

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79237

This is to certify that: C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

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>
37-2740	WR/DECREED	7/11/1966	4.060 cfs	1155.0 af	330.0	1156.0	GROUND WATER
37-737B	WR/DECREED	3/30/1883	0.700 cfs	N/A	N/A	70.0	FISH CREEK
37-780B	WR/DECREED	3/30/1883	0.800 cfs	N/A	N/A	70.0	FISH CREEK

Purpose of Transfer (Changes Proposed)

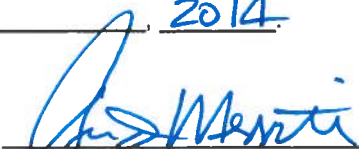
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2740	NO	NO	YES	NO	NO	NO
37-737B	NO	NO	YES	NO	NO	NO
37-780B	NO	NO	YES	NO	NO	NO

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>
37-2740	37-2740	4.060 cfs	1155.0 af	330.0	1098.5	N/A	N/A	N/A	N/A	N/A
37-737B	37-737B	0.700 cfs	N/A	N/A	70.0	N/A	N/A	N/A	N/A	N/A
37-780B	37-780B	0.800 cfs	N/A	N/A	70.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.560 cfs	N/A	N/A	1098.5		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 15th day of September, 2014.


Southern Region Manager

SUPPORT DATA

IN FILE # 37-737B

Transfer No. 79237

WATER RIGHT NO. 37-737B**As Modified by Transfer No. 79237**

In accordance with the approval of Transfer No. 79237, Water Right No. 37-737B is now described as follows:

Right Holder: C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

Priority Date: 3/30/1883

Source: FISH CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.500 cfs
0.700 cfs

LOCATION OF POINT(S) OF DIVERSION

FISH CREEK SENESE Sec 33 Twp 01N Rge 22E 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	22E	15									0.2	24.0	38.0	1.8					64.0
01S	22E	22						6											6
								L 4											

POU Total Acres: 70.0

CONDITIONS OF APPROVAL

1. The additional 0.20 cfs of the total diversion rate of this right shall be delivered to the Hot Springs Canal for conveyance use during the irrigation season pursuant to transfer no. 3922.
2. Irrigation use under rights 37-737B and 37-780B when combined shall not exceed a total diversion rate of 1.00 cfs, a total annual maximum diversion volume of 140.0 af at the field headgate, and the irrigation of 70.0 acres. The water right holder is entitled to this combined amount of water at a point where the water enters the irrigation place of use.
3. Any pro rata reduction of water right nos. 37-00737B and 37-00780B during periods of water shortage shall be calculated as if the water right holder is entitled to divert a combined flow rate of 1.5 cfs for irrigation. The watermaster will only reduce the combined irrigation flow rate below 1.0 cfs by an amount equal to the amount that a water right which authorized diversion of 1.5 cfs would be reduced to less than 1.0 cfs.
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. 79237

WATER RIGHT NO. 37-737B

As Modified by Transfer No. 79237

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than January 29, 2010.
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. 37U.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-780B**As Modified by Transfer No. 79237**

In accordance with the approval of Transfer No. 79237, Water Right No. 37-780B is now described as follows:

Right Holder: C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

Priority Date: 3/30/1883

Source: FISH CREEK

Tributary: LITTLE WOOD RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.500 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

FISH CREEK

SENESE

Sec 33 Twp 01N Rge 22E 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	22E	15									0.2	24.0	38.0	1.8					64.0
01S	22E	22						6											6
								L 4											

POU Total Acres: 70.0

CONDITIONS OF APPROVAL

1. The additional 0.30 cfs of the total diversion rate of this right shall be delivered to the Hot Springs Canal for conveyance use during the irrigation season pursuant to transfer no. 3922.
2. Irrigation use under rights 37-737B and 37-780B when combined shall not exceed a total diversion rate of 1.00 cfs, a total annual maximum diversion volume of 140.0 af at the field headgate, and the irrigation of 70.0 acres. The water right holder is entitled to this combined amount of water at a point where the water enters the irrigation place of use.
3. Any pro rata reduction of water right nos. 37-00737B and 37-00780B during periods of water shortage shall be calculated as if the water right holder is entitled to divert a combined flow rate of 1.5 cfs for irrigation. The watermaster will only reduce the combined irrigation flow rate below 1.0 cfs by an amount equal to the amount that a water right which authorized diversion of 1.5 cfs would be reduced to less than 1.0 cfs.
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. 79237

WATER RIGHT NO. 37-780B

As Modified by Transfer No. 79237

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than January 29, 2010.
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. 37U.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-2740**As Modified by Transfer No. 79237**

In accordance with the approval of Transfer No. 79237, Water Right No. 37-2740 is now described as follows:

Right Holder: P & C IRRIGATION ASSN INC
080 LAIDLAW PARK RD
CAREY, ID 83320

Priority Date: 7/11/1966

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
4.060 cfs
4.060 cfs

Diversion Volume
1155.0 af
1155.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER
GROUND WATER

