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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL - 7 2003

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)
United States of America

1. Name of Right Holder Forest Service Phone (208) 557-5760
Caribou-Targhee National Forest
Mailing address 1405 Hollipark Dr., Idaho Falls, ID 83401
2. Source of water supply Pritchard Creek tributary to SNAKE RIVER
3. Point of diversion is in Gov't. Lot , 1/4 NW 1/4 NE 1/4, Section 6,
Township 1N Range 43E, B.M., Bonneville County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion: Small Solar Pump
 - b) Describe the delivery system: Piped from small solar pump to trough.
 - c) Describe the number, type and total capacity of troughs or tanks Trough with approximately 500 gallon capacity.
 - d) Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: Automatic float controlled shutoff valve at the trough.
 - e) Describe how the system is designed to allow measurement of the rate of
diversion: Closed system from pump to trough will allow measurement of rate of diversion at the trough inlet (float valve) or at the pump. Pump size will not allow diversion in excess.
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
1N	43E	6		X														

6. Priority date claimed or established: June 1, 1880
7. Rate of diversion: 0.02 cfs

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8. Season of use: From May 1 to September 30
9. a) Who owns the property at the point of diversion? United States of America
b) Who owns the property at the place of use? United States of America
10. When will construction occur? As soon as possible.
11. Comments: This notice is based on right 23-10705 decreed to the United States of America-Forest Service, February 12, 1999 by The SRBA Court.

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 13 day of June, 2003

Michael Collette
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date 6/24/03 Preliminary check by _____
Fee: \$ 5.00 Receipted by CK Receipt No. E 028922 Date 6/24/03
Water District No. _____ Entered into data base _____ By _____

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SEP 03 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 23-10705

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: PRITCHARD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1880

POINT OF DIVERSION: T01N R43E S06 NWNE (Instream Ending Point) Within Bonneville County
SENW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 09-30	0.02 CFS

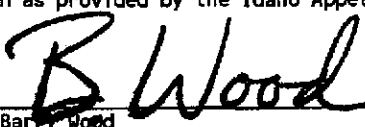
PLACE OF USE:	Stockwater	Within Bonneville County
	T01N R43E S06	SWNE
	NWNE	
	SENW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

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SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 8, 2003

UNITED STATES OF AMERICA
CARIBOU TARGHEE NATIONAL FOREST
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

RE: Instream Stock Diversion for Water Right No. 23-10705

Dear Water Right Holder(s):

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.

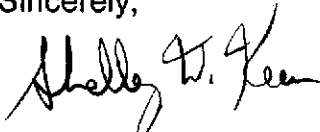
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United States of America
July 8, 2003
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Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days 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 and a copy of the updated water right information for your records. Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

cc: Water District 01

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Department of Water Resources

Name of Right Holder: Forest Service

Initial Review By: S. Keen Date: 7/8/2003

Based on prior recorded instream stockwater right? Yes ☐ No ☒

If yes, right number: 23-10705 Instream Stock Div. No. N/A

Also, if right was claimed in SRBA, this notice will amend claim.

If no, enter as statutory claim.

[illegible]

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. E028922

Water District 01

Amount of Water

Description of diversion/delivery system.

Publish? Yes ☐ No ☒ (Regional Determination*)

☒

Review Complete

By: S. W. Keen

Date: 7/8/2003

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

- File was reviewed in Eastern Region and sent forward without a checklist. Checklist was completed in the state office.
- Database and ArcView updates completed.