

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79237
RECEIVED**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AUG 07 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

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) C E 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: _____

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AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 07 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant C E MOLYNEUX

Phone (208)823-4573

Mailing Address 080 LAIDLAW PK RD, CAREY ID 83320

Email candkmolyneux@hotmail.com

- ☐ 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 GARY L. FINDERBURG

Phone 208-320-0897

Mailing Address 255 Blue Lakes Blvd NW, PMB 617 T.F.

Email TSKenterprise@cabbone.net
83301

- ☐ 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]
Signature of Applicant or Authorized Representative

C E Molyneux owner
Print Name and Title if applicable

6/11/14
Date

[Signature]
Signature of Applicant or Authorized Representative

Patrick Brown
Print Name and Title if applicable

6/11/14
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-737B	No	No	Yes	No	No	No
	37-780B	No	No	Yes	No	No	No
	37-2740	No	No	Yes	No	No	No

* ALSO SEND COPIES TO PAT BROWN
PO BOX 125
TWIN FALLS, ID 83303

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**

Application filed to change the place of use of water rights 37-2740, 37-737B, and 37-780B.

- 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
37-737B		0.700 cfs	N/A	N/A	70.0		N/A	N/A	N/A	N/A
37-780B		0.800 cfs	N/A	N/A	70.0		N/A	N/A	N/A	N/A
37-2740		4.060 cfs	1155.0 af	330.0	1098.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.560 cfs	N/A	N/A	1,098.5		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 5.56 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.

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

Proposed Water Right No. 37-2740

Current Water Right Owner
P & C IRRIGATION ASSN
INC
C/O JAMES P SPECK
HOGUE SPECK &
AANESTAD
PO BOX 987
KETCHUM, ID 83340

Priority Date: 7/11/1966

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	4.060 CFS	1155.0 AFA	
Total Diversion			4.060 CFS	1155.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWSW	Sec. 16 Twp 01S Rge 22E BLAINE County
GROUND WATER	SENESEW	Sec. 4 Twp 01S Rge 22E BLAINE County

Describe the proposed diversion system

TWO WELLS & PUMPS DELIVERING TO PIPELINE OR EXCHANGE WITH FISH CK.

TWO WELLS & PUMPS DELIVERING TO PIPELINE OR EXCHANGE WITH FISH CK.

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: 1,098.5

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:

Head gate diversion from reservoir to ditch then to pipe line to place of use.

- b. Who owns the property at the point(s) of diversion? BLM, Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: No , Part of this land is owned by Wade Presscott. NW1/4,SW1/4, Sec.15, T1S. R22E. BM.
See agreement attached.

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:

This land is subject to recharge water when available. Not Agriculture use.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Fish Creek Reservoir water shares owned by C.E. Molyneux may continue to be combined, but all water used, will be used as describe by Transfer. Section 16, T6S. R22E will no longer be irrigated with this water right.

- 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

Conditions/Remarks:

8. Conveyance use of this right is in the Hot Springs Canal pursuant to Transfer No. 3922.

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

Current Water Right No. 37-780B

Current Water Right Owner
C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK Tributary: LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	0.500 CFS	
Total Diversion			0.800 CFS	

Source and 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											35.0						35.0
01S	22E	16																35.0	35.0

POU Total Acres: 70.0

Conditions/Remarks:

1. IRRIGATION USE OF THIS RIGHT WITH RIGHT NO. 37-737B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON.
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. Right Nos. 37-00737B and 37-00780B are subject to the conditions of the Second Amended Final Order (dated 04-14-1998) in the matter of the Application for Transfer No. 3922.
4. 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.
5. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
6. IRRIGATION USE OF THIS RIGHT WITH RIGHT NO. 37-737B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 140 AF. The water right holder is entitled to this combined amount of water at a point where the water enters the irrigation place of use described below.
7. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Conveyance use of this right is in the Hot Springs Canal pursuant to Transfer No. 3922.

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

Current Water Right No. 37-2740

Current Water Right Owner
P & C IRRIGATION ASSN
INC
C/O JAMES P SPECK
HOGUE SPECK &
AANESTAD
PO BOX 987
KETCHUM, ID 83340

Priority Date: 7/11/1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	4.060 CFS	1155.0 AFA	
Total Diversion			4.060 CFS	1155.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NWNWSW

Sec. 16 Twp 01S Rge 22E BLAINE County

GROUND WATER

SENESEW

Sec. 4 Twp 01S Rge 22E BLAINE County

Describe the proposed diversion system

TWO WELLS & PUMPS DELIVERING TO PIPELINE OR EXCHANGE WITH FISH CK.

TWO WELLS & PUMPS DELIVERING TO PIPELINE OR EXCHANGE WITH FISH CK.

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											37.0	1.0					38.0
01S	22E	16									39.0	39.0	30.5	37.0	39.0			38.5	223.0
01S	22E	17													31.5			25.0	56.5
01S	22E	21	8.5																8.5
			L 1																
01S	22E	22						3.5											3.5
								L 4											

Right Acre Limit: 330.0

POU Total Acres: 1,156.0

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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM CAREY VALLEY RESERVOIR CO.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 330 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. PURSUANT TO APPROVED TRANSFER NO. 4213:
 1. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
 2. THE RIGHT HOLDER SHALL INSTALL A TOTALIZING MEASURING DEVICE ACCEPTABLE TO THE DEPARTMENT AT ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION AND TOTAL DIVERSION VOLUME.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☐ 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.

☐ If you propose to change the nature of use or period of use of all or part of the right(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**.

☐ 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.:

[illegible]

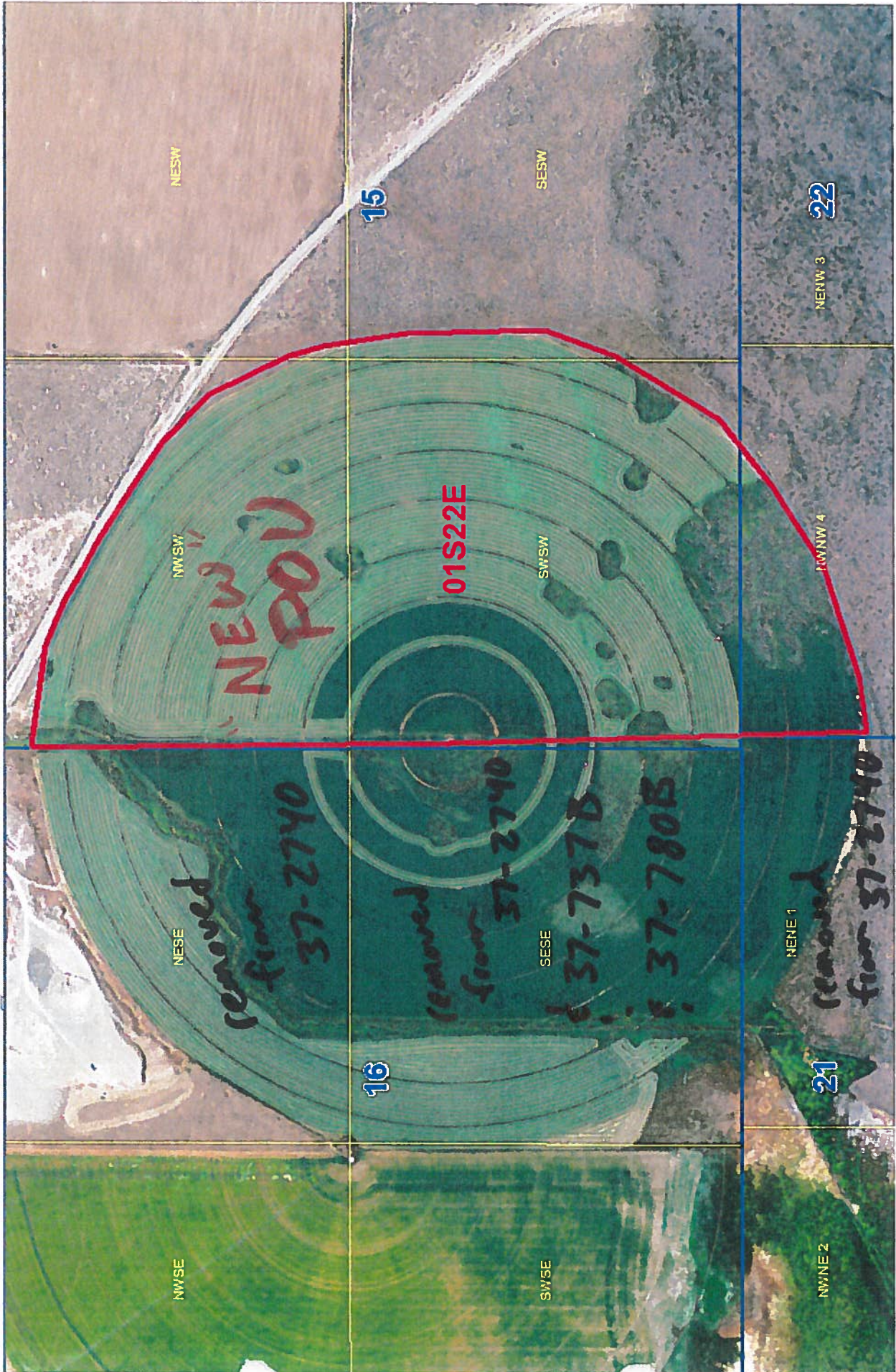
Transfer Contains 14 pages and attachments.

Received By	<u> </u> Date	Prelim. Check By	<u> </u> Date
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<u>Fee Paid</u>	<u>Date</u>	<u>Received By</u>	<u>Receipt #</u>
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Add'l Fee Paid	Date	Received By	Receipt #
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* see original



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

Water Right Number(s): 37-2740

Name(s): P&C Irrigation Association, Inc.

Old Mailing Address: P&C Irrigation Association, Inc.

P.O. Box 987

Ketchum, ID 83340

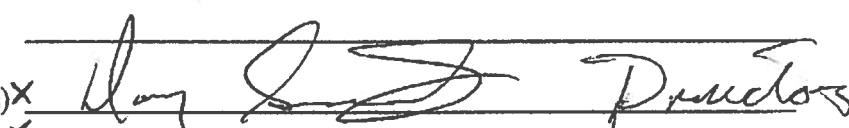
New Mailing Address: P&C Irrigation Association, Inc.

080 Laidlaw Park Rd.

Carey, ID 83320

Telephone Number: (208) 539-4122

Email: _____

Signature(s) of Owner(s) X 

X 

(Include your title if on behalf of company or organization.)

Date: August 4, 2014

Send a signed original to your closest regional office:

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
(208) 736-3033

No. C 38049	Due no later than Dec 31, 2013 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. P & C IRRIGATION ASSOCIATION, INC. CLARENCE "CHIP" MOLYNEUX 080 LAIDLAW PK RD CAREY ID 83320		CLARENCE MOLYNEUX 080 LAIDLAW PK RD CAREY ID 83320			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	DOUG SURERUS	AUSTIN RD	CAREY	ID	USA	83320
DIRECTOR	CLARENCE "CHIP" MOLYNEUX	080 LAIDLAW PK RD	CAREY	ID	USA	83320
5. Organized Under the Laws of: ID C 38049		6. Annual Report must be signed.* Signature: Clarence Molyneux Name (type or print): Clarence Molyneux Date: 10/17/2013 Title: Director				
Processed 10/17/2013		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 79237

P & C Irrigation Association, Inc.
c/o Clarence Molyneux
080 Laidlaw Park Rd.
Carey, ID 83320

August 4, 2014

Idaho Department of Water Resources
c/o Corey Skinner
1341 Fillmore St. Ste. 200
Twin Falls, ID 83301

Re: Transfer Application 79237

I, Douglas Surerus, am a Director of P & C Irrigation Association, Inc. I am writing this letter in that capacity, pursuant to the power and authority delegated to me by that Corporation and the specific corporate resolution entered as Resolution No. 2014-2, to inform you that the Corporation hereby consents to the transfer application enumerated above, including without limitation, to adding to the places of use of water right 37-2740 those acres within TO1S, R22E, Section 15 comprised of 24 acres in the NWSW, 0.2 acres in the NESW, 38 acres in the SWSW, and 1.8 acres in the SESW, and within Section 22 another 6.0 acres in the NWNW. Those acres replace those formerly constituting the places of use within the NESE, and SESE of Section 16 and in the NENE of Section 21.

If you need additional information, please let me know.

Sincerely,



Douglas Surerus

TRANSFER 79237

RECEIVED

MAY 16 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79237

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) C E 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 or 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant C E MOLYNEUX Phone (208)823-4573
Mailing Address 080 LAIDLAW PK RD, CAREY ID 83320 Email candkmolyneux@hotmail.com

- ☐ 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 GARY FUNDERBURG TSK Enterprises Phone 208-320-0897
Mailing Address 255 Blue Lakes Blvd NW #7 PMB Email TSK
617 Twin Falls, Ida 83301

- ☐ 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.

C E Molyneux C E Molyneux 5-15-14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

I.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-737B	No	No	Yes	No	No	No
	37-780B	No	No	Yes	No	No	No

Associated Right(s): 37-2740

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**

Application filed to change the place of use of water rights 37-737B and 37-780B. Note that 38.5 acres
of associated right 37-2740 within the SESE of Section 16 will be removed from the Permissible Place
of Use.

- 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 I.

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
37-737B	0.700 cfs	N/A	N/A	70.0		N/A	N/A	N/A	N/A
37-780B	0.800 cfs	N/A	N/A	70.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	<u>1.0 cfs</u> N/A	N/A	N/A	<u>70.0</u> N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed _____ 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 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.

