

RECEIVED

JUN 03 2020

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 65-23935

MAY 22 2020

IN COMPLETE
WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Michael and Luanna Price Phone 208-761-3766
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 5275 N Hickory Glen Place City Boise
 State ID ZIP 83713 Email mikeprice5275@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply South Fork of the Payette River which is a tributary of Payette River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
09N	07E	34	3		NW	NE	Boise	South Fork Payette River	

5. Water will be used for the following purposes:
- Amount 0.02 cfs for irrigation purposes from 4/1 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. One water pump in the 1- 2 HP range.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by LE Date 05/22/2020 Time 11:00AM Preliminary check by TS
 Fee \$ 100 Received by LE Receipt No. W048303 Date 05/22/2020

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	07E	34		0.3															
				L3															

Total number of acres to be irrigated: 0.3

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? We intend to use the water from the river to irrigate our property. It is the only source of water we will use for irrigation purposes.

- Who owns the property at the point of diversion? Michael and Luanna Price
- Who owns the land to be irrigated or place of use? Michael and Luanna Price
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We would like to have the same water rights as our neighbors. No water rights currently exist on our property. The previous owner has been using a pump to pull water from the river for well over 30 years. The property address is 26 River Front Road, Lowman, ID (lot 10, Blk 1)

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

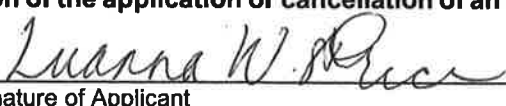
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant

Michael T. Price

Print Name (and title, if applicable)


Signature of Applicant

Luanna W. Price

Print Name (and title, if applicable)

RECEIVED

JUN 03 2020

WATER RESOURCES
WESTERN REGION

SWSESESE

SWSE 5

SESW 4

SWSE 5

27

SESE

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SWSE SES

NENE

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NENW

NWNE 3

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NWNE

Pump sits
here

34

NENE

NENW 5

NWNE 4

SENW

The USDA/ARS Aerial Photography Field office sets to be credited in derived products

SWNE

SENE

APR 15 2020
INCOMPLETE
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

COPY

1. Name of applicant(s) Michael and Luanna Price Phone 208-761-3766
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 5275 N. Hickory Glen Place City Boise
 State ID ZIP 83713 Email mikeprice5275@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
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- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply South Fork Payette River which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #

5. Water will be used for the following purposes:
 Amount 1.2 for irrigation purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .020 cubic feet per second (cfs) and/or (b) 1.2 acre-feet per year (af).
7. Proposed diverting works:
 a. Describe type and size of devices used to divert water from the source. Pump water from river.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by LE Date 04/15/2020 Time 9:15am Preliminary check by _____
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
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- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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→ pulled #5 from neighbors report

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	07E	34	X																

Total number of acres to be irrigated: _____

- Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? We intend to use the water from the river to irrigate our property. It is the only source of water we will use for irrigation.
- Who owns the property at the point of diversion? Michael & Luanna Price
 - Who owns the land to be irrigated or place of use? Michael & Luanna Price
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We would like to have the same water rights as our neighbors. No water rights currently exist for our property. The previous owner has been using a pump of well over 30 years to irrigate the property. 26 River Front Road Lowman, ID 83404 lot 10 Blk 1
- Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year).
- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Michael T Price

Print Name (and title, if applicable)

Signature of Applicant

Luanna W. Price

Print Name (and title, if applicable)



26 River Front Road
Lowman, ID 83637

CHENEY
PAUL N

WOODS
PAUL

ARMSTRONG
NANCY M

JONES
EZRA
THOMAS P



775 S. Rivershore Ln., Ste. 120
Eagle, ID 83616

**ELECTRONICALLY RECORDED-DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT**

File No. 706968 KG/SP

01-31-2020 14:32:58 PM No. of Pages: 3
Recorded for: PIONEER TITLE COMPANY OF ADA
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy Kristi Coffelt
Index to: DEEDS
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received The J's Nest, LLC, an Idaho Limited Liability Company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Michael T. Price and Luanna W. Price, husband and wife
hereinafter referred to as Grantee, whose current address is 5275 N. Hickory Glen Place Boise, ID 83713
The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: January 21, 2020

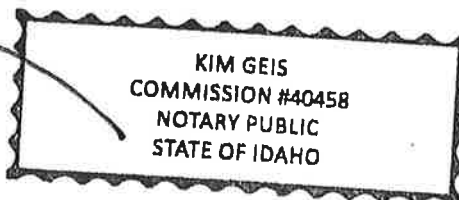
The J's Nest, LLC, an Idaho Limited Liability Company

By: Mark C. Jones
Mark C. Jones, Managing Member

State of Idaho, County of Ada

This record was acknowledged before me on 1/23/2020 by The J's Nest, LLC, an Idaho Limited Liability Company

Kim Geis
Signature of notary public
Commission Expires:



Residing in: Meridian, ID
Commission expires: 07-30-21

State of Idaho, County of Ada

THIS NOTARY ACKNOWLEDGEMENT IS

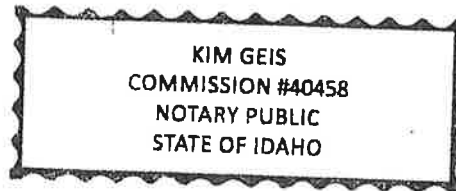
ATTACHED TO: Warranty Deed
(document description)

This record was acknowledged before me on 1/23/2020 by Mark C. Jones, as Managing Member of The J's Nest, LLC, an Idaho Limited Liability Company.

Kim Geis
Signature of notary public

Commission Expires:

Residing in: Meridian, ID
Commission expires: 07-30-21



Residing in: Meridian, ID
Commission expires: 07-30-21

EXHIBIT A

Lot 10, Block 1, Lowman Inn River Front Homes, according to the official plat thereof, recorded as Instrument No. 66724, records of Boise County, Idaho.

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, June 10, 2020 6:16 PM
To: 'waterdist65@srvinet.com'
Subject: Application for Permit 65-23935
Attachments: Watermaster Recommendation Form.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, June 10, 2020 6:17 PM
To: 'bill.bosworth@idfg.idaho.gov'
Subject: Application for Permit 65-23935 & 63-34907
Attachments: IDFG Recommendation Form.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



Brad Little
Governor

State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Gary Spackman
Director

June 10, 2020

MICHAEL T PRICE
LUANNA W PRICE
5275 N HICKORY GLEN PL
BOISE, ID 83713-2491

RE: Application for Permit No. 65-23935

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO WORLD on 6/17/2020 and 6/24/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, June 10, 2020 6:11 PM
To: 'Idaho World Editor'
Subject: Boise Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Good Evening Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 06/17/2020 and 06/24/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Western Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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

Brad Little
Governor

Gary Spackman
Director

June 10, 2020

LEGAL NOTICE DEPARTMENT
IDAHO WORLD
PO BOX 50248
BOISE, ID 83705

RE: Application for Permit No. 65-23935

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 7/6/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-23935

MICHAEL T PRICE

LUANNA W PRICE

5275 N HICKORY GLEN PL

BOISE, ID 83713-2491

Point of Diversion L3(NWNE) S34 T09N R07E BOISE County Source PAYETTE RIVER Tributary PAYETTE RIVER

Use: IRRIGATION 04/01 to 10/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 04-15-2020

Place Of Use: IRRIGATION

T09N R07E S34 L3(NWNE)

Irrigation use is for Lot 10, Block 1, Lowman Inn Riverfront Subdivision

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see

<https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 7/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/17/2020 and 6/24/2020



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 23, 2020

COPY

MICHAEL AND LUANNA PRICE
5275 N HICKORY FLEN PLACE
BOISE, ID 83713

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on April 15, 2019. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **3 – Source**

- A tributary was not listed for the source. Add “Payette River” to item 3 in the space after *which is a tributary of*.

- **4 - Point of Diversion**

- The table in item 4 was not provided. The legal description for the point of diversion must be provided and must match the description of the map. No point of diversion was indicated on the map. Based on the information provided, it appears that the point of diversion will be located on your property, and the table in item 4 should be filled out as shown below:

Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
09N	07E	34	3		NW	NE	Boise	South Fork Payette River	

- **5 - Proposed Use**

- Amount – The amount listed for irrigation is 1.2 acre-feet per year (af), a unit of storage. Storage should only be listed if you intend to impound (i.e. store) water. It appears from the information provided that this is not your intention, and a rate of pumping for irrigation should be listed instead. Therefore, the amount of 0.02 cfs should be listed in item 5 instead of the 1.2 af.
- The season of use from 1/01 to 12/31 should be changed to the standard season of use of 4/1 to 10/31

- **6 - Total Quantity**

- As mentioned in the previous item, listing a total quantity of 1.2 af in item 6 shows the intention of impounding water. If you do not intend to impound water, strike-out or mark out the 1.2 af listed for item 6.

- **9 - Place of Use**

- The legal description of the place of use in table 9 must match the description of the map. Additionally, for irrigation, the acreage for each section must be indicated.

According to the map, the table in item 9 should be amended to match the table as shown below:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	07E	34		0.3															0.3
				L3															

Total number of acres to be irrigated: 0.3

- **13 – Time**

- Time required for completion of works was not provided. The time provided must be between a minimum of 1 year and a maximum of 5 years.

- **14 - The Map**

- As mentioned in item 4, a point of diversion must be marked on the map, and must match the descriptions in items 4 and 9. Please indicate a point of diversion on the map.

- **The Fee**

- A fee was not provided. The application fee is based on the proposed storage volume (acre-feet per year or AFY) or on the proposed diversion rate (cubic feet per second or CFS). Based on the application, a fee of \$100 is necessary.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit together with payment of the fee within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for me if you have any questions about the necessary information or fee.

Sincerely,

Tyler Smith
Western Region
Water Resource Agent

Enclosure: Original Application
Fee Schedule

RECEIVED

APR 15 2020

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources – Application for Permit

To whom it may concern,

My wife and I purchased the property at 26 River Front Road in Lowman, Idaho 83637, on January 23, 2020.

The property is right on the South Fork of the Payette River. We have known 2 of the neighbors (Cromwells at 32 River Front, and Paul and Tina Cheney at ~34 River Front) for over 40 years, so we have a good understanding of the history of the property.

I submitted an application to change the water rights ownership, but after working with your department, and talking with Lynne Evans, it appears that the property doesn't have any water rights. The property has an old pump the previous owners have been using to pull water from the river. The pump, and related irrigation lines look to be rather old. In my best estimate, it looks like previous owners have been pulling water from the river for well over 40 years.

I am now submitting an "Application for Permit". I've pulled the data from the property at 32 River Front Drive (similar size lot) to fill-in some of the water information, like the acre feet per year.

Please review the application and call me with any questions.

Regards,

Mike Price

208-761-3766

5275 N. Hickory Glen Place
Boise, ID 83642