

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20578 V1

WATER RIGHT NUMBER: 37-20578 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                          |
|-------------------|----------------------------------------------------------------------------------|
| Current Owner     | A W MOLYNEUX<br>1174 GANNETT-PICABO RD<br>BELLEVUE, ID 83313<br>(208)788-2552    |
| Current Owner     | MAXINE MOLYNEUX<br>1174 GANNETT-PICABO RD<br>BELLEVUE, ID 83313<br>(208)788-2552 |

Priority Date: 05/31/1887

Basis: Decreed

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| BIG WOOD RIVER | MALAD RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/31          | 1.110 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.110 CFS             |                      |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| BIG WOOD RIVER | NW1/4SE1/4SW1/4 | Sec. 12, Twp 01N, Rge 18E, B.M. |
| BLAINE County  |                 |                                 |
| BIG WOOD RIVER | NE1/4SW1/4SW1/4 | Sec. 25, Twp 01N, Rge 18E, B.M. |
| BLAINE County  | (Rediversion)   |                                 |
| BIG WOOD RIVER | NW1/4SE1/4NW1/4 | Sec. 25, Twp 01N, Rge 18E, B.M. |
| BLAINE County  | (Rediversion)   |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |    |    |    | NW |    |    |    | SW   |      |      |      | SE |    |    |    | Totals |
|-----|-----|-----|------|----|----|----|----|----|----|----|------|------|------|------|----|----|----|----|--------|
|     |     |     | NE   | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   | NE | NW | SW | SE |        |
| 01N | 18E | 36  |      |    |    |    |    |    |    |    | 40.0 | 40.0 | 38.0 | 39.0 |    |    |    |    | 157.0  |
| 01S | 18E | 12  | 38.0 |    |    |    |    |    |    |    |      |      |      |      |    |    |    |    | 38.0   |

Total Acres: 195

Conditions of Approval:

1. This right shall not exceed a total annual maximum diversion volume of 438.8 af at the field headgate.

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2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. The rights 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, 37-20570, 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.
4. Approval of Transfer 5551 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. Rights 37-20571, 37-20574, 37-20578, 37-20581 and 37-20584 when combined shall not exceed the irrigation of 195 acres.
6. R43 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.
7. S24 Use of this right is combined with water from Base Line Canal Co.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. C18 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.
10. R59 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 above.
11. X35 Rights 37-20571, 37-20574, 37-20578, 37-20581 and 37-20584 when combined shall not exceed a total annual maximum diversion volume of 682.5 af at the field headgate.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. This right is measured and administered at the point of rediversion.
14. E56 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.

Remarks:Comments:

1. mvanbussum 2/8/2007 Copied from remarks  
Comment: The right holder shall cease irrigation of 278 acres previously authorized under Rights 37-00182A, 37-00334E and 37-30011A and consolidate use of water on the remaining 271 acres.
2. tfawcett 2/11/2009 transfer 74959  
Comment: Recommendation associated rights conditions updated to reflect approved transfer 74959.

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Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector: AND  
 Water District Number:  
 Generic Max Rate Per Acre:  
 Generic Max Volume Per Acre:  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Carey Act Number:  
 Mitigation Plan: False

Combined Use Limits:

| <u>Rate</u>                                                                                                                                            | <u>Volume</u> | <u>Acres</u> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|
| 27.41                                                                                                                                                  |               | 591          |
| Combined Water Rights: 37-20570 , 37-20577 , 37-20593 , 37-2658 , 37-7651 , 37-20581 , 37-11430 , 37-4421B , 37-20571 , 37-20574 , 37-20578 , 37-20584 |               |              |

| <u>Rate</u>                                                                 | <u>Volume</u> | <u>Acres</u> |
|-----------------------------------------------------------------------------|---------------|--------------|
|                                                                             |               | 195          |
| Combined Water Rights: 37-20581 , 37-20571 , 37-20574 , 37-20578 , 37-20584 |               |              |

Water Supply Bank: