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Form 113
07/00

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident No.

43-10714

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MAY 20 2005
Department of Water Resources
Southern Region**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)
United States of America

1. Name of Right Holder USDA Forest Service Phone (208) 737-3200
Mailing address 2647 Kimberly Rd East, Twin Falls, ID 83301-7976
2. Source of water supply Flat Canyon Creek tributary to Cassia Creek
3. Point of diversion is in Gov't. Lot , 1/4 SE 1/4 NW 1/4, Section 30,
Township 13S Range 24E, B.M., Cassia County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion: Metal 16" Culvert headbox at headwaters.
 - b) Describe the delivery system: 1 1/2" pipe
 - c) Describe the number, type and total capacity of troughs or tanks One 600 Gallon capacity metal trough.
 - d) Describe the automatic shutoff or flow control mechanism or means of Returning unused water to the source: Overflow returned to the main channel.
 - e) Describe how the system is designed to allow measurement of the rate of diversion: No provision for measuring rate of diversion. Free flow into a 1 1/2" pipe will not exceed .02cfs.
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
13S	24E	29												X				

6. Priority date claimed or established: 5/01/1876 43-10714
7. Rate of diversion: .01 cfs

8. Season of use: From June 1 to September 30
9. a) Who owns the property at the point of diversion? United States of America
b) Who owns the property at the place of use? United States of America
10. When will construction occur? July or August, 2005
11. Comments: _____

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.

