

STATE OF IDAHO

Department of Water Resources

Notice of Diversion for Instream Stockwater Use
Section 42-113, Idaho Code

11-8677

Name of Right Holder: STAUFFER CREEK RANCH LLC

Initial Review By: MH Date: 8/28/23

Based on prior recorded instream stockwater right? Circle one: Yes ☐ No ☒

If yes, right number: _____

Also, if right is claimed in an active adjudication, this notice will amend claim.

If no, enter as statutory claim.

Check the box for each item completed correctly.

- ☒ Name & address
- ☒ Date of Priority
- ☒ Source
- ☒ Period of use
- ☒ Point of diversion (limited to 1 diversion) DERIVED FROM MAP/GPS PT
- ☒ Location of use
- ☒ Signature
- ☒ \$25.00 filing fee Receipt No. P000366
- ☒ Water District 11
- ☒ Amount of Water
- ☒ Description of diversion/delivery system.

☐ Publish? Circle one: Yes ☐ No ☒
Generally **not** advertised unless determined to be necessary by Regional Manager.

☒ Copy of notice sent to federal land manager (BLM and USFS)
IDWR has agreed to send copies of Notices of Diversion for Instream Stockwater Use to:

Jamie Gough
USDA Forest Service
2070 N Duck Hawk Ave
Kuna, ID 83634
Gayla.gough@usda.gov
208-204-4571

mlean.woodard@usda.gov
?
Trevlyn.Clark@usda.gov

Fred Price
USDI, BLM, Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657
fwprice@blm.gov
208-373-3831

☒ Review Complete
By: MICHAEL HOLIDAY
Date: 8/28/23

RECEIVED

AUG 08 2023

Ident No.

11-8677

RECEIVED

AUG 14 2023

IDWR/Preston

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Department of Water Resources
Eastern Region

(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 Stauffer Creek Ranch LLC Phone 801-368-6370
Mailing address 2594 West Osier Avenue Lehi, UT 84043 Email jkbushman@msn.com
2. Source of water supply Aspen Springs tributary to Spring Creek
3. Point of Diversion: N42 24.986' W111 25.304'

- 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 SW 1/4,
Section 34, Township 11 S Range 43 E, B.M.,
Bear Lake County.

Ending point is in Gov't. Lot _____, _____ 1/4 SW 1/4 SW 1/4,
Section 34, Township 11 S Range 43 E, B.M.,
Bear Lake 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 Development of a surface spring to enable clean fresh water to be available for assorted livestock in a water trough.
- b) Describe the delivery system Spring has been developed and is piped with plastic pipe to water trough. System flow is operated by gravity.
Exit flows are also piped to existing drainage system or to it's tributary.
- c) Describe the number, type and total capacity of troughs or tanks _____
1 Power River 500 gallon water trough.

SCANNED
MAR 29 2023

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source All exit flows are piped to return to each appropriate drainage system created by the springs natural flow.
- e) Describe how the system is designed to allow measurement of the rate of diversion The springs flow can be measured as it enters the through, measuring gallons per minute.

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
11 S	43 E	34											X					

6. Priority date claimed or established May 1, 1876
7. Rate of diversion 0.02 cfs
8. Season of use: from 1/1 to 12/31
9. a) Who owns the property at the point of diversion? Stauffer Creek Ranch, LLC
b) Who owns the property at the place of use? Stauffer Creek Ranch, LLC
10. When will construction occur? Completed with FSA approval and supervision.
11. Comments (include number and type of stock) Stock water for 900 head of assorted livestock, including cattle and horses.
Spring sources are fenced to keep livestock and wildlife from damaging spring source.
Measured flow is 30 GPM or 0.06 CFS.
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:

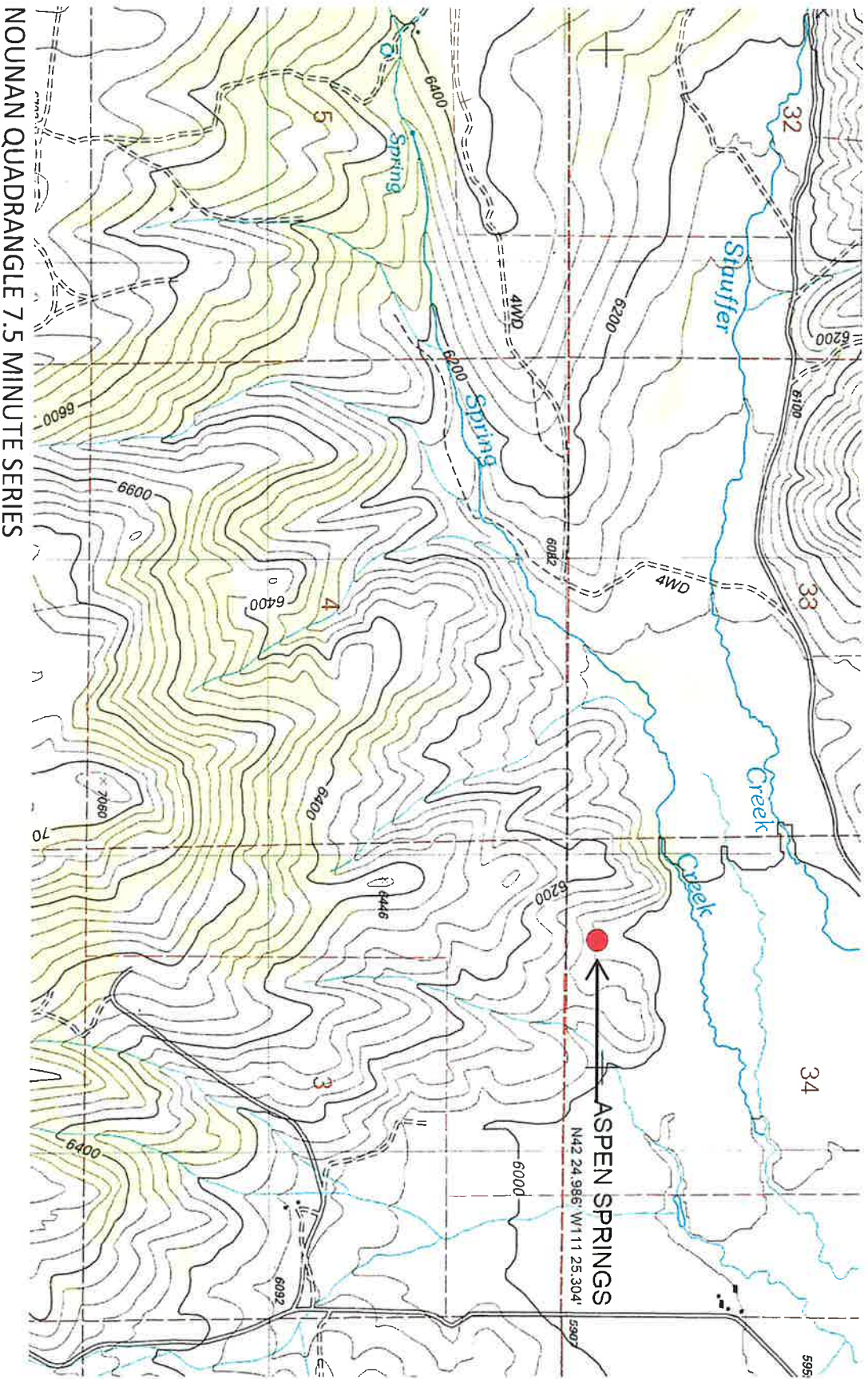
- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the 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 2 day of August, 2023
John R. Bushman
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by JW Date 8/8/2023 Preliminary check by _____
Fee: \$ 25.00 Receipted by JW Receipt No. P000366 Date 8/8/2023
Water District No. 11 Entered into data base 8/28/23 By MA

STAUFFER CREEK RANCH LLC STOCK WATERING LOCATION OF ASPEN SPRINGS



SCANNED
MAR 29 2023

ASPEN SPRINGS PIPELINE AND TROUGH DEVELOPMENT SHOWING ENTRANCE AND EXIT POINTS



APPROVED
MAR 23 2023



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 Gary Spackman

August 28, 2023

STAUFFER CREEK RANCH LLC
C/O JOHN BUSHMAN
2594 W OSIER AVE
LEHI UT 84043-6747

RE: Water Right Nos.: 11-8677, 11-8678, 11-8679, 11-8680, & 11-8681
Notices of Diversion for Instream Stockwater Use

Dear Water Right Holder(s):

The Department of Water Resources acknowledges receipt of the water right notices you submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced numbers in all future correspondence regarding these notices.

The filing of a 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.

SCANNED

MAR 29 2023

- 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 copies of the notices for your records. Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Holliday", with a long, sweeping horizontal stroke extending to the right.

Michael Holliday
Water Rights Supervisor

Enclosure

SCANNED
MAR 29 2023



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 Gary Spackman

August 28, 2023

STAUFFER CREEK RANCH LLC
C/O JOHN BUSHMAN
2594 W OSIER AVE
LEHI UT 84043-6747

RE: Water Right Nos.: 11-8677, 11-8678, 11-8679, 11-8680, & 11-8681
Notices of Diversion for Instream Stockwater Use

Dear Water Right Holder(s):

The Department of Water Resources acknowledges receipt of the water right notices you submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced numbers in all future correspondence regarding these notices.

The filing of a 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.

SCANNED

MAR 29 2023

- 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 copies of the notices for your records. Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Holliday", with a long, sweeping horizontal stroke at the end.

Michael Holliday
Water Rights Supervisor

Enclosure

SCANNED
MAR 29 2023