

RECEIVED

Form 113
12/07

JUN 29 2021

Ident No. 29-14387

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 Egan Farms LLC Phone 208-681-3423
Mailing address 13348 N Billy Ln, Pocatello ID 83202 Email eganww@cableone.net
2. Source of water supply Spring tributary to Sinks
3. Point of Diversion:
 - a) Is this notice based on an existing recorded instream stockwater right? If yes, provide the water right number NA
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 35, Township 10S Range 35E, B.M.,
Bannock County.
Ending point is in Gov't. Lot , 1/4 SW 1/4 SW 1/4,
Section 35, Township 10S Range 35E, B.M.,
Bannock County.
 - b) Alternate point of diversion is in Gov't. Lot , NW 1/4 SW 1/4 SW 1/4,
Section 35, Township 10S Range 35E, B.M.,
Bannock County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Spring will be gathered into a 4' diameter basin.
 - b) Describe the delivery system 2" HDPE buried 20" underground and directed to a series of water troughs.
 - c) Describe the number, type and total capacity of troughs or tanks 1 - 10,000 gallon tank and 4 - 1,200 gallon troughs for a total capacity of 14,800 gallons.

AMENDED

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Troughs will have floats and shut off valves, when system is not in use, water will return to source.
- e) Describe how the system is designed to allow measurement of the rate of diversion Water can be measured as it enters and leaves the storage tank.

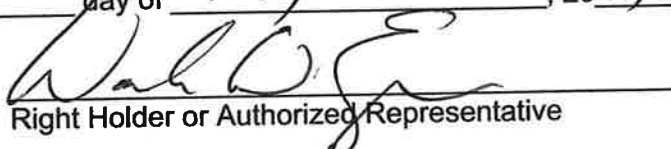
5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
10S	35E	26										X		X				
10S	35E	35						X				X	X					

6. Priority date claimed or established June 1, 1935
7. Rate of diversion 0.02 cfs
8. Season of use: from 4/01 to 12/31
9. a) Who owns the property at the point of diversion? Egan Farms LLC
b) Who owns the property at the place of use? Egan Farms LLC
10. When will construction occur? 5/1/2021
11. Comments (include number and type of stock) 200 head of beef 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 15th day of May, 2021

Right Holder or Authorized Representative

FOR DEPARTMENT USE

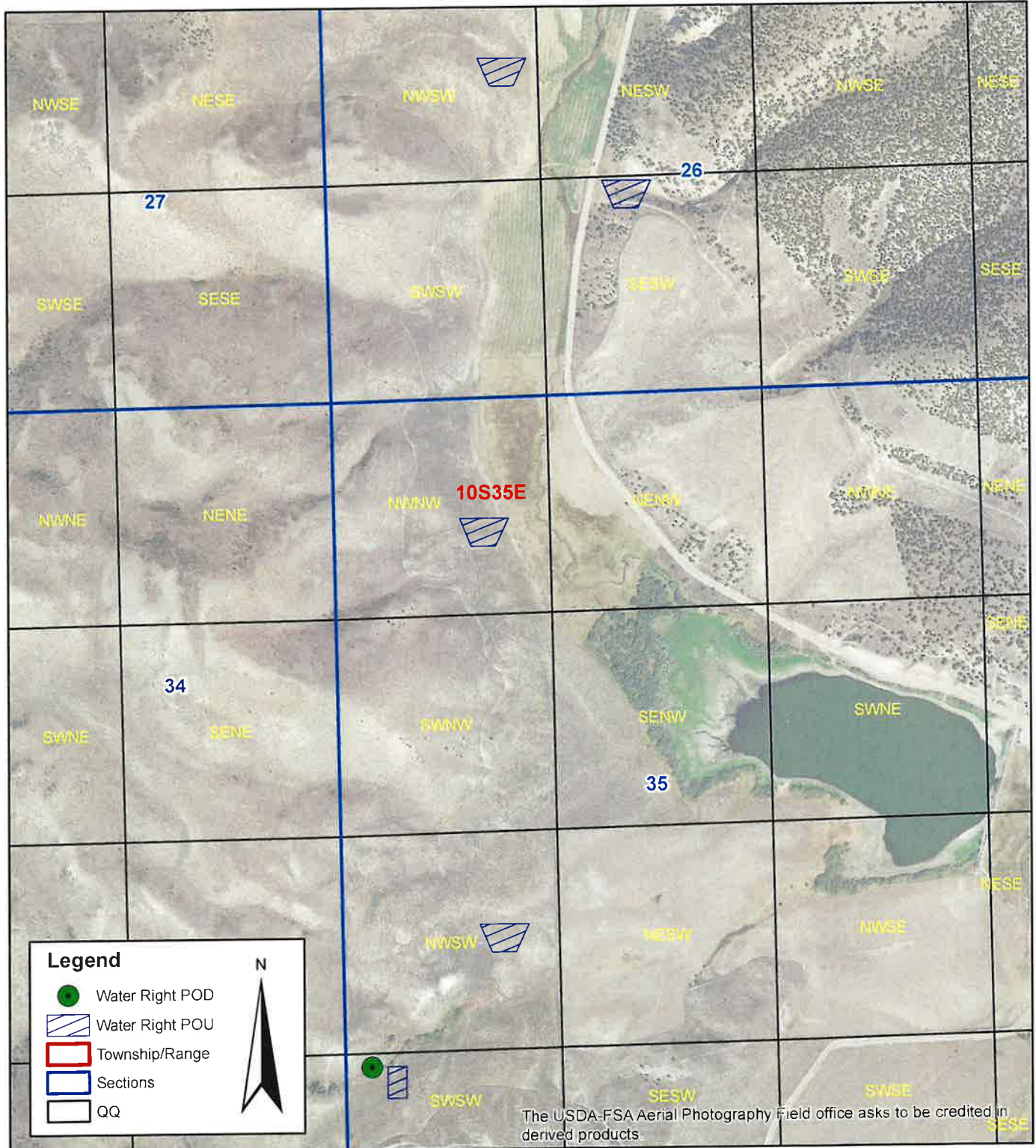
Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Received by CA dh Receipt No. E047063 Date 6/9/21
Water District No. _____ Entered into data base _____ By _____

