

AMENDED

Ident No. 34-14455

RECEIVED

SEP 17 2024

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**NOTICE OF DIVERSION AS AN ALTERNATIVE TO** DEPT. OF WATER RESOURCES  
EASTERN REGION  
**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 Shiflett Family Management LLC Phone 208-965-0906  
Mailing address 10502 W Thimbleberry Dr Email bshiflett1@gmail.
2. Source of water supply Corral Creek tributary to Sage Creek
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number no

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 SW 1/4 NW 1/4,  
Section 25, Township 09N Range 20E, B.M.,  
Custer County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion pcv pipe

- b) Describe the delivery system solar powered pump

- c) Describe the number, type and total capacity of troughs or tanks 1000 gallon po

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float valve
- e) Describe how the system is designed to allow measurement of the rate of diversion subsurface controller

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 |
| 09N | 20E | 25  |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

6. Priority date claimed or established 03/1/2002
7. Rate of diversion .04 cfs
8. Season of use: from 4/1 to 10/31
9. a) Who owns the property at the point of diversion? BLM  
b) Who owns the property at the place of use? Shiflett Family Management LLC
10. When will construction occur? Spring 2025
11. Comments (include number and type of stock) 60-80 cattle
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 17<sup>th</sup> day of September, 2024  
BS  
Right Holder or Authorized Representative

**FOR DEPARTMENT USE**

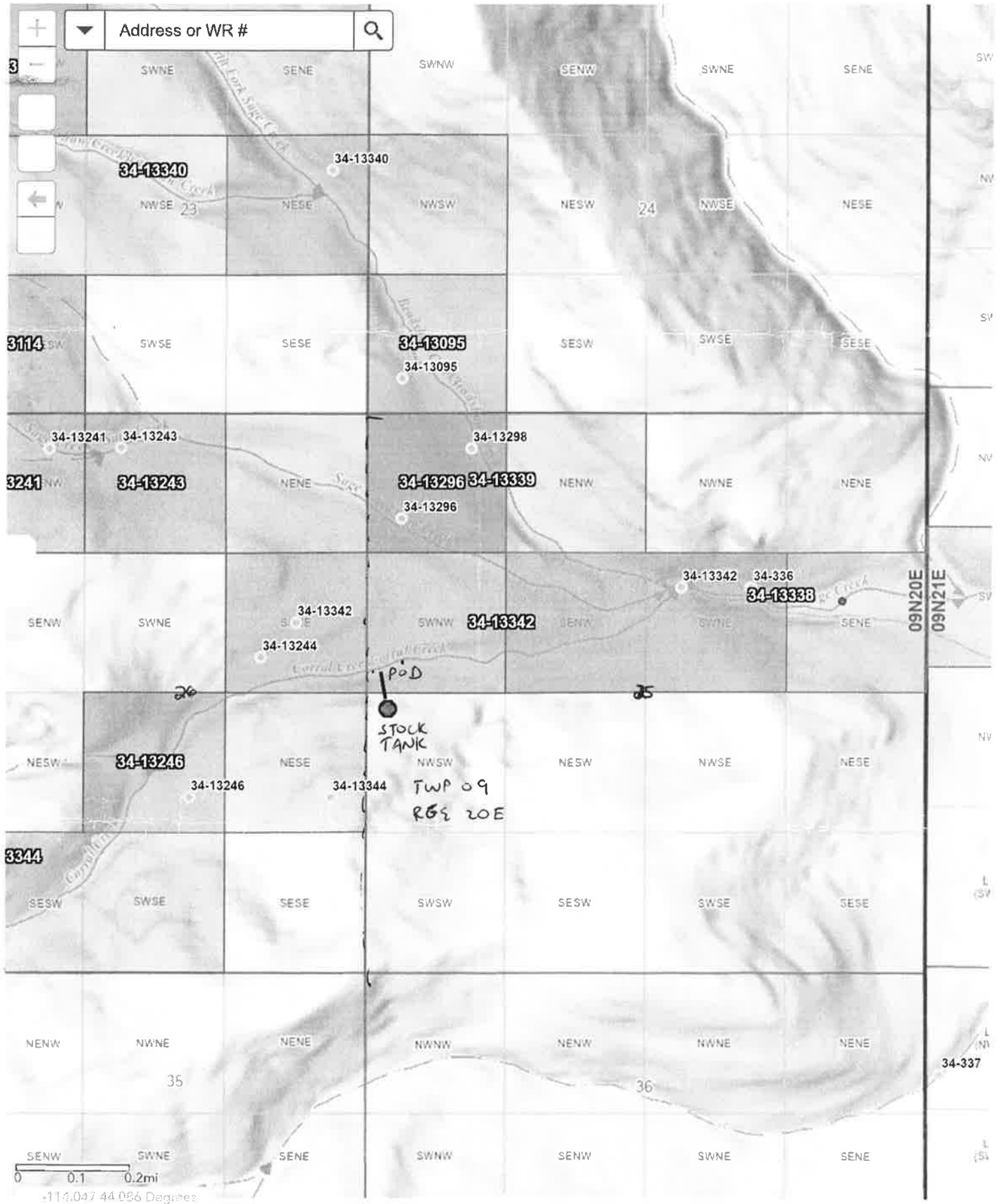
Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee: \$ 25.00 Received by M PCHS Receipt No. E050332 Date 9/3/24  
Water District No. \_\_\_\_\_ Entered into data base \_\_\_\_\_ By \_\_\_\_\_



# Water Right Locator

Find water rights in Idaho

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United States Department of the Interior  
Bureau of Land Management  
**AUTHORIZATION USE BY ALLOTMENT REPORT**  
ID05710 SAGE CREEK



Administrative State ID IDAHO  
Administrative Office LLIDI03000 CHALLIS FO  
Allotment Number ID05710  
Allotment Name SAGE CREEK  
Grazing Allotment Y  
Allotment Decision N/A  
Plan Type AMP IMPLEMENTED  
Plan Date 5/1/1995

Authorization Information

| Authorization Number | Admin State | Administrative Office | Authorizing Office | Effective Date | Expiration Date | Issue Date | Actual Active AUMS | Actual Suspended AUMS |
|----------------------|-------------|-----------------------|--------------------|----------------|-----------------|------------|--------------------|-----------------------|
| 1100757              | ID          | LLIDI03000            | CHALLIS FO         | 03/01/2022     | 02/28/2032      | 10/03/2022 | 516                | 0                     |
| 1100932              | ID          | LLIDI03000            | CHALLIS FO         | 03/02/2020     | 02/28/2030      | 04/21/2020 | 222                | 0                     |
| TOTAL                |             |                       |                    |                |                 |            | 738                | 0                     |

Authorization Schedule Information

| Allotment Number | Allotment Name | Pasture Name | Auth. No | Livestock Number | Livestock Kind | Period Begin | Period End | Public Land % | Type Use | AUMS |
|------------------|----------------|--------------|----------|------------------|----------------|--------------|------------|---------------|----------|------|
| ID05710          | SAGE CREEK     |              | 1100757  | 114              | CATTLE         | 05/16        | 09/30      | 100           | ACTIVE   | 517  |
| ID05710          | SAGE CREEK     |              | 1100932  | 63               | CATTLE         | 06/16        | 09/30      | 100           | ACTIVE   | 222  |

Lost Peaks Ranch authorization number is 1100757/Sage Creek allotment number is ID05710

**Instrument # 264499**

CHALLIS, CUSTER, IDAHO  
09-01-2023 08:57:49 No. of Pages: 2  
Recorded for: ALLIANCE TITLE - RIGBY OFFICE  
Lura H. Baker Fee: \$15.00  
Ex-Officio Recorder Deputy: DM

Order No. 641916

**CORPORATION DEED**

For Value Received

**Lost Peaks Ranch, Inc., An Idaho Corporation**

a corporation duly organized and existing under the laws of the State of Idaho, Grantor,  
does hereby Grant, Bargain, Sell and convey unto

