

STATE OF IDAHO

Department of Water Resources

Notice of Diversion for Instream Stockwater Use
Section 42-113, Idaho Code

11-9228

Name of Right Holder: THOMAS FORK RANCH LLC

Initial Review By: MH Date: 11/3/23

Based on prior recorded instream stockwater right? Circle one: Yes

No

If yes, right number: _____

Also, if right is claimed in an active adjudication, this notice will amend claim.

If no, enter as statutory claim.

Check the box for each item completed correctly.

- ☒ Name & address
- ☒ Date of Priority
- ☒ Source
- ☒ Period of use
- ☒ Point of diversion (limited to 1 diversion)
- ☒ Location of use
- ☒ Signature
- ☒ \$25.00 filing fee Receipt No. P000562
- ☒ Water District _____
- ☒ Amount of Water SEEMS EXCESSIVE; RATE BASED ON 2 HRS OF PUMPING
- ☒ Description of diversion/delivery system. RATHER THAN INSTREAM FLOW

☒ Publish? Circle one: Yes No
Generally **not** advertised unless determined to be necessary by Regional Manager.

☒ Copy of notice sent to federal land manager (BLM and USFS)
IDWR has agreed to send copies of Notices of Diversion for Instream Stockwater Use to:

M'Leah Woodard
USDA Forest Service
324 25th Street
Ogden, UT 84401
Mleah.Woodard1@usda.gov
801-625-5809

Fred Price
USDI, BLM, Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709-1657
fwprice@blm.gov
208-373-3831

☒ Review Complete
By: MICHAEL HOLLIDAY
Date: 11/6/23

Henman, Christina

From: Henman, Christina
Sent: Monday, November 6, 2023 2:21 PM
To: Fred Price (fwprice@blm.gov); Woodard, Mleah - FS
Subject: Notice of Diversion for Instream Stockwater Use: 11-9228
Attachments: Notice of Diversion for Instream Stockwater Use 11-9228.pdf

M'Leah Woodard
USDA FOREST SERVICE

FRED PRICE
USDI, BLM, IDAHO STATE OFFICE

RE: Notice of Diversion for Instream Stockwater Use 11-9228

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



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

November 6, 2023

THOMAS FORK RANCH LLC
2248 STATE HWY 87
HAWORTH OK 74740-5169

RE: Water Right No. 11-9228
Notice of Diversion for Instream Stockwater Use

Dear Water Right Holder(s):

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 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. 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,

A handwritten signature in dark ink, appearing to read "Michael Holliday", with a long horizontal line extending to the right.

Michael Holliday
Water Rights Supervisor

Enclosure

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Form 113
12/07

Ident No. _____

IDWR/Preston

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 Thomas Fork Ranch LLC
Phone (903)701-7247 Mailing address 2248 state hwy 87, Hawroth, OK, 74740
Email ilashand@aol.com

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 _____

If no, describe the beginning and ending points for the instream stockwater use:

Beginning point is in Gov't. Lot _____, 1/4 se 1/4 nw 1/4,

Section 20, Township 14s Range 46e, B.M.,
bear lake County.

Ending point is in Gov't. Lot _____, 1/4 se 1/4 nw 1/4,

Section 20, Township 14s Range 46e, B.M.,
bear lake County.

b) Alternate point of diversion is in Gov't. Lot _____, 1/4 se 1/4 nw 1/4, Section 20, Township 14s Range 46e, B.M.,
bear lake County.

4. Description of diversion and delivery system:

a) Describe the type of diversion dam lined with bentonite to collect the spring water and transport to troughs

b) Describe the delivery system pipe to troughs with overflow

c) Describe the number, type and total capacity of troughs or tanks _____
tire troughs approximately 12 feet in diameter.

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Department of Water Resources
Eastern Region

- d) Describe the automatic shutoff or flow control mechanism or means of returning unused water to the source overflows into pasture, where historically spring has sunk.
- e) Describe how the system is designed to allow measurement of the rate of diversion volume measurement from trough size, and known pipe diameter. Project developed with NRCS

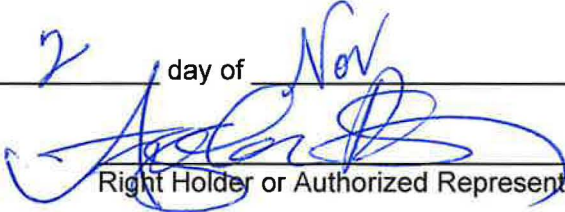
5. Describe the place of use by placing an X in the appropriate 40-acre tract(s) below:

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	20								X								

6. Priority date claimed or established June 1, 1884
7. Rate of diversion .33 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? Completed with NRCS in 2023
11. Comments (include number and type of stock) 1500 cattle and 4 horses
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 2 day of Nov, 2023

Right Holder or Authorized Representative

FOR DEPARTMENT USE

Received by MB Date 11/2/23 Preliminary check by 9999
Fee: \$ 25.00 Receipted by MB Receipt No. P000562 Date 11/2/23
Water District No. _____ Entered into data base _____ By _____

THOMAS FORK RANCH LLC

