

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 37-7651  
Date Received: 9/28/1988  
Receipt No: S002584  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MAXINE MOLYNEUX Phone: (208)788-2552  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

A W MOLYNEUX Phone: (208)788-2552  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

JOHN I MOLYNEUX Phone: (208)788-2450  
10407 HWY 75  
BELLEVUE ID 83313

KRISTY MOLYNEUX Phone: (208)788-2450  
10407 HWY 75  
BELLEVUE ID 83313

2. Date of Priority: 08/02/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    | County | Type |
|----------|-------|---------|-----------------------|----|----|--------|------|
| 01S      | 18E   | 12      | NE                    | NW | NE | BLAINE |      |
| 01S      | 18E   | 12      | SW                    | NE | NW | BLAINE |      |
| 01N      | 18E   | 36      | NW                    | NE | NW | BLAINE |      |

5. Description of diverting works:

WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 2.05   | 420        |

7. Total Quantity Appropriated is:  
2.05 C.F.S. and/or 420 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 01N      | 18E   | 36      | NW  | SW     |     | IRRIGATION    | 40    |
|          |       |         | NE  | SW     |     | IRRIGATION    | 40    |
|          |       |         | SW  | SW     |     | IRRIGATION    | 38    |
|          |       |         | SE  | SW     |     | IRRIGATION    | 39    |
|          |       |         |     |        |     | Section Acres | 157   |
| 01S      | 18E   | 1       | NE  | NW     | 3   | IRRIGATION    | 5     |
|          |       |         | NW  | NE     | 2   | IRRIGATION    | 19    |
|          |       |         | NE  | NE     | 1   | IRRIGATION    | 19    |
|          |       |         | NE  | SE     |     | IRRIGATION    | 40    |
|          |       |         | NW  | SE     |     | IRRIGATION    | 40    |
|          |       |         | NE  | SW     |     | IRRIGATION    | 20    |
|          |       |         | SE  | SE     |     | IRRIGATION    | 39    |
|          |       |         | SW  | SE     |     | IRRIGATION    | 40    |
|          |       |         | SE  | SW     |     | IRRIGATION    | 35    |
|          |       |         |     |        |     | Section Acres | 257   |
| 01S      | 18E   | 12      | NE  | NW     |     | IRRIGATION    | 38    |
|          |       |         | NW  | NW     |     | IRRIGATION    | 8     |
|          |       |         | SE  | NW     |     | IRRIGATION    | 40    |
|          |       |         | SW  | NW     |     | IRRIGATION    | 13    |
|          |       |         | NE  | NE     |     | IRRIGATION    | 38    |
|          |       |         | NW  | NE     |     | IRRIGATION    | 40    |
|          |       |         |     |        |     | Section Acres | 177   |
|          |       |         |     |        |     | Total Acres   | 591   |

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:

14. Remarks:

10/23/01, DJ: CLAIM AMENDED TO REFLECT APPROVED TRANSFER #5563.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 GROUNDWATER 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 TOTAL INSTANTANEOUS FLOW RATE OF DIVERSION FROM ALL POINTS OF DIVERSION DESCRIBED IN TRANSFER #5563 SHALL NOT EXCEED 9.24 CFS, NOR A TOTAL COMBINED DIVERSION VOLUME OF 2068.5 AFA FOR IRRIGATION OF 591 ACRES.

15. Basis of Claim: License



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

June 17, 2005

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

JOHN MOLYNEUX  
KRISTY MOLYNEUX  
10407 HWY 75  
BELLEVUE ID 83313

Re: SRBA Claims 37-2658, 37-4421A, 37-4421B, 37-7651, 37-11430

Dear Mr. and Mrs. Molyneux:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership as requested except on claim 37-4421A. The place of use on this claim was not listed on the deed you provided. Please find the enclosed copies of the computer records of the other claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett  
Technical Records Specialist

Enc.

RECEIVED

JUN 13 2005

**STATE OF IDAHO**  
**IDAHO DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Department of Water Resources  
 Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 37-11430, 37-7651, 37-4421A, 37-4421B,  
and 37-2658
2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

**AND**

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

**OR**

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant A.W. Molyneux and Maxine Molyneux  
1174 Gannett-Picabo Rd, Bellevue ID 83313

4. New Owner/Claimant(s) John Molyneux Kristy Molyneux  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address 10407 Hwy 75

City, State and ZIP Code Bellevue ID 83313

New Telephone Number (208) 788-2450

5. Date you acquired the property 7/1/2001

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. Water rights do not need to be

split, claims are for water that is connected on parcel  
 Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_

owned by A.W. Molyneux (Maxine) and also John Molyneux  
 Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_

please just add our names to the claims. (Kristy)

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) John Molyneux  
Kristy Molyneux

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

RECEIVED

JUN 13 2005

Department of Water Resources  
Southern Region

GIFT DEED

For value received A.W. MOLYNEUX and MAXINE MOLYNEUX, husband and wife, herein after called the Grantor, do hereby convey, release, remise and forever gift unto John I. Molyneux and Kristy Molyneux, husband and wife, whose address is 10407 Highway 75, Bellevue, ID 83313, hereinafter called the Grantee, 70% interest, being all of the Grantor's interest, in the following described premises situated in Blaine County, Idaho, to-wit:

Exhibit "A" attached hereto

Instrument # 467435

HAILEY, BLAINE, IDAHO

2002-07-01 11:40:00 No. of Pages: 2

Recorded for: KRISTY MOLYNEUX

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: MISC DEEDS

Together with their appurtenances.

Dated June 24, 2002.

A. W. Molyneux  
A. W. Molyneux

Maxine Molyneux  
Maxine Molyneux

STATE OF IDAHO

County of Blaine

ON June , 2002, before me a Notary Public of said State, personally appeared A. W. Molyneux and Maxine Molyneux, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Danae K. Fisher

Notary Public for Idaho

Residing at: Picabo, Idaho

Commission Expires: 11-13-2002



Legal Description

Exhibit "A"

Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 1: Lots 1 and 2 and all that portion of Lot 3, east of State Highway 75 (tax lot 1394), N1/2SE1/4, SE1/4SE1/4, all that portion of the NE1/4SW1/4 East of State Highway 75 (tax lot 1392)

Section 12: E1/2 NW1/4, all that portion of the SW1/4NW1/4 East of State Highway 75 (tax lot 1386), all that portion of the NW1/4NW1/4 East of State Highway 75 (tax lot 1388)

EXCEPTING THEREFROM A PARCEL OF LAND DESCRIBED AS FOLLOWS:

A parcel of land situated in a portion of Government Lot 3, Section 1, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, described as follows:

Beginning at the Southwest corner of Section 36, Township 1 North, Range 18 East, Boise Meridian as shown on Project No. 122-b on file in the office of the Transportation Department, Division of Highways, in Shoshone, Idaho;

Thence North 89°30'50" East, 14.52 feet to a point on the North boundary of Section 1, Township 1 South, Range 18 East, Boise Meridian and being centerline of the Baseline Road.

Thence South 0°29'10" East 25.00 feet to a point on the Southerly right-of-way boundary of said Baseline Road 40.00 feet left of State Highway 75 Station 318+48.88 and being the true point of beginning;

Thence North 89°30'50" East along the said southerly boundary of Baseline Road, 26.00 feet to the point being 65.83 feet left of said SH 75 Station 319+62.70;

Thence South 19°11'04" West 121.12 feet to a point on the Easterly Right-of-way boundary of said SH 75 and being 40.00 feet left of station 319+62.70;

Thence along the existing Easterly right-of-way boundary of said SH 75 along a curve left for a length of 115.00 feet to a radius of 3,859.73 feet to the True Point of Beginning.

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 37-7651  
Date Received: 9/28/1988  
Receipt No: S002584  
Received By:

**\*\*\* AMENDED \*\*\***  
**NOTICE OF CLAIM TO A WATER RIGHT**  
**ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MAXINE MOLYNEUX Phone: (208)788-2552

1174 GANNETT PICABO RD  
BELLEVUE ID USA 83313

A W MOLYNEUX Phone: (208)788-2552

1174 GANNETT PICABO RD  
BELLEVUE ID USA 83313

2. Date of Priority: 08/02/1977

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01S      | 18E   | 12      | NE NW NE              | BLAINE |      |
| 01S      | 18E   | 12      | SW NE NW              | BLAINE |      |
| 01N      | 18E   | 36      | NW NE NW              | BLAINE |      |

5. Description of diverting works:

WELLS, PUMPS & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 2.05   | 420        |

