

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-22167

WATER RIGHT NUMBER: 37-22167

| <u>Owner Type</u> | <u>Name and Address</u>                                             |
|-------------------|---------------------------------------------------------------------|
| Current Owner     | GARY A DE MOSS<br>PO BOX 61<br>BLISS, ID 83314<br>(208)352-4385     |
| Current Owner     | HELEN DE MOSS<br>PO BOX 61<br>BLISS, ID 83314<br>(208)352-4385      |
| Original Owner    | R RANDOLPH ERKINS<br>PO BOX 108<br>BLISS, ID 83314<br>(208)352-4655 |
| Original Owner    | LAREN K ERKINS<br>PO BOX 108<br>BLISS, ID 83314<br>(208)352-4655    |

Priority Date: 09/20/1974

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 11/01          | 0.400 CFS             | 80.80 AF             |
|                       | <u>Total Diversion:</u> | 0.400 CFS             | 80.80 AF             |

Location of Point(s) of Diversion

GROUND WATER                      NW1/4SE1/4NW1/4                      Sec. 16, Twp 05S, Rge 13E, B.M.  
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 | 16  |    |    |    |    | 40.0 |    |    |    |    |    |    |    |    |    |    |    | 40.0   |

Total Acres: 40

Conditions of Approval:

1. X27 This right is limited to the irrigation of 20.2 acres within the place of use described above in a single irrigation season.

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2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. X35 The direct flow irrigation use described by rights 37-22164, 37-22165, 37-22166, 37-22167, 37-22168, 37-7754, and 37-2778 when combined shall not exceed a total annual maximum diversion volume of 2161 af at the field headgate, and the irrigation of 679 acres.
4. 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.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. 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.
8. 067 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.
9. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 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.
10. 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.
11. 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.

Remarks:Comments:

1. cskinner 3/22/2007 POU  
Comment: Updated PLS

2. cskinner 3/22/2007 Split of 37-7385B  
Comment: Right 37-7385B split into five parts (37-22164, 37-22165, 37-22166, 37-22167, and 37-22168) on 3/22/2007 in preparation for the processing of four water right transfer applications filed in the name of Alonzo B. Leavell. Rights 37-22164, 37-22165, 37-22166, and 37-22167 represent the four pieces to be transferred (one right for each transfer) and right 37-22168 represents the leftover portion of 37-7358B that will remain on the original place of use.

3. cskinner 3/23/2007 POD  
Comment: Updated shape

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Dates and Other Information:

Licensed Date:  
Decreed Date: 12/11/2002  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector: And/Or  
Water District Number: 130  
Generic Max Rate Per Acre: 0.02  
Generic Max Volume Per Acre: 4  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number: 39576  
Judicial District: FIFTH  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: