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JUL 24 2013

Form as a 2 page, single-sided document

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No.

75-14772

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of applicant(s) David L. Tomlinson Phone 208-756-4424
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 13 Gott Road City SalmonState Idaho Zip 83467 Email: uglyrangerbear@yahoo.com2. Source of water supply Waste water ditch which is a tributary of Sinks

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21N	21E	1			NE	SE	Lemhi	Waste water ditch at end of	
								Arrowhead Water District	
								pipeline	

4. Water will be used for the following purposes:

Amount .04 for Irrigation purposes from 04/01 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)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)5. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 6" inlet pipe at waste water ditch (POD),
connected to 4" PVC pipe, reduced to 2.0" rolled plastic to POU. Pipe is gravity fed and the run will be +/- 1,300 ft. long.

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 11.

For dams 10 feet or more in height OR reservoirs with a total 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 ☐ Noe. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

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Eastern Region

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8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
21N	22E	6										1	1						2

Total number of acres to be irrigated: 2

9. 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? I have a domestic well that barely sustains household use. I intend to use the waste water to water a small lawn and limited landscaping. At this time the domestic well is the only source of water for the home and adjoining acreage.
10. a. Who owns the property at the point of diversion? Roger Swanson
 b. Who owns the land to be irrigated or place of use? David Tomlinson
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Mr Swanson has given his permission for the pipe to cross his land within Arrowhead Water District Easement
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. I plan to collect water that is escaping into a road side ditch from a pressure relief valve at the bottom of Arrowhead Water District's waterline. Water will be captured in a 6" pipe inlet (POD) connected to a buried 4" PVC pipe and then reduced to a 2" rolled plastic pipe to the POU. Pipe runs under Mr. Swanson's property to a ROW that I own and then down to the Point of Use. The elevation at the POD is 4230' & 4165' at the POU. No pumping will be required. I have permission from Arrowhead to have the pipe within their easement and installation will be made under their supervision. No physical connection will be made to the Arrowhead water system.
12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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

David L. Tomlinson
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by MHOLLIDAY Date 7/24/13 Time _____ Preliminary check by MWH
 Fee \$ 100 Received by DK Receipt No. E038599 Date 4/16/13

75-14772

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No warranty is made by the BLM for the use of the data for purposes not intended by the BLM.



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APR 11 2013

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Eastern Region

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

Ident. No.

75-14772

1. Name of applicant(s) David L. Tomlinson Phone 208-756-4424
 Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 13 Gott Road City Salmon
 State Idaho Zip 83467 Email: uglyrangerbear@yahoo.com

2. Source of water supply Waste water ditch which is a tributary of NA

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
21	21	1		SE	SE	NE	Lemhi	Waste water ditch at end of	
								Arrowhead Water District	
								pipeline	

4. Water will be used for the following purposes:

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 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

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a. Describe type and size of devices used to divert water from the source. 6" inlet pipe at waste water ditch (POD),
connected to 4" PVC pipe, reduced to 2.0" rolled plastic to POU. Pipe is gravity fed and the run will be +/- 1,300 ft. long.

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 11.

For dams 10 feet or more in height OR reservoirs with a total 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. _____

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

SUPERCEDED

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8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	22E	6							1										1
21N	22E	6											1						1

Total number of acres to be irrigated: 2

9. 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? I have a domestic well that barely sustains household use. I intend to use the waste water to water a small lawn and limited landscaping. At this time the domestic well is the only source of water for the home and adjoining acreage.
10. a. Who owns the property at the point of diversion? Diversion pipe is within Arrowhead Water District ROW easement.
 b. Who owns the land to be irrigated or place of use? David L Tomlinson
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Inlet and existing 4" PVC pipe are within the pipeline/water ROW easement of Arrowhead Water District.
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. I plan to collect water that is escaping into a road side ditch from a pressure relief valve at the end of Arrowhead Water District's waterline. Water will be diverted into a 6" pipe inlet (POD) connected to a buried 4" PVC pipe that ends at a deeded road easement that I own. At this point pipe will be reduced to a 2.0" rolled plastic pipe & buried within my easement to the Point of Use. The elevation at the POD is 4230' & 4165' at the POU. No pumping will be required. Buried 4" pipe runs 200 ft down Arrowhead Water District ROW easement to my deeded ROW, then 1,100 feet to POU. 1.5" pipe will be buried at least 30 inches deep. No physical connection will be made to Arrowhead water system.
12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

David L. Tomlinson
Signature of Applicant

David L. Tomlinson
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by J. JONES Date 4/11/2013 Time _____ Preliminary check by M. HOLLIDAY
 Fee \$ 100.00 Received by NL Receipt No. E038599 Date 4-16-13

75-14772

Attention Judy:

Here are the documents that were discussed on the phone.

The approved Lemhi County Road & Bridge Crossing Application. This work has been completed and approved by the county.

The Deed – Granting Easement document that came with the property I purchased from the Maxine Duncan Estate in 2004. We installed this pipe when we were doing spring road maintenance.

The pipeline crossing the Arrowhead pipeline right-of-way was installed by myself and the Arrowhead Water Master, Ben Jones and meets their specifications.

From the POD to the POU all the pipeline is either within the Arrowhead Water District Pipeline ROW easement, covered by the Lemhi County Road and Bridge Permit or on the easement I purchased with the Duncan Estate property.

The water we are diverting is escaping from a pressure release valve at the bottom of the Arrowhead Water District system. This water is now flowing down an open ditch and entering into the borrow of South 9th Street then disappearing after flowing about 100 feet,

I have no physical connection to the Arrowhead District Water System. All the water I propose to collect will be from the open ditch. This water has been lost to the AWD and could only be recovered by using an electric pump of some type. The water will then flow to my property by gravity feed only.

David L. Tomlinson

13 Gott Road

Salmon, ID 83467

208-756-4424

LEMHI COUNTY ROAD & BRIDGE
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467 (208) 756-2861

APPLICATION AND PERMIT TO USE PUBLIC RIGHT-OF-WAY
UTILITIES & ENCROACHMENTS

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

PUBLIC ROAD SURFACE TYPE: ☐ DIRT ☐ GRAVEL ☐ PAVEMENT

DATE:

START DATE: APRIL 14, 20 13

EST. COMPLETION DATE: APRIL 18, 20 13

ROAD NAME: SOUTH 9TH STREET

EXACT LOCATION: 1/2 WAY BETWEEN
MC LONIE DR. + GOTT LANE

NOTICE I

This permit shall not be valid for excavation until, or unless, the provision of Idaho Code Title 35, Chapter 22 have been complied with. PRIOR TO EXCAVATION. CALL ONE NUMBER LOCATION SERVICE

800-342-1585

ANGLE OF CROSSING _____

SIZE OF PIPE 4" SCH 40 PVC
3" 200 PSI INSERTED
IN 4" PIPE.

UTILITY TYPE WASTE WATER - GRAVITY FLOW

UTILITY DEPTH (Min 36") 36"

CULVERTS: (See Special Stipulation)

A PLAN OF PROPOSED WORK AND APPLICABLE TRAFFIC CONTROL PLANS MUST BE ATTACHED:

SPECIAL STIPULATIONS/ PROVISIONS: _____

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, (SEE ATTACHED FOR GENERAL PROVISION). PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE,

Company Name: <u>DAVID L. TOMLINSON</u>	<u>DAVID L. TOMLINSON</u>
Address: <u>13 GOTT LANE</u>	Applicant - (Please type or print)
City: <u>SALMON</u> State: <u>ID</u>	<u>David L. Tomlinson</u>
Zip Code: <u>83467</u>	Signature of Authorized Representative
	Date signed: <u>APRIL 10</u> , 20 <u>13</u>

FINAL INSPECTION/APPROVAL

☐ Approved-Date: 4/10/13

☐ Rejected - Date: _____, 20 ____
Corrections Required _____, 20 ____

Approved by:

Shayla 4/10/13
Lemhi County Authorized Representative

75-14772

State of Idaho)
County of Lemhi)

ss No.

221745

This instrument was filed for record at

the request of John S. Wiedorickat 8:01 o'clock P.A. on 12-2 1973

and is filed and indexed in the

records of Lemhi County

Alberta Wiedorick

DEED - GRANTING EASEMENT

By Terri S. Martin Deputy
Recorder

I, STEVEN R. GOTT, a married man dealing with my sole and separate property, of 1006 Gilmore Avenue, City of Salmon, County of Lemhi, State of Idaho, owner of land described below in consideration of Ten Dollars (\$10.00), receipt of which is acknowledged, hereby grant, bargain, sell, and convey to MAXINE E. DUNCAN, of P.O. Box 583, City of Salmon, County of Lemhi, State of Idaho, grantee, a road easement only on the the following described property:

An easement located in Government Lot 6, Section 6, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the W $\frac{1}{4}$ corner of said Section 6, run thence S. $60^{\circ} 11' 00''$ E. along the westerly boundary of Section 6, a distance of 343.06 ft. to the POINT OF BEGINNING;

Thence continuing S. $88^{\circ} 34' 33''$ E. a distance of 30.01 ft.;

Thence S. $00^{\circ} 11' 00''$ E. a distance of 894.16 ft.;

Thence N. $89^{\circ} 49' 00''$ E. a distance of 550.65 ft. to a point on the westerly boundary of Maxine Duncan property;

Thence continuing S. $00^{\circ} 11' 00''$ E. along said boundary a distance of 60.00 ft.;

Thence S. $89^{\circ} 49' 00''$ W. a distance of 580.65 ft. to a point on the westerly boundary of Section 6;

Thence N. $00^{\circ} 11' 00''$ W. along said boundary a distance of 895.00 ft. to the POINT OF BEGINNING.

DEED GRANTING EASEMENT - Page 1.

75-14772

The easement granted by this deed is for the benefit and appurtenant to that real property, or any portion of such property, in the County of Lemhi, State of Idaho, described as follows:

A parcel of land located in Government Lot 6 and 7, Section 6, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the W $\frac{1}{4}$ corner of said Section 6, run thence S. $00^{\circ} 11' 00''$ E. along the westerly boundary of Section 6, a distance of 343.06 ft.; thence S. $88^{\circ} 34' 33''$ E. a distance of 227.06 ft.; thence S. $80^{\circ} 29' 33''$ E. a distance of 358.35 ft. to the POINT OF BEGINNING.

Thence S. $80^{\circ} 29' 33''$ E. a distance of 9.39 ft.;
Thence S. $75^{\circ} 55' 17''$ E. a distance of 74.19 ft.;
Thence S. $76^{\circ} 22' 24''$ E. a distance of 175.05 ft.;
Thence S. $84^{\circ} 52' 04''$ E. a distance of 70.65 ft.;
Thence N. $02^{\circ} 20' 00''$ E. a distance of 84.50 ft.;
Thence S. $88^{\circ} 06' 00''$ E. a distance of 109.00 ft.;
Thence S. $00^{\circ} 40' 00''$ E. a distance of 125.00 ft.;
Thence S. $85^{\circ} 31' 00''$ E. a distance of 200.80 ft.;
Thence S. $00^{\circ} 40' 00''$ E. a distance of 1301.00 ft. to the Northerly bank of the Salmon River;
Thence along said bank the following courses and distances;

S. $57^{\circ} 24' 40''$ E. 454.84 ft.;
S. $62^{\circ} 13' 30''$ E. 295.93 ft.;

Thence N. $00^{\circ} 11' 00''$ W. a distance of 1810.00 82 ft. to the POINT OF BEGINNING.

In witness whereof, I have caused this deed to be executed at Salmon, Idaho, on the date indicated below.

DATED this 30 day of November, 1993.


Steven R. Gott

DEED GRANTING EASEMENT - Page 2.

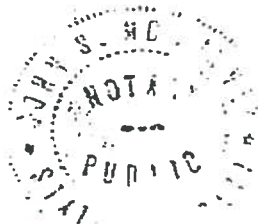
75-14772

STATE OF IDAHO)
) ss
County of Lemhi)

On this 30th day of November, 1993, before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVEN R. GOTT, known to me to be the person whose name is subscribed to the foregoing instrument and who acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)





Notary Public for Idaho
Residing at Salmon
Commission expires:

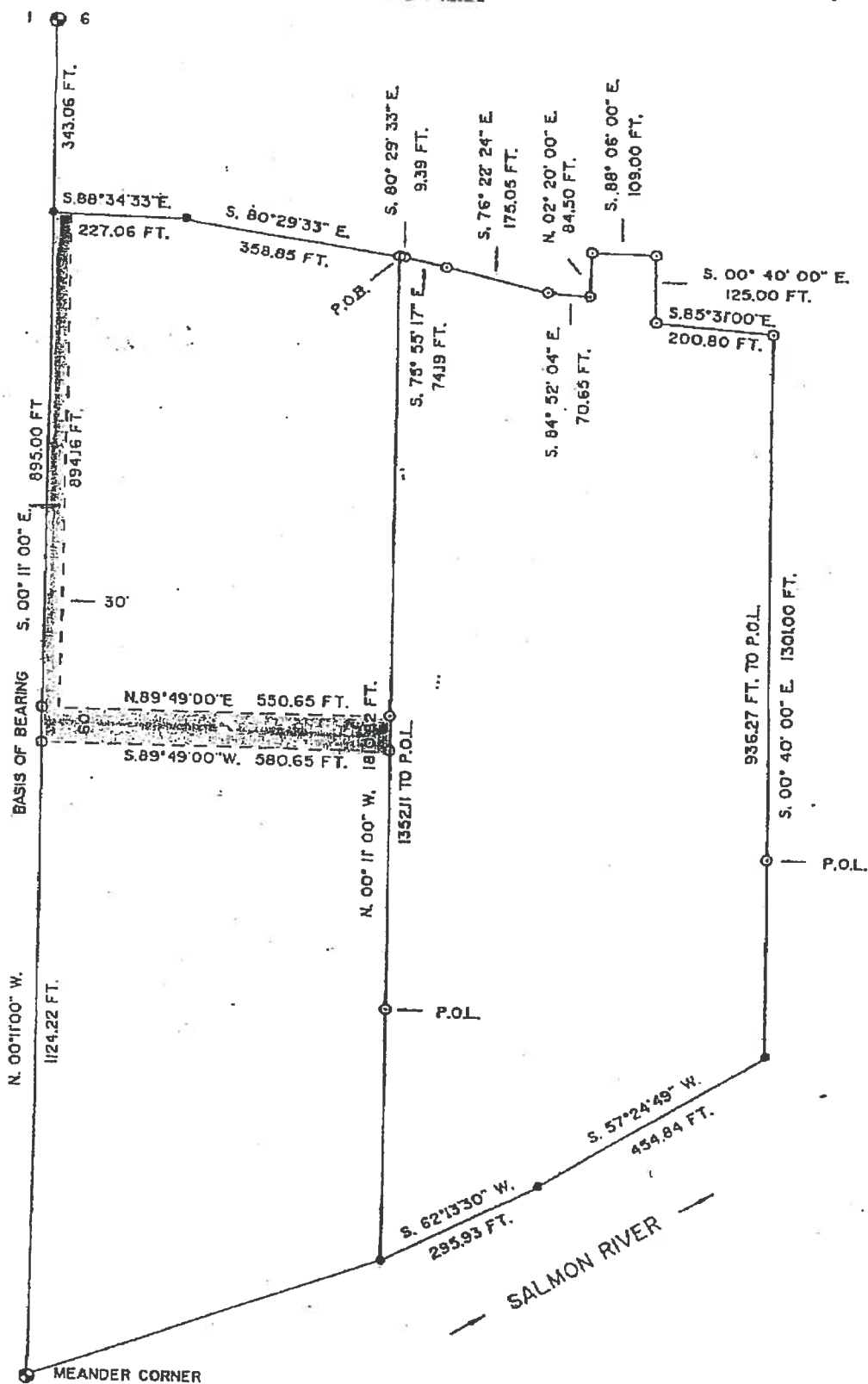
PARCEL

MENT LOT 6 AND 7,
2234th, LEHIGH COUNTY,
AS FOLLOWS:

SAD SECTION 6, RUN
WESTERLY BOUNDARY
FT; THENCE
6 FT; THENCE
93 FT. TO THE POINT

OF 9.39 FT;
OF 7419 FT;
OF 175.05 FT;
OF 70.65 FT;
OF 84.50 FT;
OF 109.00 FT;
OF 125.00 FT;
OF 200.80 FT;
OF 1301.00 FT. TO
RIVER;
AVIG COURSES

FT;
FT;
OF 1910.82 FT.



PERSONAL REPRESENTATIVE'S DEED

THIS DEED, Made by DELMAR R. ALDOUS, as Personal Representative of the Estate of MAXINE E. DUNCAN, Grantor, to DAVID L. TOMLINSON and PAULA R. TOMLINSON, husband and wife, whose address is 13 Gott Lane, Salmon, ID 83467, Grantee.

WHEREAS, Grantor is the qualified Personal Representative of the said estate, filed as Probate Number SP-01-10, Lemhi County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the following described real property in Lemhi County, Idaho:

PARCEL I:

LOTS 5 & 6 OF MOUNTAIN ASH SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 6 OF PLATS AT PAGE(S) 75 OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO

PARCEL II:

A NON-EXCLUSIVE EASEMENT, APPURTENANT TO PARCEL I LOCATED IN GOVERNMENT LOT 6, SECTION 6, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W $\frac{1}{4}$ CORNER OF SAID SECTION 6, RUN THENCE S. 00°11'00" E. ALONG THE WESTERLY BOUNDARY OF SECTION 6 A DISTANCE OF 343.06 FT. TO THE POINT OF BEGINNING;
THENCE CONTINUING S. 88°34'33" E., A DISTANCE OF 30.01 FT.;
THENCE S. 00°11'00" E. A DISTANCE OF 894.16 FT.;
THENCE N. 89°49'00" E. A DISTANCE OF 550.65 FT., TO A POINT ON THE WESTERLY BOUNDARY OF MAXINE DUNCAN PROPERTY;
THENCE CONTINUING S. 00°11'00" E. ALONG SAID BOUNDARY A DISTANCE OF 60.00 FT.;
THENCE S. 89°49'00" W. A DISTANCE OF 580.65 FT.

TO A POINT ON THE WESTERLY BOUNDARY OF
SECTION 6; THENCE N. 00°11'00" W. ALONG SAID
BOUNDARY A DISTANCE OF 955.00 FT. TO
THE POINT OF BEGINNING.

with all appurtenances.

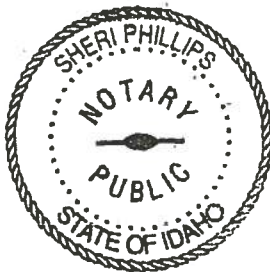
EXECUTED this 23 day of June, 2004.

Delmar R. Aldous
Delmar R. Aldous

STATE OF IDAHO)
) SS
County of Lemhi)

On this 23rd day of June, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared DELMAR R. ALDOUS, known to me to be the Personal Representative of the Estate of Maxine E. Duncan, and the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Sheri Phillips
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 4/24/2009

State of Idaho)
County of Lemhi) SS No. 259148

This instrument was filed for record at the request
of alliance

at 2:30 o'clock p.m. 30 June 2004

and duly filed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By K. Baumert Deputy

PERSONAL REPRESENTATIVE'S DEED - Page 2 Fee 6.00

Return to _____

75-14772