

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80252

This is to certify that: JOHN I MOLYNEUX AND
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

has 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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-104	WR/DECREED	5/15/1882	1.140 cfs	N/A	N/A	109.2	BIG WOOD RIVER
37-105A	WR/DECREED	5/31/1887	4.550 cfs	N/A	N/A	109.2	BIG WOOD RIVER
37-11387	WR/DECREED	6/1/1950	1.940 cfs	252.0 af	N/A	109.2	GROUND WATER
37-11394	WR/DECREED	9/1/1920	1.280 cfs	N/A	N/A	109.2	BIG WOOD RIVER

Purpose of Transfer (Changes Proposed)

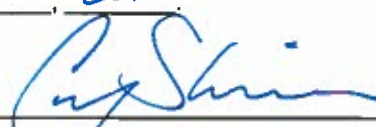
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-104	NO	NO	YES	NO	NO	NO
37-105A	NO	NO	YES	NO	NO	NO
37-11387	NO	NO	YES	NO	NO	NO
37-11394	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-104	37-104	1.140 cfs	N/A	109.2	140.9	N/A	N/A	N/A	N/A	N/A
37-105A	37-105A	4.550 cfs	N/A	109.2	140.9	N/A	N/A	N/A	N/A	N/A
37-11387	37-11387	1.940 cfs	252.0 af	109.2	140.9	N/A	N/A	N/A	N/A	N/A
37-11394	37-11394	1.280 cfs	N/A	109.2	140.9	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		8.910 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 5th day of January, 2017


Southern Region Manager

Transfer No. 80252

SUPPORT DATA
IN FILE # 37-104

WATER RIGHT NO. 37-104**As Modified by Transfer No. 80252**

In accordance with the approval of Transfer No. 80252, Water Right No. 37-104 is now described as follows:

Right Holder: JOHN I MOLYNEUX AND
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 5/15/1882

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	1.140 cfs
STOCKWATER	04/15	to 10/31	0.040 cfs
			1.140 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER	NWSESW	Sec 12 Twp 01N Rge 18E	BLAINE County	
BIG WOOD RIVER	NESESE	Sec 35 Twp 01N Rge 18E	BLAINE County	(R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12			39.0						40.0	23.0	36.0			2.9			140.9

Right Acre Limit: 109.2

POU Total Acres: 140.9

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12			X						X	X	X			X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 109.2 acres within the authorized place of use in a single irrigation season.
2. Rights 37-104, 37-105A, 37-11394 and 37-11387 when combined shall not exceed a total irrigation of 109.2 acres.

Transfer No. 80252

WATER RIGHT NO. 37-104
As Modified by Transfer No. 80252

CONDITIONS OF APPROVAL

3. Rights 37-104, 37-105A, 37-11394, and 37-11387 are limited to the irrigation of a specific 109.2 acres within the 140.9 acre place of use authorized by this right in a single irrigation season. The specific 109.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 109.2 acres to be irrigated within the 140.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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 place of use.
5. This right is measured and administered at the point of redirection.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. The quantity of water under rights 37-104 and 37-22747 for stockwater use shall not exceed 13,000 gallons per day.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
9. 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).
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-105A
As Modified by Transfer No. 80252

In accordance with the approval of Transfer No. 80252, Water Right No. 37-105A is now described as follows:

Right Holder: JOHN I MOLYNEUX AND
 KRISTY MOLYNEUX
 10407 HWY 75
 BELLEVUE, ID 83313

Priority Date: 5/31/1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
 IRRIGATION

From 04/15 **To** 10/31

Diversion Rate
 4.550 cfs
 4.550 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NWSESW Sec 12 Twp 01N Rge 18E BLAINE County
 BIG WOOD RIVER NESESE Sec 35 Twp 01N Rge 18E BLAINE County (R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12			39.0						40.0	23.0	36.0				2.9		140.9

Right Acre Limit: 109.2

POU Total Acres: 140.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 109.2 acres within the authorized place of use in a single irrigation season.
2. Rights 37-104, 37-105A, 37-11394 and 37-11387 when combined shall not exceed a total irrigation of 109.2 acres.
3. Rights 37-104, 37-105A, 37-11394, and 37-11387 are limited to the irrigation of a specific 109.2 acres within the 140.9 acre place of use authorized by this right in a single irrigation season. The specific 109.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 109.2 acres to be irrigated within the 140.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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 place of use.