NWNWSW
SENESEW

Sec 16 Twp 01S Rge 22E BLAINE County
Sec 4 Twp 01S Rge 22E 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	
01N	22E	32												10.0	26.0	17.0	35.0	38.0	126.0
01N	22E	33									6.0	16.0	40.0	34.0			17.0	8.0	121.0
01S	22E	3										24.0	34.0						58.0
												L 4							
01S	22E	4									33.0	43.0	33.0	38.0	43.0	35.0	30.0	37.0	292.0
											L 3	L 4			L 1	L 2			
01S	22E	5													43.0	43.0	33.0	33.0	152.0
															L 1	L 2			
01S	22E	9															38.5	39.0	77.5
01S	22E	15									0.2	24.0	38.0	1.8					64.0
01S	22E	16									39.0	39.0	30.5	37.0					145.5
01S	22E	17													31.5			25.0	56.5
01S	22E	22							6.0										6.0
									L 4										

Right Acre Limit: 330.0

POU Total Acres: 1098.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 330.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 79237

WATER RIGHT NO. 37-2740

As Modified by Transfer No. 79237

CONDITIONS OF APPROVAL

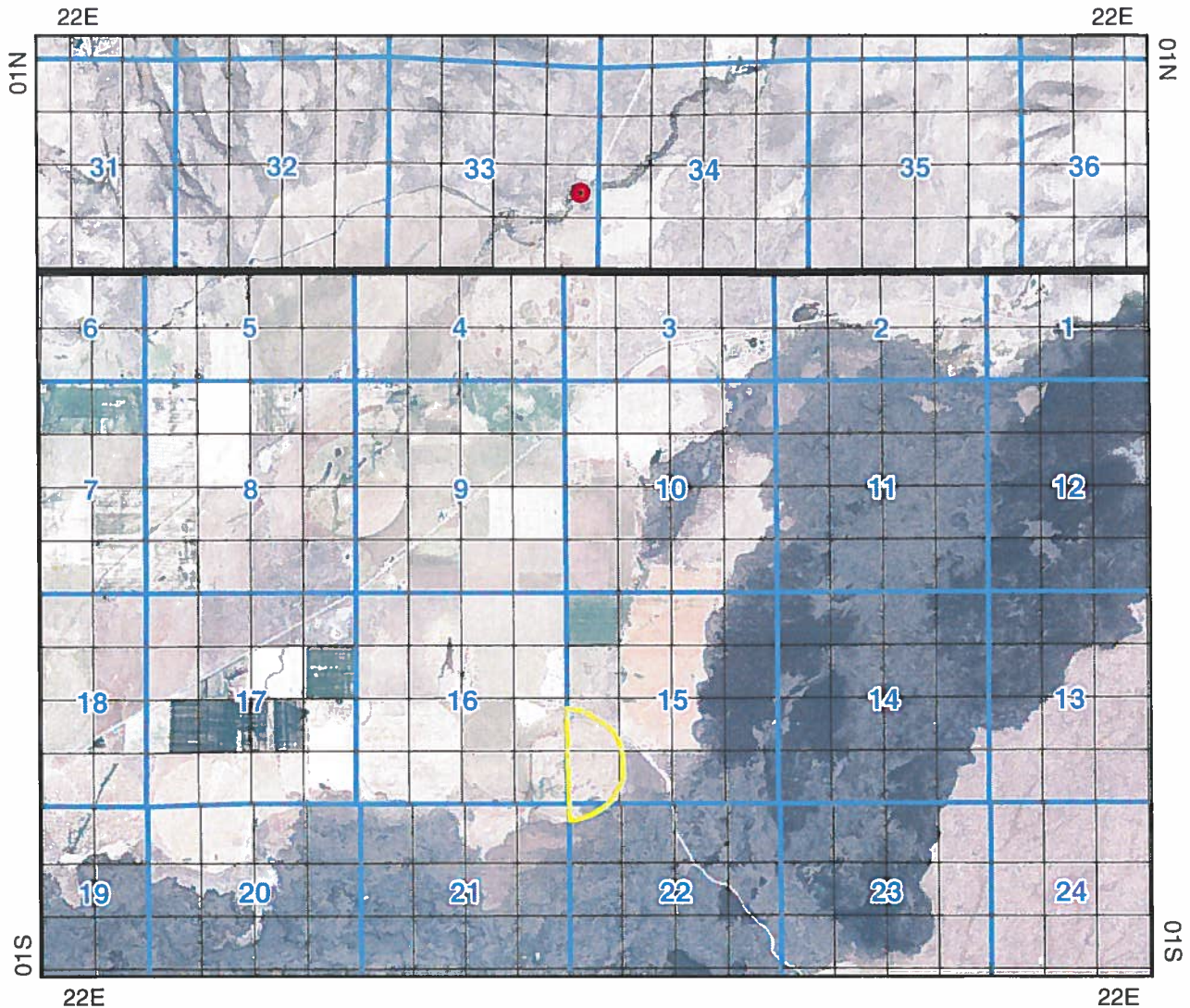
2. This right is limited to the irrigation of a specific 330 acres within the 1098.5 acres place of use authorized by this right in a single irrigation season. Upon notification of the watermaster or the department the specific 330 acres to be irrigated by the right holder shall be identified prior to use in any single irrigation season by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 330 acres to be irrigated within the 1098.5 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.
3. Use of this right is combined with water from Fish Creek Reservoir Company.
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. 130.
6. Prior to the diversion and use of water under Transfer approval 79237, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

State of Idaho
Department of Water Resources

Attachment To Transfer No. 79237

Rights: 37-737B and 37-780B

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
-  Quarter Quarters

0 0.5 1 2 Miles



State of Idaho
Department of Water Resources

Attachment To Transfer No. 79237

Right: 37-2740

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.