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

Proposed Water Right No. 37-780B

Current Water Right Owner

C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

Beneficial Use

IRRIGATION

From

04/15

To

10/15

Diversion Rate

0.500 CFS

Subuse Code

Total Diversion

0.800 CFS

Source and Point(s) of Diversion:

FISH CREEK

SENESE

Sec. 33 Twp 01N Rge 22E BLAINE County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	22E	15									0.2	24.0	38.0	1.8					64.0
01S	22E	22						6											6
								L 4											

POU Total Acres: 70.0

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:

Head gate diversion from reservoir to ditch then to pipe line to place of use.

- b. Who owns the property at the point(s) of diversion? BLM, Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
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: No , Part of this land is owned by Wade Presscott. NW1/4,SW1/4, Sec.15, T1S. R22E. BM.
See agreement attached.

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:
This land is subject to recharge water when available. Not Agriculture use.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Fish Creek Reservoir water shares owned by C.E. Molyneux may continue to be combined, but all water used, will be used as describe by Transfer. Section 16, T6S. R22E will no longer be irrigated with this water right.

- 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. 37-737B

Current Water Right Owner
C E MOLYNEUX
080 LAIDLAW PK RD
CAREY, ID 83320

Priority Date: 3/30/1883

Origin: Water Right

Basis: Decreed

Status: Active

Source: FISH CREEK **Tributary:** LITTLE WOOD RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/15	10/15	0.500 CFS	
Total Diversion			0.700 CFS	

Source and 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											35.0						35.0
01S	22E	16																35.0	35.0

POU Total Acres: 70.0

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. IRRIGATION USE OF THIS RIGHT WITH RIGHT NO. 37-780B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON.
3. IRRIGATION USE OF THIS RIGHT WITH RIGHT NO. 37-780B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.0 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 140 AF. The water right holder is entitled to this combined amount of water at a point where the water enters the irrigation place of use described below.
4. Right Nos. 37-00737B and 37-00780B are subject to the conditions of the Second Amended Final Order (dated 04-14-1998) in the matter of the Application for Transfer No. 3922.
5. 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.
6. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Conveyance use of this right is in the Hot Springs Canal pursuant to Transfer No. 3922.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Conveyance use of this right is in the Hot Springs Canal pursuant to Transfer No. 3922.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ 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.

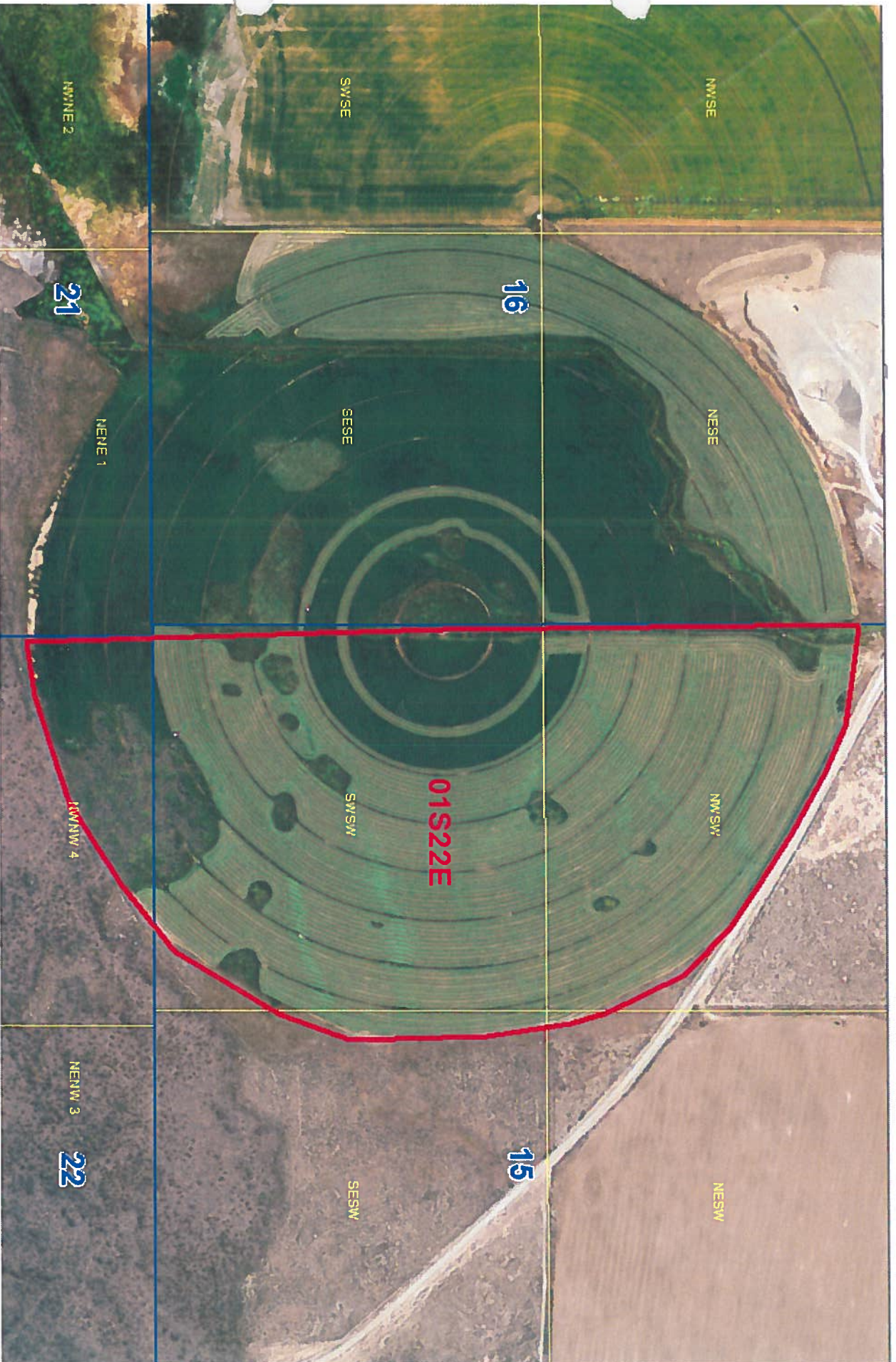
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the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

☐ 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.:

[illegible]

Transfer Contains 11 pages and attachments.
 Received By C. SKINNER Date 5/16/2014 Prelim. Check By Date
 Fee Paid \$500.00 Date 5/16/2014 Received By C. SKINNER Receipt # 5034014
 Add'l Fee Paid Date Received By Receipt #



Quitclaim Deeds (cont'd)

Coates

Deed #1:

Molyneux Brothers, partnership

to

C. E. Molyneux, a married man, undivided 50% interest being all of Grantor's interest

Tp. 1 S., R. 22 E., B.M., Blaine County, Idaho.

