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WORKFLOW SHAPE CREAED  
BY DAN 6/2/2003

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Form 113  
07/00Ident No. 65-22796Department of Water Resources  
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)

1. Name of Right Holder REX LANHAM Phone 365-2556 or 939-8443  
Mailing address 2630 HWY 21 BOISE 83716
2. Source of water supply \*UNNAMED STREAM tributary to PAYETTE R
3. Point of diversion is in Gov't Lot 1/4 SE 1/4 SE 1/4, Section 2, Township 6N Range 2W B.M., Germ County.
4. Description of diversion and delivery system:  
Beginning Ending NW Sec 11 Twp 6N R 2W
- a) Describe the type of diversion: small volume in stream pump 12V solar in a screen tube
- b) Describe the delivery system: Hose from pump to Tank with over flow return to stream in winter/summer
- c) Describe the number, type and total capacity of troughs or tanks 9 Tanks Locations in AX - But could be moved with cattle gate in road. One Tank will be used.
- d) Describe the automatic shutoff or flow control mechanism or means of Returning unused water to the source: float valve in summer and overflow pipes in winter
- e) Describe how the system is designed to allow measurement of the rate of diversion: gps volume pump - winter flow thru 300 cattle consumption - measurement can be calculated by placing bucket at end flow + stopwatch timing + 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 |
| 6N  | 2W  | 2   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |
| 6N  | 2W  | 11  |    | X  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

6. Priority date claimed or established: 6/1/1919
7. Rate of diversion: .02 cfs



agree to the following  
application changes.  
7/1/03 Date.

MICHAEL J. HARRIS

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\* Source AKA Bone Ditch

8. Season of use: From 1/1 to 12/31
9. a) Who owns the property at the point of diversion? APPLICANT  
b) Who owns the property at the place of use? APPLICANT
10. When will construction occur? WHEN REQUIRED BY REGULATION
11. Comments: source flows year around.  
Tank pump will move water with cattle from field to field  
The set up for the tank will be the permanent system for all the field

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 Dec 1 2002 day of \_\_\_\_\_



Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by CS Date 3/31/03 Preliminary check by \_\_\_\_\_  
Fee: \$ 25 Receipted by CS Receipt No. 0030284 Date 3/31/03  
Water District No. \_\_\_\_\_ Entered into data base \_\_\_\_\_ By \_\_\_\_\_

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Department of Water Resources  
STATE OF IDAHO

Department of Water Resources

IDENT. NO. 65-22796

Notice of Diversion for Instream Stockwater Use  
Section 42-113, Idaho Code

Name of Right Holder: Rex Lawham  
Initial Review By: DAN Date: 4-23-03  
Based on prior recorded instream stockwater right? Yes ☒ No ☒  
If yes, right number: N/A Instream Stock Div. No. N/A  
Also, if right was claimed in SRBA, this notice will amend claim.  
If no, enter as statutory claim.

CHECK:

|                                     |
|-------------------------------------|
| <input checked="" type="checkbox"/> |
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Name & address  
Date of Priority  
Source unnamed stream OK'd per Shelley  
Period of use  
Point of diversion (limited to 1 diversion) single diversions multiple sites  
Location of use  
Signature  
\$25.00 filing fee  
Water District 65  
Amount of Water  
Description of diversion/delivery system.

Receipt No. 4030284

Publish? Yes ☐ No ☐ (Regional Determination\*)



Review Complete

By: Daniel A. Melan  
Date: 6-2-2003

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

Add condition FOR 1-diversion at a time  
Add conditions 107 & 108.

Data Entry OK.  
S. Keenb/5/03

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BY DAN 6/2/2003

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State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

6/2/2003

REX LANHAM  
2630 HWY 21  
BOISE ID 83716

***RE: Instream Stock Diversion No. 65-22796  
Notice of Diversion for Instream Stockwater Use***

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 refer to the above referenced number in all future correspondence regarding this notice.

The filing of the notice does not confirm the validity of the water right. It will serve to record and preserve the information regarding the notice.

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.

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- The amount of water diverted for watering of livestock shall not exceed thirteen thousand (13,000) gallons per day.

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 for your records. Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel A. Nelson", followed by a long horizontal flourish.

Daniel A. Nelson  
Sr. Water Right Agent

Enclosure

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