

COPY

2002 JUL 26 AM 10:37
DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED

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

In Re SRBA) Subcase No: 47-10331
)
Case No. 39576)
)
_____) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

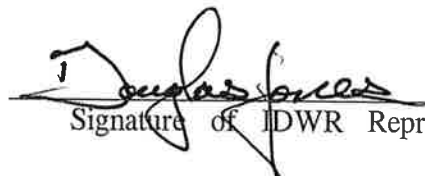
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Address	☐ Split of Water Right
☒ Point of Diversion	☐ Place of Use
☐ Period of Use	☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/26/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/26, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:

Melvin VanNoy
Gwen VanNoy
3567 N 3100 E
Twin Falls ID 83301

3. One Copy to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

4. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

07/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-10331
NAME AND ADDRESS: MELVIN J VAN NOY
3567 N 3100 E
TWIN FALLS ID 83301

GWEN VAN NOY
3567 N 3100 E
TWIN FALLS ID 83301

2002 JUL 26 AM 10:37
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.040 CFS
1.20 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1915

POINT OF
DIVERSION: T10S R17E S34 NENENE Within TWIN FALLS County
T10S R17E S34 NENENE Within TWIN FALLS County
2 POINTS OF DIVERSION LOCATED IN T10S, R17E, S34, NENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R17E S34 NENE

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

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RP 10S17E340000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 26, 2002

MELVIN VAN NOY
GWEN VAN NOY
3567 N 3100 E
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-10331

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Auther

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF A WATER RIGHT

TRANSFER NO. 5390
CLAIM NO. A47-10331

RECEIVED

AUG 10 1999

Department of Water Resources
Southern Border

This is to certify that: **MELVIN J VAN NOY**
GWEN VAN NOY
3567 N 3100 E
TWIN FALLS ID 83301

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>
DOMESTIC	01/01 to 12/31	* 0.04 CFS	* 1.2 AF

SOURCE

GROUNDWATER

Priority: 01/01/1915

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 34, Township 10S, Range 17E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 17E 34

NENE

CONDITIONS OF APPROVAL AND REMARKS

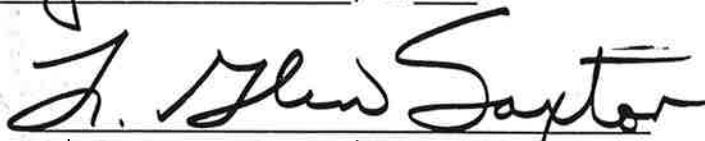
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 5. The total instantaneous diversion of water from all points of diversion under Transfer 5390 shall not exceed 0.04 cfs, nor a total combined annual volume of 1.2 af.

TRANSFER NO. 5390
CLAIM NO. A47-10331

CONDITIONS OF APPROVAL AND REMARKS

6. Approval of Transfer 5390 does not confirm SRBA Claim No. A47-10331.
7. The quantity of water identified for this claim is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
8. The well previously used under SRBA Claim No. A47-10331 shall be abandoned in a manner which complies with Department well abandonment rules; or as an alternative to abandonment, the right holder may reconstruct the old well within 90 days as approved by the department to prevent contamination of groundwater.
9. Two points of diversion are located within NENE, S34, T10S, R17E.
10. Place of use is also identified as RP 10S17E340000.

Dated this 6th day of August, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File A47-10331

FROM: Pam Skaggs /State Office

SUBJECT: Transfer 5390

DATE: August 4, 1999

Transfer 5390 adds a second well under SRBA Claim A47-10331. The original well was found to be contaminated and the second well is proposed to be used for culinary uses.

The second well has been drilled under DP #47-98-S-0173-200 as a replacement well with conditions regarding the abandonment of the original well. The transfer application proposes to use both wells and the approval contains a condition requiring either abandonment or reconstruction of the original well to avoid further possible contamination of groundwater.

Other recommended conditions include drilling permit requirements, multiple points of diversion/measuring devices, non-confirmation of claim, domestic exemption limits and standard transfer conditions.

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 15 1999

By _____ Clerk
 _____ Deputy Clerk

COPY

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

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

Water Rights: 47-10331

**NOTICE OF ADMINISTRATIVE
 PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ I.C. § 42-222 transfer
 - ☒ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
 March 10, 2000.

DATED: 3/12/99



 Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/15, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Melvin J VanNoy
Gwen VanNoy
3567 N 3100 E
Twin Falls ID 83301
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 1999

MELVIN J VANNOY
GWEN VANNOY
3567 N 3100 E
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-10331

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosure

Transfer No. 5390

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Me/vin J. &/or Gwen Van Noy Phone 732-6169
 Office address 2567 N 2100 E, Twin Falls, ID 83301

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes Existing well is contaminated. It will continue to be used for lawn irrigation, but a new well will be drilled for culinary water

REQUESTED CHANGE	DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE
Right to Name	

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
47-10331	1-1-1915	0.04 cfs	Domestic	1-1 to 12-31

Total amount of water being transferred 0.04 cubic feet per second and/or _____ acre-feet per annum.
Source of water Groundwater tributary to _____

Point(s) of Diversion:

[illegible]

lands irrigated or place of use: No Change

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~RETURN SERVICE REQUESTED~~

ADDRESS SERVICE
REQUESTED

POSTAGE
NECESSARY
FOR MAIL



IMPORTANT WATER RIGHT INFORMATION

47-10331
MELVIN J VAN NOY
GWEN VAN NOY
RT 2
TWIN FALLS ID 83301

Handwritten: F 12/3



INSUFFICIENT
ADDRESS

RECEIVED
AUG 14 1998
Department of Water Resources

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-2-1997
PAGE: A-280

RIGHT NUMBER: 47-10331
NAME & ADDRESS: MELVIN J VAN NOY
GWEN VAN NOY
RT 2
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1915

POINT OF DIVERSION: T10S R17E S34 NENENE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R17E S34 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 10S17E340000

154-16-98

Claim proofread by: UHO
Date: 9/18

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-10331
Date Received: 9/20/1988
Receipt No: S002302
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN J. VAN NOY 208-733-6169
Address: RT 2
TWIN FALLS, ID 83301

AND/OR

Name: GWEN VAN NOY 208-733-6169
Address: RT 2
TWIN FALLS, ID 83301

2. Date of Priority: JAN 01, 1915

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	17E	34	NE	NE	NE		TWIN FALLS

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	17E	34	NE NE		DOMEST	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 20 Sept 1988
Date:

State of Idaho)
County of SE) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Sept 19 88 *Lois White*
Notary Public

Seal

Residing at SE
My Commission Expires 5/95