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MAY 18 2010

Form 113
12/07Department of Water Resources
Eastern RegionIdent No. 29-4450

App #1 of 4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESNOTICE 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)

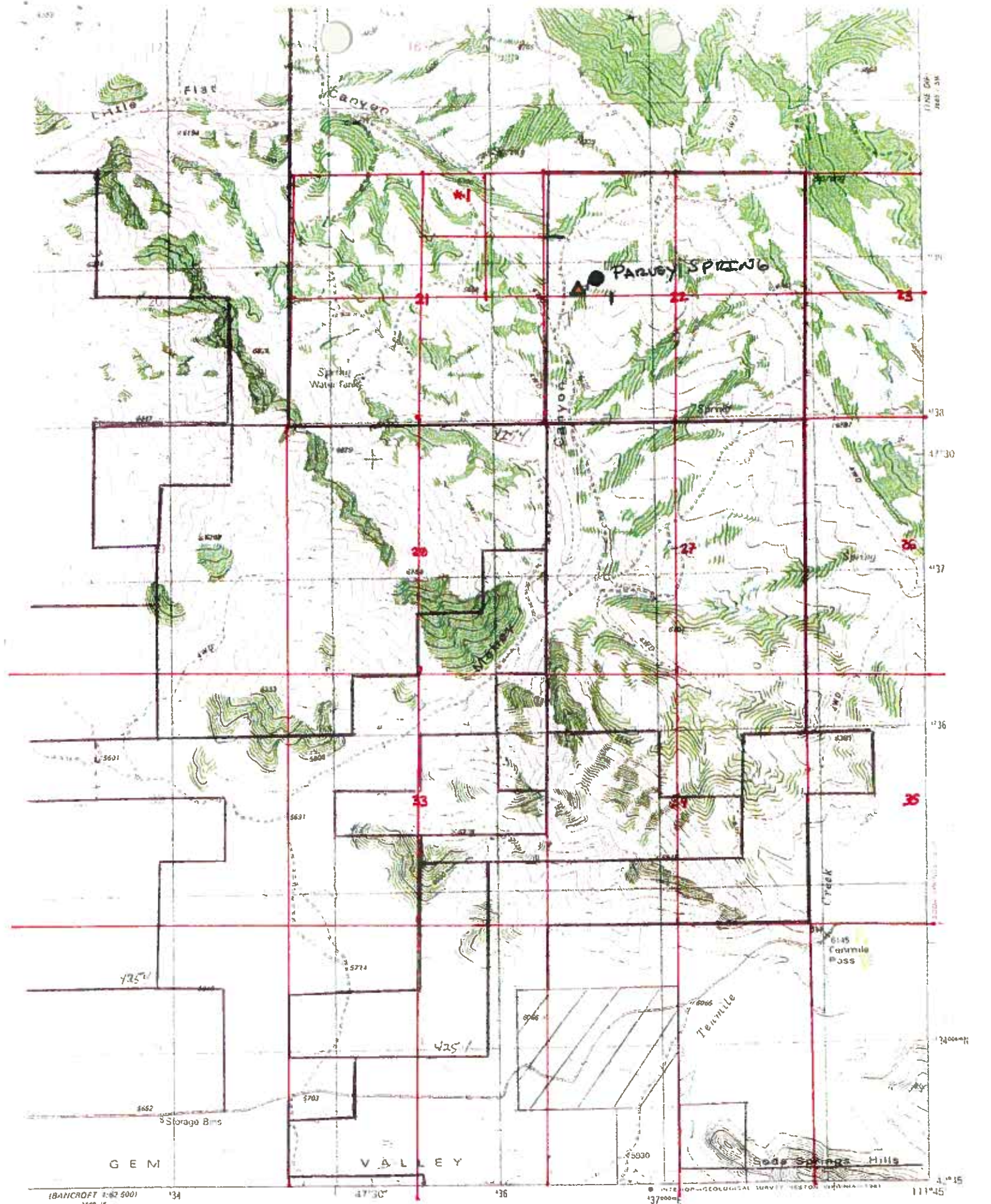
1. Name of right holder James J. Smedley et. al. Phone 435-654-0505
Mailing address 3401 Lake Creek RD., HEBER, UT 84032 Email bjsmedley@yahoo.com
Stream
2. Source of water supply Springs tributary to Mabey Canyon
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 294450 & 29-10337
If no, describe the beginning and ending points for the instream stockwater use:
Beginning point is in Gov't. Lot _____, _____ 1/4 _____ 1/4 _____ 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
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 _____, SE 1/4 SW 1/4 NW 1/4,
Section 22, Township 7S Range 40E, B.M.,
CARIBOU County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Plastic pipe buried in Springs
 - b) Describe the delivery system Enclosed plastic pipe from Springs to tank
 - c) Describe the number, type and total capacity of troughs or tanks Metal tank,
650 Gallons.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source overflow is in buried pipe routed back to stream channel
- e) Describe how the system is designed to allow measurement of the rate of diversion These small springs are easily measured in a 10 gallon bucket as the water discharges into the tank or back to stream channel.