Section 16: S1/2SW1/4

Section 17: E1/2SE1/4

(property with House on it-according to Assessors Tax bill
Parcel No. RP015220165340A- approximately 160 acres)

Deed #2:

Molyneux Brothers, partnership

to A. W. Molyneux and Maxine Molyneux, husband and wife, an undivided 50% interest, Clyde L. Molyneux, a married man, an undivided 9.99% interest, William L. Molyneux, a single man, an undivided 11.75% interest, John I. Molyneux, a married man, an undivided 11.99% interest, and C. E. Molyneux, a married man, an undivided 16.27% interest, as tenants in common

Parcel of land in the NW1/4SW1/4 Section 15, T.1 S., R22 E., TL 6862
B.M., Blaine County, Idaho

(Laidlaw Park Parcel)

Deed #3:

Molyneux Brothers, partnership

to

Clyde L. Molyneux, a married man, an undivided 9.99% interest, William L. Molyneux, a single man, an undivided 11.75% interest, John I. Molyneux, a married man, an undivided 11.99% interest, and C. E. Molyneux, a married man, an undivided 16.27% interest, being all of the Grantor's interest, as tenants in common.

Tp 1S., R. 22E., B.M., Blaine County, Idaho
Section 15: S1/2SW1/4
Section 16: N1/2SW1/4, E1/2SE1/4
Section 21: Lots 1 and 2
Section 22: Lot 4

(all remaining property of Coates)



WARRANTY DEED

FOR VALUE RECEIVED

Bonnie C. Kevicki, as to an undivided twenty-five percent (25%) interest and Milford D. Sweat, as to an undivided twenty-five percent (25%) interest and Barbara L. Murphy, as to an undivided twenty-five percent (25%) interest and Michael L. Olsen, as to an undivided eight and thirty-four hundreds percent (8.34%) interest and Dean E. Olsen, as to an undivided eight and thirty-three percent (8.33%) interest and Joel E. Olsen, as to an undivided eight and thirty-three hundreds percent (8.33%) interest

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Marvin L. Prescott and Alice Prescott, husband and wife, as to an undivided sixty six and sixty five percent (66.65%) and Wade L. Prescott and Gwenna R. Prescott, husband and wife, as to an undivided thirty three and thirty five percent (33.35%), as tenants in common

GRANTEE(S), whose current address is: 4078 N. 330 East, Twin Falls, Idaho 83301

the following described premises, to wit:

See "Exhibit A" attached hereto

And as part of a IRS Tax Deferred Exchange (Replacement Property/MLP and AP)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 23 day of April, 2013.

Bonnie C. Kevicki

Barbara L. Murphy
Barbara L. Murphy

Dean E. Olsen
Dean E. Olsen

Milford D. Sweat

Michael L. Olsen
Michael L. Olsen

Joel E. Olsen
Joel E. Olsen

STATE OF Idaho)
COUNTY OF Blaine) ss.

On this 23 day of APRIL, 2013, before me, the undersigned, a Notary Public, in and for said State, personally appeared

Barbara L. Murphy, Michael L. Olsen,
Denn E. Olsen and JOEL E. Olsen

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Kathy Seal
Notary Public

Residing at: Ketchum

My commission expires: 7.26.2017



WARRANTY DEED

FOR VALUE RECEIVED

Bonnie C. Kevicki, as to an undivided twenty-five percent (25%) interest and Milford D. Sweat, as to an undivided twenty-five percent (25%) interest and Barbara L. Murphy, as to an undivided twenty-five percent (25%) interest and Michael L. Olsen, as to an undivided eight and thirty-four hundredths percent (8.34%) interest and Dean E. Olsen, as to an undivided eight and thirty-three percent (8.33%) interest and Joel E. Olsen, as to an undivided eight and thirty-three hundredths percent (8.33%) interest

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Marvin L. Prescott and Alice Prescott, husband and wife, as to an undivided sixty six and sixty five percent (66.65%) and Wade L. Prescott and Gwenna R. Prescott, husband and wife, as to an undivided thirty three and thirty five percent (33.35%), as tenants in common

GRANTEE(S), whose current address is: 4078 N. 330 East, Twin Falls, Idaho 83301

the following described premises, to wit:

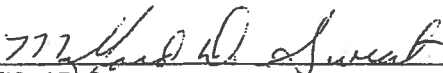
See "Exhibit A" attached hereto

And as part of a IRS Tax Deferred Exchange (Replacement Property/MLP and AP)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 23 day of April, 2013.

Bonnie C. Kevicki

772 
Milford D. Sweat

Barbara L. Murphy

Michael L. Olsen

Dean E. Olsen

Joel E. Olsen

STATE OF Alaska

)
) ss.

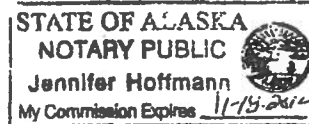
COUNTY OF)

On this 23rd day of April, 2013, before me, the undersigned, a Notary Public, in and for said State, personally appeared

Milford P. Sweat

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.



Jennifer Hoffmann

Notary Public

Residing at: 1340 University Ave Fairbanks, AK 99705

My commission expires: 11-19-2014

WARRANTY DEED

FOR VALUE RECEIVED

Bonnie C. Kevicki, as to an undivided twenty-five percent (25%) interest and Milford D. Sweat, as to an undivided twenty-five percent (25%) interest and Barbara L. Murphy, as to an undivided twenty-five percent (25%) interest and Michael L. Olsen, as to an undivided eight and thirty-four hundredths percent (8.34%) interest and Dean E. Olsen, as to an undivided eight and thirty-three percent (8.33%) interest and Joel E. Olsen, as to an undivided eight and thirty-three hundredths percent (8.33%) interest

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Marvin L. Prescott and Alice Prescott, husband and wife, as to an undivided sixty six and sixty five percent (66.65%) and Wade L. Prescott and Gwenna R. Prescott, husband and wife, as to an undivided thirty three and thirty five percent (33.35%), as tenants in common

GRANTEE(S), whose current address is: 4078 N. 330 East, Twin Falls, Idaho 83301

the following described premises, to wit:

See "Exhibit A" attached hereto

And as part of a IRS Tax Deferred Exchange (Replacement Property/MLP and AP)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 4-23-13 day of April, 2013.



Bonnie C. Kevicki

Milford D. Sweat

Barbara L. Murphy

Michael L. Olsen

Dean E. Olsen

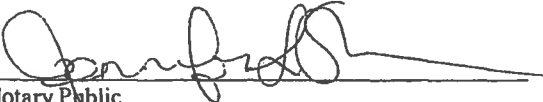
Joel E. Olsen

STATE OF Arizona)
COUNTY OF Pinal) ss.

On this 23 day of April, 2013, before me, the undersigned, a Notary Public, in and for said State, personally appeared
Bonnie C. Kevicki

known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.



