



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 6, 2019

MARK THORNE
DEBORAH THORNE
1018 CHANEY RD
VIOLA ID 83872

RE: Palouse River Basin Adjudication (PRBA) Notice of Claim to a Water Right No. 87-10167

Dear Claimants:

Thank you for using the online claim filing process for submitting claim no. 87-10167 in the PRBA. The claim you submitted lists domestic, stockwater and irrigation water uses with the source listed as Well tributary to Four Mile Creek. A Well Driller's Report for your property is on record with Idaho Department of Water Resources (IDWR), and that report indicates your well is 400 feet deep, with the first water encountered at a depth of 50 feet. When water is diverted from a well, IDWR considers the source ground water. Also, unless there is an obvious hydraulic connection between the well and a surface water source, listing a tributary for the water diverted from the well is not required. IDWR has modified its record for your claim to show the source of water is "Ground Water" without a tributary.

Additionally, the Idaho Legislature amended §42-229, Idaho Code in 1963 to require an application for permit to divert ground water in Idaho, unless the ground water diversion was limited to domestic purposes as defined in §42-111, Idaho Code. The definition of domestic use in §42-111, Idaho Code includes among other uses, water for homes, livestock and the irrigation of up to one-half (1/2) acre of land, if the total use is not excess of thirteen thousand (13,000) gallons per day.

Therefore, when the Idaho Department of Water Resources (IDWR) recommends your claim to a water right to the PRBA Court, only the domestic and stockwater purposes of use listed on your claim will be recommended. If you are irrigating more than one-half (1/2) acre of land, an Application for Permit for will be required to obtain a water right for any irrigation in excess of one-half (1/2) acre. And if you would like to amend your claim to describe only the domestic and stockwater use, IDWR can assist you in preparing an amended claim for your signature. By amending the claim to only domestic and stockwater use, \$40.00 of the \$65.00 claim fee you paid can be applied to the filing fee for an application for permit.

If you would like assistance with amending your claim, or if have any questions that need further clarification, please contact me by phone or by email. The direct line to my desk is (208) 287-4917, and my email address is Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources