

AMENDED DIRECTOR'S REPORT

Water Right No. 95-10386

In Re CSRBA

Twin Falls County Civil Case No. 49576

Report to the CSRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Shelley Keen, Water Allocation Bureau Chief

December 23, 2019

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Request for IDWR to Prepare Amended Director's Report for 95-10386* issued by the Special Master Booth on October 29, 2019, the Director submits for filing with the Court an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 23rd day of December, 2019.


SHELLEY KEEN

Water Allocation Bureau Chief

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

RIGHT NUMBER: 95-10386

NAME AND ADDRESS: JERRY GYNN
PO BOX 113
BAYVIEW ID 83803

SOURCE: GROUND WATER **TRIBUTARY:**

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 09/12/2007 12/31/1998

POINT OF DIVERSION: T54N R02W S32 NENE Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in KOOTENAI County
T54N R02W S32 NENE

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

Parcel No. 54N02W320500.

Memorandum

Date: October 31, 2019 (Modified 12/20/19 cs)

From: Craig Saxton

To: Claim File 95-10386

Re: Priority Date

On 10/24/2019 SM Booth granted a motion to amend 95-10386. The amendment was to change the priority date to 6/16/1994 which matches the well log submitted with the amendment. The claimants property is PIN 54N02W320500.

However, the well log indicates that the well was drilled on the adjacent property owned by LAZY BEAR FAMILY TRUST, 54N02W320350. The water use for the neighboring property is represented by 95-10828 and was recommended with a priority date of 6/15/1994.

Form 2387
1/94

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Typed or
Ball Point Pen

1. DRILLING PERMIT NO. 96 - 94 - N. 178
Other IDWR No. _____

2. OWNER:
Name CARROL COLLINS
Address PO BOX 603
City BAYVIEW State ID Zip 83803

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N
W
E
S
Twp. 54 North ☒ or South ☐
Rge. 02 East ☐ or West ☒
Sec. 32 1/4 NE 1/4 NE 1/4
Gov't Lot _____ County KOOTENAI
Address of Well Site COLLINS RD
City _____
(Give at least name of road + distance to point or landmark)
Lt. _____ Blk. _____ Sub. Name PARCEL #0350

4. PROPOSED USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK
☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD
☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From To	Sacks or Pounds		
BENTONITE	0 18	6 bags	DRY POURED	

Was drive shoe used? Y ☐ N ☐
Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2 -18	.250	STEEL	☒	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS
☐ Perforations Method _____
☐ Screens Screen Type _____

11. WELL TESTS:
☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Level	Time
1/2 GPM			

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Flow Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	V	N
8	0	5	BOULDERS W/SOIL		X
8	5	14	GRANITE DECOMPOSED BLACK BROWN SOFT		X
8	14	25	GRANITE DECOMPOSED BLACK WHITE W/ROSE MEDIUM		X
8	25	75	GRANITE GREEN ROSE, WHITE MEDIUM		X
8	75	82	GRANITE GREEN & WHITE SOFT		X
8	82	125	GRANITE ROSE, GREEN WHITE MED		X
8	125	205	GRANITE ROSE, GREEN WHITE SOFT W/WATER APPROXIMATE 1/2 X		
8	205	505	GRANITE GREEN, ROSE, WHITE MEDIUM		X

Completed Depth 505' (Measurable)
Date: Started 06/15/94 Completed 06/16/94

RECEIVED
JUN 27 1994
MICROFILMED
DEC 29 1998
IDAHO DEPARTMENT OF WATER RESOURCES

Kootenai County parcel data indicates that the claimant's manufactured home was put on the property in 1998:



KOOTENAI COUNTY, IDAHO



Improvements

Parcel Number	AIN	Situs Address
54N02W32D500	121376	35220 N COLLINS RD, ATHOL

Improvements

View	Use Code	Description	Building #	ID #	Constructed Yr.
View Details / Print View	MHOME	Manufactured Home	R01	M	1998
	UTLSHED	Residential Shed - Small Util	R01	01	2000
	MHOOKUP	MH Site w/Util - Noncommercial	R01	02	1998
	POLEBLDG	General Purpose Bldg Wood Pole	R01	03	2010

On October 31, 2019, I called the phone number listed on the claim (425) 344-6184 and left a message telling Mr. Guynn that the well log submitted with the claim actually indicates that the well is on the neighbor's property. In the message I mentioned that the Kootenai County parcel data shows a construction date for the home on his property as 1998, and if I didn't hear back from him, I would move forward and recommend the 1998 priority date.

12/20/2019:

I spoke with Mr. Guynn on the phone. He does not share a well with anyone. His well is on his property on the East to SE side of his house. The Well for parcel #0350 is for the property to the west of his parcel and they have their own well. He isn't sure where he got the well log he submitted IDWR as evidence, but is no longer asserting that the well log he submitted is for the well he uses.

There are 6 well logs within IDWR's database that fit the 40 acre tract his parcel is in. There are 3 that I can't link to a specific lot. All 3 have an earlier completion date than 1998.

Driller Report	5/27/1988	JIM COLLINS(Owner/Operator)
Driller Report	5/19/1995	JOHN H WHEELER(Owner/Operator)
Driller Report	5/31/1995	JOHN H WHEELER(Owner/Operator)

My guess is that the well Mr. Guynn is using is one of the 1995 wells drilled by John Wheeler.

CERTIFICATE OF SERVICE

I certify that on December 23, 2019, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Coeur D'Alene-Spokane River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Jerry Guynn
PO Box 113
Bayview, ID 83803

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

IDWR Document Repository
PO Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment and Nat'l Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person mailing/delivering form