



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

November 26, 2021

TRACY VAUGHAN
8307 CALEDONIA
AUSTIN TX 78717

Re: Notice(s) of Claim to a Water Right 29-14413, 29-14414, 29-14415
Motion for Determination of Deferred De Minimis Domestic and Stock Water Use

Dear Tracy Vaughan,

The Idaho Department of Water Resources (IDWR), through its online filing application, received the adjudication claims referenced above. The claimed water use is within Basin 29 and is within the boundary of the Snake River Basin Adjudication (SRBA).

The Final Unified Decree for the Snake River Basin Adjudication (SRBA) was signed on August 25, 2014. However, because filing claims on certain *de minimis* water uses could be deferred, the SRBA court established a process to adjudicate those previously deferred water right claims after the issuance of the Final Unified Decree.

In order to move forward to have your stockwater water use adjudicated, you must start the process by submitting your claim to the SRBA court with a completed *Motion for Determination of Deferred De Minimis Domestic and Stock Water Use* (enclosed). I have enclosed with this letter, the following documents:

For your convenience, I am enclosing several documents:

- Copy of claims 29-14413, 29-14414, 29-14415, as filed online.
- Copy of claims 29-14413, 29-14414, 29-14415, with the **Adjudication Name** and **Civil Case Number**. You will need to sign and submit the claim forms with the adjudication name and civil case number in order for the claim to be accepted by the District Court.
- A *Motion for Determination of Deferred De Minimis Domestic or Stock Water Use* form (one form will need to be completed for each claim.)
- Copy of receipts T111370, T111372, T111373 – Send these with the completed motions to show that filing fees have been paid¹.
- Example advertisement (see below)

A fairly detailed explanation of the process for filing a *Motion for Determination of Deferred De Minimis Domestic and Stock Water Use*, can be found on the enclosed document titled **Deferred De Minimis Domestic and/or Stockwater Use and the Process for Filing Deferred Claims in the Snake River Basin Adjudication (SRBA)**.

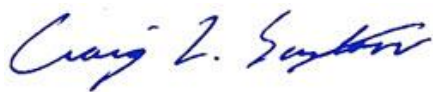
¹ If no further action is taken in connection with claims 29-14413, 29-14414, 29-14415, within the next 60 days, IDWR will initiate a refund the filing fees paid.

I encourage you to read the document and go online at <https://idwr.idaho.gov/water-rights/adjudication/SRBA/stockwater/> to see the related documentation. However, I will briefly summarize the process below:

- 1) The claimant must file the motion with a completed claim and \$25 filing fee (or receipt) to the court.
- 2) The claimant must publish a notice of the pendency and purpose of the motion (notice) once a week for not less than three (3) weeks in a newspaper of general circulation in the county in which the point of diversion is located.
 - I have enclosed an example of one advertising format used by IDWR.
- 3) At the end of the advertising period, the claimant files an Affidavit of Publication with the SRBA Court evidencing that they have caused to be published in the appropriate newspaper the required notice, the Court will set a hearing on the motion for determination of the claim.
- 4) From the first date of publication of the advertisement, someone has 45 days to object.
- 5) Within 30 days of the 45 day deadline, IDWR will notify the court of when they will conduct an examination and prepare a Director's Report for submission to the SRBA court. IDWR will provide the claimant with an estimate of the costs that will be incurred in conducting the examination and of preparing the report and how much it will cost.
 - Fees for review of the claim are in addition to the \$25 claim fee paid.
- 6) IDWR sends a recommendation to the court (Director's Report).

Please feel free to contact me if you have any questions.

Respectfully submitted,



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