

RECEIVED

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complete
WATER RESOURCES
WESTERN REGION

FORM 202 Rev. 07/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 63-35605**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Ralph W and Susie J Lowe Phone 208-401-4591

Attach list of directors, partners, or members names if applicable

Name connector (check one): ☐ and ☐ orMailing address 8130 W SPRING CREEK WAY City EAGLEState IDAHO ZIP 83714 Email _____

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.c. ☐ Check here if applicant or representative will accept service of documents by email at the email address(es) listed above.3. Source of water supply GROUND WATER which is a tributary of N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
05N	01E	25			NW	NE	ADA	GROUNDWATER	

a. If this application is in the Swan Falls Trust Water Area, check one box below. If the application is outside the Swan Falls Trust Water Area, skip to item 5 and leave item 4.a. blank. See instructions for map of Swan Falls Trust Water Area and for more information.

☐ In Swan Falls Trust Water Area and proposing use of unappropriated water OR☐ In Swan Falls Trust Water Area and proposing a reallocation of trust water.

5. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 for IRRIGATION purposes from 03/01 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)☐ Check if the irrigation use is for a longer season of use and justification for the longer use is included in item 12 or attached to the form. See instructions for season of use details.6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

For Department Use

Received by MB Date 07/24/2024 Time 1:00 PM Preliminary check by CPFee \$ 100 Received by MB Receipt No. W052105 Date 07/24/2024

7. Proposed diverting works:

- Describe type and size of devices used to divert water from the source. List information such as pump, motor, ditch, pipeline, or diversion structure sizes. Submerged 2 hp pump at 300', pipeline to POU, house, lawn garden, landscaping
- If well is already drilled, when? 1970s; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____
- Proposed well diameter is _____ inches; proposed depth of well is 329 feet.
- 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](#). Dam application required? ☐ Yes ☐ No

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

- Hydropower; attach the [Affidavit For Water Rights To Be Used For Power Purposes](#) and show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and type of livestock _____
- Municipal; complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households. 1
☐ Check if domestic use is for multiple-home subdivision, include ownership plan. See instructions for additional information.
- Low Temperature Geothermal; describe how the ground water will be primarily used for heat value or how it is exempt pursuant to Section [42-233\(1\), Idaho Code](#). _____
- Other; describe fully. _____

9. Description of place of use (If the place of use is an existing service area place of use, see item 9.c. or 9.d):

- If water is for irrigation, indicate number of acres in each quarter-quarter in the table below.
 - For irrigation of less than 10 acres, use the nearest one-tenth (0.1) acre.
 - For irrigation greater than or equal to 10 acres, round to the nearest whole acre.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding quarter-quarter in the table 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	
05N	01E	25		0.5															
				D															

Total number of acres to be irrigated: 0.5

- Irrigation Entities Using Existing Service Area Boundaries:
 - Name of established service area. _____
 - List the water right number(s) for the established service area. _____
 - Total number of acres to be irrigated. _____
 - Attach a map depicting the established place of use boundary.
- Municipal providers supplying water for fire protection attach a map showing the service area.

10. List any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. _____
- a. If applicant is entitled to water delivery from a water delivery entity, explain if the current distribution system is capable of delivering water to the place of use. _____
- b. If this application is for domestic purposes, describe how the proposed water, water from another source, or both will be used to irrigate a lawn, garden, and/or landscaping. Sprinkler system and drip lines from submerged pump @ 7 gal/min max draw
11. a. Who owns the property at the point of diversion? The Ralph and Susie Lowe Living Trust
- b. Who owns the property to be irrigated or place of use? same
- c. Whose property will the water be conveyed across? same
- d. 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. No previous owners to our property ever applied for water rights on the well that has been providing water since the house was built in the 1970s (1978). We have lived on this property since 2012. Much new construction potentially tapping into our ground water aquifer may threaten our supply
WAZ 235'-335' Coonse Drilling Co 208-454-0190
Static Water level @ 235' Well bottom @ 336'
13. Time required to complete project works and application of water to proposed beneficial use is 1 years (1 to 5 years).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion and place of use.

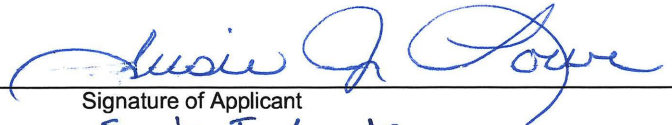
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.



Signature of Applicant

Ralph W. Lowe

Print Name (and title, if applicable)



Signature of Applicant

Susie J. Lowe

Print Name (and title, if applicable)

AUG 01 2024

WATER RESOURCES
WESTERN REGIONCERTIFICATION OF TRUST
FOR

THE RALPH & SUSIE LOWE LIVING TRUST

STATE OF IDAHO)
) SS.
County of Ada)

Under the terms of section 68-115 of the *Idaho Code*, the undersigned, RALPH WESLEY LOWE and SUSAN JAN LOWE, being first duly sworn upon oath, declare that the following constitutes their Certification of THE RALPH & SUSIE LOWE LIVING TRUST as of the 24th day of April, 2017:

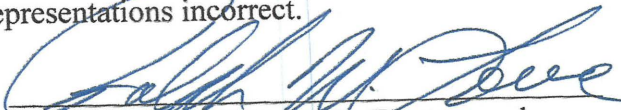
1. The undersigned are both the Grantors (Settlors) of said Trust and all of the currently-acting Trustees thereof.

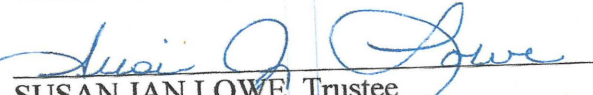
2. Said Trust is presently an existing and valid revocable living trust created under the laws of the state of Idaho. The Trust Agreement creating said trust was initially executed by the Grantors on the 24th day of April, 2017.

3. Title to real estate, financial accounts, and other assets placed into, or held in, the name of said trust should be designated as: **"THE RALPH & SUSIE LOWE LIVING TRUST, with Ralph Wesley Lowe and Susan Jan Lowe as Trustees, under trust agreement dated the 24th day of April, 2017."**

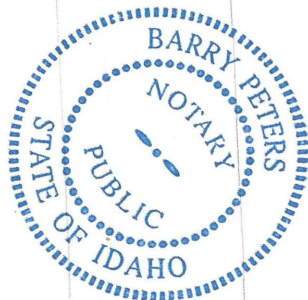
4. The Trustees under said Trust hold the full range of powers to deal with any real estate, financial accounts, and/or other assets held by the Trust including, but not limited to, all of the powers identified in section 68-106 of the *Idaho Code*. Further, either of the above-named Trustees acting alone may exercise any or all of said powers without any other Trustee being required to join in such action.

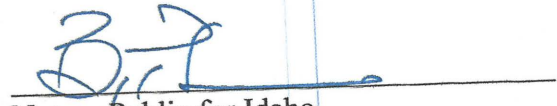
5. By the presentation hereof to any party or entity, the undersigned hereby verify that said Trust has not been revoked or amended in any manner which negates, invalidates, or otherwise renders any of the foregoing representations incorrect.


RALPH WESLEY LOWE, Trustee; and


SUSAN JAN LOWE, Trustee

On this 24th day of April, 2017, before the undersigned Notary Public in and for the State of Idaho, personally appeared RALPH WESLEY LOWE and SUSAN JAN LOWE, known to me or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.




Notary Public for Idaho
Residing at Eagle, Idaho
My Commission Expires: March 17, 2020

JUL 24 2024
INCOMPLETE
WATER RESOURCES
WESTERN REGION

FORM 202 Rev. 07/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Ralph & Susie J. Lowe Phone 208-401-4591

Attach list of directors, partners, or members names if applicable

Name connector (check one): ☐ and ☒ or

Mailing address 8130 W. Spring Creek Way City Eagle

State Idaho ZIP 83714 Email _____

2. Name of representative, if any NA 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.

c. ☒ Check here if applicant or representative will accept service of documents by email at the email address(es) listed above.

3. Source of water supply Ground Water which is a tributary of n/a

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
05N	01E	25		NW			Ada	ground water	

a. If this application is in the Swan Falls Trust Water Area, check one box below. If the application is outside the Swan Falls Trust Water Area, skip to item 5 and leave item 4.a. blank. See instructions for map of Swan Falls Trust Water Area and for more information.

☐ In Swan Falls Trust Water Area and proposing use of unappropriated water OR

☐ In Swan Falls Trust Water Area and proposing a reallocation of trust water.

5. Water will be used for the following purposes:

Amount .04 cfs for household (single) purposes from 1/1 to 12/31 (both dates inclusive)

Amount 2,500 gal/day for Landscaping, yard purposes from 3/1 to 10/31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

☐ Check if the irrigation use is for a longer season of use and justification for the longer use is included in item 12 or attached to the form. See instructions for season of use details.

6. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

For Department Use

Received by MB Date 07/24/2024 Time 1:00 PM Preliminary check by _____

Fee \$ 100.00 Received by MB Receipt No. W052105 Date 7/24/2024

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. List information such as pump, motor, ditch, pipeline, or diversion structure sizes. submerged 2hp Pump at 300' - pipeline to POU house, Lawn, garden, Landscaping
- b. If well is already drilled, when? 1970's; drilling firm ?; well was drilled for (well owner) Yes; Drilling Permit No. Not found in Your System
- c. Proposed well diameter is domestic size inches; proposed depth of well is 329 feet.
- d. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA 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. Dam application required? ☐ Yes ☐ No

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

- a. Hydropower; attach the Affidavit For Water Rights To Be Used For Power Purposes and show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and type of livestock _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- ☒ d. Domestic; show number of households. (1) one
☐ Check if domestic use is for multiple-home subdivision, include ownership plan. See instructions for additional information.
- e. Low Temperature Geothermal; describe how the ground water will be primarily used for heat value or how it is exempt pursuant to Section 42-233(1), Idaho Code. _____
- f. Other; describe fully. _____

9. Description of place of use (If the place of use is an existing service area place of use, see item 9.c. or 9.d):

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 - For irrigation greater than or equal to 10 acres, round to the nearest whole acre.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding quarter-quarter in the table 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	
05N	01E	25	D				D	D	D	D	D	D	D	D					
			.05				.05	.05	.05	.05	.05	.05	.05	.05					.45

Total number of acres to be irrigated: 0.45

c. Irrigation Entities Using Existing Service Area Boundaries:

- i. Name of established service area. _____
- ii. List the water right number(s) for the established service area. _____
- iii. Total number of acres to be irrigated. _____
- iv. Attach a map depicting the established place of use boundary. (included)

d. Municipal providers supplying water for fire protection attach a map showing the service area.

10. List any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. _____

a. If applicant is entitled to water delivery from a water delivery entity, explain if the current distribution system is capable of delivering water to the place of use. _____

b. If this application is for domestic purposes, describe how the proposed water, water from another source, or both will be used to irrigate a lawn, garden, and/or landscaping. sprinkler system & drip lines from submerged pump @ 7gal/min max draw

11. a. Who owns the property at the point of diversion? The Ralph & Susie Lowe^{Living} Trust

b. Who owns the property to be irrigated or place of use? (Same)

c. Whose property will the water be conveyed across? (Same)

d. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. n/a

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. No previous owners to our property ever applied for water rights on the well that has been providing water since the house was built in the 1970's (1978). We have lived on this property since 2012. Much new construction potentially tapping into our ground water aquifer may threaten our supply.

13. Time required to complete project works and application of water to proposed beneficial use is _____ years (1 to 5 years).

