

73433  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
MAR 15 2007  
IDWR/North

**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 Thomas Hejtmanek Jr Phone 208 761 3368  
Mailing address 1395 W 3900 N Howe ID 83244-8712
2. Source of water supply Rabbit Creek tributary to Clearwater River
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number none

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

Beginning point is in Gov't. Lot SE NE  
~~NE~~ 1/4 ~~SE~~ 1/4 SE 1/4,  
Section 20, Township 31N Range 5E, B.M.,  
Idaho County.

Ending point is in Gov't. Lot NW 1/4 NE 1/4 SE 1/4,  
Section 20, Township 31N Range 5E, B.M.,  
Idaho County.

Part C with  
Barbara H.

- b) Alternate point of diversion is in Gov't. Lot SE NE  
~~NE~~ 1/4 ~~SE~~ 1/4 SE 1/4,  
Section 20, Township 31N Range 5E, B.M.,  
Idaho County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion locate pipe on Rabbit Creek and  
gravity flow water to troughs
- b) Describe the delivery system 1 1/2" pipe  
\_\_\_\_\_  
\_\_\_\_\_
- c) Describe the number, type and total capacity of troughs or tanks (2) 1000 gallon troughs

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Valve at Rabbit Creek and  
Floats on the troughs
- e) Describe how the system is designed to allow measurement of the rate of diversion troughs can be drained and a bucket used to  
measure rate of diversion

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 |
| 31N | 5E  | 20  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
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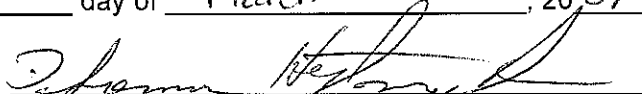
Rep T.C.  
with  
Barbara H.

6. Priority date claimed or established 6-1-1940
7. Rate of diversion .02 cfs
8. Season of use: from Jan 1 to Dec 31
9. a) Who owns the property at the point of diversion? Thomas Hejzmanek Jr  
b) Who owns the property at the place of use? Thomas Hejzmanek Jr
10. When will construction occur? August 2007
11. Comments (include number and type of stock) provide stockwater for 50 head beef cattle

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.

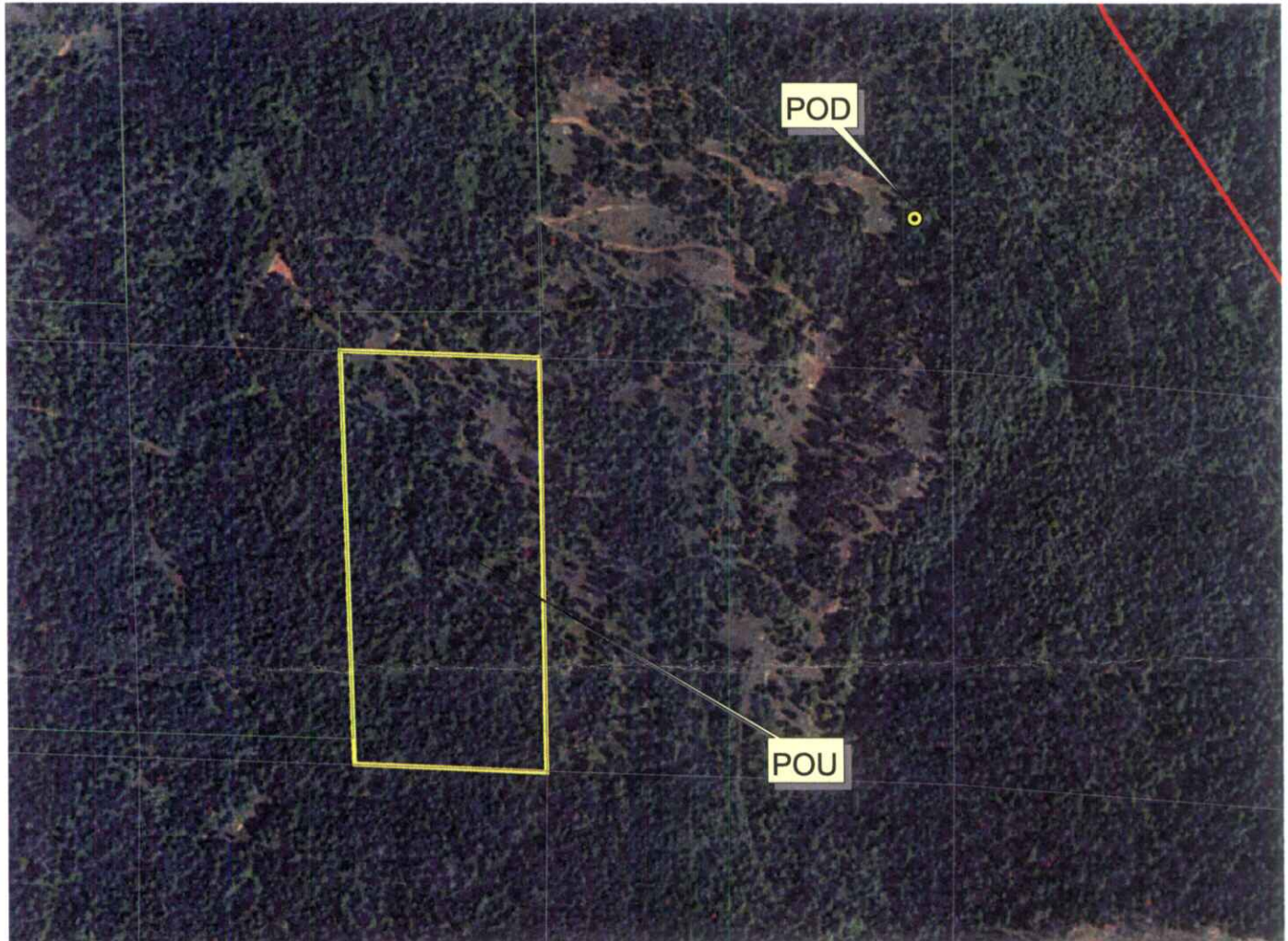
Dated this 12<sup>th</sup> day of March, 2007

  
Right Holder or Authorized Representative

**FOR DEPARTMENT USE**

Received by  Date 3/15/07 Preliminary check by \_\_\_\_\_  
Fee: \$ 25.00 Received by  Receipt No. N018191 Date 3/15/07

# 82-12241



-  Idaho taxlots
-  GCDB31N05E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp

