

AFFIDAVIT of PUBLICATION

State of Idaho, }
 County of Blaine } SS.

Gordon O. Gasman, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 18 day of August,

1977, and the date of the last publication was on the 25

day of August, 1977.

Subscribed and sworn to before me this 26th

day of August, 1977.
 (SEAL)

Roberta Breckenridge
 NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32

Number of Insertions 2

..... Lines tabular at 315c

32 Lines straight at 21c 6.72

32 Subsequent lines at 15c 4.80

TOTAL COST 11.52

COPY OF NOTICE

(Paste Here)

Permit 37-7651

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd. N
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A.W. &-or Maxine Molyneux, Bellevue, Idaho 83313, has on 8-2-77 submitted Application No. 37-7651 for a permit to appropriate 2.40 cubic feet per second of water from ground-water by means of well, pump, motor, sprinkler within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 1S, Rge. 18E., B.M. Blaine county to be used from April 1 to Oct. 1 for irrigation purposes of 120 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 12, Twp. 1S, Rge. 18E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before September 6, 1977.

C. Stephen Allred
 Director

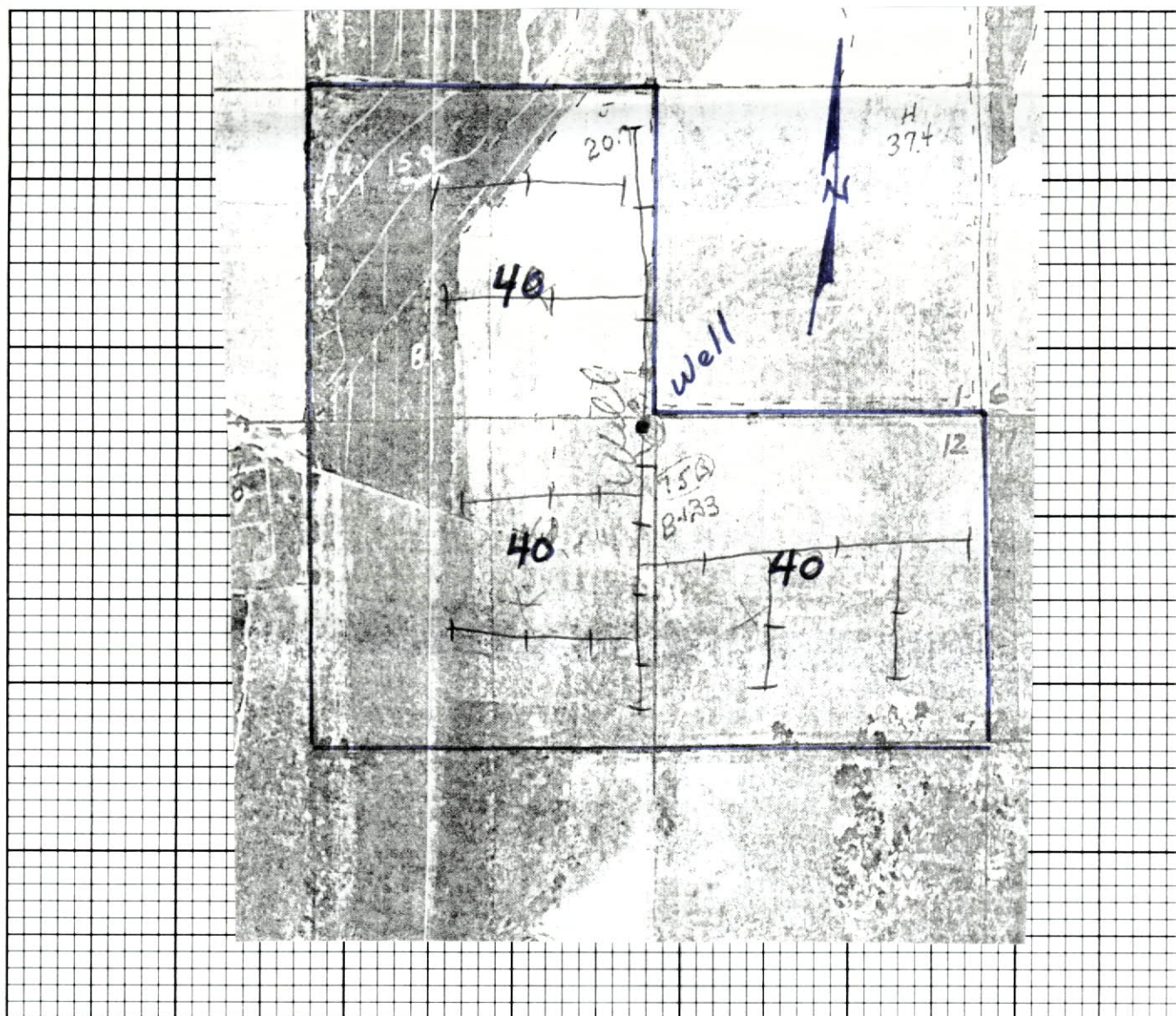
Publish: Wood River Journal
 August 18, 25, 1977

87 pt. per line, successive
 87 insertions 15c

ok/Am
9/8/77
No 1772

MICROFILMED

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

16. Examiner's/Consultant's Signature Gary Underberg Date 12-27-85

Consultant's License Number _____

IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date **MICROFILMED**

CONSULTANT SEAL

JUN 13 1989

Form 219-Supp.
6/83

State of Idaho
DEPARTMENT OF WATER RESOURCES Department of Water Resources
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: GARY Funderburg Date 9-21-82
Owner: W.A. Molyneux Permit No. 37-7651

Description of well &/or measuring site
- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Measured inside diameter of pipe in inches (A) 8"

Size of Annubar used in test 7.98 State ID No. 091411

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used MANOMETER State ID No. _____

Date of Last Calibration of Meter ✓

Observed inches of H₂O read on Meter (B) 14"

Flow Correction Factor (From Calibration Graph) (K) 1
(Use 1 if Error is $\pm 2\%$ at observed pressure)

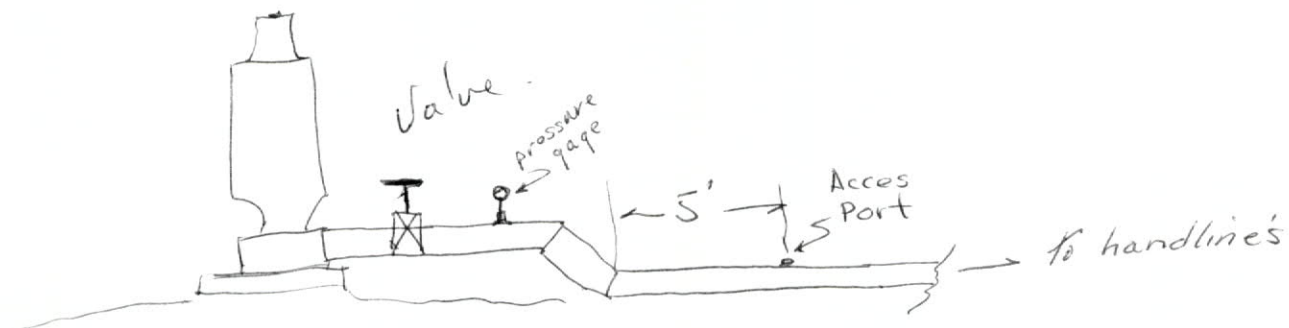
Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

CALCULATION: $K \frac{(A^2)}{448.8} (\sqrt{B}) C = 2.05 \text{ cfs}$ (C) 3.85
= 2.05 cfs measured

SKETCH (If not shown on Field Report):



MICROFILMED
JUN 13 1989

A.W. &/or Maxine Molyneux

37-7651



motor, well w/meas. equipment.

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JUN 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5563
WATER RIGHT NO(S). 37-02658/37-04421B/37-07651/37-11430

This is to certify that: **A W MOLYNEUX**
1174 GANNETT PICABO RD
BELLEVUE ID 83313

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02658 :			
IRRIGATION	04/01 to 11/01	6.71 CFS	1228.5 AF
Priority: 05/03/1961			
Right No. 37-04421B :			
IRRIGATION	04/01 to 11/01	0.48 CFS	204.3 AF
Priority: 01/01/1955			
Right No. 37-07651 :			
IRRIGATION	04/01 to 11/01	2.05 CFS	420.0 AF
Priority: 08/02/1977			
Right No. 37-11430 :			
IRRIGATION	04/01 to 11/01	3.62 CFS	633.5 AF
Priority: 05/01/1982			
TOTAL:		9.24 CFS *	2068.5 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWNENW , Sec. 36, Township 01N, Range 18E
NENWNE , Sec. 12, Township 01S, Range 18E
SWNENW , Sec. 12, Township 01S, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 18E 36	NESW 40	NWSW 40	SWSW 38	
	SESW 39			157
01S 18E 1 Lot 2 (SWNE)	19	Lot 1 (SENE) 19	Lot 3 (SENW) 5	
	NESW 20	SESW 35	NESE 40	
	NWSE 40	SWSE 40	SESE 39	257
12	NENE 38	NWNE 40	NENW 38	
	NWNW 8	SWNW 13	SENW 40	177
Total number of acres irrigated:				591 */**

MICROFILMED

JUL 17 2000

TRANSFER NO. 5563
WATER RIGHT NO(S). 37-02658/37-04421B/37-07651/37-11430

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. After specific notification by the department, the right holder shall measure the 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.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5563 shall not exceed 9.24 cfs, nor total combined annual volume of 2068.5 af for the irrigation of 591 acres.
- ** 10. Right 37-02648 is limited to the irrigation of 351 acres within the place of use described above in a single irrigation season.
- ** 11. Right 37-07651 is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
- ** 12. Right 37-04421B is limited to the irrigation of 138 acres within the place of use described above in a single irrigation season.
- ** 13. Right 37-11430 is limited to the irrigation of 181 acres within the place of use described above in a single irrigation season.

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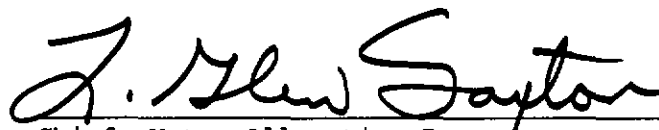
1977 17 2000

TRANSFER NO. 5563
WATER RIGHT NO(S). 37-02658/37-04421B/37-07651/37-11430

CONDITIONS OF APPROVAL AND REMARKS

14. Approval of Transfer 5563 does not confirm Claimed Rights 37-04421B and A37-11430.

Dated this 19th day of June, 2000.


Chief, Water Allocation Bureau

MICROFILMED

JUL 17 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07651

Priority: August 2, 1977 Maximum Diversion Rate: 2.05 CFS
Annual Consumptive Volume: 300.0 AF

This is to certify, that A. W. MOLYNEUX
MAXINE MOLYNEUX

P.O. BOX 400
BELLEVUE, ID 83313

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 2, 1977, and has submitted proof to the Department of Water Resources on April 12, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 2.050 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.05 CFS	300.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWE , Sec. 12, Township 01S, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	18E	1	SWSE	40		40
		12	NENE	40	NWE	80
					40	

Total number of acres irrigated: 120

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17th day of MAY, 1989.

MICROFILMED

Attest for R. Keith Higginson, Director

JUN 13 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7651

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

JUN 13 1989

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Identification No. _____

Application No. 37-7651

1. Name of applicant A. W. &/or Maxine Molyneux Phone: 208-788-2552
post office address Bellevue, Idaho
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 12 Township 1 S Range 18E B.M. Blaine County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.4cfs for Irrigation purpose from April 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.40 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump, Motor, Sprinkle

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 400 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 22,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15	18E	1															40		40
15	18E	12	40	40															80

Total number of acres to be irrigated 120

c. Describe any other water rights used for the same purposes as described above.

80" of May 15, 1892 Big Wood River Water

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

MAP
ATTACHED

A. W. Moloney
(Applicant)

Proposed Priority 8/02/77

Received by ADM Date 8-2-77 Time 3:00 p.m.
Preliminary check by ils Fee \$ \$45.00 # 8687
Receipted by sm Date 8/2/77
Publication prepared by Dj Date 8/8/77
Published in Wood River Journal
Publication dates 8/18 & 8/25/77
Publication approved sm Date 9/5/77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7651, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 82.

c. Other: (1) For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 14 day of November 19 77.

[Signature]
Deputy Director

No. 152290

CONTRACT OF SALE.

as of
VERNILE J. BYINGTON and
MARY E. BYINGTON,

Vendors,

AND

as of
ALMA W. MOLYNEUX, and
MAXINE MOLYNEUX,

Vendees.

STATE OF IDAHO

County of _____

City of _____

W. A. Molyneux

3.00
dec 13 1973

Agreement
Marie Lee

BY *Jane Andrew*

3.00 Pd

REPS \$

Everett B. Taylor

ATTORNEY AT LAW

ENTERED OFFICES

SUN VALLEY, IDAHO

HAILEY, IDAHO

CONTRACT OF SALE

This agreement made and entered into the 13th day of December, 1973 by and between Vernile J. Byington and Mary E. Byington, husband and wife, Gannett, Idaho, vendors and Alma W. Molyneux and Maxine Molyneux, husband and wife, purchasers, Gannett, Idaho.

In consideration of the sum of \$250,000.00, vendors sell and purchasers buy the following described property situate in Blaine County, Idaho to wit:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1:

N $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12:

All in Twp. 1 South, Range 18 E. B.M.; and SW $\frac{1}{4}$; and E $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Twp. 1 North Range 18 E.B.M., EXCEPTING THEREFROM the Highway right of way and together with all appurtenances including but not limited to 495 shares of stock of the Base Line Canal Company.

The agreed purchase price is being and shall be paid in the following manner, to wit:

- (1) The sum of \$10,000.00 concurrently with the execution and delivery of this agreement.
- (2) The sum of \$40,000.00 on April 1, 1974. No interest to be charged on this payment.
- (3) The sum of \$48,000.00 shall be paid by purchasers assuming and agreeing to pay according to its terms, which purchasers do hereby assume and agree to pay that certain note secured by a mortgage on the described premises in favor of the Equitable Life Assurance Society of the United States. (It being understood and agreed that the said note and mortgage bear interest at the rate of 8% per annum.)
- (4) The deferred balance of \$152,000.00 shall be paid in the following manner:
 - (a) The sum of \$4,000.00, principal shall be paid on April 1, 1975 and a like sum on or before the 1st. day of April of each year thereafter to and including the 1st. day of April, 1984. The deferred balance shall bear interest at the rate of 7% per annum from April 1, 1974 and such interest shall be paid in addition to and concurrently with the annual principal payments. The purchasers shall have the right to make an additional principal payment of \$10,000.00 on any payment date during this period.
 - (b) The sum of \$8,000.00 or more, shall be paid on or before the 1st. day of April, 1985 and a like sum on or before the 1st. day of April of each year thereafter until the entire

deferred principal balance has been paid. Interest shall be paid in addition to and concurrently with the annual principal payments. The purchasers shall have the right to make an additional principal payment of \$10,000.00, on any payment date during such period.

It is expressly understood and agreed that no additional payments may be made prior to April 1, 1984 without the express written consent of the vendors or their assigns or successors first had.

Vendors will obtain a standard form purchasers' title insurance policy showing good and marketable title in the names of vendors subject only to existing rights-of-way, liens or encumbrances made or suffered by purchasers and the mortgage of the Equitable Life Assurance Society of the United States.

The Vendors have contemporaneously herewith executed and deposited in escrow with the First Security Bank of Idaho, National Association, Hailey, Idaho, a Warranty Deed conveying title of the said premises from the said Vendors to the said Purchasers, free and clear of encumbrances, said Deed to be delivered to the said Purchasers upon the Purchasers paying and remitting to the credit of the Vendors, the payments at the time and in the manner hereinbefore specified, likewise a copy of this Agreement, together with said Purchasers' Title Insurance Policy.

All taxes and legal assessments for the year 1973 and prior years have been or will be paid by Vendors and all subsequent taxes and legal assessments shall be paid promptly by Purchasers as and when the same become due.

Possession of the property so being sold shall be given to purchaser not later than the 13th day of December.

19.73., and henceforth during the life of this contract purchaser agrees to maintain and care for said property and all improvements thereon or to be placed thereon in a good and husband-like manner, so that no waste shall be committed thereon, and no unlawful use made of any part thereof; and he agrees to maintain all buildings and other improvements in as good order and repair as the same now are, reasonable wear and use excepted, and to keep said property free and clear of all liens and encumbrances. Vendor may re-enter at reasonable times for the purpose of making necessary inspections or repairs.

Should purchaser fail or neglect to make timely payment of assessments, any taxes, insurance or other lawful charges against said property, vendor may pay the same, and such sums with interest thereon at the rate of seven per cent per annum shall become a part of and be secured by this contract, and such advancements and interest thereon will be due and payable on the first principal payment date thereafter.

Purchaser expressly agrees that he has personally carefully inspected said property and the whole thereof as to amount of land in cultivation, prevalence of rocks, noxious weeds and other objectionable features, and is exercising his own judgment as to the condition and value of the property he is purchasing, and has not been influenced by any representation by or for vendor other than those contained in this contract.

Any notice to be given to either party in connection herewith must be given in writing, which may be delivered by some third party or sent by certified mail directed to the above address, or such other addresses as may later be furnished in writing.

The provisions hereof shall be binding upon and inure to the benefit of the heirs, personal representatives and assigns of the contracting parties.

Vendor's waiver of any breach or delay on the part of purchaser shall not be a waiver of any subsequent or other breach or delay.

If suit be instituted for the collection of any part of said purchase price or the enforcement of any right hereunder, the successful party shall recover in addition to other relief, such sum as the court shall adjudge reasonable as an attorneys fee.

It is expressly understood and agreed that time is of the essence of this contract and should purchaser fail, neglect or refuse to comply with any of the covenants herein contained all his right, title and interest in and to said property and any and all improvements and additions placed thereon by purchaser shall, at the option of the vendor, be subject to termination and cancellation. Before purchaser's interest may be terminated or cancelled vendor shall give purchaser written notice specifying the particulars in which purchaser is in default, and in the event purchaser complies with all the then-due terms and conditions of this contract within 60 days of said notice, then such notice shall become ineffective, but if purchaser fails to comply with the then-due terms of this contract as required by said notice within such 60-day period, then this contract will be subject to final and complete termination and cancellation by vendor. In the event of such termination or cancellation of this contract all payments theretofore made by purchaser hereunder, together with all improvements placed upon said property by him, shall be considered as rental for said property during purchaser's occupation and use thereof and as liquidated damages, and immediately upon such termination or cancellation all purchaser's title and interest in or to said property and improvements, and the whole thereof, either in law or in equity, shall completely terminate and be cancelled, and vendor shall be entitled to and shall have immediate and absolute possession, control and ownership of said property, together with any and all improvements placed thereon by purchaser. Advice of cancellation may be given in the same manner as written notices.

IN WITNESS WHEREOF the parties have hereunto set their hands as of the day and year first above written.

Alma W. Molyneux
Maxine Molyneux
Purchaser

Vernile J. Byington
Mary E. Byington
Vendor

STATE OF IDAHO }
COUNTY OF GOODING } ss.

Blaine

On this 13th day of December, 1973, before the undersigned a notary public in and for

said county, personally appeared Vernile J. Byington and Mary E. Byington, H & W known to me to be the persons whose names are subscribed to the foregoing contract and acknowledged to me that they executed the same.

In witness whereof I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

(SEAL)

Ernest B. Taylor
Notary Public residing at Gooding, Idaho
Sun Valley, Idaho.

STATE OF Idaho }
COUNTY OF Blaine, } ss.

On this 13th day of December, 1973, before the undersigned a notary public in and for

said county, personally appeared Alma W. Molyneux and Maxine Molyneux, H & W known to me to be the persons whose names are subscribed to the foregoing contract and acknowledged to me that they executed the same.

In witness whereof I have hereunto set my hand and affixed my seal the day and year in this certificate first above written.

(SEAL)

Ernest B. Taylor
Notary Public residing at Sun Valley, Idaho

AFFIDAVIT of PUBLICATION

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State of Idaho, }
County of Blaine } SS.

Gordon O. Wasman, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 18 day of August,

1977, and the date of the last publication was on the 25

day of August, 1977

Subscribed and sworn to before me this 26th

day of August, 1977

(SEAL) Roberta Frey
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

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TITLE OF NOTICE

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DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd. N
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A.W. & Maxine Molyneux, Bellevue, Idaho 83313, has on 8-2-77 submitted Application No. 37-7651 for a permit to appropriate 2.40 cubic feet per second of water from groundwater by means of well, pump, motor, sprinkler within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 1S, Rge. 18E, B.M. Blaine county to be used from April 1 to Oct. 1 for irrigation purposes of 120 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 12, Twp. 1S, Rge. 18E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301, on or before September 6, 1977.

C. Stephen Allred

Director

Publish: Wood River Journal
August 18, 25, 1977

8 pt. per line, successive
insertions 15c

Nº 1772

MICROFILMED

MEMORANDUM

TO: FILE 37-07651

FROM: PAM SKAGGS

RE: TRANSFER # 5563

DATE: 10-26-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 37-02650.

MICROFILMED

JUL 17 2000

May 18, 1989

A. W. MOLYNEUX
MAXINE MOLYNEUX
P.O. BOX 400
BELLEVUE, ID 83313

RE: PERMIT NO. 37-07651

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

JUN 13 1989

April 17, 1989

A. W. MOLYNEUX
MAXINE MOLYNEUX
P.O. BOX 400
BELLEVUE, ID 83313

RE: PERMIT NO. 37-07651

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MAILED

JUN 13 1989

POD OVERLAP REV

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
3707651	01S	18E	12	NW NE		GROUNDWATER	MOLYNEUX, A. W
3708207						GROUNDWATER	MOLYNEUX, A.W.

