

#3

Form 113
12/07

Ident No. 27-12258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 18 2013

Department of Water Resources
Eastern Region

**AMENDED 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 Caribou Cattle, LLC Phone (307) 733-2904

Mailing address PO BOX 40, Jackson WY 83001 Email kinglaw@wyom.net

2. Source of water supply Unnamed Spring #2 tributary to Lanes Creek

3. Point of Diversion:

a) Is this notice based on an existing recorded instream stockwater right? If yes,
provide the water right number NO

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

Beginning point is in Gov't. Lot , NW 1/4 NW 1/4 NW 1/4,

Section 36, Township 05S Range 44E, B.M.,

Caribou County.

Ending point is in Gov't. Lot , 1/4 SE 1/4 SE 1/4,

Section 26, Township 05S Range 44E, B.M.,

Caribou County.

b) Alternate point of diversion is in Gov't. Lot , NE 1/4 NE 1/4 NE 1/4,

Section 35, Township 05S Range 44E, B.M.,

Caribou County.

4. Description of diversion and delivery system:

a) Describe the type of diversion Spring water diversion through filtered perforated
collection pipe.

b) Describe the delivery system Buried pipe, gravity feed with shut-off valve.

c) Describe the number, type and total capacity of troughs or tanks 2 troughs on
one each side of the creek, each with a 580 gallon capacity.

B. King

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 25 2013

Department of Water Resources
Eastern Region

**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 Caribou Cattle, LLC Phone 307-733-2904
Mailing address PO Box 40, Jackson WY 83001 Email kinglaw@wyom.net
2. Source of water supply Spring #2 (mid-reach) tributary to Lanes Creek
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number no

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

Upstream Beginning point is in Gov't. Lot ____, ____ 1/4 ____ 1/4 SE 1/4,
Section 25, Township 5S Range 44E, B.M.,
Caribou County.

Downstream Ending point is in Gov't. Lot ____, ____ 1/4 ____ 1/4 NE 1/4,
Section 35, Township 5S Range 44E, B.M.,
Caribou County.

- b) Alternate point of diversion is in Gov't. Lot ____, ____ 1/4 ____ 1/4 NE 1/4,
Section 35, Township 5S Range 44E, B.M.,
Caribou County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Spring water diversion through filtered perforated collection pipe.
b) Describe the delivery system Buried pipe, gravity feed with shut-off valve.
c) Describe the number, type and total capacity of troughs or tanks 2 trough one on each side of creek, each w/ 580 gallon capacity.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Automatic shutoff by float valve hardware.
- e) Describe how the system is designed to allow measurement of the rate of diversion Small diameter pipe size and float valve will maintain a minimal rate of diversion that shuts off when the trough is full.

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
5S	44E	35	X															X
5S	44E	26																

6. Priority date claimed or established 9-1-1888 per telephone w/ Bret King 4-11-13
7. Rate of diversion 0.06 cfs
8. Season of use: from June to September
9. a) Who owns the property at the point of diversion? Caribou Cattle, LLC
b) Who owns the property at the place of use? Caribou Cattle, LLC
10. When will construction occur? Fall 2013
11. Comments (include number and type of stock) Operation will run about 300 head seasonally.
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:

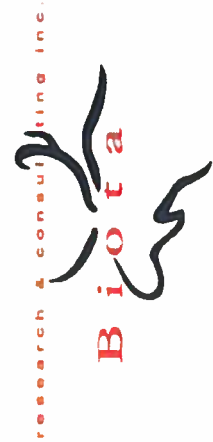
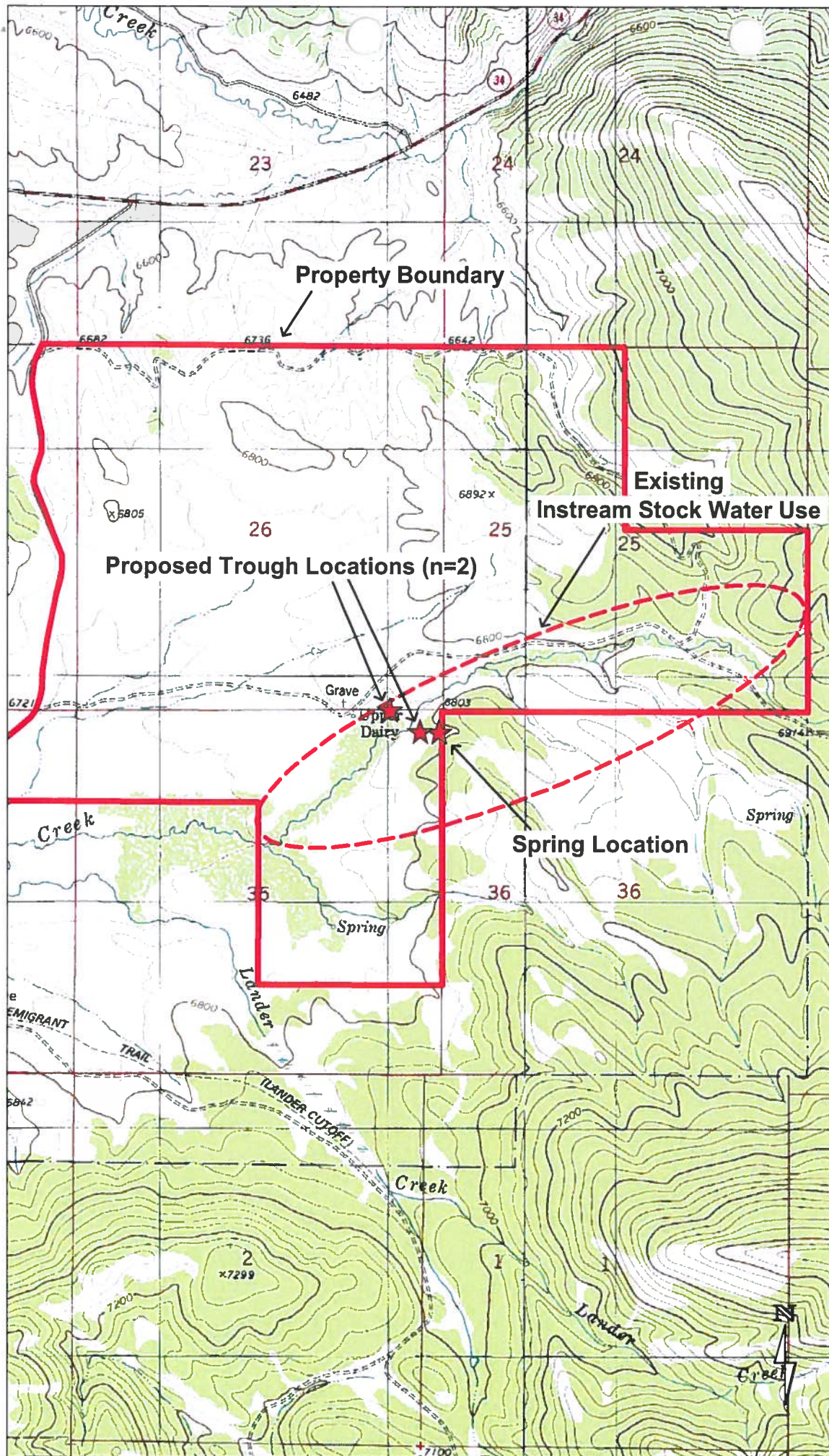
- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the 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 7th day of March, 2013


Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Receipted by Km Receipt No. E038524 Date _____
Water District No. _____ Entered into data base _____ By _____



PO Box 8578, 140 E. Broadway, Suite 23
Jackson, WY 83002; ph: 307-733-4216

OFF CHANNEL STOCK WATER SUPPLY SPRING 2 (MID-REACH) LOCATION

Restoration Plan
Lanes Creek, Caribou Cattle, LLC
Caribou County, Idaho

No: 1
Date: 3/1/2013
Description: Off Channel
Stock Water Supply
Scale 1 inch = 2,000 feet

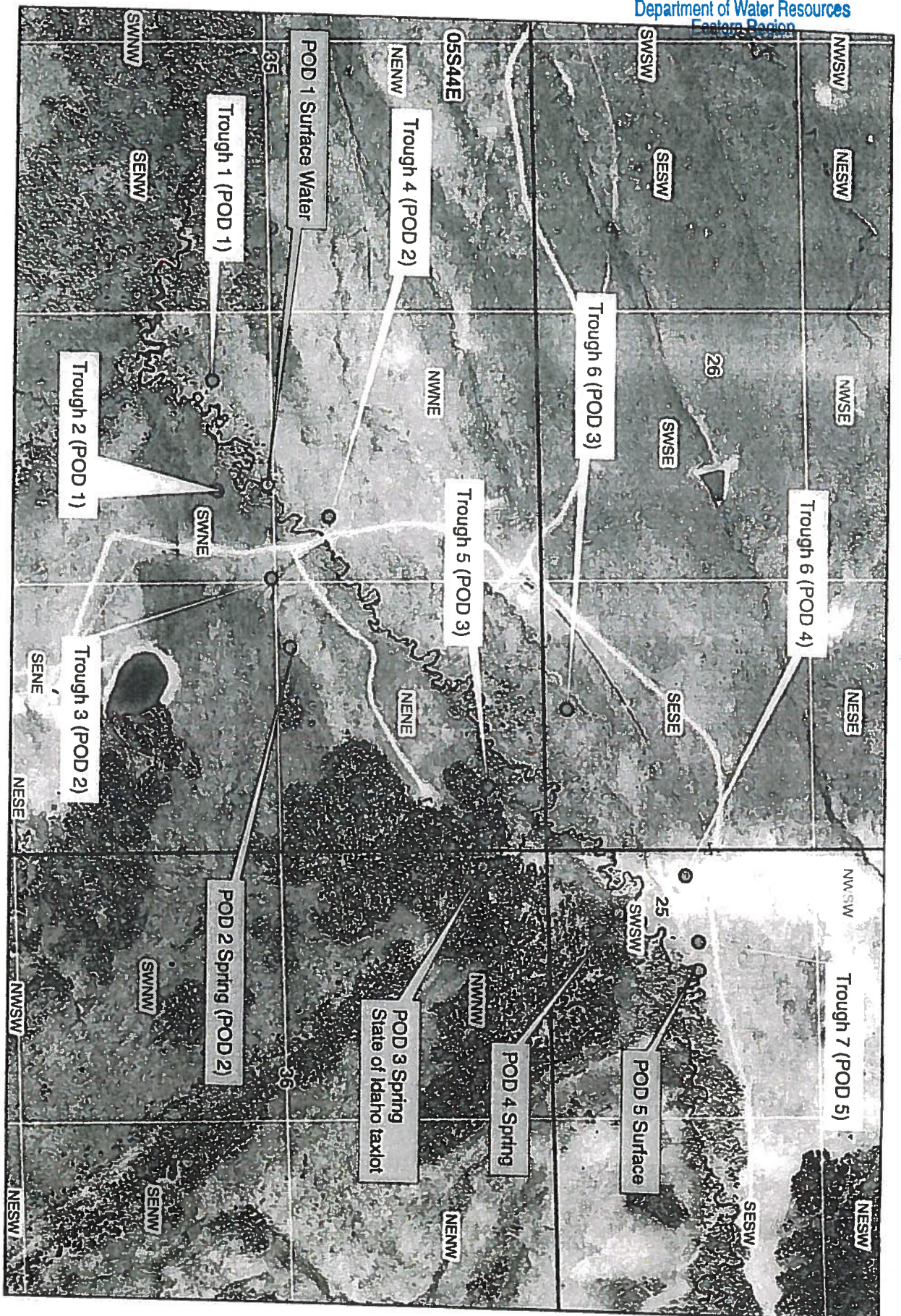
Drawing:

Spring 2
(mid-reach) Site

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Eastern Region

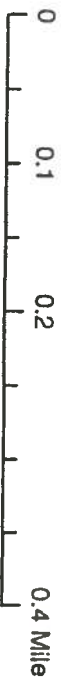


Caribou Cattle LLC

Township/Range

Sections

QQ



B.K.

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Tuesday, April 16, 2013 8:56 AM
To: 'kinglaw@wyom.net'
Subject: Caribou Cattle LLC stockwater
Attachments: Amended Apps Caribou Cattle.pdf

Bret King;

I am in the process of working on the 5 applications which were submitted to divert water as an alternative to in-stream stockwater use. During my review of the applications, I found some errors that need to be corrected in order to proceed.

Based on the original applications and the stream channel alteration application submitted by Biota, I was able to correct the place of use. I am attaching an amendment for all 5 of the applications. I have attached the amended applications and a map for your review.

Would you please look over the applications. If you concur with the corrections, please sign on the bottom and return. You can return by email or standard mail.

If you have any questions, please let me know.

Thank you,

Kerrie A Mathews
Sr. Water Resource Agent/Stream Channel Specialist
Idaho Department of Water Resources
208.525.7161

"By three methods we may learn wisdom: First, by reflection, which is noblest; Second, by imitation, which is easiest; and third by experience, which is the bitterest."
-Confucius



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 8, 2013

Caribou Cattle LLC
PO Box 40
Jackson WY 83001

RE: Instream Stock Diversion No. 27-12256, 27-12257, 27-12258, 27-12259 and
27-12260
Notice of Diversion for Instream Stockwater Use

Dear Applicant:

The Department of Water Resources acknowledges receipt of the water right notice you submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced number in all future correspondence regarding this notice.

If exceptions to the notice are filed you will be sent a copy of the exceptions(s).

The filing of the notice does not confirm the validity of the water right. It will serve to record and preserve the information, including any exceptions, regarding the notice.

Please note that the diversion described in your notice may occur only if the following conditions are met.

- The water is diverted from a surface water source to a trough or tank through an enclosed water delivery system.
- The water delivery system is equipped with an automatic shutoff or flow control mechanism or includes a means for returning unused water to the surface water source through an enclosed delivery system, and the system is designed and constructed to allow the rate of diversion to be measured.
- The diversion is from a surface water source to which the livestock would otherwise have access and the watering tank or trough is located on land from which the livestock would have access to the surface water source from which the diversion is made.
- The diversion of water out of the stream in this manner does not injure other water rights.
- The use of the water diverted is for watering livestock.
- The bed and banks of the source shall not be altered as that term is defined in section 42-3802, Idaho Code, except that an inlet conduit may be placed into the source in a

manner that does not require excavation or obstruction of the stream channel, unless additional work is approved by the Director of the Department of Water Resources.

- The amount of water diverted for watering of livestock shall not exceed thirteen thousand (13,000) gallons per day.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

We are enclosing a copy of the notice for your records. Please feel free to contact this office if you have any questions.

Sincerely,



Sharla Cox
Water Right Administrative Assistant

Enclosure

CC: Steven Spencer
United States Forest Service
1805 Hwy 15, Room 5
Emmett ID 83617

Fred Price
USDI, BLM Idaho State Office
1387 S Vinnell Way
Boise ID 83709-1657