



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 21, 2004

WITTMAN FARMS LTD
37737 MC CORMACK RIDGE RD
CULDESAC ID 83524

RE: Notice of Diversion for Instream Stockwater Use No. 85-15452

Dear Water Right Claimant:

The Department of Water Resources acknowledges receipt of the water right notice you submitted under Section 42-113(3), Idaho Code. 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.
- The amount of water diverted for watering of livestock shall not exceed thirteen thousand (13,000) gallons per day.

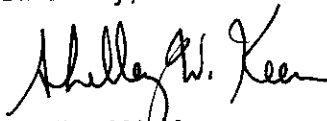
Wittman Farms, Ltd.
October 21, 2004
Page 2

Also, please note that the place of use descriptions listed on your notice do not match the locations of the troughs depicted on the map attached to the notice. The places of use listed on the notice are the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 12) and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T34N, R4W, B. M. However, the map shows the troughs in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 12) and the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T34N, R4W, B. M. A copy of your notice and a copy of the map are enclosed for your review. If the map depicts the trough locations correctly, please send IDWR a signed request to change the information provided in your notice.

Finally, 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.

Please call me at 208-287-4947 or email me at shelley.keen@idwr.idaho.gov if you have any questions.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

Cc: Bob Haynes, IDWR Northern Region