

RECEIVED

Form 113
12/07

NOV 12 2021

Ident No. 13-8091

Department of Water Resources
Eastern Region

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 David Jones and Lynda Jones Phone 208-244-1131
Mailing address PO Box 88, Providence, UT 84332 Email _____
2. Source of water supply Un-Named Stream tributary to CHICKEN 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 _____, SW 1/4 SW 1/4 NE 1/4,
Section 07, Township 13S Range 38E, B.M.,
Bannock County.

Ending point is in Gov't. Lot _____, SE 1/4 SE 1/4 NE 1/4,
Section 07, Township 13S Range 38E, B.M.,
Bannock County.

- b) Alternate point of diversion is in Gov't. Lot _____, SW 1/4 SW 1/4 NE 1/4,
Section 07, Township 13S Range 38E, B.M.,
Bannock County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Water collected in an inverted culvert then piped
into trough through a buried pipeline leaves trough through buried pipe that ends in stream bed.
- b) Describe the delivery system This delivery system is gravity fed.

- c) Describe the number, type and total capacity of troughs or tanks One 400 gallon tire
trough

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source water flows out of trough through a pipeline back to the Creek
- e) Describe how the system is designed to allow measurement of the rate of diversion Pipe line into trough or return flow pipe to Creek can be measured.

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	38E	07			X													

6. Priority date claimed or established 8/15/2020
7. Rate of diversion 0.02 cfs
8. Season of use: from 01/01 to 12/31
9. a) Who owns the property at the point of diversion? Applicants
- b) Who owns the property at the place of use? Applicants
10. When will construction occur? 8/15/2020 - 9/15/2020
11. Comments (include number and type of stock) This NRCS project was designed to ensure the integrity of the stream bank and bed while providing a watering resource to cattle as well as wildlife. Sorry, we were unaware that a permit was required for this trough and would now like to bring our project into compliance. The headcount for cattle on this trough is 30. The springs, stream beds, and stream banks are protected by fences and the trough is conveniently located as a watering option for the cattle so they do not disturb the natural habitat.
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:

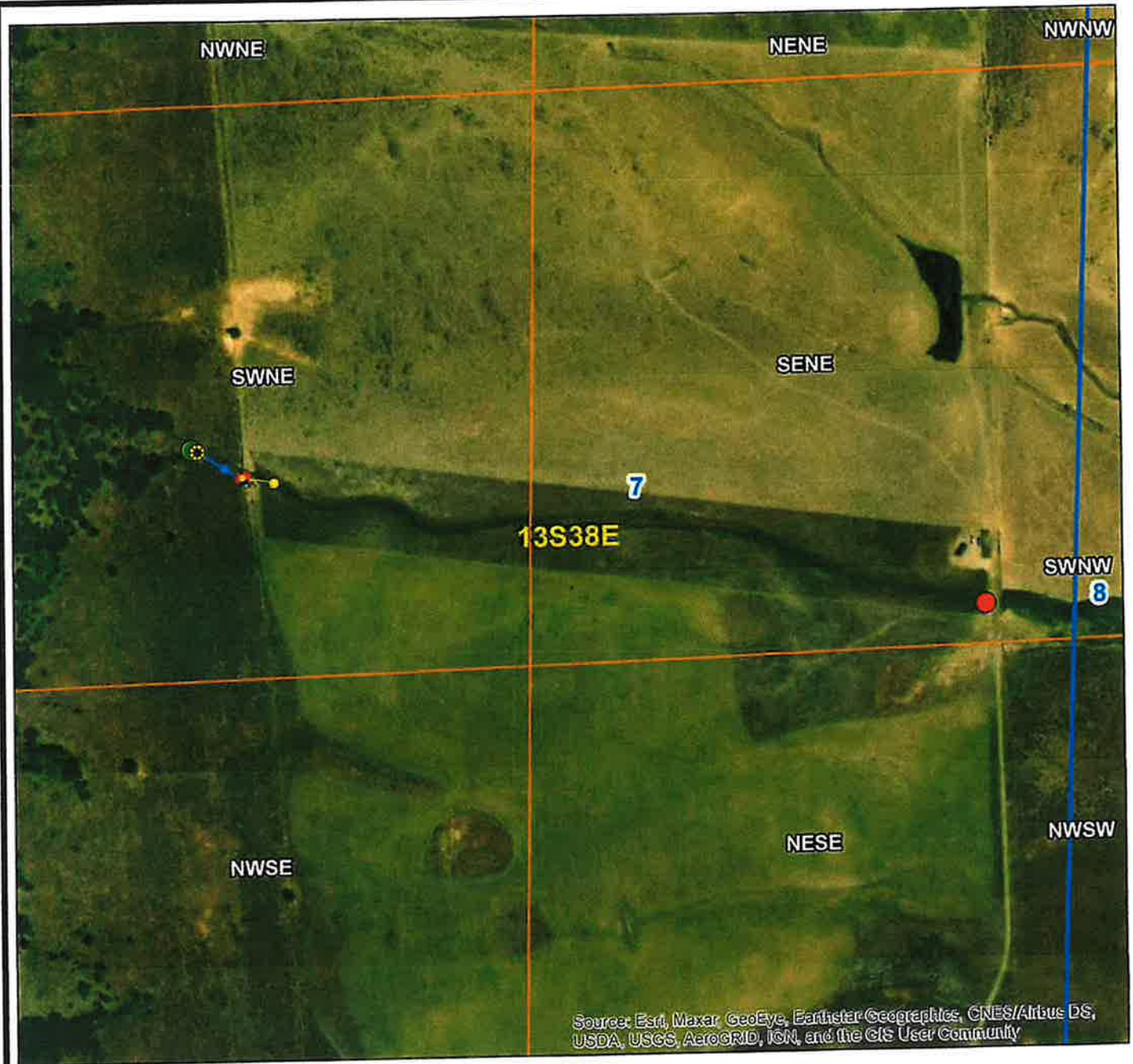
- a) Diversion is from a surface water source to which the livestock would otherwise have access. The land where the watering tanks or troughs will be located is land from which the livestock had access to the source of water from which diversion is being made.
- b) The diversion of water out of the 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 5th day of November, 2021

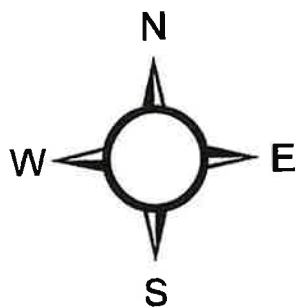
Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by AK Date 11/10/2022 Preliminary check by AK
Fee: \$ 25.00 Receipted by AK Receipt No. 5047528 Date 11/12/21
Water District No. N Entered into data base ✓ By AK



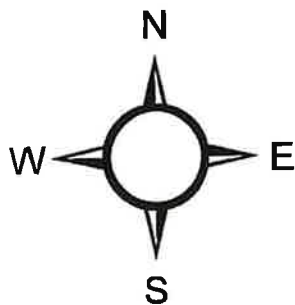
- ⊗ Alternate Point of Diversion
- Ending Point
- Beginning Point
- ▭ Trough (Place of Use)
- - - Return Flow Pipe Line
- Inflow Pipeline
- ▭ Township/Range
- ▭ Sections
- ▭ QQ



0 172 344 688 Feet
1 inch = 344 feet



- ⊗ Alternate Point of Diversion
- Beginning Point
- ▭ Trough (Place of Use)
- Return Flow Pipe Line
- Inflow Pipeline
- ▭ Township/Range
- ▭ Sections
- ▭ QQ



0 71.5 143 286 Feet

1 inch = 143 feet

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/2/2022

Water Right 13-8091

Owner Type **Name and Address**
Current Owner DAVID W JONES
 PO BOX 88
 PROVIDENCE, UT 84332-0088
 (208) 244-1131

Current Owner LYNDA S JONES
 PO BOX 88
 PROVIDENCE, UT 84332-0088
 (208) 244-1131

Priority Date: 8/15/2020

Basis: Statutory Claim

Status: Active

Source
UNNAMED STREAM

Tributary
CHICKEN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

UNNAMED STREAM SWSWNE Sec. 7, Twp 13S, Rge 38E, BANNOCK County

Place Of Use

STOCKWATER within BANNOCK County

T13S R38E S7 SWNE

Conditions of Approval:

1. X02 Stockwater use is for 30 head of cattle.
2. 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

Owner Name Connector: AND

Water District Number: 11

Mitigation Plan: False

David and Lynda Jones
P.O. Box 88
Providence Utah 84332

Mr. Blake Jordan
900 N. Skyline Drive
Suite A
Idaho Falls, Idaho 83402

Hi Blake,

Here is our application and check for the stock water trough. Please check the items we filled in to ensure the right descriptive qualities have been used, and let us know any changes you would recommend. Thank you for all your help on our project.

Sincerely


David and Lynda Jones

Henman, Christina

From: Henman, Christina
Sent: Wednesday, February 2, 2022 3:29 PM
To: Fred Price (fwprice@blm.gov); 'gayla.gough@usda.gov'
Subject: Notice of Diversion for Instream Stockwater Use 13-8091
Attachments: 13-8091 Notice of Diversion for Instream Stockwater Use.pdf

JAMIE GOUGH
USDA FOREST SERVICE

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE

RE: Notice of Diversion for Instream Stockwater Use 13-8091

Dear Interested Party:

The Department of Water Resources has received the attached 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 Gary Spackman

February 2, 2022

DAVID & LYNDA JONES
PO BOX 88
PROVIDENCE, UT 84332

RE: Notice of Diversion for Instream Stockwater Use 13-8091

Dear David & Lynda:

The Department of Water Resources has processed the notice of diversion for instream stockwater you submitted under Section 42-113(3), Idaho Code. Your notice will be retained in our files and will be available for reference at any time.

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 in accordance with this subsection shall not exceed thirteen thousand (13,000) gallons per day per diversion.

I am enclosing a printout of your Notice of Diversion for Instream Stockwater Use for your records. If you have questions, please call me.

Christina Henman
Administrative Assistant

Enclosure

CC:
WATERMASTER, WATER DISTRICT 11
JOSH HANKS
132 E 400 S
RICHMOND, UT 84333