Rev. 07/11

RECEIVED

MAR 2 8 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80252

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at http://www.idwr.idaho.gov/ .

Name of Applicant(s) KRISTY MOLYNEUX; JOHN I MOLYNEUX

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

RECEIVED

MAR 2 8 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant KRISTY MOLYNEUX Phone (208)788-2450

Mailing Address 10407 HWY 75, BELLEVUE ID 83313 Email

Name of Applicant JOHN I MOLYNEUX Phone (208)788-2450

Mailing Address 10407 HWY 75, BELLEVUE ID 83313 Email

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1.**

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a.**

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b.**

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3.**

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative Phone

Mailing Address Email

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4.**

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	John I Molyneux	3-23-16
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	Kristy Molyneux	3-23-16

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
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

Transfer No. 80252

RECEIVED
MAR 28 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

RECEIVED
APR 07 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

2. Describe your proposal in narrative form, including a detailed description of non irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part IA.2**

Adjust Point of Use of water rights to include property under new irrigation system. New system consists of a 7 tower Valley pivot and a 3 tower circle pivot and west corners created by pivots. Pivots irrigate ground already irrigated by these water rights + additional ground. Total irrigated acres is within allowable acres of right. ~~No change to stockwater~~ Km JTM

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-104	1.140 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
37-105A	4.550 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
37-11387	1.940 cfs	252.0 af	109.2	140.9		N/A	N/A	N/A	N/A
37-11394	1.280 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
COMBINED TOTALS	~~N/A~~ 8.91	N/A	~~N/A~~ 109.2	~~N/A~~ 140.9		N/A	N/A	N/A	N/A

Km JTM

2. Total amount of water proposed to be transferred or changed ~~5.69~~ 8.91 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

RECEIVED

MAR 2 8 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Adjust Point of Use of water rights to include property under new irrigation system. New system consists of a 7 tower Wiper pivot and a 3 tower circle pivot and west corners created by pivots. Pivots irrigate around already irrigated by these water rights. No additional ground. Total irrigated acres is within allowable acres of right. No change to stockwater

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-104	1.140 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
37-105A	4.550 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
37-11387	1.940 cfs	252.0 af	109.2	140.9		N/A	N/A	N/A	N/A
37-11394	1.280 cfs	N/A	109.2	140.9		N/A	N/A	N/A	N/A
COMBINED TOTALS	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 5.69 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following part is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part I
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part I
   - ☐ See Attachment

Super seded By POU Rec'd 4/7/16

Transfer No. 80252

Proposed Water Right No. 37-104

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 5/15/1882

Origin: Water Right

Basis: Decreed

Status Active

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	1.140 CFS	
STOCKWATER	04/15	10/31	0.040 CFS	
Total Diversion			1.140 CFS	

Source and 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

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

IHO DEPARTMENT OF WATER RESOURC
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-105A

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 5/31/1887

Origin: Water Right

Basis: Decreed

Status Active

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	4.550 CFS	
Total Diversion			4.550 CFS	

Source and 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

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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

Proposed Water Right No. 37-11387

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 6/1/1950

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/15	10/31	1.940 CFS	252.0 AFA	
STOCKWATER	01/01	12/31	0.040 CFS		
Total Diversion			1.940 CFS	252.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 11 Twp 01S Rge 18E BLAINE County
GROUND WATER	NWNESW	Sec. 12 Twp 01S Rge 18E BLAINE County

Place of Use: IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-11394

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 9/1/1920

Origin: Water Right

Basis: Decreed

Status Active

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	1.280 CFS	
Total Diversion			1.280 CFS	

Source and 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

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
See Attached Part I Item 5

b. Who owns the property at the point(s) of diversion
37-11387 owned by Applicant (POD)
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
POD 37-104, 37-105A + 37-11394 owned by Wood River Ranch
historic access to diversion granted to applicant

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
land now irrigated will still be irrigated after transfer
except reduction of irrigated land in pasture SWNE Section 12 to 39@±

e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
none

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☐	☒	currently leased to the Water Supply Bank,
☐	☒	currently used in a mitigation plan limiting the use of water under the right, or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-104

