

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A74-10031  
Date Received 4-20-92  
Receipt Number 1006694

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) JOSEPH & FRANCES TONSMEIRE Phone (208) 756-3959  
Mailing Address PO Box 871 Salmon Idaho Zip 83467

2. Date of Priority (Only one per claim) 1984 Feb. 2 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) ~~HARPER CREEK~~ → ~~LEWIS RIVER~~ Name or kind of source

4. Location of point of diversion is: Township 17N Range 23E  
Section 11, SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM \_\_\_\_\_  
County of LEWIS

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates c. ..., changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 23 ft 6" casing submersible pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)  
For STOCK purposes from 1/1 (Both dates are inclusive) to 12/31 amount 0.04

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock)

DOMESTIC - ONE HOME  
STOCKWATER - 200 CATTLE/HORSE/SHEEP

A7410031



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10. Place of use is: Township: 17N Range 23E  
Section 11, SW 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, B.M.,  
for (Circle One) Domestic Stock Domestic and Stock  
Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? LEMHI

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

(X) None or \_\_\_\_\_

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments \_\_\_\_\_

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 20 April 1990  
\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Lemhi ) SS.

Subscribed and sworn (or affirmed) before me this 20<sup>th</sup> day of April 1990

SEAL

Notary Public [Signature]

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

**NOTARIZATION REQUIRED FOR EACH CLAIM**

Copies: White-State, Yellow-Claimant

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**DEC 14 1992**

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Tousmeire

CLAIM IDENT. NO.

A74-10031

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required  
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO \*
2. Is a priority date entered? ☒ YES ☐ NO \*
- Is the priority date acceptable in view of mandatory filing dates?  
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO \*
3. (a) Is a source entered? ☒ YES ☐ NO \*
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A ☐ NO \*
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO \*
5. Is there a description of the diverting works? ☒ YES ☐ NO \*
6. Are the water uses appropriate for the form? The short form is limited  
to domestic and stockwater uses with direct diversion. All claims that  
include storage or instream stockwater must use long form. ☒ YES ☐ NO \*
- Is the period of use included? ☒ YES ☐ NO \*
- Is a quantity claimed for each use? ☒ YES ☐ NO \*
7. Is a total quantity claimed entered? ☒ YES ☐ NO \*
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A ☐ NO \*
- Is the consumptive use correct? ☐ YES ☒ NO N/A ☐ NO \*
9. Are the non-irrigation uses listed properly? If this claim is on the  
short form, and more than one domestic use is listed, single owner-  
ship must be stated. If not under single ownership, see  
Adjudication Memo # 4. ☐ YES ☒ NO N/A ☐ NO \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO \*
11. Is (are) the county(ies) entered? ☒ YES ☐ NO \*
12. Is the ownership of p.u. checked? ☒ YES ☐ NO \*
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO \*
14. If required, are remarks correct? (If the claimant does not own  
the place of use, authority for filing the claim must be  
explained in the remarks.) ☐ YES ☒ NO N/A ☐ NO \*
15. Is the basis of the claim indicated? ☒ YES ☐ NO \*
16. If the claimant requested a monthly docket sheet, is payment enclosed?  
(If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A ☐ NO \*
17. Is the claim signed by the claimant, and is the signature appropriate?  
Organizations must complete the organization block. ☐ YES ☒ NO \*
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☒ NO \*
19. Was this claim filed on time, or was an extension granted? ☐ YES ☒ NO \*
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt ☐ NO \*
21. If this claim is based on an existing water right, has the  
identification number been entered? ☐ YES ☒ NO N/A ☐ NO \*
22. Should this claim be data entered? ☒ YES ☐ NO \*

Claim checked by: DC

Date:

5/18/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

**MICROFILMED**

Date:

Comments:

DEC 14 1992

Data entered Stock as .04 (should be .02 though)

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IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A74-10031  
Date Received: 4/20/1990  
Receipt No: M006694  
Received By: DE/LK

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH TONSMEIRE 208-756-3959  
Address: P.O. BOX 871  
SALMON, ID 83467

AND/OR

Name: FRANCES TONSMEIRE 208-756-3959  
Address: P.O. BOX 871  
SALMON, ID 83467

2. Date of Priority: FEB 02, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 17N      | 23E   | 11      | SE     | SW     | SE     |     | LEMHI  |

5. Description of diverting works:  
23', 6" CASING, SUBMERSIBLE PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.040  |      |        |

7. Total Quantity Appropriated is:  
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOME, S/200 CATTLE, HORSE, SHEEP

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 17N      | 23E   | 11      | SW SE      |     | DOMEST |       |
|          |       |         | SW SE      |     | STOCK  |       |

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-23-1997

PAGE: A-23

RIGHT NUMBER: 74-10031

NAME & ADDRESS: JOSEPH TONSMEIRE  
FRANCES TONSMEIRE  
PO BOX 871  
SALMON ID 83467

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 02/02/1984

POINT OF DIVERSION: T17N R23E S11 SESWSE Within LEMHI County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE                     | PERIOD OF USE | QUANTITY |
|----------------|------------------------------------|---------------|----------|
|                | STOCKWATER                         | 01-01 12-31   | 0.04 CFS |
|                | DOMESTIC DOMESTIC, 1 HOME; STOCKWA | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: STOCKWATER Within LEMHI County  
T17N R23E S11 SWSE

DOMESTIC Within LEMHI County  
T17N R23E S11 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.  
PARCEL NO. RP17N23E118401A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: SH4

Date: OCT 08 1996

Data entry verified by: [Signature]

Date: OCT 16 1997

WATER RIGHT NUMBER - A74-10031

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*

TONSMEIRE

JOSEPH

1 - P.O. BOX 871

2 -

3 -

CITY- SALMON

STATE- ID ZIP- 83467

PHONE - 208-756-3959

TONSMEIRE

FRANCES

1 - P.O. BOX 871

2 -

3 -

CITY- SALMON

STATE- ID ZIP- 83467

PHONE - 208-756-3959

+ - - PRIORITY DATE - - +

02/02/1984

+ - - - REGION - - - +

15 EASTERN

+ - - - STAGE - - - +

J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +

GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +

TWN RNG SEC TRACT LOT RFLG COUNTY

STREAM INDEX (BLANK IF NO INDEX CODE)

17N 23E 11 SE SW SE (59) LEMHI

+ - - - - WATER USE - - - - - +

CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

04 - STOCKWATER 01/01 12/31 0.040

+ - TOTAL DIV. RATE - +

0.060

+ - TOTAL DIV. VOLUME - +

+ - TOTAL DIV. CAPACITY - +

+ - TOTAL CONSUMPTIVE USE - +

0.0

+ - KW USAGE - +

+ - - - - PLACE OF USE - - - - - +

TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

17N 23E 11 SW SE 04 STOCKWATER (59 ) LEMHI

17N 23E 11 SW SE 43 DOMESTIC (59 ) LEMHI

+ - - DIVERSION MEANS - 23", 6" CASING, SUBMERSIBLE PUMP

+ - - NON-IRRIGATION USE - D/1 HOME, S/200 CATTLE, HORSE, SHEEP

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +

NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

NO OLD WATER RIGHT NUMBERS FOUND.

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

RP17N23E118401A

RECEIVED 9-28-93 RLS  
RECEIVED 10

VERIFIED  
AUG 21 1992

PROOF  
JUL 12 1992

MICROFILMED  
NOV 15 1980