

**DIRECTOR'S REPORT OF DEFERRED
DE MINIMIS DOMESTIC AND/OR STOCK WATER USE**

Claim No. 61-12301

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Carter Fritschle, Manager, Adjudication Section

June 4, 2015

DESCRIPTIVE SUMMARY

This is a Director's Report of Deferred De Minimis Domestic and/or Stock Water Use submitted by the Director of the Idaho Department of Water Resources (IDWR).

INTRODUCTION

A Motion for Determination of Deferred De Minimis Domestic and/or Stock Water Use (Motion), as well as a Notice of Claim to Water Right, was submitted to the Court on March 12, 2015, under water right claim no. 61-12301. The claimants, Jackie Weece and Teresa Weece, published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Carter Fritschle, Manager, Adjudication Section on behalf of the Director. The materials used in and results of the examination of the elements of water right claim 61-12301 are discussed below.

DISCUSSION

Priority Date – The joint well use and maintenance agreement between Loree Saunders (prior owner of the claimed place of use) and Ricky and Kimberly Holden was dated May 10, 2001. The well driller's report for the claimed point of diversion lists Rick Holden as the well owner with a September 20, 1999, completion date. The claimed priority date of February 9, 2000, appears to be taken from a Central District Health application for a subsurface sewage disposal system, but the application does not confirm water was being beneficially used on Lot 16, Block 1, Airport Subdivision as of that date. A Central District Health Mortgage Survey Report for Sewage and Water Systems that was authorized on May 13, 2005, indicates the sewage disposal system was inspected on March 13, 2000. Therefore, the date of the sewage disposal system inspection was used for the recommended priority date for this claim.

Point of Diversion – The point of diversion was located in IDWR's Wells spatial data layer. The point of diversion was confirmed to be in T03S, R06E, S33, SENE. IDWR's Point of Diversion spatial data layer for the recommendation was updated to match the location shown for the well. Another water right that utilizes the same point of diversion was found. It is licensed water right 61-7751 in the name of Rick and Kimberly Holden.

Source – The source for water diverted from a well is ground water.

Place of Use – A 2004 aerial photo confirms a structure is located on the East ½ of Lot 16, Block 1, Airport Subdivision. The Elmore County tax lot data indicate Jackie Weece is the owner the property where the structure is located. IDWR's Place of Use spatial data layer for the recommendation was updated to include the structure shown in the aerial photo. No overlapping water rights were found for this place of use.

Purpose of Use and Period of Use – The joint well use and maintenance agreement states the water shall be used for domestic purposes only. Claims for domestic purposes are recommended for year round use if year round use was claimed.

Quantity – The well driller's report shows the well produced 15 gallons per minute during a 2 hour pump test. The amount claimed is 0.04 cfs (18 gallons per minute). The in-office review/examination for licensing 61-7751 includes a theoretical calculated capacity for the system of 0.06 cfs based on the lift in feet from the well driller's report, and the horsepower of the pump. Therefore, this claim can be recommended for the 0.04 cfs claimed with a combined diversion rate limit with 61-7751 of 0.06 cfs.

IDWR has added the appropriate standard conditions to the recommendation, and IDWR's Claim Verification Report has been completed.

Pursuant to Judge Wildman's *Order Granting Motion Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, dated June 28 2012, the Director submits this Director's Report of Deferred De Minimis Domestic Water Use, Claim No. 61-12301, which includes the recommendation of deferred de minimis water right no. 61-12301.

Respectfully submitted this 24 day of June, 2015.

CARTER FRITSCHLE
Manager, Adjudication Section

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

RIGHT NUMBER: 61-12301

NAME AND ADDRESS: TERESA WEECE
4210 SW AVIATION DR
MOUNTAIN HOME ID 83647

JACKIE WEECE
4210 SW AVIATION DR
MOUNTAIN HOME ID 83647

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

Right Nos. 61-7751 and 61-12301 are limited to a total combined diversion rate of 0.06 cfs.

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/13/2000

POINT OF
DIVERSION: T03S R06E S33 SENE Within ELMORE County

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
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in ELMORE County
T03S R06E S33 SENE

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

Right No. 61-7751 is also diverted through point of diversion described above.

Property is also known as East 1/2 Lot 16, Block 1, Airport Subdivision.

Parcel No. RP00004001016A

CERTIFICATE OF SERVICE

I certify that on September 4, 2015, I caused to be served a true and correct copy of this Director's Report of Deferred De Minimis Domestic and/or Stock Water Use, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

Chief, Natural Resources Div.
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
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☐ E-mail

Elmore County Courthouse
150 South 4th East
Suite 5
Mountain Home, ID 83647

☐ Overnight Mail
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