Transfer No. 80252

WATER RIGHT NO. 37-105A
As Modified by Transfer No. 80252

CONDITIONS OF APPROVAL

5. This right is measured and administered at the point of redirection.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. 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).
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-11387**As Modified by Transfer No. 80252**

In accordance with the approval of Transfer No. 80252, Water Right No. 37-11387 is now described as follows:

Right Holder: JOHN I MOLYNEUX AND
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 6/1/1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

04/15
01/01

to
to

To

10/31
12/31

Diversion Rate

1.940 cfs
0.040 cfs
1.940 cfs

Diversion Volume

252.0 af

252.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NESESE
NWNESW

Sec 11 Twp 01S Rge 18E BLAINE County
Sec 12 Twp 01S Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12			39.0						40.0	23.0	36.0			2.9			140.9

Right Acre Limit: 109.2

POU Total Acres: 140.9

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12									X								

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 109.2 acres within the authorized place of use in a single irrigation season.
2. Rights 37-104, 37-105A, 37-11394 and 37-11387 when combined shall not exceed a total irrigation of 109.2 acres.

Transfer No. 80252

WATER RIGHT NO. 37-11387

As Modified by Transfer No. 80252

CONDITIONS OF APPROVAL

3. Rights 37-104, 37-105A, 37-11394, and 37-11387 are limited to the irrigation of a specific 109.2 acres within the 140.9 acre place of use authorized by this right in a single irrigation season. The specific 109.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 109.2 acres to be irrigated within the 140.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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 place of use.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
6. 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).
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. The quantity of water under right nos. 37-11387 and 37-22749 for stockwater use shall not exceed 13,000 gallons per day.
9. 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.
10. If the surface water right(s) appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-11394
As Modified by Transfer No. 80252

In accordance with the approval of Transfer No. 80252, Water Right No. 37-11394 is now described as follows:

Right Holder: JOHN I MOLYNEUX AND
 KRISTY MOLYNEUX
 10407 HWY 75
 BELLEVUE, ID 83313

Priority Date: 9/1/1920

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

BENEFICIAL USE
 IRRIGATION

From 04/15 **To** 10/31
 to

Diversion Rate
 1.280 cfs
 1.280 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER NWSESW Sec 12 Twp 01N Rge 18E BLAINE County
 BIG WOOD RIVER NESESE Sec 35 Twp 01N Rge 18E BLAINE County (R)

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	18E	12			39.0						40.0	23.0	36.0			2.9			140.9

Right Acre Limit: 109.2

POU Total Acres: 140.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 109.2 acres within the authorized place of use in a single irrigation season.
2. Rights 37-104, 37-105A, 37-11394 and 37-11387. when combined shall not exceed a total irrigation of 109.2 acres.
3. Rights 37-104, 37-105A, 37-11394, and 37-11387 are limited to the irrigation of a specific 109.2 acres within the 140.9 acre place of use authorized by this right in a single irrigation season. The specific 109.2 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 109.2 acres to be irrigated within the 140.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. 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 place of use.

Transfer No. 80252

WATER RIGHT NO. 37-11394
As Modified by Transfer No. 80252

CONDITIONS OF APPROVAL

5. Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.
6. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.
7. This right is measured and administered at the point of redirection.
8. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
9. 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).
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 80252

37-104, 37-105A, and 37-11387

This map depicts the IRRIGATION place of use boundary for these water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



