

Harris, Lori

From: Storms, Scott
Sent: Thursday, June 18, 2020 3:06 PM
To: 'dan.schwartz@live.com'
Subject: Notice of Claim to Water Right 87-11092
Attachments: application-for-permit.pdf; application-for-permit-instructions.pdf

Sorry Dan, that last email accidently sent before I finished. Let me finish here below:

I am in the process of reviewing your notice of claim to water right 87-11092 and there is one issue that has arisen. On your claim form, you described the use as domestic use for one household, 5 acres of irrigation, and stockwater. The claim you submitted was for a domestic and/or stock use where the daily use is less than 13,000 gallons per day. By Idaho code §42-230(d), domestic use is defined as "The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day."

Furthermore, Idaho code §42-229 establishes that all appropriation of groundwater after March 25, 1963 must be established through the permit and licensing process. The exception to this is any single family domestic or stockwater use that does not exceed 13,000 gallons per day.

As such, your claim is still likely valid for the domestic use, including stockwater and up to a half acre of irrigation, however if you wish to continue irrigating the entire property without being in violation of state code, you will need to file an application for permit for irrigation on the remainder of the property. I have attached a copy of that application along with the associated instruction. If you indeed intend to file the application for permit for irrigation, I would suggest submitting it for the entire 5 acres and keep the domestic exclusively for your in-home and stockwater use. This will in turn better represent your water uses on your property.

Please have a look at the attached forms and feel free to contact me if you have any further questions.

Scott

Scott Storms
Senior Water Resource Agent
Idaho Department of Water Resources
208-287-4915
Scott.Storms@idwr.idaho.gov

From: Storms, Scott
Sent: Thursday, June 18, 2020 2:55 PM
To: 'dan.schwartz@live.com' <dan.schwartz@live.com>
Subject: Notice of Claim to Water Right 87-11092

Hello Dan,

I am in the process of reviewing your notice of claim to water right 87-11092 and there is one issue that has arisen. On your claim form, you described the use as domestic use for one household, 5 acres of irrigation, and stockwater. The

claim you submitted was for a domestic and/or stock use where the daily use is less than 13,000 gallons per day. By Idaho code §42-230(d), domestic use is defined as "The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day."

As such, your domestic claim will only authorize up to a half acre of irrigation in association with the domestic use. Furthermore, Idaho code

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