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OCT 07 2025
IDWR / NORTH

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Lewiston, ID 83501
208.305.5210
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October 6, 2025

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF WATER
TO WATER RIGHT NOS. 85-15730 – ARD
AND 85-15851 – BOWEN

DOCKET NO.: _____

ARD & BOWEN PETITION FOR
DELIVERY CALL

David Ard & Jim Bowen, hereby submit the following Petition for Delivery Call in
accordance with Art. XV, § 1, 3, and 5, Idaho Constitution, LC. §§ 42-101, 226, and IDAPA
37.03.11.030 or as otherwise provided for by the laws of the State of Idaho:

I. Petitioners

1. In 2004, David Ard constructed a well for use at 3627 23rd Street, Lewiston, Idaho,
his primary place of residence. Water from the well is used to support the residence
and irrigation of the land. To date, the well remains the only source of water for the
residence.
2. In 2004, Ard's well was drilled to a depth of 850 feet. Water was encountered at 760
feet and had a static level of 684 feet. Production was 100+ gallons per minute

- (GPM). David Ard obtained Water Right #85-15730, to provide irrigation to 1.1 acres of land with a diversion rate of 0.03 CFS. (Priority date of 6/29/2010). Exhibit 1.
3. In 2009, Jim Bowen constructed a well for use at 2304 Grelle Ave, in Lewiston, Idaho, his primary place of residence. Water from the well is used to support the residence and provide water for stock. In 2015, this well began to struggle to provide enough water for the household and a few animals. This happened each year, usually in early May and continued on through the irrigation months. In 2022, Bowen annexed into the LOID water system as a backup the well. He paid for annexation and hookup which cost \$18,763.54. He gets domestic water only.
 4. In 2009, Bowen's well was drilled to a depth of 850 feet. Water was encountered at 810 feet and had a static level of 684 feet. Production was 60+ gallons per minute (GPM). Jim Bowen obtained Water Right #85-15851 for residential use and stock water at a combined 0.06 CFS. (Priority date of 5/1/2009). Exhibit 2.
 5. IDWR designates both Ard's and Bowen's wells within the Wapshilla Ridge area of the Grande Ronde Aquifer. Exhibits 3 and 4. LOID wells #5 and #6 are also located within the Grande Ronde Aquifer as stated by both IDWR and LOID. The Grande Ronde Aquifer is the common ground water supply for the above mentioned parties.
 6. Ard's well has an electronic monitoring device and has had manual water level management since 2014. Bowen's well is near to, and similar in construction to Ard's, and is almost identical.

II. Respondent

1. Lewiston Orchards Irrigation District (LOID) is a business located at 1520 Powers Avenue, in Lewiston, Idaho. LOID obtained Water Right #85-15255, for municipal storage and fire protection storage. (Priority 05/08/2014). To divert water for this purpose LOID built two wells, Well #5 and Well #6 that pump water into Mann Lake.
2. Well #5 was completed in April, 2015. This well is capable of pumping 2,000 GPM.
Exhibit 5.
3. LOID completed Well #6 in 2019, which is also capable of producing 2000 GPM.
Exhibit 6.
4. LOID is the sole respondent named in this petition for delivery call because they are by far the most injurious junior water rights entity.

III. Basis of Call

Since LOID began using Wells #5 and #6, other wells with senior water rights have been declining, not recharging.

1. IDWR's monitoring of domestic wells, which have little to no irrigation, shows a sharp decline in water levels between 2020 and 2021. Specifically, the water levels lowered between 18 and 29 feet where LOID wells are located. Exhibit 7.
2. The Grande Ronde Basalts water levels have decreased an average of 10 feet in the last four years. Exhibit 8.
3. Ard's and Bowen's wells have experienced a continued decrease in available water. Data from IDWR monitoring of Ard's well (through both manual measurements and

- transducer data) show a substantial decrease in water levels. Water levels went from 753 feet in 2015 to 792 feet in 2025. Exhibit 3.
4. There is a direct correlation between Ard's well and LOID pumping periods. Data from Ard's monitoring matches the same trend as declines between 2016 and 2021 in the Wapshilla Ridge area of the Grande Ronde Aquifer. Exhibits 9, 10, and 11.
 5. A map of the area shows that Ard's and Bowen's wells are within the cone of depression from LOID pumping activity in the area. This area showed a decrease in water levels between 6 and 12 feet between Spring 2021 and Spring 2023 when LOID began its most aggressive pumping. Exhibits 4 and 12.
 6. Water pumped from LOID's Wells #5 and #6 is not the best method of water delivery or storage. Mann Lake reservoir has a seepage estimate of between 330 to 520 acre feet per year. Exhibit 13.
 7. The 2019 Lewiston Plateau Water Management Plan states that public utilities will conserve water (Art. V. § G.) LOID states that their patrons are good water stewards and restrictions are not necessary. Management states that people waste more water during times of rationing, so they don't utilize this method.