**Shiflett Family Management LLC, An Idaho Limited Liability Company,**

whose current address is: 10502 W. Thimbleberry Dr.  
Star, ID 83669

the following described real estate, to-wit:

**That Certain Property located in Custer County, Idaho, described as follows:**

**Township 9 North, Range 20 East, Boise Meridian:**

**Section 25: South Half (S½)**

**Township 9 North, Range 21 East, Boise Meridian:**

**Section 29: Southwest Quarter of the Southwest Quarter (SW¼ SW¼)**

**Section 30: Government Lot 1**

**Section 31: North Half of the Northeast Quarter (N½ NE¼),  
East Half of the Northwest Quarter (E½ NW¼),  
Government Lots 1 and 2**

**Section 32: North Half of the Northwest Quarter (N½ NW¼)**

**TO HAVE AND TO HOLD** the said premises, with their appurtenances unto the said Grantee(s), heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee(s), that it is the owner of said premises; that they are free from all encumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

**IN WITNESS WHEREOF**, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed August 24, 2023.

**Lost Peaks Ranch, Inc.**

By:   
Daniel P. Mulick, President

State of Idaho

County of Lemhi

On this 24th day of August, In the year 2023, before me, Sarah Magyar, a Notary Public in and for said state, personally appeared Daniel P. Mulick, known to me to be the **President** of the Corporation, and pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for the State of Idaho  
Residing at: Salmon, ID  
Commission Expires: 11-09-2027



AUTH NUMBER: 1100004  
DATE PRINTED: 11/20/2001

Form 4130-2a  
(February 1999)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

GRAZING PERMIT

STATE ID  
OFFICE 084  
AUTH NUMBER 1100004  
PREFERENCE CODE 03  
DATE PRINTED 11/20/2001  
DATE ISSUED  
TERM 03/01/2002 TO 02/28/2012

LOST PEAKS RANCH INC.  
C/O DAN MULICK  
5536 OLD CHILLY ROAD  
MACKAY ID 83251

BUREAU OF LAND MANAGEMENT  
CHALLIS FO  
HC63 BOX 1620  
CHALLIS ID 83226

THIS GRAZING PERMIT IS OFFERED TO YOU UNDER 43 CFR PART 4100 BASED ON YOUR RECOGNIZED QUALIFICATIONS. YOU ARE AUTHORIZED TO MAKE GRAZING USE OF LANDS, UNDER THE JURISDICTION OF THE BUREAU OF LAND MANAGEMENT AND COVERED BY THIS PERMIT, UPON YOUR ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS PERMIT AND PAYMENT OF GRAZING FEES WHEN DUE. CONTACT YOUR LOCAL BLM OFFICE AT 208-879-6200 IF YOU HAVE QUESTIONS.

MANDATORY TERMS AND CONDITIONS

GRAZING SCHEDULE:

| ALLOTMENT        | PASTURE | LIVESTOCK<br>NUMBER KIND | GRAZING<br>BEGIN | PERIOD<br>END | %PL<br>USE | TYPE   | AUMS |
|------------------|---------|--------------------------|------------------|---------------|------------|--------|------|
| 05710 SAGE CREEK |         | 114 CATTLE               | 05/16            | 09/30         | 100        | ACTIVE | 517  |

OTHER TERMS AND CONDITIONS:

AS PROVIDED IN THE 43 CFR 4130.3-2(D), THE SUBMISSION OF AN ACTUAL USE REPORT WITHIN 15 DAYS AFTER COMPLETION OF ANNUAL GRAZING IS REQUIRED.

THE ALLOTMENT SHOWN ON THIS PERMIT SHALL MEET THE REQUIREMENTS AS DESCRIBED IN 43 CFR 4180 FUNDAMENTALS-OF RANGELAND HEALTH AND THE STANDARDS AND GUIDELINES FOR GRAZING ADMINISTRATION. THIS PERMIT OR LEASE SHALL BE MODIFIED (IF NECESSARY) TO MEET THESE REQUIREMENTS UPON COMPLETION OF A STANDARDS AND GUIDELINES ASSESSMENT AS SCHEDULED BY THE AUTHORIZED OFFICER.

UPLAND UTILIZATION ON BLUEBUNCH WHEATGRASS DURING THE CRITICAL GROWTH PERIOD (BOOT TO FLOWER) WOULD BE LIMITED TO 40% OF CURRENT GROWTH. GRAZING OUTSIDE THE CRITICAL GROWTH PERIOD (USUALLY JUNE 20) WOULD NOT EXCEED 60% UTILIZATION. UPLAND UTILIZATION ON ALL OTHER KEY SPECIES WILL BE LIMITED TO 50% DURING THE GROWING SEASON AND 60% AFTER THE GROWING SEASON (PLANT DORMANCY). (CHALLIS RMP. JULY 1999, LIVESTOCK GRAZING, GOAL 1, DECISION #7).

LIVESTOCK WILL BE MANAGED TO MAINTAIN A MINIMUM 4" HERBACEOUS STUBBLE HEIGHT ALONG PORTIONS OF CORRAL CREEK, SAGE CREEK, AND BRADSHAW CREEK WHEN GRAZED PRIOR TO AUGUST 15. GRAZING ALONG THESE STREAMS AFTER AUGUST 15 WILL BE SUBJECT TO A 6" HERBACEOUS STUBBLE HEIGHT.

MANAGE LIVESTOCK USE ON STREAMS WITHIN THE ALLOTMENT SO THAT NO MORE THAN 20% OF THE STREAMBANK ALONG CORRAL CREEK, SAGE CREEK, AND BRADSHAW CREEK IS SHEARED BY LIVESTOCK HOOF ACTION.

LIVESTOCK WILL BE MANAGED SO THAT NO MORE THAN 50% FREQUENCY BROWSING OF CURRENT YEAR LEADERS ON WOODY SPECIES OCCURS ALONG BLM ADMINISTERED PORTIONS OF CORRAL CREEK, SAGE CREEK, AND BRADSHAW CREEK WHERE WOODY SPECIES ARE SUSCEPTIBLE TO BROWSING DAMAGE AND BROWSING IS AFFECTING NORMAL GROWTH FORM OR AGE CLASS STRUCTURE.

ALLOT NO CONDITIONS

(none)

AUTH NUMBER: 1100004  
DATE PRINTED: 11/20/2001

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ALLOTMENT SUMMARY (AUMS)

| <u>ALLOTMENT</u> | <u>PERMITTED AUMS</u> | <u>SUSPENDED AUMS</u> | <u>PERMITTED USE</u> |
|------------------|-----------------------|-----------------------|----------------------|
| 05710 SAGE CREEK | 516                   | 0                     | 516                  |

Standard  
Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations.
  - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
  - c. A transfer of grazing preference by the permittee/lessee to another party.
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described.
  - e. Repeated willful unauthorized grazing use.
  - f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7), enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

THIS PERMIT: 1. CONVEYS NO RIGHT, TITLE OR INTEREST HELD BY THE UNITED STATES IN ANY LANDS OR RESOURCES AND 2. IS SUBJECT TO (A) MODIFICATION, SUSPENSION OR CANCELLATION AS PROVIDED BY LAND PLANS AND APPLICABLE LAW; (B) REVIEW AND MODIFICATION OF TERMS AND CONDITIONS AS APPROPRIATE; AND (C) THE TAYLOR GRAZING ACT, AS AMENDED, THE FEDERAL LAND POLICY AND MANAGEMENT ACT, AS AMENDED, THE PUBLIC RANGELANDS IMPROVEMENT ACT, AND THE RULES AND REGULATIONS NOW OR HEREAFTER PROMULGATED THEREUNDER BY THE SECRETARY OF THE INTERIOR.

ACCEPTED:

SIGNATURE OF PERMITTEE: David K. Mulick

DATE: 5-2-02

APPROVED

BLM AUTHORIZED OFFICER: Deputy State Director - Acting F.M.

