



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

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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)