IV. Relief Requested

1. Pursuant to the Department's constitutional and statutory duty to supervise the distribution of water under Art. XV, § 3 Idaho Const., LC. §§ 42-101, 226, and IDAPA 37.03.11.030 or as otherwise provided for by the laws of the State of Idaho, Ard and Bowen respectfully request that the Director:

- A. Accept data gathered and interpreted by IDWR hydrogeologist(s);
- B. Find that Ard's and Bowen's wells share a common ground water supply within the Grande Ronde Aquifer;
- C. Find that Ard's and Bowen's wells have suffered, and will suffer, material injury as a result of LOID junior water right priority (Water Right # 85-15255) ground water pumping in the areas encompassed by the Grande Ronde Aquifer;
- D. Curtail LOID junior water right priority (Water Right # 85-15255) pumping as necessary to allow recharge of Grande Ronde Aquifer, prevent waste, and ensure continued access to water for Ard and Bowen.
- E. Provide for such other and further relief as may be deemed appropriate.
- F. Otherwise manage the ground water from Grande Ronde Aquifer to mitigate the declining water levels.

Dated this 6th day of October, 2025.


David R. Ard
Mark J. Bowen

The undersign, resident owner's of the properties hereby certify that on the 6th day of October, 2025, they caused a true and correct copy of the foregoing document to be served upon the following:

Director Mathew Weaver IDAHO DEPARTMENT OF WATER RESOURCES PO Box 83720 Boise, ID 83720-0098	Federal Express (FedEx)
Michelle Richman Norther Regional Office 7600 N. Mineral Dr., Ste 100 Coeur D Alene, ID 83815-7763	Federal Express (FedEx)
President Frank Maresca Board of Directors, Lewiston Orchards Irrigation District 1520 Powers Ave. Lewiston, ID 83501	Federal Express (FedEx)

Plaintiff Exhibit #1

Form 238-7
6/02

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO: D 00 33527
DRILLING PERMIT NO. 8.1512
Water Right or Injection Well No. _____

2. OWNER:
Name Carol Ard
Address 2301 Powers Ave
City Lewiston State ID Zip 73501

3. LOCATION OF WELL by legal description:
You must provide address or Lot, Blk, Sub or Directions to well.
Twp 35 North ☒ or South ☐
Rge 5 East ☐ or West ☒
Sec 13 1/4 SW 1/4 SW 1/4
Cont Lot _____
Lat: _____ Long: _____
Address of Well Site 2301 Powers Ave
Lewiston City Lewiston
Li. _____ Blk. _____ Sub. Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES
Seal Material Bentonite From 0 To 25 Weight / Volume 450* Seal Placement Method Top Pour

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:
Diameter From To Gauge Material Casing Liner Welded Threaded
8" +2 -397 350 Steel ☒ ☐ ☒ ☐

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE
Perforation Method SAW
Screen Type & Method of Installation
From To Slot Size Number Diameter Material Casing Liner
770 -850 1/4 60 6" PVC ☐ ☒

10. FILTER PACK
Filter Material From To Weight / Volume Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
a. It takes ground Artesian pressure _____ ft.
Depth flow encountered _____ ft. Describe access port or control device:
Top of casing
5N 6W 13

Office Use Only
Well ID No. _____
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: _____ Long: _____

12. WELL TESTS:
☐ Pump ☐ Baller ☒ Air ☐ Flowing Artesian
Yield gal/min _____ Drawdown _____ Pumping Level _____ Time _____
180 _____ _____ 1.30

Water Temp 56° Bottom hole temp _____
Water Quality test or comments: Good

13. LITHOLOGIC LOG: (Describe repairs or abandonment) Depth first Water Encounter 760'

From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
0	14	Sandy loam		
14	38	Hard Blk Bslt		
38	61	Brown silty Bslt		
61	72	md Hdy Blk. Bslt		
72	217	Hd Blk Bslt		
217	231	green shale		
231	290	Blue shale		
290	320	Green N shale		
320	345	TAN Sandy clay		
345	410	TAN clay		
410	602	Hard Blk Bslt		
602	760	med. Hd Bslt		
760	850	Soft Black Bslt - 6' from base		

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APR 13 2004
IDWR North

Completed Depth 850' (Measurable)
Date Started 3-13-04 Completed 3-21-04

14. DRILLER'S CERTIFICATION
We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name WHITE HOLE #1 Drilling Firm No. 125
Principal Driller Boyd J. J. J. J. J. Date 4-13-04
and Driller or Operator Boyd J. J. J. J. J. Date 4-12-04
Operator I _____ Date _____
Principal Driller and Rig Operator Required
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES

Plaintiff Exhibit #2

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 000 56434

Drilling Permit No. 855648
Water right or injection well #

2. OWNER

Name JIM BOWEN
Address 2007 POWERS DRIVE
City LEWISTON State ID Zip 83501

3. WELL LOCATION:

Twp 35 North ☒ or South ☐ Rge. 05 East ☐ or West ☒
Sec 5 1/4 40 acres SW 1/4 NW 1/4
Gov't Lot 46 * 24.33.54 (Deg. and Decimal minutes)
Long 116 * 59.55.12 (Deg. and Decimal minutes)
Address of Well Site 2300 23RD STREET
City LEWISTON

Area of Well water or well: (Maximum to Record in Certificate)

U/L --- S/L --- Sub. Name ---

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

5. TYPE OF WORK check all that apply

(Replacement etc.)

