

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

Claim No. 65-24171

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

December 4, 2023

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 September 29, 2022, for water right claim no. 65-24171. The claimant published notice of the Motion, and 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. 65-24171 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is May 16, 2016. Valley County parcel data confirms the home was built in 2016. The claimant included a Well Driller's Report with their claim that lists a completion date of May 16, 2016, further supporting the claimed priority date.

The evidence provided supports the year 2016. The priority date is recommended as May 16, 1973.

Point of Diversion

The claimed point of diversion is located on Valley County parcel RP16N04E066931. The location of the point of diversion is described as Township 16 North, Range 04 East, Section 6, SWSW, Govt Lot No. 7. According to the Valley County parcel data, Willow Creek Vista LLC owns the property at the point of diversion. The point of diversion is recommended as

claimed.

Source

The source claimed is “ground water”. A search of IDWR’s well construction records found a well driller’s report, permit no. 972574-878631, in the name of Michael and Linda Robbins. The driller report shows a completion date of May 16, 2016. It appears that this well driller’s report represents the claimed point of diversion and supports the claimed source. The source claimed under 65-24171 is recommended as claimed.

Place of Use

The claimed place of use is located on Valley County parcel RP16N04E066931. The location of the place of use is described as Township 16 North, Range 04 East, Section 06, SWSW, Govt Lot No. 7. According to the Valley County parcel data, Willow Creek Vista LLC 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 1 home and up to one-half acre of irrigation.

Aerial photography available to IDWR through our GIS system supports domestic use because domestic structures are visible on the claimed place of use.

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

Quantity

The claimed quantity is 0.02 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 Adjudication Memorandum #4 which lists a typical diversion rate for domestic use of up to 0.04

cfs. The quantity recommended is 0.02 cfs.

CONCLUSION

There is sufficient evidence to recommend water right claim 65-24171, 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. 65-24171, which includes the recommendation of deferred *de minimis* water right no. 65-24171.

Respectfully submitted this 4th day of December, 2023.

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 December 5, 2023, 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

Valley County Courthouse
219 N. Main St
Cascade, ID 83611

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

Willow Creek Vista LLC
11811 N. Tatum Blvd
STE. 1060
Phoenix, AZ 85028

☐ 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: 65-24171

NAME AND ADDRESS: WILLOW CREEK VISTA LLC
C/O STEVEN K URKE
11811 N TATUM BLVD STE 1060
PHOENIX AZ 85028

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/16/2016

POINT OF DIVERSION: T16N R04E S6 SWSW Lot 7 Within VALLEY County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in VALLEY County
T16N R04E S06 Lot 7 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. RP16N04E066931