

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

OCT 21 2024

By _____ Clerk
Deputy Clerk

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

Claim No. 63-35519

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, Adjudication Section Manager

October 17, 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 February 15, 2024, for water right claim no. 63-35519. 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 Scott Luvaas, Senior 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. 63-35519 are discussed below.

DISCUSSION

Ownership

Claim 63-35519 was filed in the name of Steve and Joanne Love. However, Ada County parcel data indicates that the parcel is owned by the *Steve & Joanne Love Revocable Trust*. On August 27, 2024, IDWR sent the claimants an amended claim to update ownership on the claim. On September 5, 2024, IDWR received an amended claim that changed ownership of claim 63-35519 to the *Steve and Joanne Love Revocable Trust*.

Priority Date

The claimed priority date is February 5, 1996. Ada County parcel data shows a built date of 1996. Well Driller's Report (Drilling Permit No. 63-95-W-0906-000, Well ID: 298289) shows a well was drilled in 1995. The priority date is recommended as February 5, 1996, consistent with the county parcel records and driller report.

Point of Diversion

The claimed point of diversion is located on Ada County parcel R5782850210. The location of the claimed point of diversion is described as Township 5 North, Range 1 West, Section 31, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Source

The source claimed is “groundwater”. Well Driller’s Report (Drilling Permit No. 63-95-W-0906-000, Well ID: 298289) shows a well was drilled at the claimed POD location. The source is recommended as claimed.

Place of Use

The claimed place of use is located on Ada County parcel R5782850210. The location of the place of use is described as Township 5 North, Range 1 West, Section 31, NE $\frac{1}{4}$ NW $\frac{1}{4}$. According to the Ada County parcel data, Steve and Joanne Love 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 one (1) home and stockwater for 10 horses. In addition to the county data listing a built date of 1996, evidence of a domestic and a secondary structure is visible on available aerial photography. A year-round season of use for domestic and stockwater use is generally recommended if claimed. The season of use for domestic and stockwater use is recommended as claimed.

Quantity

The claimed quantity for domestic use is 0.04 cubic feet per second (“cfs”)¹ and is within the typical range of diversion rates associated with domestic use. The claimed quantity for

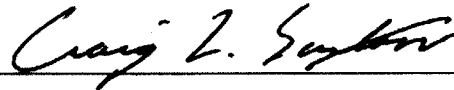
¹ See IDWR’s Application Processing Memo #22.

stockwater use is 0.02 cfs² and is within the typical range of diversion rates associated with stockwater use. The quantity is recommended as claimed.

CONCLUSION

There is sufficient evidence to recommend water right claim no. 63-35519, 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. 63-35519, which includes the recommendation of deferred *de minimis* water right no. 63-35519.

Respectfully submitted this 17th day of October, 2024.



CRAIG L SAXTON
Manager, Adjudication Section

² IDWR's Application Processing Memo No. 3.

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

RIGHT NUMBER: 63-35519

NAME AND ADDRESS: STEVE AND JOANNE LOVE REVOCABLE TRUST
 4506 N TROTTER LN
 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: 02/05/1996

POINT OF DIVERSION: T05N R01W S31 NENW Within ADA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	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 ADA County
 T05N R01W S31 NENW
STOCKWATER in ADA County
 T05N R01W S31 NENW

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

Property is also known as Lot 7, Block 2, Monument Ridge Ranch Subdivision.

Parcel No. R5782850210.

Stockwater use is for 10 horses.

CERTIFICATE OF SERVICE

I certify that on OCTOBER 17, 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

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4506 N Trotter Ln
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