☒ New Well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:

☐ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

Seal material	From (ft)	To (ft)	Quantity (lb or ft)	Placement method/procedure
BENTONITE	0	18	#400	TOP POUR

8. CASING/LINER:

Class (Schedule)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Throated	Welded
8"	+2	18	.250	STEEL	☒	☐	☐	☒
6"	160	380	.250	STEEL	☐	☐	☐	☐
5 9/16"	410	770	.188	STEEL	☐	☒	☐	☐
4.5"	770	850	.188	STEEL	☐	☒	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 18

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method SAW

Manufactured screen ☐ Y ☒ N Type

Method of installation

From (ft)	To (ft)	Slot size	Number/s	Outside diameter	Material	Gauge or Schedule
730	770	1/8X4	42	59/16	STEEL	.188

Length of Headpipe N/A

Length of Tailpipe

Packer ☐ Y ☒ N Type

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lb or ft)	Placement method
N/A				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSG)

Describe control device

35N 05W 05

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 810 Static water level (ft) 684

Water temp. (°F) 55 Bottom hole temp. (°F)

Describe access point TOP OF CASING - CAP

Well test:

Test method:

Well test	Flow rate (gpm)	Flow rate (gpm)	Flow rate (gpm)	Flow rate (gpm)	Flow rate (gpm)
	60+	60	☐	☐	☒

Water Quality test or comments: GOOD

13. LITHOLOGIC LOG and/or repairs or abandonment:

Depth (ft)	Remarks (Thickness or description of layers or other pertinent water temp.)	Water	
10	0	12 DIRT	X
10	12	18 BASALT	X
8	18	190 BLACK BASALT	X
8	190	380 BLUE/GRAY SHALE	X
6	380	485 BLACK BASALT	X
6	485	530 SOFT BROWN BASALT	X
6	530	575 BLACK / TAN SHALE BASALT MIX	X
6	575	633 MED BLACK BASALT	X
6	633	660 SOFT BLACK BASALT MIX SHALE	X
6	660	700 HARD BLACK BASALT	X
6	700	810 MED BROWN BASALT	X
6	810	850 SOFT RED BASALT	X

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JUN 02 2009

IDWR/North

Completed Depth (Measurable)

850

Date Started 04/28/09

Completed 05/01/09

14. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name TWO U DRILLING, LLC

No. 125

Principal Driller WU

Date 5/31/09

Signer BU

Date 5/31/09

Operator

Date

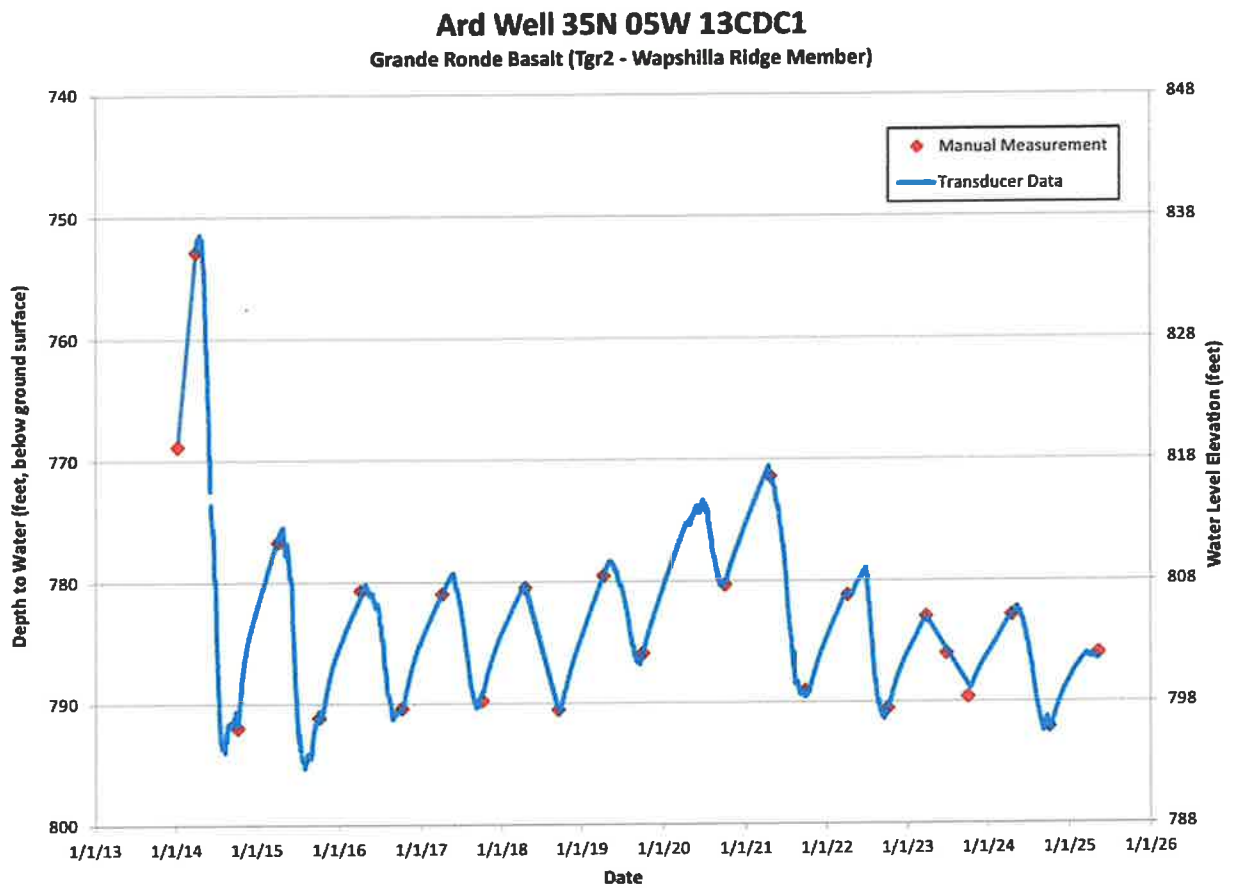
Operator

Date

* Signature of Principal Driller and rig operator are required.

