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MAR 11 2004

Form 113
07/00Department of Water Resources
Eastern RegionIdent No 29-13675STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF DIVERSION FOR INSTREAM STOCKWATER USE

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks for the watering of livestock)

1. Name of Right Holder ROLAND E. HULL Phone 776 5115
Mailing address BOX 777 LAVA 83246
2. Source of water supply SPRING tributary to PORTNEUT RIVER
3. Point of diversion is in Gov't. Lot 1/4 SW 1/4 NW 1/4, Section 15,
Township 3S Range 38E, B.M., Caribou County.
4. Description of diversion and delivery system:
- Describe the type of diversion: PLASTIC PIPE INTAKE
TO SOLAR PUMP
 - Describe the delivery system: PLASTIC PIPE
 - Describe the number, type and total capacity of troughs or tanks 2 800 GALLON
 - Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: FLOAT CONTROL SYSTEM
ON WATER TROUGH
 - Describe how the system is designed to allow measurement of the rate of
diversion: Rate will depend on livestock use at troughs.

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
8S	38E	15					X											
8S	38E	16	X															

6. Priority date claimed or established:
- OCT 26, 1912

7. Rate of diversion:
- 0.02 cfs

Patent Date for Homestead

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8. Season of use: From JULY to OCT.
9. a) Who owns the property at the point of diversion? ROLAND E. HULL
b) Who owns the property at the place of use? ROLAND E. HULL
10. When will construction occur? JULY 2004
11. Comments: Working with NRIS. IF you have questions
please contact Larry Mickelson (DC) Soda Springs
597-4396

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 3 day of MARCH 2004

ROLAND E. HULL
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date 11 March 04 Preliminary check by DMD
Fee: \$ 100 Received by DMD Receipt No. 5029623 Date 17 March 04
Water District No. _____ Entered into data base _____ By _____

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29-13675

STATE OF IDAHO

Department of Water Resources

Notice of Diversion for Instream Stockwater Use
Section 42-113, Idaho CodeRECEIVED
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Department of Water Resources

Name of Right Holder: Robert E. Hull
 Initial Review By: DM Date: 11 March 04
 Based on prior recorded instream stockwater right? Yes No /
 If yes, right number: Instream Stock Div. No.
 Also, if right was claimed in SRBA, this notice will amend claim.
 If no, enter as statutory claim.

Check:

 / Name & address
 / Date of Priority
 / Source
 / Period of use
 / Point of diversion (limited to 1 diversion)
 / Location of use
 / Signature
 / \$25.00 filing fee Receipt No. FD29623
 / Water District 29
 / Amount of Water
 / Description of diversion / delivery system
 / Add condition 107.

Publish? Yes No / (Regional Determination*)

 / Review/Complete
 By: Ann's Dunn
 Date: 17 May 2004

*Generally not advertised unless determined to be necessary by Regional Manager.

** Always send a copy of application to the following people:

<u> / </u>	Steven Spencer	<u> / </u>	Fred Price
	United States Forest Service		USDI, BLM Idaho State Office
	161 E Mallard Dr Ste A		1387 S Vinnell Way
	Boise ID 83706		Boise ID 83709-1657

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 26, 2004

Roland E Hull
Box 777
Lava Hot Springs ID 83246

RE: Instream Stock Diversion No 29-13675
Notice of Diversion for Instream Stockwater Use

Dear Sir:

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.

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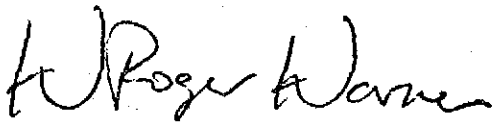
JUN 15 2004

- 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,



W Roger Warner
Water Right Supervisor

Enclosure

CC: Steven Spencer
United States Forest Service
161 E Mallard Dr Ste A
Boise ID 83706

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

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