

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 22-13996

Priority: January 13, 2010

Maximum Diversion Volume: 5.6 AF

This is to certify, that DENNIS H LOWE FAMILY TRUST  
C/O DENNIS H LOWE  
PO BOX 1185  
DRIGGS ID 83422

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| AESTHETIC STORAGE       | 01/01 to 12/31       |                          | 5.6 AF               |
| WILDLIFE STORAGE        | 01/01 to 12/31       |                          | 5.6 AF               |
| FIRE PROTECTION STORAGE | 01/01 to 12/31       |                          | 5.6 AF               |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW¼NW¼ Sec. 29 Twp 06N Rge 46E, B.M. TETON County

**PLACE OF USE:** AESTHETIC STORAGE, WILDLIFE STORAGE, FIRE PROTECTION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 06N 46E 29  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2016**.
2. Subject to all prior water rights.
3. The pond established by the storage of water under this right shall not exceed a total capacity of 5.6 acre-feet or a total surface area of 1.0 acre.
4. The diversion of ground water to replace evaporative losses from the pond is authorized under right 22-13995.
5. This right does not authorize the diversion of ground water to storage. The diversion of ground water to storage for the initial fill and any subsequent fills must be authorized pursuant to a water supply bank lease or other approval from the Department of Water Resources.
6. The right holder shall install and maintain an impermeable liner in the pond to eliminate seepage losses.
7. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
8. Use of water under this right shall be non-consumptive.
9. Failure of the right holder to comply with any condition of approval is cause for the Director to cancel this permit.

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10. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24<sup>th</sup> day of February, 2011.

  
for GARY SPACKMAN, Interim Director

