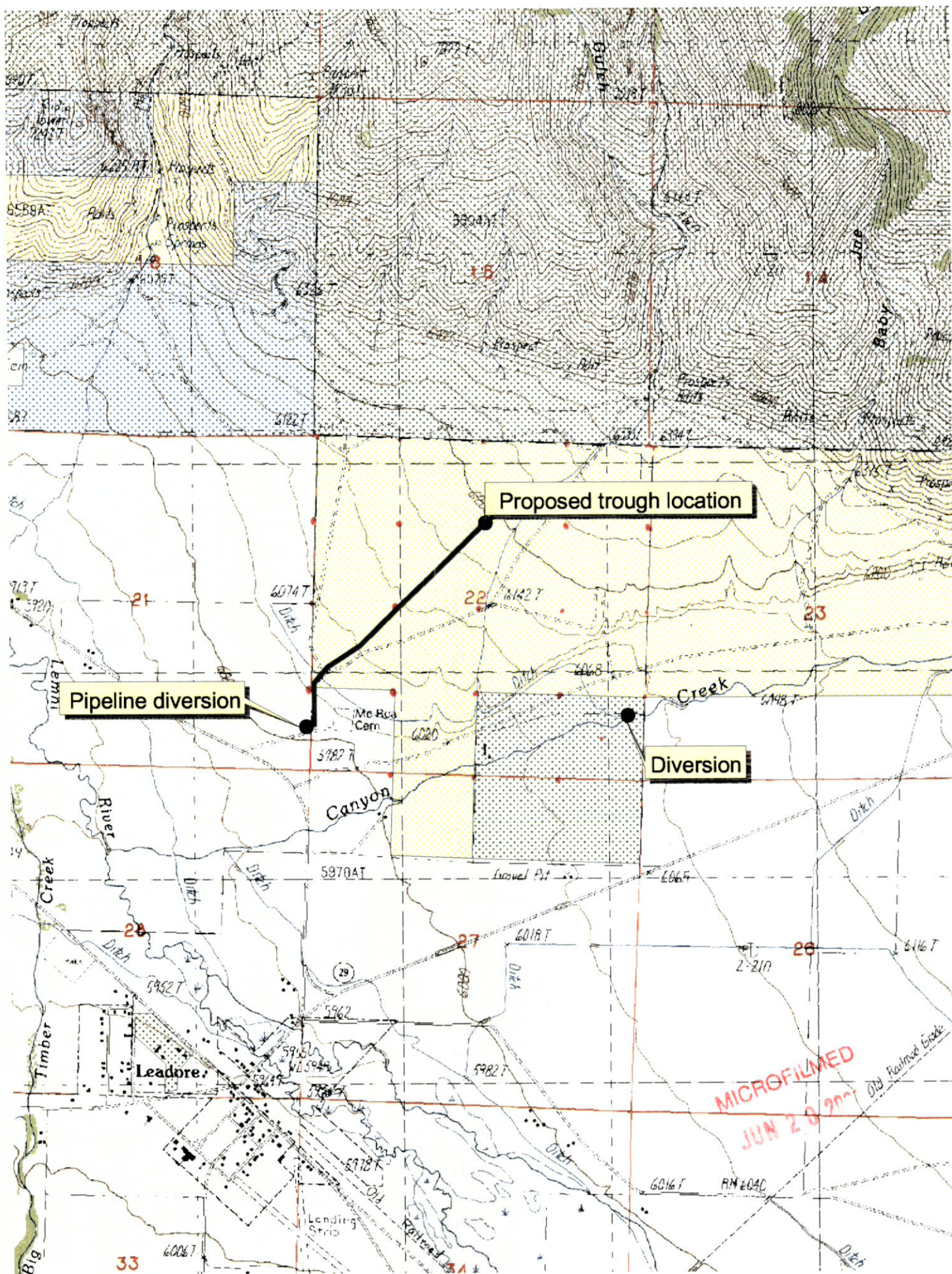




RECEIVED

Form 113
6/00Ident No. 74-14365

JUN - 4 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 16 2001

Department of Water Resources

NOTICE OF DIVERSION FOR INSTREAM STOCKWATER USE

Department of Water Resources
Eastern Region

(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 Bureau of Land Management Phone 208 756-5423
Mailing address 50 Hwy 93 South Salmon ID 83467
2. Source of water supply Canyon Creek tributary to Lemhi River
3. Point of diversion is in Gov't. Lot NE 1/4 SE 1/4 SE 1/4, Section 22,
Township 16N Range 26E, B.M., Lemhi County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion: Bubbler
 - b) Describe the delivery system: Plastic pipe
 - c) Describe the number, type and total capacity of troughs or tanks 1-500 gallon
Powder River trough
 - d) Describe the automatic shutoff or flow control mechanism or means of
Returning unused water to the source: Float on the trough
 - e) Describe how the system is designed to allow measurement of the rate of
diversion: No measuring device
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>16N</u>	<u>26E</u>	<u>22</u>								<u>X</u>								

6. Priority date claimed or established: 6/28/1934
7. Rate of diversion: .02 cfs

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8. Season of use: From Y₁ to 12/31
9. a) Who owns the property at the point of diversion? BLM
b) Who owns the property at the place of use? BLM
10. When will construction occur? Summer 2001
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 11th day of April, 2001

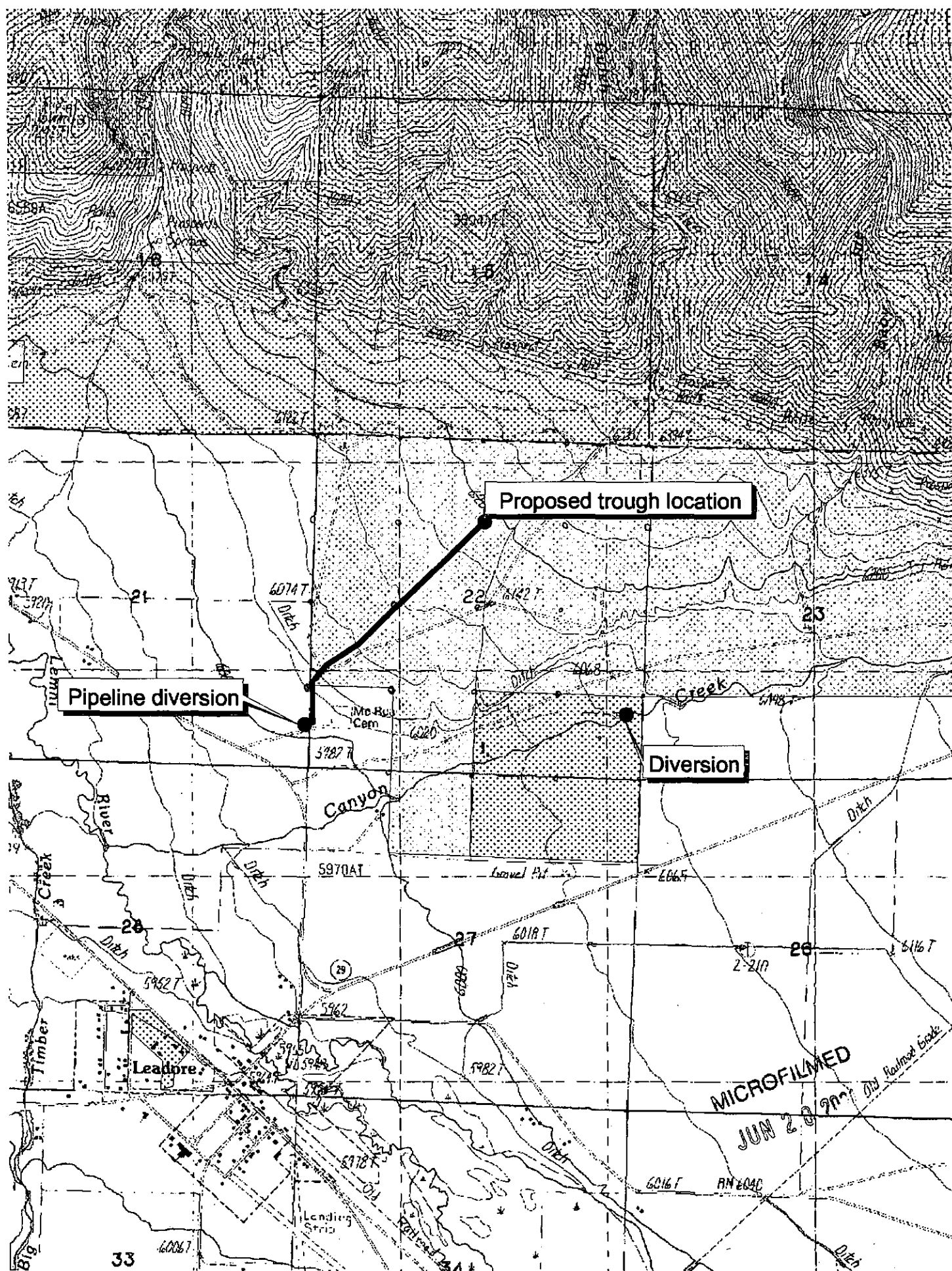
Alan Bitt
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by HWT Date 4-16-01 Preliminary check by _____
Fee: \$ 25.00 Receipted by HWT Receipt No. E024639 Date 4-17-01
Water District No. 74 Entered into data base _____ By HWT

