State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

June 14, 2012

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Interim Director

RONNIE S KENDALL
8389 N WESTSIDE HWY
CLIFTON ID 83228

RE: Notice of Diversion as an Alternative to Instream Stockwater Use 13-7849

Dear Ronnie:

There has been a discrepancy identified on the notice that you filed for Right 13-7849. The legal description for the point of diversion does not match the map submitted with the notice, or the place of use identified on both the notice and map. It appears to be a simple error in completing the legal description identifying Range 32E instead of 38E.

In order to amend the notice, we need written confirmation that the correct location of the spring or point of diversion should be **NWNENW, Section 32, Township 13S, Range 38E**. If you agree that this location is correct, please sign the bottom of this letter requesting we amend your notice to reflect the correct legal description and return it to me. If there is some other explanation for the discrepancy, please provide that documentation along with a corrected map.

Thank you for your assistance in completing this process. If you require additional information regarding this matter, please call me directly at (208) 287-4951, e-mail me at pam.skaggs@idwr.idaho.gov or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs

Pamela S. Skaggs
Water Rights Supervisor

Enclosure

Please amend the point of diversion description for 13-7849 to reflect the spring location identified on the map in the **NWNENW, Section 32, Township 13S, Range 38E.**

Signature of Right Holder

Date

Form 113
12/07

RECEIVED
MAY 02 2012
Department of Water Resources
Eastern Region

RECEIVED
MAY 11 2012
Department of Water Resources
Eastern Region

Ident No. 13-7849

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 Ronnie S Kendall Phone 208-339-0046

   Mailing address 9389 N Westside Hwy Clifton ID 83228 Email _____

2. Source of water supply Unnamed Spring tributary to Oxford Creek

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 ____, NW 1/4 NE 1/4 NW 1/4,
   Section 32, Township 13S Range 32E, B.M.,
   Franklin County.

   The POD is incorrectly described and should be R38E, consistent with POUs and map.

   Ending point is in Gov't. Lot ____, _____1/4 _____ 1/4 _____ 1/4,
   Section _____, Township _____ Range _____, B.M.,
   _____ County.

   b) Alternate point of diversion is in Gov't. Lot ____, _____1/4 _____ 1/4 _____ 1/4,
   Section _____, Township _____ Range _____, B.M.,
   _____ County.

4. Description of diversion and delivery system:

   a) Describe the type of diversion Spring development with 4 inch perforated pipe, gravel fill, spring box

   b) Describe the delivery system 1 1/2 inch poly pipe 18 inches below ground

   c) Describe the number, type and total capacity of troughs or tanks 1 traugh, 1200 gallons

Form 113
12/07

d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source trough will be floated. overflow will be above trough

e) Describe how the system is designed to allow measurement of the rate of diversion System will be floated to only use enough water to service 100 head of cow/calf pairs

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
13S	38E	32					S											

The POU described in R38E matches the attached map.

6. Priority date claimed or established May 15, 2012

7. Rate of diversion 0.022 cfs

8. Season of use: from April 1st to December 31st

9. a) Who owns the property at the point of diversion? Ronnie S Kendall

b) Who owns the property at the place of use? Ronnie S Kendall

10. When will construction occur? July 2012 - August 2013

11. Comments (include number and type of stock) 100 cow/calf pairs beef (angus) part of NRCS EQIP contract

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.

13-07849: The POD is incorrectly described on the notice of diversion as T13S, R32E, S32, NWNENW (PVT), when the range should be R38E. The POU shown here is correctly described as T13S, R38E, S32, NENW (PVT)