Notary Public

Residing at:

My commission expires:

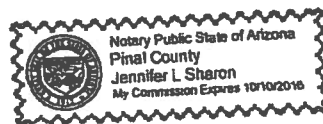


Exhibit A
LEGAL DESCRIPTION

Order No.: 21318205

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho

Section 2: SW¼SE¼

AND

That property which is located within U.S. Government Lot 2, Section 2, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827 more particularly described as follows:

Beginning at the N¼ corner of said Section 2, monumented by PELS 2098, which is the initial POINT OF BEGINNING;
Thence South 89°53'04" East, 864.767 feet along the Boise Base Line to the South ¼ corner of Section 35 monumented by the GLO;
Thence North 89°57'34" East, 464.507 feet to the N.E. Corner of said U.S. Government Lot 2 monumented by PE/LS 2098;
Thence South 0°36'11" West, 765.378 feet along the East line of U.S. Government Lot 2 to a point on the Northerly R.O.W. line of U.S. 93 monumented by PE/LS 2098;
Thence along a non-tangent R.O.W. curve to the left with the following data: R=1960.000' T=288.359' L=572.610' L.Ch.=70.575' L.Ch. Bearing-S88°58'55" W Delta=6°44'20" to the P.C. monumented by PE/LS 2098;
Thence North 09°23'15" West, 50.00 feet along said R.O.W. to a 100' R.O.W. monumented by PE/LS 2098;
Thence South 80°36'45" West, 758.572 feet along said R.O.W. to the West line of U.S. Government Lot 2,
Thence North 0°23'35" East, 851.311 feet along the West line back to the initial point of beginning. (Tax Lot 8174)

AND

Beginning at the N¼ corner of said Section 2, thence South 0°23'35" West, 1003.523 feet along the West line of U.S. Government Lot 2 to a point on the Southerly R.O.W. line of U.S. 93, which is the initial point of beginning;
Thence North 80°36'45" East 784.429 feet along said R.O.W. to the P.C. of a curve monumented by ITD;
Thence along a tangent R.O.W. curve to the right with the following data: R=1860.000' T=279.696' L=555.232' L.Ch.=53.172' L.Ch. Bearing=N89°09'51"E Delta=7°06'12" to a point on the East line of U.S. Government Lot 2 monumented by PE/LS 2098;
Thence South 0°36'11" West, 548.354 feet along said East line to the SE 1/16 corner monumented by PE/LS 2098;
Thence North 89°48'56" West 1324.071 feet along the South line of U.S. Government Lot 2 to the CS 1/16 corner monumented by PE/LS 2098;
Thence North 0°23'35" East 408.050 feet along the West line of U.S. Government Lot 2 back to the initial point of beginning. (Tax Lot 8175)

That property which is located within U.S. Government Lot 3, Section 2, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827, more particularly described as follows:

Beginning at the N¼ corner of Said Section 2 which is the initial point of beginning;
Thence South 0°23'35" West 851.311 feet along the center of section line to a point of the Northerly R.O.W. line of U.S. 93;

Thence South 80°36'45" West, 1040.628 feet along said R.O.W. line to a point monumented by PE/LS 2098;
Thence South 9°23'15" East 50.000 feet along said R.O.W. line to a point monumented by PE/LS 2098;
Thence South 80°36'45" West 311.048 feet along said R.O.W. line to a point on the West line of U.S. Government Lot 3;
Thence North 0°06'05" East, 1123.874 feet along the West line of U.S. Government Lot 3 to the NW corner of U.S. Government Lot 3 monumented by PE/LS 2098;
Thence South 89°52'49" East, 1329.273 feet along the Boise Base Line back to the initial point of beginning. (Tax Lot 8176)

AND

Beginning at the said N¼ corner of Section 2, thence South 0°23'35" West 1003.523 feet along the East line of U.S. Government Lot 3 to a point on the Southerly R.O.W. line of U.S. 93, which is the initial point of beginning;
Thence South 0°23'35" West, 408.050 feet to the CS1/16 corner monumented by PE/LS 2098;
Thence North 89°46'04" West, 1322.091 feet along the Southerly line of U.S. Government Lot 3 to the SW1/16 monumented by PE/LS 2098;
Thence North 0°06'05" East, 183.697 feet along the West line of U.S. Government Lot 3 to a point on the Southerly R.O.W. line of U.S. 93;
Thence North 80°36'45" East, 1342.534 feet along said R.O.W. line back to the initial point of beginning. (Tax Lot 8177)

That property which is located within U.S. Government Lot 4, Section 2, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827, more particularly described as follows:

Beginning at the North Section Corner between Sections 2 and 3 monumented by PE/LS 2098 which is the initial point of beginning;
Thence North 89°45'30" East, 870.061 feet along the Boise Base Line to the Section Corner of Sections 34 and 35 monumented by the GLO,
Thence South 89°52'37" East 459.212 feet along the Boise Base Line to the NE corner of U.S. Government Lot 4 monumented by PE/LS 2098;
Thence South 0°06'05" West, 1123.874 feet along the East line of U.S. Government Lot 4 to a point on the Northerly R.O.W. line of U.S. 93;
Thence South 80°36'45" West, 1340.753 feet along said R.O.W. to a point on the West line of Section 2 monumented by PE/LS 2098;
Thence North 0°11'29" West 1339.889 feet along the West line of Section 2 back to the initial point of beginning. (Tax Lot 8178)

AND

Beginning at the said North Section Corner between Sections 2 and 3, thence South 0°11'29" East, 1400.919 feet along the Section Line to the S1/16 Corner between Sections 2 and 3, thence South 89°46'04" East, 237.892 feet along the South line of U.S. Government Lot 4 to the point of intersection with the Southerly R.O.W. line of U.S. 93, which is the initial point of beginning;
Thence North 80°36'45" East, 1099.245 feet along said R.O.W. line to a point on the East line of U.S. Government Lot 4;
Thence South 0°06'05" West 183.697 feet along the said East line to the SW1/16 Corner monumented by PE/LS 2098;
Thence North 89°46'04" West, 1084.208 feet along the South line of U.S. Government Lot 4 back to the initial point of beginning. (Tax Lot 8179)

That property which is located within the SE¼ of the SE¼ and the SW¼ of the SE¼ of Section 3, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827, more particularly described as follows:

Beginning at the SE corner of said Section 3 monumented by PLS 4489, which is the initial point of beginning;

Thence South 89°43'33" West, 1320.343 feet along the south line of Section 3 to the E1/16 corner between Sections 3 and 10 monumented by PE/LS 2098;
Thence North 0°10'43" West, 1060.851 feet along the 1/16 line to a point on the Southerly R.O.W. line of U.S. Highway 93 monumented by PE/LS 2098;
Thence North 80°36'45" East, 1337.287 feet along said Southerly R.O.W. to a point on the East line of Section 3 monumented by PE/LS 2098;
Thence South 0°11'29" East, 1272.663 feet along the East line of Section 3, back to the initial point of beginning. (Tax Lot 8180)

