

12586
STATE 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)

RECEIVED
FEB 06 2006DEPARTMENT OF
WATER RESOURCES

1. Name of Right Holder Terry/Kathleen Oliver Phone 208 263-7682
Mailing address 1405 SAMUELS RD, SANDPOINT, ID. 83864
2. Source of water supply SAND CREEK tributary to PAK RIVER
3. Point of diversion is in Gov't. Lot 30 SE NE 30 1/4 NE 30 1/4, Section 28,
Township 59N Range 1W, B.M., Bender County.
4. Description of diversion and delivery system:
- Describe the type of diversion: HOSE INTAKE ON PORTABLE PUMP.
Will include screen
 - Describe the delivery system: 2" HOSE TO THE WATER TANKS
 - Describe the number, type and total capacity of troughs or tanks 2, 500
GALLON TANKS
 - Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: MANUAL FILLING OF TANKS
AS NEEDED ON A DAILY BASIS.
 - Describe how the system is designed to allow measurement of the rate of
diversion: When the TANKS are full - will be used
500 gallons each
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
<u>59N</u>	<u>1W</u>	<u>28</u>				X									<u>30</u>	<u>30</u>		

6. Priority date claimed or established: 1910
7. Rate of diversion: .02 cfs

8. Season of use: From April 1 to Nov. 1
9. a) Who owns the property at the point of diversion? Terry / Kathleen Oliver
b) Who owns the property at the place of use? SAME AS ABOVE
10. When will construction occur? MAY 1, 2006
11. Comments: Forage will not be ready for grazing until at least May 1, this year. Our goal is to eliminate the cattle from the stream.

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 1ST day of February, 2006

Terry E. Oliver
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by JS. Date 2-1-06 Preliminary check by J.T.
Fee: \$ 25.00 Receipted by JS. Receipt No. NO 17352 Date 2-1-06
Water District No. _____ Entered into data base 2/2/06 By JD