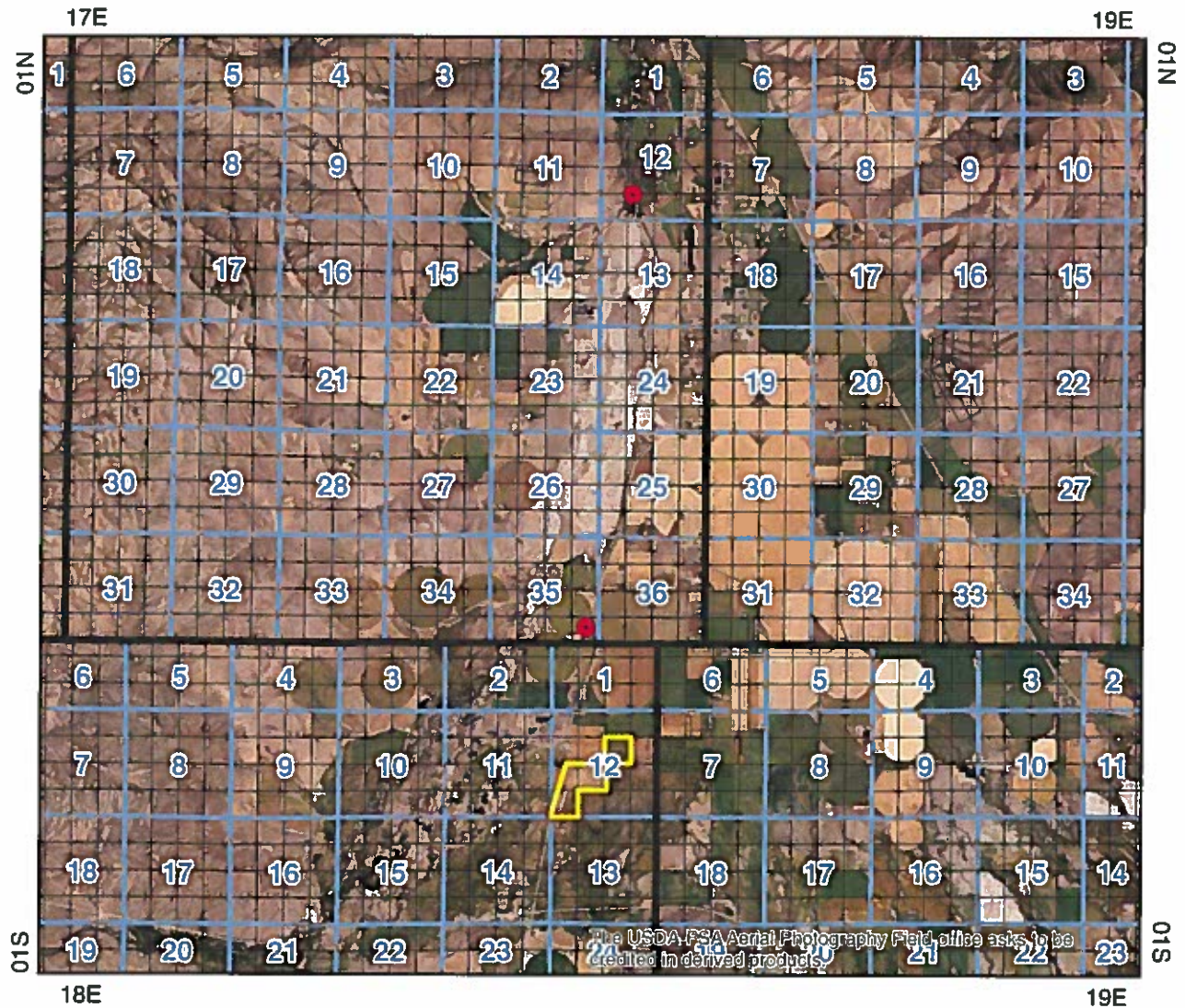
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 1 2 4 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 80252
37-104

