

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

Claim No. 86-12121

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

August 15, 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 received by the Court on July 12, 2021, under water right claim no. 86-12121. The claimant, Pennie Carlien Hammond, published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Craig L. 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 86-12121 are discussed below.

DISCUSSION

Priority Date – The claimed priority date is February 2, 2005, which matches the completed date on the well drillers report submitted with the claim. The well driller report, identified by tag number D0039786, describes the location of the well as Township 39 North, Range 03 West, Section 19, SENE, and lists a completion date of February 2, 2005. 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 Latah County parcel RP39N03W191952 in Township 39 North, Range 03 West, Section 19, SENE, which matches the location description on the well drillers report. According to the Latah County parcel data, Pennie Carlien Hammond 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 well drillers report identified by tag number D0039786, supports the claimed source of ground water. The source is recommended as claimed.

Place of Use – The claimed place of use is on parcel RP39N03W191952 in Latah County. Aerial photos provide evidence of domestic use on the claimed place of use. Parcel RP39N03W191952 is located in Township 39 North, Range 03 West, Section 19, SENE, 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 86-12121, 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. 86-12121, which includes the recommendation of deferred *de minimis* water right no. 86-

12121.

Respectfully submitted this 15th day of August, 2022.

A handwritten signature in blue ink, reading "Craig L. Saxton", is written over a horizontal line.

CRAIG L SAXTON
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on August 17, 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

Latah County Courthouse
PO Box 8068
Moscow, ID 83843

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

Pennie Carlien Hammond
PO Box 640
Troy, ID 83871

☐ 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

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

RIGHT NUMBER: 86-12121

NAME AND ADDRESS: PENNIE CARLIEN HAMMOND
PO BOX 640
TROY ID 83871

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 02/02/2005

POINT OF DIVERSION: T39N R03W S19 SENE Within LATAH County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in LATAH County
T39N R03W S19 SENE

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. RP39N03W191952