

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**NOTICE OF DIVERSION AS AN ALTERNATIVE TO
INSTREAM STOCKWATER USE**

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks as an alternative to instream use for the watering of livestock)

1. Name of right holder Steven & Cindy Smith Phone 208 339 0855
Mailing address 2674 E Hwy 36 Preston ID 83263 Email _____

2. Source of water supply Bear River tributary to _____

3. Point of Diversion:

a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number _____

If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot _____, _____ 1/4 NE 1/4 NW 1/4,
Section 29, Township 14S Range 40E, B.M.,
_____ County.

Ending point is in Gov't. Lot _____, _____ 1/4 NW 1/4 NW 1/4,
Section 29, Township 14S Range 40E, B.M.,
_____ County.

b) Alternate point of diversion is in Gov't. Lot _____, _____ 1/4 NE 1/4 NW 1/4,
Section 29, Township 14S Range 40E, B.M.,
Franklin County.

4. Description of diversion and delivery system:

a) Describe the type of diversion a shallow sump will be dug next to the stream bank and a perforated pipe with a pump installed

b) Describe the delivery system a solar system will pump water to storage tanks which then will gravity feed to troughs

c) Describe the number, type and total capacity of troughs or tanks _____
4,000 Gal of storage tanks and 3 troughs 1,000 gal Each

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Department of Water Resources
Eastern Region

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Each trough & tank will have a float
- e) Describe how the system is designed to allow measurement of the rate of diversion The Solar system ~~can~~ will be ~~des~~ designed to pump no more than 13,000 Gal per Day

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
14S	40E	29					X	X										
14S	40E	19																X
14S	40E	20										X	X					

6. Priority date claimed or established 1890
7. Rate of diversion 0.02 cfs
8. Season of use: from Jan to Dec
9. a) Who owns the property at the point of diversion? Dalene Smith
b) Who owns the property at the place of use? Steven Smith
10. When will construction occur? 2013
11. Comments (include number and type of stock) there will be 175 cow calf Pairs or Yearlings
I would like an Exemption from IDAPA 37.03.09 so I can collect
water from a shallow Depression Next to the Bear River
12. Map of project required - Attach an 8½"x11" map clearly identifying the location of the instream stockwater use and the locations of the alternative point(s) of diversion and stock trough(s). A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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 7 day of June, 2013

Steve Smith
Right Holder or Authorized Representative

FOR DEPARTMENT USE

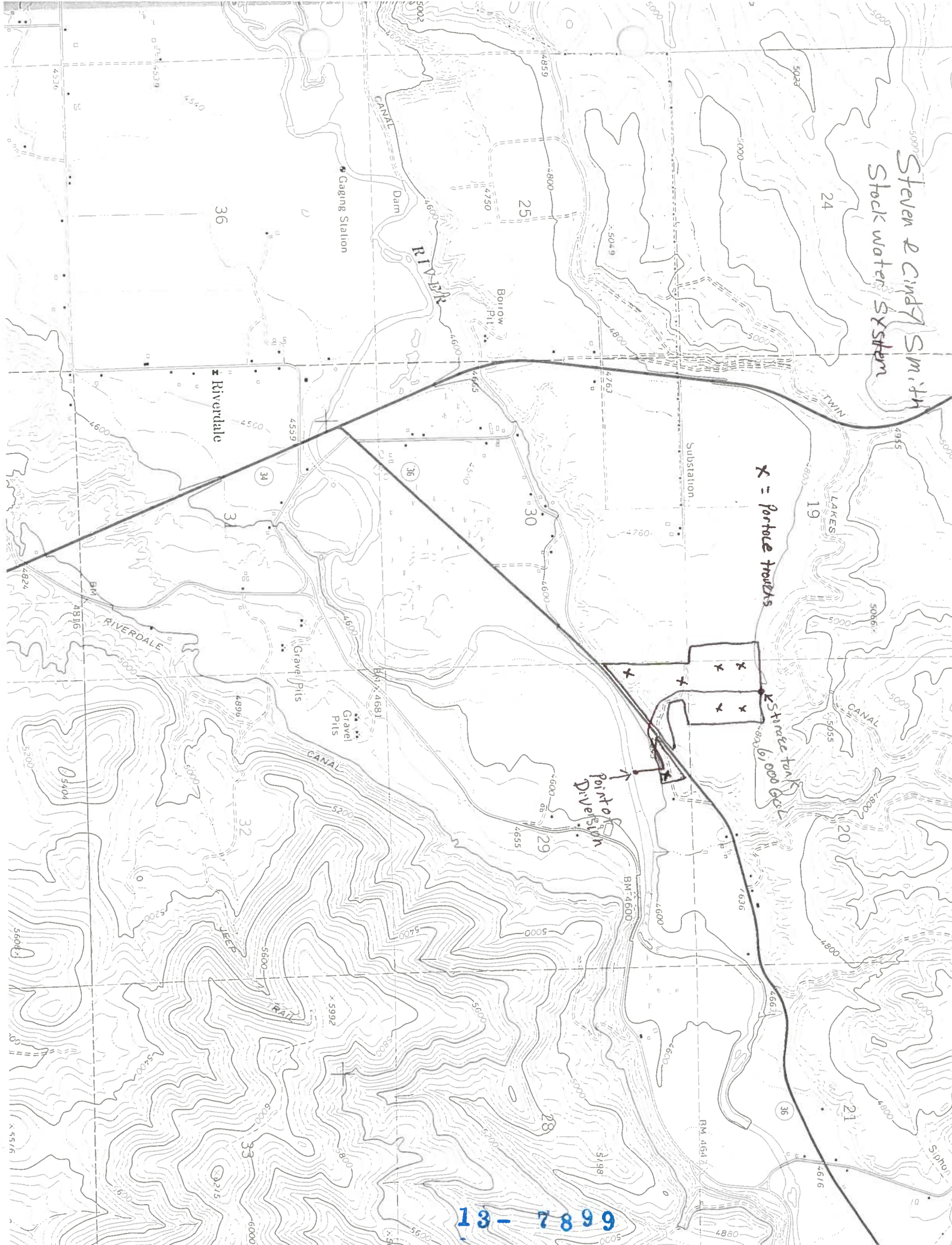
Received by _____ Date 8/2/13 Preliminary check by _____
Fee: \$ 25 Received by SC Receipt No. E038967 Date 8/2/13
Water District No. _____ Entered into data base _____ By _____

Steven & Cindy Smith
Stock water system

X = portable troughs

Storage tank 6,000 gal

Point of diversion



13-7899



- Township/Range
- Sections
- QQ

Steve Smith

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Department of Water Resources
Eastern Region

0 0.0325 0.065 0.13 0.195 0.26 Miles

13 - 7899

Mathews, Kerrie

From: Steven R. Smith [Steven.Smith@swc.idaho.gov]
Sent: Friday, August 23, 2013 8:22 AM
To: Mathews, Kerrie
Subject: Stockwater map steven smith
Attachments: NetCopy@one-mail.fsc.usda.gov_20130823_090355.pdf

Kerrie

Sorry for the misunderstanding hope this works. Dalene is coming to sign her map and I will send it in about an hour.

If you could put some text in the water right that we can dig closer than 50 feet to the stream that would be great. I will stay outside of high water mark so I do not need a stream channel alteration permit. I will monitor the stream bank to insure that it is not adversely affected in any way.

Steven

From: NetCopy@one-mail.fsc.usda.gov [NetCopy@one-mail.fsc.usda.gov] On Behalf Of NetCopy@
[one-mail.fsc.usda.gov NetCopy@one-mail.fsc.usda.gov]
Sent: Friday, August 23, 2013 8:03 AM
To: Steven R. Smith
Subject: Scanned image from MX-M453N

Reply to: NetCopy@one-mail.fsc.usda.gov <NetCopy@one-mail.fsc.usda.gov> Device Name: Not Set
Device Model: MX-M453N
Location: Not Set

File Format: PDF (Medium)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

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