

**SUPPLEMENTAL INSTRUCTIONS FOR FILING
A NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW FOR STOCKWATER PURPOSES
WHERE DAILY USE IS LESS THAN 13,000 GALLONS PER DAY**

- These instructions supplement the instructions for completing notice of claim form numbers 42-1409-1 or 42-1409-2.
- These instructions apply to claims in which the **only** purpose of use claimed is the watering of livestock and the daily use is less than 13,000 gallons.
- The Snake River Basin Adjudication (SRBA) Court requires that each Notice of Claim form filed include a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use. Information can be found on the SRBA Court's website at the following link:

<http://srba.idaho.gov/SRBA1.HTM>

At the link shown above, click on [INSTRUCTIONS](#) to open a "fill in the blank and check the box" motion with instructions.

CLAIMS TO WATER RIGHTS ON FEDERAL LAND

If you are a non-federal water user claiming a water right with a place of use that includes federal land, you will need to submit the following information showing that you or your predecessor established a water right on the federal land before the Department will be able to recommend your water right to the SRBA Court. The Department recommends the following information accompany your notice of claim and your Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use.

- You must identify the "base property" or "base ranch" for which the stockwater right was established. The base property is the land the person or entity owned at the time the water right was perfected.
- You must also establish that an owner of the base property perfected the stockwater right on federal land. You can do this by establishing linkage between the base property and grazing activity or a grazing permit on federal land. If the water use on federal land predates the Taylor Grazing Act (June 28, 1934), you must submit evidence of grazing on federal land in support of the claimed priority date. If the water use on federal land does not predate the Taylor Grazing Act, you must submit evidence of authority to graze stock on federal land. If you have a copy of the original grazing permit associated with the base property for the place of use claimed, please include that document with your claim. If a copy of the original grazing permit cannot be located, the earliest dated grazing permit available for the base property can support the claimed priority date.
- You must submit documents establishing a chain of title of the base property from the owner who appropriated the stockwater right to you. A land patent, deed, or other instrument of conveyance can identify and establish ownership of the base property. Land patents can be found online at: <https://gloreCORDS.blm.gov/default.aspx>. The chain of title must establish that the water rights were never reserved or severed from the base property when the property was conveyed from one owner to the next owner. Or, if the water rights were severed from the base property, you will need to submit

documentation showing when and how you obtained ownership of the water rights, and identify the new base property to which they are appurtenant.

- You must submit a copy of the current grazing permit and a map depicting the grazing allotment.
- If you are aware of water rights appurtenant to the place of use you are claiming (the grazing allotment) that were decreed to a federal agency in the SRBA, please submit a list of the water right numbers for those decreed water rights.

A checklist of this information can be found at the Department's website:

<https://idwr.idaho.gov/water-rights/adjudication/SRBA/>.

OBTAINING A CLAIM ID NUMBER

The SRBA Court also requires a claim number (which becomes the subcase number) for each Notice of Claim and Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use filed. You may obtain claim numbers by calling 1-800-451-4129. You may also obtain claim numbers by visiting any of the Idaho Department of Water Resources offices shown below:

State Office
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83702

Eastern Regional Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402

Northern Regional Office
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Southern Regional Office
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301

Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

FILING FEES

As of July 1, 2017, for claims in which stockwater is the sole purpose of use claimed and the use is less than 13,000 gallons per day, the filing fee is \$25.00 each for the first four claims. If the same claimant files additional claims in which stockwater is the sole purpose of use claimed, there are no additional filing fees for the additional claims.