



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

July 29, 2019

DAVID DALBY
CLAUDIA DALBY
1072 DAVIS RD
VIOLA ID 83872

RE: Palouse River Basin Adjudication (PRBA) Notice of Claim to a Water Right No. 87-11176

Dear Claimants:

Thank you for using the online claim filing process for submitting claim no. 87-11176 in the PRBA. The claim you submitted states the water is being used for both domestic and aesthetic purposes with Ground Water as the source, and a priority date of July 1, 2000.

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 (generally water diverted from a well) was limited to domestic purposes as defined in §42-111, Idaho Code. Your claim does describe a domestic use which would appear to be within the definition of domestic use in §42-111, Idaho Code, and therefore exempt from the requirement to file an application for permit. However, your claim also describes an aesthetic use that is not exempt from the permit process.

Idaho Department of Water Resources (IDWR) will be able to recommend your claim to a water right to the PRBA Court for the domestic purpose listed on your claim, but not for the aesthetic purpose. While you may pursue your claim with the court as filed, you may also file an application for permit to obtain a water right for aesthetic purposes.

If you have any questions or need further clarification, please contact me by phone at (208) 287-4917 or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources