

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 Richard A. Egbert LTD Partnership
C/O Brad Egbert Phone _____
Mailing address 1134 Bond Ave. Rexburg, Idaho, 83440-3582
2. Source of water supply Spring Creek tributary to Canyon Creek
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes,
provide the water right number 22-4004

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

Beginning point is in Gov't. Lot ____, SW 1/4 SW 1/4 SE 1/4,
Section 14, Township 5N Range 42E, B.M.,
MADISON County.

Ending point is in Gov't. Lot ____, NE 1/4 SE 1/4 NE 1/4,
Section 12, Township 5N Range 42E, B.M.,
____ County.
 - b) Alternate point of diversion is in Gov't. Lot ____, SW 1/4 SW 1/4 SE 1/4,
Section 14, Township 5N Range 42E, B.M.,
MADISON County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion 4" PVC Pipe with a cement
Head Gate to Control Flow.
 - b) Describe the delivery system Due to the very minimum amount
of Fall larger pipe would solve many problems.
There's less than 100 inches of water at flood
stage for approximately 2 weeks in the spring thaw.
 - c) Describe the number, type and total capacity of troughs or tanks There would
be three water troughs with 600 Gallon capacity.
The water would flow in the tank back out
to the next one then be returned to Spring
Creek at 1st tank.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source The Return Flow would automatically Return to Spring Creek At Last Tank
- e) Describe how the system is designed to allow measurement of the rate of diversion Water could Be measured AT Intake of First Tank

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
05N	42E	11				X									X	X	X	X
05N	42E	12			X	X			X	X								
05N	42E	14	X	X	X	X										X	X	

6. Priority date claimed or established 05/01/1945
7. Rate of diversion 0.02 cfs
8. Season of use: from 5/1 to 11-15
9. a) Who owns the property at the point of diversion? Elmer J Park and Merlene K Park
- b) Who owns the property at the place of use? Elmer J Park and Merlene K Park
10. When will construction occur? When Permission Granted
11. Comments (include number and type of stock) 200 Maximum
PATTLE ON 640 Acres of Deeded Land
AS EVERYONE KNOWS SMALL Streams Become
Very Muddy with CATTLE wallowing
in them, AND IT HAS BEEN Proven you
HAVE Better weaning weights with clean
water. This little stream Don't Reach Canyon
Creek ONLY About 2 weeks At High water

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 18 day of August, 2006

Erney Park Melvin K Park
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by LRK
Fee: \$ 75.1 Received by SCox Receipt No. E032181 Date 8/25/06

