

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

Claim No. 86-12131

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 25, 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 November 8, 2021, under water right claim no. 86-12131. The claimants, Geoffrey Pritchard and Suzanne Pritchard, published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Scott Luvaas, Water Resource Agent, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of water right claim 86-12131 are discussed below.

DISCUSSION

Priority Date – The claimed priority date is January 15, 1947. The claimed place of use is in Township 39 North, Range 02 West, Section 1, SWSW in Latah County which is entirely within parcel no. RP39N02W015550. 1946 aerial photography from USGS shows a domestic structure present on the aforementioned parcel. The claimant states Larry Laholle, a relative of the property owner when the priority date was established in 1947, testified to domestic water use at that time. IDWR found no information that conflicts with the available evidence. The priority date is recommended as claimed.

Point of Diversion – The claimed point of diversion is located on Latah County parcel RP39N02W015550 in Township 39 North, Range 02 West, Section 1, SWSW. According to the Latah County parcel data, Geoffrey and Suzanne Pritchard own 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. Use and maintenance of the well is discussed in item 5 & 13 of claim no. 96-12131. IDWR found no evidence conflicting with the claimed source of water. The source is recommended as claimed.

Place of Use – The claimed place of use is in Township 39 North, Range 02 West, Section 1, SWSW on parcel RP39N02W015550 in Latah County and is owned by the claimants. Aerial photography provide evidence of domestic use on the claimed place of use. The place of use is recommended as claimed.

Purpose of Use and Period of Use – The claimed purpose of use is for domestic and stockwater 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 claimant stated that 15 stock use ground water from the point of diversion with a year-round period of use. Water diverted and used for stockwater 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 for domestic purposes and 0.02 CFS for stockwater purposes, with a total diversion rate of 0.04 CFS. The claimed diversion rate is within the typical range of diversion rates associated with private wells used for domestic purposes for one home and stockwater purposes for 15 stock. The quantity is recommended as claimed.

CONCLUSION

There is sufficient evidence to recommend water right claim 86-12131, as claimed, for domestic and stockwater 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. 86-12131, which includes the recommendation of deferred *de minimis* water right no. 86-12131.

Respectfully submitted this 25th 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 25, 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

Geoffrey and Suzanne Pritchard
1301 Drury Road
Deary, ID 83823

☐ 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: 86-12131

NAME AND ADDRESS: GEOFFREY PRITCHARD
1301 DRURY RD
DEARY ID 83823

SUZANNE PRITCHARD
1301 DRURY RD
DEARY ID 83823

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: 01/15/1947

POINT OF DIVERSION: T39N R02W S1 SWSW 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
	STOCKWATER	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in LATAH County
T39N R02W S01 SWSW
STOCKWATER in LATAH County
T39N R02W S01 SWSW

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. RP39N02W015550

Stockwater use is for 15 range cattle.