DATE: 5-2-02

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
GRAZING APPLICATION  
PREFERENCE SUMMARY

State ID  
Office 084  
Operator Number \_\_\_\_\_  
Date Filed 10/15/01  
Address (including street, city, State, and zip code)  
5536 Old Chilly Road  
Mackay, ID 83251

Name (last, first, middle initial)  
Lost Peaks Ranch, Inc  
c/o Dan Malick

I hereby: 1. Offer the following ☐ land ☐ water as base property for a grazing preference on the public lands and/or state lands administered by the BLM; 2. certify that the base property listed is described correctly and the property meets the requirements of the grazing regulations 40 CFR 91.101; and 3. concur with the attachment of the grazing preference by allotment.

| BASE PROPERTY                 |            |            | PREFERENCE ACRES |           |            | ACRES                   |
|-------------------------------|------------|------------|------------------|-----------|------------|-------------------------|
| LAND AND LEGAL DESCRIPTION    | ACRES      |            | TOTAL            | SUSPENDED | OTHER      | TOTAL                   |
|                               | OWNED      | LEASED     |                  |           |            |                         |
| <u>Lost Peaks Ranch, Inc.</u> | <u>840</u> | <u>640</u> | <u>516</u>       | <u>—</u>  | <u>516</u> | <u>Sage Creek #5710</u> |

Signature of Applicant Lost Peaks Ranch Inc. Dan Malick Date 10-14-01  
Title 18, U.S.C., Section 1001, makes it a crime for any person knowingly and willfully to make in any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

Instructions  
Preference Summary: To be completed when new base properties are being offered in support of an application. It is the result of a transfer from one base property to another. If transfer is for part of the preference, file a preference summary for remaining parts.  
Request for Transfer: If this involves a transfer of preference from existing base property, transferor completes the request for transfer. See Review.  
Note: If water base property, describe type of water, whether full or part-time, and number of livestock served. If part-time water, indicate period of year it is available for livestock use. Attach additional sheets, as needed.  
Public reporting burden for this form is estimated to vary from 10 minutes to 30 minutes per response, with an average of 15 minutes per response including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, Alternate Bureau Clearance Officer (WOC-873), 1849 C Street, N.W., Washington, D.C. 20240, and the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington D.C. 20503.

part of my grazing preference to the extent of AUM's are active preference and AUM's are suspended preference to

The extent of the grazing preference involved is as follows:

control the base property from which the grazing preference is being transferred and this property is hereby assigned to the transferee my interest and/or maintenance responsibility in range improvement projects authorized or approved by cooperative agreement(s) and/or range improvement permit(s) listed on attached Assignment of Range Improvements

consent to the extent of transfer specified in this application

1950

Section 90C Takes a crime for any person knowingly and maliciously trying to

Section 1001 makes it a crime for any person knowingly and willfully to make to any department or agency of the United States an untrue statement or fraudulent statement or representations as to any matter within its jurisdiction.

## Privacy Act and Paperwork Reduction Act Statement

20 "TITLE": "DES". The adjudication of the applicants' preference is  
21 "SUBJECT": "resources." 22 Documentation for public information in  
23 "ACTION": "documents made or" and status records for the management,  
24 "LOCATION": "to last of public lands and resources." 25 Transfer to  
26 "AGENCY": "agencies when concurrence is required prior to  
27 "USE": "use public lands or resources." 28 Transfer to the

**EFFECT OF NOT PROVIDING INFORMATION:** If you do not file this application and furnish the requested information, you may not be authorized to graze on the public lands during the next year. If you presently hold a grazing authorization, it may not be possible to grant a requested modification.

(See terms and conditions on the reverse hereof)

TERMS AND CONDITIONS  
Sec. 43 CFR Part 4100

1. The right of grazing use on the public lands is subject to the provisions of Executive Order 12612, September 24, 1985, as amended, which sets forth the management of public lands. This order may be obtained from the authorized officer.

2. The right of grazing use is subject to the provisions of Executive Order 12612, September 24, 1985, as amended, which sets forth the management of public lands. This order may be obtained from the authorized officer.