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



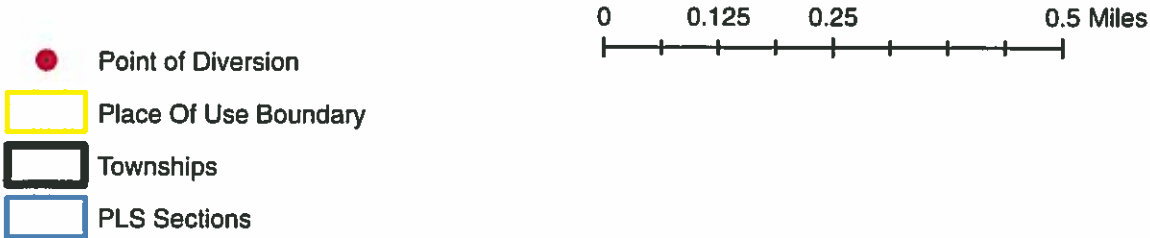
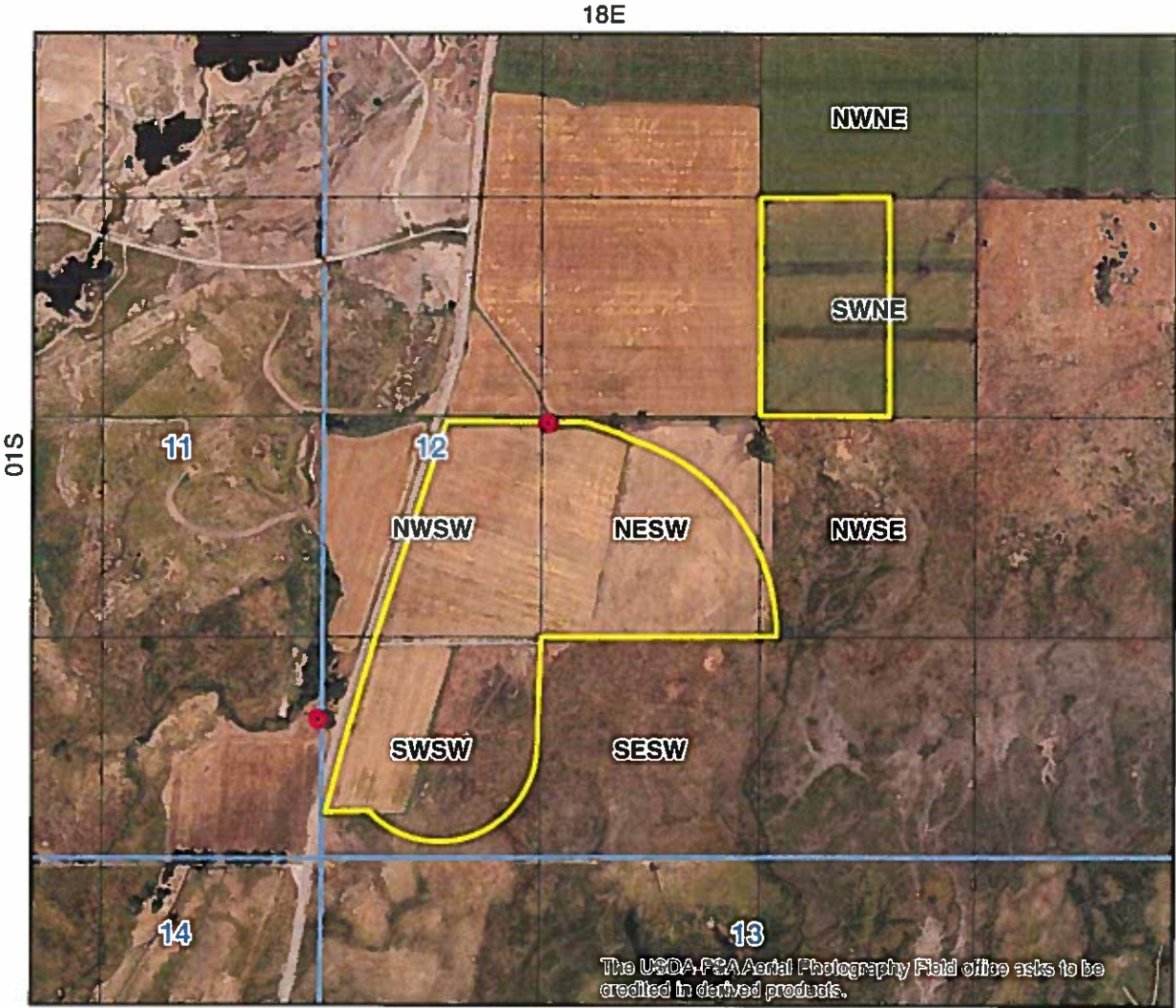
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 1 2 4 Miles