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 5/15/1882

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	1.140 CFS	
STOCKWATER	04/15	10/31	0.040 CFS	
Total Diversion			1.140 CFS	

Source and Point(s) of Diversion:

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

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12			39.0						12.0	22.9	35.3						109.2

POU Total Acres: 109.2

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12			X						X	X	X						0.0

Conditions/Remarks:

1. This right is measured and administered at the point of rediversion.
2. 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.
3. The rights listed below are limited to the irrigation of a combined total of 109.2 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.
4. Stockwater use is for 150 range cattle.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. The quantity of water under rights 37-104 and 37-22747 for stockwater use shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-105A

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 5/31/1887
Origin: Water Right
Basis: Decreed
Status: Active
Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	4.550 CFS	
Total Diversion			4.550 CFS	

Source and 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

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12			39.0						12.0	22.9	35.3						109.2

POU Total Acres: 109.2

Conditions/Remarks:

1. 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.

2. This right is measured and administered at the point of rediversion.

3. The rights listed below are limited to the irrigation of a combined total of 109.2 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-11387

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 6/1/1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/15	10/31	1.940 CFS	252.0 AFA	
STOCKWATER	01/01	12/31	0.040 CFS		
Total Diversion			1.940 CFS	252.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNESW	Sec. 12 Twp 01S Rge 18E BLAINE County
GROUND WATER	NESESE	Sec. 11 Twp 01S Rge 18E BLAINE County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12			39.0						12.0	22.9	35.3						109.2

POU Total Acres: 109.2

Place of Use: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12									X								0.0

Conditions/Remarks:

1. 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.

2. 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.

3. The rights listed below are limited to the irrigation of a combined total of 109.2 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.

4. Stockwater use is for 150 range cattle.

5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

6. The quantity of water under right nos. 37-11387 and 37-22749 for stockwater use shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 37-11394

Current Water Right Owner

JOHN I MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

AND

KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313

Priority Date: 9/1/1920
Origin: Water Right
Basis: Decreed
Status: Active
Source: BIG WOOD RIVER **Tributary:** MALAD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/31	1.280 CFS	
Total Diversion			1.280 CFS	

Source and 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

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	18E	12			39.0						12.0	22.9	35.3						109.2

POU Total Acres: 109.2

Conditions/Remarks:

1. 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.

2. 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.

3. 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.

4. This right is measured and administered at the point of rediversion.

5. The rights listed below are limited to the irrigation of a combined total of 109.2 acres in a single irrigation season. Combined Right Nos.: 37-104, 37-105A, 37-11394 and 37-11387.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.** If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a.**

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Right 37-11387 is supplemental to surface water. It is an artisan flow which has dwindled in the last few years because of drought.

Right 37-11395 is supplemental to surface water. Has been available and used annually to complete crop production in August

FOR DEPARTMENT USE ONLY

Transfer Contains 13 pages and _____ attachments.

Received By _____ Date _____ Prelim. Check By _____ Date _____

Fee Paid $900.00 Date 3/28/2016 Receipted By BWalk Receipt # 5035360

Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Application for Transfer of Water Right