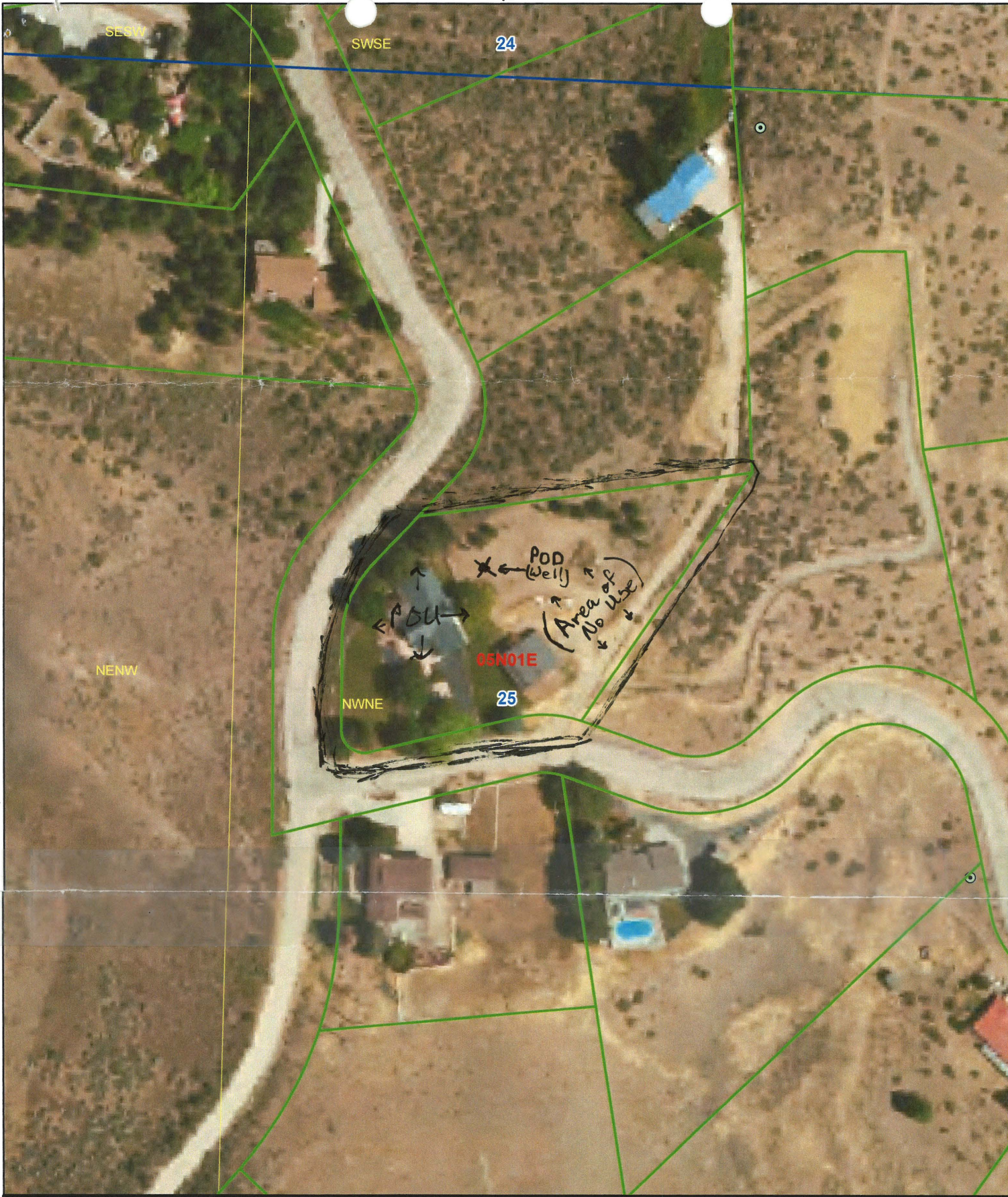
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion and place of use.

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
Ralph W. Lowe (owner)
Print Name (and title, if applicable)


Signature of Applicant
Susie J. Lowe (owner)
Print Name (and title, if applicable)

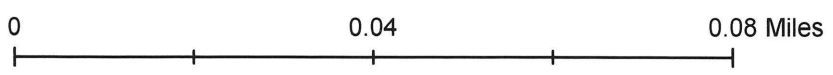
N



W

E

Water to all green vegetation on map
plus domestic use in structures





IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

September 3, 2024

RALPH LOWE AND SUSIE LOWE
8130 W SPRING CREEK WAY
BOISE ID 83714-9544

RE: Application for Permit No. 63-35605

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 STATESMAN on 9/4/2024 and 9/11/2024. 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,

Lynne Evans
Administrative Assistant

Evans, Lynne

From: Evans, Lynne
Sent: Tuesday, September 3, 2024 11:26 AM
To: Daniel Hoke; Mike Meyers
Subject: Application for Permit No. 63-35605
Attachments: 63-35605 WM.docx; 63-35605 Permit Application.pdf

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is attached for your reference. Please review the application, then complete the attached recommendation form and return it to this office by September 23, 2024.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by September 23, 2024, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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



Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Application for Permit No. 63-35605

New Appropriation Applicant's
Name:

RALPH LOWE AND SUSIE LOWE
8130 W SPRING CREEK WAY
BOISE, ID 83714-9544

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, _____.