Form provided by Forms On-A-Roll - (214) 348-9479 - www.FormsOnARoll.com

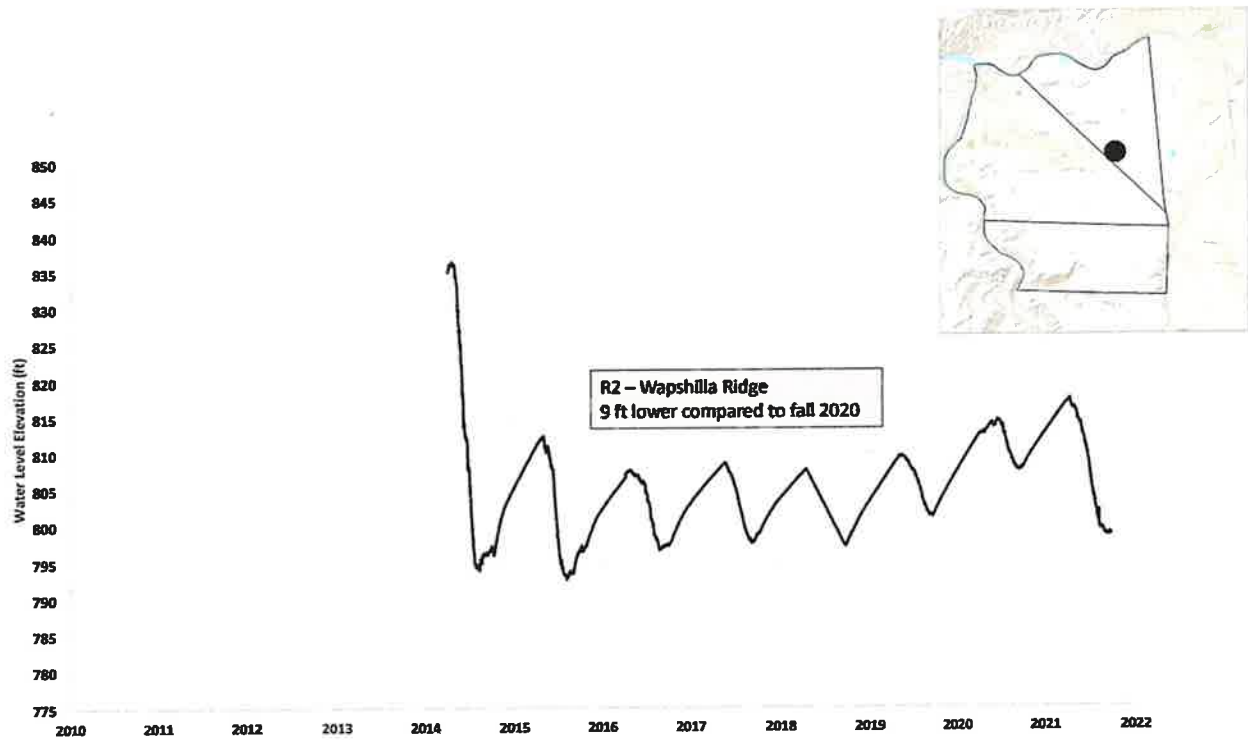
Chart made from data gathered by IDWR



Plaintiff Exhibit #4

IDWR – Lewiston Aquifer Advisory Committee Meeting Presentation – May 16, 2024

Downloaded July 14, 2025 from <https://idwr.idaho.gov/wp-content/uploads/sites/2/groundwatermgmt/Lewiston-Plateau-Designated-GWMA/2021-Fall-LPGWMA-Water-Level-Update.pdf>



Form 238-7
6/07IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

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NOV 20 2019

DEPARTMENT OF
WATER RESOURCES

1. WELL TAG NO. 0079645
 Drilling Permit No. 889781
 Water right or injection well # 85-15255
 2. OWNER: LEWISTON ORCHARDS IRRIGATION DISTRICT

Name 1520 POWERS AVE
 Address LEWISTON State ID Zip 83501
 City _____ State _____ Zip _____

3. WELL LOCATION:
 Twp 35 North ☒ or South ☐ Rge. 05 East ☐ or West ☒
 Sec. 20 NE 14 NE 1/4 NE 1/4

Gov't Lot _____ County NEZ PERCE
 Lat. 46.367441N (Deg. and Decimal minutes)
 Long. 116.981872W (Deg. and Decimal minutes)
 Address of Well Site ACCESS ROAD APPR. 500' NORTH OF
10TH & RIPON City LEWISTON
 (Show at least main street - Distance to total of 1 mile)

Lot _____ Blk. _____ Sub. Name _____
 4. USE:
☐ Domestic ☒ Municipal ☐ Monitor ☒ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☒ Other flooded reverse

7. SEALING PROCEDURES:
 Seal material (From (ft) To (ft) Quantity (lbs or ft³) Placement method/procedure
 NEAT CEMENT 0 20 31 cuft TREMIE
 NEAT CEMENT 0 1260 1755 cuft TREMIE

8. CASING/LINER:

Casing/Liner (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing Liner	Threaded	Welded
32"	0	20	.50"	STEEL	☒	☐	☐
24"	+2	1260	.50"	STEEL	☒	☐	☒
14	1245	1800	.3125	STEEL	☒	☐	☒