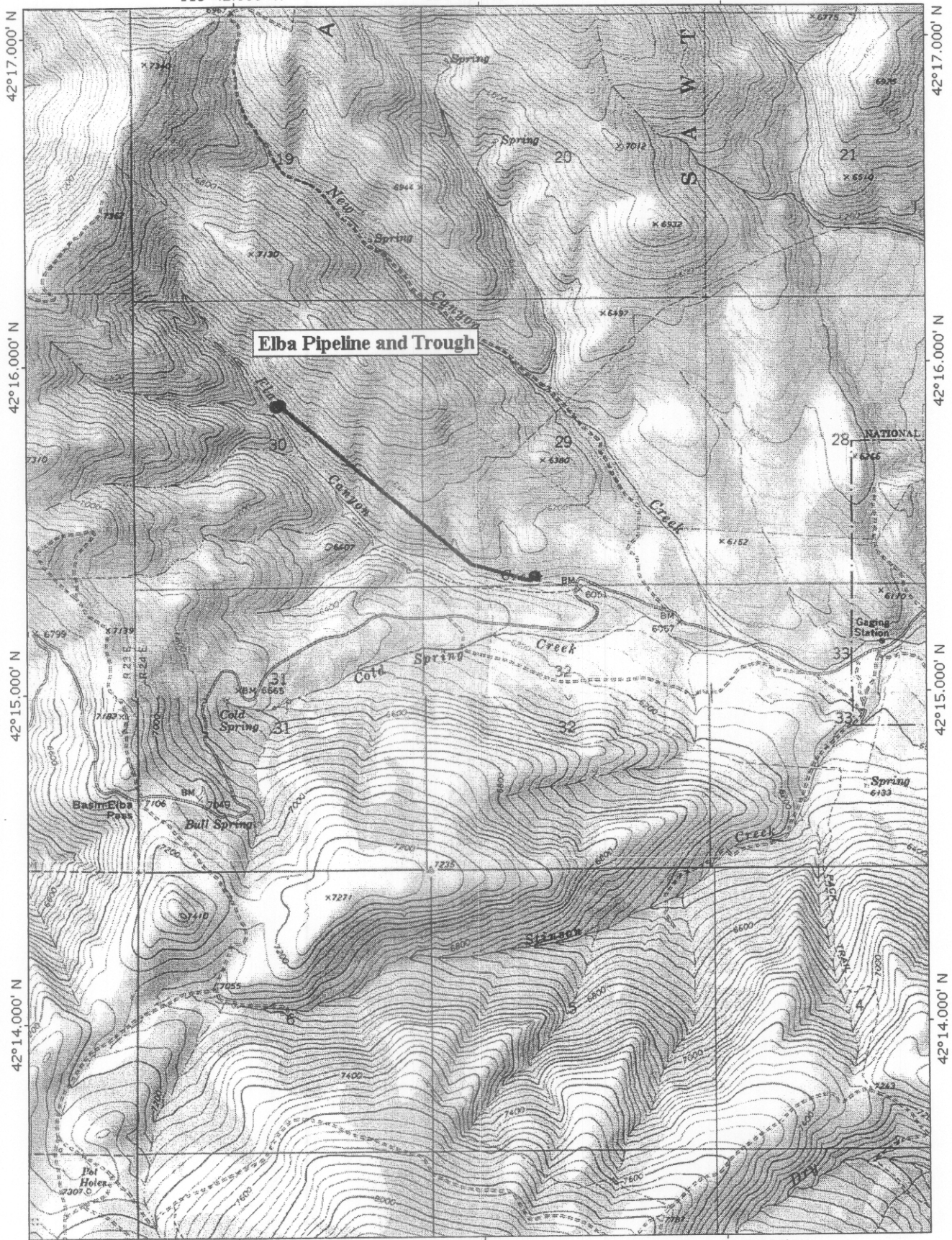
Dated this 20 day of May, 2005

Russ M. Monahan

Right Holder or Authorized Representative

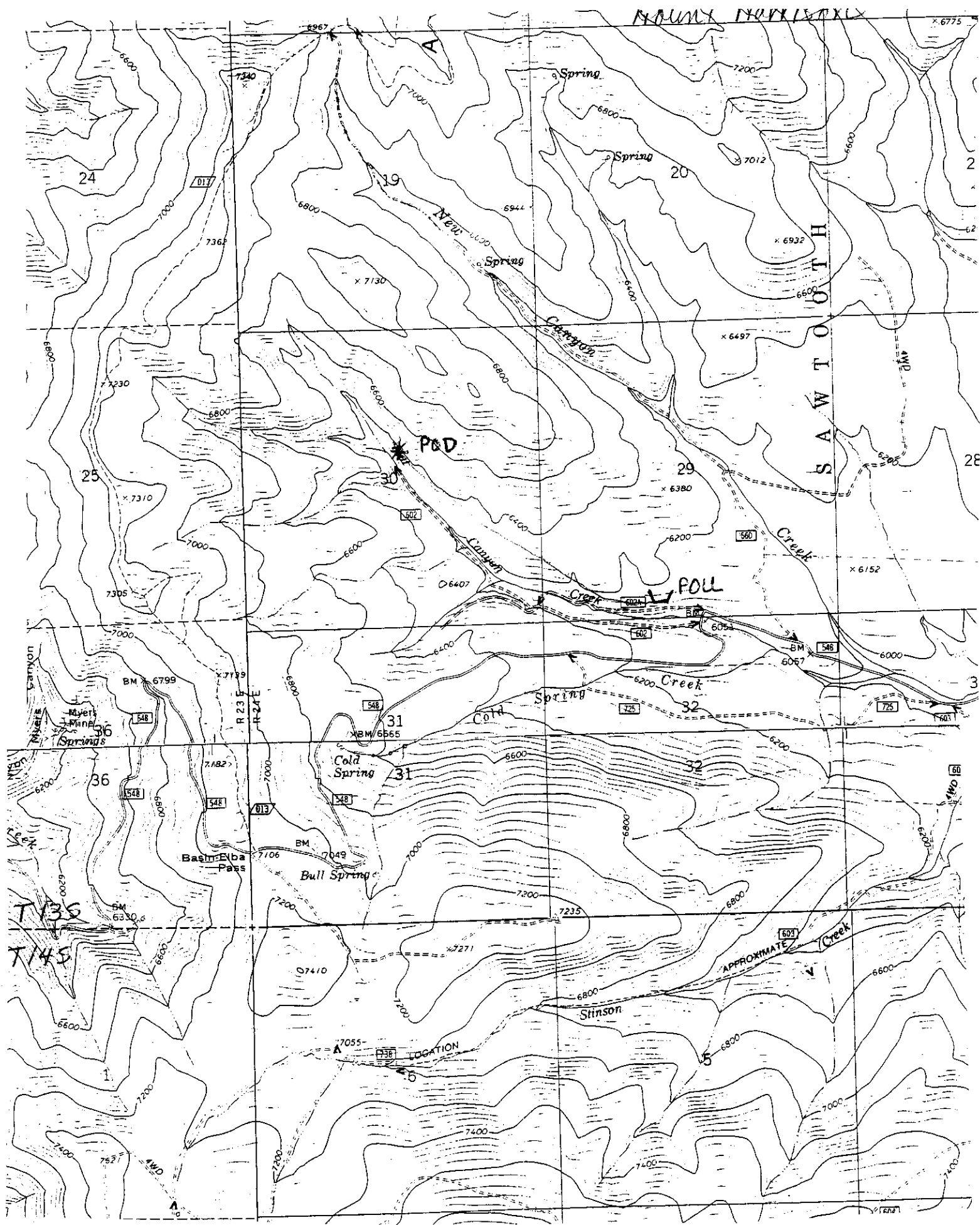
FOR DEPARTMENT USE

Received by Sb. Regrow Date 5.20.05 Preliminary check by _____
Fee: \$ 425.00 Receipted by J. ROBERTSON Receipt No. 5027687 Date 5.20.05
Water District No. _____ Entered into data base _____ By _____



TN★/MN
14%

0 1000 FEET 0 500 1000 METERS 1 MILE
Map created with TOPO!® ©2001 National Geographic (www.nationalgeographic.com/topo)



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED
JUL 27 1998
DOJ/BOISE