Minerals

JUN 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 37-7651

Phone No. 788-2552

1. Owner: A.W. &/or Maxine Molyneux
Current Address: Bellevue, Idaho

2. Accompanied by: A.W. Molyneux

EXAM. DATE: 9-21-85

Address: _____ Phone No. _____

Relationship to Permit Holder:

3. Source: groundwater tributary to

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	50	03676	Verti-Line	S BKJ 213433

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. **System Description** (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

12" Dia. Well w/ TURBINE MOTOR & Pump. HAND Lines
this well Flows Artisian at Times

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calb. Date
MANO-Meter.	8"	ANNU-BAR-				

7. Measurements See MU-BAR Sheets. ☐ Additional data/computation sheets attached

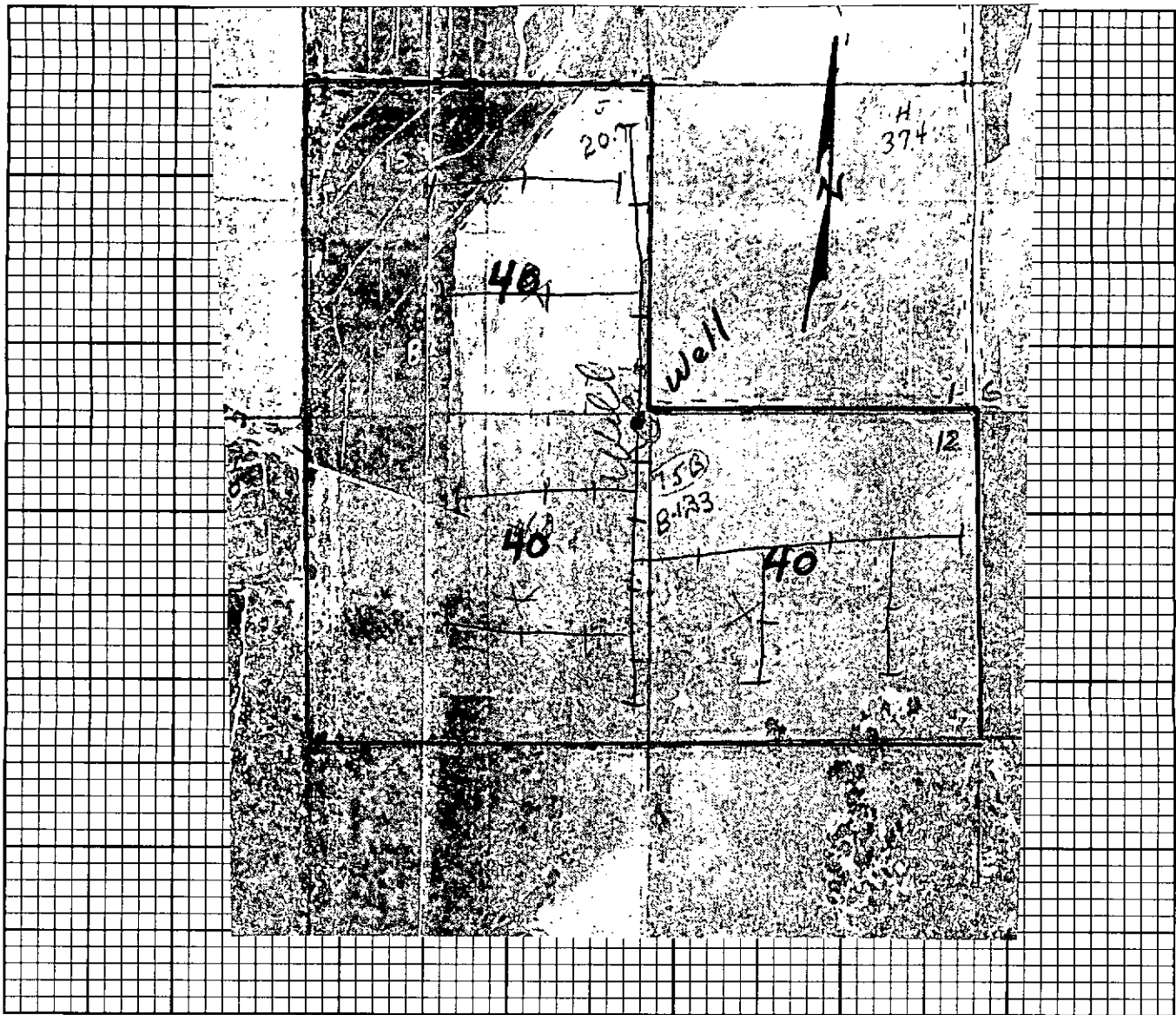
8. Point(s) of Diversion:	Indicate Method of Determination
---------------------------	----------------------------------

