

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

Claim No. 86-12161

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 6, 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 January 3, 2023, for water right claim no. 86-12161. 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. 86-12161 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is December 31, 1904. Latah County parcel data shows a built date of 1904. The claim indicates that the home was first served by a hand dug well which is consistent with the claimed priority date.

The priority date is recommended as December 31, 1904.

Point of Diversion

The claimed point of diversion is located on Latah County parcel RP38N03W177410. The location of the point of diversion is described as Township 38 North, Range 03 West, Section 17, NESE. According to the Latah County parcel data, Dale Renfrow owns the property at the point of diversion. The point of diversion is recommended as claimed.

Source

The source claimed is “ground water”. The well is old enough that it is reasonable that there is no record of it in IDWR’s system. Claim file notes that it is a hand-dug well. The source is recommended as claimed.

Place of Use

The claimed place of use is located on Latah County parcel RP38N03W177410. The location of the place of use is described as Township 38 North, Range 03 West, Section 17, NESE. According to the Latah County parcel data, Dale Renfrow 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 for stockwater use for 3 horses. Evidence of domestic structures is visible on aerial photography available to IDWR through our GIS system.

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

Quantity

The claimed quantity is 0.06 cubic feet per second (“cfs”) which is within the typical range of diversion rates associated with domestic¹ and stockwater use². Specifically, 0.04 cfs was claimed for domestic use of 1 home and 0.02 cfs was claimed for stockwater use for 3 horses. The quantity recommended is 0.06 cfs.

CONCLUSION

There is sufficient evidence to recommend water right claim 86-12161, 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 November 18, 2022,

¹ See Application Processing Memorandum #22.

² See Appendix 1 of Adjudication Memorandum #58.

the Claimant submits this Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use, Claim No. 86-12161, which includes the recommendation of deferred *de minimis* water right no. 86-12161.

Respectfully submitted this 6th 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

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

RIGHT NUMBER: 86-12161

NAME AND ADDRESS: DALE RENFROW
1029 HAVENS RD
KENDRICK ID 83537

WENDY RENFROW
1029 HAVENS RD
KENDRICK ID 83537

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: 12/31/1904

POINT OF DIVERSION: T38N R03W S17 NESE 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
T38N R03W S17 NESE

STOCKWATER in LATAH County
T38N R03W S17 NESE

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. RP38N03W177410

CERTIFICATE OF SERVICE

I certify that on December 6, 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

Latah County Courthouse
522 S Adams St
Moscow, ID 83843

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

Dale & Wendy Renfrow
1029 Havens Rd
Kendrick, ID 83537

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

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Signature of person delivering form