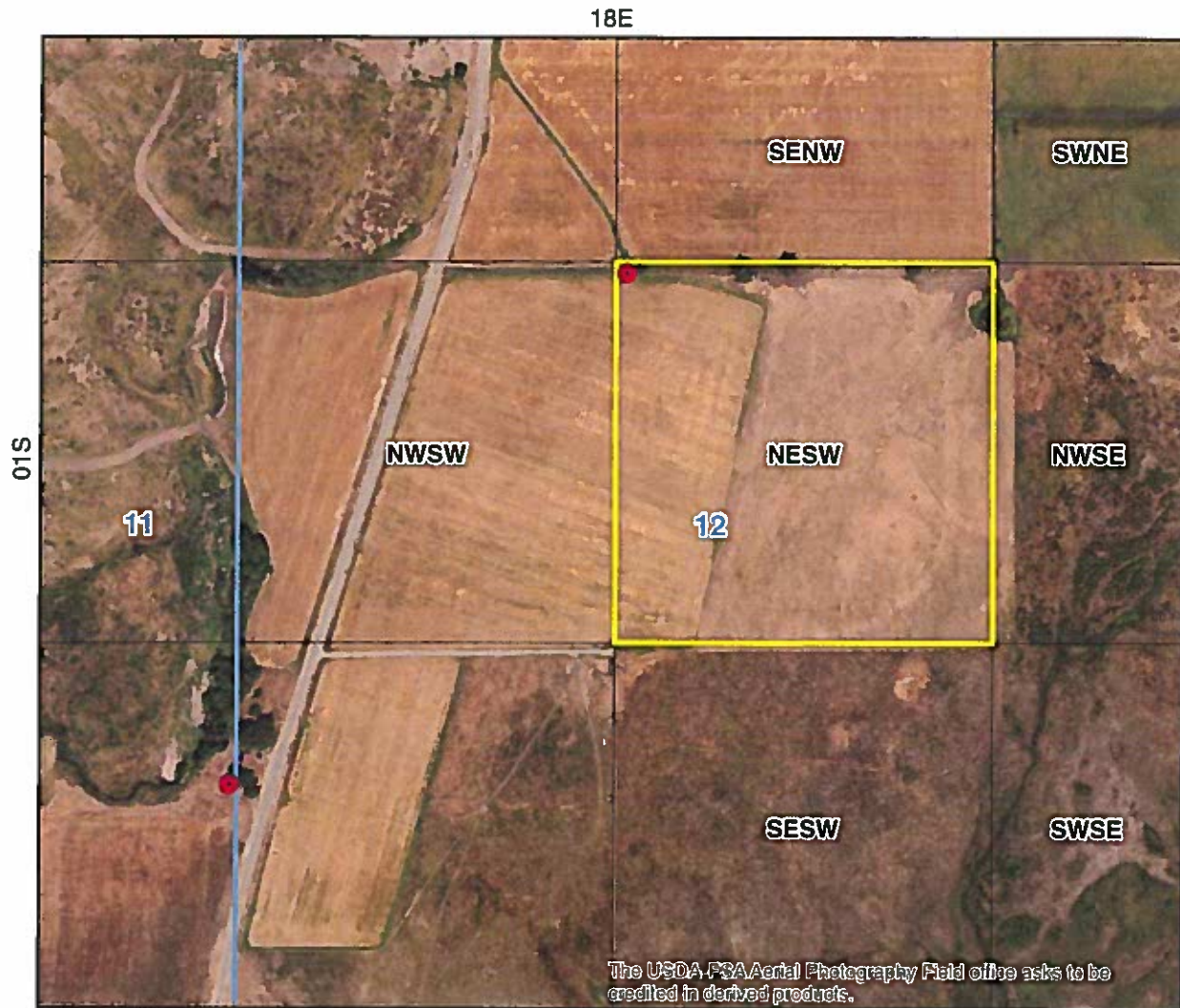
State of Idaho
Department of Water Resources
Attachment to Transfer # 80252
37-11387

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



State of Idaho
Department of Water Resources
Attachment to Transfer # 80252
37-11387

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.075 0.15 0.3 Miles

