D, 37-1160, 37-1175, 37-4091 and 37-11131.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer by February 18, 2004.
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. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right 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.

Dated this 9th day of March, 20 12



Southern Region Manager

WATER RIGHT NO. 37-7754
As Modified by Transfer No. 77799

In accordance with the approval of Transfer No. 77799, Water Right No. 37-7754 is now described as follows.

Right Holder: GARY A And HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: December 14, 1978

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	3.23 CFS	
IRRIGATION STORAGE	01/01	to 12/31		1,565.0 AF
IRRIGATION	04/01	to 11/01	3.23 CFS	939.0 AF
IRRIGATION FROM STORAGE	04/01	to 11/01		1,565.0 AF
			3.23 CFS	2,504.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
04S 13E 26											L 1		X			X	
04S 13E 35	X	X	X	X													
04S 13E 36	L 1	L 1	L 4	L 5													
						X	X										
						L 1	L 2										

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
05S 13E 4	25.0	1.0	11.0	40.0		L 4			27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

WATER RIGHT NO. 37-7754
As Modified by Transfer No. 77799

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

CONDITIONS OF APPROVAL

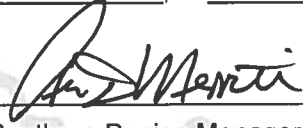
1. The direct flow irrigation use described by rights 37-2778, 37-7754 and 37-22168 when combined shall not exceed a total annual maximum diversion volume of 2001 AF at the field headgate.
2. Rights 37-856, 37-857, 37-2778, 37-2780, 37-7754, 37-21961, 37-21962, and 37-22168 when combined shall not exceed the irrigation of 808.0 acres.
3. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, 37-21962 and 37-22168 when combined is limited to the irrigation of 639 acres.
4. The direct flow irrigation use described by this right is limited to the irrigation of 313 acres within the place of use described above in a single irrigation season. Irrigation from storage is not limited but currently confined to the place of use described above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. All storage uses described by rights 37-856, 37-857, 37-2778, 37-2780 and 37-7754 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
7. Pursuant to a call in times of scarcity, the diversion to storage from November 1 to March 31 is not subject to curtailment by Water Right Nos. 37-238A, 37-239A, 37-239D, 37-240A, 37-240D, 37-447C, 37-447D, 37-607D, 37-608D, 37-1160, 37-1175, 37-4091 and 37-11131.
8. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
9. This water right is subject to the terms of the Agreement Between Gary A. and Helen DeMoss and Northside Canal Company Regarding Water Rights 37-856, 37-2778, 37-2780, 37-7754, executed October 5, 2007, and recorded in Gooding County, Idaho on October 19, 2007 (Instrument No. 223865).

WATER RIGHT NO. 37-7754
As Modified by Transfer No. 77799

10. 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. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, and 37-21962 when combined shall not exceed the irrigation of 555 acres.
12. The right holder shall accomplish the change authorized by this transfer by February 18, 2004.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right 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.

Dated this 9th day of March, 20 12


Southern Region Manager

Right Holder: GARY A And HELEN DE MOSS
PO BOX 61
BLISS ID 83314

Source: DRY CREEK

BENEFICIAL USE

<u>From</u>		<u>To</u>
03/15	to	11/15
01/01	to	12/31

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK

NESE

Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3					28.0	32.0			36.0								96.0
05S	13E	4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
05S	13E	9																	
05S	13E	9					34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S	13E	16					40.0	39.0	30.0	10.0									132.0

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3						X	X										
05S	13E	4	X	X	X	X								X		X	X	X	
05S	13E	9	L 1	L 2															
05S	13E	16		X			X	X	X	X						X	X		

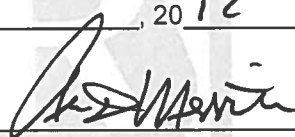
WATER RIGHT NO. 37-21961
As Modified by Transfer No. 77799

CONDITIONS OF APPROVAL

1. 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.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961 and 37-21962 when combined shall not exceed the irrigation of 555 acres.
4. This right is limited to the irrigation of 93 acres within the place of use described above in a single irrigation season.
5. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, 37-21962 and 37-22168 when combined shall not exceed a total of 639 acres in a single irrigation season.
6. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right 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.

Dated this 9th day of March, 2012


Southern Region Manager

Right Holder: GARY A And HELEN DE MOSS
PO BOX 61
BLISS ID 83314

Source: DRY CREEK

BENEFICIAL USE

<u>From</u>	<u>To</u>
03/15	11/15
01/01	12/31

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK NESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3					28.0	32.0			36.0								96.0
05S	13E	4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
05S	13E	9																	
05S	13E	9					34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S	13E	16					40.0	39.0	30.0	10.0									132.0

Total Acres: 808

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3						X	X										
								L 4											
05S	13E	4	X	X	X	X				X				X	X	X	X		
			L 1	L 2															
05S	13E	9		X	X	X	X	X		X				X	X	X			
05S	13E	16		X			X	X	X	X									

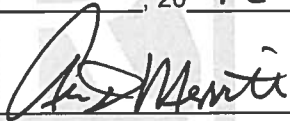
WATER RIGHT NO. 37-21962
As Modified by Transfer No. 77799

CONDITIONS OF APPROVAL

1. 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.
2. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961, 37-21962 and 37-22168 when combined shall not exceed a total of 639 acres in a single irrigation season.
5. The direct flow irrigation use described by rights 37-2778, 37-7754, 37-21961 and 37-21962 when combined shall not exceed the irrigation of 555 acres.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. This right is limited to the irrigation of 330 acres within the place of use described above in a single irrigation season.

This water right 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.

Dated this 9th day of March, 20 12


Southern Region Manager

WATER RIGHT NO. 37-22168
As Modified by Transfer No. 77799

In accordance with the approval of Transfer No. 77799, Water Right No. 37-22168 is now described as follows.

Right Holder: GARY A And/Or HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: September 20, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.05 CFS	2.7 AF
IRRIGATION	04/01	to 11/01	1.68 CFS	336.0 AF
			1.73 CFS	338.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENNW Sec. 16 Twp 05S Rge 13E GOODING County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						X	X			X							
05S 13E 4	X	X	X	X		L 4			X			X	X	X	X	X	
05S 13E 9	L 1	L 2			X	X		X	X			X		X	X		
05S 13E 16		X			X	X	X	X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
05S 13E 4	25.0	1.0	11.0	40.0		L 4			27.0			40.0	38.0	34.0	39.0	21.0	276.0
05S 13E 9	L 1	L 2			32.0	38.0	19.0	34.0	18.0		40.0	40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

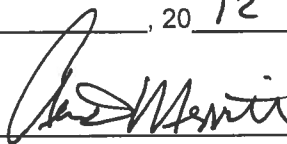
WATER RIGHT NO. 37-22168
As Modified by Transfer No. 77799

CONDITIONS OF APPROVAL

1. 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.
2. 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.
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. 130.
4. 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.
5. This right is limited to the irrigation of 84 acres within the place of use described above in a single irrigation season.
6. 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..
7. 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.
8. 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.
9. 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.
10. The right holder shall accomplish the change authorized by 69896 transfer within one (1) year of the date of its approval.
11. Failure of the right holder to comply with the conditions of transfer 69896 is cause for the Director to rescind approval of the transfer.
12. 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.

This water right 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.

Dated this 9th day of March, 2012


Southern Region Manager