

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

Claim No. 63-35089

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 Saxton, Manager, Adjudication Section

July 20, 2022

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, was submitted to the Court on August 5, 2021 under water right claim no. 63-35089. The claimant, Lance Smith, published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Craig Saxton, Manager, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of water right claim 63-35089 are discussed below.

DISCUSSION

Priority Date – The claimed priority date is July 1, 1982, which matches the received date stamp on the well drillers report submitted with the claim. The well driller report describes the location of the well as Township 01 North, Range 04 East, Section 27, NWSW, and lists a completion date of May 12, 1982. The location described on the well driller report is consistent with the claimed point of diversion location. The priority date is recommended as claimed.

Point of Diversion – The claimed point of diversion is located on Elmore County parcel RRP01N04E275495 in Township 01 North, Range 04 East, Section 27, NWSW. According to the Elmore County parcel data, Lance Smith owns the property at the point of diversion. The point of diversion is recommended as claimed.

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

Place of Use – The claimed place of use is on parcel RRP01N04E275495 in Elmore County. Aerial photos provide evidence of domestic use on the claimed place of use. Parcel RRP01N04E275495 is located in Township 01 North, Range 04 East, Section 27, NWSW, and is owned by the claimant. The place of use is recommended as claimed.

Purpose of Use and Period of Use – The claimed purpose of use is for domestic use for one home with a year-round period of use. Domestic structures are visible on available aerial photography. Water diverted and used for domestic purposes are recommended for year-round use if a year-round water use was claimed. The purpose and period of use are recommended as claimed.

Quantity – The claimed quantity is 0.04 CFS which is within the typical range of diversion rates associated with private wells used for domestic purposes in one home. The quantity is recommended as claimed.

CONCLUSION

There is sufficient evidence to recommend water right claim 63-35089, 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. 63-35089, which includes the recommendation of deferred *de minimis* water right no. 63-35089.

Respectfully submitted this 20th day of July, 2022.



CRAIG L SAXTON
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on July 20, 2022, 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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Elmore County Courthouse
195 South 5th E
Mountain Home, ID 83867

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

Lance Smith
48 E Indian Creek Rd
Boise, ID 83716

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-Mail

U.S. Attorney's Office
1290 West Myrtle Street
Suite 500
Boise, ID 83702

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ E-mail



Signature of person delivering form