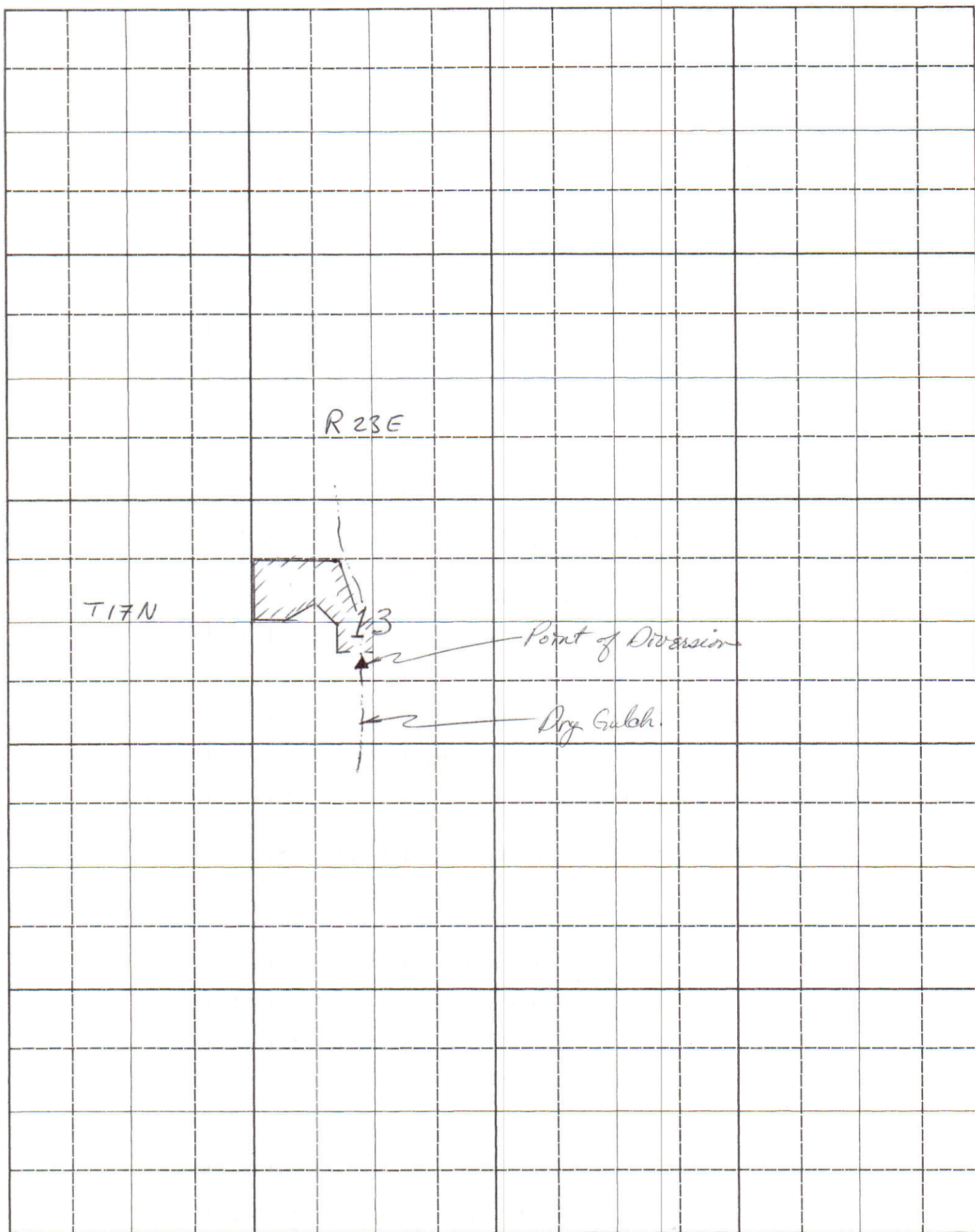


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Donald T. Liles
(Applicant)

MICROFILMED

NOTICE OF
APPLICATION FOR
WATER PERMIT

Notice is hereby given
that the following applica-
tion(s) have been submit-
ted for permit to appropri-
ate the public waters of
the State of Idaho:

74-7140

TOBIAS, RONALD &/or
MARLENE

P.O. BOX 13, LEMHI, ID
83465

Source: DRY GULCH trib-
utary to DITCHES

Date Filed: 06/02/1981

Amount: 1.00 CFS

Diversion Point: NESW
Sec 13 T 17N R 23E, LEM-
HI Co.

June 18, 1981 Page 7B

Use: IRRIGATION (1.00
CFS) from 04/01 to 11/01
Place of Use: SWNW
SENW NESW Sec 13 T
17N R 23E FOR 65
ACRES

Diversion Means: PUMP,
PIPELINE & SPRINK-
LERS.

75-7254

LEWIS, GARY L.
247 EAST 4TH NORTH,
ST. ANTHONY, ID 83445
Source: BIG JUREANO
CREEK tributary to
PANTHER CREEK

Date Filed: 06/08/1981

Amount: 0.33 CFS

Diversion Point: NWNW
Sec 04 T 21N R 19E
SWSW Sec 33 T 22N R
19E, LEMHI Co.

Use: MINING (0.33 CFS)
from 06/01 to 11/01

Place of Use: NWNW Sec
04 T 21N R 19E SWSW
Sec 33 T 22N R 19E

Diversion Means: PUMP,
PONDS & SLUICE BOX-
ES.

If issued, the permit(s)
will be subject to all prior
water rights. Protests ag-
ainst the granting of any
permit must be filed with
the Director of the Idaho
Department of Water Re-
sources, 150 Shoup Ave.,
Idaho Falls, Idaho 83401
on or before JULY 6,
1981.

A. KENNETH DUNN
Director

Published 6/18 & 6/25/
81.

6-18-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

JUN 29 1981

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein,

That the Notice of Application for Water Permits 74-7140,
75-7254

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for 2
consecutive issues, commencing with the issue dated June 18, 1981
and ending with the issue dated June 25, 1981

Jerry G. Rosin

Subscribed and sworn to before me, this twenty fifth

day of June, 1981

Neil Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 24.85

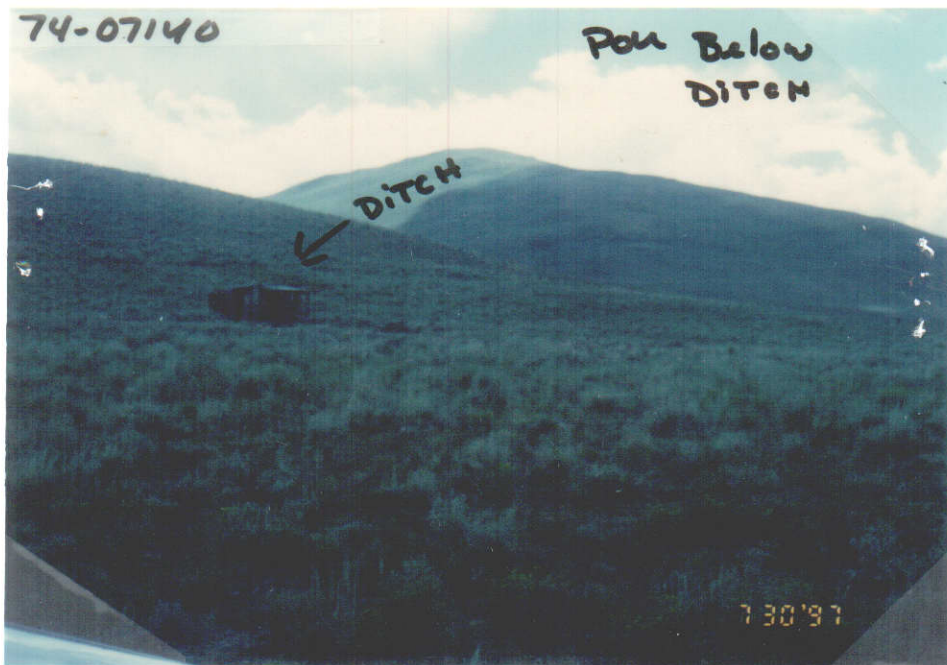
MICROFILMED



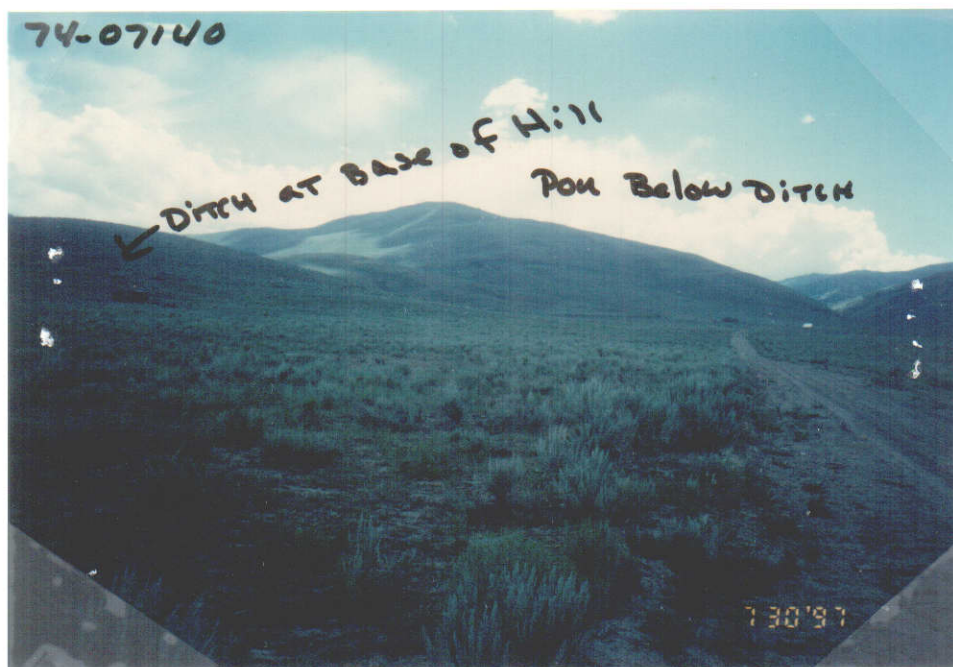
MICROFILMED
SEP 16 1997



MICROFILMED
SEP 16 1997



MICROFILMED
SEP 16 1997



MICROFILMED
SEP 16 1997



MICROFILMED
SEP 16 1987

T17N, R23E

**T17N
R23E**



POD

NO GOV LOTS

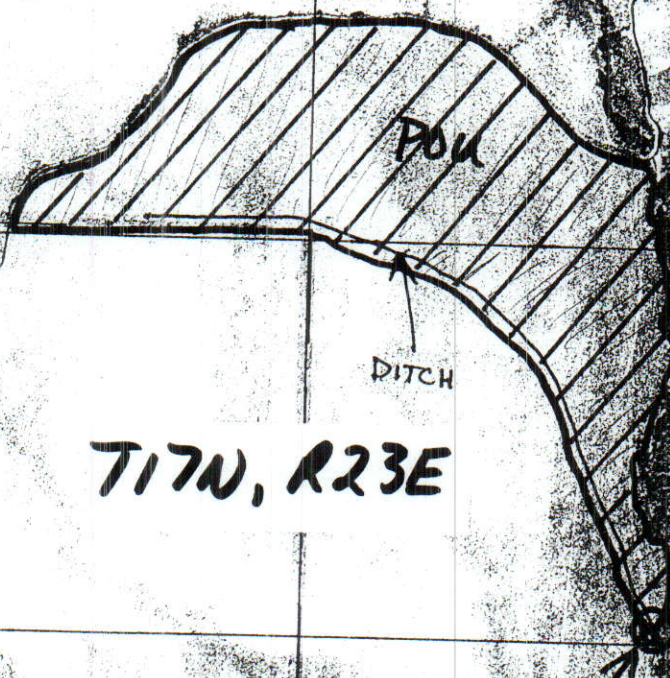
74-07140

SEP 16 1997

508
T519
304B

11 12
14 13

2
80.0
12ac



T17N, R23E

DITCH

508
T287
124B

POD

14 13
23 24

REPROFILMED
SEP 16 1997

74-07140

JOE TONSMIRE

IRRIGATION

10/4

VIEW OF
POD OF
DITCH OFF
OF DRY GULCH



VIEW OF
DITCH



MICROFILMED
SEP 16 1997

PERMIT
NUMBER

74-07140

JOE TONSHEIRE

IRRIGATION

NEXT 6 PHOTOS ARE OF
PLACE OF USE PADDING
FROM LEFT TO RIGHT

2/4



① VIEW OF
EXTREME
LEFT END
OF CLAIMED
PLACE OF
USE — NO
USE OBSERVED
OR INDICATED
SWSW NW



②
VIEW OF
START OF
POU — DITCH
VERY POORLY
MAINTAINED
SESW NW

SEP 16 1997

PERMIT
NUMBER

74-07140

JOE TONSMERE

IRRIGATION

3 of 4



③ VIEW OF
POU - DITCH
POORLY
MAINTAINED
SW SE NW

← OTHER DITCH → FLOW
WATER RIGHT
OFF HAYDEN
CK.