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AJ5B56NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-2-1998
PAGE: A-2266

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: LEMHI RIVER

RIGHT NUMBER: 74-14365
NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
SOURCE: UNNAMED STREAM TRIBUTARY: LEMHI RIVER
QUANTITY: 0.02 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
PRIORITY DATE: 01/01/1876
POINT OF DIVERSION: T16N R26E S22 SWSSEW (INSTREAM BEGINNING POINT) Within LEMHI County
SESESW (INSTREAM ENDING POINT)
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFS
PLACE OF USE: STOCKWATER Within LEMHI County
T16N R26E S22 SESW
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7404681799
STOCKWATER, 230 RANGE CATTLE; WILDLIFE VAR. AMT.

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-14365

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: LEMHI RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T16N R26E S22 SESESW (Instream Ending Point) Within Lemhi County
SWSESW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

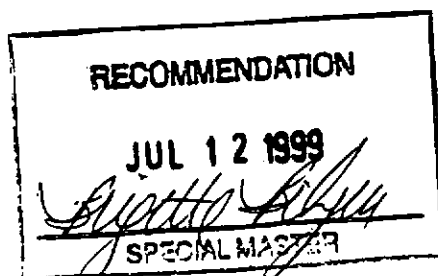
PLACE OF USE: Stockwater Within Lemhi County
T16N R26E S22 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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STATE OF IDAHO

Department of Water Resources

RECEIVED

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

JUN - 4 2001

Department of Water Resources

Name of Right Holder: Bureau of Canal Management

Initial Review By: HWO Date: 4-18-01

Based on prior recorded instream stockwater right? Yes ☐ No ☒

If yes, right number: 74-14365 Instream Stock Div. No. _____

Also, if right was claimed in SRBA, this notice will amend claim.

If no, enter as statutory claim.

CHECK:

- ☒ Name & address
- ☒ Date of Priority
- ☒ Source
- ☒ Period of use
- ☒ Point of diversion (limited to 1 diversion)
- ☒ Location of use
- ☒ Signature
- ☒ \$25.00 filing fee
- ☒ Water District 74
- ☒ Amount of Water
- ☐ Description of diversion/delivery system.

Receipt No. EO 26639

Publish? Yes ☐ No ☒ (Regional Determination*)

☒ Review Complete
By: J. W. Jones
Date: 4-18-01

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

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 30, 2001

Bureau of Land Management
50 Hwy 93 South
Salmon ID 83467

RE: Instream Stock Diversion No 74-14365.
Notice of Diversion for Instream Stockwater Use

Dear Sir:

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.

If exceptions to the notice are filed you will be sent a copy of the exceptions(s).

The filing of the notice does not confirm the validity of the water right. It will serve to record and preserve the information, including any exceptions, 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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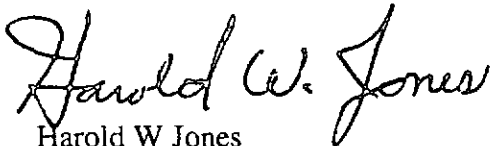
JUN 20 2001

- 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,



Harold W Jones
Water Right Supervisor

HWJ::sc

Enclosure

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