

Transfer No. 74959
Receipt No. S030325

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information A W MOLYNEUX
1174 GANNETT-PICABO RD
BELLEVUE ID 83313
(208)788-2552

And

MAXINE MOLYNEUX
1174 GANNETT-PICABO RD
BELLEVUE ID 83313
(208)788-2552

R E C E I V E D

JUL 25 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
37-22026	AJC/Decreed	0.01			3.9	BIG WOOD RIVER, GROUND WATER
37-22028	AJC/Decreed	0.03			3.9	BIG WOOD RIVER, GROUND WATER
37-22030	AJC/Decreed	0.06			3.9	BIG WOOD RIVER, GROUND WATER
37-22032	AJC/Decreed	0.02			3.9	BIG WOOD RIVER, GROUND WATER
37-22034	AJC/Decreed	0.02			3.9	BIG WOOD RIVER, GROUND WATER
37-22036	AJC/Decreed	0.01			3.9	BIG WOOD RIVER, GROUND WATER
37-22038	AJC/Decreed	0.01			3.9	BIG WOOD RIVER, GROUND WATER
37-22040	AJC/Decreed	0.04			3.9	BIG WOOD RIVER, GROUND WATER

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-22026	NO	YES	YES	NO	NO	NO
37-22028	NO	YES	YES	NO	NO	NO
37-22030	NO	YES	YES	NO	NO	NO
37-22032	NO	YES	YES	NO	NO	NO

37-22034	NO	YES	YES	NO	NO	NO
37-22036	NO	YES	YES	NO	NO	NO
37-22038	NO	YES	YES	NO	NO	NO
37-22040	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

We conveyed a strip of land on the west side of Hwy. 75 to the Highway Dept. about 3 years ago, but have continued to farm the ground. They have informed us that plan to start widening the highway soon, so we are seeking to move the water rights on this strip to our land on the east side of Hwy. 75. The water will be diverted through the existing gravity diversion that already serve that ground; the well will only be used on the Schmid property west of Hwy. 75, and none of our water will be needed for mitigation.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
37-22026	0.01 cfs		591.0	
37-22028	0.03 cfs		591.0	
37-22030	0.06 cfs		591.0	
37-22032	0.02 cfs		591.0	
37-22034	0.02 cfs		591.0	
37-22036	0.01 cfs		591.0	
37-22038	0.01 cfs		591.0	
37-22040	0.04 cfs		591.0	
TOTAL	0.18 cfs	3.9	591.0	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

A. W. Molyneux
(Signature of Applicant)

Marilyn Molyneux
(Title or Office)

Subscribed and sworn to before me this 25th day of July, 2008.

J. P. Stanton
(Notary Public)

My commission expires 1-12-2013

Transfer No. 74959
Receipt No. S030325

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

Current Water Right No. 37-22026

Priority Date: May 31, 1887
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.01 CFS		
IRRIGATION	04/15 10/31	0.01 CFS		
	Total Diversion	0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
GROUND WATER	L3 (SEnw)	Sec. 1 Twp 01S	Rge 18E	BLAINE County

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	
01S	18E	1									1.7	2.2							3.9
											L 3								

Total Acres: 3.9

Conditions/Remarks:

1. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. This right is a split from former right 37-20886 .
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
6. This right is measured and administered at the point of rediversion.
7. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
8. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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 of Big Wood River water for mitigation.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.
12. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22028

Priority Date: May 15, 1892
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.03 CFS		
IRRIGATION	04/15 10/31	0.03 CFS		
	Total Diversion	0.03 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E	BLAINE County

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	
01S	18E	1									1.7	2.2							3.9
											L 3								

Total Acres: 3.9

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
5. 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.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion of Big Wood River water for mitigation.
8. This right is a split from former right 37-20887.
9. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
10. This right is measured and administered at the point of rediversion.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22030

Priority Date: May 31, 1887
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.06 CFS		
IRRIGATION	04/15 10/31	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E	BLAINE County

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	
01S	18E	1									1.7	2.2							3.9
											L 3								

Total Acres: 3.9

Conditions/Remarks:

1. 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 of Big Wood River water for mitigation.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
8. This right is measured and administered at the point of rediversion.
9. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
10. This right is a split from former right 37-20888.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22032

Priority Date: May 15, 1885
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.02 CFS		
IRRIGATION	04/15 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E BLAINE County

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	
01S 18E 1								1.7	2.2								3.9
							L 3										

Total Acres: 3.9

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

3. 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.
4. This right is a split from former right 37-20889.
5. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion of Big Wood River water for mitigation.
8. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
9. This right is measured and administered at the point of rediversion.
10. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22034

Priority Date: June 30, 1884
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.02 CFS		
IRRIGATION	04/15 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E	BLAINE County

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	
01S	18E	1									1.7	2.2							3.9
											L 3								

Total Acres: 3.9

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 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 of Big Wood River water for mitigation.
6. This right is a split from former right 37-20890.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
8. This right is measured and administered at the point of rediversion.
9. 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. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22036

Priority Date: June 15, 1891
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.01 CFS		
IRRIGATION	04/15 10/31	0.01 CFS		
Total Diversion		0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E BLAINE County

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	
01S 18E 1								1.7	2.2								3.9
							L 3										

Total Acres: 3.9

Conditions/Remarks:

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. This right is a split from former right 37-20891.

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
5. 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.
6. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 of Big Wood River water for mitigation.
9. This right is measured and administered at the point of rediversion.
10. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22038

Priority Date: March 24, 1883
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.01 CFS		
MITIGATION	04/15 10/31	0.01 CFS		
Total Diversion		0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E	BLAINE County

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	
01S 18E 1								1.7	2.2								3.9
							L 3										

Total Acres: 3.9

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
4. This right is a split from former right 37-20892.
5. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. 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.
7. This right is measured and administered at the point of rediversion.
8. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
10. 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 of Big Wood River water for mitigation.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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

Current Water Right No. 37-22040

Priority Date: March 24, 1883
Origin: Adjudication Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	04/15 10/31	0.04 CFS		
IRRIGATION	04/15 10/31	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E BLAINE County
GROUND WATER	L3 (SENW)	Sec. 1 Twp 01S Rge 18E BLAINE County

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	
01S	18E	1									1.7	2.2							3.9
											L 3								

Total Acres: 3.9

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. After specific notification by the Department, the right holder shall measure the ground water diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right is a split from former right 37-20893.
5. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.
6. This right is measured and administered at the point of rediversion.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion of Big Wood River water for mitigation.
8. 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.
9. 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, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
10. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
11. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.
12. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up and converted to part of Hwy. 75

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22026

Priority Date: May 31, 1887
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.01 CFS		
	Total Diversion	0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSESW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3									
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0

Total Acres: 591

Transfer No. 74959
Receipt No. S030325

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22028

Priority Date: May 15, 1892
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.03 CFS		
	Total Diversion	0.03 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3									
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22030

Priority Date: May 31, 1887
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSESW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
01S 18E 12	38.0	40.0	L 2	L 1	38.0	8.0	13.0	40.0									177.0

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22032

Priority Date: May 15, 1885
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0		40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3										
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0	

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22034

Priority Date: June 30, 1884
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3									
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22036

Priority Date: June 15, 1891
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.01 CFS		
	Total Diversion	0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSENW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3									
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22038

Priority Date: March 24, 1883
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.01 CFS		
	Total Diversion	0.01 CFS		

Source and Point(s) of Diversion:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSESW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NESWSW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
			L 2	L 1				L 3									
01S 18E 12	38.0	40.0			38.0	8.0	13.0	40.0									177.0

Total Acres: 591

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 37-22040

Priority Date: March 24, 1883
Origin: Adjudication
Recommendation
Basis: Decreed
Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

