

RECEIVE

MAY 05 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESID No. TP-63-225

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: Gary Joe Lowers Phone: 208-871-6363
 Address: 1164 Tiboga Boise, Id 83709 Email: GJLewers@icloud.com
 1. Source of water: Big Owl Creek {Banner} tributary to Boise River
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
8N	8E	32			SW	SW	Boise	Big Owl Creek	
8N	8E	31			SE	SE		{Banner Creek}	

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	Same																		

4. Describe proposed use of water High Bank
5. Amount of water:
 Maximum rate of diversion _____ cfs or 350 gpm.
 Maximum daily volume _____ AF; total volume 2.0 AF.
6. Duration of diversion: from May 15 to Nov 30
 Day-month Day-month
7. Describe proposed diverting works: _____
8. a. Who owns the property at the requested point of diversion? BLM / Forest Service
 b. Who owns the land to be irrigated or place of use? BLM / Forest Service
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Claim: Banner Gold 2A See Sheet
9. Additional remarks: _____

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Signature of applicant Gary Joe LowersDate 5-5-16

Received by AS Date 5/5/16 Time 9:45
 \$50.00 fee receipted by AS # W044156 Date 5/5/16
 Watermaster Comments received? Rental pool attached Date 4/29/16

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202a, Idaho Code, and has determined that:

- ☐ A. The application for temporary approval should be denied.
- ☒ B. The application for temporary approval should be approved, since
1. The temporary approval can be properly administered.
 2. Other water sources are not readily available.
 3. The approval is in the public interest.
 4. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

- ☐ A. DENIED
- ☒ B. APPROVED, subject to the following conditions:
1. Diversion and use of water under this approval is subject to all valid existing water rights.
 2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
 3. This authorizes a maximum diversion of 2.0 AF and a maximum rate of diversion of 350 CFS or GPM.
 4. This approval does not grant a right-of-way across the land of another, does not create a continuing right to use the water and may not be used in connection with a use which requires a continuing water supply.
 5. The department may cancel this approval at any time if the department identifies injury to other water rights.
 6. This approval does not create a continuing right to use water.
 7. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values.
 8. A ¼ inch mesh screen shall be installed on the pump intake.
 9. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
 10. All equipment involved with transporting water shall be treated/sterilized prior to use to avoid spread of invasive aquatic species and may require inspection. Contact the Idaho State Department of Agriculture (www.agri.idaho.gov) for specific recommendations at 208-332-8500 or by email to info@agri.idaho.gov.
 11. This temporary use of water remains subject to control of the Boise River Watermaster.
 12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing water rights. This authorization will require the rental of 2.0 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
 13. This approval expires on 11/30/2016.

Signed this 11th day of Nov, 2016


For the Director

COPY

BOISE RIVER RENTAL POOL LEASE AGREEMENT
FOR 20 16

The Committee of Water District No. 63 being authorized pursuant to Idaho Code Section 42-1765 to lease stored water which has been provided to the Boise River Rental Pool by water users who own reservoir space and have excess supplies for the current year, does agree to sell Joe Lowers (entity), 2.0 A.F. of water requested for mining (use). This agreement is subject to the adopted Rules and Regulations of the Boise River Rental Pool and execution of same by the party herein named.

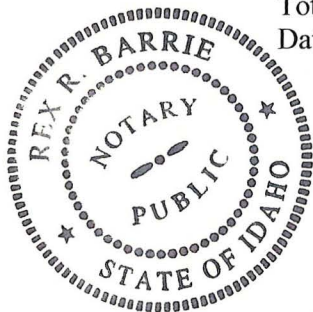
Upon receipt of \$ 3400 and the information requested below, the Boise River Watermaster will release to you from storage, at the rate you specify 2.0 A.F. of stored water between April 29 and Dec. 31 of 20 16.

Description of point of diversion:

Located in 1/4 1/4, Sec. , T. , R. ;
Other: mining
On Source:
Pump H.P. Lift
Headgate (canal name if appropriate)

Description of place of use:

Legal Description:
Total number of acres irrigated
Dated this 29 day of April 20 16.



Gary Joe Lowers
(name)

1164 Tiogg Boise, ID 83709
(address)
208-871-6313

State of Idaho)
County of Ada)

On this 29 day of April 20 16, before me the undersigned Notary Public in and for said county and state, personally appeared Joe Lowers, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal, the day and year in this certificate first written.

Rex R. Barrie
Notary Public in and for Idaho
Residing at: Canyon County

I have accepted the request of Joe Lowers to purchase water from the Boise River Rental Pool this 29 day of April 20 16.

Rex R. Barrie
Watermaster, Water District No. 63
Agent for the Committee of Water

ENTERED

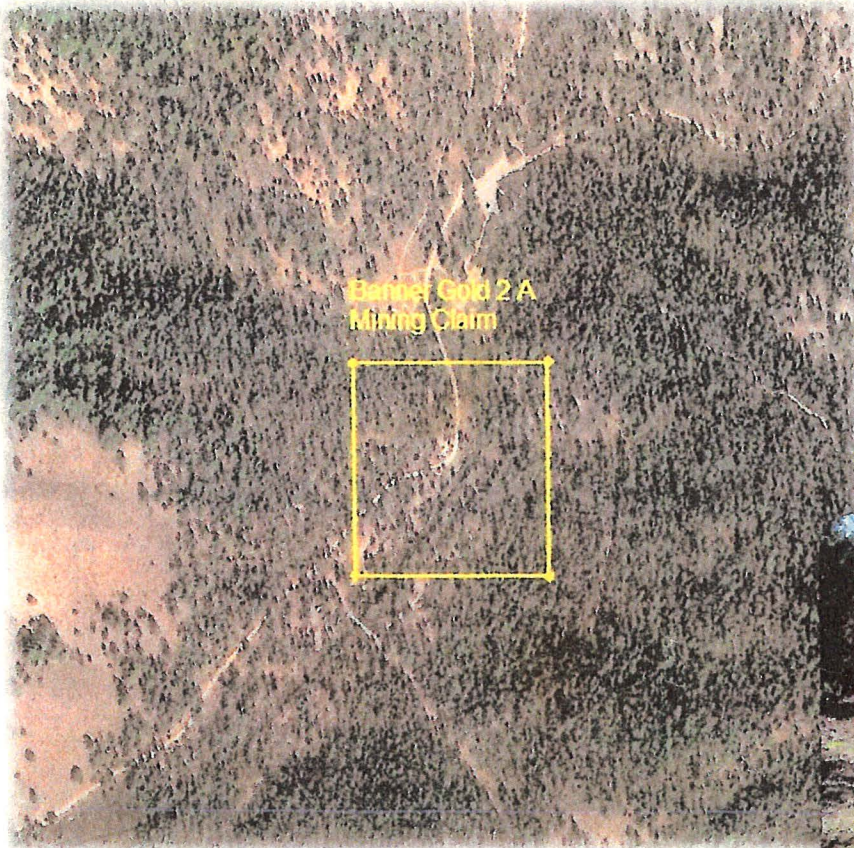
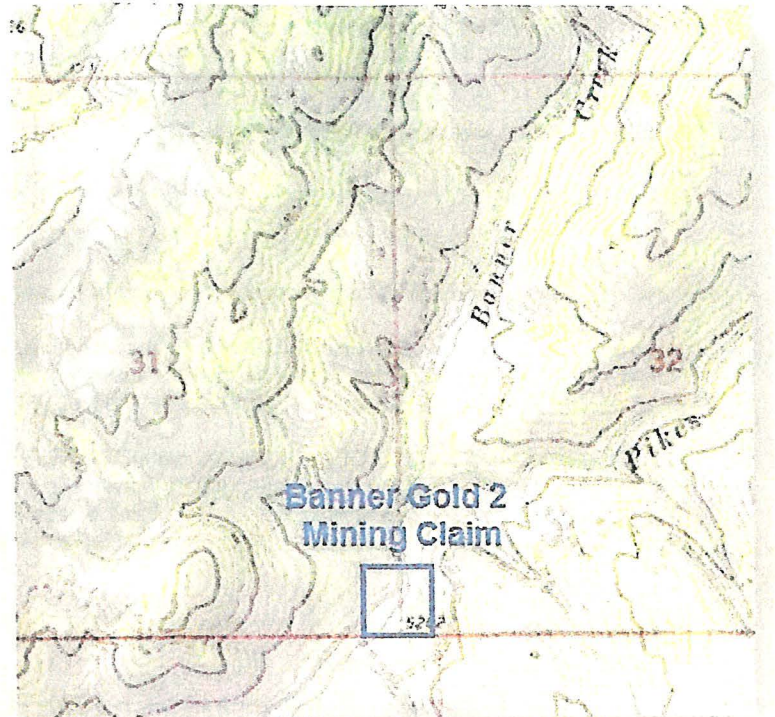
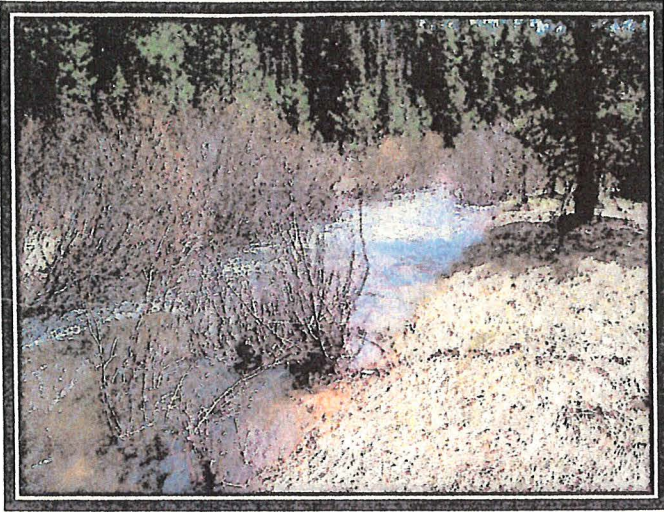
APR 29 2016

STATE OF IDAHO
WATER DISTRICT #63

GPS & Driving Directions

GPS Coordinates

Marker	Degrees/Minutes
NW Corner	43°58'52.712"N, -115°33'0.066"W
NE Corner	43°58'52.712"N, -115°32'50.837"W
SE Corner	43°58'46.229"N, -115°32'50.837"W
SW Corner	43°58'46.229"N, -115°33'0.066"W



Driving Directions: Vehicle access to the claim is via a hard-pack dirt road which you can drive virtually up to the riverside. I've seen cars access the area as it is a maintained forest service road. The claim is located 24 miles outside the historic town of Idaho City. Driving directions to the claim: from Boise, travel north on HWY 21 to approximately 18.1 miles past Idaho City to the Jackson Peak Lookout turnout (Edna Creek Campground is at this junction). Head east on Crooked River Road (NF 384) for approximately 4 miles. Turn left and head north on Banner Creek Road (NF 312) for approximately 2 miles to the claim.

ITS under bridge





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 13, 2016

GARY JOE LOWERS
11164 TIOGA
BOISE ID 83709

RE: Temporary Permit No. TP-63-225

Dear Applicant:

Your application for Temporary Water Appropriation has been approved and is enclosed.

Please be advised the approval only authorizes the temporary use of water. It does not grant trespass or other activity on public land or on private property.

Please note the conditions of approval to understand the limitations associated with the temporary use of water. The expiration date cannot be extended under this temporary approval.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

Nick Miller
Manager
Western Regional Office

Enclosures