

#2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

**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 Thomas Fork Ranch Phone 903-701-7247
Mailing address 2248 St. Hwy 87 Haworth OK 74744 Email ilashand@aol.com
2. Source of water supply Thomas Fork tributary to Bear River
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 NW 1/4 SE 1/4,
Section 9, Township 14S Range 46E, B.M.,
Bear Lake County.

Ending point is in Gov't. Lot _____, _____ 1/4 NW 1/4 SW 1/4,
Section 10, Township 14S Range 46E, B.M.,
_____ County.

RECEIVED
MAY 29 2019
Department of Water Resources
Eastern Region

- b) Alternate point of diversion is in Gov't. Lot _____, _____ 1/4 NW 1/4 SE 1/4,
Section 9, Township 14S Range 46E, B.M.,
Bear Lake County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Pump system in the Thomas Fork and Bear River
- b) Describe the delivery system Water line to troughs
- c) Describe the number, type and total capacity of troughs or tanks 900 gallon round troughs

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float valve
- e) Describe how the system is designed to allow measurement of the rate of diversion pumps, pump a max gallon per minute

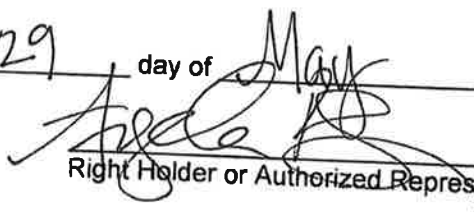
5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
14S	46E	9														X		

6. Priority date claimed or established 4/29/2019
7. Rate of diversion 0.04 cfs
8. Season of use: from 01/01 to 12/31
9. a) Who owns the property at the point of diversion? Thomas Fork Ranch LLC
b) Who owns the property at the place of use? Thomas Fork Ranch, LLC
10. When will construction occur? 2019
11. Comments (include number and type of stock) 1000 head of 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 29 day of May, 2019

Right Holder or Authorized Representative

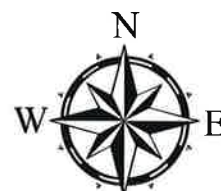
FOR DEPARTMENT USE
Received by SC Date 4/29/2019 Preliminary check by _____
Fee: \$ 100 Receipted by SC Receipt No. E044420 Date 4/29/2019
Water District No. _____ Entered into data base _____ By _____

Thomas Fork Ranch Alternative to In-Stream Stock Application No. 2



Legend

- End_of_Streamflow
- ◻ Beginning of Streamflow and Alternative POD
- ▨ Water Right POU
- ▭ Township/Range
- ▭ Sections



11-7854

0 0.15 0.3 0.6 Miles

SUPERCEDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident No.

11-7854

RECEIVED

APR 29 2019

Department of Water Resources
Eastern Region**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 Thomas Fork Ranch Phone 903-701-7247
Mailing address 2248 St. Hwy 87 Haworth, OK 74740 Email ilashand@aol.com
2. Source of water supply Thomas Fork tributary to Bear River
3. Point of Diversion:

- a) Is this notice based on an existing recorded instream stockwater right? If yes,
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If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot _____, _____ 1/4 NW 1/4 SE 1/4,
Section 9, Township 14S Range 46E, B.M.,
Bear Lake County.

Ending point is in Gov't. Lot _____, _____ 1/4 NW 1/4 SW 1/4,
Section 10, Township 14S Range 46E, B.M.,
Bear Lake County.

- b) Alternate point of diversion is in Gov't. Lot _____, _____ 1/4 NW 1/4 SE 1/4,
Section 9, Township 14S Range 46E, B.M.,
Bear Lake County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion pump system in the
Thomas Fork & Bear Lake Rivers.
- b) Describe the delivery system water line to troughs.
- c) Describe the number, type and total capacity of troughs or tanks _____
900 gallon round troughs.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source float Valve.
- e) Describe how the system is designed to allow measurement of the rate of diversion pumps, pump a max gallon 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
14S	46E	9								X								
14S	46E	10							X									
14S	46E	9								X								

6. Priority date claimed or established _____
7. Rate of diversion .04 cfs
8. Season of use: from 1-1 to 12-31
9. a) Who owns the property at the point of diversion? Thomas Fork Ranch LLC
b) Who owns the property at the place of use? Thomas Fork Ranch LLC.
10. When will construction occur? 2019
11. Comments (include number and type of stock) 1000 head 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 24 day of April, 20 19

Jeff B. Thomas Fork Ranch
Right Holder or Authorized Representative

FOR DEPARTMENT USE

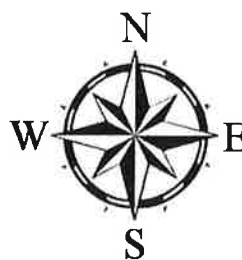
Received by _____ Date _____ Preliminary check by _____
Fee: \$ _____ Receipted by _____ Receipt No. _____ Date _____
Water District No. _____ Entered into data base _____ By _____

Notice of Diversion as Alternative to Instream Stockwater Use



Legend

- Beginning
- End
- Pump
- Township/Range
- Sections
- QQ



11-78504 0.075 0.15 0.3 Miles



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

June 6, 2019

Thomas Fork Ranch
2249 St. Hwy 87
Haworth OK 74740

RE: Instream Stock Diversion No. 11-7853, 11-7854, 11-7855
Notice of Diversion for Instream Stockwater Use

Dear Applicant:

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.

If exceptions to the notice are filed you will be sent a copy of the exceptions(s).

The filing of the notice does not confirm the validity of the water right. It will serve to record and preserve the information, including any exceptions, 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. Failure to report these changes could result in a \$100 late filing fee. 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,



Sharla Cox
Water Right Administrative Assistant

Enclosure

CC: Steven Spencer
United States Forest Service
1805 Hwy 15, Room 5
Emmett ID 83617

Fred Price
USDI, BLM Idaho State Office
1387 S Vinnell Way
Boise ID 83709-1657



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

June 6, 2019

Water District 11
Josh Hanks
2647 N 200 E
North Logan UT 84341

RE: Instream Stockwater Use 11-7853, 11-7854, 11-7855

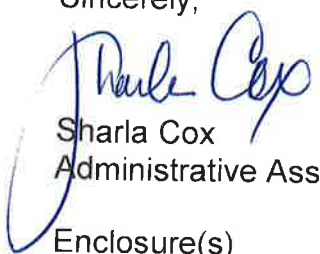
Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,


Sharla Cox
Administrative Assistant

Enclosure(s)