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Form 113
03/06

APR 1 2006

WATER RESOURCES
WESTERN REGION

Agent No. 67-14761

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AUG 18 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 as an alternative to instream use for the watering of livestock)

1. Name of right holder Paul and/or Cindy Drury Phone (208) 345-6134
Mailing address 32 Burnett Drive Boise, ID 83716
2. Source of water supply Unnamed Stream tributary to Bacon Creek
3. Point of Diversion;
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number No

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

Beginning point is in Gov't Lot , SE 1/4 NE 1/4 NE 1/4,
Section 22, Township 15N Range 02W B.M., Adams County.

Ending point is in Gov't Lot , NE 1/4 NE 1/4 NE 1/4,
Section 22, Township 15N Range 02W B.M., Adams County.
 - b) Alternate point of diversion is in Gov't Lot , SE 1/4 NE 1/4 NE 1/4,
Section 22, Township 15N Range 02W B.M., Adams County.
4. Description of diversion and delivery systems:
 - a) Describe the type of diversion: Plastic pipe with screened inlet and ball valve placed on stream bottom.
 - b) Describe the delivery system: Plastic pipe routed to watering trough.
 - c) Describe the number, type and total capacity of troughs or tanks One plastic 150 gallon watering trough.
 - d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source: Float valve placed in watering trough for automatic shut off.
 - e) Describe how the system is designed to allow measurement of the rate of diversion: Pipe discharging into watering trough will be accessible for timed bucket flow measurement.

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
15N	02W	22	X															

6. Priority date claimed or established March 16, 2006

7. Rate of diversion: 0.02 cfs

8. Season of use: from January 1 to December 31

9. a) Who owns the property at the point of diversion? Paul and Cindy Drury

b) Who owns the property at the place of use? Paul and Cindy Drury

10. When will construction occur? Summer of 2006

11. Comments (include number and type of stock) _____

6 Horses

12 Sheep

8 Range Cattle

03/06

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 13th day of April, 2006Paul Denny
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by DB Date 4.13.06 Preliminary check by SC
Fee: \$ 25- Receipted by DB Receipt No. W034045 Date 4-13-06
Water District No. 67 Entered into data base 8/14/06 By SC