

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

Claim No. 85-15844

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

May 7, 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 11, 2023, for water right claim no. 85-15844. The claimant 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. 85-15844 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is November 1, 1977. The claim contained a copy of the well driller report for Permit No. 85-77-N-58, showing the owner as Alvin Steigers. The completed date listed on the well driller report is October 18, 1977, supporting the claimed priority date. The public land survey ("PLS") description on the well driller's reports matches the claim point of diversion location.

The evidence provided supports the claimed priority date. The priority date is recommended as November 1, 1977.

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 RP36N02W318000. The

location of the point of diversion identified on the claim map is described as Township 36 North, Range 02 West, Section 31, NWSE. According to Nez Perce County parcel data, Leroy & Jewel Steigers Revocable Trust 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 85-15844 is recommended as claimed.

Place of Use

The claimed place of use is located on Nez Perce County parcel RP36N02W318000. The location of the place of use is described as Township 36 North, Range 02 West, Section 31, NWSE. According to the Nez Perce County parcel data, Leroy & Jewel Steigers Revocable Trust 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.

Aerial photography available to IDWR through our GIS system supports domestic use because a domestic structure is 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 0.04 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, 0.04 cfs was claimed for domestic use.

The quantity recommended is 0.04 cfs.

CONCLUSION

There is sufficient evidence to recommend water right claim 85-15844, 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. 85-15844, which includes the recommendation of deferred *de minimis* water right no. 85-15844.

Respectfully submitted this 7th day of May, 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 May 9, 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, 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

Leroy & Jewel Steigers Revocable Trust
31490 Kettenbach Grade
Culdesac, ID 83524

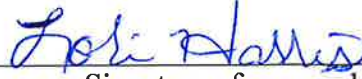
☐ Overnight Mail
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☐ Hand-Delivered
☐ E-Mail

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

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Signature of person delivering form

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

RIGHT NUMBER: 85-15844

NAME AND ADDRESS: LEROY & JEWEL STEIGERS REVOCABLE TRUST
31490 KETTENBACH GRADE
CULDESAC ID 83524

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: 11/01/1977

POINT OF DIVERSION: T36N R02W S31 NWSE 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	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in NEZ PERCE County
T36N R02W S31 NWSE

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. RP36N02W318000.