Watermaster's Signature

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, August 29, 2024 5:12 PM
To: BOI Legals
Subject: Legal Notice: Application for Permit No. 63-35604, 63-35605
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Idaho Statesman on the dates indicated (9/4 & 9/11, 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 9/23/2024. Your cooperation is appreciated.

Thank you,



Lynne Evans (she/her)
Administrative Assistant I
IDWR – Western Region
2735 W Airport Way, Boise ID 83705
lynne.evans@idwr.idaho.gov | (208) 605-4622

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

63-35604

ROBERT KWID, GINA KWID
2465 N HAVEN DR
EAGLE, ID 83616-2325
Point of Diversion NENW S31 T05N R01E ADA County
Source GROUND WATER
Use: IRRIGATION
03/01 to 11/15; 0.15 CFS
Use: DOMESTIC
01/01 to 12/31; 0.04 CFS
Total Diversion: 0.19 CFS
Date Filed: 07-24-2024
Place Of Use: DOMESTIC, IRRIGATION
T05N R01E S31 NENW
Place Of Use: IRRIGATION
T05N R01E S31 NWNE
Total Acres: 5
Water bearing zone for this existing well drilled in 1978 is unknown.

63-35605

RALPH LOWE, SUSIE LOWE
8130 W SPRING CREEK WAY
BOISE, ID 83714-9544
Point of Diversion NWNE S25 T05N R01E ADA County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31; 0.04 CFS
Use: IRRIGATION
03/01 to 11/15; 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 08-01-2024
Place Of Use: DOMESTIC, IRRIGATION
T05N R01E S25 NWNE
Water bearing zone to be appropriated is from 235 to 335 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region 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 9/23/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/4/2024 and 9/11/2024

MEMORANDUM

August 06, 2024

Application for Permit: 63-35605

Author: bhowe

Subject: Comment/Analysis

The application for permit was received incomplete July 24, 2024. Additional information necessary to complete the application was requested by the Department including identifying the water bearing zone (WBZ), the appropriate beneficial uses, the correct legal descriptions of the point of diversion and place of use, the time in years needed to complete the development, and proof of legal access to develop the proposed project. On August 1, 2024, the completed application was received by the Department. The applicant proposed to divert groundwater from an existing well for domestic and irrigation uses. The proposed diversion is within the Basin 63 Groundwater Restricted Area, in the area upstream of the Star bridge, tributary to the Boise River. The water bearing zone reported by the applicant is 235 to 335 feet. Legal notice remarks were added to the data entry to be included in advertisement. Condition 930, identifying the WBZ should be included on any right issued for the proposed development. No well drillers report was provided with the application but the drilling company was identified as Coonse Drilling Co. on the application. Documentation or evidence of the water bearing zone will need to be submitted by the applicant before licensing can occur.



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 26, 2024

RALPH & SUSIE LOWE
8130 W SPRING CREEK WAY
EAGLE ID 83714

RE: Application for permit to use ground water

Dear applicants,

I am writing in regard to an application for a water right you submitted on July 24, 2024. The application proposes to use an existing well for domestic and irrigation purposes. The application requires corrections for it to be acceptable for filing with IDWR. The corrections include:

1. The legal description for the point of diversion must be described to the forty-acre tract.
2. The legal description for the place of use should be corrected to reflect domestic and irrigation use in the NWNE of Sec 25, T05N R01E.
3. The number of years requested for development must be shown in item 13 of the application
4. Because the land is owned by a Trust, you must provide documentation to show that you are authorized to act on behalf of the Trust.

I have enclosed an amended application which makes these corrections for you (with the exception of item 4 above, which you must provide). Please review the application, and return it signed to the address in the letterhead above.

Finally, IDWR policy requires the legal notice for applications in the Boise River watershed to include a **water bearing zone**. The water bearing zone is the range of depths below the ground surface which produce water for use in your well. This information is not required for the application to be considered complete, but it will be required to resume processing of your application.

Please return the enclosed amended application within the next thirty (30) days. If IDWR does not receive your response within thirty days, your application will be returned to you and a refund of the fee will be issue. If you have any questions please feel free to contact me at 208-605-4629. Thank you for your attention to these matters.

Sincerely,

Cody Parker
Water Rights Supervisor
cody.parker@idwr.idaho.gov
208-605-4629

Enclosure: Amended application