

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

Claim No. 63-35487

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

January 2, 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 September 22, 2023, for water right claim no. 63-35487. 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 Craig Saxton, Manager, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of water right claim no. 63-35487 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is May 18, 1994. Ada County parcel GIS data lists the built date on the property as 1994. In addition, the claimant included a well drillers report for well ID# 300529, which matches the legal description of the claimed point of diversion and lists a well completion date of March 17, 1994. The priority date is recommended as claimed.

Point of Diversion

The claimed identifies the point of diversion as being located on Ada County parcel S0331336345, which is located in Township 05N, Range 01W, Section 31, SESW, which is consistent with the PLSS description on the well drillers report. Ada County parcel data shows that the parcel is owned by John and Ann Marie Schram. The point of diversion is recommended as claimed.

Source

The source claimed is “ground water”. The claimant submitted the well driller report for well ID# 300529 to support the claimed source. The source for water diverted from a well is described as ground water. The source is recommended as claimed.

Place of Use

The claimed place of use is located on Ada County parcel S0331336345. The location of the place of use is described as Township 05N, Range 01W, Section 31, SESW. According to the Ada County parcel data, John and Ann Marie Schram own the property described as the claimed place of use. Ada county parcel data lists a built date of 1994 for the parcel and domestic structures are visible in available aerial photography. 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 stockwater use for up to 75 goats. Domestic structures and livestock infrastructure are visible on the claimed place of use in available aerial photography.

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

Quantity

The claimed quantity is 0.04 cubic feet per second (“cfs”) for domestic use and 0.02 cfs for stockwater use with an overall diversion rate of 0.06 cfs. The claimed diversion rates for domestic and stockwater use are within the typical range of diversion rates associated with each claimed use. IDWR’s Application Processing Memorandum #22 lists a typical diversion rate for a single household at 0.04 cfs. Appendix 1 of IDWR’s Adjudication Memorandum #58 lists a typical diversion rate for up to 75 head of goats at 0.02 cfs. The quantity is recommended as claimed.

CONCLUSION

There is sufficient evidence to recommend water right claim no. 63-35487, 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. 63-35487, which includes the recommendation of deferred *de minimis* water right no. 63-35487.

Respectfully submitted this 2nd day of January, 2024.



CRAIG L SAXTON
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on January 2, 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 and 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

Ada County Courthouse
200 W. Front St
Boise ID 83702

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

Frank Larrocea-Phillips
Sawtooth Law Offices PLLC
1101 W River St Ste 110
Boise ID 83702-7067

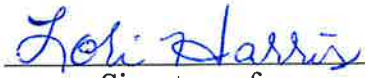
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U.S. Attorney's Office
1290 West Myrtle Street
Suite 500
Boise, ID 83702

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

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

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Signature of person delivering form

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

RIGHT NUMBER: 63-35487

NAME AND ADDRESS: ANN MARIE SCHRAM
3353 N MUNGER RD
STAR ID 83669

JOHN SCHRAM
3353 N MUNGER RD
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

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

PRIORITY DATE: 03/18/1994

POINT OF DIVERSION: T05N R01W S31 SESW Within ADA 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:

STOCKWATER in ADA County
T05N R01W S31 SESW
DOMESTIC in ADA County
T05N R01W S31 SESW

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(s). S0331336345

Stockwater use is for up to 75 goats.