

Ident No. 13-9769

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 28 2025

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

IDWR/Preston

(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 Sparrow Farms LLC Phone (208) 747-3770
Mailing address 1942 N Main, North Logan, UT 84341 Email _____
2. Source of water supply Spring tributary to Unnamed Stream - 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 _____, NW 1/4 NW 1/4 NW 1/4,
Section 36, Township 15S Range 38E, B.M.,
Franklin County.

Ending point is in Gov't. Lot _____, _____ 1/4 _____ 1/4 _____ 1/4,
Section _____, Township _____ Range _____, B.M.,
Franklin County.

- b) Alternate point of diversion is in Gov't. Lot _____, NW 1/4 NW 1/4 NW 1/4,
Section 36, Township 15S Range 38E, B.M.,
Franklin County.

4. Description of diversion and delivery system:

- a) Describe the type of diversion Enclosed pipe captures water that gravity feeds a stock trough.
- b) Describe the delivery system Approximate 2" pipe diverts water into a stock trough.
- c) Describe the number, type and total capacity of troughs or tanks Approximately 5-600 gallon stock trough.

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source Enclosed return pipe diverts unused water back into the channel or into the reservoir that the water would otherwise flow to.
- e) Describe how the system is designed to allow measurement of the rate of diversion Enclosed pipe allows measurement.

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
15S	38E	36						S										

6. Priority date claimed or established 12/31/1933
7. Rate of diversion .02 cfs
8. Season of use: from 1/01 to 12/31
9. a) Who owns the property at the point of diversion? Applicant
b) Who owns the property at the place of use? Applicant
10. When will construction occur? Occurred in ~2023
11. Comments (include number and type of stock) Historical instream stockwater use from the spring/creek system that supplied stock. Pipe captures the water at the spring in order to keep cattle out of the water. Pipe delivers the cattle's water to a 5-600 gallon stock trough that they drink from. Outflow from an enclosed pipe delivers unused water back into the reservoir it is tributary to. 10 horses and 150 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 28 day of January, 2025



Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by _____ Date _____ Preliminary check by _____
Fee: \$ 25.00 Receipted by MB Receipt No. POD 1773 Date 1/28/2025
Water District No. _____ Entered into data base _____ By _____

Map



Point of Diversion: ●
Place of Use: —

Diversion System: —

0 185 370 740 Feet





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 Mathew Weaver

February 11, 2025

Sparrow Farms LLC
1942 N Main
North Logan, UT 84341

RE: Notice of Diversion for Instream Stockwater Use 13-9769

Hello,

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.

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 office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Henman, Christina

From: Henman, Christina
Sent: Tuesday, February 11, 2025 11:11 AM
To: Fred Price (fwprice@blm.gov); Clark, Trevlyn - FS, UT; Larsen, Tyler - FS, UT
Subject: Notice of Diversion for Instream Stockwater Use:13-9769
Attachments: 13-9769 Notice of Diversion as an Alternative for Instream Stockwater Use.pdf

TREVLIN CLARK
USDA FOREST SERVICE

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE

RE: Notice of Diversion for Instream Stockwater Use

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