

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 67-14903

NAME AND ADDRESS: BILL E NOAH
ZOLA A NOAH
2490 W PINE CREEK RD
CAMBRIDGE, ID 83610

SOURCE: WEST PINE CREEK TRIBUTARY: PINE CREEK

QUANTITY: 0.389 CFS

PRIORITY DATE: 05/01/1893

POINT OF DIVERSION: T15N R03W S31 SESW Within Washington County
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	0.389 CFS

PLACE OF USE:	Irrigation	Within Washington County
	T15N R03W S31	SESW 7.7 NESE 8.6 SWSE 19.0 SESE 16.0
	S32	NWSW 6.2
	57.5 Acres Total	

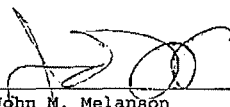
This right is limited to the irrigation of 31.1 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 57.5 acres in a single irrigation season. Combined Right Nos.: 67-14903, 67-14905, 67-14907.

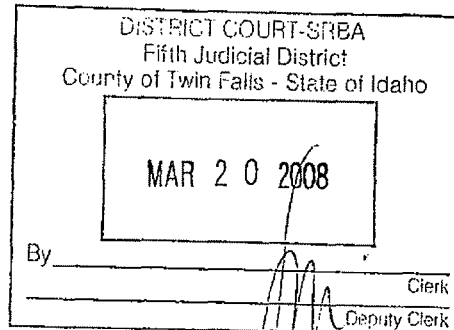
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RULE 54(b) CERTIFICATE

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


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



09/12/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14903

NAME AND ADDRESS: ZOLA A NOAH
2490 W PINE CREEK RD
CAMBRIDGE ID 83610

BILL E NOAH
2490 W PINE CREEK RD
CAMBRIDGE ID 83610

SOURCE: WEST PINE CREEK

TRIBUTARY: PINE CREEK

QUANTITY: 0.389 CFS

PRIORITY DATE: 05/01/1893

POINT OF DIVERSION:

T15N R03W S31 SESW Within WASHINGTON County

T15N R03W S31 SWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.389 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T15N R03W S31	SESW	7.70	T15N R03W S31	NESE	8.60
T15N R03W S31	SWSE	19.00	T15N R03W S31	SESE	16.00
T15N R03W S32	NWSW	6.20			

57.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 57.5 acres in a single irrigation season. Combined Right Nos.: 67-14903, 67-14905, and 67-14907.

This right is limited to the irrigation of 31.1 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 67-211.



Idaho Department of Water Resources

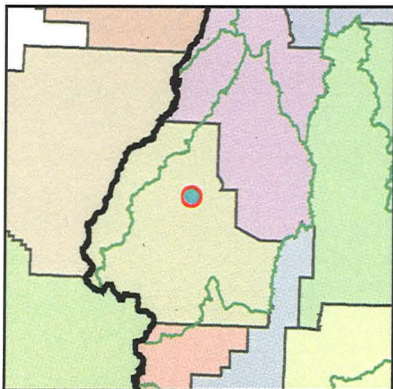
SRBA Recommendation:

67-14903

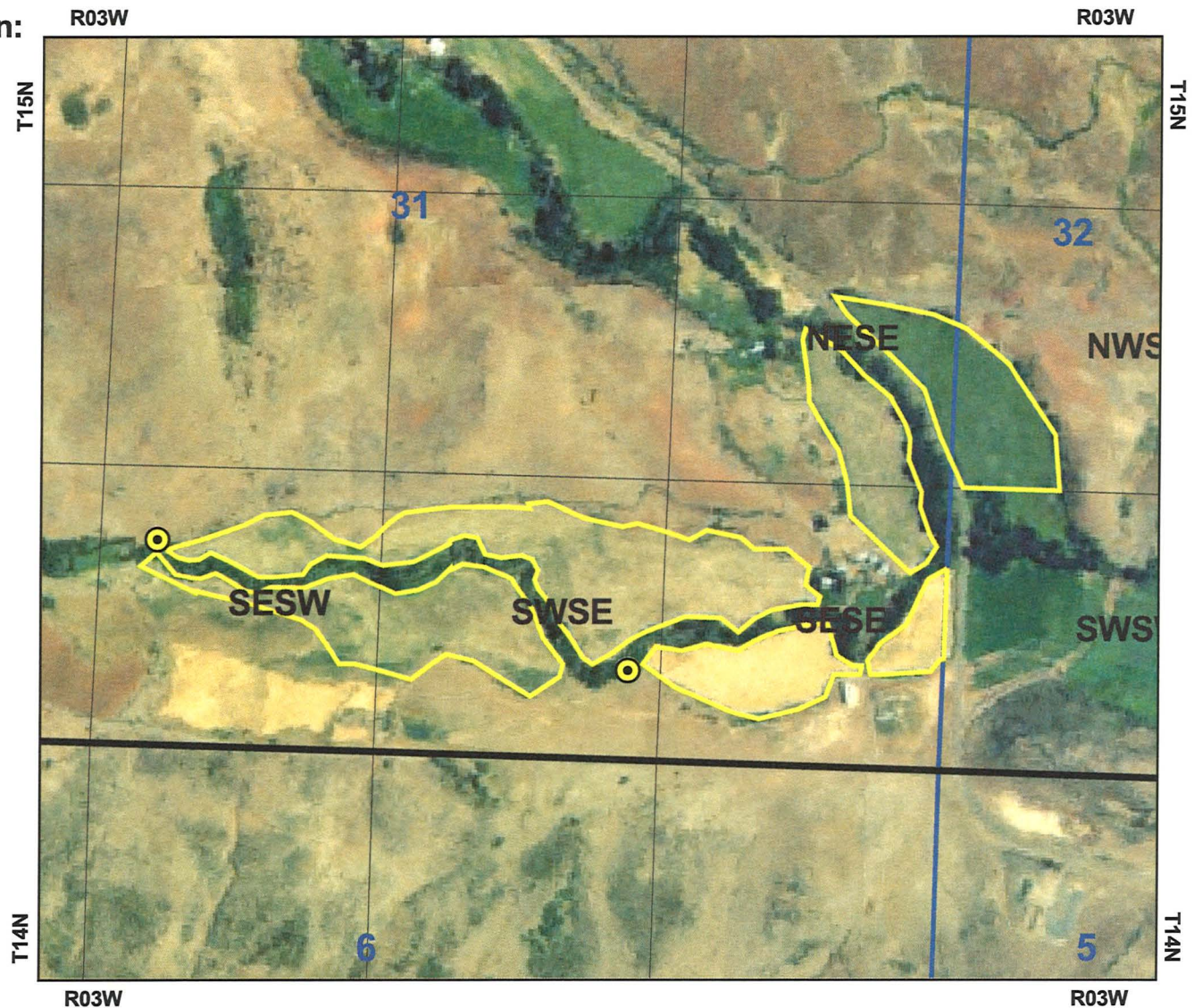
(Irrigation)

