

PUBLISHERS AFFIDAVIT OF PUBLICATION

JUN 4 1976

STATE OF IDAHO, }
County of Nez Perce } ss.

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Brian L. &/or Phyllis R. Fromdahl, 2023 Powers, Lewiston, Idaho have on May 19, 1976 submitted Application No. 185-7125 for a permit to appropriate 0.20 cubic feet per second of water from a ground water source by means of pump, well, and sprinklers within the SE 1/4 SW 1/4, Sec. 22, T. 36N, R. 4W, B.M., Nez Perce County to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from April 1 to Nov. 1 for the irrigation of 30 acres (0.20 cfs) within the SE 1/4 SW 1/4, Sec. 22, T. 36N, R. 4W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before June 14, 1976.

R. KEITH HIGGINSON
Director

C. R. Koethke, being duly sworn

deposes and says, I am the Classified Manager of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said

period; that the Notice of Application attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a

week for 2 consecutive times, the first publication thereof being on the 27th day of

May, A. D. 19 76, and the last publication thereof being on the 3rd day of June,

A. D. 19 76, and said Notice of Application was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

C.R. Koethke

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

3rd day of June, 19 76.

Norman W. Rich 8-28-76

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

MICROFILMED

MICROFILMS

Identification No. 85-7125

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Brian L. &/or Phyllis R. Fromdahl Phone: 743-3037
post office address 2023 Powers, Lewiston, ID 83501
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 36N
Range 4W B.M. Nez Perce County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.20 for Irrigation purpose from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, well, sprinkler system and house plumbing.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 145 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 7,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 36N
Range 4W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
36N	4W	22												30					30

Total number of acres to be irrigated 30

c. Describe any other water rights used for the same purposes as described above. None

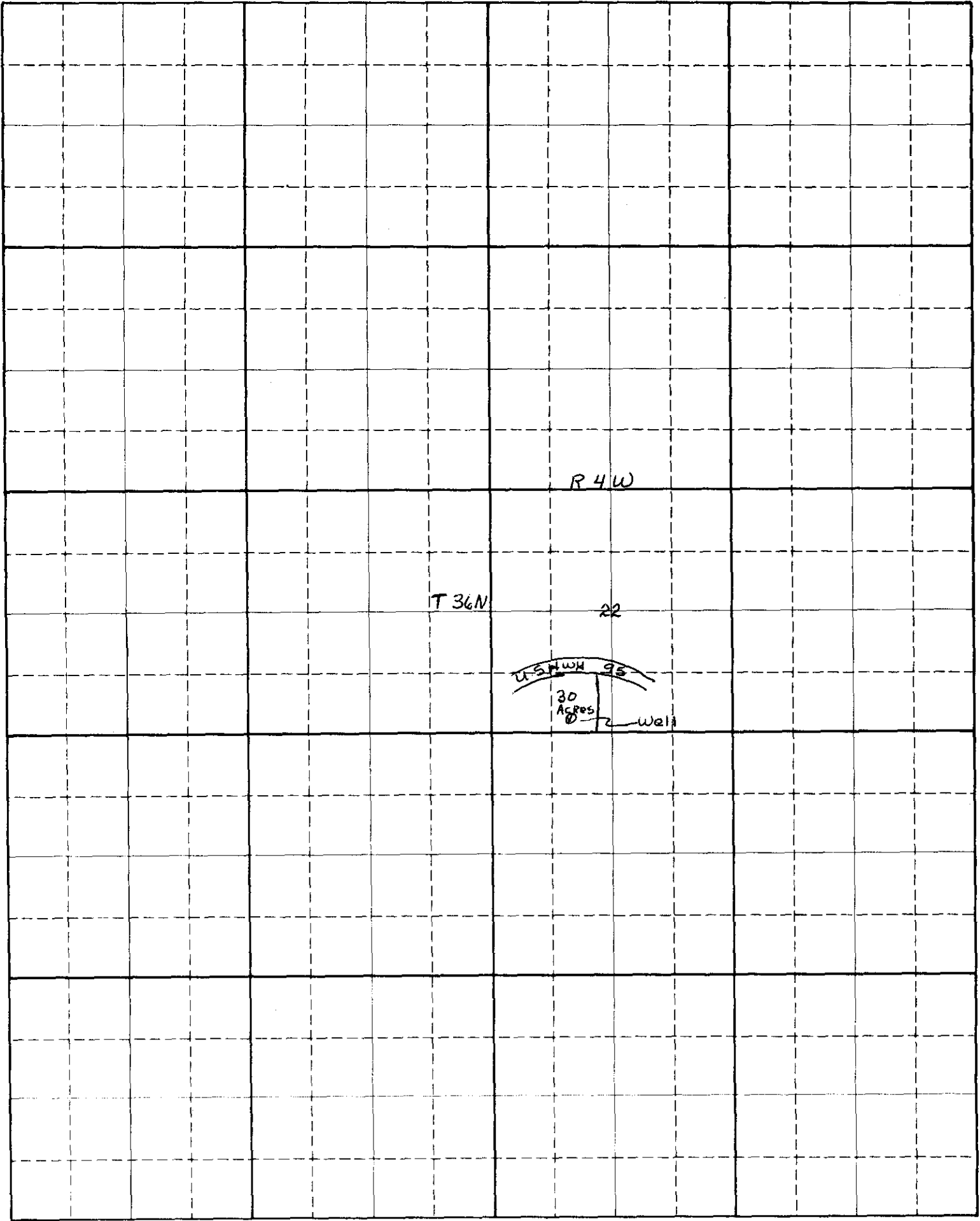
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Water to be applied to land is limited by pump capacity & well