④ VIEW OF
POU - DITCH
VERY POORLY
MAINTAINED
SE SE NW

→
OTHER
DITCH

PERMIT
NUMBER

74-07140

PHOTO FILMED

SEP 16 1997

JOE TOUSMEIRE

IRRIGATION

4/4

⑤ VIEW OF
POU — DITCH
VERY POORLY
MAINTAINED
BELOW FENCE
NE NESW



⑥ VIEW OF
POINT OF
DIVERSION
AREA AND
DITCH
SE NESW



← DITCH
ABOVE LINE

PHONE FILMED

SEP 16 1997

PERMIT
NUMBER

74-07140

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 74-07140

Priority: September 25, 1981 Maximum Diversion Rate: 0.80 CFS
Maximum Diversion Volume: 140.0 AF

This is to certify, that JOE TONSMEIRE
FRAN TONSMEIRE

PO BOX 72

LEMHI ID 83465-0072

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 2, 1981; and has submitted Proof of Beneficial Use on October 24, 1989. An examination indicates that the works have a diversion capacity of 0.800 cfs of water from:

DRY GULCH

tributary to HAYDEN CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.80 CFS	140.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 13, Township 17N, Range 23E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N	23E	13	SWNW 12	SENW 16	NESW 12	40

Total number of acres irrigated: 40

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

MICROFILMED
SEP 16 1987

State of Idaho
Department of Water Resources

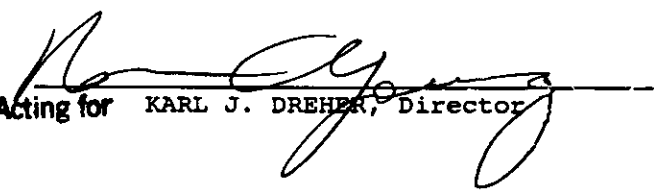
WATER RIGHT LICENSE

WATER RIGHT NO. 74-07140

CONDITIONS OF APPROVAL AND REMARKS

7. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29TH day of AUGUST, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
SEP 16 1997

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~74-07140~~	~~Ronald Tobias~~ ~~Marlene Tobias~~	~~1.00~~
Full Assignment	74-07140	Joe Tonsmeire Fran Tonsmeire	1.00

MINNESOTA

NOV 15 1995

06/93

Filing Fee: \$25.00
Received 10/19/95
Receipt # 2021682

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES

OCT 23 1995

ASSIGNMENT OF PERMIT

OCT 19 1995

Department of Water Resources

To change the ownership of a permit

Department of Water Resources
Eastern District Office

I, Ronald D. Tobias (Permit Holder) hereby assign to Joe & Fran Tonsmeire
of Box 72 Lemhi, Idaho 83465 756-3959
(Full Address)

All my right, title, and interest in and to Permit No. 74-7140
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 74-7140 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

NE 1/4, Sec 13, T17N, R23E

Made this 10 day of October, 1995.

Ronald D. Tobias
Permit Holder(s)

State of Idaho)
County of Lemhi)
SS

On this 10th day of October, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

[Signature]
Notary Public

NOV 15 1995
Signature

My commission expires: 12/10/96

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 74-7140 IN THE)

NAME OF RONALD OR MARLENE TOBIAS)

) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before July 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 24, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 74-7140 be REINSTATED and the priority advanced to September 25, 1981.

Dated this 21st day of December, 1989.

RECORDED

MAR 14 1990


L. GLEN SAXTON, Chief
Water Allocation Bureau

Form 2
03/86

RECEIVED
OCT 24 1989

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \$100.00

Date 24 Oct 1989

Receipt # ED11054

Receipt by RCD

Reviewed by DA-14/20/89

Sent to region

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 74-7140

Name(s) of Permit Holder: Ronald or Marlene Tobias

Post Office Address: P.O. Box 13 Lemhi, Id 83465

Telephone No. 756-2654

Source of Water: Dry Gulch

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 20 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 0.4 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 1986 June

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No Fee enclosed \$
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Same as above
(Name) (Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECORDED

MAR 14 1990

24 Oct 1989
Date

Ronald Tobias
Signature of Permit Holder (and title, if appropriate)

RECEIVED
JUN 24 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received ☒
Date 6/24/86
Receipt # 15734

JUN 24 1986

REQUEST FOR EXTENSION OF TIME

Department of Water Resources To provide additional time in which to submit proof
Eastern District Office of beneficial use on a water right permit

Ronald or Marlene Tobias of Box 13 Lemhi, Id 83465
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriation of the Public Water of the
State of Idaho No. 74-7140

RECEIVED
JUN 27 1986

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
1 July, 19 86. Department of Water Resources

That he has heretofore performed the following work described under said permit: Diverted stream
(This must be filled out! If no work has been completed put none.)
into old gulch from which 1500 feet of new ditches have been dug,
and irrigated 10 to 15 acres of permitted acreage for pasture.

Costing \$ 500⁰⁰

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
Due to farm-market prices did not feel that I could invest the
necessary capital to complete the project at this time

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to July 1, 19 91
(1 yr. minimum,
5 yrs. maximum) Ronald Tobias
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

RECEIVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to July 1, 1989.

Signed this 21st day of July, 19 86.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ronald Tobias & or Marlene Tobias Phone 756-2654

Post office address Box 13, Lemhi, ID 83465

2. Source of water supply Dry Gulch which is a tributary of Ditches

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 17N

Range 23E B.M. Lemhi County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.00 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 1.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump, pipeline and sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower 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 _____.

