



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 3, 2020

THOMAS O'MALLEY
ANN BLOMMER-O'MALLEY
206 N VAN BUREN ST
MOSCOW ID 83843

RE: Palouse River Basin Adjudication (PRBA) Two Notice of Claims to a Water Right

Dear Mr. or Ms. O'Malley:

I am writing in regard to the two claims you submitted in the Palouse River Basin Adjudication which were received on December 19, 2019.

We are returning the claims for the following reasons:

1. Claim Number 87-11978 - Claim for two wells and two homes

- Item No. 2: Priority Date Missing – Were both homes hooked up to the well(s) at the same time? If not you may want to file a separate claim for the newer home, or select a later priority date that reflects a date when both homes were hooked up to the well. We will need evidence of that priority date. *Copy of taxlot data and evidence of priority pamphlet enclosed.*
- Item No. 4: Location of Point of Diversion – The claim lists a legal description and a parcel number but the parcel number does not match up with the legal description. Please insert the correct legal description for the wells. Should it be T42N, R03W, Section 34, SE1/4NW1/4? *See enclosed map with parcel numbers labeled.*
- Item No. 5: Description of Diverting Works – You have claimed two wells. One well was drilled in 2019. Unless the new well replaces the original well, you will need to file an additional claim for the 2019 well representing its water usage and quantity. *I've included a blank claim form with instructions.*
- Item No. 6: A water usage is not claimed. Should the usage be domestic? Would a total quantity of 0.05 cfs for a domestic usage more accurately represent the water usage? Please advise us of the type of usage.
- Item No. 8: Usage indicates two homes and stockwater. A domestic usage can include up to 20 head of stock. Have you had stock on the property? If not, there's no need to indicate stock. If so, how many and what kind? If it's over 20 you may want to include a separate stockwater usage, i.e. domestic at 0.05 cfs and stockwater at 0.02 cfs (for 20 head). This information would go under item 6.
- Item No. 9: Location of Place of Use - Please complete the legal description for where the two homes are located.

2. Claim for the Stockwater Usage from the Palouse River

Please Note: It appears that this claim is for in-stream stockwatering. Do the stock drink directly from the river with no diversions? If that's the case; see the attached claim representing an in-stream stockwater use. This claim may be used to replace the original claim. You'll still need to complete the priority date (item 2) and sign the back of the claim under item 15. The reason for the replacement claim is that if it is for in-stream stock, that water usage has a beginning and ending point where the river enters and leave your property, plus a place of use for all points in-between and this requires a different claim form (same cost). However, the quantity is limited to 0.02 cfs so you'll see this difference under item 6.

- Item No. 2: Priority Date Missing – Taxlot data for this parcel does not have a “year built” date. See enclosed pamphlet with information on what can be used for evidence of priority. This may include a statement from someone with “first-hand” knowledge of when the usage began. Be sure they include the first usage date, type of usage and where it's located.
- Item No. 4: Legal Description of Diversion Point – You listed two different parcel numbers on the original claim. One parcel is in T40N and the other is in T42N - which is quite a distance away from each other. The parcel in T40N is in Basin 86. We would not be able to add this place of use to the same claim because it's in a different basin. If you would like to file a claim, please contact me as the procedure is different due to this area being included in a previous adjudication. Consequently, this place of use is not included in the claim I completed.

When completing the claim forms, be sure to initial and date any changes that you make. I would appreciate it if you would return the claim forms, their original attachments, maps and supporting documents to my attention by January 24, 2020.

I have included a lot of information so feel free to contact me if you have any questions. I can be reached at (208) 762-2800/2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,



Linda A. Werner
Senior Water Resource Agent

Enclosures: Original Claims (2) with Attachments, Blank Claim Form w/Instructions, Parcel Information, Maps (3), Receipts (2)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-11978

Date Received: 12-19-2019

Receipt No: N035835

Claim Fee: By: JD

RECEIVED

DEC 19 2019

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Thomas J. O'Malley and Ann S Blommer O'Malley Phone (208) 310-5031
Mailing address 206 N. Van Buren St, Moscow, ID Zip 83843
Street or Box City State
Email address (optional)

2. Date of priority: (Only one per claim) _____ (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. Location of point of diversion is: Township 34, Range 42, Section 3
SE 1/4 of NW 1/4, or Govt. Lot _____ BM, County of _____

Parcel no. Rp42N03W 342514 see attached deeded maps

Additional points of diversion, if any: _____

If available, GPS coordinates: Lat 46° 05' 76" N, Long 116° 42' 43" W

5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Well #1 - this well was drilled prior to 1967
Well #2 - Tag # 0079700

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For Well #1 purposes from 01/01 to 12/31 amount 0.02 cfs cfs (X) or AFY ()
For Well #2 purposes from 01/01 to 12/31 amount 0.03 cfs

7. Total quantity claimed 0.05 cfs (X) or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

2 homes, stock water (Hbd)

9. Location of place of use is: Township 34, Range 42, Section 3,
_____ 1/4 of _____ 1/4, Govt. Lot _____ BM, Parcel no. _____
for (check one) Domestic () Stock () Domestic and Stock ☒ If different than shown in Item 4

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Latah

11. Do you own the property listed above as place of use? Yes ☒ No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

13. Remarks (include an explanation of the priority date selected):

14. Basis of claim (check one) Beneficial Use ☒ Posted Notice () License () Permit ☒ Decree ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number _____

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System Adjudication."
(b.) I/We do () do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date: 12/16/19

Thomas J. O'Malley & Ann S. Blommer-O'Malley

Date: 12/16/19

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

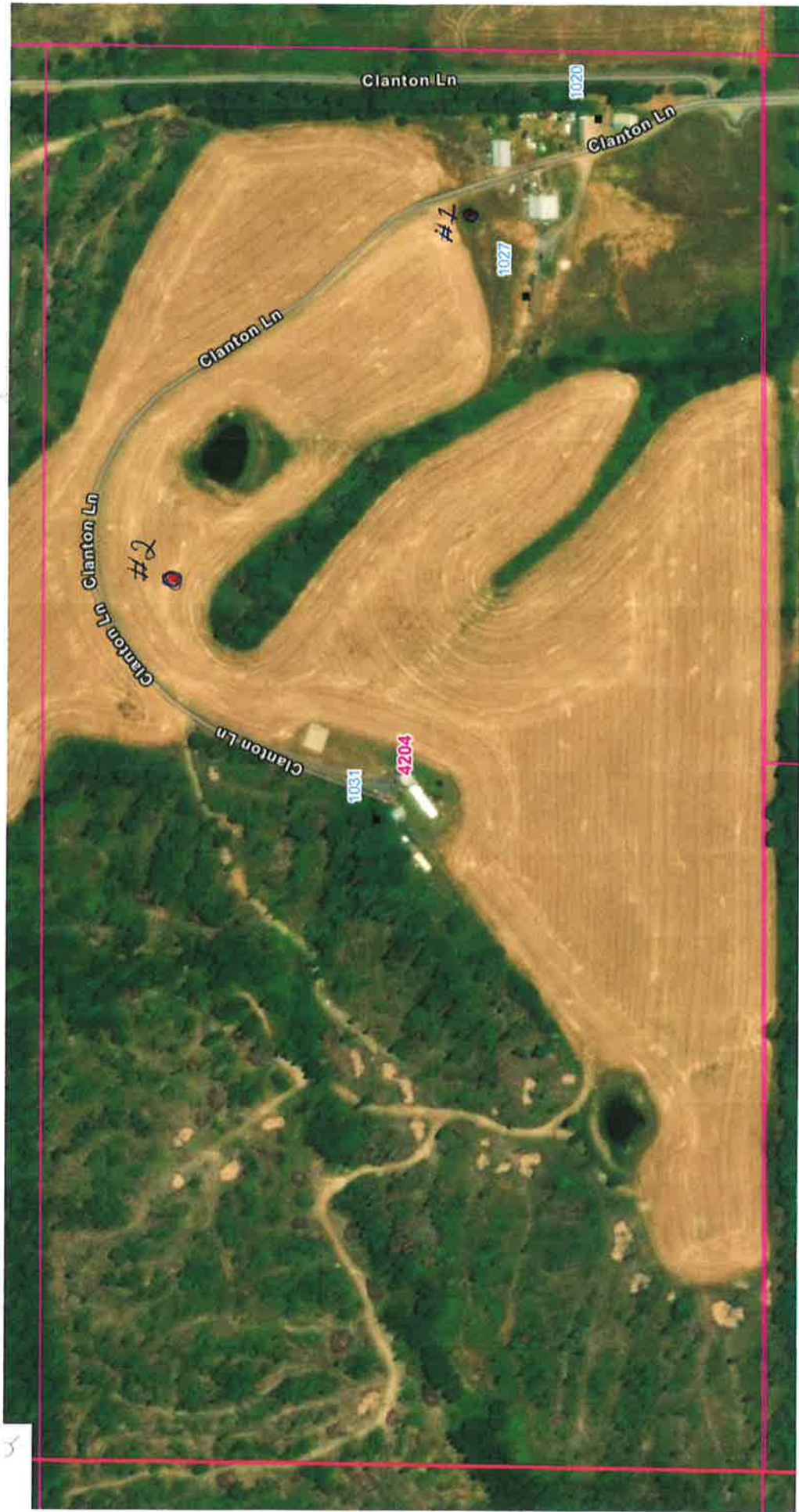
16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) Thomas J. O'Malley & Ann S. Blommer-O'Malley Claim ID _____



well locations

Thomas J O'Malley & Ann S. Blanner O'Malley

Identify

Identify from:

Parcels

[-] Parcels

[+] O'MALLEY, THOMAS J

Location: 2,293,847.085 1,752,799.972 Meters

Field	Value
ACRES	82
ADDRESS1	1031 CLANTON LN
ADDRESS2	
CITY	HARVARD
COUNTY	Latah
ID	11249127
LEGAL1	S 1/2 NW
LEGAL2	34 42 3
LEGAL3	2 MH
LEGAL4	STATEMENT OF INTENT
LEGAL5	
LEGAL6	
OWNER	O'MALLEY, THOMAS J
P_ADDRESS	1031 CLANTON LN
P_ZIPCODE	83834
PIN	RP42N03W344204
SOURCE	<null>
STATE	ID
SUB_NAME	
UPDATED	6/3/2019
YEAR_BUILT	1940
ZIPCODE	83843

The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

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