

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 67-14905

NAME AND ADDRESS:

BILL E NOAH
ZOLA A NOAH
2490 W PINE CREEK RD
CAMBRIDGE, ID 83610

KATHRYN A NOAH
RANDY E NOAH
2874 WARFIELD RD
CAMBRIDGE, ID 83610

SOURCE: WEST PINE CREEK TRIBUTARY: PINE CREEK

QUANTITY: 0.25 CFS

PRIORITY DATE: 05/10/1918

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

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 10-31	0.25 CFS

PLACE OF USE:

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

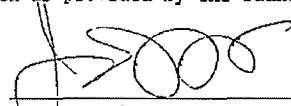
The rights listed below are limited to the irrigation of a
combined total of 57.5 acres in a single irrigation season.
Combined Right Nos.: 67-14903, 67-14905, 67-14907.

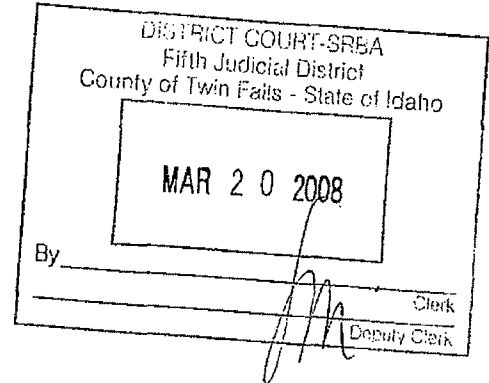
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



09/14/2007

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

RIGHT NUMBER: 67-14905

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

RANDY E NOAH
2874 WARFIELD RD
CAMBRIDGE ID 83610

ZOLA A NOAH
2490 W PINE CREEK RD
CAMBRIDGE ID 83610

KATHRYN A NOAH
2874 WARFIELD RD
CAMBRIDGE ID 83610

SOURCE: WEST PINE CREEK

TRIBUTARY: PINE CREEK

QUANTITY: 0.250 CFS

PRIORITY DATE: 05/10/1918

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	0.250 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.

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 - Beneficial Use

This right is a split from former right 67-4066.



Idaho Department of Water Resources

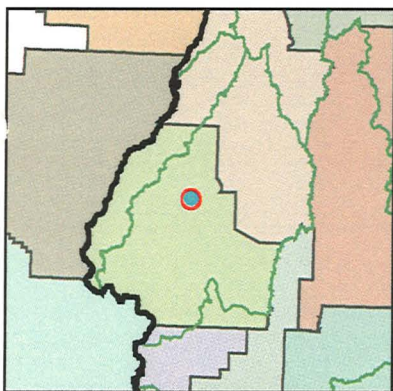
SRBA Recommendation:

67-14905

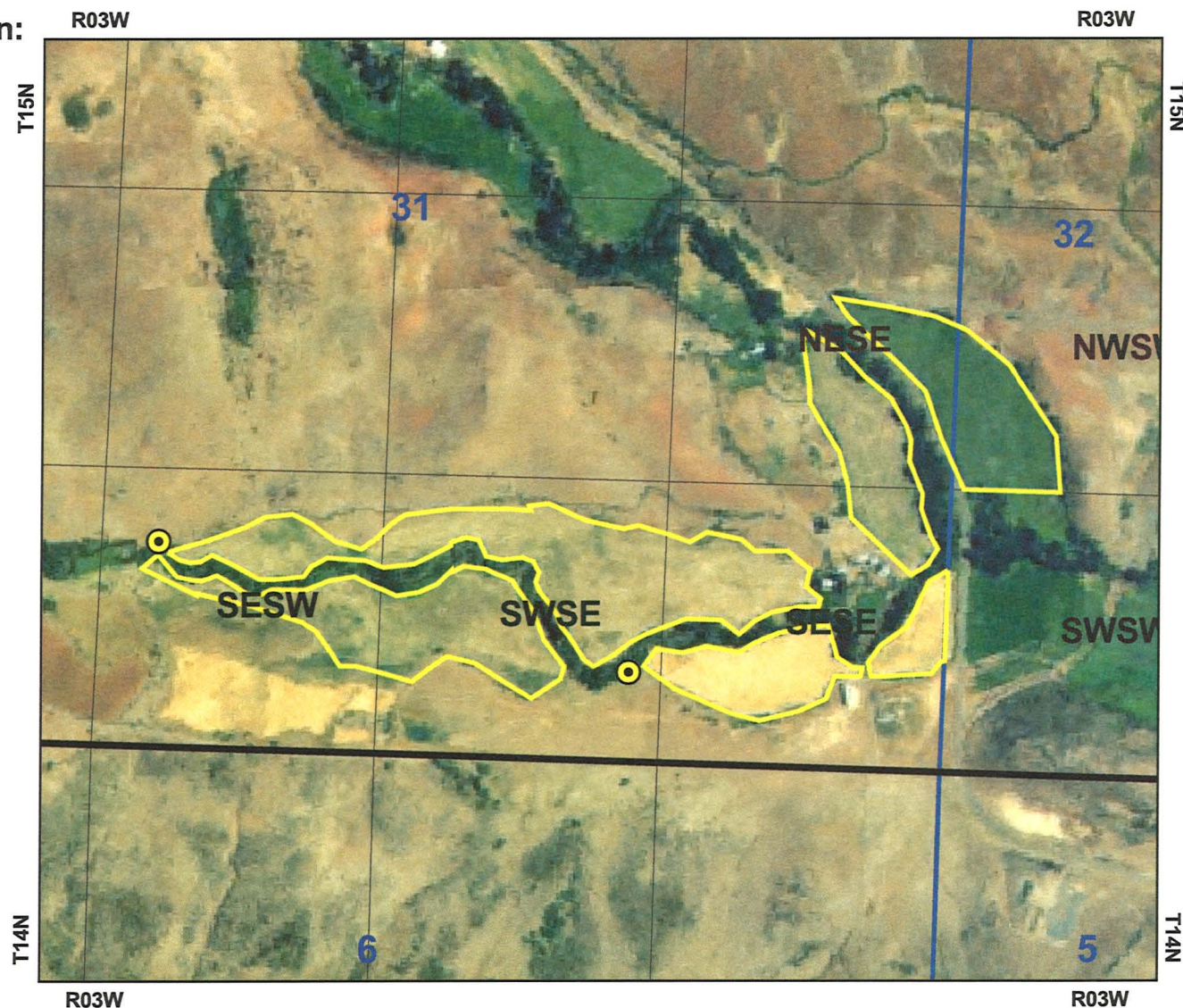
(Irrigation)

