

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 74-07023

Priority: February 08, 1973

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 35.0 AF

It is hereby certified that JOSEPH L TONSMEIRE And FRANCES B TONSMEIRE
PO BOX 72
LEMHI ID 83465 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 08, 1973; and have
submitted Proof of Beneficial Use on March 04, 1977. An examination indicates that the works have a
diversion capacity of 1.93 cfs of water from:

SOURCE

HAYDEN CREEK

Tributary: LEMHI RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	35.0 AF

LOCATION OF POINT OF DIVERSION:

HAYDEN CREEK NW¼NE¼SW¼ Sec. 14, Twp 17N, Rge 23E, B.M., LEMHI County

PLACE OF USE: IRRIGATION

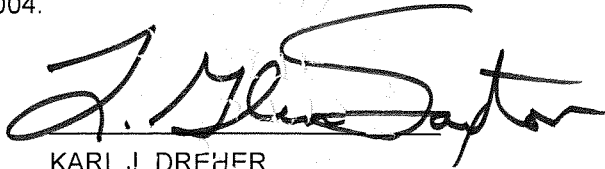
Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
17N 23E 11																	8.0	8.0
17N 23E 14	2.0																	2.0
Total Acres: 10																		

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of February, 2004.


for **KARL J. DREHER**
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 74-07023 IN THE NAME OF)
JOSEPH L. & FRANCES B. TONSMEIRE)
_____)

**ORDER TO CHANGE
MEASURING DEVICE
REQUIREMENT**

This matter having come before the Department of Water Resources (Department) to change the measuring device requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On March 7, 1973, the Department issued Permit 74-07023 (permit) to Joseph L. & Frances B. Tonsmeire (permit holders) with a condition of approval requiring a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works.
2. On May 23, 1997, the Department received a beneficial use field report from the Department's examiner that a measuring device had not been installed on the diversion.
3. Installation of the measuring device and lockable controlling works is not necessary at this time since Water District No. 74 measures all diversions using a current meter.

CONCLUSIONS OF LAW

1. Beneficial Use Examination Rule 35.02.d. (IDAPA 37.03.02.35.02.d.) provides for the waiver of a measuring device requirement by the Department.

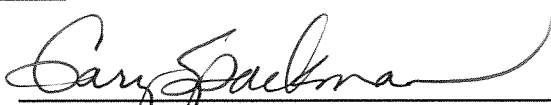
ORDER

IT IS THEREFORE HEREBY ORDERED as follows:

The condition of approval requiring a measuring device as part of the diversion works for the permit is **MODIFIED** as follows:

Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 25th day of February, 2004.



GARY SPACKMAN

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 74-07023

RECEIVED

DEC - 4 2003

Department of Water Resources

Date of Priority: February 08, 1973

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 35.0 AF

Comes now JOSEPH L TONSMEIRE And FRANCES B TONSMEIRE
PO BOX 871

SALMON ID 83467 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 74-07023, and requests that the permit be changed as follows:

Source: HAYDEN CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

IRRIGATION

03/15 to 11/15

0.20 CFS

35.0 AF

LOCATION OF POINT OF DIVERSION:

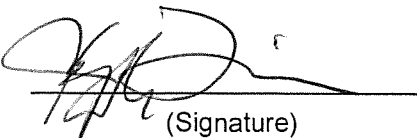
HAYDEN CREEK NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 17N, Rge 23E, B.M., LEMHI County

PLACE OF USE: IRRIGATION

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 11																8.0	8.0
17N 23E 14	2.0																2.0

Total Acres: 10

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 2 day of Dec, 2003


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 74-07023

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$50.00 Received by jm #C071835 Date 12/4/03

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 74-07023 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 26th day of February, 2004.


for **KARL J. DREHER**
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC - 4 2003

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.