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

9. PERFORATIONS/SCREENS:
 Perforations ☒ Y ☐ N Method FULFLO LOUVERED

Manufactured screen ☒ Y ☐ N Type welded beveled ends, lowered
 Method of installation _____

From (ft)	To (ft)	Slot size	Number	Casing/Liner (nominal)	Material	Gauge or Schedule
1485	1485	.220	20	14	Steel	5/16"
1555	1625	.220	20	14	Steel	5/16"
1690	1740	.220	20	14	Steel	5/16"

Length of Headpipe 3.41 5/8" sub Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
none				

11. FLOWING ARTESIAN:
 Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:
 Depth first water encountered (ft) 682 Static water level (ft) 704.8bgl
 Water temp (°F) 62.42 Bottom hole temp (°F) 78.3
 Describe access port 2" coupler w/plug welded into well cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method:	Pump	Water	Air	Flowing
30.43	3000	2160 min	☒	☐	☐	☐	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore DIA. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water
				Y N
38	0	7	SAND/CLAY/TOPSOIL	
38	7	20	BLACK BASALT	X
28	20	104	BLACK BASALT	X
28	104	115	BROWN BASALT	X
28	115	184	BLACK BASALT/HARD	X
28	184	380	BLACK/GREY CLAY	X
28	380	590	BLACK BASALT/HARD	X
28	590	650	GREEN/GHAY CLAY, MIXED BASALT	X
28	650	660	CLAY/BASALT MIXTURE	X
28	660	663	GREEN/GREY CLAY	X
28	663	680	FRACTURED BASALT	X
28	680	730	BLACK BASALT/HARD	X
28	730	780	FRACTURED BLACK BASALT/SOFT	X
28	780	795	BLACK BASALT/SOFT	X
28	795	805	RED AND BLACK BASALT/SOFT	X
28	805	850	BLACK BASALT/SOFT TO MEDIUM	X
28	850	1260	BLACK BASALT/MEDIUM TO HARD	X
19	1260	1380	BLACK/RED BASALT MIX	X
19	1380	1405	BLACK BASALT, SOME CLAY	X
19	1405	1432	BLACK BASALT, RED CHATTER	X
19	1432	1540	BLACK BASALT, HARD	X
19	1540	1630	BLACK, BLUE, RED BASALT MIX	X
19	1630	1720	BLACK BASALT, SOME FRACTURES	X
19	1720	1800	BLACK BASALT, SOME RED MIX	X
12.25	1800	1900	BLACK BASALT, SOME FRACTURES	X
12.25	1900	1850	BLACK BASALT	X
12.25	1850	2000	BLACK BASALT, HARD DRILLING	X

Completed Depth (Measurable): 2000'
 Date Started 06/25/19 Date Completed 10/24/19

14. DRILLER'S CERTIFICATION:
 I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

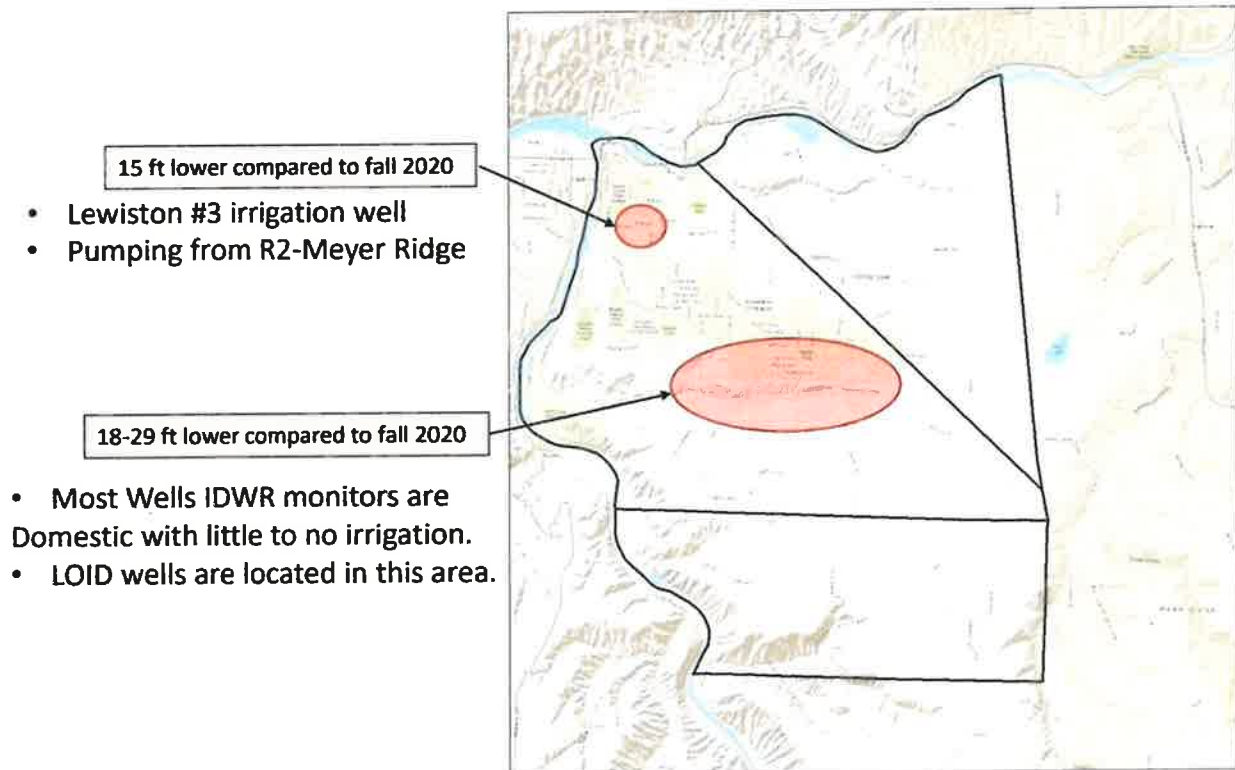
Company Name BOART LONGYEAR Co. No. 438
 *Principal Driller [Signature] Date 11/12/19
 *Driller [Signature] Date 11/08/19
 *Operator II [Signature] Date 11/12/19
 Operator I [Signature] Date 11/12/19

*Signature of Principal Driller and rig operator are required.

IDWR – Lewiston Aquifer Advisory Committee Meeting Presentation – May 16, 2024

Downloaded July 14, 2025 from <https://idwr.idaho.gov/wp-content/uploads/sites/2/groundwatermgmt/Lewiston-Plateau-Designated-GWMA/2021-Fall-LPGWMA-Water-Level-Update.pdf>

Grande Ronde Basalts Change

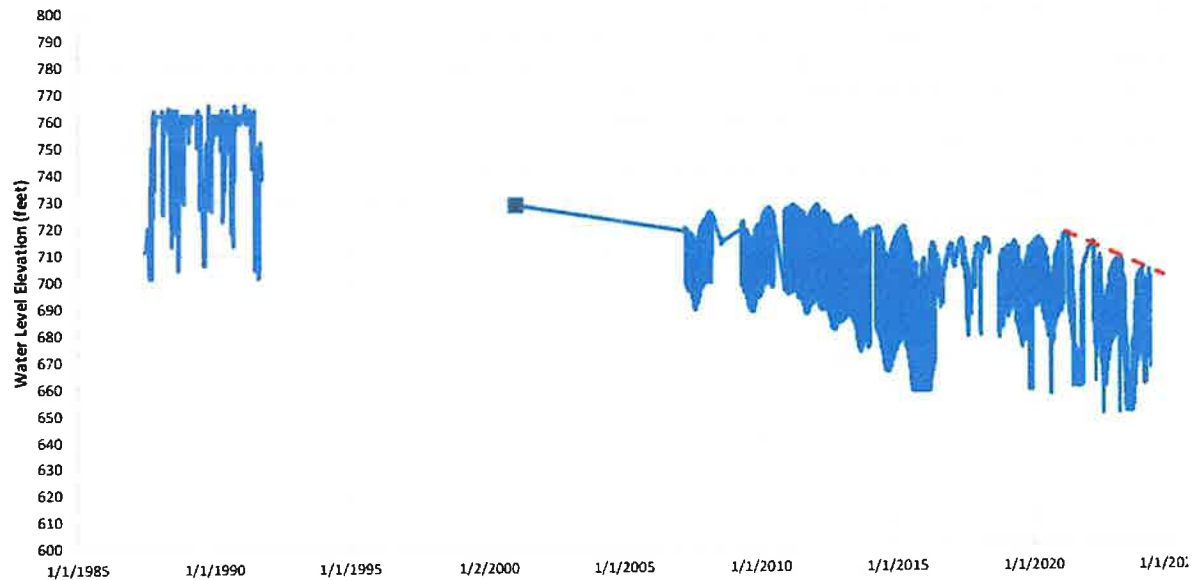


Plaintiff Exhibit #8

IDWR – Lewiston Aquifer Advisory Committee Meeting Presentation – May 16, 2024

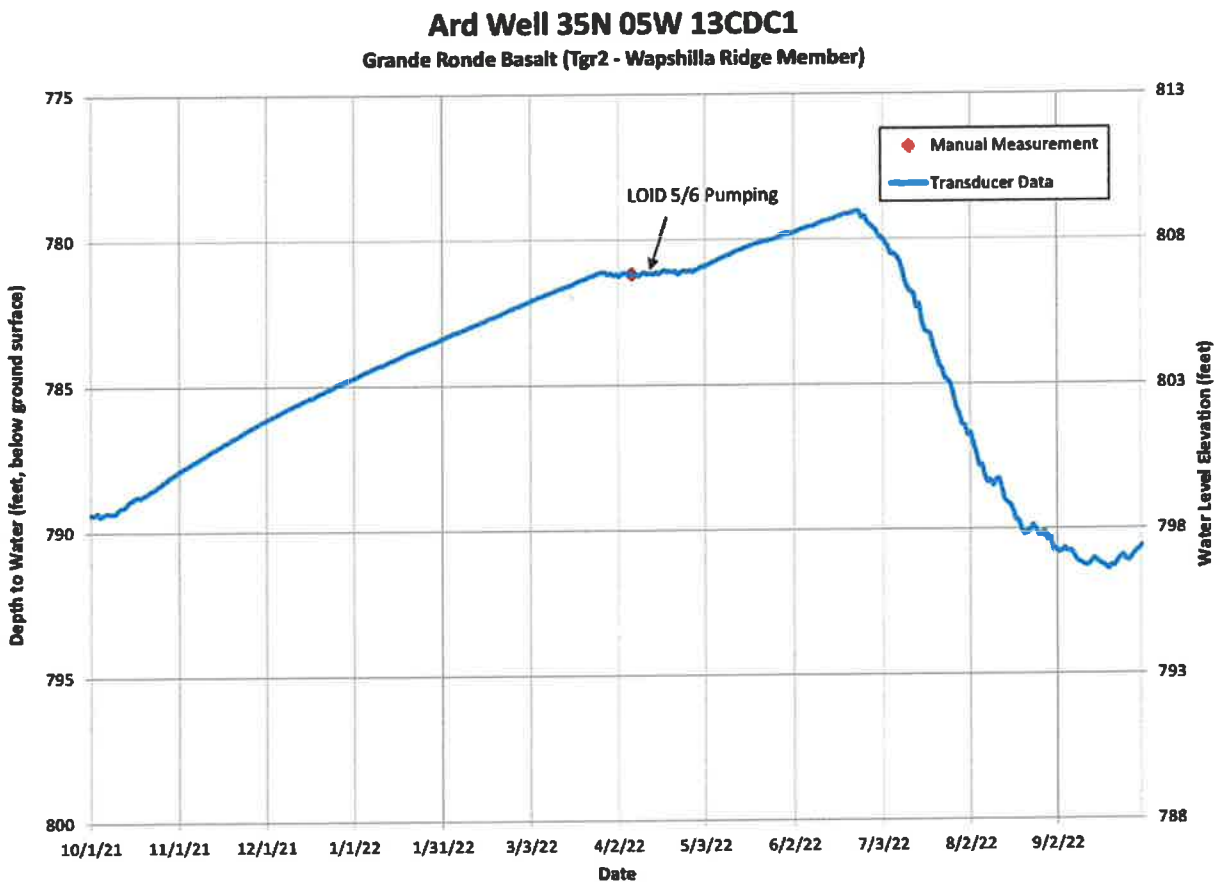
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Grande Ronde Basalts Water Levels
Lewiston Orchards Area
-3.3 Feet for the Year and -15 Feet Since 2021

