



# Idaho Department of Water Resources

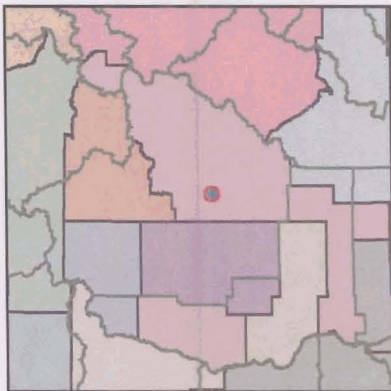
SRBA Recommendation:

**37-22002**

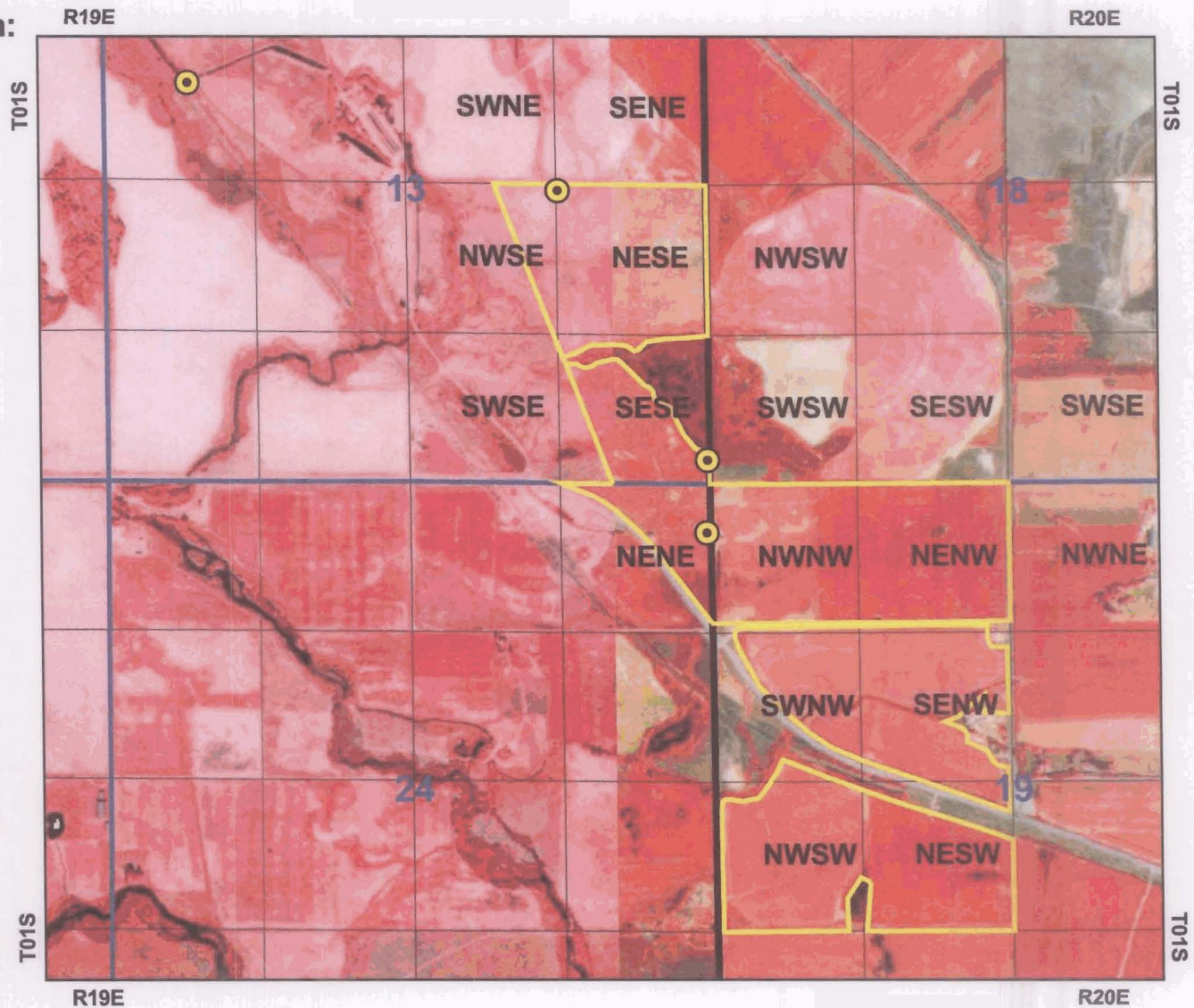
(Irrigation)

## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County  
IDWR Basin 37



0 0.6 1.2 Miles

Prepared by M. Ciscell  
On Saturday, December 9, 2006  
1987/88 Aerial Photography

COPY

CLERK OF DISTRICT COURT  
TWIN FALLS CO., IDAHO  
2008 SEP 11 11:11 31

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No: 37-706C, 37-1082C,  
) 37-2629, 37-7584, 37-11754, 37-21996,  
) 37-21998, 37-22000, 37-22002  
)

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☐ Split of Water Right

☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/10/08

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 9/11, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449

United States Dept of Justice  
Environment & Natural Resource Div  
550 W Fort St MSC 033  
Boise ID 83724

A W Molyneux  
Maxine Molyneux  
1174 Gannett-Picabo Rd  
Bellevue ID 83313

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-706C

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 0.700 CFS

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).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/15/1883

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County

T01S R19E S13 NENWSE Within BLAINE County

Rights 37-1082C, 37-21996, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              |      | <u>PERIOD OF USE</u> |                     | <u>QUANTITY</u> |
|---------------|------------------------------------|------|----------------------|---------------------|-----------------|
|               | IRRIGATION                         |      | 04/15 10/31          |                     | 0.700 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |      |                      |                     |                 |
|               | T01S R19E S13                      | NESE | 40.00                | T01S R19E S13       | NWSE 9.00       |
|               | T01S R19E S13                      | SESE | 21.00                | T01S R19E S24       | NENE 15.00      |
|               | T01S R20E S19                      | NENW | 39.00                | T01S R20E S19 Lot 1 | NWNW 38.00      |
|               | T01S R20E S19 Lot 2                | SWNW | 30.00                | T01S R20E S19       | SENW 34.00      |
|               | T01S R20E S19                      | NESW | 36.00                | T01S R20E S19 Lot 3 | NWSW 36.00      |

298 ACRES TOTAL

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 37M.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-1082C

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 2.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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).

PRIORITY DATE: 07/08/1884

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County

T01S R19E S13 NENWSE Within BLAINE County

Rights 37-706C, 37-21996, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                                   |      | PERIOD OF USE |                     | QUANTITY  |       |
|--------------------------------------------------|------|---------------|---------------------|-----------|-------|
| IRRIGATION                                       |      | 04/15         | 10/31               | 2.000 CFS |       |
| PLACE OF USE: <u>IRRIGATION in BLAINE County</u> |      |               |                     |           |       |
| T01S R19E S13                                    | NESE | 40.00         | T01S R19E S13       | NWSE      | 9.00  |
| T01S R19E S13                                    | SESE | 21.00         | T01S R19E S24       | NENE      | 15.00 |
| T01S R20E S19                                    | NENW | 39.00         | T01S R20E S19 Lot 1 | NWNW      | 38.00 |
| T01S R20E S19 Lot 2                              | SWNW | 30.00         | T01S R20E S19       | SENW      | 34.00 |
| T01S R20E S19                                    | NESW | 36.00         | T01S R20E S19 Lot 3 | NWSW      | 36.00 |

298 ACRES TOTAL

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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. 37M.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2629

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 2.500 CFS  
437.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/14/1960

POINT OF  
DIVERSION:

T01S R20E S19 NESENW Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/15 10/31          | 2.500 CFS<br>437.50 AFY |

PLACE OF USE:

IRRIGATION in BLAINE County

|                     |      |       |                          |            |
|---------------------|------|-------|--------------------------|------------|
| T01S R20E S19       | NENW | 1.60  | T01S R20E S19 Lot 1 NWNW | 1.30       |
| T01S R20E S19 Lot 2 | SWNW | 30.00 | T01S R20E S19            | SENW 34.00 |
| T01S R20E S19       | NESW | 36.00 | T01S R20E S19 Lot 3      | NWSW 36.00 |

138.9 ACRES TOTAL

This right is limited to the irrigation of 124.9 acres within the place of use described above in a single irrigation season.