3. The undersigned and agree that no Member of, or Delegate to, Congress, or Resident Commissioner, after his election or appointment, or either before or after being qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory Committees appointed in accordance with the Federal Advisory Committee Act (41 U.S.C. 435) and Sections 304 and 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share in, or benefit from, a permit, lease, or agreement, or to derive any benefit to arise therefrom, and the provisions of Section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Section 47 - 433, and 43 CFR Part 7, enter into and form a part of a permit, lease, or agreement so far as the same may be applicable.

4. The right of grazing use on the public lands is subject to the provisions of Executive Order 12612, September 24, 1985, as amended, which sets forth the management of public lands. This order may be obtained from the authorized officer.

5. The right of grazing use on the public lands is subject to the provisions of Executive Order 12612, September 24, 1985, as amended, which sets forth the management of public lands. This order may be obtained from the authorized officer.

6. The terms and conditions of a permit or lease that may be issued as a result of this application and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations as approved by the Secretary of the Interior.

7. All grazing fees are due the United States on the due date specified on the billing notice and must be paid in full within 15 days of the due date indicated on the billing notice, except as otherwise provided in the terms and conditions of a grazing permit or lease. Failure to pay the bill within the 15 days will result in a late fee assessment of 525 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.

APPLICANT INSTRUCTIONS

Complete the information requested in Columns 2 through 6.

Column 5 - Use the following codes

| KIND OF LIVESTOCK | CLASS OF LIVESTOCK | KIND OF INDIGENEOUS ANIMAL |
|-------------------|--------------------|----------------------------|
| Burro             | B                  | Yearling Cattle            |
| Cattle            | C                  |                            |
| Goat              | G                  |                            |
| Horse             | H                  |                            |
| Sheep             | S                  | Buffalo                    |

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48 (d) provide that you be furnished the following information in connection with information required by this application:

**AUTHORITY:** Taylor Grazing Act, 43 U.S.C. 315; Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701, and Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901.

**PRINCIPAL PURPOSE:** The information is to be used to process your application for grazing use on the public lands.

**ROUTING:** The adjudication of the applicants' preference to use the land resources. Documentation for public information in support of total land status records for the management, disposal, and use of

public lands and resources. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a preference to use public lands or resources. (4) Transfer to the U.S. Department of Justice in the event of litigation involving the records or the subject matter of the records. (5) Transfer in the event there is indicated a violation or potential violation of a statute, regulation, rule, order, permit, lease, or agreement whether civil, criminal, or regulatory in nature to the appropriate agency or agencies, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, order, permit, lease, or agreement violated or potentially violated.

**EFFECT OF NOT PROVIDING INFORMATION:** If you do not file this application and furnish the requested information, you may not be authorized to graze on the public lands during the next year. If you presently hold a grazing authorization, it may not be possible to grant a requested modification.

The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires us to inform you that:

Information is being collected to process application for grazing use on the public lands, pursuant to 43 CFR Part 4100. Information will be used to request and obtain authorization to graze livestock on the public lands. Response to this request is mandatory.

Public reporting burden for this form is estimated to average 20 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management, (Alternate) Bureau Clearance Officer, (WO-771), 1849 C Street, N.W., Washington, D.C. 20240, and the Office of Management and Budget, Paperwork Reduction Project (1004-0005), Washington, D.C. 20503.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
GRAZING APPLICATION  
SUPPLEMENTAL INFORMATION

FORM APPROVED  
OMB NO. 1004-0047  
Expires: March 31, 1996

FOR BLM USE ONLY

State 11 D  
Office 084  
Operator Number       

Name (last, first, middle initial) Lost Parks Ranch Inc. Phone 558-3023  
c/o Dan Melick 3028  
Address (include street, city, State, and zip code) 5536 Old Chilly Road  
Mackay, ID 83251

1. I HEREBY CERTIFY that I am engaged in the livestock business and:
- a. ☒ I am a citizen of the United States.
  - b. ☐ I have filed a valid declaration of intention or petition for naturalization to become a citizen of the United States.
  - c. ☐ I am a group or association authorized to conduct business in (State), all members of which are qualified under "a" and/or "b" above.
  - d. ☐ I am a corporation authorized to conduct business in (State).
2. I ☐ own ☐ control all the livestock that will graze on the lands specified in the grazing permit or lease issued or to be issued pursuant to this application. For controlled livestock, include a copy of the document which specifies the number and kind of livestock under control, the brands or other marking the livestock are carrying, and the arrangements which in fact give you control of the livestock. (Do not include creditor's interest).
3. I own, intend, and within the following allotments: (If necessary, attach additional sheets and/or plot the land on an accompanying map.)

| ALLOTMENT<br>NAME AND NUMBER       | PROPERTY<br>NAME | LEGAL DESCRIPTION             |       |         |          |             | ACREAGE |
|------------------------------------|------------------|-------------------------------|-------|---------|----------|-------------|---------|
|                                    |                  | TOWNSHIP                      | RANGE | SECTION | MERIDIAN | SUBDIVISION |         |
| <u>Sage Creek</u><br><u># 5710</u> | <u>See</u>       | <u>Attached Warranty Deed</u> |       |         |          |             |         |

4. I lease, intend, and within the following allotments: (If necessary, attach additional sheets and/or plot the land on an accompanying map.)

| ALLOTMENT<br>NAME AND NUMBER | PROPERTY<br>NAME | LEGAL DESCRIPTION |       |         |          |             | ACREAGE |
|------------------------------|------------------|-------------------|-------|---------|----------|-------------|---------|
|                              |                  | TOWNSHIP          | RANGE | SECTION | MERIDIAN | SUBDIVISION |         |
|                              |                  |                   |       |         |          |             |         |



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

FOR BLM USE ONLY

### ASSIGNMENT OF RANGE IMPROVEMENTS

**INSTRUCTIONS** - Prepare four copies. Submit original to assignor and one copy each to the assignee, case or lease file, and District project file.

|                   |    |   |   |   |   |   |
|-------------------|----|---|---|---|---|---|
| State .....       | ID |   |   |   |   |   |
| Office .....      | 08 | 4 |   |   |   |   |
| Operator No. .... | 1  | 1 | 0 | 0 | 0 | 4 |

I HEREBY ASSIGN all my right, title, and interest to (name of assignee)

Kieth Hill

STAR Route

MACKEY ID 83251

improvements authorized by the following  
(Form 4120-7) project(s) listed below

☒ Cooperative Agreements (Form 4120-6) and/or

☐ Range Improvement Permit[illegible]

Date \_\_\_\_\_

5/2/02

Signature of Assignor

Signature of Assignor: 

1. Lost Peaks Ranch C/O Dan Mulick

above assignment of ☒ Cooperative Agreements ☐ Permits do hereby agree to be fully bound by all the terms and provisions of the said ☒ Cooperative Agreements ☐ Permits and the regulations under which they were issued to the same extent and in the same manner as the assignor herein.

x Daniel P. Muehl  
(Assignee's Signature)

(Assignee's Signature)

Assignment approved \_\_\_\_\_  
(Date)

(Date)

X 5-2-02

(Date)

By \_\_\_\_\_  
(Signature)

(Signature)

SEP 03 2024

Form 113  
12/07Department of Water Resources  
Eastern Region

Ident No.

34-14955

SUPERCEDED

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 Shiflett Family Management Phone 208-965-0906  
Mailing address 10502 W Thimbleberry Dr Email bshiflett1@gmail.com
2. Source of water supply Corral Creek tributary to Sage Creek
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes,  
provide the water right number no

If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot     , SW 1/4 SW 1/4 NW 1/4,  
Section 25, Township 09N Range 20E, B.M.,  
Custer County.Ending point is in Gov't. Lot     , SW 1/4 SW 1/4 NW 1/4,  
Section 25, Township 09N Range 20E, B.M.,  
Custer 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 pvc pipe
- b) Describe the delivery system solar powered pump
- c) Describe the number, type and total capacity of troughs or tanks one 1,000 gallon poly tank

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float valve
- e) Describe how the system is designed to allow measurement of the rate of diversion a subsurface controller measures the rate of diversion

5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

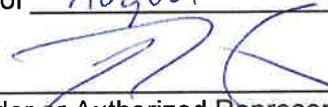
| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| 09N | 20E | 25  |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

6. Priority date claimed or established 1/1/25
7. Rate of diversion .04 cfs
8. Season of use: from 4/1 to 10/31
9. a) Who owns the property at the point of diversion? BLM  
b) Who owns the property at the place of use? Shiflett Family Management
10. When will construction occur? Spring 2025
11. Comments (include number and type of stock) 60 - 80 cattle
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 29 day of August, 2024

  
Right Holder or Authorized Representative

**FOR DEPARTMENT USE**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee: \$ 25.00 Received by m. fottis Receipt No. E050332 Date 9-3-24  
Water District No. \_\_\_\_\_ Entered into data base \_\_\_\_\_ By \_\_\_\_\_

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Thursday, January 30, 2025 2:35 PM  
**To:** Fred Price (fwprice@blm.gov); Clark, Trevlyn - FS, UT; Larsen, Tyler - FS, UT  
**Subject:** Notice of Diversion for Instream Stockwater Use: 13-8912, 13-8913, 13-9670, 13-9677, 13-9678, 34-14955  
**Attachments:** 13-8913 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf; 13-9670 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf; 13-9677 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf; 13-9678 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf; 34-14955 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf; 13-8912 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf

TREVLYN CLARK  
USDA FOREST SERVICE

FRED PRICE  
USDI, BLM, IDAHO STATE OFFICE

RE: Notice of Diversion for Instream Stockwater Use

Dear Interested Party:

The Department of Water Resources has received the enclosed Notices of Diversion for Instream Stockwater, submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced numbers in all future correspondence regarding this notice. This notice will be retained in our files and will be available for reference at any time.

If you have questions, please call the department at (208) 525-7161

Thank You,



**Christina Henman**  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

September 19, 2024

SHIFLETT FAMILY MANAGEMENT LLC  
10502 W THIMBLEBERRY DR  
STAR, ID 83669-6279

RE: Water Right No. 34-14955  
Notice of Diversion for Instream Stockwater Use

Dear Water Right Holder(s):

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.

The filing of the notice does not confirm the validity of the water right. It will serve to record and preserve the information 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.
- 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. 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,

Christian Stewart

Christian Stewart  
Water Resource Agent

Enclosure

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

1/23/2025

**Water Right 34-14955**

|                          |                                                                                                       |
|--------------------------|-------------------------------------------------------------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                                                                        |
| Current Owner            | SHIFLETT FAMILY MANAGEMENT<br>LLC<br>10502 W THIMBLEBERRY DR<br>STAR, ID 83669-6279<br>(208) 965-0906 |

**Priority Date:** 3/1/2002  
**Basis:** Statutory Claim  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| CORRAL CREEK         | SAGE CREEK              |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| STOCKWATER                   | 04/01                         | 10/31            | 0.040 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.040 CFS                    |                      |

**Source and Point(s) of Diversion:**  
CORRAL CREEK                      SWNW                      Sec. 25, Twp 09N, Rge 20E, CUSTER County

**Place Of Use:**  
**STOCKWATER within CUSTER County**  
T09N R20E S25                      NWSW

**Conditions of Approval:**

- |    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 107 | This notice was filed in accordance with Idaho Code § 42-113(3). Diversion and use of water in accordance with this notice shall not exceed 13,000 gallons per day for stockwater use. The water delivery system established in accordance with this notice shall be fully enclosed and shall be equipped with an automatic shutoff valve or a mechanism for returning unused water to the source through an enclosed system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system. |
|----|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Dates and Other Information:**  
State or Federal: S  
Water District Number: 34  
Mitigation Plan: False