



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 1, 2007

RIVER HOLDINGS INC
5906 VICTORY RD
BOISE ID 83709

RE: Fees for SRBA claim 77-14217

Dear Claimants:

I am reviewing the SRBA claim mentioned above and would like to use this letter to address some confusion regarding the intent of the claim. You paid a \$25 filing fee, which would lead us to believe it was your intent to file a single family domestic use under the definition of de minimus domestic use, defined below.

Idaho Code 42-111, Domestic purposes defined

- (a) The use of water for homes, organization camps, public campgrounds and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day.

77-14217 claims a diversion rate of 0.16 cfs for 13 homes, which is well above the standard for a single family domestic use. Donald Shaff sent correspondence in April 2006 informing you the outstanding balance on the claim was \$91 for this department to recommend the claim in full for 13 houses and 0.16 cfs. You have two options at this point.

Option 1

We can recommend the claim as a single family domestic use and limit consumption to 13,000 gallons per day. Priority date, source, point of diversion and place of use would remain the same. Diversion rate would be recommended at 0.04 cfs and limited to 13,000 gallons per day.

Option 2

Should you choose to pursue the claim in full at 13 houses and 0.16 cfs, you would be required to pay the additional \$91 in claim fees. Since this would not be considered a use under domestic definition "A" and use is from a surface water source, you would have to provide evidence of when each house was built and water use commenced. The recommended priority date would then be when the last house was built and began diverting water from the spring.

Please inform the department how you wish to proceed at your earliest convenience. I have included a photocopy of Idaho statute covering domestic use. If you have any questions, please feel free to call me at (208) 287-4907.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau