

MEMORANDUM

To: Regional Offices  
Water Allocation Bureau

From: Norman C. Young *NCY*

RE: APPROVAL POLICY - SUPPLEMENT TO APPLICATION PROCESSING  
MEMO NO. 47, AMENDED MAY 20, 1992

Date: September 17, 1992

Clarification of Application Processing Memo. No. 47 (Amended) issued on May 20, 1992 as contrasted with the Application Processing Memo No. 47 issued on February 1, 1990 has been requested by regional office staff.

The 1990 memo provided that the department would issue permits for domestic, stockwater and non-consumptive uses within the boundaries of Ground Water Management Areas (GWMAs) and Critical Ground Water Areas (CGWAs) provided that domestic uses were limited to inhouse use.

The 1992 memo was intended to supercede the prior memo and provided that the department would issue a permit in GWMAs if the use was within the limits of "domestic purposes" as described in Section 42-111, Idaho Code. Note that this was a "loosening" of the prior memo since the approvable domestic use no longer was limited to inhouse use. The 1992 memo also provided that the department would not issue water right permits in a CGWA.

Neither memo addressed treatment of a "community" well where a community well means a well which provides domestic water to more than one domestic unit.

Department policy with respect to the filing of applications for permit and subsequent department action on the applications in GWMAs and CGWAs is as follows:

GROUND WATER MANAGEMENT AREAS

- Department staff should follow provisions of any existing management plan which has been prepared for a specific GWMA. If a plan does not exist, the provisions of this memo apply.
- The department will issue a water right permit for non-consumptive uses and for other uses which do not exceed the rate and volume limitations of the "domestic purposes" definition described in Section 42-111, Idaho Code. Note that

these approvable uses are not limited to inhouse use.

- The department will issue a water right permit for "community" domestic wells provided that each domestic unit served by the community well does not exceed the rate and volume limitations of the "domestic purposes" definition described in Section 42-111, Idaho Code and individually would be exempt from the filing of an application for permit as provided in Section 42-227, Idaho Code. Note that these approvable uses also are not limited to inhouse use.

#### CRITICAL GROUND WATER AREAS

- Staff should follow provisions of any existing management plan which has been prepared for a specific CGWA. If a plan does not exist, the provisions of this memo apply.

- The department will issue a water right permit for non-consumptive uses.

- The department will issue a water right permit for uses which do not exceed the rate and volume limitations of the "domestic purposes" definition described in Section 42-111, Idaho Code. Note, however, that these approvals will not provide for the irrigation of any land.

- The department will not issue a water right permit for community domestic wells in CGWAs.

MEMORANDUM

To: Water Management Division Staff

From: Norman C. Young *NY*

RE: DOMESTIC USE IN MORATORIUM AREAS, GROUND WATER MANAGEMENT AREAS AND CRITICAL GROUND WATER AREAS

Date: May 20, 1992

App. Proc. Memo. No. 47  
(Amended)

A question recently arose inquiring whether a prospective water user is required to obtain a water right permit for the construction of a well for stockwater use in a moratorium area, ground water management area or critical ground water area (administrative areas) and the limits, if any, which may apply to the stockwater use.

A water user is not required to file for a water right permit if the proposed ground water diversion will not exceed an instantaneous discharge of 0.04 cubic feet per second (18 gallons per minute) and a daily diversion of 2,500 gallons per day, or a daily diversion volume of 13,000 gallons per day and otherwise meets the domestic purpose definition of Section 42-111, Idaho Code. The department will, however, issue a water right permit if the use is within a ground water management area, but not in a critical ground water area. The water user must obtain a drilling permit from the Department for construction of the well.

If a water user represents that the instantaneous rate of diversion will exceed 0.04 cfs and a daily volume of 2,500 gallons per day or the daily volume will exceed 13,000 gallons per day, the use will not be allowed without a water right permit.

To determine if the proposed stockwater use meets the domestic purposes definition, information on the number and kind of livestock must be known. i.e. A daily diversion volume of 13,000 gallons will supply the water requirement for approximately 1,000 head of range cattle at 12 gallons per day per animal.

To determine the daily water requirement volume for various types of livestock, refer to Table 3, "Non-Irrigation Water Requirements" in the Field Examiner Handbook.