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by IDWR State Office
On Wednesday, September 12, 2007
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14903 V1

WATER RIGHT NUMBER: 67-14903 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARY MARQUESS
	, ID
Current Owner	ZOLA A NOAH 2490 W PINE CREEK RD CAMBRIDGE, ID 83610 (208)257-3847
Current Owner	BILL E NOAH 2490 W PINE CREEK RD CAMBRIDGE, ID 83610 (208)257-3847

Priority Date: 05/01/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST PINE CREEK	PINE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.389 CFS	
	<u>Total Diversion:</u>	0.389 CFS	

Location of Point(s) of Diversion

WEST PINE CREEK	SW1/4SE1/4	Sec. 31, Twp 15N, Rge 03W, B.M.
WASHINGTON County		
WEST PINE CREEK	SE1/4SW1/4	Sec. 31, Twp 15N, Rge 03W, B.M.
WASHINGTON 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	
15N	03W	31									7.7	8.6	19.0	16.0					51.3
15N	03W	32								6.2									6.2

Total Acres: 57.5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14903 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 57.5 acres in a single irrigation season. Combined Right Nos.: 67-14903, 67-14905, and 67-14907.
3. This right is a split from former right 67-211.
4. K06 This right is limited to the irrigation of 31.1 acres within the place of use described above in a single irrigation season.

Remarks:Comments:

1. csaxton 9/12/2007 Split Right

Comment: This record is the result of splitting 67-211 per change of ownership and the objection process.

2. csaxton 9/12/2007 ECVR

Comment: See ECVR and file for 67-211.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		57.5

Combined Water Rights: 67-14903 , 67-14905 , 67-14907

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			09/12/2007	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14903 V1

Summary	9/12/2007 3:52:55 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
---------	----------------------	---------	--

Water Supply Bank:

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 67-14903
Date Received: 10/2/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ZOLA A NOAH Phone: (208)257-3847

2490 W PINE CREEK RD
CAMBRIDGE ID USA 83610

BILL E NOAH Phone: (208)257-3847

2490 W PINE CREEK RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/01/1893

3. Source: PINE CREEK , PINE CREEK Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	31	SW SW	WASHINGTON	
15N	03W	31	SW SE	WASHINGTON	

5. Description of diverting works:

CONCRETE HEADGATE, CONCRETE DAM, GRAVITY FLOW, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.389	

7. Total Quantity Appropriated is:

0.389 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	03W	31	SE	SW	IRRIGATION	7.5
			NW	SE	IRRIGATION	1
			SW	SE	IRRIGATION	21
			SE	SE	IRRIGATION	18.5
			NE	SE	IRRIGATION	13.4
					Section Acres	61.4
15N	03W	32	NW	SW	IRRIGATION	9
					Section Acres	9
					Total Acres	70.4

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

DIVERSION HAS BEEN AT GIVEN LOCATION SINCE AT LEAST 1942.

ADDED 1 ACRE IN THE NW1/4,SE1/4, OF SECTION 31. THE DIVERSION LOCATED IN SECTION 31;; SW1/4,SE1/4 IRRIGATES A PORTION OF THE FIELDS IN THE SE1/4,SE1/4, SECTION 31.

This right is a split from former right 67-211.

The diversion rate of this split was not calculated proportionally because less acreage is recommended. The splitting of the diversion rate reflects the proportional splitting of the recommendation record (csaxton 9-12-07).

15. Basis of Claim: Decreed

16. Signature(s)