Rights 37-2629 and 37-7584 when combined shall not exceed the irrigation of 177.9 acres.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7584

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.860 CFS  
351.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/28/1977

POINT OF  
DIVERSION:

T01S R19E S24 NENENE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 11/01          | 0.860 CFS<br>351.00 AFY |

PLACE OF USE: IRRIGATION in BLAINE County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T01S R19E S13       | SESE | 16.00 | T01S R19E S24       | NENE | 13.00 |
| T01S R20E S19 Lot 1 | NWNW | 24.00 | T01S R20E S19 Lot 2 | SWNW | 12.00 |
| T01S R20E S19       | NESW | 33.00 | T01S R20E S19 Lot 3 | NWSW | 36.00 |

134 ACRES TOTAL

Rights 37-2629 and 37-7584 when combined shall not exceed the irrigation of 177.9 acres.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

This right is limited to the irrigation of 117 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 37M.

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21996

NAME AND ADDRESS: A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 0.637 CFS

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).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/29/1893

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County  
T01S R19E S13 NENWSE Within BLAINE County

Rights 37-706C, 37-1082C, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 04/15 10/31   | 0.637 CFS |

PLACE OF USE:

IRRIGATION in BLAINE County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T01S R19E S13       | NESE | 40.00 | T01S R19E S13       | NWSE | 9.00  |
| T01S R19E S13       | SESE | 21.00 | T01S R19E S24       | NENE | 15.00 |
| T01S R20E S19       | NENW | 39.00 | T01S R20E S19 Lot 1 | NWNW | 38.00 |
| T01S R20E S19 Lot 2 | SWNW | 30.00 | T01S R20E S19       | SENW | 34.00 |
| T01S R20E S19       | NESW | 36.00 | T01S R20E S19 Lot 3 | NWSW | 36.00 |

298 ACRES TOTAL

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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.

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. 37M.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21998

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 0.662 CFS

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).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/15/1887

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County  
T01S R19E S13 NENWSE Within BLAINE County

Rights 37-706C, 37-1082C, 37-21996, 37-22000, & 37-22002 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u>           | <u>QUANTITY</u> |
|---------------|------------------------------------|--------------------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31                    | 0.662 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                                |                 |
|               | T01S R19E S13 NESE 40.00           | T01S R19E S13 NWSE 9.00        |                 |
|               | T01S R19E S13 SESE 21.00           | T01S R19E S24 NENE 15.00       |                 |
|               | T01S R20E S19 NENW 39.00           | T01S R20E S19 Lot 1 NWNW 38.00 |                 |
|               | T01S R20E S19 Lot 2 SWNW 30.00     | T01S R20E S19 SENW 34.00       |                 |
|               | T01S R20E S19 NESW 36.00           | T01S R20E S19 Lot 3 NWSW 36.00 |                 |

298 ACRES TOTAL

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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. 37M.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/09/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22000

NAME AND ADDRESS: A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 0.620 CFS

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).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1887

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County  
T01S R19E S13 NENWSE Within BLAINE County

Rights 37-706C, 37-1082C, 37-21996, 37-21998, & 37-22002 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE                            | PERIOD OF USE                  | QUANTITY  |
|-------------------------------------------|--------------------------------|-----------|
| IRRIGATION                                | 04/15 10/31                    | 0.620 CFS |
| PLACE OF USE: IRRIGATION in BLAINE County |                                |           |
| T01S R19E S13 NESE 40.00                  | T01S R19E S13 NWSE 9.00        |           |
| T01S R19E S13 SESE 21.00                  | T01S R19E S24 NENE 15.00       |           |
| T01S R20E S19 NENW 39.00                  | T01S R20E S19 Lot 1 NWNW 38.00 |           |
| T01S R20E S19 Lot 2 SWNW 30.00            | T01S R20E S19 SENW 34.00       |           |
| T01S R20E S19 NESW 36.00                  | T01S R20E S19 Lot 3 NWSW 36.00 |           |

298 ACRES TOTAL

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 37M.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

09/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22002

NAME AND ADDRESS: MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

SOURCE: BUTTE CREEK  
LOVING CREEK

TRIBUTARY: LOVING CREEK  
TRIBUTARY: SILVER CREEK

QUANTITY: 0.736 CFS

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).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/03/1897

POINT OF  
DIVERSION:

T01S R19E S13 NESWNW Within BLAINE County

T01S R19E S13 NENWSE Within BLAINE County

Rights 37-706C, 37-1082C, 37-21996, 37-21998, & 37-22000 are also diverted through the points of diversion described above.

PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u>           | <u>QUANTITY</u> |
|---------------|------------------------------------|--------------------------------|-----------------|
|               | IRRIGATION                         | 04/15 10/31                    | 0.736 CFS       |
| PLACE OF USE: | <u>IRRIGATION in BLAINE County</u> |                                |                 |
|               | T01S R19E S13 NESE 40.00           | T01S R19E S13 NWSE 9.00        |                 |
|               | T01S R19E S13 SESE 21.00           | T01S R19E S24 NENE 15.00       |                 |
|               | T01S R20E S19 NENW 39.00           | T01S R20E S19 Lot 1 NWNW 38.00 |                 |
|               | T01S R20E S19 Lot 2 SWNW 30.00     | T01S R20E S19 SENW 34.00       |                 |
|               | T01S R20E S19 NESW 36.00           | T01S R20E S19 Lot 3 NWSW 36.00 |                 |

298 ACRES TOTAL

This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.

Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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. 37M.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

September 10, 2008

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

A W MOLYNEUX  
MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-706C, 37-1082C, 37-2629, 37-7584,  
37-11754, 37-21996, 37-21998, 37-22000, 37-22002

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosures

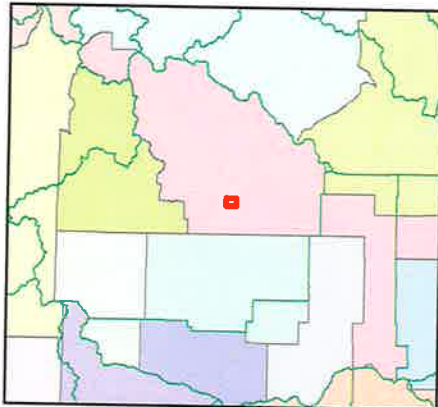


# Idaho Department of Water Resources

SRBA Recommendation  
37-22002  
(IRRIGATION)

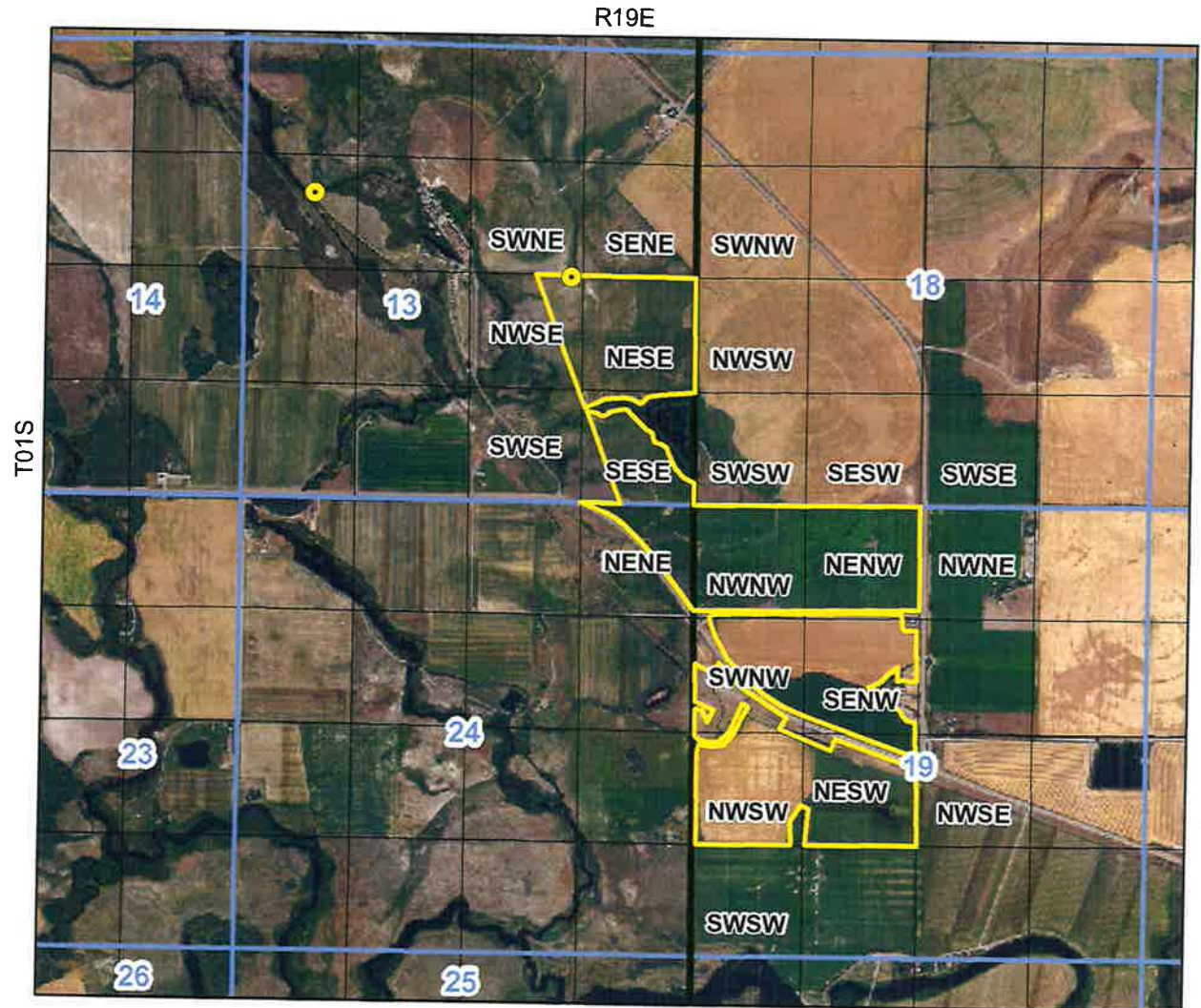
## Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Blaine County  
IDWR Basin 37

