

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-04278
Date Received: 10/19/1988
Receipt No: M001646
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. W. MOLYNEUX 208-788-2552
Address: RT. 1 BOX 400
BELLEVUE, ID 83313

AND/OR
Name: MAXINE MOLYNEUX 208-788-2552
Address: RT. 1 BOX 400
BELLEVUE, ID 83313

2. Date of Priority: APR 01, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	20E	19	NE	SE	NW		BLAINE

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 325.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	20E	19	SW		NW		IRR	22.0
			SE		NW		IRR	38.0
			NE		SW		IRR	34.0
			NW		SW		IRR	36.0
Section Acres								130.0
Total Acres								130.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
DECREES AND OTHER GROUNDWATER CLAIMS

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 24 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See M2p A37-00706C

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): A.W. Maloney Date: 10-19-88

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Oct. 19 88
Chas. D. Merritt
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



Idaho Department of Water Resources

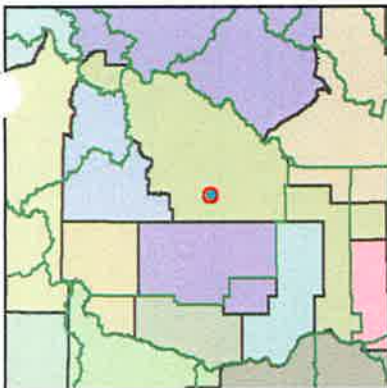
SRBA Recommendation:

37-4278

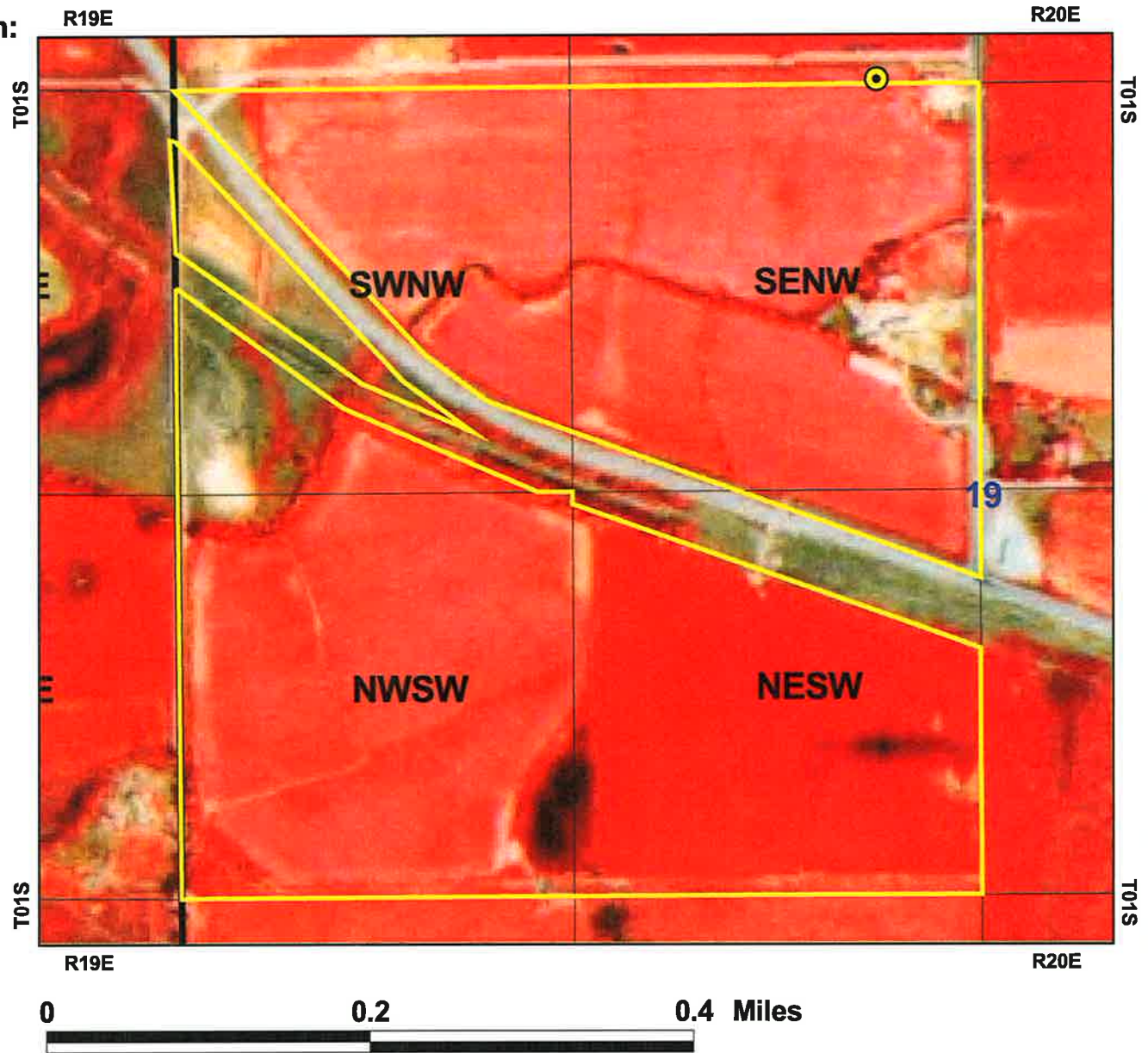
(Stockwater)

Legend

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



Blaine County
IDWR Basin 37



Prepared by M. Ciscell
On Wednesday, November 15, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources
Twin Falls, ID 83301

RECEIVED

JUN 09 2005

Department of Water Resources
Southern Region

Water Right No. 37-4278

June 8, 2005

Owner: A. W. Molyneux and Maxine Molyneux
1174 Gannett-Picabo Road
Bellevue, ID 83313

This claim for stockwater and irrigation was filed by us in 1961 under the recommendation of an employee of the Idaho Department of Water Resources. The water in the claim was being pumped by an existing well. The claim is for water that was in excess of the license for the well. We were told that we needed to claim the extra water or someone else could. The water has been used on the properties described in the claim since 1961 and is also used to water livestock.

Sincerely

A. W. Molyneux

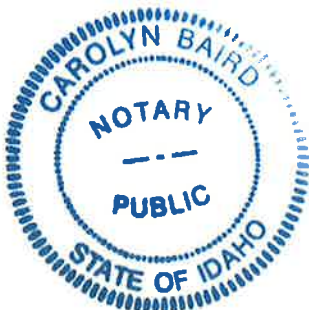
A. W. Molyneux

Maxine Molyneux

Maxine Molyneux

State of Idaho
County of Blaine

On this 8th day of June, 2005, before me personally appeared A. W. Molyneux and Maxine Molyneux, known to be the persons who executed the within instrument and acknowledged the they executed the same as their free act and deed.



Carolyn Baird

Notary Public

Residing at *Hailey*

My Commission expires: *1/23/2007*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures