

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)

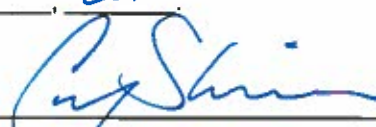
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-104	NO	NO	YES	NO	NO	NO
37-105A	NO	NO	YES	NO	NO	NO
37-11387	NO	NO	YES	NO	NO	NO
37-11394	NO	NO	YES	NO	NO	NO

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 diversion.
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

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								

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

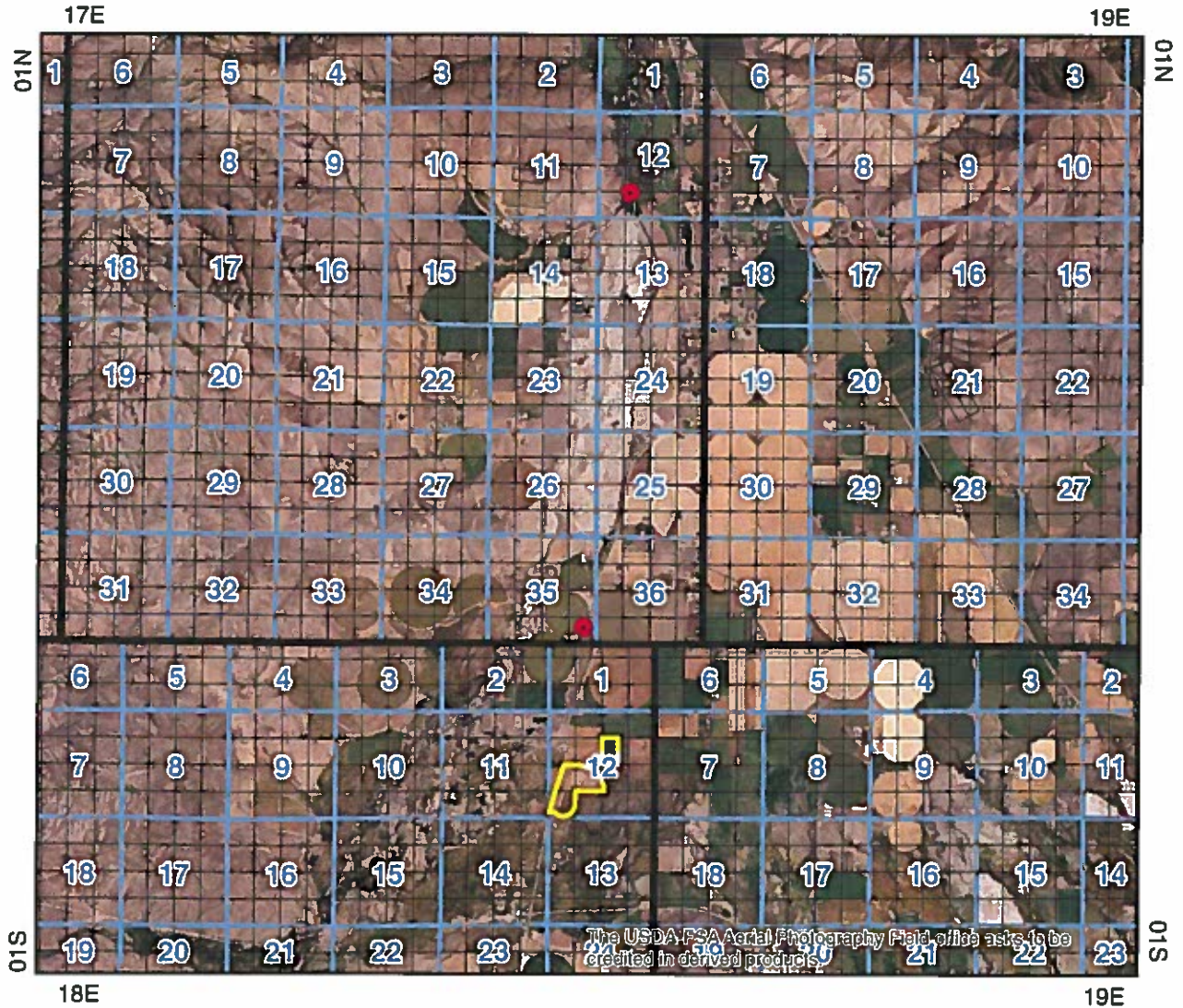
5. Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right 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.



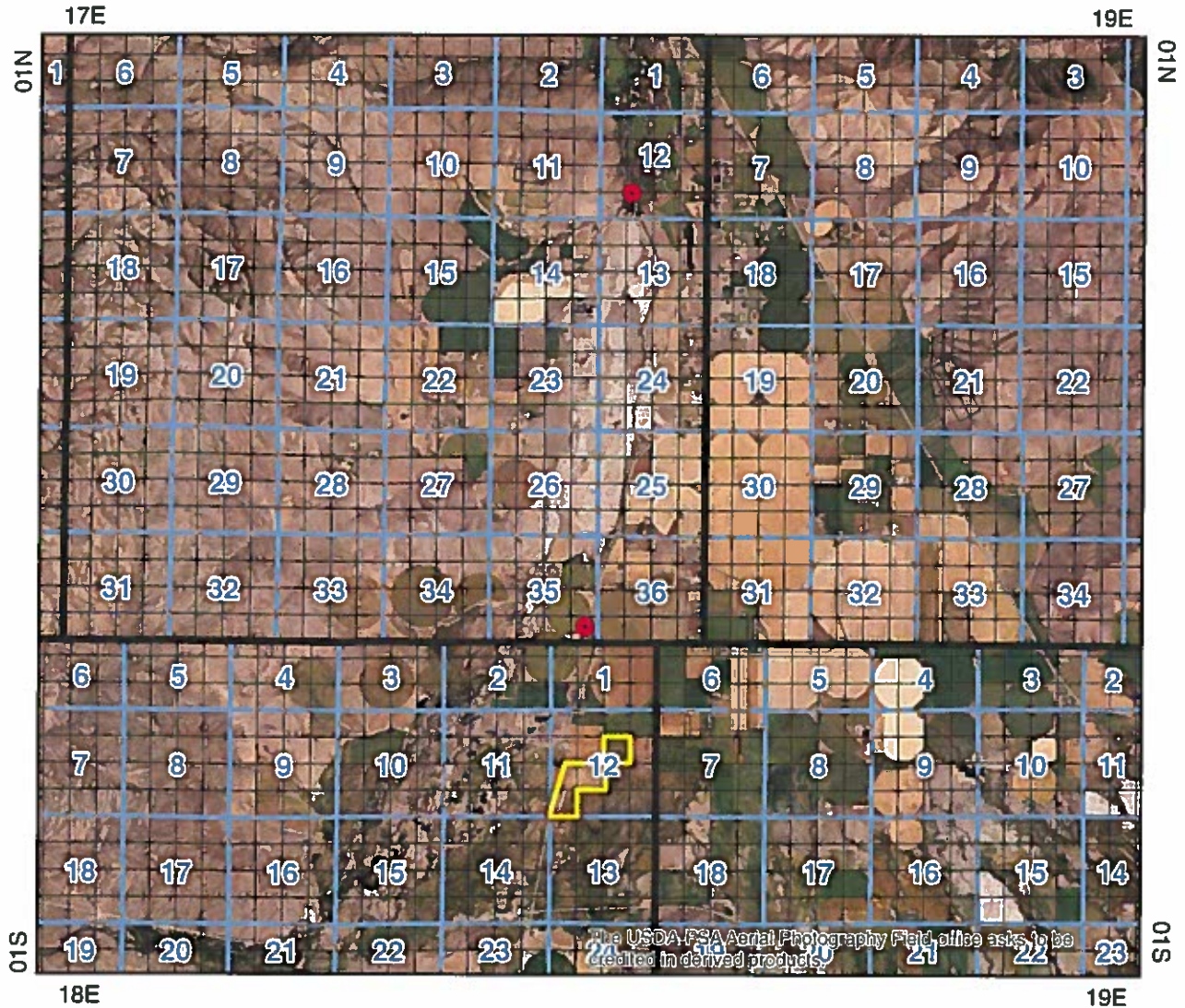
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 1 2 4 Miles

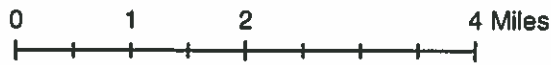


State of Idaho
Department of Water Resources
Attachment to Transfer # 80252
37-104

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.

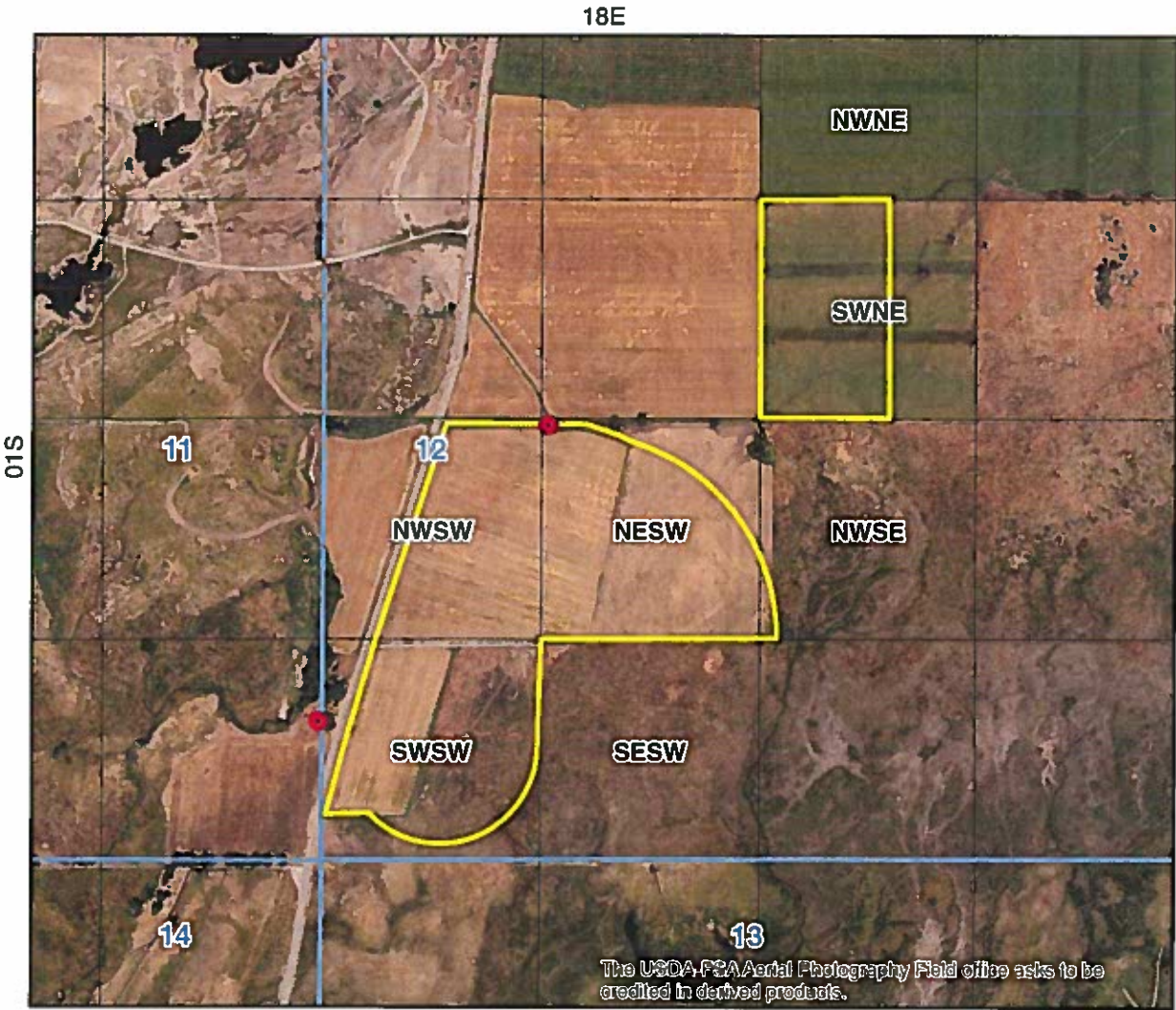


- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



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.



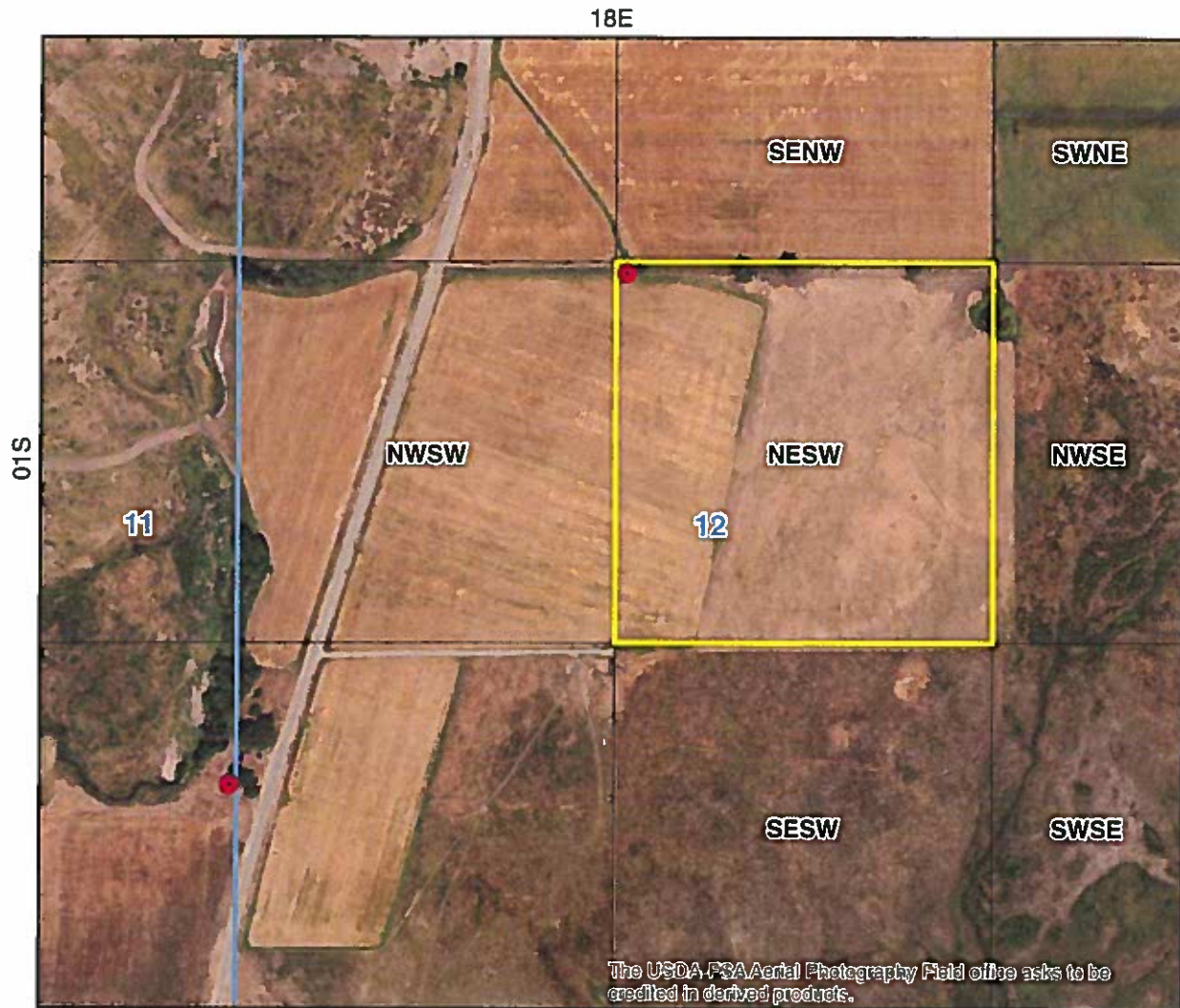
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.125 0.25 0.5 Miles



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





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 6, 2017

JOHN I MOLYNEUX
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE ID 83313

Re: Transfer No: 80252
Water Right No(s): 37-104, 37-105A, 37-11387, 37-11394

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

KEVIN LAKEY WATER MASTER
WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352

CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

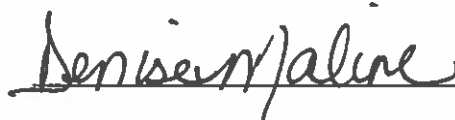
Re: Transfer No.: 80252

Water Right No(s): 37-104, 37-105A, 37-11387, 37-11394

**JOHN I MOLYNEUX
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE ID 83313**

**KEVIN LAKEY WATER MASTER
WATER DISTRICT 37
107 W 1ST ST
SHOSHONE ID 83352**

via e-mail

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris

, being the first publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

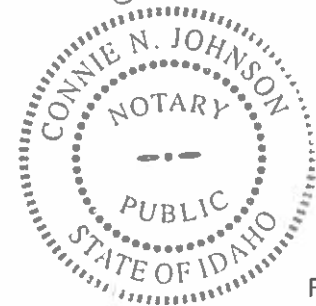
publication of said advertisement was on the 17th day of

August, 20 16, and the date of the last publication was

on the 24th day of August, 20 16

Subscribed and sworn to before me this 25 day of

Aug, 20 16.



Connie N. Johnson
NOTARY PUBLIC

RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5

Number of Lines in Notice 73

Number of Insertions 2

Lines tabular at 9.0 cents/pica

73 Lines straight at 67.16 8.0 cents/pica

73 Subsequent lines at 58.77 7.0 cents/pica

TOTAL COST \$125.93

RECEIVED

AUG 29 2016

COPY OF NOTICE

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer # 80252 r

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
TRANSFER NO. 80252

KRISTY MOLYNEUX and JOHN I MOLYNEUX, 10407 HWY 75, BELLEVUE, ID 83313; has filed Application No. 80252 for changes to the following water rights within BLAINE County(s): Right No(s). 37-104, 37-105A, 37-11387, 37-11394. The purpose of the transfer is to change a portion of the above rights as follows: Application seeks to create a permissible place of use of 140.9 acres to provide flexibility to change irrigation practices for use on 109.2 acres. The property is located about 7.5 miles south of the Gannett Rd intersection along Hwy 75. The proposal involves 3 Big Wood River water rights and 1 supplemental ground water right, totaling 8.91 cfs. No changes in points of diversion or redirection will occur as a result of the transfer.

over →

✓ OK DM
9-1-2016

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT
TRANSFER NO. 80889**

STATE OF IDAHO, IDAHO FISH & GAME COMMISSION, PO BOX 25, BOISE, ID 83707-0025; has filed Application No. 80889 for changes to the following water rights within BLAINE County(s): Right No(s). 71-7160. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the point of diversion for a fish screen upstream in Pole Creek approximately 800 feet to more easily facilitate the passage of native fish with a diversion rate of 0.80 cfs and located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before September 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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AUG. 17 & 24, 2016**

✓ OK DM 9-1-2016

State of Idaho
Department of Water Resources
Transfer of Water Right(s)
RECOMMENDATION FORM

RECEIVED

AUG 16 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Via E-mail

Transfer Application No.: 80252 Water Right No(s): 37-104, 37-105A, 37-11387, 37-11394

Transfer Applicant's Name: JOHN I MOLYNEUX
KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Water master's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 16 day of August, 2016

Water District No. 37

Kevin Lakey

Water master's Signature

Kevin Lakey

Printed Name

**NOTICE OF PUBLIC HEARING
HAILEY URBAN RENEWAL AGENCY
PROPOSED BUDGET FOR FISCAL YEAR 2017**

A public hearing for consideration of the proposed Hailey Urban Renewal Agency budget for the fiscal year begins on October 1, 2016, and ends September 30, 2017, will be held at the Hailey City Council Chambers, located at 115 Main St. S., Hailey, Idaho on August 25, 2016 at 9:00 am, pursuant to Idaho Code 50 1002. Written comments may be mailed prior to the meeting to: Hailey Urban Renewal Agency, ATTN: Lisa Horowitz, 115 Main St. S., Hailey, ID, 83333 or emailed to lisa.horowitz@haileycityhall.org. The Agency budget funds the programs, services, and capital projects that the Agency Board and City Council, by way of adoption of potential urban renewal plans, may determine to be important to meet the Agency's strategic goals and meet the needs of the residents and businesses within the Agency's boundaries.

City Council Resolution No. 2010-02 adopted on January 25, 2010, authorized the establishment of the Urban Renewal Agency. The Agency has now completed the urban renewal plan for the Gateway District, thereby establishing the baseline of assessed value according to 2014 values. The Agency expenses will primarily include capital projects, insurance, legal expenses and other consulting expenses in FY 2017. Those activities will be funded through the projected tax increment revenue of \$100,000, which is based on the baseline property tax value of 2014. The budget below shows the breakdown of anticipated expenses for FY 2017. For FY 2017, the Agency's revenues will be limited to tax increment revenues and interest.

Revenue	BUDGET FY 15	ACTUAL FY 15	BUDGET FY 16	YTD FY 16	BUDGET FY 17
Tax Increment	\$17,930.00	\$32,263	\$34,137.00	\$66,957.00	\$100,000
Revenue (Projected)					
Interest		\$2.41	\$0.00	\$3.19	
Total Revenue	\$17,930.00		\$34,137.00	\$66,957.00	\$100,000
Expenditures	BUDGET FY 15	ACTUAL FY 15	FY 16	YTD FY 16	BUDGET FY 17
Debt Service- Note to City of Hailey	\$13,447.50	\$22,186.94	\$25,602.75	\$34,807.37	\$0.00
Professional and Legal Services)	\$500.00	\$127.00	\$2,000.00	\$618.00	\$10,000
Insurance	\$1,069.00	\$1,069.00	\$1,122.00	\$1,122.00	\$1,144
Administration Expense	\$1,000.00	\$1,188.21	\$3,120.55	\$1,630.88	\$5,000
Other Expenses (advertising, printing services, etc.)	\$481.25	\$829.02	\$481.25	\$130.56	\$1,500
Fund Balance and Grant Match					\$62,356
Capital Expense	\$1,432.25		\$1,810.45	\$0.00	\$20,000
Total Expenditures	\$17,930.00	\$25,400.17	\$34,137.00	\$38,308.81	\$100,000

I, Lisa Horowitz, Executive Director of the Hailey Urban Renewal Agency, do hereby certify that the foregoing is a true and correct statement of the proposed expenditures and revenues for Fiscal Year 2016, all of which have been tentatively approved at the Board meeting of August 25, 2016.

Lisa Horowitz, Administrator
Attest:
Mary Cone, City Clerk

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AUG. 10 & 17, 2016

nance No. 22, as previously amended by Ordinance No. 222 and Ordinance No. 395, is hereby amended to read as follows:

SECTION 1: There is hereby granted to Obrae, L.L.C., d/b/a Clear Creek Disposal, hereinafter referred to as "Franchise Holder", a non-exclusive franchise and authority to maintain and operate a garbage and rubbish collection and disposition service in the City of Sun Valley, Idaho, subject to such terms and conditions as the City of Sun Valley may prescribe, by resolution or ordinance, and with authority to use the streets and alleys within the City of Sun Valley for the above purposes, provided that such authority is exercised in accordance with applicable conditions, terms and limitations contained in this ordinance, any other ordinance that has been or may be enacted by the City Council, and/or any applicable resolution of the City Council. The term of the nonexclusive franchise herein granted shall continue in effect to and including August 31, 2021, and may thereafter be further extended for two (2) additional terms of five (5) years each, by and subject to the terms of, Resolutions duly approved by the Sun Valley City Council.

Section 2, Severability. It is hereby declared to be the legislative intent of the Sun Valley City Council that the provisions, and parts thereof, of this Ordinance shall be severable. Should any section, subsection, paragraph, clause or phrase of this Ordinance, or any particular application thereof, be declared invalid or unconstitutional for any reason by a court of competent jurisdiction, such decision shall not affect the remaining portions of said section, subsection, paragraph, clause, or phrase of this Ordinance.

Section 3. This Ordinance shall be in full force and effect from and after

its passage, approval, and publication according to law.

**PASSED AND ADOPTED BY THE
SUN VALLEY CITY COUNCIL AND
APPROVED BY THE MAYOR THIS
10th DAY OF AUGUST, 2016.**

/s/Peter Hendricks, Mayor
Attest:
/s/Alissa Weber, City Clerk

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AUG. 17, 2016

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 80252**

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**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 80889**
STATE OF IDAHO, IDAHO FISH & GAME COMMISSION, PO BOX 25, BOISE, ID 83707-0025; has filed Application No. 80889 for changes

to the following water rights within BLAINE County(s): Right No(s) 71-7160. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the point of diversion for a fish screen upstream in Pole Creek approximately 800 feet to more easily facilitate the passage of native fish with a diversion rate of 0.80 cfs and located approximately 6.8 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before September 6, 2016. The protest must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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AUG. 17 & 24, 2016

**NOTICE OF SPECIAL MEETING AND
PUBLIC HEARING BEFORE THE
BELLEVUE PLANNING & ZONING
COMMISSION AMENDMENTS TO
THE BELLEVUE
COMPREHENSIVE PLAN**

NOTICE IS HEREBY GIVEN that on September 6, 2016 at approxi-

**NOTICE OF PUBLIC HEARING
BLAINE COUNTY AMBULANCE DISTRICT**

THE BOARD OF COMMISSIONERS OF BLAINE COUNTY, IDAHO, WILL MEET ON SEPTEMBER 6, 2016, AT 10:15 A.M. AT THE BLAINE COUNTY COURT-HOUSE, 206 1ST AVE. SOUTH, HAILEY, IDAHO 83333, FOR THE PURPOSE OF CONSIDERING AND FIXING A FINAL BUDGET FOR THE BLAINE COUNTY AMBULANCE DISTRICT FOR THE 2016-2017 FISCAL YEAR, AT WHICH TIME ANY TAXPAYER MAY APPEAR AND BE HEARD UPON ANY PART OR PARTS OF SAID BUDGET, AND THAT THE FOLLOWING TABLE SETS FORTH THE AMOUNT APPROPRIATED FOR THE BLAINE COUNTY AMBULANCE DISTRICT FOR THE 2016-2017 FISCAL YEAR.

Revenue

Revenue from Services	\$ 554,280.00
Other Revenue	\$ 14,682.00
Property Taxes	\$2,003,286.00
Cash Carryover	\$ 14,682.00
	\$2,586,930.00

Expenditures

Contracts:	
Ketchum Ambulance Service	\$1,065,530.00
Wood River Fire and Rescue	\$1,059,075.00
Carey Quick Response Unit	\$ 73,730.00
Medical Director	\$ 60,904.00
Billing	\$ 42,000.00
Capital	\$ 263,691.00
Refunds and Other	\$ 22,000.00
	\$2,586,930.00

August 11, 2016
CLERK OF THE BOARD OF COUNTY COMMISSIONERS
Jolynn Drage

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AUG. 17, 2016

**WOOD RIVER FIRE PROTECTION DISTRICT
BUDGET HEARING**

NOTICE IS HEREBY GIVEN That the Wood River Fire Protection District will be conducting the 2016 - 2017 Budget Hearing on Thursday, August 25th, 2016, from 3:00 PM until 4:00 PM at Wood River Fire & Rescue, Station 3, 11053 Highway 75, Bellevue, Idaho.

Carol A. Thomas
Fire District Clerk

INCOME	
Fire Revenue	
1210F - County Taxes	\$ 919,090.00
1220F - Back Taxes	18,000.00
1230F - Plan Check Fees	15,000.00
1240F - Permit Fees	3,200.00
1330F - Miscellaneous Income	34,075.00
Transfer from Capital Reserve	.00
Existing Current Acct Balance Forward	4,373.98
Total Fire Revenue	\$ 993,738.98

EXPENSE	
Fire Expenses	
A Personnel	\$ 690,333.60
B Administration	31,845.50
C Office Expense	10,750.00
D Operating Expenses	60,860.42
E Building Expenses	25,009.17
F Other Expense	.00
G Capital Expenditures	174,540.27
Total Fire Expenses	\$ 993,738.98

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mately 6:00 p.m. in Bellevue City Hall, located at 115 East Pine Street, Bellevue, Idaho, a public hearing will be held to consider AMENDMENTS TO THE COMPREHENSIVE PLAN. The chapter to be discussed is Transportation which is a required component of the Plan as per Idaho Code Section 67-6508.

Supporting background materials for the update of the Plan are available on the city website www.bellevueidaho.us and at the Community Development Department in City Hall during regular city business hours.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place all interested parties may appear and shall be given an opportunity to comment on the matter stated above. Written comment may also be submitted to the Community Development Department, P.O. Box 449, Bellevue, Idaho 83313.

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AUG. 17, 2016

**NOTICE OF PUBLIC HEARING
BEFORE THE BELLEVUE
PLANNING & ZONING COMMISSION
UPON APPLICATION FOR
PRELIMINARY PLAT**

NOTICE IS HEREBY GIVEN that on Monday, September 6, 2016 at approximately 6:00 p.m. at Bellevue City Hall, located at 115 East Pine Street, Bellevue, Idaho, a public hearing will be held to consider a PRELIMINARY PLAT application submitted by Acker, LLC for the subdivision of Lot2A, Kolaah Subdivision into 3 smaller lots, becoming Bellewood Subdivision. The property is zoned Transitional (T) and is located at 401 Broadford Subdivision within the Bellevue Townsite.

NOTICE IS FURTHER GIVEN that at the aforementioned time and place all interested parties may appear and shall be given an opportunity to comment on the matter stated above. Written comment may also be submitted to Bellevue Planning and Zoning, P.O. Box 825, Bellevue, Idaho 83313.

Proof of
legal notice
received
from
Idaho Mtn
Express on
8/15/2016

✓ OK
DM
8.15.16
E-mail
sent.