

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 Idaho Dept. of Lands Phone 525-7167
Mailing address 3563 Ririe Hwy., Idaho Falls, ID 83401

2. Source of water supply State Creek tributary to Moody Creek

3. Point of Diversion:

a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 22-12772 Attached

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

Beginning point is in Gov't. Lot ____, ____ 1/4 ____ 1/4 ____ 1/4,
Section ____, Township ____, Range ____, B.M.,
____ County.

Ending point is in Gov't. Lot ____, ____ 1/4 ____ 1/4 ____ 1/4,
Section ____, Township ____, Range ____, B.M.,
____ County.

b) Alternate point of diversion is in Gov't. Lot ____, NW 1/4 SE 1/4 SW 1/4,
Section 13, Township 4N Range 41E, B.M.,
Madison County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion 3 HP gasoline powered pump to storage tanks overflow back to State Creek. Pump 1150 GPH.
- b) Describe the delivery system 4.75 miles of pipeline to nine stock troughs. Fills by gravity flow from sotrage tanks. Tanks are float controlled. Spur lines also have control valves.
- c) Describe the number, type and total capacity of troughs or tanks Nine rectangular troughs of 300 gallons each. 2700 Gal. total.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Overflow of storage tank back to State Creek. Manual operation of gasoline pump.
- e) Describe how the system is designed to allow measurement of the rate of diversion Output capacity of pump and capacity of storage tanks and water 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
4N	41E	10													XX			
		11	XX													XX		XX
		12							XX									
		13										XX						
		14		XX														
		15		XX														

6. Priority date claimed or established 12/02/1907 (22-12772)
7. Rate of diversion 0.02 cfs
8. Season of use: from June 1 to October 15
9. a) Who owns the property at the point of diversion? State of Idaho, IDL
b) Who owns the property at the place of use? State of Idaho, IDL
10. When will construction occur? _____
11. Comments (include number and type of stock) 400 Cattle (pairs)
Lyman Creek Grazing Assoc. (G-9054)

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 31st day of July, 2006

Robert M. Branner
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by Sc Date 8/18/06 Preliminary check by _____
Fee: \$ 25- Receipted by Sc Receipt No. ED32161 Date 8/18/06

Water District No. _____ Entered into data base _____ By _____

