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DEC 09 2013

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident No. 13-7905

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 Janis Garner Butters/Ryan Butters Phone 208-747-3421
Mailing address P.O. Box 107, Clifton ID 83228 Email bbusy666666@gmail.com
2. Source of water supply Clifton Creek tributary to Deep Creek
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 _____, _____ 1/4 _____ 1/4 _____ 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
Ending point is in Gov't. Lot _____, _____ 1/4 _____ 1/4 _____ 1/4,
Section _____, Township _____ Range _____, B.M.,
_____ County.
 - b) Alternate point of diversion is in Gov't. Lot _____, _____ 1/4 NW 1/4 NE 1/4,
Section 28, Township 14S Range 38 E, B.M.,
FRANKLIN County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Gravity fed pipe to trough.
 - b) Describe the delivery system 3 to 4 inch pipe to a trough, overflow back into natural creek.
 - c) Describe the number, type and total capacity of troughs or tanks 25 to 50 gallon trough.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Overflow natural flow to creek.
- e) Describe how the system is designed to allow measurement of the rate of diversion exposed strait pipe dump into trough (25 to 50 gal).

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
14S	38E	28	X															

6. Priority date claimed or established January 1979
7. Rate of diversion .02 cfs
8. Season of use: from 1/1/ to 12/31
9. a) Who owns the property at the point of diversion? Janis Garner Butters
b) Who owns the property at the place of use? Janis Garner Butters
10. When will construction occur? May 2014
11. Comments (include number and type of stock) Cattle 75, Horses 4
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.

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 9TH day of DECEMBER, 20 13

Janis Arner Butters
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Receipted by SB Receipt No. E039365 Date 12/11/13
Water District No. 11 Entered into data base 12/11/13 By SB