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
		22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		23					X	X	X	X	X	X	X	X				

6. Priority date claimed or established 1890
7. Rate of diversion .02 cfs
8. Season of use: from April 1st to November 30th
9. a) Who owns the property at the point of diversion? Jim Smedley
b) Who owns the property at the place of use? Jim Smedley
10. When will construction occur? 2009
11. Comments (include number and type of stock) 300 HEAD OF CATTLE,
10 HORSES,
1,000 HEAD OF SHEEP
These are small springs that flow only a short distance & seep into the ground.
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.



SCALE 1:24,000



ROAD CLASSIFICATION

- Primary highway hard surface
- Secondary highway
- Light duty road hard or improved surface

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 5th day of February, 2010
James J. Smedley
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by Blake
Fee: \$ 25 Receipted by J/lu Receipt No. E035351 Date 5/27/2010
Water District No. 10001 Entered into data base 10/28/2010 By Blake

RECEIVED

MAY 20 2010

Department of Water Resources
East
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident No. 29-4450

Applic# 2 of 4

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 James J. Smedley et. al. Phone 435-654-0505
Mailing address 3481 Lake Creek Rd. ; HEBER, UT ; ⁸⁴⁰³² Email bj.smedley@yahoo.com
2. Source of water supply Spring tributary to Melby Canyon Stream
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 29-10337 & 29-4450

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

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

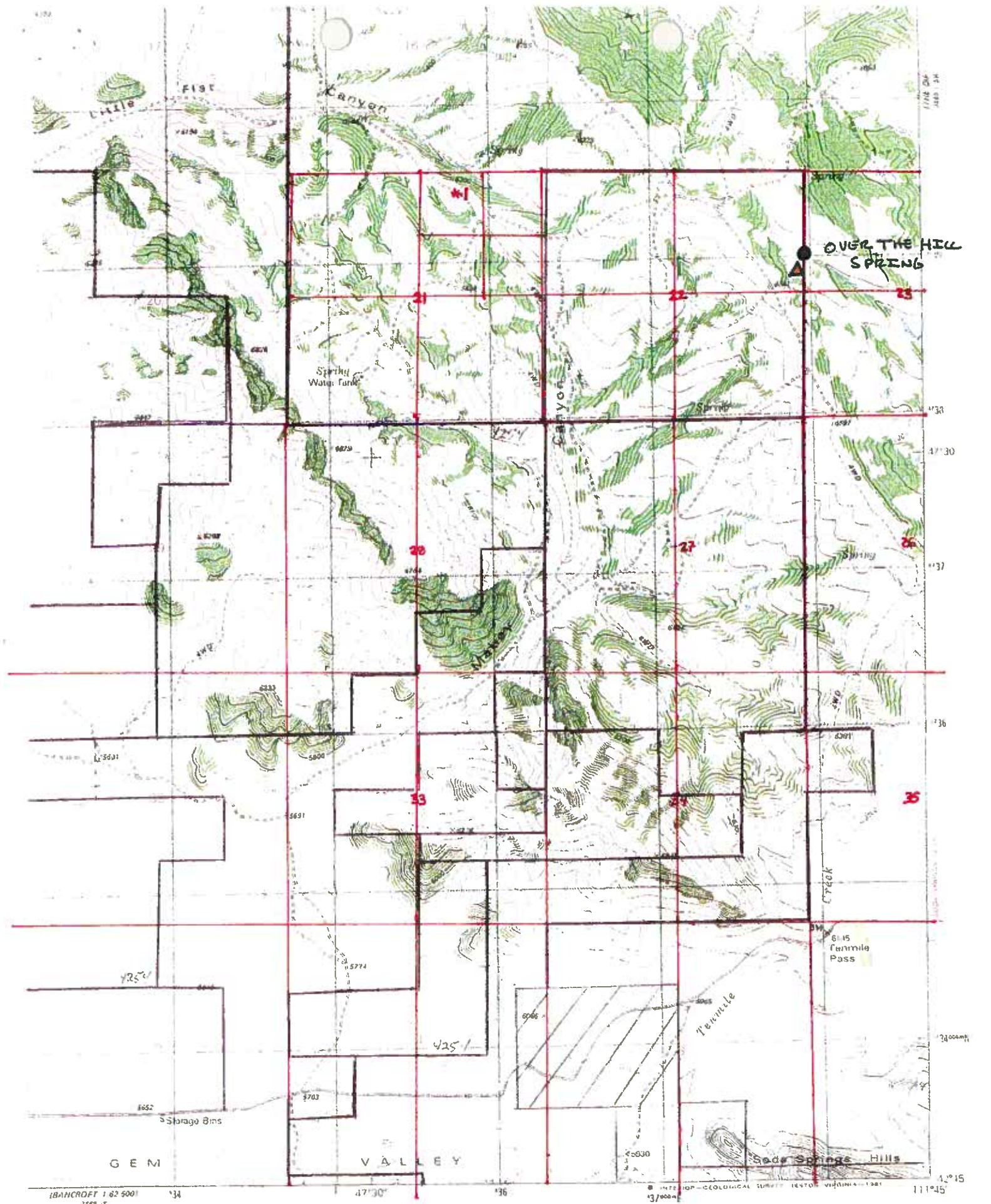
Ending point is in Gov't. Lot _____, _____ 1/4 _____ 1/4 _____ 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
 - b) Alternate point of diversion is in Gov't. Lot _____, NE 1/4 SE 1/4 NE 1/4,
Section 22, Township 7S Range 40E, B.M.,
CARIBOO County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Plastic Pipe Buried in Springs
 - b) Describe the delivery system ENCLOSED PLASTIC PIPE FROM SPRINGS TO TANK
 - c) Describe the number, type and total capacity of troughs or tanks 650 GALLON
METAL TANK

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source OVERFLOW IS IN BURIED PIPE ROUTED back to stream channel
- e) Describe how the system is designed to allow measurement of the rate of diversion These small springs are easily measured in a 10 gallon bucket as the water discharges into tank or bucket to spring

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
		22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		23					X	X	X	X	X	X	X	X				

6. Priority date claimed or established 1890
7. Rate of diversion .02 cfs
8. Season of use: from APRIL 1st to NOVEMBER 30th
9. a) Who owns the property at the point of diversion? James Smedley
b) Who owns the property at the place of use? James Smedley
10. When will construction occur? 2011
11. Comments (include number and type of stock) 300 Head of cattle, 10 HORSES,
1,000 HEAD OF SHEEP.
These are small springs that flow only a short distance &
seep into the ground
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.



(BARCROFT 1:62,500)
1:589.15

SCALE 1:24,000



ROAD CLASSIFICATION

Primary highway
hard surface

Light duty road hard or
improved surface

Secondary highway

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 5th day of February, 2010

James J. Smedley
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by Blake
Fee: \$ 25.00 Received by Blake Receipt No. E035851 Date 5/27/2010
Water District No. Now Entered into data base \$ 10.00 By Blake

RECEIVED
MAY 20 2010
Department of Water Resources
Eastern Region

Ident No. 29-4450

Applic # 3 of 4

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 James J. Smedley et. al Phone 435-654-0505
Mailing address 3481 Lake Creek Rd. ; HELEN, UT ; 84032 Email bj.smedley@yahoo.com
2. Source of water supply Spring tributary to Mabey Canyon Stream
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 29-4450 & 29-10337

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

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

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 _____, SW 1/4 SW 1/4 SE 1/4,
Section 22, Township 7 S Range 40 E, B.M.,
CARIBOU County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Plastic buried pipe in Springs
 - b) Describe the delivery system Enclosed plastic pipe from Spring to Tank
 - c) Describe the number, type and total capacity of troughs or tanks 650 Gallon Metal tank

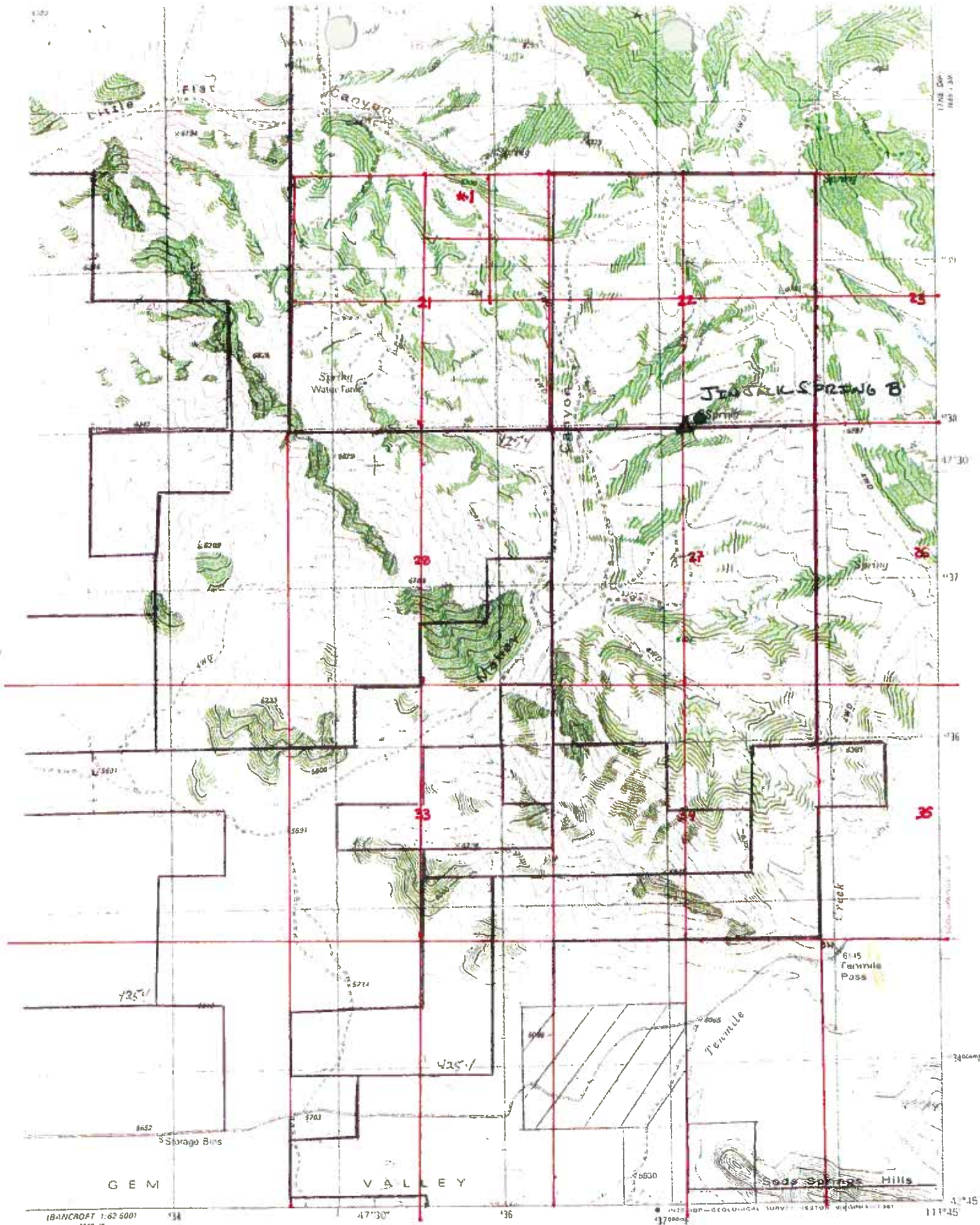
29 - 4450

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source overflow is in buried pipe routed back to stream channel
- e) Describe how the system is designed to allow measurement of the rate of diversion These small springs are easily measured in a 10 gallon bucket as the water discharges into tank or back to stream channel

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
		22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		23					X	X	X	X	X	X	X	X				

6. Priority date claimed or established 1890
7. Rate of diversion .02 cfs
8. Season of use: from April 1st to November 30th
9. a) Who owns the property at the point of diversion? James J. Smedley et. al
b) Who owns the property at the place of use? James J. Smedley et. al
10. When will construction occur? 2011
11. Comments (include number and type of stock) 300 Head of Cattle, 10 Horses,
1,000 HEAD of Sheep.
These small springs that flow only a short distance seep
into the ground
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.



IBANCROFT 1:62 5001
1969 III

SCALE 1:24 000

0 2000 3000 4000 5000 6000 7000 FEET

1 MILE

ROAD CLASSIFICATION

Primary highway
hard surface

Secondary highway

Light duty road hard or
improved surface

15000 ft. 1969

29 - 4450

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 5th day of February, 2010

[Signature]
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by Blau
Fee: \$ 25.00 Receipted by Blau Receipt No. 2035851 Date 5/27/2010
Water District No. 1000 Entered into data base _____ By Blau

RECEIVED

MAY 20 2010

Form 113
12/07Department of Water Resources
Eastern RegionIdent No. 29-4450

Applic #4 of 4

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 James J Smedley et. al Phone 435-654-0505
Mailing address 3481 Lake Creek Rd., HEBER, UT, 84032 Email bjsmedley@yahoo.com
2. Source of water supply Springs tributary to Mabey Canyon Stream
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes,
provide the water right number 29-4450 & 29-10337

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

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

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 ____, NW 1/4 SE 1/4 SW 1/4,
Section 22, Township 7 S Range 40 E, B.M.,
CARIBOU County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Plastic Pipe buried in Springs
 - b) Describe the delivery system Enclosed plastic pipe from Spring to tank
 - c) Describe the number, type and total capacity of troughs or tanks Metal tank,
650 Gallons

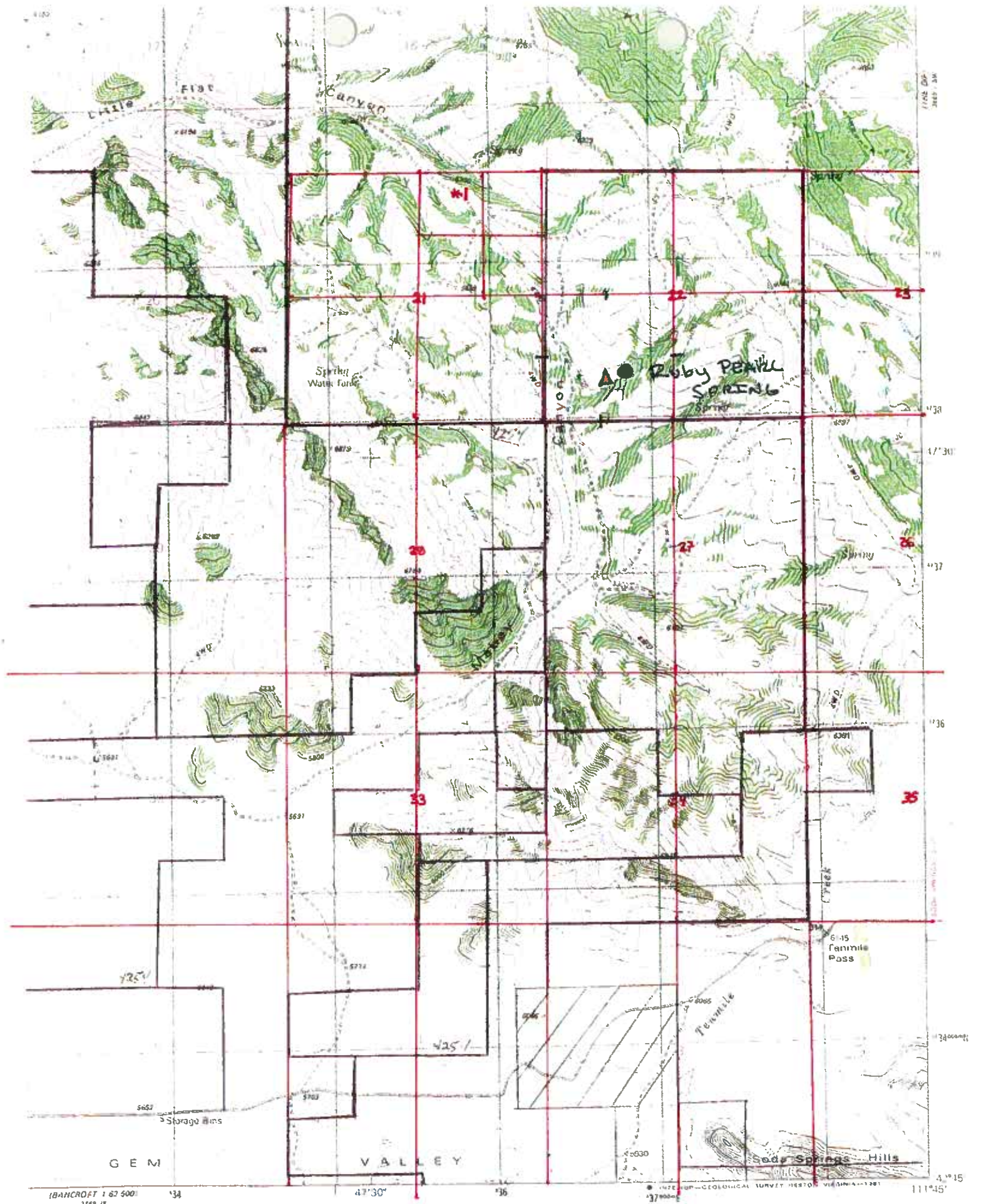
129 - 4450

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source overflow is in buried pipe routed back to stream channel
- e) Describe how the system is designed to allow measurement of the rate of diversion These small springs are easily measured in 10 gallon buckets as the water discharges into the tank or back to spring.

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
		22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
		23					X	X	X	X	X	X	X	X				

6. Priority date claimed or established 1890
7. Rate of diversion .02 cfs
8. Season of use: from April 1st to November 30th
9. a) Who owns the property at the point of diversion? James Smedly
b) Who owns the property at the place of use? James Smedly
10. When will construction occur? 2009
11. Comments (include number and type of stock) 300 Head of cattle
10 horses
1,000 Head of sheep
These are small springs that flow only a short distance & seep into the ground.
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.



(BANCROFT 1:62,500)
1589 13

SCALE 1:24,000



MILE

29 - 4450

ROAD CLASSIFICATION

Primary highway
hard surface
Secondary highway

Light duty road, hard or
improved surface

USDA 5000 2000

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.
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- 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 5th day of February, 2010

James J. Smedley
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by Blue
Fee: \$ 25.00 Receipted by Blue Receipt No. 2035851 Date 5/27/2010
Water District No. NO WD Entered into data base _____ By Blue