Prepared by Trish Fawcett  
On September 09, 2008  
2004 Aerial Photography



0 0.45 0.9 1.8 Miles

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 73310**

This is to certify that: A W MOLYNEUX  
MAXINE MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313  
(208)788-2552

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>                |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|------------------------------|
| 37-706C      | AJC/Decreed         | 03/15/1883      | 0.7 cfs     | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |
| 37-1082C     | AJC/Decreed         | 07/08/1884      | 2 cfs       | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |
| 37-2629      | AJC/License         | 01/14/1960      | 2.5 cfs     | 437.5 af      | N/A               | 124.9              | GROUND WATER                 |
| 37-7584      | AJC/License         | 06/28/1977      | 0.86 cfs    | 351 af        | N/A               | 117.0              | GROUND WATER                 |
| 37-11754     | AJC/Beneficial Use  | 05/01/1952      | 3 cfs       | N/A           | N/A               | 284.0              | WASTE WATER                  |
| 37-21996     | AJC/Decreed         | 05/29/1893      | 0.64 cfs    | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |
| 37-21998     | AJC/Decreed         | 06/15/1887      | 0.66 cfs    | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |
| 37-22000     | AJC/Decreed         | 04/01/1887      | 0.62 cfs    | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |
| 37-22002     | AJC/Decreed         | 06/03/1897      | 0.74 cfs    | N/A           | N/A               | 284.0              | BUTTE CREEK,<br>LOVING CREEK |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-706C               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-1082C              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-2629               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-7584               | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-11754              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-21996              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-21998              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22000              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-22002              | NO           | NO         | YES        | NO             | NO                   | NO                   |

IN FILE # 37-706C  
SUPPORT DATA

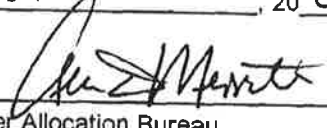
**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 73310**