(Please print or type)

Department of Water Resources

[] Water Right Number(s): 74-07023

[] Name(s): JOSEPH L TONSMEIRE

FRANCES B TONSMEIRE

[] Old Mailing Address: _____

[] New Mailing Address: PO BOX 72

LEMHI ID 83465

Telephone Number:

(208) 756 - 3959

[] Signature(s) of Owner(s) _____

Joseph L Tonsmeire
(Include your title if on behalf of company or organization)

Date: 70 Nov 2003

DE-KW
11/14/03

RECEIVED

MAR 4 1977

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 74-7023

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Joseph L. & Frances B. Tonsmeire
b) Post Office Address P.O. Box 871, Salmon, Idaho 83467
2. Permit Number 74-7023
3. Date of Priority that you are prepared to establish 2-08-73
4. a) Source from which water was appropriated Hayden Creek tributary to Lemhi River
b) Location of the point of diversion: SE ¼ SE ¼, Section 11
Township 17N, Range 23E Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
Amount 0.30 for Irrigation purposes from Apr. 1 to Nov. 1 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.30 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: SCS agent Bob Kane Salmon, Idaho

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:
Private ditch

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) water is diverted into gravity ditch for a distance of 3/4 to 1 mile, then flood irrigated over cultivated land

- b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

I Presently have a 20' of 18" Pipe that I will install a weir and staff gage. The rectangular diversion from the creek will be rated.
c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed

10/17/88

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

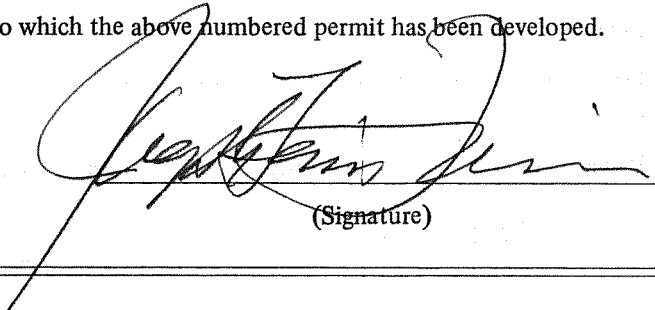
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	23E	11																15	15

Total number of acres irrigated 15

10. Remarks: _____

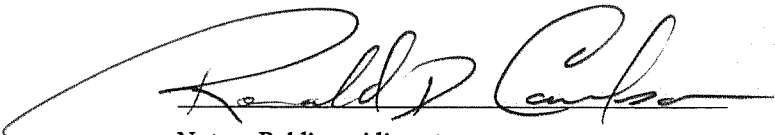
The above information is a true statement of the extent to which the above numbered permit has been developed.

2 March 1977
(Date)


(Signature)

State of IDAHO)
) ss.
County of Bonneville)

On this 2nd 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.


Notary Public residing at Idaho Falls, Idaho

My commission expires 2/14/78



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2004

JOSEPH L TONSMEIRE
FRANCES B TONSMEIRE
PO BOX 72
LEMHI ID 83465

RE: License No. 74-7023 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also enclosed is a copy of the Order to Change Measuring Device Requirement and a copy of the Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

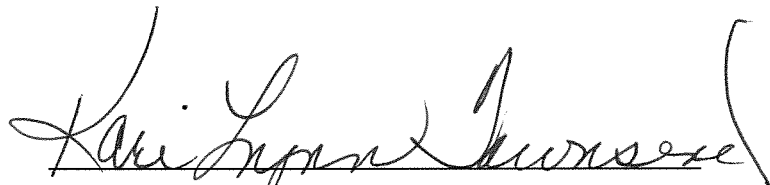
CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

74-7023

**FRANCES B TONSMEIRE
JOSEPH L TONSMEIRE
PO BOX 72
LEMHI ID 83465**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

Comment Report

74-7023

1. kwalker 12/4/2003 Address Change

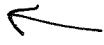
Comment: We received a Change in Address request this morning with licensing amendment. Have changed records per this request.

2. kwalker 2/25/2004 Measuring Device

Comment: I contacted Rick Sager, Watermaster of WD74, this afternoon in regard to this permit. I explained that we could not verify that the permit holder had installed a measuring device on his system. Mr. Sager stated that ALL measurements in his district are made by current meter and he did not want any changes to Mr. Tonsmeires diversion. I recommend license be issued with condition 01P so we could require a lockable device in the future if found to be necessary.