(5) If water is to be used for other purposes describe: _____

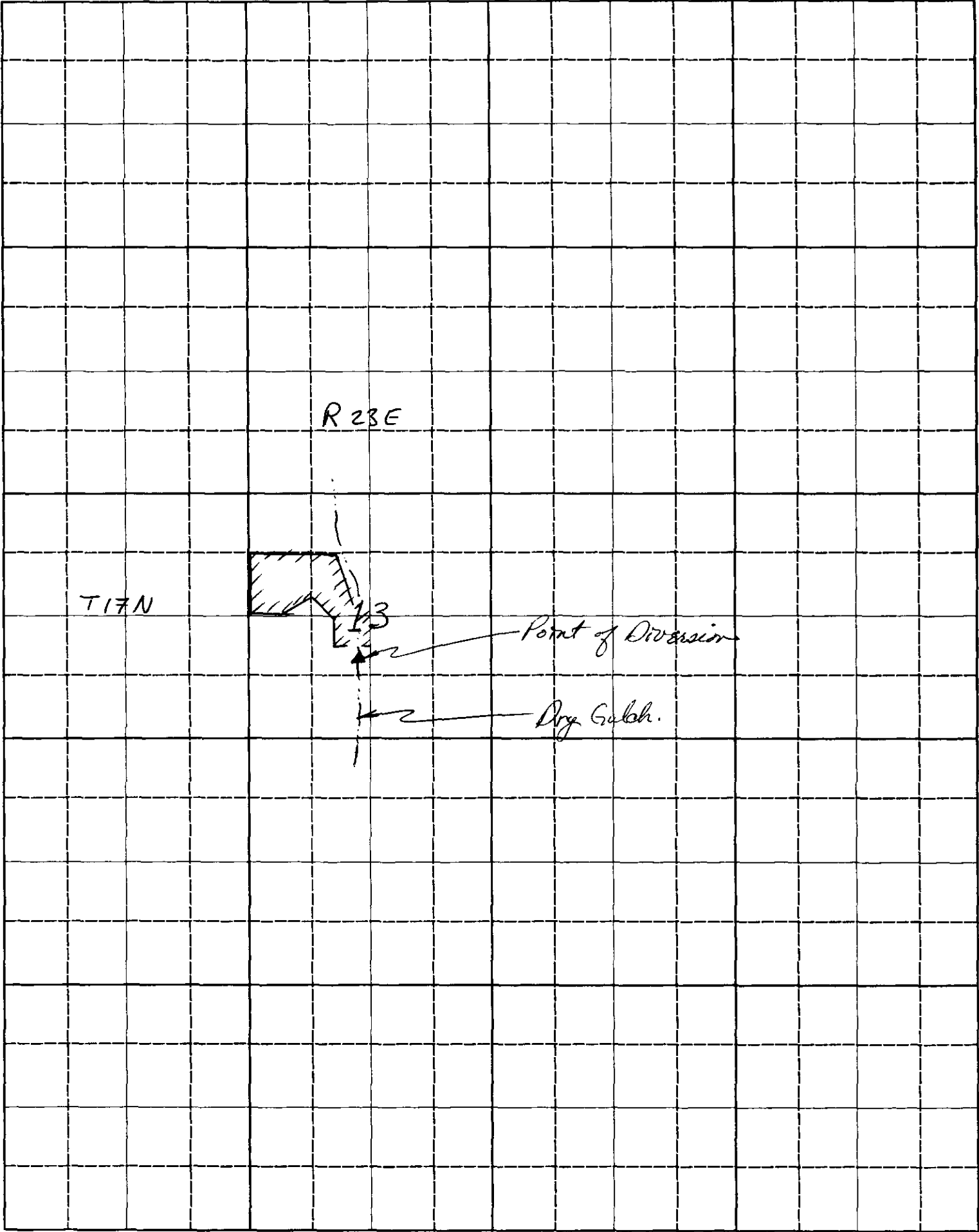
MICROFILMED

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

Total number of acres to be irrigated 65

[illegible]

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.

[Signature]
(Applicant)

RECEIVED

Proposed Priority

6/2/81

RECEIVED

Received by

EMC

Date

6-2-81

Time

4:00

Preliminary check by

KCW

Fee \$

45⁰⁰

Received by

EMC

Date

6/2/81

17694

Publication prepared by

KCW

Date

6/11/81

Published in

Recorder Herald

Publication dates

6/18 & 6/25/81

Publication approved

KCW

Date

7/7/81

Protests filed by:

None

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

EMC

RC

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. 74-7140, 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 July 1, 19 86.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

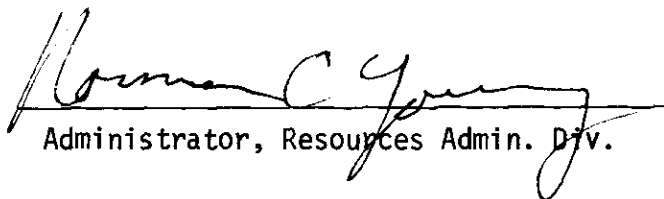
d. Other:

An access port or other device as specified by the Department shall be

installed by the permit holder to provide for the installation of measuring

equipment and the determination of the rate of diversion by the Department.

Witness my hand this 14th day of July, 19 81.


Administrator, Resources Admin. Div.

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

JUN 29 1981

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Application for Water Permits 74-7140,
75-7254

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated June 18, 1981 and ending with the issue dated June 25, 1981.

Jerry G. Rosin

Subscribed and sworn to before me, this twenty fifth

day of June, 1981

Neil Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 24.85

MICROFILMED

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the original as the same appears in the files of the Department of Water Resources, Eastern District Office, at Salmon, Idaho.

DATE: 06/21/81
AMOUNT: \$24.85
DIVERSION: NWNW
Sec 04 T 21N R 19E
SWSW Sec 33 T 22N R 19E, LEMHI Co.
Use: MINING (0.33 CFS)
from 06/01 to 11/01
Point of Use: NWNW Sec 04 T 21N R 19E SWSW Sec 33 T 22N R 19E
Diversions Means: PUMP, TUBES & SLUICK BOXES.

If issued, the permit(s) will be subject to all prior water rights. Permits are not to be issued until the applicant has filed with the Department of Water Resources, Eastern District Office, at Salmon, Idaho 83401 on or before JULY 6, 1981.

A. KENNETH DURN
Director

Published 6/18 & 6/25/81

6-18-2c



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 29, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOE TONSMEIRE
FRAN TONSMEIRE
PO BOX 72
LEMHI ID 834650072

RE: WATER RIGHT NO. 74-07140

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

FILED

1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 74-07140

JOE TONSMEIRE
FRAN TONSMEIRE
PO BOX 72
LEMHI ID 834650072


Kari Lynn Townsend
Secretary

RECORDED

SEP 16 1997

MEMORANDUM

TO: File 74-07140

FROM: Sharla Curtis

DATE: August 25, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 74-07140 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

T17N, R23E, S13 - SWNW (12 acres), SENW (16 acres),
NESW (12 acres)
TOTAL: 40 acres

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.80 cfs	140.0 afa
------------	--------------	----------	-----------

The number of acres per $\frac{1}{4}$ for irrigation of more than 5 acres are rounded to the nearest whole number. The total number of acres then is 40; the rate and volume have been calculated accordingly.

Examiner: Don Simpkins/Bob Foster
Exam Date: August 16, 1995/July 30, 1997

MICROFILMED

SEP 16 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 74-07140

DATE 8/22/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change/clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>1.0</u> cfs
Fee limit	<u>1.0</u> cfs <u>\$100⁰⁰</u>
Measured	<u>.31</u> cfs (low flow fall meas.)
Theoretical	<u>—</u> cfs

Recommended Total Div Rate .80 cfs

ANNUAL VOLUME/ NATURE OF USES

<u>✓</u>	Use <u>Dr.</u>	cfs <u>.80</u>	Volume Calc <u>40 x 3.5 =</u> af
			af
			af
			af
	SUBTOTAL	<u>.80</u>	<u>140.0</u> af

Flow rate .80 cfs X 184 days X 1.98 = 291.5 af
 Total volume recommended 140.0 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