**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 |
|-----------------|---------------------------|------------------|-----------------|--------------|--------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 37-706C         | <b>37-706C</b>            | 0.7 cfs          | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-1082C        | <b>37-1082C</b>           | 2.0 cfs          | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-2629         | <b>37-2629</b>            | 2.5 cfs          | 437.5 af        | 124.9        | 138.9        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-7584         | <b>37-7584</b>            | 0.86 cfs         | 351.0 af        | 117.0        | 134.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-11754        | <b>37-11754</b>           | 3.0 cfs          | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-21996        | <b>37-21996</b>           | 0.64cfs          | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-21998        | <b>37-21998</b>           | 0.66 cfs         | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-22000        | <b>37-22000</b>           | 0.62 cfs         | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| 37-22002        | <b>37-22002</b>           | 0.74 cfs         | N/A             | 284.0        | 298.0        | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| <b>COMBINED</b> |                           |                  |                 |              |              |                             |                |                  |                      |                       |
| <b>TOTALS</b>   |                           | <b>11.72 cfs</b> | <b>N/A</b>      | <b>284.0</b> | <b>298.0</b> | <b>N/A</b>                  | <b>N/A</b>     | <b>N/A</b>       | <b>N/A</b>           | <b>N/A</b>            |

Detailed Water Right Description(s) attached

Dated this 26<sup>th</sup> day of August, 20 08

For   
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-706C**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-706C is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** March 15, 1883

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 04/15 to           | 10/31            | 0.70 CFS                     |
|                              |                    |                  | 0.70 CFS                     |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW                      Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE                      Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S 19E 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S 20E 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|             |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

**WATER RIGHT NO. 37-706C**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-1082C, 37-21996, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-1082C**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-1082C is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** July 08, 1884

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/15       | to 10/31  | 2.00 CFS              |
|                       |             |           | 2.00 CFS              |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW                      Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE                      Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S | 19E | 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S | 19E | 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S | 20E | 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|     |     |     |      |    |    |    | L 1  | L 2  |      |      | L 3  |      |    |    |      |     |    |      |        |

Total Acres: 298

**WATER RIGHT NO. 37-1082C**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-706C, 37-21996, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08

  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-2629**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-2629 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** January 14, 1960

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/15 to    | 10/31     | 2.50 CFS              | 437.5 AF      |
|                       |             |           | 2.50 CFS              | 437.5 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      NESENW                      Sec. 19 Twp 01S   Rge 20E   BLAINE County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW  |     |      |      | SW   |      |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|-----|------|------|------|------|----|----|----|----|----|----|--------|
| 01S | 20E | 19  | NE | NW | SW | SE | NE  | NW  | SW   | SE   | NE   | NW   | SW | SE | NE | NW | SW | SE | 138.9  |
|     |     |     |    |    |    |    | 1.6 | 1.3 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    | L1  | L2  |      |      | L3   |      |    |    |    |    |    |    |        |

Total Acres: 138.9

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 124.9 acres within the place of use described above in a single irrigation season.
2. Rights 37-2629 and 37-7584 when combined shall not exceed the irrigation of 177.9 acres.
3. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

**WATER RIGHT NO. 37-2629**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 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 26<sup>th</sup> day of August, 20 08

FOR

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-7584**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-7584 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** June 28, 1977

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.86 CFS              | 351.0 AF      |
|                       |             |           | 0.86 CFS              | 351.0 AF      |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      NENENE                      Sec. 24 Twp 01S   Rge 19E   BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |    |    |      |      |    |    |      |      |    |    |    | 16.0 | 16.0   |
| 01S 19E 24  | 13.0 |    |    |    |    |    |      |      |    |    |      |      |    |    |    |      | 13.0   |
| 01S 20E 19  |      |    |    |    |    |    | 24.0 | 12.0 |    |    | 33.0 | 36.0 |    |    |    |      | 105.0  |
|             |      |    |    |    |    |    | L 1  | L 2  |    |    |      | L 3  |    |    |    |      |        |

Total Acres: 134

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 117 acres within the place of use described above in a single irrigation season.
2. Rights 37-2629 and 37-7584 when combined shall not exceed the irrigation of 177.9 acres.
3. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

**WATER RIGHT NO. 37-7584**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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 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 26<sup>th</sup> day of August, 20 08

  
FOR Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-11754**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-11754 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** May 01, 1952

**Source:** WASTE WATER

**Tributary:** BUTTE CREEK

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 04/15 to           | 10/31            | 3.00 CFS                     |
|                              |                    |                  | 3.00 CFS                     |

**LOCATION OF POINT(S) OF DIVERSION:**

WASTE WATER                      NENESE                      Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S 19E 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S 20E 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|             |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

