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JUL 13 2005

DEPARTMENT OF
WATER RESOURCES72093
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF DIVERSION FOR INSTREAM STOCKWATER USE

Provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks for the watering of livestock)

1. Name of Right Holder James C. Minser Phone ~~208~~ (775) 753-2402
Mailing address 29105 Hwy 6, St. Maries ID 83861
2. Source of water supply Bob Creek tributary to Santa Creek
3. Point of diversion is in Gov't. Lot 1/4 SE 1/4 SW 1/4, Section 28,
Township 44N Range 2W, B.M., Beneval County.
4. Description of diversion and delivery system:
- a) Describe the type of diversion: plastic pipe intake
- b) Describe the delivery system: plastic pipe
- c) Describe the number, type and total capacity of troughs or tanks six
100-gal. troughs (total = 600 gal.)
- d) Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: plastic pipe return to
Santa Creek
- e) Describe how the system is designed to allow measurement of the rate of
diversion: tee and valves at point of diversion
(stop watch and bucket)
5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
44N	2W	28															X	

6. Priority date claimed or established: 2-16-057. Rate of diversion: 0.02 cfs

9-1-1890

per T.C. w/

Jim Minser

8. Season of use: From March 1 to December 1
9. a) Who owns the property at the point of diversion? applicant
b) Who owns the property at the place of use? applicant
10. When will construction occur? April 2005
11. Comments: _____

I hereby assert the following:

- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the stream as described in this notice is for watering livestock and will not injure other water rights.
- c) I will not alter the bed and banks of the source as the term is defined in section 42-3802, Idaho Code. I understand that I may place an inlet conduit into the source in a manner that does not require excavation or obstruction of the stream channel, unless the director of the department of water resources approves a stream channel alteration permit for additional work.
- d) I understand that upon determination of interference with other water rights, the Director may order curtailment of diversion or use of water under this notice or may require the diversion and delivery system to be modified to prevent injury.
- e) I will not divert more than 13,000 gallons per day for livestock watering from this diversion, and I will not use more than one point of diversion under this notice.
- f) I am authorized to make the changes described in this notice and that if the notice involves a federal grazing allotment, the permittee consents to the changes described in this notice.
- g) I understand that any willful misrepresentation on this notice will void any right to divert water for livestock under this notice.

Dated this 16th day of February, 2005

James C. Munt
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by MM Date 2.23.05 Preliminary check by _____
Fee: \$ 25.00 Receipted by MM Receipt No. 6076903 Date 2.23.05
Water District No. _____ Entered into data base 718105 By db

Accession	Names	Date	Doc #	State	Meridian	Twp - Rng	Aliquots	Sec. #	County
ID0590__121	DAWSON, CHARLOTTE	5/9/1905	1193	ID	Boise	044N - 002W	N½NE¼	28	Benewah
						044N - 002W	SW¼NE¼	28	Benewah
						044N - 002W	SE¼NW¼	28	Benewah
ID0450__336	DAWSON, ELIJAH E	10/4/1900	449	ID	Boise	044N - 002W	SW¼NW¼	27	Benewah
						044N - 002W	NW¼SW¼	27	Benewah
						044N - 002W	SE¼NE¼	28	Benewah
						044N - 002W	NE¼SE¼	28	Benewah
ID0450__045	DAWSON, WILLIAM	5/14/1900	448	ID	Boise	044N - 002W	S½SE¼	28	Benewah
						044N - 002W	N½NE¼	33	Benewah
ID0100__221	GILL, LOUISA J	12/4/1903	1084	ID	Boise	044N - 002W	W½NW¼	28	Benewah
						044N - 002W	W½SW¼	28	Benewah
ID0270__303	HATHAWAY, WARREN D	8/8/1901	523	ID	Boise	044N - 002W	NE¼NW¼	28	Benewah
ID0460__091	MILLER, ROBERT H	2/9/1901	461	ID	Boise	044N - 002W	E½SW¼	28	Benewah
						044N - 002W	NW¼SE¼	28	Benewah
						044N - 002W	NE¼NW¼	33	Benewah