[illegible]

9.	Place(s) of Use:	Irrigation - give acres served by system at time of exam. Indicate Method of Determination _____
----	------------------	---

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Gary Dunderberg Date 12-27-85
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date **MICROFILMED** CONSULTANT SEAL

JUN 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

JUN 30 1986

37-7651
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

ANNU- Bar - wear = 2.05 cfs.

$$\frac{8.8(50).70}{0 + 2.3(70)} = 1.91 \text{ cfs.}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 120 = 360 \text{ Afa} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (2.05)(215)(1.9835) = 874.2 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 360 \text{ Afa} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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JUN 13 1989

RECOMMENDED AMOUNTS

3.

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
37-7651					

4. Permit Holder: P.W. 2/01 Maxine Molyneux
Address: _____

5. Source: groundwater tributary to ✓

6. Beneficial Use

	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrigation</u>	<u>4-1</u>	<u>10-1</u>	<u>2.05 cfs.</u>	<u>360 Afa</u>

Allowable Maximums: 2.05 cfs. 360 Afa

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Larry Junderburg Date 12-27-85
Checked in Regional Office by Alle Menta AD Date 4/28/86
Approved in State Office by Reyenne McCarthy Date 1/9/89

RECEIVED

JUN 30 1986

Form 219-Supp.
6/83

State of Idaho
DEPARTMENT OF WATER RESOURCES Department of Water Resources
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Gary Funderburg
Owner: WA. Molyneux

Date 9-21-82
Permit No. 37-7651

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Measured inside diameter of pipe in inches

(A) 8"

Size of Annubar used in test 7.98

State ID No. 091411

Model No. of Annubar Meter Used 75

(Model No. = 75 for 6" and larger)

(Model No. = 73 for 4")

Size Eagle Eye Meter Used MANOMETER

State ID No. _____

Date of Last Calibration of Meter ✓

Observed inches of H₂O read on Meter

(B) 14"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is ± 2% at observed pressure)

(K) 1

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

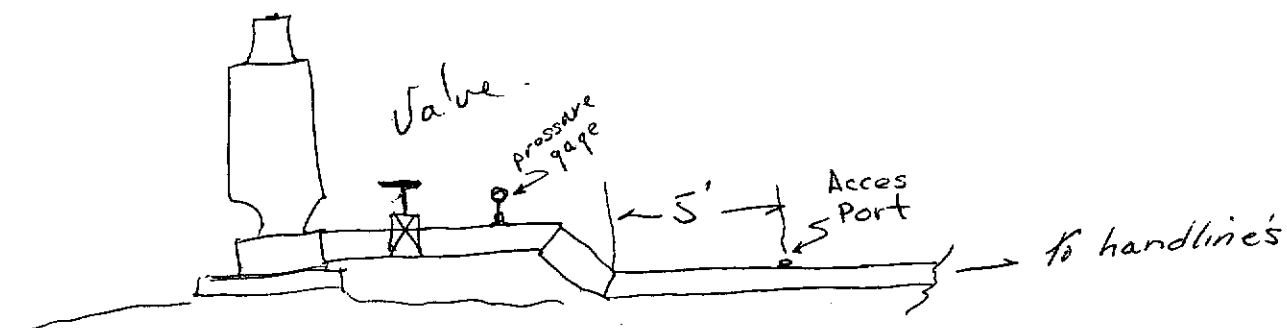
If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $K \frac{(A^2)}{448.8} (\sqrt{B}) C = 2.05 \text{ cfs}$

= 2.05 cfs measured

SKETCH (If not shown on Field Report):



RECORDED

JUN 13 1989

A.W. &/or Maxine Molyneux

37-7651



motor, well w/meas. equipment.

MICROFILMED

JUN 13 1989

RECEIVED

OCT 28 1985

Department of Water Resources

TO: STATE OFFICE -- WATER ALLOCATION

FROM: SOUTHERN REGION

FIELD EXAMINATION NOTICE

A field examination has been made on the following permit:

Permit No: 37-7651 Owner: Mo Lynne A, W.

Examiner: A. J.

Date completed: _____

~~no~~ Field work Completed Sept 20, 1985

MICROFILMED

JUN 13 1989

A.W. & Maxine Molyneux
Application

T. 1 S., R. 18 E., B. M.

R. 18 E.
R. 19 E.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 9, 1982

A. W. &/or Maxine Molyneux
P. O. Box 400
Bellevue, Idaho 83313

Re: Permit No. 37-7651

Dear Mr. & Mrs. Molyneux:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

MICROFILMED

JUN 13 1989

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7651.

Name(s) of Permit Holder: A. W. &/or Maxine Molyneux

Post Office Address: Box 400, Bellevue, ID

Tel. No. 788-2552

Source of Water:

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

100

(acres)

☐ Other

Measuring Device:

Required?

☒ Yes ☐ No

Installed?

☒ Yes ☐ No will be

Access Port:

Required?

☒ Yes ☐ No

Installed?

☒ Yes ☐ No installed

The above information is a true statement of the extent to which the above numbered permit has been developed.

July 13-82
Date

A. W. Molyneux
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

PAID 20.00
JUL 15 1982
206.51



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources
JUL 15 1982

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7651.

Name(s) of Permit Holder: A. W. &/or Maxine Molyneux

Post Office Address: P.O. Box 400

Bellevue, ID Tel. No. 788-2552

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 120 (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No will be
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No installed

The above information is a true statement of the extent to which the above numbered permit has been developed.

April 12, 1982
Date

A. W. Molyneux
Signature of Permit Holder

RECEIVED

APR 12 1982

Department of Water Resources
Central District Office

RECEIVED

APR 12 1982

DEPARTMENT OF
WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

MICROFILMED

JUN 13 1989

November 16, 1977

Re: Permit No. 37-7651

A.W. &/or Maxine Molyneux
Bellevue, ID 83313

Dear Mr. &/or Mrs. Molyneux:

Enclosed is a copy of your approved Application for Permit No. 37-7651 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7651 - A. W. &/or Maxine Molyneux

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 163 8-4-77

In form to receipt

(2) 11 11

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) 11 11

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) 61. 8/10/77

In form for advertising

(5)

Platted on Map No.

(6)

Located within Water District No.

(7) mls 9-12-77

Critical groundwater area: yes no ☒

(8) mls 9-12-77

Groundwater levels:

 Declining, ☒ Stable, Increasing

(comment)

(9)

Other rights on the same place of use

(10)

Comments: OK jo

(11) for 9/8/77

Affidavit of Publication received(date) 9/2/77

(12) off 8/10/77

Final date for protests 9/6/77
Protests received: yes no ☒

(13)

All requested information received from agencies or applicant: yes no

(14) mls 9-12-77

Action recommended:

☒ Approve Deny

8-2-77 Proposed Priority

 Reason for Reduction

☒ Measuring device required

 See attached sheet for other conditions of approval

 No special conditions for approval

(15) District Southern By Michael Steele Date

copy to Boise 9-8-77

Supplemental

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A. W. &/or Maxine Melyneux
Bellevue, Idaho 83313
has on 8/2/77 submitted Application No. 37-7651
for a permit to appropriate 2.40 cubic feet per second acre feet per annum
xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
of water from Groundwater
by means of Well, pump, Motor, Sprinkler
within the NW 1/4, Sec. 12, Twp. 1S, Rge. 18E, B. M. Blaine county
to be used from April 1 to Oct. 1 for irrigation purposes of 120 acres
for
xxx
within the SW 1/4, Sec. 1; NW 1/4, Sec. 12, Twp. 1S, Rge. 18E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before September 6, 1977.

C. Stephen Allred

Director

Published in the Wood River Journal
on 8/18 and 8/25/77

REC-113
MED

August 8, 1977

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Application for Permit No. 37-7651 - A. W. &/or Maxine Molyneux

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS/dj

Bill submitted: _____

RECEIVED

August 4, 1977

A. W. Molyneux
Bellevue, Idaho 83313

Re: Application for Permit No. 37-7651

Dear Mr. Molyneux,

Enclosed is your receipt No. 3687 for check No. 92-136 in the amount of \$45.00 for the above referenced application for permit which was received in this office August 2, 1977.

Sincerely,

Debra Jones
Secretary

enc.