

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT SRBA
TWIN FALLS CO., IDAHO
FILED 2009 MAY 11 AM 8 42

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-22038

NAME AND ADDRESS: A W MOLYNEUX
MAXINE MOLYNEUX
1174 GANNETT-PICABO RD
BELLEVUE, ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.01 CFS

Rights 37-22026, 37-22028, 37-22030, 37-22032, 37-22034,
37-22036, 37-22038 and 37-22040 when combined shall not exceed a
total diversion rate of 0.18 cfs.
This right when combined with all other rights shall provide no
more than 3.5 afa per acre at the field headgate for irrigation
of the lands herein.
The right listed below are limited to a total combined diversion
rate of 27.59 cfs. Combined Right Nos.: 37-2658, 37-4421B,
37-7651, 37-11430, 37-200570, 37-20571, 37-20574, 37-20577,
37-20578, 37-20581, 37-20584, 37-20593, 37-22026, 37-22028,
37-22030, 37-22032, 37-22034, 37-22036, 37-22038 and 37-22040.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T01N R18E S12 NWSESW Within Blaine County
S25 NWSENW (Rediversion)
NESWSW (Rediversion)

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

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.01 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01N R18E S36	NESW 40.0	NWSW 40.0
	SWSW 38.0	SESW 39.0
T01S R18E S01 LOT 2	(SWNE) 19.0	LOT 1 (SENE) 19.0
LOT 3	(SENW) 5.0	NESW 20.0
	SESW 35.0	NESW 40.0
	NWSE 40.0	SWSE 40.0
	SESE 39.0	
S12	NENE 38.0	NWNE 40.0
	NENW 38.0	NWNW 8.0
	SWNW 13.0	SENW 40.0
591.0 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 591 acres in a single irrigation season.
Combined Right Nos.: 37-2658, 37-4421B, 37-7651, 37-11430,
37-20570, 37-20571, 37-20574, 37-20577, 37-20578, 37-20581,
37-20584, 37-20593, 37-22026, 37-22028, 37-22030, 37-22032,
37-22034, 37-22036, 37-22038 and 37-22040.
Rights 37-22026, 37-22028, 37-22030, 37-22032, 37-22034,
37-22036, 37-22038 and 37-22040 when combined shall not exceed
the irrigation of 3.9 acres in a single irrigation season.

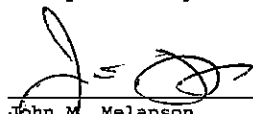
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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MAY 12 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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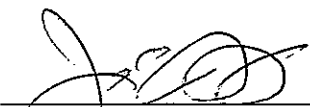
)
) Water Right Nos.: See Attached Exhibit A
) (Molyneux)
)
) ORDER OF PARTIAL DECREES
)
)

On February 21, 2007, the Idaho Department of Water Resources filed its *Director's Report for Basin 37, Part III, Reporting Area 16, for Irrigation and Other Water Rights*, which included recommendations for the above named water rights. No objections were filed and the time period for filing objections has expired.

On February 23, 2009, the Idaho Department of Water Resources filed an *Amended Notice of Completed Administrative Proceeding and Amended Director's Reports* notifying the Court of a transfer in each of the above named water rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

Therefore, IT IS ORDERED that the above-captioned water rights be decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED May 11, 2009.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - A W MOLYNEUX

Subcase Nos:

37-22026
37-22028
37-22030
37-22032
37-22034
37-22036
37-22038
37-22040

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on May 11, 2009, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

A W MOLYNEUX
MAXINE MOLYNEUX
1174 GANNETT-PICABO RD
BELLEVUE, ID 83313
Phone: 208-788-2552