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Brian L. Zimmler
(Applicant)

Proposed priority: 5/19/1976

Received by WAB Date 5-19-76 Time 11:15 AM

Preliminary check by KF Fee \$ 10⁰⁰

Receipted by WAB Date 5-19-76 # 2816

Publication prepared by cp Date 5-21-76

Published in Lewiston Morning Tribune

Publication dates 5-27 & 6-3-76

Publication approved cp Date 6-8-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WAB DRT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 85-7125, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

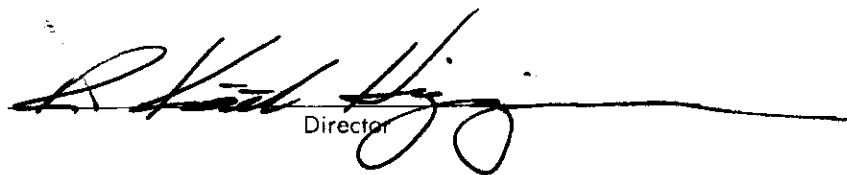
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 81.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 22 day of June, 19 76.


Director

PUBLISHER'S AFFIDAVIT OF PUBLICATION

JUN 4 1976

STATE OF IDAHO, } ss.
County of Nez Perce }

Department of Water Resources
Northern District Office

C. R. Koethke, being duly sworn

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period; that the Notice of Application
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for 2 consecutive times, the

first publication thereof being on the 27th day of May, A. D. 1976, and the last publication thereof being on the 3rd day of June,

A. D. 19 76, and said Notice of Application was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

3rd day of June, 19 76

Norman W. Rich 8-28-76
Notary Public in and for the State of Idaho,

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

*File
#85-7125*

January 4, 1979

Mr. Bryan L. Fromdahl
P. O. Box 678
Lewiston, Idaho 83501

*Box 75
Spaulding, Idaho
83551*

Re: License 85-7125

Dear Bryan:

I hope the enclosed copy of your License #85-7125 will be sufficient for your needs until you receive your copy. I have certified it as a true and correct copy if that will help any.

John did send in an EER and 4100, but he hit a new snag. I think I'll give up.

I appreciate your help and patience. If you have any further difficulties, please feel free to contact me at any time.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - License



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

December 21, 1978

Re: Permit No. 85-7125

**Bryan L. &/or Phyllis R. Fromdahl
2023 Powers
Lewiston, Idaho 83501**

Dear Mr. and Mrs. Fromdahl:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

11/21/78

FIELD REPORT

1. Name of permit holder Brian L. Fromdahl

Post office address 2023 Powers, Lewiston, ID 83501

Phone 748-3037

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐ _____

Tributary to

3. Water will be used for the following purposes:

Amount 0.20 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount 0.04 c.f.s. for Domestic (1)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.20 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 36N N/S, Range 4W E/W, B.M., Section 22, Subdivision SE 1/4 SW 1/4, Nez Perce
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4,

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Other Points of Diversions:

Description of diverting works: 5 hp single phase pump sub., 8" casing to 8' thru 136', 6" casing 136' to 145', maximum depth 145' deep

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

30

Rge. 4W

T
36
N

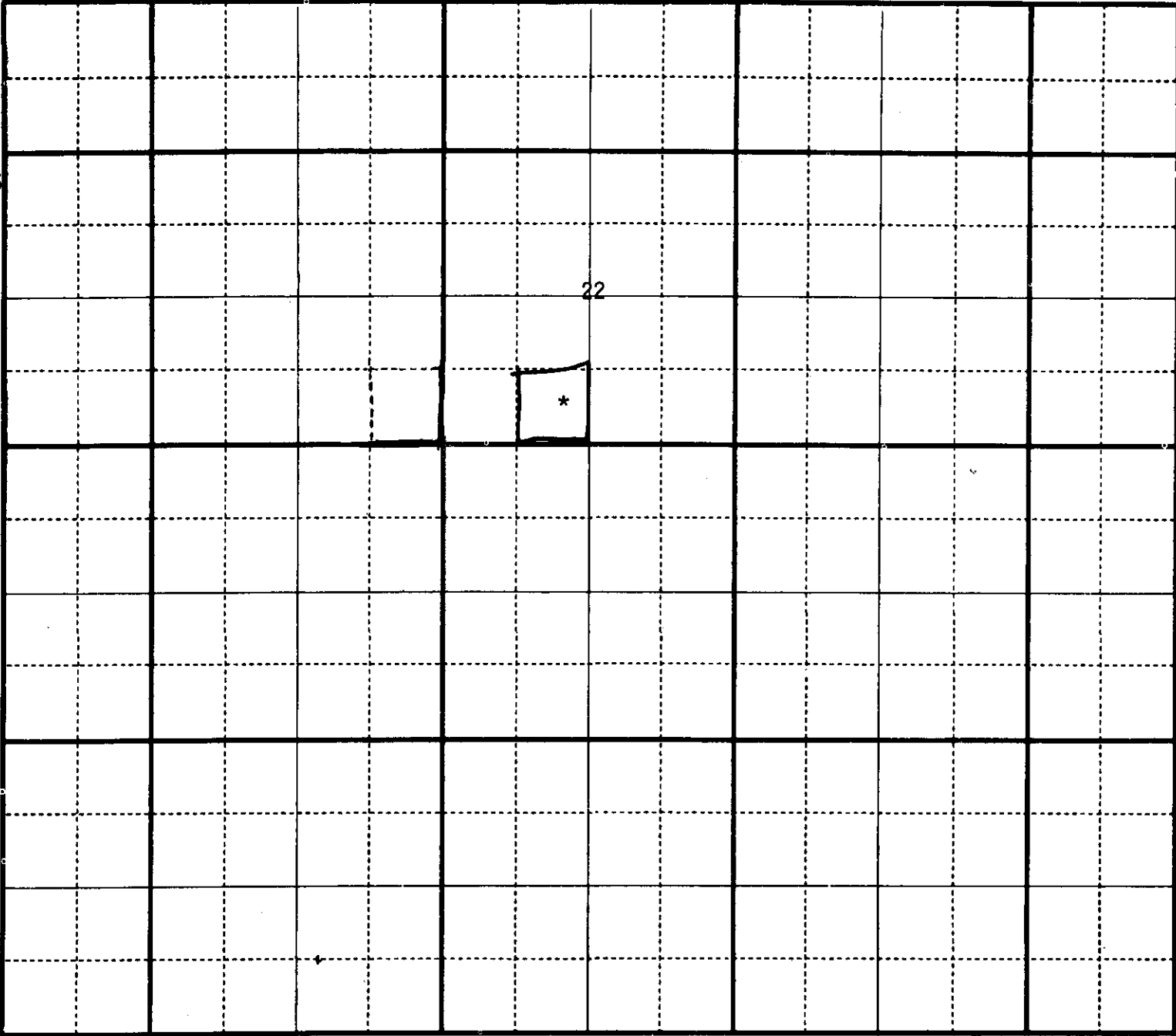


Diagram of System

DATE OF EXAM 2-10-78 / 8/24/78

ACREAGE

Found 30
Recommended 30

Irrigation Requirement 3.5 Ac Ft/Ac

$$1.98 \times 0.20 \text{ cfs} \times 214 \text{ days} = 85 \text{ acre feet} \\ (84.7)$$

USE

Irrigation Q = 0.20 c.f.s. V = 105 AF/Ann. from Apr 1 to Nov 1
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 0.28 Method of measurement Pressure gauge

Total Q recommended 0.20 Meter No. _____ Type _____ Condition _____

Total V recommended 106.2 AF/Ann

Recommended Amendments: 86.2 ac.ft.

P.D. _____

Place of Use _____

Other _____

None ✓

MEASUREMENT CALCULATION: 12 RB 40 spkls w/ 5/32 & 7/32 nozzles @ 25 psi

RB 40 w/ 5/32 nozzle @ 25 psi = 3.52
" " " 7/32 " @ 25 psi = 6.93
30 ann @ 3.5 = 105 AF/Ann 10.45 (12 spkls) = 125.4 gpm = 0.28 cfs
1.98 x 0.20 cfs x 214 days = 85 ac.ft (84.7)
One home hold @ 0.04 x 1.2 AF = 0.24 cfs, 106.2 AF/Ann Total

SYSTEM DESCRIPTION:

5 hp single phase sub pump 8" casing 145' deep with pipeline to place of use (12 Rainbird spkls)

REMARKS:

7-12-77 Well capped - no power to submersible pump
No house no irrigation
Perhaps the Proof of
Beneficial Use should be retraced & an extension
applied for 2-10-78 domestic proof - 7/24/78 irrigation proof

Examiner's Signature Tom N. Ling Date 7-12-77 8/24/78

Checked by Bob Ayman Date 8.3.77

Approved by _____ Date _____

January 19, 1978

Re: Permit No. 85-7125

Brian L. Fromdahl
2023 Powers
Lewiston, ID 83501

Dear Mr. Fromdahl:

Enclosed is a copy of a letter I have sent to Mr. Conklin of the Federal Land Bank.

If I can be of further assistance please contact me.

Sincerely,

Bill MacAllister
Water Resource Agent

BM/kw
Enclosure

January 19, 1978

Re: Permit No. 85-7125

Clyde Conklin
Federal Land Bank
1230 Idaho Street
Lewiston, ID 83501

Dear Mr. Conklin:

I have been contacted by Brian L. Fromdahl of Lewiston, Idaho and Mr. Fromdahl informed me that before you will approve his loan you require him to develop a water right license. I informed Mr. Fromdahl that before we could issue a license a field exam would have to be made. I informed Mr. Fromdahl that I would contact you and inform you that Mr. Fromdahl has a permit to appropriate the public waters of the State of Idaho and that the permit is in good standing. I have enclosed a copy of this permit for your information.

I also informed Mr. Fromdahl that since this permit is for irrigation and since our examinations are usually made with the system in operation, we would probably not be able to complete this examination until the summer of 1978.

I hope this information will be of use to you. If you have any questions please contact me.

Sincerely,

Bill MacAllister
Water Resource Agent

BM/kw
Enclosure

INTER-DEPARTMENT MEMO — 1

DATE January 18, 1978

FROM Bill MacAllister

TO Tom King

SUBJECT Examination of 85-7125

Mr. Fromdahl contacted me and indicated that he is indeed using water from his well. He has requested that you re-examine his water use. He can be contacted at phone number 734-4786 (home) or 746-0414 (work).

Exam returned to region 20 Jan. 78

W. H. MacAllister
SIGNATURE

April 12, 1977

Re: Permit No. 85-7125

Brian &/or Phyllis R. Fromdahl
2023 Powers
Lewiston, Idaho 83501

Dear Mr. & Mrs. Fromdahl:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

RECEIVED
APR 13 1977
MED

APR 13 1977
8:22 PM
FBI - COEUR D'ALENE

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 4 1977 OK

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder BRIAN L. From Dahl
b) Post Office Address 2023 - Powers LEWISTON ID. 83501
2. Permit Number 85-7125
3. Date of Priority that you are prepared to establish 19 MAY 1976
4. a) Source from which water was appropriated GROUND WATER
b) Location of the point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22
Township 36N, Range 4W Boise Meridian, Other points of diversion: NEZPERCE COUNTY
5. a) The amount of water and use to which the water has been applied:
Amount 0.20 for IRRIGATION purposes from Apr 1 to Nov 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.04 for domestic purposes from JAN 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: WELL RATE WAS ESTABLISHED BY DRILLER (MR. EARL WITT) BY PRESSURE TESTING METHOD.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: WELL FEEDS IRRIGATION SYSTEM THRU UNDERGROUND PIPE
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 5 HP SINGLE PHASE PUMP (SUBMERSIBLE)
WELL CASING = 8" (8' to 136') 6" (136' to 145')
maximum well depth 145'
b) Describe the type and size of measuring device which you have installed at your point of diversion: NONE
c) Give well driller's name and address and the date the well was completed: EARL WITT, 2019 Powers, LEWISTON ID 83501
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: NONE OTHER THAN WATER FOR HOME & SOME DOMESTIC ANIMALS

MICROFILMED

4/11/77

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

27 to 30

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	4W	22												30					30

Total number of acres irrigated 30

10. Remarks:

My irrigation system is just now going into use. I am just about finished with it. The Federal Land Bank requires a permanent permit to lend me money for my house which is to be built on the irrigated land.

The above information is a true statement of the extent to which the above numbered permit has been developed.

MARCH 28, 1977
(Date)

Bruce L. Ferrell
(Signature)

State of IDAHO)
County of NEE PERCE) ss.

On this 28th day of MARCH, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Frank R. [Signature]
Notary Public residing at LEWISTON

My commission expires Nov 16, 1980

June 23, 1976

Re: Permit No. 85-7125

**Brian L. &/or Phyllis R. Fromdahl
2023 Powers
Lewiston, Idaho 83501**

Dear Mr. & Mrs. Fromdahl:

Enclosed is a copy of your approved Application for Permit No. 85-7125. We direct your attention to the conditions of approval as listed on the fourth page.

Should you have questions regarding the permit, please contact us.

Sincerely,

**BOBBY D. FLEENOR
Chief, Water Rights**

**BDF:DR
Enclosure**

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date
------	---------	------

Application No. 85-7125 Brian L/E/r Phyllis R. Tomlin

✓ Source
✓ Point of Diversion
✓ County
✓ Quantity of Water and Period of Use
✓ Description of Diverting Works
✓ Time required for B/U of water
✓ Place of Use or Acres Irrigated
✓ Map
✓ Signature
✓ Fee

(1) RSW 5-21-76

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant

(4) QYH 5-21-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes no ✓

(8) _____

Groundwater levels:

Declining, Stable, Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: No field review

(11) CP 6/8

Affidavit of Publication received(date) JUNE 4, 1976

(12) CP 5/21

Final date for protests JUNE 14, 1976
Protests received: yes no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no

(14) _____

Action recommended:

RECEIVED

 Approve

~~JUN 16 1976~~ Deny

Proposed Priority 5-19-76
Department of Water Resources

Reason for Reduction

_____ Measuring device required

See attached sheet for other conditions of approval

✓ No special conditions for approval

(15) District *Northern*

By Bob Hammer Date 6-14-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

May 21, 1976

Re: Application No. 85-7125 - Brian L. &/or Phyllis R. Fromdahl

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 6-8-76.c.p

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within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 36N, R. 4W, B.M., Nez Perce County

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within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 36N, R. 4W, B.M.

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O.K.
5-28-76
CP