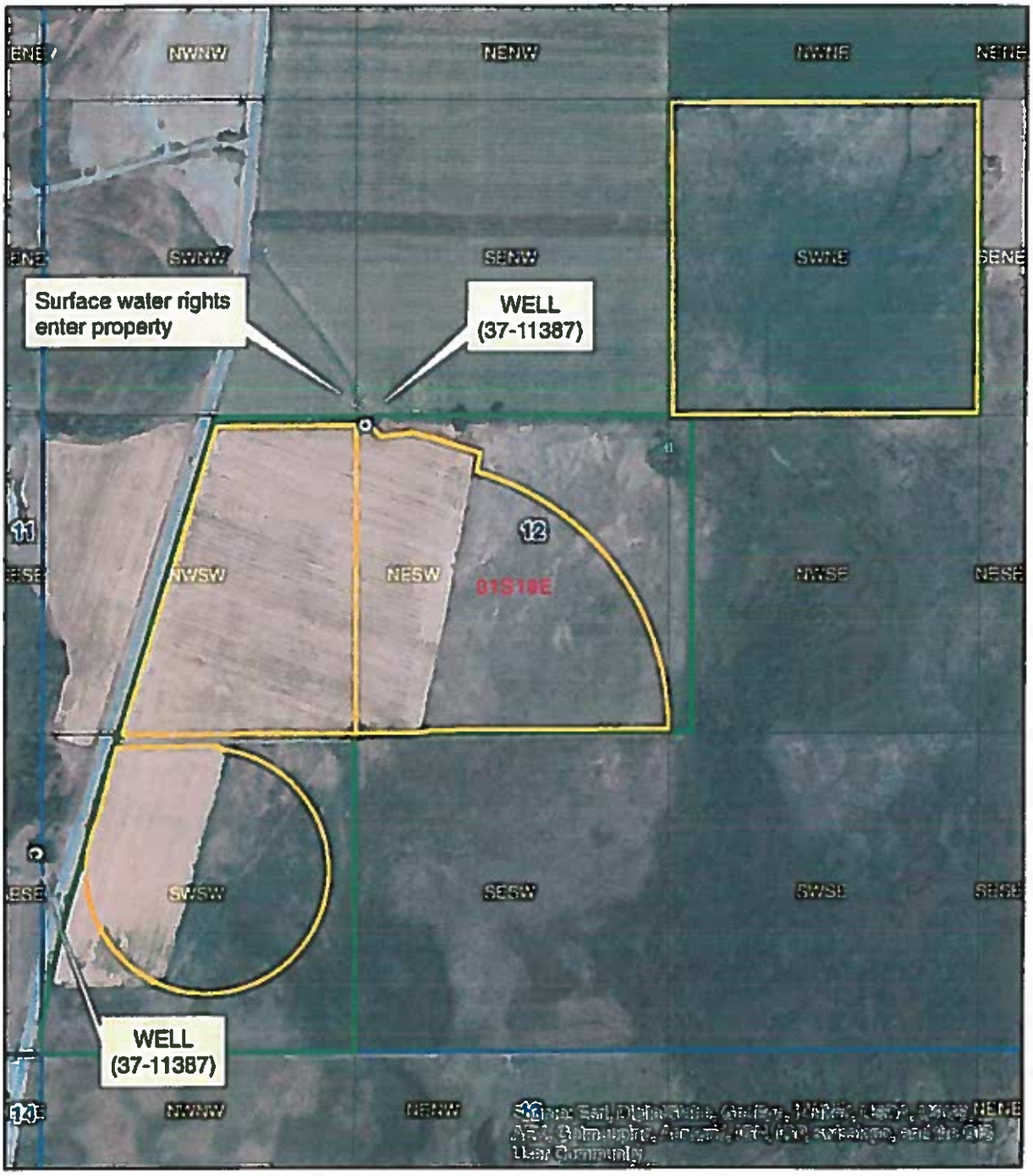
Molyneux, John I and Kristy

PART 1-Item 5

37-104 and 37-105A surface water rights are diverted into a measurable weir as per decreed rights. A portion of the diversion ditch will be piped and water will be delivered through existing ditch to a pond created near point of diversion of 37-11387 North well location. New pump station created at pond. Water will be pressurized by 30 hp pump and a VFD with a 20 hp pump to equalize pressure when needed. 37-11387 North well location will have a 7hp pump to open discharge into pond as supplemental. Flow meter installed on discharge pipe for well. Pressurized flow will be delivered to 7 tower pivot and 3 tower pivot and mainlines to northwest corners of each pivot. Butterfly valves will be installed to regulate and alternate delivery to each pivot and corners. Above ground aluminum mainline will deliver flow, when available, to acres irrigated in SWNE of Section 12 (approximately 39 acres).

IDAHO DEPARTMENT OF WATER RESOURCES

T#80252 Molyneux



37-104, 37-105A, 37-11387, 37-10394
(Irrigation Place of Use)

N

0 330 660 1,320
Feet

Legend

- Irrigation POU
- Molyneux_own
- Transfer POD

TRANSFER 80252

Attachment #7a

green - pivot circumfrance
yellow - mainline to pivots
pink - mainline w/risers for west corners

TRANSFER 80252

Blue - Electric lines

Maline, Denise

From: Maline, Denise
Sent: Monday, August 15, 2016 12:37 PM
To: 'Kevin Lakey'
Cc: 'Watermstr'
Subject: Comment letter for transfer 80252 - Molyneux
Attachments: App. for transfer 80252 - Molyneux.pdf

Good afternoon Kevin,

Attached is a copy of transfer 80252 (Molyneux), which is currently being processed. Please review the information and provide any necessary comments within 21 days.

Thank you in advance,

Denise @ IDWR

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

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

August 15, 2016

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

Via e-mail

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

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

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

August 12, 2016

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

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer. Please note, a refund in the amount of $240.00 has been submitted for processing, and will arrive under separate cover.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 8/17/2016 and 8/24/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication **(September 6, 2016)**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

MEMORANDUM

TO: Sascha Marston

FROM: Doug Jones / Denise Maline

DATE: August 11, 2016

RE : Refund (partial) of fees for Application for Transfer 80252

On March 28, 2016, John & Kristy Molyneux paid $900.00 for an application for transfer (S035360). After further review, it was determined that the correct fee for the application for transfer is $660.00. Please refer to the attached review memo dated August 5, 2016.

Please issue a refund in the amount of $240.00 to:

JOHN I &/OR KRISTY MOLYNEUX
10407 HWY 75
BELLEVUE, ID 83313
(208) 788-2450

RECEIPT #

S035360, copy attached

Copy: transfer 80252

Receipt Details for ID S035360

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/28/2016 3:48:30 PM	3/28/2016 4:15:24 PM	SOUTHERN	$900.00	Check

Payee: MOLYNEUX, KRISTY M./JOHN I.

Account Information

Check Number 2543

Comment Fee for Application for Transfer #80252 water rights 37-104, 37-105A, 37-11387, 37-11394.

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$900.00	TRANSFERS	64106	0229	21		1155

correct fee = $1660- per August 5, 2016 review memo, attached.

refund of $240- due.

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 11, 2016 3:19 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on August 17th & 24th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

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

August 11, 2016

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

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

RE: Transfer No. 80889
Water Right No(s): 71-7160

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 6, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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 rediversion will occur as a result of the transfer.

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
Published on August 17th & 24th, 2016

MEMORANDUM

Date: 8/8/2016

To: Transfer 80252

From: Doug Jones

Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information

Application seeks to create a permissible place of use of 140.9 acres to provide flexibility to change irrigation practices for use on109.2 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. No changes in points of diversion or rediversion will occur as a result of the transfer.

Authority to File:
Applicant is the land and water right owner.
Water Right Validity:
2011 imagery shows that irrigation of the full allowable place of use occurred - Forfeiture not a factor.
Injury to Other Water Rights:
No new diversions or rediversions are proposed.
Enlargement of Use:
Adequate condions will be added to clearly describe combined use limitations, including the supplemental ground water and saved water rights.
Local Public interest:
No adverse effect.
Beneficial Use/Conservation of Water Resources:
Increased efficiency in water use.
Effect on Economy the Local Area:
No adverse effect.
Effect on Agricultural Base of the Local Area:
No adverse effect.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED
APR 07 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

April 5, 2016

Idaho Dept of Water Resources
Twin Falls, Id 83301

Attn: Doug Jones

Re: Transfer Application 80252

Enclosed is a corrected page 3 for the above referenced application. Please substitute this page for the page 3 included in the application received earlier.

Thank you.

Kristy Molyneux

MEMORANDUM

Date: August 5, 2016

To: Transfer 80252

From: Doug Jones

Re: Transfer fees

Transfer fees
8/5/2016

Applicant paid $900, R#S035360, based on 5.69 cfs. However, the transfer only proposes to add 31.7 acres to a PPU in the same location (a 29% increase). All of the rights total 8.91 cfs, though not all the rights are able to be used at the same time. The final fee owed for the transfer is 8.91 X 0.29 = 2.59 cfs, so the fee is $660. A refund of $240 is owed to the Molyneuxs

RECEIVED
MAR 28 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

March 23, 2016

Idaho Department of Water Resources

Southern Region

650 Addison Ave. West, Suite 500

Twin Falls, ID 83301-5858

RE: Application for Transfer T80252-Molyneux, John I and Kristy

Attn: Doug Jones

Doug,

Enclosed is the completed Application for Transfer with our check for $900.00 for fees.

Sorry it has taken so long for us to complete this application. We were waiting to get the final plans for the water system, funds to make the application and time to complete it.

If you have any questions, please let us know.

Sincerely,

John and Kristy Molyneux

Encl.

Jones, Doug

From: Jones, Doug
Sent: Monday, March 21, 2016 10:40 AM
To: 'jkmoly@basicisp.net'
Subject: FW: Partially completed transfer application
Attachments: T80252.pdf

John and Kristy,

We haven't heard back from you with a completed, paid application. What are your intentions? Please respond within 14 days or I will terminate the draft process. Thank you.

Douglas Jones
208.736.3033
650 Addison Ave W, Ste 500
Twin Falls ID 83301

From: Jones, Doug
Sent: Thursday, July 23, 2015 3:25 PM
To: jkmoly@basicisp.net
Subject: Partially completed transfer application

John and Kristy,

Attached is the nuts and bolts data I am able to complete for the application. You will need to carefully go through the application and fill in the blanks that apply to you. Additional instruction can be found on our website ID'ed at top of page 1. In particular you need to fill out pages 1 (of 13), sign page 2 when ready to send, yellow highlighted on pg 3, pg 8, items A & C pg 13. Mark any edits on the map and include the pond and piping to be added to irrigate the whole 109.2 acres contained in the orange areas. How is the well in the south (west of the highway) plumbed into your system? How is the 39 acres in the SWNE going to be irrigated under this transfer? Pump and motor information is needed, as are descriptions of measuring devices.

In looking at the A&G Irrigation Inc map you left with me ... What is the pink line west of the hwy at the north end of the map, a pipe? Is that for surface water delivery?

The fee is dependent on the flow rate you identify, page 3. I think it should be the total of flows on 37-104 and 37-105A (1.14 + 4.55 = 5.69 cfs). If you put less than that then combined flow limits will be imposed. Fee for 5.69 = $900.00

I'll look forward to getting your application soon. Let me know if you have specific questions.

Doug

Jones, Doug

From: Jones, Doug
Sent: Thursday, July 23, 2015 3:25 PM
To: jkmoly@basicisp.net
Subject: Partially completed transfer application
Attachments: T80252.pdf

John and Kristy,

Attached is the nuts and bolts data I am able to complete for the application. You will need to carefully go through the application and fill in the blanks that apply to you. Additional instruction can be found on our website ID'ed at top of page 1. In particular you need to fill out pages 1 (of 13), sign page 2 when ready to send, yellow highlighted on pg 3, pg 8, items A & C pg 13. Mark any edits on the map and include the pond and piping to be added to irrigate the whole 109.2 acres contained in the orange areas. How is the well in the south (west of the highway) plumbed into your system? How is the 39 acres in the SWNE going to be irrigated under this transfer? Pump and motor information is needed, as are descriptions of measuring devices.

In looking at the A&G Irrigation Inc map you left with me ... What is the pink line west of the hwy at the north end of the map, a pipe? Is that for surface water delivery?

The fee is dependent on the flow rate you identify, page 3. I think it should be the total of flows on 37-104 and 37-105A (1.14 + 4.55 = 5.69 cfs). If you put less than that then combined flow limits will be imposed. Fee for 5.69 = $900.00

I'll look forward to getting your application soon. Let me know if you have specific questions.

Doug