R30 Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo —

2nd Amend Letter N/A

*acres rounded
rate/volume*

RECEIVED

AUG 22 1997

Department of Water Resources

Memorandum

To: Shelly Keen, State Office

From: ^{RF}Bob Foster, Salmon Office

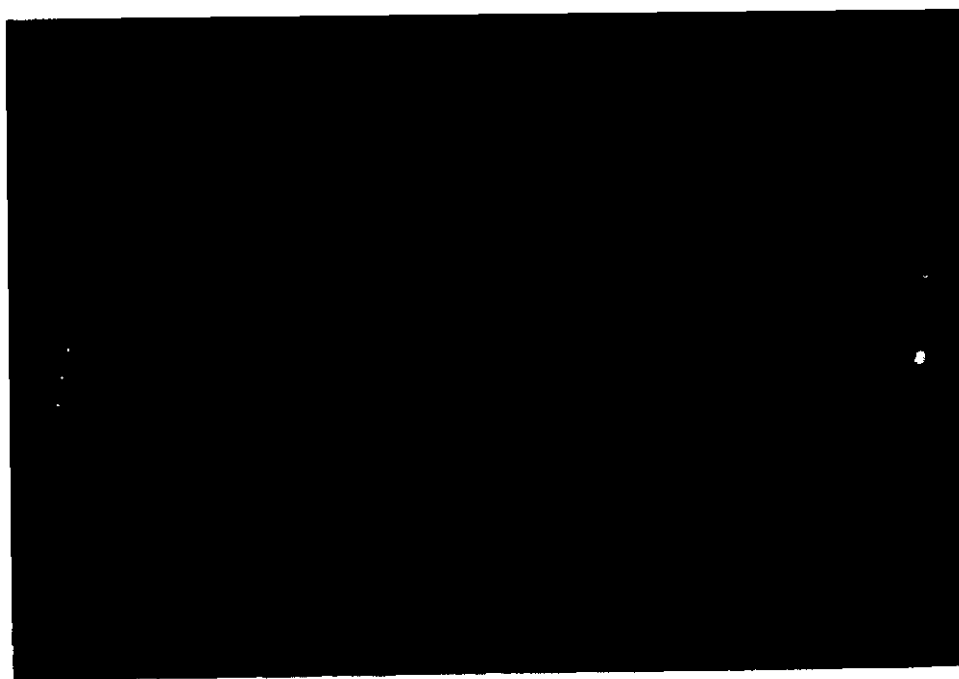
Re: 74-07140

On July 30, 1997 I made an on-site visit to property owned by Joe and Fran Tonsmiere located in T17N R23E S13. The purpose of this visit was to confirm irrigation on lands under permit 74-07140.

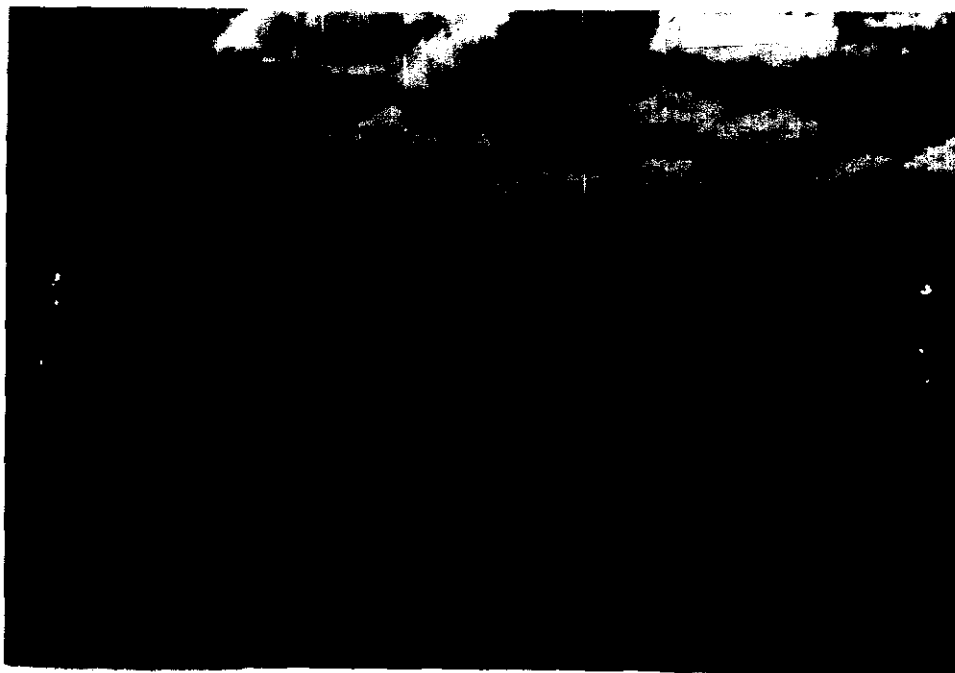
The enclosed photos do show some evidence of irrigation with some grass growing among sagebrush. The point of diversion and delivery system are in need of maintenance and the amount of water that was being diverted at the time of my visit was probably not adequate to irrigate the place of use.

Based on what was observed at the time of my visit and the earlier field exam completed by Don Simpkins, the irrigation of these lands may occur in times of abundant water but from the appearance of the place of use I do not feel there is continuous irrigation through the irrigation season. There is no evidence of cultivation at the place of use and the beneficial use would probably be limited to Simpkins earlier recommendations at best.

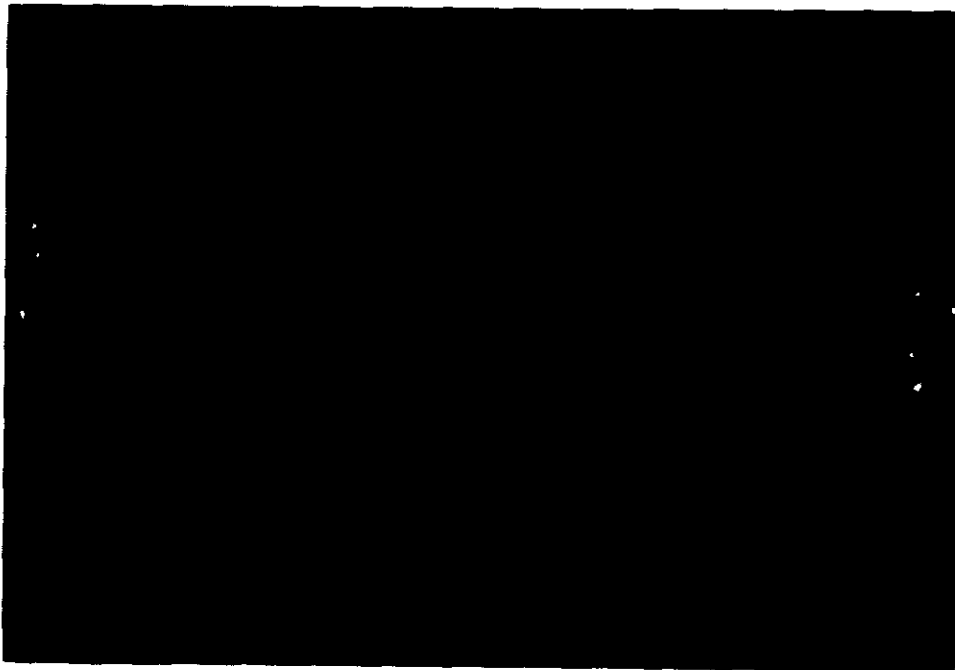
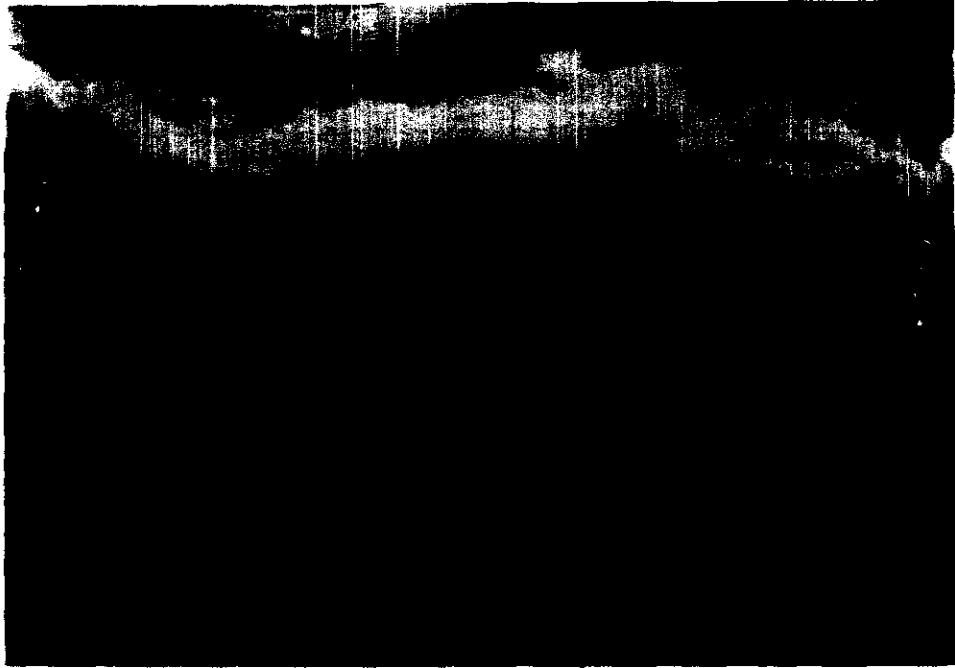
MICROFILMED
SEP 16 1997



