

AMENDED

Form 113
12/07

Ident No. 15-7295

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 BUEHLERS INC Phone 208-766-2513
Mailing address 305N 2100 W, MALAD, ID 83252 Email _____
2. Source of water supply UNNAMED SPRING tributary to WRIGHTS 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 ____, SE 1/4 NW 1/4 NW 1/4,
Section 24, Township 12S Range 34E, B.M.,
ONEIDA County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion SPRING DEVELOPMENT
 - b) Describe the delivery system BURIED PUC PIPE WILL
CARRY WATER TO TROUGHS. SYSTEM WILL
OPERATE BY GRAVITY
 - c) Describe the number, type and total capacity of troughs or tanks 6 TROUGHS,
500 GALLONS PER TROUGH

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source TROUCHES WILL HAVE FLOATS TO CONTROL FLOW + OVERFLOW PIPES WILL CARRY WATER TO WRIGHTS CREEK
- e) Describe how the system is designed to allow measurement of the rate of diversion AN IN-LINE FLOW METER WILL BE INSTALLED BEFORE THE FIRST TROUGH

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
12S	34E	24					X	X	X									

6. Priority date claimed or established Dec. 1953
7. Rate of diversion .01 cfs
8. Season of use: from APRIL 15 to APRIL 14
9. a) Who owns the property at the point of diversion? BUEHLERS INC.
b) Who owns the property at the place of use? BUEHLERS INC.
10. When will construction occur? July / August 2008
11. Comments (include number and type of stock) 50 HEAD OF BEEF CATTLE + A FEW HORSES
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 20th day of December, 2007

Don C. Buehler, Pres. Buehler Inc.
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by 12/30/07 Date DeLarsen Preliminary check by DeLarsen
Fee: \$ N/A Receipted by _____ Receipt No. _____ Date _____
Water District No. _____ Entered into data base 1/3/08 By SC