



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 21, 2008

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

Re: Instream Stockwater Diversion No.85-15698 - McCann

Dear Mr. Price:

In accordance with our agreement, enclosed is a copy of a Notice of Diversion for Instream Stockwater No. 85-15698 for Mike McCann.

If you have any questions, please do not hesitate to contact me or Keith Franklin at our office.

Sincerely,

Robert G. Haynes, P.E.
Northern Regional Manager
Idaho Department of Water Resources



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Director

August 21, 2008

STEVEN SPENCER
UNITED STATES FOREST SERVICE
161 E MALLARD DR SUITE A
BOISE ID 83706

Re: Instream Stockwater Diversion No.85-15698 - McCann

Dear Mr. Spencer:

In accordance with our agreement, enclosed is a copy of a Notice of Diversion for Instream Stockwater No. 85-15698 for Mike McCann.

If you have any questions, please do not hesitate to contact me or Keith Franklin at our office.

Sincerely,

Robert G. Haynes, P.E.
Northern Regional Manager
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C. L. "BUTCH" OTTER
Governor

MIKE MC CANN
PO BOX 297
WINCHESTER ID 83555

DAVID R. TUTHILL, JR.
Director

RE: Instream Stock Diversion for Water Right No. 85-15698

Dear Mr. McCann:

The Department of Water Resources acknowledges receipt of the water right notice you submitted under Section 42-113(3), Idaho Code. 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.

I have enclosed a copy of the notice and a copy of the updated water right information for your records. Please contact me at 208-762-2800 if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s)