7. Total Quantity Appropriated is:  
2.05 C.F.S. and/or 420 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres      |    |
|---------------|-------|---------|------------|-----|------------|------------|----|
| 01N           | 18E   | 36      | NW         | SW  | IRRIGATION | 40         |    |
|               |       |         | NE         | SW  | IRRIGATION | 40         |    |
|               |       |         | SW         | SW  | IRRIGATION | 38         |    |
|               |       |         | SE         | SW  | IRRIGATION | 39         |    |
| Section Acres |       |         |            |     |            | 157        |    |
| 01S           | 18E   | 1       | NE         | NW  | 3          | IRRIGATION | 5  |
|               |       |         | NW         | NE  | 2          | IRRIGATION | 19 |
|               |       |         | NE         | NE  | 1          | IRRIGATION | 19 |
|               |       |         | NE         | SE  |            | IRRIGATION | 40 |
|               |       |         | NW         | SE  |            | IRRIGATION | 40 |
|               |       |         | NE         | SW  |            | IRRIGATION | 20 |
|               |       |         | SE         | SE  |            | IRRIGATION | 39 |
|               |       |         | SW         | SE  |            | IRRIGATION | 40 |
|               |       |         | SE         | SW  |            | IRRIGATION | 35 |
| Section Acres |       |         |            |     |            | 257        |    |
| 01S           | 18E   | 12      | NE         | NW  |            | IRRIGATION | 38 |
|               |       |         | NW         | NW  |            | IRRIGATION | 8  |
|               |       |         | SE         | NW  |            | IRRIGATION | 40 |
|               |       |         | SW         | NW  |            | IRRIGATION | 13 |
|               |       |         | NE         | NE  |            | IRRIGATION | 38 |
|               |       |         | NW         | NE  |            | IRRIGATION | 40 |
| Section Acres |       |         |            |     |            | 177        |    |
| Total Acres   |       |         |            |     |            | 591        |    |

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:

14. Remarks:

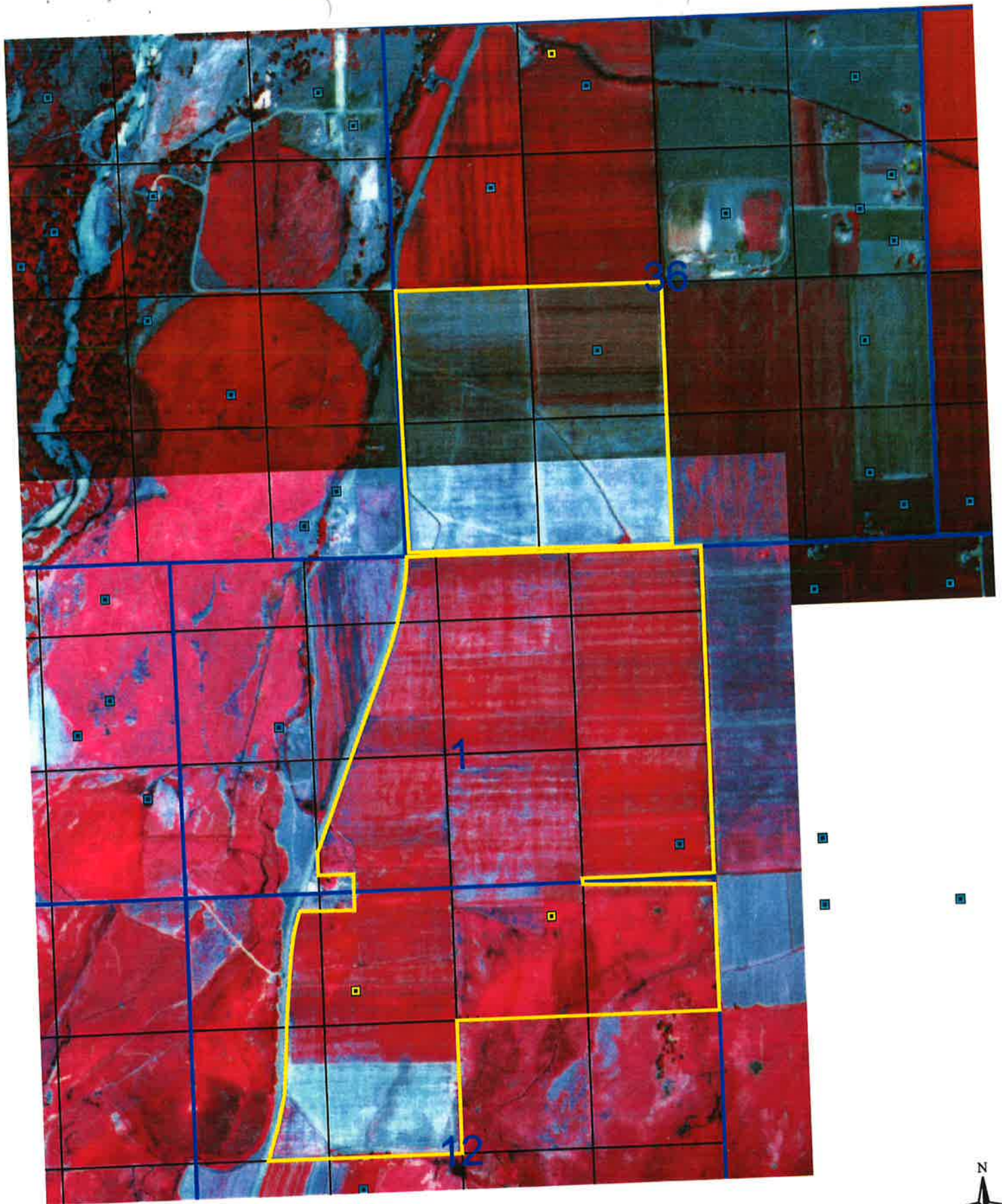
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE TOTAL INSTANTANEOUS FLOW RATE OF DIVERSION FROM ALL POINTS OF DIVERSION DESCRIBED IN TRANSFER #5563 SHALL NOT EXCEED 9.24 CFS, NOR A TOTAL COMBINED DIVERSION VOLUME OF 2068.5 AFA FOR IRRIGATION OF 591 ACRES.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUND WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUND WATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