AND

Beginning at the S¼ Corner of said Section 3 monumented by PLS 4489, thence North 0°09'55" West, 1100.473 feet along the center of section line to a point on the northerly R.O.W. curve of U.S. 93 monumented by PE/LS 2098, which is the initial point of beginning;
Thence North 0°09'55" West 214.229 feet continuing along said center section line to the CS1/16 corner monumented by PE/LS 2098;
Thence North 89°45'51" East, 1318.202 feet along the North line of the SW¼ of the SE¼ to the intersection with the Northerly R.O.W. line of U.S. 93;
Thence South 80°36'45" West, 1248.633 feet along said Northerly R.O.W. line to the P.T. of the R.O.W. curve monumented by PE/LS 2098;
Thence along the tangent R.O.W. curve to the left with the following data: R=2110.000' T=43.580' L=87.147' Long Chord=87.141' L.Ch. Bearing=S79°25'45"W Delta=2°21'59" back to the initial point of beginning. (Tax Lot 8181)

AND

Beginning at the said S¼ Corner of Section 3, which is the initial point of beginning;
Thence North 0°09'55" West, 844.545 feet along the center of section line to the intersection of a curve on the southern R.O.W. of U.S. 93;
Thence along a non-tangent R.O.W. curve to the right with the following data: R=1860.000' T=64.145' L=18.239' L.Ch.=128.214' L.Ch. Bearing=N78°38'14"E Delta=3°57'01" to the P.T. monumented by PE/LS 2098;
Thence
Thence North 80°36'45" East, 1209.964 feet along said southerly R.O.W. to the intersection of the East line of SW¼ of the SE¼ monumented by PE/LS 2098;
Thence South 0°10'43" East, 1060.851 feet along said East line to the E1/16 corner between Sections 3 and 10 monumented by PE/LS 2098;
Thence south 89°43'33" West, 1320.343' along the Southerly line of Section 3 back to the initial point of beginning. (Tax Lot 8182)

That property which is located within Section 10, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827, more particularly described as follows:

Section 10: NE¼NW¼; NW¼NE¼; SE¼SE¼NW¼; SW¼NE¼; SE¼NE¼; E½NE¼SW¼; NW¼SE¼; NE¼SE¼; SE¼SW¼; SW¼SE¼; and the following described tract:

Beginning at the W¼ corner of said Section 10 monumented by PLS 3623, thence North 89°52'01" East, 1990.599' along the center of section line to the C-E-W 1/64 corner monumented by PE/LS 2098, which is the initial point of beginning;
Thence North 44°46'50" West, 929.529 feet to the C-S-NW1/64 corner monumented by PE/LS 2098;
Thence North 89°49'55" East, 662.692 feet to the SE-NW1/64 corner monumented by PE/LS 2098;
Thence South 0°41'14" West, 661.783 feet back to the initial point of beginning. (Tax Lot 8183)

That property which is located within Section 15, Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho, with reference to record of Survey recorded as Instrument No. 575827, more particularly described as follows:

Section 15: NW¼NW¼; NE¼NW¼; NW¼NE¼; SE¼NW¼; SW¼NE¼; NE¼SW¼;
NW¼SE¼

LICENSE AGREEMENT

THIS AGREEMENT made and entered into this 14 day of May, 2014, between and among **Marvin L. Prescott and Alice Prescott, husband and wife, and Wade L. Prescott and Gwenna R. Prescott, husband and wife,** collectively referred to as "Licensor," and **C. E. Molyneux**, hereinafter referred to as "Licensee."

WITNESSETH:

WHEREAS, Licensee is the owner of certain real property located in Blaine County, Idaho, more particularly described as the E1/2 of the SE1/4 of Section 16 and the W1/2 of the SW1/4 of Section 15, all in Township 1 S., Range 22 E., Boise Meridian, and irrigates such property with a pivot irrigation system;

WHEREAS, Licensor is the owner of certain real property located in Blaine County, Idaho, more particularly described as the NE1/4 of the SW1/4 of Section 15, Township 1 S., Range 22 E., Boise Meridian;

WHEREAS, Licensee's pivot irrigation system currently irrigates in a circular pattern approximately centered on Licensee's property described above, and it also irrigates part of Licensor's property described above, to the extent of about 0.2 acres along the southwest boundary;

WHEREAS, Licensee's irrigation of the 0.2 acres of Licensor's property is an unintended result of locating the precise property boundaries at the time of the installation of the system; and

WHEREAS, the parties desire to make this License Agreement to set forth their rights and obligations with regard to the continuing irrigation of the Licensors property through Licensee's irrigation system.

NOW, THEREFORE in consideration of the premises and the covenants and conditions contained herein and otherwise acknowledged to be exchanged and received, the parties hereto agree as follows:

1. Licensee hereby acknowledges and agrees that the presently existing irrigation of Licensors property does not give rise to any claim to Licensors property other than as set forth in this Agreement. Further, Licensee agrees to discontinue irrigating Licensors property at such time as the irrigation pivot system is replaced or Licensors revokes this license.

*

2. For so long as there is no default in any of the terms, conditions, covenants or agreements herein contained, the Licensors hereby grants unto the Licensee a license to use the approximately 0.2 acres of land described above, including the right to transfer any water rights or shares of water to that place of use as reasonable or necessary to continue the irrigation. Said use shall be limited to its present use and shall not be expanded without the written permission of the Licensors.

3. It is understood that the license granted herein by the Licensors to the Licensee shall be personal to the Licensee and shall be revocable by the Licensors at any time by giving to the Licensee a written notice of their intent to so terminate the license thirty (30) days before said termination becomes effective.

4. The license herein granted shall be non-exclusive and shall not restrict the use of said property described by the Licensor, their agents, representatives, invitees and guests.

5. All costs incurred by the Licensee to authorize and use water, water rights, and or shares of water to irrigate shall be at the Licensee's sole cost and expense. Licensee shall indemnify and hold the Licensor and any subsequent owners of the real property described above harmless from any and all claims, causes of action, damages or liability arising from or in any way connected with, the use of the license herein granted. At the termination of this license the Licensee agrees to cease irrigation of the 0.2 acres and transfer any water, water rights or shares of water off of the place of use.

6. The license granted herein shall be subordinate to all liens, easements and encumbrances of record on the date hereof affecting the real property of Licensor.

7. In the event it becomes necessary to enforce any of the terms, conditions or covenants of this License Agreement, the prevailing party shall be awarded a reasonable attorney's fee in addition to any costs allowed by law.

8. This License Agreement shall be binding upon the respective heirs, executors, personal representatives and assigns of the parties hereto.

9. This License Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Idaho.

DATED this 14th day of May, 2014.

Marvin L. Prescott
MARVIN L. PRESCOTT

Alice Prescott
ALICE PRESCOTT

Wade L. Prescott
WADE L. PRESCOTT

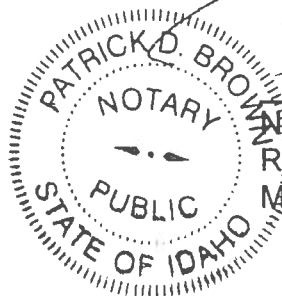
Gwen R. Prescott
GWENNA R. PRESCOTT

C.E. Molyneux
C.E. MOLYNEUX

STATE OF IDAHO)
 : ss.
County of Blaine)

On this 15 day of May, 2014, before me the undersigned, a notary public in and for said State, personally appeared **MARVIN L. PRESCOTT**, known to me to be the person whose name is subscribed to the within instrument as Licensor and acknowledged to me that he executed the same.

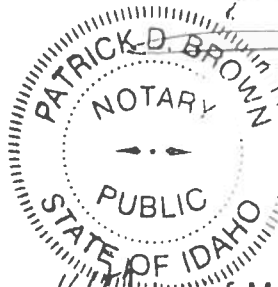
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for State of Idaho
Residing at Wint Falls
My Commission Expires 11/11/14

On this 15 day of May, 2014, before me the undersigned, a notary public in and for said State, personally appeared **ALICE PRESCOTT**, known to me to be the person whose name is subscribed to the within instrument as Licenser and acknowledged to me that she executed the same.

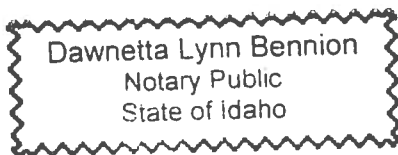
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for State of Idaho
Residing at Twin Falls, ID
My Commission Expires 11/1/14

On this 14th day of May, 2014, before me the undersigned, a notary public in and for said State, personally appeared **WADE L. PRESCOTT**, known to me to be the person whose name is subscribed to the within instrument as Licenser and acknowledged to me that he executed the same.

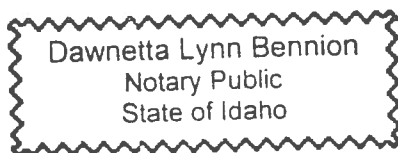
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Dawnetta Lynn Bennion
Notary Public for State of Idaho
Residing at Blaine Carey
My Commission Expires April 20th, 2015

On this 14th day of May, 2014, before me the undersigned, a notary public in and for said State, personally appeared **GWENNA R. PRESCOTT**, known to me to be the person whose name is subscribed to the within instrument as Licenser and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Dawnetta Lynn Bennion
Notary Public for State of Idaho
Residing at Blaine Carey
My Commission Expires April 20th, 2015

Instrument # 461775

HAILEY, BLAINE, IDAHO

2002-02-21

03:12:00 No. of Pages: 2

Recorded for : NED WILLIAMSON

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

(Space above this line for Recorder's use only)

QUITCLAIM DEED

FOR VALUE RECEIVED, INGEBORG A. MOLYNEUX does hereby convey, release, remise and forever quitclaim unto CLARENCE E. MOLYNEUX, a single man, as his sole and separate property, of 080 Laidlaw Park Rd., Carey, ID 83320, the following described premises situated in the County of Blaine, State of Idaho, to-wit:

Parcel I:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho

Section 15: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 16: N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 17: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 21: Lots 1 and 2

Section 22: Lot 4

Parcel II:

A Parcel of land being all that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 1 South, Range 22 East, B.M. Blaine County, Idaho, lying Southerly of the South boundary of the Carey-Kimama Road, more particularly described as follows:

Commencing at an aluminum cap marking the West One-Quarter of said Section 15, from which a brass cap and an original stone marking the Southwest Corner of said Section 15, bears South 0°14'38" East, 2676.85 feet;

thence South 0°14'38" East, 117.99 feet along the West Boundary of said Section 15 to the South boundary of the Carey-Kimama Road which point is the Real Point of Beginning;

thence South 61°21'52" East, 830.62 feet along the South boundary of said Carey-Kimama Road;

thence South 57°21'57" East, 427.39 feet along the South boundary of said Carey-Kimama Road;

ORIGINAL IN RED

Instrument # 462327

HAILEY, BLAINE, IDAHO

2002-03-06

09:22:29 No. of Pages: 2

Recorded for: A W MOLYNEUX

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to WTYOCICORP DEED

QUITCLAIM DEED

For value received A.W. MOLYNEUX and MAXINE MOLYNEUX, husband and wife, herein after called the Grantor, do hereby convey, release, remise and forever quitclaim unto C. E.

Molyneux, an unmarried man, whose address is 080 Laidlaw Park Road, Carey, Idaho 83320, hereinafter called the Grantee,

All the Grantor's interest in the following described premises situated in Blaine County, Idaho, to-wit:

Exhibit "A" attached hereto.

Together with their appurtenances.

Dated ~~February~~ ^{March} 5, 2002.

A.W. Molyneux
A. W. Molyneux

Maxine Molyneux
Maxine Molyneux

STATE OF IDAHO

County of Blaine

ON ~~February~~ ^{March} 5, 2002, before me a Notary Public of said State, personally appeared A. W. Molyneux and Maxine Molyneux, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Dina M. Clark
Notary Public for Idaho

Residing at: Picabo, Idaho

Commission Expires: 2-21-2003

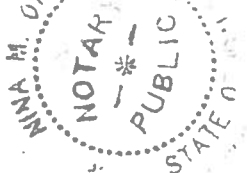


Exhibit "A"

Parcel I:

Township 1 South , Range 22 East, Boise Meridian, Blaine County, Idaho.

Section 15: S1/2SW1/4

Section 16: N1/2SW1/4, E1/2SE1/4, S1/2SW1/4

Section 17: E1/2SE1/4

Section 21: Lots 1 and 2

Section 22: Lot 4

Parcel II:

A parcel of land being all that portion of the NW1/4SW1/4, Section 15, Township 1 South, Range 22 East, B.M., Blaine County, Idaho, lying southerly of the South boundary of the Carey-Kimama Road, more particularly described as follows:

Commencing at an aluminum cap marking the West One-Quarter Corner of said Section 15, from which a brass cap and an original stone marking the Southwest Corner of said Section 15, bears South 0 14'38" East, 2676.85 feet;

thence South 0 14'38" East, 117.99 feet along the West Boundary of said Section 15 to the South boundary of the Carey-Kimama Road which point is the Real Point of Beginning;

thence South 61 21'52" East, 830.62 feet along the South boundary of said Carey-Kimama Road;

thence South 57 21'57" East, 427.39 feet along the South boundary of said Carey-Kimama Road;

thence South 54 42'48" East, 288.29 feet, more or less, along the South boundary of said Carey-Kimama Road, to the East Boundary of said NW1/4SW1/4, Section 15;

thence South 0 13'14" East, 427.44 feet along said East boundary of NW1/4SW1/4, Section 15, to the Southeast Corner of said NW1/4SW1/4, Section 15;

thence North 89 54'33" West, 1320.71 feet along the South boundary of said NW1/4SW1/4, Section 15 to the West boundary of said NW1/4SW1/4;

thence North 0 14'38" West, 1220.44 feet along the West boundary of said Section 15 to the point of beginning.

