

RECEIVED

AUG 26 2024

Form 113
12/07

DEPT. OF WATER RESOURCES
EASTERN REGION

Ident No. 11-10041

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 Loertscher Children ^{trust} Phone 208 847 0156
Mailing address 38456 Hwy 89 Geneva Id. Email _____
83238
2. Source of water supply unnamed stream tributary to Prenuss 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 SW 1/4 NE 1/4,
Section 13, Township 46E Range 20, B.M.,
Bear Lake County. 46E

Ending point is in Gov't. Lot _____, 1/4 SW 1/4 SW 1/4,
Section 13, Township 46E Range 21, B.M.,
21 County. 13 46E
Bear Lake

- b) Alternate point of diversion is in Gov't. Lot _____, 1/4 SW 1/4 NE 1/4,
Section 20, Township 12S Range 46E, B.M.,
Bear Lake County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion a pipe was installed
in 1984 to water livestock and Geneva Cemetery
- b) Describe the delivery system the pipe is about a mile from
the spring box and a valve and hydrant are
used to fill troughs
- c) Describe the number, type and total capacity of troughs or tanks there
is one 500 gallon trough

d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source _____

e) Describe how the system is designed to allow measurement of the rate of diversion
There is an existing pipe that could be used to measure from

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	46E	21											X					

6. Priority date claimed or established 1984

7. Rate of diversion 0.03 cfs

8. Season of use: from April 1st to November

9. a) Who owns the property at the point of diversion? Rockin G Ranch

b) Who owns the property at the place of use? Loertscher Children Trust

10. When will construction occur? already done

11. Comments (include number and type of stock) beef livestock 150 hd

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 August day of 21, 2024

Richard Jontsch
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Received by M. Pettis Receipt No. E050315 Date 8-26-24
Water District No. _____ Entered into data base _____ By _____

113 Form LOERTSCHER



IDAHO DEPARTMENT OF
WATER RESOURCES



-  Point of Diversion
-  Place of Use

160 80 0 160 Meters



8/29/2024

Henman, Christina

From: Henman, Christina
Sent: Friday, August 30, 2024 3:04 PM
To: Fred Price (fwprice@blm.gov); Clark, Trevlyn - FS, UT; Larsen, Tyler - FS, UT
Subject: Notice of Diversion for Instream Stockwater Use: 11-10041
Attachments: 11-10041 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 Notice of Diversion for Instream Stockwater, submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced number 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 • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 30, 2024

LOERTSCHER CHILDREN TRUST
38456 US HIGHWAY 89
GENEVA, ID 83238-4800

RE: Water Right No. 11-10041
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