

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

Claim Nos. 86-12165

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Mathew Weaver, Director
Craig Saxton, Manager, Adjudication Section

February 26, 2024

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 August 4, 2023, for water right claim no. 86-12165. The claimants published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Jared Klay, 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 no. 86-12165 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is May 7, 2001. Nez Perce County parcel records do not include a year-built date for this property. The claim included a well driller's report in the name of Daryle Farley, with a completion date of May 7, 2001. The public land survey ("PLS") description on the well driller report matches the claim point of diversion location.

The evidence provided supports the claimed priority date. The priority date is recommended as May 7, 2001.

Point of Diversion

The claim included a map that clearly identifies the location of the point of diversion. The claim map places the point of diversion on Nez Perce County parcel RP37N03W034900. The location of the point of diversion identified on the claim map is described as Township 37 North,

Range 03 West, Section 3, NESW. According to Nez Perce County parcel data, Daryle Farley owns the property at the point of diversion. The point of diversion is recommended as claimed.

Source

The source claimed is “ground water”. The documents in the claim file support the claimed source as a well. The source for water diverted from a well is described as ground water. The source claimed under 86-12165 is recommended as claimed.

Place of Use

The claimed place of use is located on Nez Perce County parcel RP37N03W034900. The location of the place of use is described as Township 37 North, Range 03 West, Section 3, NESW. According to the Nez Perce County parcel data, Daryle Farley owns the property described as 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 use for one home and stockwater use for two horses. Correspondence with the claimant confirmed that this use is for a motor home.

Aerial photography available through IDWR’s geographic information system (“GIS”) supports domestic and stockwater use because a domestic structure is visible on the claimed place of use.

The year-round season of use for domestic and stockwater is recommended as claimed.

Quantity

The claimed quantity is 0.01 cubic feet per second (“cfs”) which is within the typical range of diversion rates associated with domestic use according to Appendix 1 of IDWR’s Application Processing Memorandum #22. Specifically, 0.01 cfs was claimed for domestic use and 0.01 cfs was claimed for stockwater use. The quantity recommended is 0.01 cfs.

CONCLUSION

There is sufficient evidence to recommend water right claim no. 86-12165, 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. 86-12165, which includes the recommendation of deferred *de minimis* water right no. 86-12165.

Respectfully submitted this 26th day of February, 2024.

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 February 27, 2024, 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, Energy & 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

Nez Perce County Courthouse
1230 Main St
Lewiston, ID 83501

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

Daryle Farley
1691 Randall Flat Rd
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: 86-12165

NAME AND ADDRESS: DARYLE FARLEY
1691 RANDALL FLAT RD
TROY ID 83871

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS

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

PRIORITY DATE: 05/07/2001

POINT OF DIVERSION: T37N R03W S3 NESW Within NEZ PERCE County

PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.010 CFS
	STOCKWATER	01/01 12/31	0.010 CFS

Domestic use is for a motor home.

PLACE OF USE:

STOCKWATER in NEZ PERCE County
T37N R03W S03 NESW
DOMESTIC in NEZ PERCE County
T37N R03W S03 NESW

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

Stockwater use is for 2 horses.

Parcel No. RP37N03W034900.