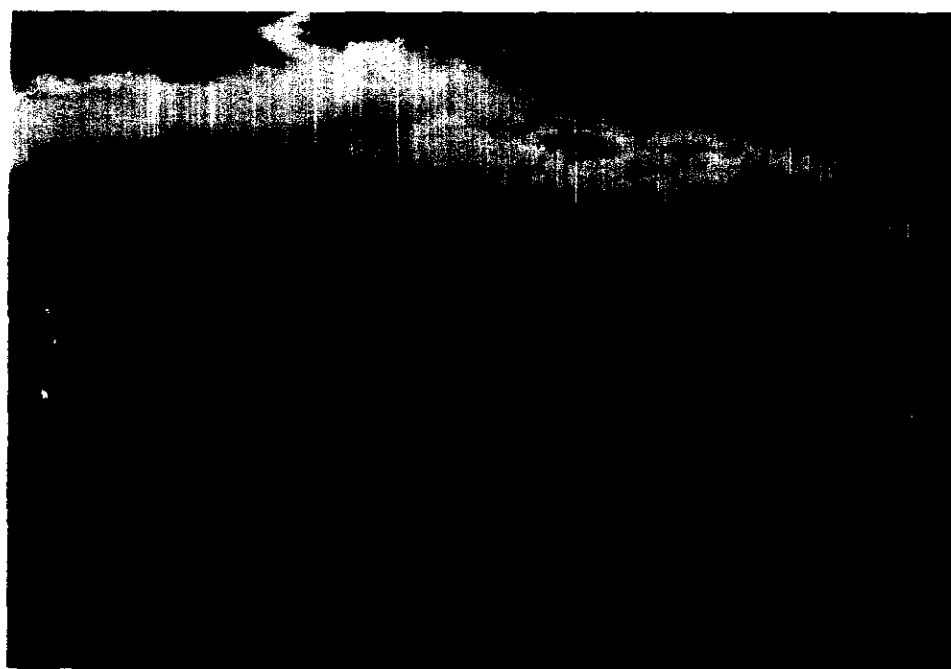
ENCLOSURE
SEE 16 1017



INFORMATION
SEP 16 1957



SEP 16 1957



1000-1000
SEP 16 1977



ORIGINAL

SEP 16 1977

ER-DEPARTMENT MEMO--1

FROM S.W. Keen

DATE 6/13/97

TO File 74-07140

SUBJECT Field Report

The original photographs from the field report have been given to Bob Foster. Bob is going to investigate a little more in order to confirm beneficial use of water.

MICROFILMED

SEP 16 1997

Shelley Walter Keen
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 04 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 74-07140

1. Owner: JOE TONSHEIRE Phone No. (208) 796-3959

FRAN TONSHEIRE
Current Address: P.O. BOX 72, LEHHI, IDAHO 83465-0072

2. Accompanied by: N/A EXAM DATE: 8/16/95

Address: N/A Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: DRY GULCH tributary to HAYDEN CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SW	13	17N	23E	LEHHI	U. S. G. S. TOPO / NAAPP PHOTOS

2. Place(s) of Use: NO GOV LOTS

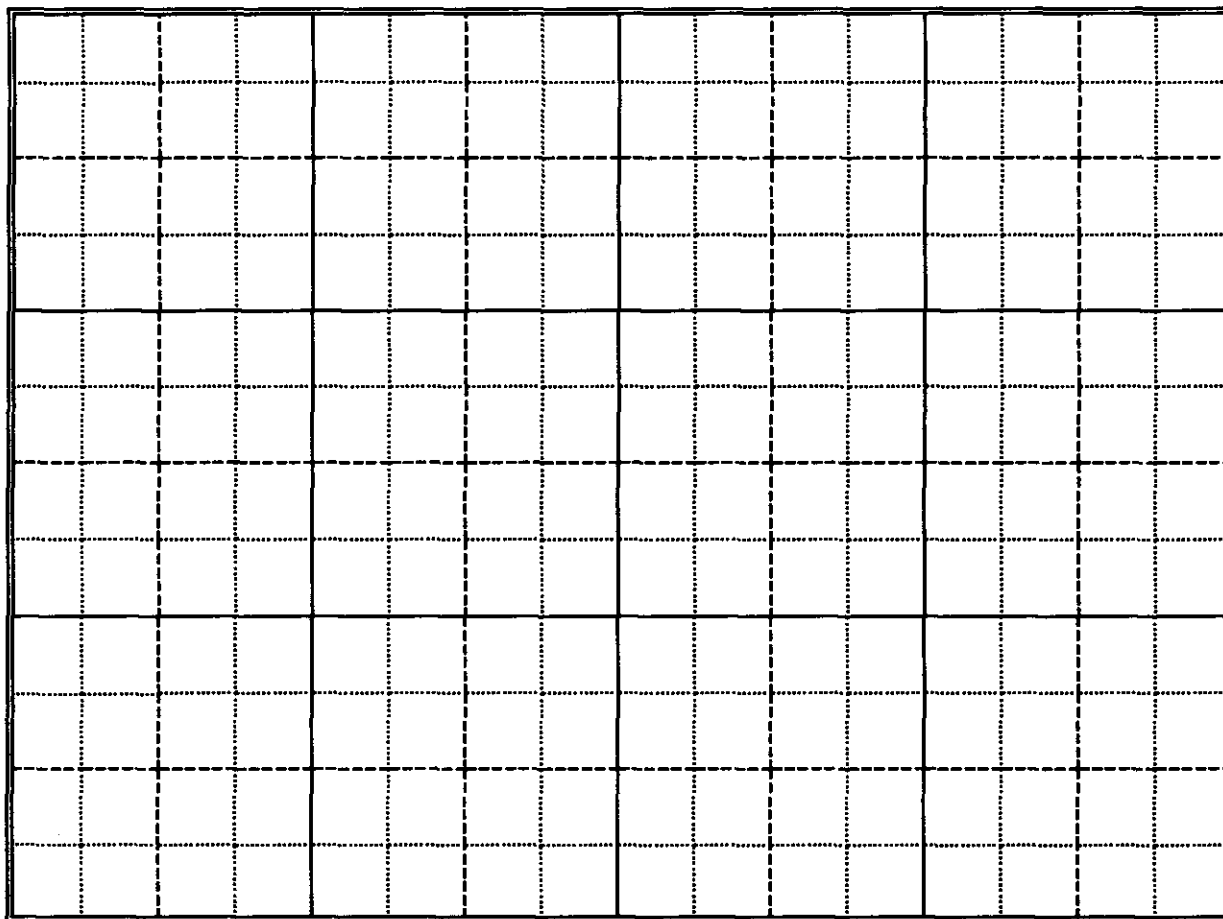
Indicate Method of Determination ON SITE 10SP?

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	13							11.5	16	11.75								39.25
																			39.25

TOTAL

RECEIVED
SEP 16 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTO + MAPS*



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: SEE ATTACHMENTS - FLOW MEASUREMENT NOTES.

MICROFILM

2025

E. NARRATIVE/REMARKS/COMMENTS

WATER IS DIVERTED FROM DRY GULCH VIA A REMOVABLE DAM (DIRT & ROCKS) AND CHanneLED DOWN A HAND MADE DITCH WHICH FOLLOWS THE ELEVATION CONTOUR LINES OF THE HILL. WATER IS THEN DISCHARGED FROM THE DITCH FOR FLOOD IRRIGATION BELOW THE DITCH. WATER IS FOR UNIMPROVED PASTURE.

* THERE WAS NO SIGN OF PUMPS / PIPING OR SPRINKLER SYSTEM USED NOW OR IN THE PAST.

* THE POINT OF DIVERSION HAS NO LOCKABLE CONTROL DEVICE.

* NOTE: SEE PAGE 3/4 of PHOTOS

THERE IS NO IRRIGATION BELOW THE DITCH SHOWN IN PHOTO #3 + #4 + #5 FROM THE POD LISTED IN THIS PERMIT. THIS IS THE PERSON FOR LIMITING ^(REDUCING) PLACE OF USE ACREAGE.

Have conditions of permit approval been met? ☒ yes ☐ no

EXCEPT AS NOTED ABOVE.

RECEIVED
SEP 16 1997

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Q - PYGMY METEK MEASUREMENT OF DRY GULCH ABOVE
POD = 0.306 CFS

* LOW FLOW FALL MEASUREMENT - HIGH WATER IN ~~EXC~~ EXCESS
OF 1.0 CFS.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 39.25 \times 3.5 = 137.375 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.785 \times 183 \times 1.9835 = 284.9 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 137.375 \text{ AF}$$

2. Volume Calculations for Other Uses:

* $39.25 \text{ AC} \times 0.02 \text{ CFS/AC} = \boxed{0.785 \text{ CFS}}$
ACRES IRRIGATED

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.785	137.4 AFA
Totals:			0.785 CFS	137.4 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name DDW SIMPKINS Date 12/18/96

Reviewer _____ Date _____

SEAL

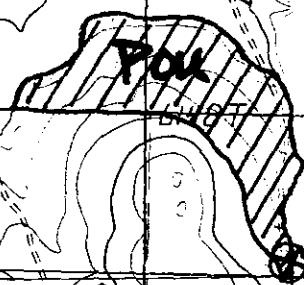
MICROFILMED

SEP 16 1997

T17N, R23E

**T
17
N**

R23E



NO GOV LOTS

74-07140

508
T519
304B

11 12
14 13

2
80.0
12ac

DITCH

T17N, R23E

508
T287
124B

11 13
14 24

74-07140

РУБЛЫ МЕТЕР
090171

River at DRY GULCH PRIOR TO FLOOD

No. _____ of _____ Sheets. Comp. by W. J. [Signature] Chk. by _____

74-07140

JOE TONSHIRE

IRRIGATION

10/4

VIEW OF
POD OF
DITCH OFF
OF DRY GULCH

VIEW OF
DITCH

PERMIT
NUMBER

74-07140

RECORDED

SEP 16 1977

JOE TONSMEIRE
IRRIGATION

NEXT 6 PHOTOS ARE OF
PLACE OF USE PADDING
FROM LEFT TO RIGHT

2/4

① VIEW OF
EXTREME
LEFT END
OF CLAIMED
PLACE OF
USE — NO
USE OBSERVED
OR INDICATED
SWSW NW

②
VIEW OF
START OF
POW — DITCH
VERY POORLY
MAINTAINED
SESW NW

PERMIT
NUMBER

74-07140

SEP 16 1977

JOE TONSHIRE

IRRIGATION

3/4

③ VIEW OF
POU - DITCH
POORLY
MAINTAINED
SW SE NW

← OTHER → FLOW
DITCH
WATER RIGHT
OFF HAYDEN
CK,

④ VIEW OF
POU - DITCH
VERY POORLY
MAINTAINED
SE SE NW

→
OTHER
DITCH

PERMIT
NUMBER

74-07140

SEP 16 1967

JOE TOOSMEICE

IRRIGATION

4/4

⑤ VIEW OF
POU - DITCH
VERY POORLY
MAINTAINED
BELOW FENCE
NE NE SW

⑥ VIEW OF
POINT OF
DIVERSION
ALEX AND
DITCH
SE NE SW

← DITCH
ABOVE LINE

PERMIT
NUMBER

74-07140



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 31, 1995

JOE TONSMEIRE
FRAN TONSMEIRE
PO BOX 72
LEMHI ID 83465-0072

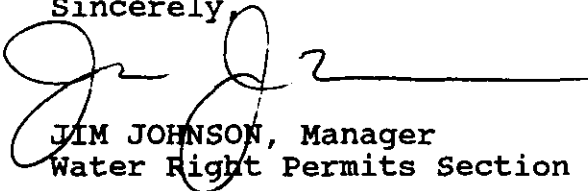
RE: PERMIT NO. 74-07140

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECEIVED

NOV 15 1995

January 24, 1990

RONALD TOBIAS
MARLENE TOBIAS
P.O. BOX 13
LEMHI, ID 83465

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07140

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

INDEXED FILMED

MAR 14 1990

Tobias

1/88

PROOF OF BENEFICIAL USE
ANALYSIS SHEET

Permit No. 74-7140

Date: 12/19/89

General Considerations:

