

**DIRECTOR'S REPORT OF DEFERRED
DE MINIMIS DOMESTIC AND/OR STOCK WATER USE**

Claim No. 82-12285

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Craig L. Saxton, Adjudication Section Manager

March 9, 2020

DESCRIPTIVE SUMMARY

This is a Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use submitted by the Director of the Idaho Department of Water Resources (IDWR).

INTRODUCTION

A Motion for Determination of Deferred De Minimis Domestic and/or Stock Water Use (Motion), as well as a Notice of Claim to Water Right, were submitted to the Court on August 23, 2019, for water right claim no. 82-12285. Claimants Rick L. Rice and Tami R. Rice published the notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Sandra Thiel, Senior Water Rights Agent, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of water right claim 82-12285 are discussed below.

DISCUSSION

Priority Date – The claimed priority date is May 20, 2008. Claim documents include an invoice dated January 24, 2008, from Williams Plumbing & Heating, Inc. for a pressure tank, gas piping, and a tub and shower. The Idaho County parcel data shows a year build of 2000 for the Claimant's property. The date of the invoice and the year build date support beneficial use of water occurred on or before the claimed priority date. The priority date is recommended as claimed.

Point of Diversion – The claimed point of diversion (POD) falls on Idaho County parcel RP29N08E150510 in Township 29 North, Range 8 East, Section 15, Government Lot 1 (NWNE). According to the Idaho County parcel data Rick L. Rice owns the point of diversion. The point of diversion is recommended as claimed.

Source – The source for water diverted from a well is ground water.

Place of Use – According to the Idaho County parcel data the claimed domestic place of use is parcel number RP29N08E150510. The address at 702 Maxwell Lane, located in Township 29 North,

Range 08 East, Section 15, Government Lot 1 (NWNE), is owned by the claimant. The claimed place of use description didn't include the reference to Government Lot 1, but it is included on the place of use description for the recommendation.

Purpose of Use and Period of Use – The claimed purpose of use is for one home with no lawn. Domestic structures are visible on available aerial photography. Water diverted from wells used for domestic purposes are recommended for year-round use if a year-round water use was claimed.

Quantity – No measurement information is available. However, the 0.02 claimed for the domestic use is within the typical range of diversion rates associated with private wells used for domestic purposes in one home.

CONCLUSION

There is sufficient evidence to recommend water right claim 82-12285, as claimed, for domestic use. Pursuant to Judge Wildman's *Order Amending Procedures in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, dated October 17, 2017, the Director submits this Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use, Claim No. 82-12285, which includes the recommendation of deferred *de minimis* water right no. 82-12285.

IDWR has added the appropriate standard conditions to the recommendation and IDWR's Claim Verification Report has been completed.

Respectfully submitted this 9th day of March, 2020.



CRAIG L. SAXTON
Adjudication Section Manager

CERTIFICATE OF SERVICE

I certify that on March 10, 2020 I caused to be served a true and correct copy of this Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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☒ Regular Mail
☐ Hand-Delivered

2. Copies to:

Chief, Natural Resources Div.
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

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United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

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Idaho County Courthouse
320 West Main Street
Grangeville, ID 83530

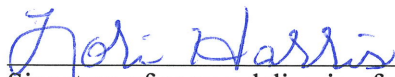
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Rick L Rice
Tami R Rice
PO Box 144
Elk City, ID 83525

☐ Overnight Mail
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Signature of person delivering form

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

RIGHT NUMBER: 82-12285

NAME AND ADDRESS: RICK L RICE
PO BOX 144
ELK CITY ID 83525

TAMI R RICE
PO BOX 144
ELK CITY ID 83525

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/20/2008

POINT OF DIVERSION: T29N R08E S15 NWNE Lot 1 Within IDAHO County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.020 CFS
	Domestic use is for 1 home.		

PLACE OF USE:

DOMESTIC in IDAHO County
T29N R08E S15 Lot 1 NWNE

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. Idaho Code § 42-1412(6).

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. RP29N08E150510.