

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

Claim No. 21-13045

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

November 20, 2015

DESCRIPTIVE SUMMARY

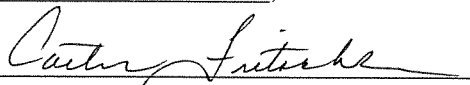
This is a Director's Report of Deferred De Minimis Domestic and/or Stock Water Use submitted by the Director of the Idaho Department of Water Resources (IDWR).

DISCUSSION

IDWR recently discovered that water right claim 21-13045, submitted in 1988 by Clarence R. Rydalch as a basin 22 water right claim, had been investigated and renumbered to 21-13045 by IDWR but was inadvertently not reported in the Snake River Basin Adjudication (SRBA). Since IDWR erred in the handling of the claim, IDWR assisted the current owner of the property, Ryan Tupper, with the preparation and filing of the required documents with the Court. A Motion for Determination of Deferred De Minimis Domestic or Stockwater Use (Motion), as well as a copy of an Amended Notice of Claim to Water Right, was submitted to the Court on July 27, 2015 under claim no. 21-13045. The Motion and amended claim were published, no objections were filed, and the Director is ready to report the water right claim.

Pursuant to the 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 and/or Stock Water Use, Claim No. 21-13045, which includes the recommendation of deferred de minimis water right no. 21-13045.

Respectfully submitted this 20th day of November, 2015.


CARTER FRITSCHLE
Manager, Adjudication Section

10/22/2015

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

RIGHT NUMBER: 21-13045

NAME AND ADDRESS: RYAN TUPPER
5010 W 6000 N
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right for domestic use shall not exceed 2,500 gallons per day.

PRIORITY DATE: 04/01/1955

POINT OF
DIVERSION: T07N R39E S20 SESE Within MADISON 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 in a potato processing building and for watering livestock.		

PLACE OF USE: DOMESTIC in MADISON County
T07N R39E S20 SESE

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.

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

Parcel No. RP07N39E207202

This claim was renumbered from former claim 22-10783.

CERTIFICATE OF SERVICE

I certify that on Nov. 20, 2015, I caused to be served a true and correct copy of this Amended Director's Report, 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
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
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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

Madison County Courthouse
P.O. Box 389
Rexburg, ID 83440-0389

☐ Overnight Mail
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☐ E-mail

Ryan Tupper
5010 W 6000 N
Rexburg, ID 83440

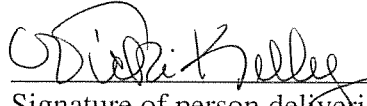
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U.S. Attorney's Office
800 Park Blvd., Ste. 600
Boise, ID 83712

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Washington, D.C. 20530-0001

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Signature of person delivering form