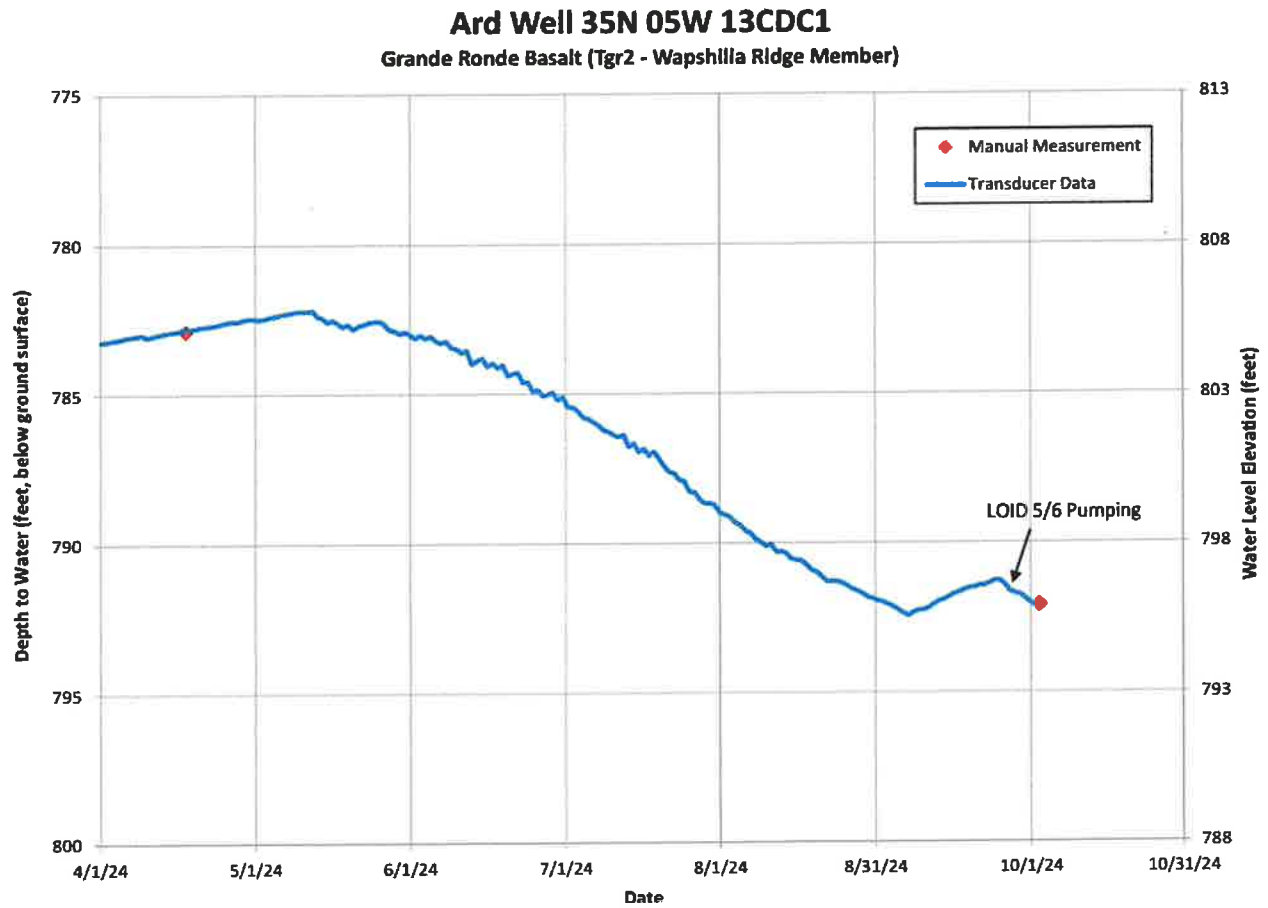


Plaintiff Exhibit #9

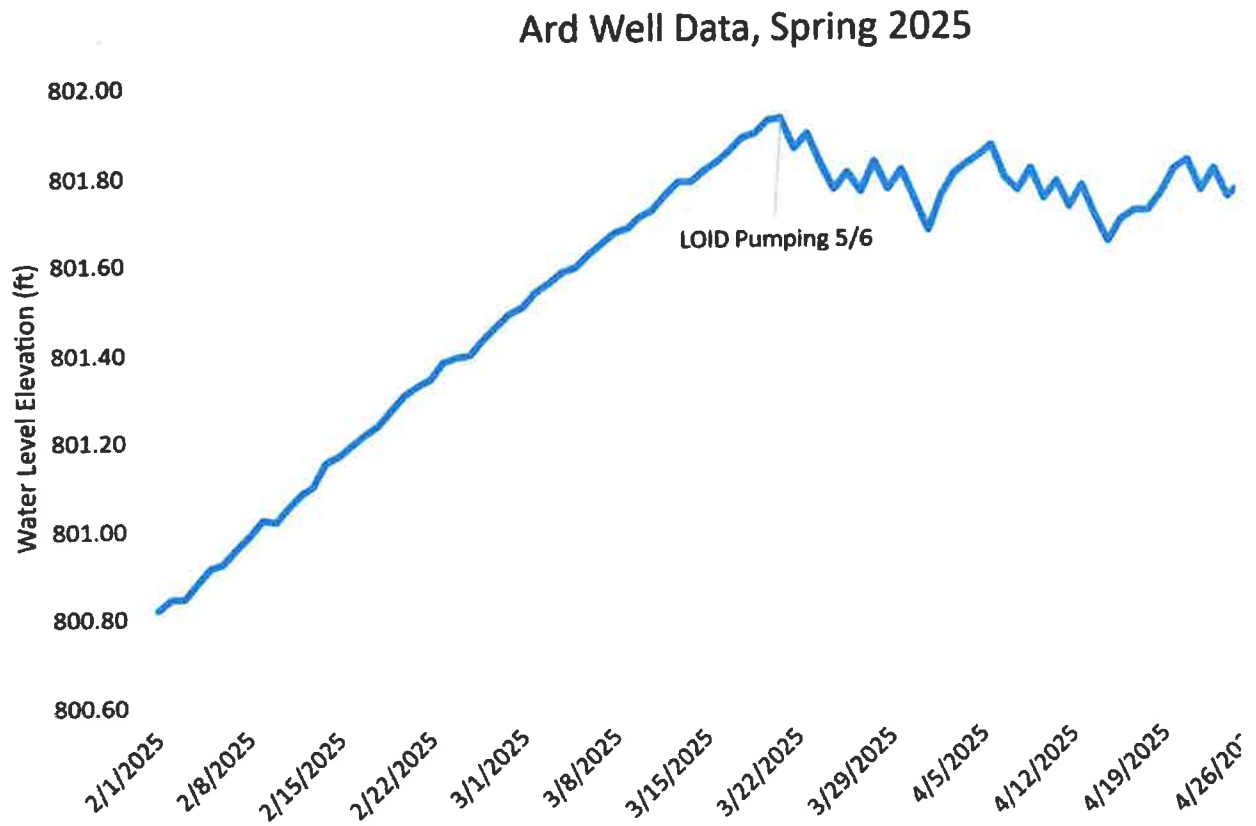
From Ard well data gathered by IDWR



Ard well data gathered by IDWR



Ard well data gathered by IDWR



[illegible]

Plaintiff Exhibit #13

IDWR – Lewiston Aquifer Advisory Committee Meeting Presentation – May 16, 2024

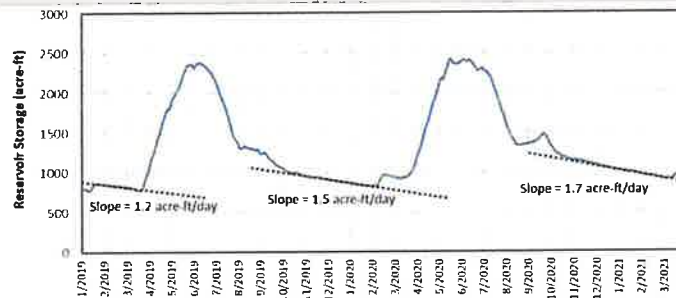
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Method 1: Pond Loss Calculator

Soil Type	Seepage Rate (ft/day)	Total Seepage Loss (acre-ft/year)
GW, GP, GM, GC, SW, SP, SM	0.2	9,900
OL, ML	0.02	990
SC	0.007	350
CL	0.003	150
MH, OH, PT, CH	0.0003	15

Reasonable Range

Method 2: Recession Limb Analysis



Mann Lake Seepage Estimates from Recession Limb:
330 acre-ft to 520 acre-ft