- ☒ Name same as permit
- ☒ Signature the same as permit holder
- ☒ Address change NO If yes, prepare a data entry
- ☒ Proof received timely NO
- ☒ Reinstated

Source of Water:

- ☒ Surface water
- ☐ Groundwater
 - NP 1. well log in file
 - NP 2. drilling permit
 - NP A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
- ☒ Is rate or volume and fee appropriate?
- ☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- Yes Is a measuring device or access port required?
- No Has one been installed?
- ☐ Waiver or modification of measuring device requested

Remarks:

Proof reinstated
~~Signature~~

Priority Calculation:

Date proof received	<u>Oct 24, 1989</u>	<u>297</u>
Date proof due	<u>July 1, 1989</u>	<u>- 182</u>
No. of days late		<u>= 115</u>
Priority date	<u>June 2, 1981</u>	<u>+ 153</u>
NEW PRIORITY DATE	<u>Sept 25, 1981</u>	<u>= 268</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

September 14, 1989

Ronald or Marlene Tobias
Box 13
Lemhi, Id 83465

Dear Mr. and Mrs. Tobias:

Re: Permit No. 74-7140

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time or a response to Rita Fleck's letter of July 11, 1989.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

RECEIVED
FILMED

MAR 14 1990

CERTIFICATION OF MAILING

I hereby certify that on 9-15-89
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Fleck

July 11, 1989

Ronald or Marlene Tobias
Box 13
Lemhi, ID 83465

Dear Mr. and Mrs. Tobias:

Re: Permit No. 74-7140

Returned is the request for extension of time form submitted to this office on July 3, 1989. Note that the \$15 filing fee has not been submitted.

On June 2, 1981, the department approved this permit with proof due on July 1, 1986. That year, the department granted an extension request until 1989. Provisions of the Idaho Code limit the number of extensions the department can grant based on due diligence to one. However, if the permit holder can show the reason for delay is involvement in litigation which brings the title of water into question or delay caused by the federal government, then the department can consider additional extension requests.

Another option would be to submit the proof of beneficial use for that portion of the development for which water has been applied. (Enclosed is a proof of beneficial use form). Then, file a new application for permit for that portion of the water right not yet developed. A new application would allow an additional period of time to complete the project but with a later-in-time priority.

Please consider which action you wish to take and advise the department. Note that a properly submitted proof or extension request was due on July 1. A day of priority is being lost for every day that a properly executed document is not received.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

MAR 14 1990

138215
April 30, 1989

RONALD TOBIAS
MARLENE TOBIAS
P.O. BOX 13
LEMHI, ID 83465

PROOF DUE NOTICE

RE: PERMIT NO. 74-07140

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1989.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 14 1990

Ronald Tobias
Box 13
Lenah, Idaho 83465

SEP
21
PM
1982
83465

Wise shoppers
stretch dollars

Consumer
Education

USA 20c

RECEIVED
FILMED

MAR 14 1990



SEP 21 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 74-7140

Name(s) of Permit Holder(s): Ronald or Marlene Tobias

Post Office Address: Box 13 Lemhi, Idaho 83465

Tel. No. 255-2654

☒ I hereby certify that construction of diversion of the above referenced permit began on 6-17-82 (date) I understand that I must

continue to develop the water system with due diligence to maintain a valid permit. (see Not Below)

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

Continued
We are fencing this property, 1982 season. We will
development by removing sage brush and work for
a completed system, 9-21-82

*Note: A financing difficulty is
not an acceptable reason.

Date

Signature of Permit Holder



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 23, 1986

Ronald or Marlene Tobias
P.O. Box 13
Lemhi, ID 83465

Re: Extension of Time Request for Permit No.

Dear Mr. and Mrs. Tobias:

Enclosed please find a copy of the approved Request for Extension of Time. Time within which to submit proof of beneficial use is extended to July 1, 1989.

If you have any questions about this extension, please do not hesitate to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

ls

Enclosure

MICROFILMED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 74-7140

Reviewed by *[Signature]*

Date 7-16-1986

BASIC INFORMATION

- y Date stamp received
y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
y Fee received and receipted
y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- y Has adequate work been completed to demonstrate due diligence?
y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- N Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence - extend for 3 yrs.*

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = -
 No. of days late _____ = _____
 Priority date _____ = +
 ADJUSTED PRIORITY DATE _____ = _____

____ Prepare coding sheet
 ____ Change rolodex card

[Stamp: RECEIVED]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
APRIL 30, 1986

TOBIAS, RONALD & MARLENE
P.O. BOX 13
LEMHI, ID 83465

138386

PROOF DUE NOTICE

RE: PERMIT NO. 74-7140

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

July 31, 1981

Ronald & Marlene Tobias
P.O. Box 13
Lemhi, ID 83465

Dear Mr. & Mrs. Tobias,

RE: Permit No. 74-7140

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or an access port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the access port.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section.

Enclosure

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

74 7140

INITIAL REVIEW BY: Kew

APPLICATION NUMBER: Tobias

CHECK:

- 2 ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: July 6

- ☐ Yes ☒ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: June 29, '81
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☒ Yes ☐ No

Measuring device required.

- ☐ Yes ☒ No

Access port required.

- ☒ Yes ☐ No

Will water be delivered by watermaster? If yes, what district? X

- ☒ Yes ☐ No

Date of priority recommended. 10-2-81

Special conditions of approval or cover letter. _____

By: Ernest Carter

Date: July 9, 1981

STATE OFFICE REVIEW:

SLW 102 103 010

- ☐ See attached sheet for more information.

By: Rogers

Date: 7/13/81

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NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 on or before JULY 6, 1981.

R. KENNETH DUNN

Director

Published 6/18 & 6/25/81.

MICROFILMED

74-7140_

TOBIAS, RONALD &/or MARLENE

P.O. BOX 13, LEMHI, ID 83465

Source: DRY GULCH tributary to DITCHES

Date Filed: 06/02/1981

Amount: 1.00 CFS

Diversion Point: NESW Sec 13 T 17N R 23E, LEMHI Co.

Use: IRRIGATION (1.00 CFS) from 04/01 to 11/01

Place of Use: SWNW SENW NESW Sec 13 T 17N R 23E FOR 65 ACRES

Diversion Means: PUMP, PIPELINE & SPRINKLERS.

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