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 GROUNDWATER 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.

10/23/01, DJ: CLAIM AMENDED TO REFLECT APPROVED TRANSFER #5563.



1320 0 1320 Feet

T1S R18E S1 & 12

37-2658, 37-4421B,  
37-7651 & 37-11430



10/2001  
D. Jones

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: A37-07651  
Date Received: 9/28/1988  
Receipt No: 5002584  
Received By: ADA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: A. W. MOLYNEUX 208-788-2552  
Address: 1174 GANNETT PICABO ROAD  
BELLEVUE, ID 83313

AND/OR

Name: MAXINE MOLYNEUX 208-788-2552  
Address: 1174 GANNETT PICABO ROAD  
BELLEVUE, ID 83313

2. Date of Priority: AUG 02, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 18E   | 12      | NE     | NW     | NE     |     | BLAINE |

5. Description of diverting works:  
WELL, PUMP & SPRINKLERS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/01 | 2.050  |      |        |

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

8. Total consumptive use is 287.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07651

Page 1

Date: 09/28/88

1000

MICROFILMED

FEB 24 1993

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 15S      | 18E   | 1       | SW     | SE  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 40.0  |
|          |       | 12      | NE     | NE  |               | IRR | 37.0  |
|          |       |         | NW     | NE  |               | IRR | 38.0  |
|          |       |         |        |     | Section Acres |     | 75.0  |
|          |       |         |        |     | Total Acres   |     | 115.0 |

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:

BIG WOOD DECREES & A37-04421 & 37-2658 FROM WELLS

14. Remarks:

THE INFORMATION FOR THIS CLAIM IS FROM A PENDING LICENSE.

15. Basis of Claim: PERMIT

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 Map A37-11431

**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. Holmgren Date: Sept. 28, 1988  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )

County of Thur Falls ) SS.

Subscribed and sworn (or affirmed) before me this 28<sup>th</sup> day

of Sept. 19 88

John D. Merritt  
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/94

COPY

MICROFILMED  
FEB 24 1993

10/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7651

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

A W MOLYNEUX  
1174 GANNETT-PICABO RD  
BELLEVUE ID 83313

JOHN I MOLYNEUX  
10407 HWY 75  
BELLEVUE ID 83313

KRISTY MOLYNEUX  
10407 HWY 75  
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

QUANTITY: 2.050 CFS  
420.000 AFY

The rights listed below are limited to a total combined diversion rate of 9.24 cfs and to a total combined annual diversion volume of 2068.5 AF.  
Combined Right Nos.: 37-2658, 37-4421B, 37-7651, and 37-11430.

The rights listed below are limited to a total combined diversion rate of 27.41 cfs. Combined Right Nos.: 37-2658, 37-4421B, 37-7651, 37-11430, 37-20570, 37-20571, 37-20574, 37-20577, 37-20578, 37-20581, 37-20584, and 37-20593.

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: 08/02/1977

POINT OF DIVERSION:

T01N R18E S36 NWNENW Within BLAINE County

T01S R18E S12 NENWNE Within BLAINE County

T01S R18E S12 SWNENW 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          | 2.050 CFS<br>420.00 AFY |

10/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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PLACE OF USE:     IRRIGATION Within BLAINE County

|                          |      |       |                          |      |       |
|--------------------------|------|-------|--------------------------|------|-------|
| T01N R18E S36            | NESW | 40.00 | T01N R18E S36            | NWSW | 40.00 |
| T01N R18E S36            | SWSW | 38.00 | T01N R18E S36            | SESW | 39.00 |
| T01S R18E S01 Lot 2 SWNE |      | 19.00 | T01S R18E S01 Lot 1 SENE |      | 19.00 |
| T01S R18E S01 Lot 3 SENW |      | 5.00  | T01S R18E S01            | NESW | 20.00 |
| T01S R18E S01            | SESW | 35.00 | T01S R18E S01            | NESE | 40.00 |
| T01S R18E S01            | NWSE | 40.00 | T01S R18E S01            | SWSE | 40.00 |
| T01S R18E S01            | SESE | 39.00 | T01S R18E S12            | NENE | 38.00 |
| T01S R18E S12            | NWNE | 40.00 | T01S R18E S12            | NENW | 38.00 |
| T01S R18E S12            | NWNW | 8.00  | T01S R18E S12            | SWNW | 13.00 |
| T01S R18E S12            | SENW | 40.00 |                          |      |       |

591 ACRES TOTAL

This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 591 acres in a single irrigation season. Combined Right Nos.: 37-2658, 37-4421B, 37-7651, 37-11430, 37-20570, 37-20571, 37-20574, 37-20577, 37-20578, 37-20581, 37-20584, and 37-20593.

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

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.

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 groundwater 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.

EXPLANATORY MATERIAL:     BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

After specific notification by the department, the right holder shall measure the diversion 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.

Right No. 37-11430 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

# Idaho Department of Water Resources

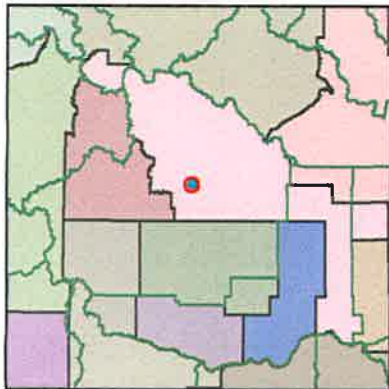
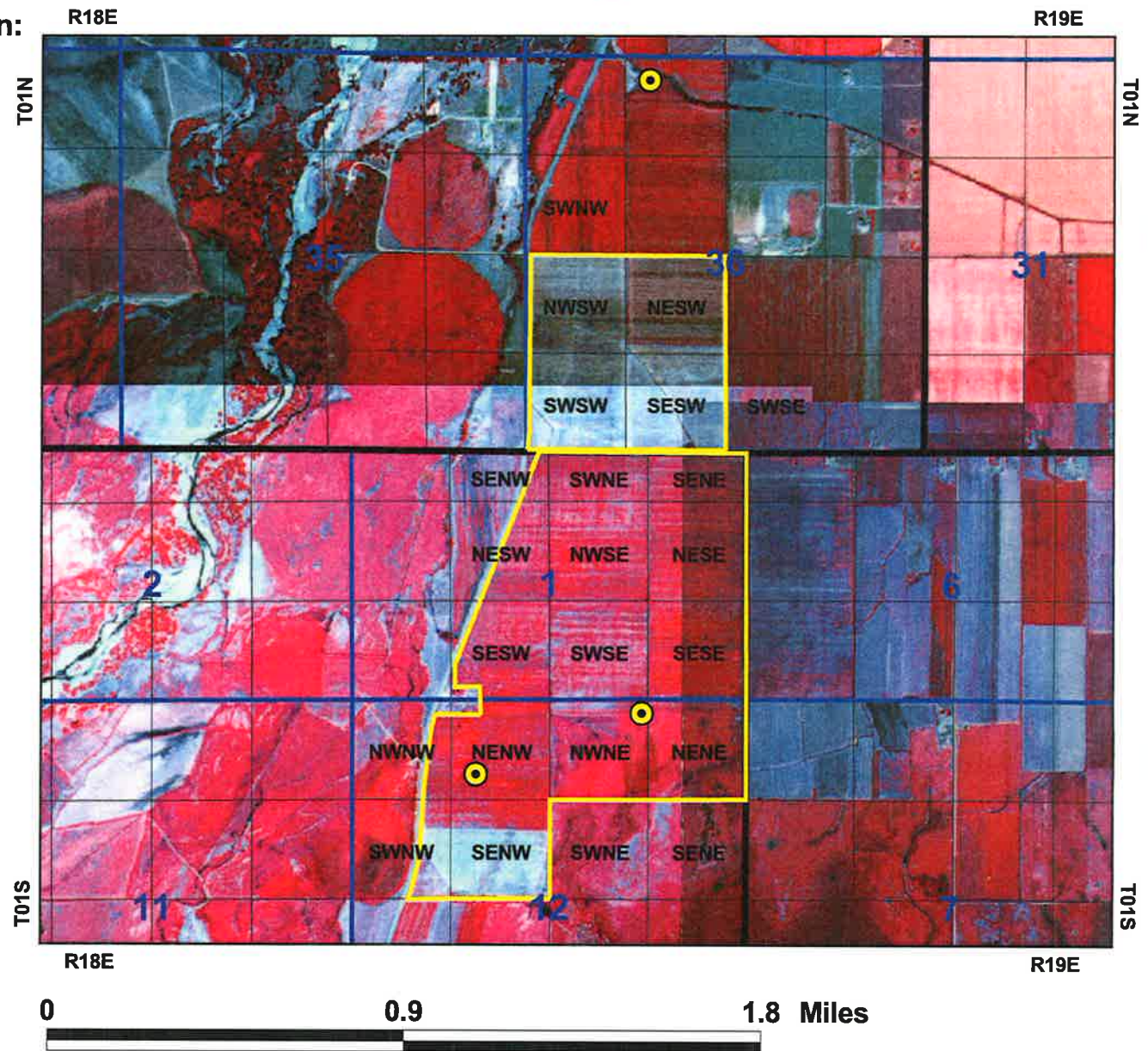
**SRBA Recommendation:**

**37-7651**

**(Irrigation)**

## Legend

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

Blaine County  
IDWR Basin 37

**Prepared by S. Keen  
On Wednesday, October 25, 2006  
1987/88 Aerial Photography**

# Combined Use Limits for Molyneux Rights

| <u>Transfer</u> | <u>Rights</u>                                            | <u>Combined Acres</u> | <u>Combined Rate</u> | <u>Combined Vol.</u>          |
|-----------------|----------------------------------------------------------|-----------------------|----------------------|-------------------------------|
| 5563<br>(GW)    | 37-2658<br>37-44218<br>37-7651<br>37-11430               | 591                   | 9.24                 | 2068.5<br>Diversion Volume    |
| 70140<br>(SW)   | 37-20570<br>37-20577<br>37-20593                         | 396 within<br>591     |                      | 1386.0<br>Field Headgate Vol. |
| 5551<br>(SW)    | 37-20571<br>37-20574<br>37-20578<br>37-20581<br>37-20584 | 195                   |                      | 682.5<br>Field Headgate Vol.  |

\* All 12 rights are limited to 591 acres

\* All 12 rights are limited to 27.41 cfs, which is the sum of the surface water diversion rates. This comes to about 0.046 cfs per acre

\* The four rights from Transfer 5563 are limited to 9.24 cfs + 2068.5.

## Combined Limits for Molyneux Rights

- \* The 3 rights in Transfer 70140 are limited to 396 acres.
- \* The 5 rights in Transfer 5551 are limited to 195 acres.

Note: 396 acre + 195 acres = 591 acres

- \* The volumes will not be listed as annual diversion volume limits for the individual surface water rights because the high diversion rates and conveyance loss will result in more than 3.5 AF/acre being diverted annually. Instead, the volumes will be listed in conditions as combined field headgate volumes.
- \* The rate for 37-11430 is not additive because it is an enlargement right.

S. Keen  
10/20/2006

| Claim #  | Claim cfs | Rt #      | Transfer # | Tran cfs | Tran Vol | O/C | Split #   | %      | cfs   | volume | Acres | Owner           |
|----------|-----------|-----------|------------|----------|----------|-----|-----------|--------|-------|--------|-------|-----------------|
| 37-11431 | 7.884     | 37-30011A | 5553       | 6.85     | 1386     |     | 37-20570  |        | 6.49  | 1386.0 | 396   | AW Molyneux     |
|          |           | 37-30011B | 5138       | 0.12     |          |     | 37-30011B |        | 0.12  |        | 12    | AW Molyneux     |
|          |           | 37-30011C | 5139       | 0.16     |          |     | 37-30011C |        | 0.16  |        | 16    | AW Molyneux     |
|          |           | 37-30000J | 5551       | 1.06     | 419.8    | X   | 37-20571  | 71.96% | 0.77  | 302.1  | 195   | AW Molyneux     |
|          |           |           |            |          |          |     | 37-20572  | 5.90%  | 0.06  | 24.8   | 16    | C Molyneux      |
|          |           |           |            |          |          |     | 37-20573  | 22.14% | 0.23  | 92.9   | 60    | Nachtman/Wilson |
|          |           | 37-30000K | 5138       | 0.02     |          |     | 37-30000K |        | 0.02  |        | 12    | AW Molyneux     |
|          |           | 37-30000L | 5139       | 0.03     |          |     | 37-30000L |        | 0.03  |        | 16    | AW Molyneux     |
| 37-11432 | 3.5       | 37-334E   | 5553       | 3.36     | 1330.6   |     | 37-20593  |        | 3.36  | 1330.6 | 396   | AW Molyneux     |
|          |           |           | 5138       | 0.06     |          |     | 37-20594  |        | 0.06  |        | 12    | AW Molyneux     |
|          |           |           | 5139       | 0.08     |          |     | 37-20595  |        | 0.08  |        | 16    | AW Molyneux     |
| 37-11433 | 3.2       | 37-883A   | 5551       | 3.07     | 948.5    | X   | 37-20574  | 71.96% | 2.21  | 682.5  | 195   | AW Molyneux     |
|          |           |           |            |          |          |     | 37-20575  | 5.90%  | 0.18  | 56.0   | 16    | C Molyneux      |
|          |           |           |            |          |          |     | 37-20576  | 22.14% | 0.68  | 210.0  | 60    | Nachtman/Wilson |
|          |           | 37-883B   | 5138       | 0.06     |          |     | 37-883B   |        | 0.06  |        | 12    | AW Molyneux     |
|          |           | 37-883C   | 5139       | 0.07     |          |     | 37-883C   |        | 0.07  |        | 16    | AW Molyneux     |
| 37-11434 | 11.6      | 37-182A   | 5553       | 9.6      | 1386     |     | 37-20577  |        | 9.60  | 1386.0 | 396   | AW Molyneux     |
|          |           | 37-182B   | 5138       | 0.17     |          |     | 37-182B   |        | 0.17  |        | 12    | AW Molyneux     |
|          |           | 37-182C   | 5139       | 0.23     |          |     | 37-182C   |        | 0.23  |        | 16    | AW Molyneux     |
|          |           | 37-105C   | 5551       | 1.54     | 609.8    | X   | 37-20578  | 71.96% | 1.11  | 438.8  | 195   | AW Molyneux     |
|          |           |           |            |          |          |     | 37-20579  | 5.90%  | 0.09  | 36.0   | 16    | C Molyneux      |
|          |           |           |            |          |          |     | 37-20580  | 22.14% | 0.34  | 135.0  | 60    | Nachtman/Wilson |
|          |           | 37-105D   | 5138       | 0.03     |          |     | 37-105D   |        | 0.03  |        | 12    | AW Molyneux     |
|          |           | 37-105E   | 5139       | 0.04     |          |     | 37-105E   |        | 0.04  |        | 16    | AW Molyneux     |
| 37-11435 | 0.8       | 37-704G   | 5551       | 0.77     | 304.9    | X   | 37-20581  | 71.96% | 0.56  | 219.4  | 195   | AW Molyneux     |
|          |           |           |            |          |          |     | 37-20582  | 5.90%  | 0.05  | 18.0   | 16    | C Molyneux      |
|          |           |           |            |          |          |     | 37-20583  | 22.14% | 0.17  | 67.5   | 60    | Nachtman/Wilson |
|          |           | 37-704H   | 5138       | 0.01     |          |     | 37-20596  |        | 0.01  |        | 12    | AW Molyneux     |
|          |           | 37-704J   | 5139       | 0.02     |          |     | 37-20597  |        | 0.02  |        | 16    | AW Molyneux     |
| 37-11436 | 6         | 37-106E   | 5551       | 4.61     | 948.5    | X   | 37-20584  | 71.96% | 3.32  | 682.5  | 195   | AW Molyneux     |
|          |           |           |            |          |          |     | 37-20585  | 5.90%  | 0.27  | 56.0   | 16    | C Molyneux      |
|          |           |           |            |          |          |     | 37-20586  | 22.14% | 1.02  | 210.0  | 60    | Nachtman/Wilson |
|          |           | 37-106F   | 5138       | 0.09     |          |     | 37-106F   |        | 0.09  |        | 12    | AW Molyneux     |
|          |           | 37-106G   | 5139       | 0.12     |          |     | 37-106G   |        | 0.12  |        | 16    | AW Molyneux     |
|          |           |           |            |          |          |     |           |        |       |        |       |                 |
|          | 32.984    |           |            | 32.17    |          |     |           |        | 31.82 |        |       |                 |
| 37-2658  | 6.71      | 37-2658   | 5563       | 6.71     | 1228.5   |     | 37-2658   | 351 ac | 6.71  | 1228.5 | 591   | AW Molyneux     |
| 37-4421  | 3.46      | 37-4421A  | 5563       | 2.98     |          |     | 37-4421A  | 40 ac  | 2.98  | 133    | 591   | AW Molyneux     |
|          |           | 37-4421B  | 5563       | 0.48     | 204.3    |     | 37-4421B  | 138 ac | 0.48  | 204.3  | 591   | AW Molyneux     |
| 37-7651  | 2.05      | 37-7651   | 5563       | 2.05     | 420      |     | 37-7651   | 120 ac | 2.05  | 420    | 591   | AW Molyneux     |
| 37-11430 | 3.62      | 37-11430  | 5563       | 3.62     | 633.5    |     | 37-11430  | enlgmt | 3.62  | 633.5  | 591   | AW Molyneux     |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 37-7651

WATER RIGHT NUMBER: 37-7651

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Original Owner    | A W MOLYNEUX<br>PO BOX 400<br>BELLEVUE, ID 83313                              |
| Original Owner    | MAXINE MOLYNEUX<br>PO BOX 400<br>BELLEVUE, ID 83313                           |
| Current Owner     | A W MOLYNEUX<br>1174 GANNETT PICABO RD<br>BELLEVUE, ID 83313<br>(208)788-2552 |

Priority Date: 08/02/1977

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 2.050 CFS             | 420.00 AF            |
|                       | <u>Total Diversion:</u> | 2.050 CFS             | 420.00 AF            |

Location of Point(s) of Diversion

|               |                 |                                 |        |
|---------------|-----------------|---------------------------------|--------|
| GROUND WATER  | NW1/4NE1/4NW1/4 | Sec. 36, Twp 01N, Rge 18E, B.M. | 124509 |
| BLAINE County |                 |                                 |        |
| GROUND WATER  | NE1/4NW1/4NE1/4 | Sec. 12, Twp 01S, Rge 18E, B.M. |        |
| BLAINE County |                 |                                 |        |
| GROUND WATER  | SW1/4NE1/4NW1/4 | Sec. 12, Twp 01S, Rge 18E, B.M. |        |
| 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   |        |
| 01N | 18E | 36  |      |      |      |      |      |     |      |      | 40.0 | 40.0 | 38.0 | 39.0 |      |      |      |      | 157.0  |
| 01S | 18E | 1   |      |      | 19.0 | 19.0 |      |     | 5.0  | 20.0 |      |      |      | 35.0 | 40.0 | 40.0 | 40.0 | 39.0 | 257.0  |
|     |     |     |      |      | L 2  | L 1  |      |     | L 3  |      |      |      |      |      |      |      |      |      |        |
| 01S | 18E | 12  | 38.0 | 40.0 |      |      | 38.0 | 8.0 | 13.0 | 40.0 |      |      |      |      |      |      |      |      | 177.0  |

Total Acres: 591

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report 37-7651

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. 104 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 groundwater 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.
4. R63 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.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 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.
7. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. 01Q After specific notification by the department, the right holder shall measure the diversion 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.

Remarks:

1. General This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.^ The total instantaneous diversion of water from all points of diversion under Transfer 5563 shall not exceed 9.24 cfs, nor total combined annual volume of 2068.5 af for the irrigation of 591 acres.^

Comments:

1. JSTANTON 9/28/1999 TRANSFER NO. 5563

Comment: Application proposes to remove the groundwater from the north 80 on this farm, and to tie the 3 existing pumped wells together in a ppu on the remainder of the farm. Wells are supplemental to surface rights.

Dates and Other Information:

Licensed Date: 5/17/1989  
Decreed Date:  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

6/9/94

### COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

**IDWR Employee/Agent** Georgia Satterlee

**DATE**

August 29, 1997 4:07pm

**CUSTOMER**

Stankey, Rob

**SUBJECT:** 37-02658, -04421, -07651 & A37-11430

phone call (.) walk-in (x)

Printed profile reports for all the above claims.