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MAR 11 2015

Department of Water Resources
Eastern Region

Form 113
12/07

Ident No. 11-7807

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**NOTICE OF DIVERSION AS AN ALTERNATIVE TO
INSTREAM STOCKWATER USE**

(To provide notice of intent to divert surface water from a stream or riparian area to troughs or tanks as an alternative to instream use for the watering of livestock)

1. Name of right holder Derek Eliason Phone 435 237 9380
Mailing address 684 East David Dr. Tremonton UT 84337 Email eliason.derek@gmail.com
2. Source of water supply Spring → Hammond creek tributary to Bear River
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number _____

If no, describe the beginning and ending points for the instream stockwater use:
Beginning point is in Gov't. Lot NW 1/4 SE 1/4 SW 1/4,
Section 30, Township 13S Range 43E B.M.,
Bear Lake County.
Ending point is in Gov't. Lot Same as above, 1/4 1/4 1/4,
Section , Township Range , B.M.,
 County.
 - b) Alternate point of diversion is in Gov't. Lot , 1/4 1/4 1/4,
Section , Township Range , B.M.,
 County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion structure (CMP) will be used
to collect water from spring perforated pipe may also be
used for collection
 - b) Describe the delivery system pumping plant (solar) will be
used to deliver water through 1 1/2" p HDPE to
Storage tank & troughs
 - c) Describe the number, type and total capacity of troughs or tanks
2 trough 500 gallon each & 1 tank 2,000 gallons

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- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float valve will be used in tank & troughs overflow will be piped to original drainage in case float valve fails.
- e) Describe how the system is designed to allow measurement of the rate of diversion well will be installed @ overflow to determine collection this could be max collection and likely much lower than amount of water being pumped to troughs
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
135	93E	30											~~SW~~ X					

6. Priority date claimed or established Aug 19 1969
7. Rate of diversion ^{0.011} ~~0.011~~ cfs
8. Season of use: from June to October
9. a) Who owns the property at the point of diversion? Derek & Diane Eliason
b) Who owns the property at the place of use? Derek & Diane Eliason
10. When will construction occur? Aug 2015
11. Comments (Include number and type of stock) we will be diverting water to water approximately 25 pair & 1 bull. All black Angus cattle, cow/calf operation
12. Map of project required - Attach an 8 1/2"x11" map clearly identifying the location of the instream stockwater use and the locations of the alternative point(s) of diversion and stock trough(s). A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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1. Name of right holder Derek Eliason Phone 435 237 9380
Mailing address 684 East David Dr. Tremonton UT 84337 Email eliason.derek@gmail.com
2. Source of water supply Spring - Hammond Creek tributary to Bear River
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number _____
If no, describe the beginning and ending points for the instream stockwater use:
Beginning point is in Gov't Lot 1, NW 1/4, SE 1/4 SW 1/4,
Section 30, Township 13S Range 43E, B.M.,
Bear Lake County.
Ending point is in Gov't Lot Same as above, 1/4 1/4 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
 - b) Alternate point of diversion is in Gov't. Lot _____, 1/4 1/4 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion structure (CMP) will be used
to collect water from spring perforated pipe may also be
used for collection
 - b) Describe the delivery system pumping plant (solar) will be
used to deliver water through 1 1/2" p HDPE to
Storage tank & troughs
 - c) Describe the number, type and total capacity of troughs or tanks _____
2 trough 500 gallon each & 1 tank 2,000 gallons

* Changes to notice per 3-17-2015 email from right holder es

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- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float valve will be used in tank & troughs overflow will be piped to original drainage in case float valve fails.
- e) Describe how the system is designed to allow measurement of the rate of diversion weir will be installed @ overflow to determine collection this could be max collection and likely much less than amount of water being pumped to troughs

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
135	93E	30											~~SW~~	X				

6. Priority date claimed or established Aug 19 1969
7. Rate of diversion 0.011 ~~0.015~~ cfs
8. Season of use: from June to October
9. a) Who owns the property at the point of diversion? Derek & Diane Eliason
b) Who owns the property at the place of use? Derek & Diane Eliason
10. When will construction occur? Aug 2015
11. Comments (Include number and type of stock) we will be diverting water to water approximately 25 pair & 1 bull. all black Angus cattle, cow/calf operation
12. Map of project required - Attach an 8½"x11" map clearly identifying the location of the instream stockwater use and the locations of the alternative point(s) of diversion and stock trough(s). A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

* Changes to notice per 3-17-2015 email from right holder. ² CS

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 5th day of march, 20 15

Jack Shinn

Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date 3/11/15 Preliminary check by _____
Fee: \$ 25- Received by SC Receipt No. ED40731 Date 3/11/15
Water District No. _____ Entered into data base _____ By _____

Derek Eliason

Notice of Diversion

Approximate Acres: 303

Legal Description: T 13S R43E Sec 30 E1/2SW1/4
Sec 30 NE1/4NW1/4