Order No. 19006

WARRANTY DEED

FOR VALUE RECEIVED

Edwin L. Coates, as to Parcel I, and as to Parcel II, a widow AND Robert A. Coates, as to Parcel II & III, a married man, as his sole and separate property,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto

A. W. McVeyneux and Madina McVeyneux, husband and wife, as to an undivided 50% interest, AND McVeyneux Brothers, a partnership consisting of Cyril L. McVeyneux, William L. McVeyneux, John L. McVeyneux and Clarence E. McVeyneux, as to undivided 50% interest,

whose address is: Route 1, Box 400, Bellevue, ID 83311

Hereinafter called the grantees, the following described premises, in Blaine County, Idaho, to wit:

PARCEL I:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.
Section 16: S1/2 SW1/4, N1/2 SW1/4 -
Section 17: E1/2 SE1/4

PARCEL II:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.
Section 16: S1/2 SW1/4 -
Section 21: Lots 1 and 2
Section 22: Lot 4

PARCEL III:

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.
Section 16: E1/2 SE1/4

SUBJECT TO: A Mortgage in favor of The Federal Land Bank of Spokane, in the original amount of \$104,000.00, recorded February 3, 1984, as Instrument No. 270229, records of Blaine County, Idaho, which the Grantee(s) herein agree to assume and pay according to its terms and conditions.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantees' heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that the Grantor is the owner of the said premises in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 17, 1990

Edwin L. Coates
Edwin L. Coates
Robert A. Coates
Robert A. Coates

BLAINE CO. REQUEST
OF: Southwest Title Co., Inc.

Docd
OCT 23 PM 3 33
MARY GREEN, CLERK
FEES \$ 6.00

Blaine County, Idaho

State of Idaho

County of Blaine

On this 17th day of October 1990, before me, a notary public in and for said State, personally appeared Edwin L. Coates and Robert A. Coates known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Edwin L. Coates
Edwin L. Coates
Robert A. Coates
Robert A. Coates
Notary Public
Filing # 2077
Commission Expires 5-14-91

Blaine County, Idaho

No. C 38049	Due no later than Dec 31, 2013 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. P & C IRRIGATION ASSOCIATION, INC. CLARENCE "CHIP" MOLYNEUX 080 LAIDLAW PK RD CAREY ID 83320		CLARENCE MOLYNEUX 080 LAIDLAW PK RD CAREY ID 83320			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	DOUG SURERUS	AUSTIN RD	CAREY	ID	USA	83320
DIRECTOR	CLARENCE "CHIP" MOLYNEUX	080 LAIDLAW PK RD	CAREY	ID	USA	83320
5. Organized Under the Laws of: ID C 38049		6. Annual Report must be signed.* Signature: Clarence Molyneux Name (type or print): Clarence Molyneux Date: 10/17/2013 Title: Director				
Processed 10/17/2013		* Electronically provided signatures are accepted as original signatures.				

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 79237
Water Right No: 37-2740
Applicant Name: P & C Irrigation

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
- b) ☒ I do not oppose approval of this application under the following terms:

Add condition 206

- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: September 12, 2014

Water District 130



Cindy J Yenter, Watermaster

RECEIVED

SEP 11 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources

Application for ~~Permit~~ *Transfer*

RECOMMENDATION OF WATERMASTER

Application for Transfer # 79237

Applicant's Name: CE Molyneux
080 Laidlaw Park Rd
Carey, ID 83320

Watermaster'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 Comment:

Dated this 11 day of Sept 2014.

Water District No: 37U


Watermaster's Signature

MEMORANDUM

Date: September 11, 2014
To: Transfer 79237 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the place of use of two Fish Creek water rights, 37-737B and 37-780B, and one groundwater right, 37-2740. The proposed change in place of use involves removing water rights from the west half of a pivot located about 4.5 miles east of Carey Lake and assigning them to the east half of the same pivot. The two Fish Creek rights allow for the irrigation of a total combined 70 acres. Note that these two rights have some relatively unique amounts and conditions resulting from transfer # 3922 (approved April of 1998). The groundwater right is also relatively unique in that it is owned by P & C Irrigation Association Inc. and allows for the irrigation of 330 acres within a much larger permissible place of use boundary. Note that P & C Irrigation Association Inc. does not actually own any of the place of use described on the right. The proposed change in place of use in the groundwater right consists of removing the portion of the large permissible place of use boundary that identifies the west half of the pivot, and identifying the east half of the pivot as part of the large permissible place of use boundary. Note that the rest of the large permissible place of use boundary will remain unchanged. Because the transfer only proposes modifying the place of use to adjacent land there should be no resulting hydrologic impact so it is recommended that the application be processed and approved without any public notice advertising.

- **Authority to File:**

The application is filed in the name of CE Molyneux, the current recorded owner of the Fish Creek rights, 37-737B and 37-780B, involved with the transfer. The application includes a copy of a deed indicating that CE Molyneux owns the proposed place of use. Note that a small portion (0.2 acre) of the proposed place of use, due to pivot encroachment, is not owned by CE Molyneux, but is owned by the Prescotts. A copy of an agreement ("License Agreement") between the Prescotts and CE Molyneux has been included allowing for this pivot encroachment. DL Evans Bank is listed as a security interest on the Fish Creek rights involved with the transfer and will receive a copy of the transfer approval after the application is approved. Examination of the mortgage documents submitted with their security interest form indicates that the east half of the pivot is part of the land covered by the mortgage.

The groundwater right, 37-2740, involved with the transfer is in the name of P & C Irrigation Association Inc. Information from the IDSOS website indicates that Doug Surerus and Clarence Molyneux (CE Molyneux, the transfer applicant) are the directors of P & C Irrigation Association Inc. CE Molyneux (Clarence Molyneux) is the transfer applicant who signed the application so he is in agreement with the proposed change to right 37-2740. The application includes a copy of a signed statement from Doug Surerus, the other director, agreeing to the proposed change to right 37-2740. The proposed change in place of use boundary involves land owned by CE Molyneux (other than the 0.2 acres owned by the Prescotts mentioned in the preceding paragraph) and not portions of the place of use boundary involving lands not owned by CE Molyneux.

- **Water Right Validity:**
Fish Creek rights 37-737B and 37-780B were decreed in the SRBA in January of 2010. Groundwater right 37-2740 was decreed in the SRBA in January of 2003. Temporary change applications have been filed and approved in 2012 and 2013 for right 37-2740 indicating recent use. Aerial photography supports use of all the rights involved in the transfer in recent years.
- **Injury to Other Water Rights:**
None anticipated. Application only proposes to change the place of use to adjacent property.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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.