State of Idaho
Department of Water Resources

Water Right Claim 29-14387

Notice of Diversion as an Alternative to Instream Stockwater Use

The map depicts the place of use for the water use listed above and the point(s) of diversion of this right as currently derived from the interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 20, 2021

Egan Farms LLC
13348 N Billy Ln
Pocatello, ID 83202

RE: Notice of Diversion for Instream Stockwater Use 29-14387

Dear Water Right Holder:

The Department of Water Resources acknowledges receipt of the Notice of Diversion for Instream Stockwater you submitted under Section 42-113(3), Idaho Code. Please refer to the above referenced number in all future correspondence regarding this notice. Your notice will be retained in our files and will be available for reference at any time.

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

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 regional office or visit us online at idwr.idaho.gov to obtain the proper forms and instructions.

Enclosed is a printout of your Notice of Diversion for Instream Stockwater Use for your records.
If you have questions, please call the department at (208) 525-7161.

Yours truly,



Christina Henman
Administrative Assistant

Enclosure

Copy: Watermaster, Water District 29H
USDA Forest Service
USDI, BLM, Idaho State Office

9/17/2021



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

September 21, 2021

STEVEN SPENCER
UNITED STATES FOREST SERVICE
161 EAST MALLARD DR., STE 110
BOISE, ID 83706

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709

RE: Notice of Diversions for Instream Stockwater Use 29-14387, 32-13399, & 23-11498

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 these notices. These notices 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

Enclosure

Henman, Christina

From: Henman, Christina
Sent: Tuesday, September 21, 2021 11:57 AM
To: BB_livestock@outlook.com
Cc: Kristin Evans
Subject: Notice of Diversion for Instream Stockwater Use 29-14387
Attachments: 29-14387 Notice of Diversion as an Alternative to Instream Stockwater Use.pdf

Good Afternoon,

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. 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. If you have any concerns, please submit an exception detailing the concerns and any information/evidence you consider relevant to support your concerns to be recorded with the claim. There are no fees associated with submitting an exception.

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

Watts, Michelle

From: eganww@cableone.net
Sent: Tuesday, June 29, 2021 10:02 AM
To: Watts, Michelle
Subject: RE: IDWR Application Processing Update

This looks perfect and I approve.. Thanks for your help with this.

Wade

Wade W. Egan
Egan Ranch LLC
13348 North Billy Lane
Pocatello, Idaho 83202
2086813423

From: Watts, Michelle <Michelle.Watts@idwr.idaho.gov>
Sent: Tuesday, June 29, 2021 8:50 AM
To: Wade W Egan <eganww@cableone.net>
Subject: RE: IDWR Application Processing Update

Mr. Egan,

I apologize for the second iteration of this, but I had to modify the place of use on the application to only the 40 acre tracts (example: NWNW) that will have a water trough or storage tank within them. This is in section 5 on page 2.

I just need an email stating that these changes are approved. Thank you!

Michelle Watts
Water Resource Agent
Idaho Department of Water Resources
900 N Skyline Dr. Suite A, Idaho Falls, ID 83402
Phone: (208) 497-3779 Fax: (208) 525-7177

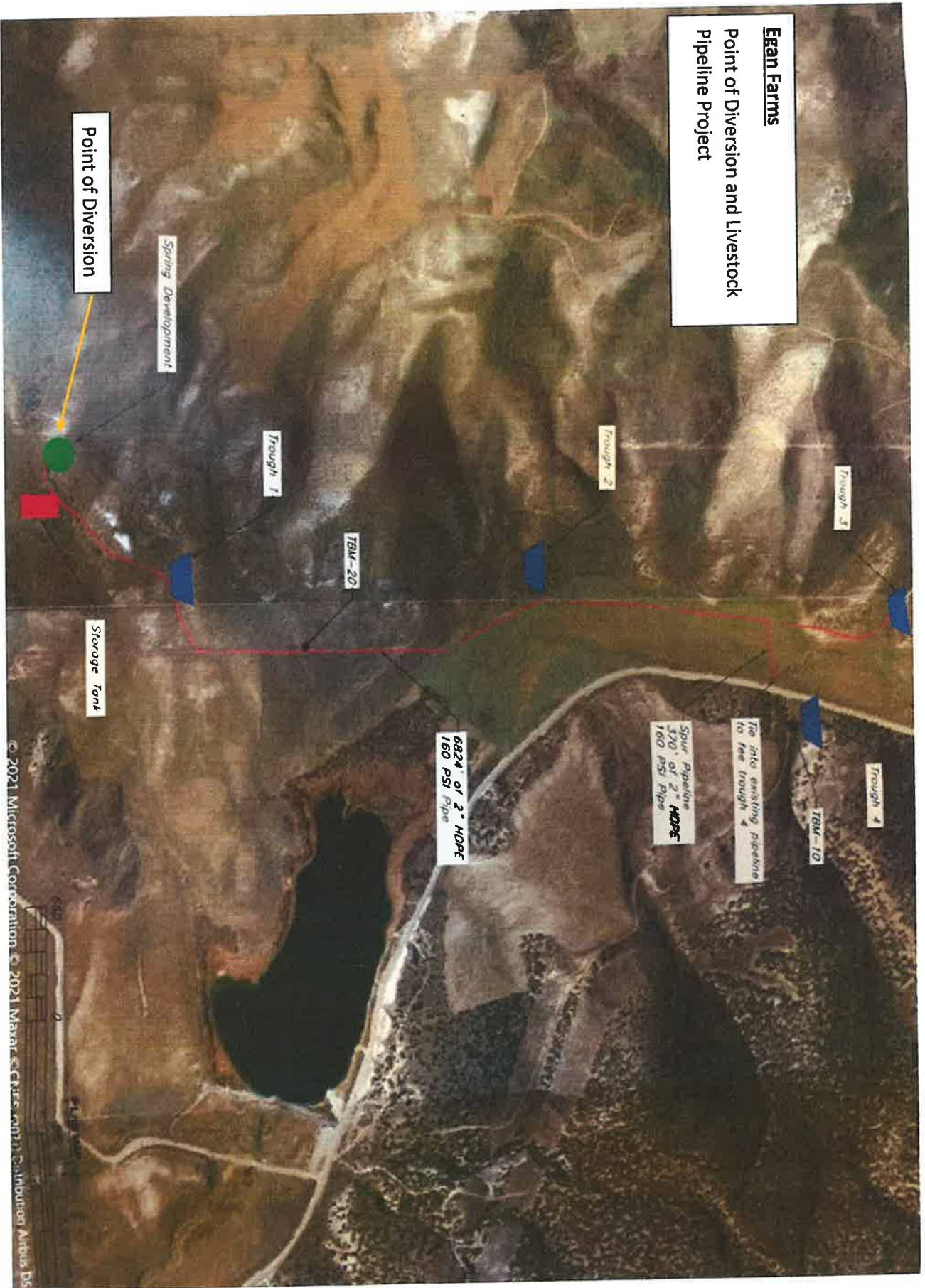
From: Wade W Egan [<mailto:eganww@cableone.net>]
Sent: Monday, June 28, 2021 6:25 PM
To: Watts, Michelle <Michelle.Watts@idwr.idaho.gov>
Subject: Re: IDWR Application Processing Action Required

Michelle,

Thanks for your help with this. Everything looks great including the maps. We use both addresses for this LLC.

Thanks,

Egan Farms
Point of Diversion and Livestock
Pipeline Project



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STATE OF IDAHO
JUN 09 2021 DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

**NOTICE OF DIVERSION AS AN ALTERNATIVE TO
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1. Name of right holder Egan Farms LLC Phone 208-681-3423
Mailing address 13348 N Billy LN, ID 83202 Email Eganwww@cableone.net
Pocatello
2. Source of water supply private Spring tributary to water does not leave property
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:
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Bannock County.
Ending point is in Gov't. Lot ____, ____, 1/4 SW 1/4 SW 1/4,
Section 35, Township 10S Range 35E, B.M.,
Bannock County.
 - b) Alternate point of diversion is in Gov't. Lot ____, ____, 1/4 ____, 1/4 ____, 1/4,
Section ____, Township ____, Range ____, B.M.,
Bannock County.
4. Description of diversion and delivery system:
 - a) Describe the type of diversion Spring will be gathered into a 4' diameter Basin.
 - b) Describe the delivery system 2" HDPE buried 20" underground and directed to a series of water troughs.
 - c) Describe the number, type and total capacity of troughs or tanks _____
1 - 10,000 Gallon Tank and 4 1200 gallon troughs
total capacity: 14,800

SUPERCEDED

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Troughs will have floats and shut off valves, when system is not in use water will return to source.
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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
		35						X	X			X	X					
		26									X	X	X	X				

6. Priority date claimed or established 1935
7. Rate of diversion .02 ^{WFS} ~~cfs~~
8. Season of use: from 4-1 to 12-31
9. a) Who owns the property at the point of diversion? Egan Farms LLC
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11. Comments (include number and type of stock) 200 head of beef
cattle
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SUPERCEDED