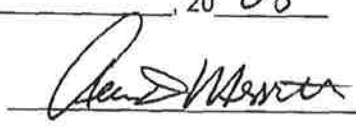
**WATER RIGHT NO. 37-11754**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The source of water diverted under this right is waste water and is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.
7. Rights 37-706C, 37-1082C, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.
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 26<sup>th</sup> day of August, 20 08

  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-21996**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-21996 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** May 29, 1893

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 04/15 to           | 10/31            | 0.64 CFS                     |
|                              |                    |                  | 0.64 CFS                     |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW              Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE              Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S 19E 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S 20E 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|             |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

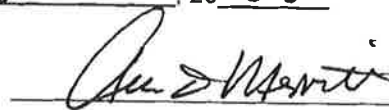
**WATER RIGHT NO. 37-21996**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37-706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-706C, 37-1082C, 37-21998, 37-22000, & 37-22002 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08



Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-21998**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-21998 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** June 15, 1887

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/15       | to 10/31  | 0.66 CFS              |
|                       |             |           | 0.66 CFS              |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW              Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE              Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S 19E 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S 20E 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|             |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

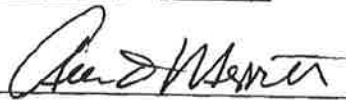
**WATER RIGHT NO. 37-21998**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-706C, 37-1082C, 37-21996, 37-22000, & 37-22002 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-22000**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-22000 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** April 01, 1887

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/15       | 10/31     | 0.62 CFS              |
|                       |             |           | 0.62 CFS              |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW              Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE              Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S 19E 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S 19E 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S 20E 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|             |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

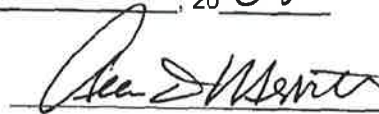
**WATER RIGHT NO. 37-22000**  
**As Modified by Transfer No. 73310**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-706C, 37-1082C, 37-21996, 37-21998, & 37-22002 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08



Chief, Water Allocation Bureau

**WATER RIGHT NO. 37-22002**  
**As Modified by Transfer No. 73310**

In accordance with the approval of Transfer No. 73310, Water Right No. 37-22002 is now described as follows.

**Right Holder:** MAXINE MOLYNEUX  
 A W MOLYNEUX  
 1174 GANNETT-PICABO RD  
 BELLEVUE ID 83313

**Priority Date:** June 03, 1897

**Source:** LOVING CREEK  
 BUTTE CREEK

**Tributary:** SILVER CREEK  
 LOVING CREEK

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> |
|-----------------------|-------------|-----------|-----------------------|
| IRRIGATION            | 04/15       | 10/31     | 0.74 CFS              |
|                       |             |           | 0.74 CFS              |

**LOCATION OF POINT(S) OF DIVERSION:**

LOVING CREEK                      NESWNW              Sec. 13 Twp 01S    Rge 19E    BLAINE County

BUTTE CREEK                      NENWSE              Sec. 13 Twp 01S    Rge 19E    BLAINE 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   |        |
| 01S | 19E | 13  |      |    |    |    |      |      |      |      |      |      |    |    | 40.0 | 9.0 |    | 21.0 | 70.0   |
| 01S | 19E | 24  | 15.0 |    |    |    |      |      |      |      |      |      |    |    |      |     |    |      | 15.0   |
| 01S | 20E | 19  |      |    |    |    | 39.0 | 38.0 | 30.0 | 34.0 | 36.0 | 36.0 |    |    |      |     |    |      | 213.0  |
|     |     |     |      |    |    |    |      | L 1  | L 2  |      |      | L 3  |    |    |      |     |    |      |        |

Total Acres: 298

**WATER RIGHT NO. 37-22002**  
**As Modified by Transfer No. 73310**

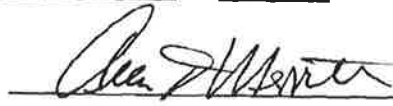
**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 284 acres within the place of use described above in a single irrigation season.
2. Rights 37- 706C, 37-1082C, 37-2629, 37-7584, 37-11754, 37-21996, 37-21998, 37-22000, and 37-22002 when combined shall not exceed the irrigation of 284 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37M.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 37-706C, 37-1082C, 37-21996, 37-21998, & 37-22000 are also diverted through the points of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 26<sup>th</sup> day of August, 20 08

FOR

  
Chief, Water Allocation Bureau