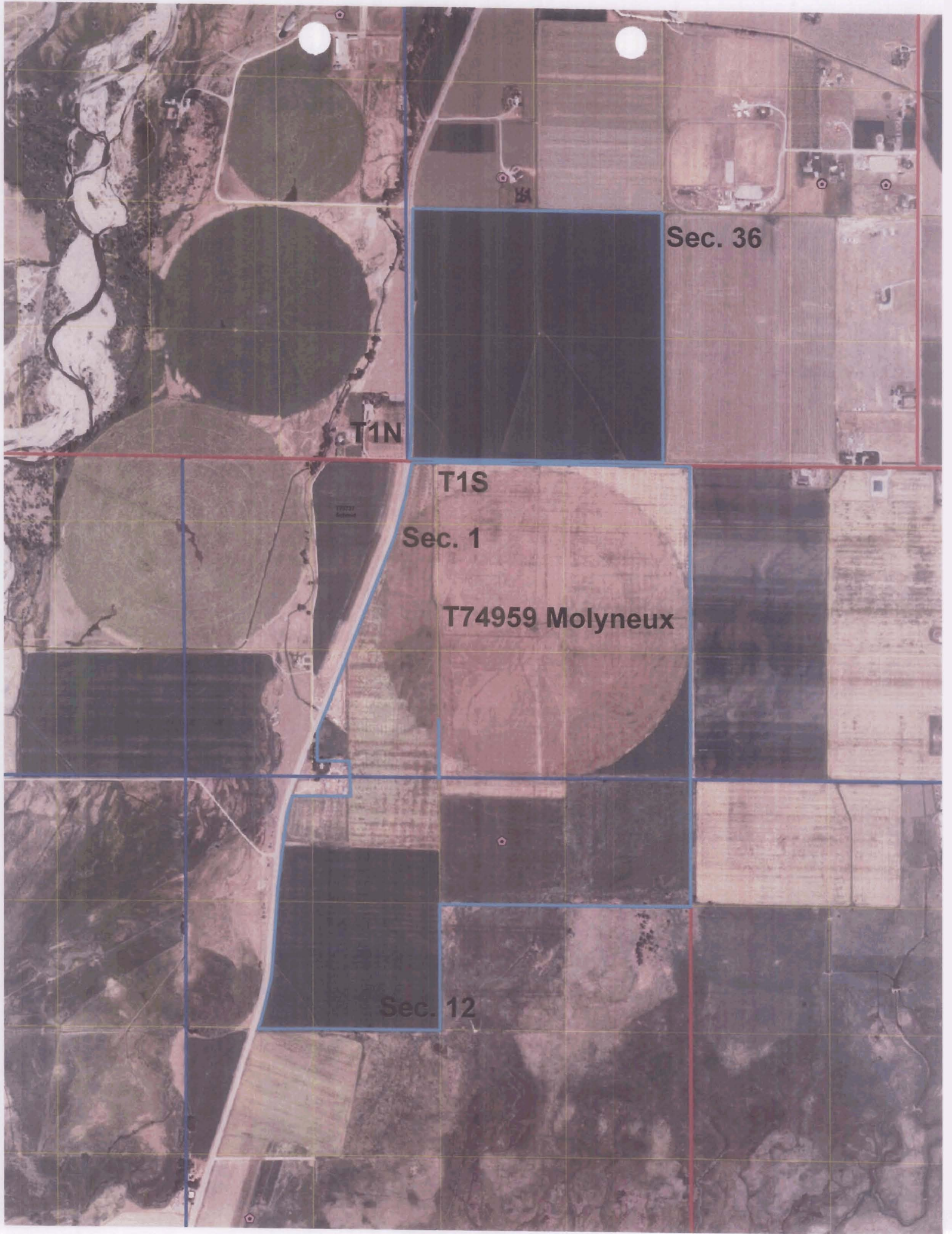
BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSESW	Sec. 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER (Rediversion)	NWSESW	Sec. 25 Twp 01N Rge 18E	BLAINE County

Describe the proposed diversion system

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 1			19.0	19.0				5.0	20.0			35.0	40.0	40.0	40.0	39.0	257.0
01S 18E 12	38.0	40.0	L 2	L 1	38.0	8.0	13.0	40.0									177.0

Total Acres: 591



T1N

Sec. 36

T1S

Sec. 1

T74959 Molyneux

Sec. 12