

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

Claim No. 63-35332

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 L. Saxton, Manager, Adjudication Section

December 7, 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 submitted to the Court on November 18, 2022, for water right claim nos. 63-35332. The examination was conducted by Sandra Thiel, Principal Water Resource Agent, on behalf of the Director. The materials used in and results of the examination of the elements of water right claims are discussed below.

DISCUSSION

Priority Date

The claimed priority date is June 30, 1998. A well log in Tom Frost's name shows a completion date of May 30, 1998. The priority date is recommended as claimed.

Point of Diversion

The claimed point of diversion is located on Boise County parcel RP001220000040 in Township 4 North, Range 4 East, Section 33, SWSE. According to the Boise County parcel data, Kristin R Frost and Tomas C Frost II 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. The IDWR well construction database shows a well in Township 4N, Range 4E Section 33 SWSE owned by Tom Frost. The source is recommended as claimed.

Place of Use

The claimed place of use is parcel RP001220000040 in Boise County. The place of use

falls within Township 4 North, Range 4 East, Section 33, SWSE and NWSE. According to the Boise County parcel data, Kristin R Frost and Tomas C Frost II own the place of use. The place of use is recommended as claimed.

Purpose of Use and Period of Use

The claimed purpose of use is domestic use for one home. The claimed season of use is year-round. Evidence of domestic structures is visible on aerial photography available to IDWR through our GIS system. Water used for domestic is generally recommended for year-round use if year-round use is claimed. The season of use and beneficial uses are recommended as claimed.

Quantity

The total quantity claimed is for 0.05 cubic feet per second. The claimed diversion rate is within the typical range of diversion rate from private wells used for domestic use. The quantity is recommended as claimed.

CONCLUSION

Tom Frost and Kristin Frost submitted this claim and IDWR recommends it as claimed. There is sufficient evidence to recommend water right claim 63-35332, as claimed, for domestic uses. 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. 63-35332, which includes the recommendation of deferred *de minimis* water right no. 63-35332.

Respectfully submitted this 7th day of December, 2023.



CRAIG L. SAXTON
Manager, Adjudication Section

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

RIGHT NUMBER: 63-35332

NAME AND ADDRESS: KRISTIN FROST
15 HIDDEN RIDGE LN
BOISE ID 83716-3227

TOM FROST
15 HIDDEN RIDGE LN
BOISE ID 83716-3227

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS

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

PRIORITY DATE: 06/30/1998

POINT OF DIVERSION: T04N R04E S33 SWSE Within BOISE County

PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.050 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in BOISE County
T04N R04E S33 SWSE

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. RP001220000040.

Property is also known as Lot 4, Stewart Segregation subdivision name.

CERTIFICATE OF SERVICE

I certify that on December 8, 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
Idaho Water Adjudications
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

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

Boise County Courthouse
419 Main Street
P.O. Box 126
Idaho City, ID 83631

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

Kristin Frost
Tom Frost
15 Hidden Ridge LN
Boise, ID 83716-3227

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

U.S. Attorney's Office
1290 W Myrtle St 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
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Signature of person delivering form