

Ident No. 11-4086

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 24 2022

**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 Kenneth & Tamra Rigby Phone 208-847-4286
Mailing address 1037 Raymond Rd, Geneva, ID 83238 Email ktrigby@q.com
2. Source of water supply Spring tributary to Thomas Fork
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number 11-4086

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 SE 1/4,
Section 33, Township 13S Range 46E, B.M.,
Bear Lake County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Solar powered pump in spring channel.
- b) Describe the delivery system Pipeline from pump to four troughs.
- c) Describe the number, type and total capacity of troughs or tanks Four stock troughs, approximately 8 ft diameter, 16 inches tall.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Pump will be turned on and off to fill troughs as needed.
- e) Describe how the system is designed to allow measurement of the rate of diversion Outflow can be measured at the pipe outflow into trough.

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

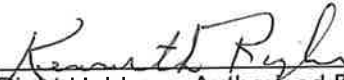
TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
13S	46E	33														X		

6. Priority date claimed or established April 1, 1951
7. Rate of diversion 0.06 cfs
8. Season of use: from 1/1 to 12/31
9. a) Who owns the property at the point of diversion? Kenneth & Tamra Rigby
b) Who owns the property at the place of use? Kennety & Tamra Rigby
10. When will construction occur? Fall 2022
11. Comments (include number and type of stock) 75 cow/calf pairs (150 total)
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 24 day of Feb, 20 22


Right Holder or Authorized Representative

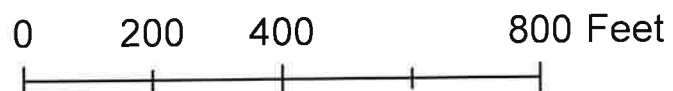
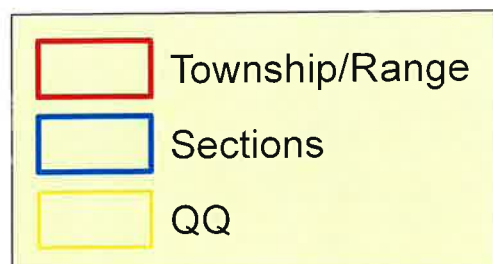
FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Receipted by C+H Receipt No. E047842 Date 2/24/22
Water District No. _____ Entered into data base _____ By _____

Notice of Diversion of Instream Stockwater - Rigby



2013 Imagery



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/25/2022

Water Right 11-4086

Owner Type

Current Owner
Current Owner

Name

TAMRA RIGBY
KENNETH H RIGBY

Priority Date: 4/1/1951

Basis: Statutory Claim

Status: Active

Source

THOMAS FORK

Tributary

BEAR RIVER

Beneficial Use

STOCKWATER

From

1/01

To

12/31

Diversion Rate

0.060 CFS

Volume

Total Diversion

0.060 CFS

Source and Point(s) of Diversion:

THOMAS FORK

NWSE

Sec. 33, Twp 13S, Rge 46E, BEAR LAKE County

Place Of Use:

STOCKWATER within BEAR LAKE County

T13S R46E S33

NWSE

Conditions of Approval:

1. X02
2. 108

Stockwater use is for 75 cow/calf pairs (150 total).

This water right includes a point of diversion established in accordance with a notice filed under the provisions of Idaho Code § 42-113(3). Diversion and use of water from this point of diversion 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 water system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system.

Dates and Other Information:

Owner Name Connector: AND

Water District Number: 11F

Henman, Christina

From: Henman, Christina
Sent: Friday, March 25, 2022 11:14 AM
To: Fred Price (fwprice@blm.gov); gayla.gough@usda.gov
Subject: Notice of Diversion for Instream Stockwater Use: 11-8046
Attachments: Notice of Diversion as an Alternative to Instream Stockwater Use 11-4086.pdf

JAMIE GOUGH
USDA FOREST SERVICE

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE

RE: Notice of Diversion for Instream Stockwater Use 11-4086

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