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 Friday, September 14, 2007
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14905 V1

WATER RIGHT NUMBER: 67-14905 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BILL E NOAH 2490 W PINE CREEK RD CAMBRIDGE, ID 83610 (208)257-3847
Current Owner	RANDY E NOAH 2874 WARFIELD RD CAMBRIDGE, ID 83610 (208)257-3727
Current Owner	ZOLA A NOAH 2490 W PINE CREEK RD CAMBRIDGE, ID 83610 (208)257-3847
Current Owner	KATHRYN A NOAH 2874 WARFIELD RD CAMBRIDGE, ID 83610 (208)257-3727

Priority Date: 05/10/1918

Basis: Beneficial Use

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	0.250 CFS	
	<u>Total Diversion:</u>	0.250 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14905 V1

Conditions of Approval:

1. This right is a split from former right 67-4066.
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. 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.

Remarks:Comments:

1. csaxton 9/14/2007 ECVR
Comment: Please see ECVR for 67-4066.

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: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		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			09/14/2007	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14905 V1

Summary	9/14/2007 2:52:49 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?
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Water Supply Bank:

Split/Overlap Analysis - Recommendation

Water Right Number: 67-4066

Diversion Rate: 0.26 CFS

[illegible]

59.1

67-4066 (59.1 ac & 0.26 cfs)	67-14905 (57.5 ac & 0.25 cfs)
	67-14906 (1.6 ac & 0.01 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-4066	0.26	59.1	0.004
67-14905	0.25	57.5	0.004
67-14906	0.01	1.6	0.004

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 67-14905
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)

BILL E NOAH Phone: (208)257-3847

2490 W PINE CREEK RD
CAMBRIDGE ID USA 83610

RANDY E NOAH Phone: (208)257-3727

2874 WARFIELD RD
CAMBRIDGE ID USA 83610

ZOLA A NOAH Phone: (208)257-3847

2490 W PINE CREEK RD
CAMBRIDGE ID USA 83610

KATHRYN A NOAH Phone: (208)257-3727

2874 WARFIELD RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 06/01/1879

3. Source: PINE CREEK WEST FORK, PINE CREEK WEST FORK, PINE CREEK , PINE CREEK
Trib. to: WEISER RIVER , WEISER RIVER , 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 SE	WASHINGTON	
15N	03W	31	SW SW	WASHINGTON	
14N	03W	4	SW NW	WASHINGTON	
14N	03W	10	NW NW	WASHINGTON	

5. Description of diverting works:

CONCRETE DAMS (2), CONCRETE HEADGATES (2), GRAVITY FLOW, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.97	

7. Total Quantity Appropriated is:
2.97 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
14N	03W	4	SW	SE	IRRIGATION	33
			SE	SE	IRRIGATION	4.4
			Section Acres		37.4	
14N	03W	9	NE	NE	IRRIGATION	31
			NW	NE	IRRIGATION	15
			Section Acres		46	
14N	03W	10	SE	NE	IRRIGATION	3.5
			SW	NW	IRRIGATION	31
			SE	NW	IRRIGATION	20
Section Acres		54.5				
15N	03W	31	SE	SW	IRRIGATION	7.5
			SW	SE	IRRIGATION	21
			SE	SE	IRRIGATION	18.5
Section Acres		47				
Total Acres		184.9				

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:

SOURCES ARE PINE CK. & W. FK. PINE CK., TRIB. WEISER R.
PRIORITIES ARE 6-1-1879 OF 3.0 CFS & 6-1-1886 OF 2.0 CFS & 5-1-1892 OF 2.0 CFS. (DATA FROM WATER RIGHTS BASE) THIS CLAIM CONSISTS OF MANY CHANGES. POINTS OF DIVERSION, ADDITION AND DELETION OF PLACES OF USE. ALSO, THE PREVIOUS CLAIM WAS FILED CLAIMING 3 DIFFERENT PRIORITY DATES. IN THIS FILING THE NOAHS ARE FILING ON THE EARLIEST PRIORITY DATE OF 6/1/1879 FOR 3.0 CFS ONLY.

This right is a split from former right 67-4066.

15. Basis of Claim: Statutory Claim

16. Signature(s)

Split/Overlap Analysis - Claim

Water Right Number: 67-4066

Diversion Rate: 3.0 CFS

[illegible]

67-4066	67-14905
(186.5 ac & 3.00 cfs)	(184.9 ac & 2.97 cfs)
	67-14906
	(1.6 ac & 0.03 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-4066	3	186.5	0.016
67-14905	2.97	184.9	0.016
67-14906	0.03	1.6	0.016