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>
74	965		10/8/1926		0.48		HAYDEN CREEK
74	1049	A	4/1/1935		1.28	150.5	HAYDEN CREEK
74	7023		2/8/1973		0.20	35	HAYDEN CREEK
TOTAL:					1.96		

> Rights using
same p/d



capacity of ditch - per exam = 1.93 cfs



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 7, 2003

JOSEPH L TONSMEIRE
FRANCES B TONSMEIRE
PO BOX 72
LEMHI ID 83465

RE: Water Right Permit 74-07023

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed. I have not yet received the amendment. If I do not receive it within **10 days**, I will assume you no longer have any interest in the permit and cancellation proceedings will begin.

Please note that there is a **\$50.00** filing fee for this amendment. A copy of the Application for Amendment is enclosed for your convenience.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

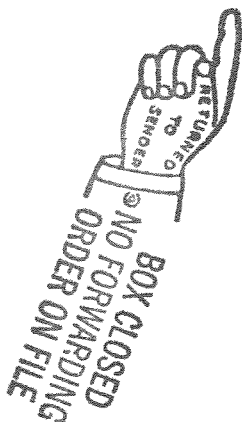
KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

12-1-03
Doranne talked
with Mr. Tonsmeire
this AM - will
submit amendment &
fee. He has been
out of town.
KW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098
Return Service Requested

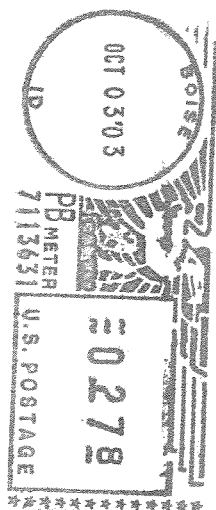


Permit # 74-7023
Per Phoenix - 7 boxes advised
New address:
PO Box 72
Lemhi ID 83465

RECEIVED
OCT 15 2003

PRESORTED
FIRST CLASS

Department of Water Resources





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2003

JOSEPH L TONSMEIRE
FRANCES B TONSMEIRE
PO BOX 871
SALMON ID 83467

RE: Water Right Permit No. 74-07023

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

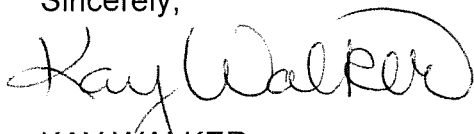
Based on the examiner's report, the following elements were developed differently than described on your permit:

 Point of Diversion

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,



KAY WALKER
Sr. Water Resource Agent

Enclosure

LICENSE REVIEW CHECKLIST

Permit No. 74-7023 Date: 10-2-2003 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: change

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): none

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.3 cfs

Fee Limit N/A cfs

Measured 1.93 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.20

Water Uses OK

Change (P46)

Season of Use per new Standards

3/15 11/15

Irrigation 0.2 cfs 35 af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 0.2 cfs 35 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.2 cfs x 1.9835 x 246 days = 97.6 af (vs) 10 acres x 3.5 (FHR) = 35.0 af

Remarks: _____

Additional Conditions 74

Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes If yes, explain why below.

no

SRBA Claim?

yes-pending

Adjust memo _____

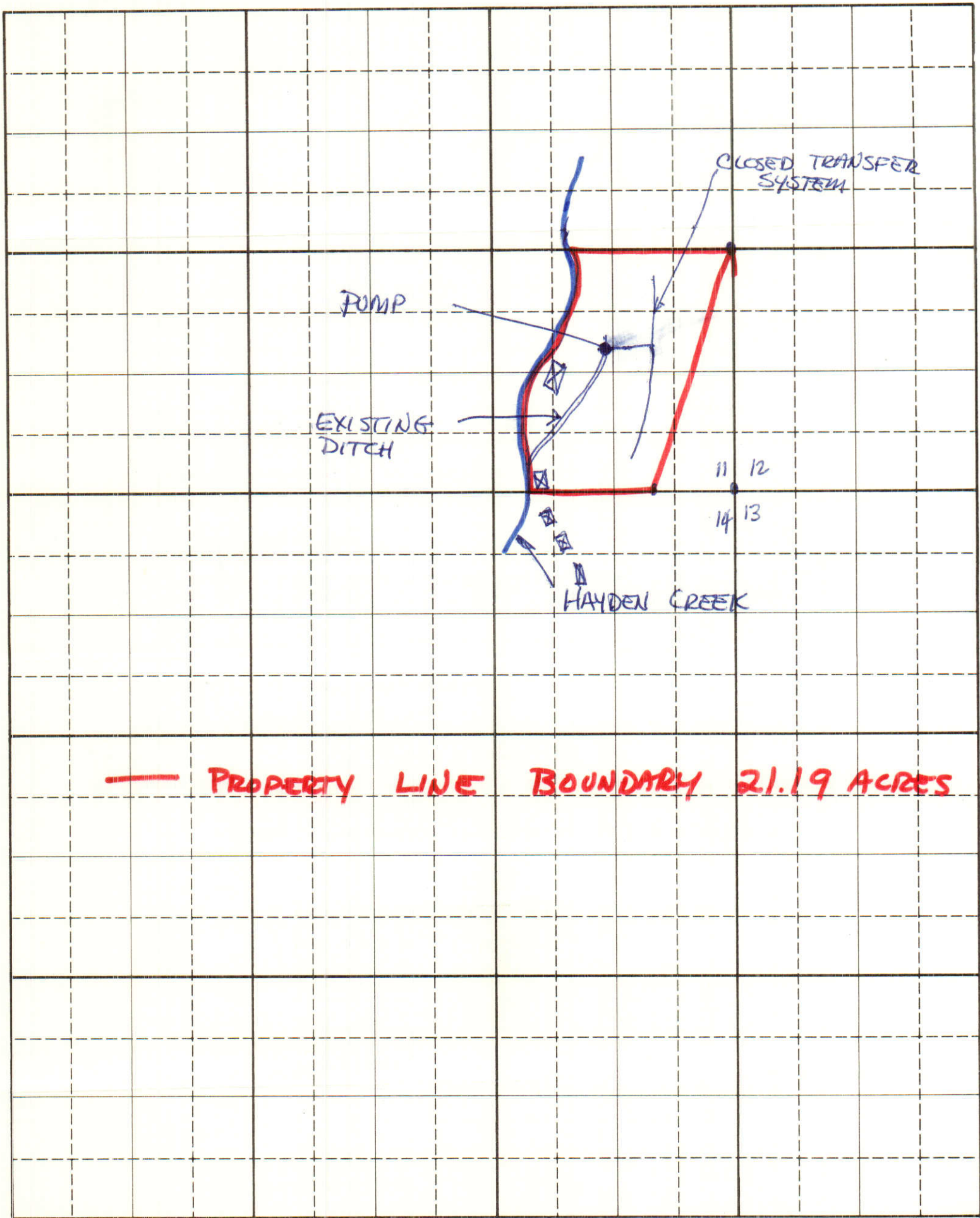
Amend Letters _____

P87, S06

Second Amendment Notice P49

S06

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



— PROPERTY LINE BOUNDARY 21.19 ACRES

Scale: 2 inches equal 1 mile
NTS

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.

Joseph J. Jonsmeire
(Applicant)
Francis B. Jonsmeire

74-7023

RECEIVED

FEB 23 1973

Department of Water Administration
Eastern District Office

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Joseph L. & Frances B. Tonsmeire, P. O. Box 871, Salmon, Idaho have on 2-8-73 submitted Application No. 73-7020 for a permit to appropriate 0.3 cubic feet per second of water from Hayden Creek, tributary to the Lemhi River, by means of ditch, headgate and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 17N, R. 23E, B. M., Lemhi County; to be used from April 1 to Nov. 1 for the irrigation of 15 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 17N, R. 23E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before March 5, 1973.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on February 15 and February 22, 1973.
2-15-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

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 Permit #73-7020

..... 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 Feb. 15, 1973 and ending with the issue dated Feb. 22, 1973

Jerry G. Rosin
.....
twenty second

Subscribed and sworn to before me, this

day of February, 1973

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

Publication Fee \$ 12.21

74-7023

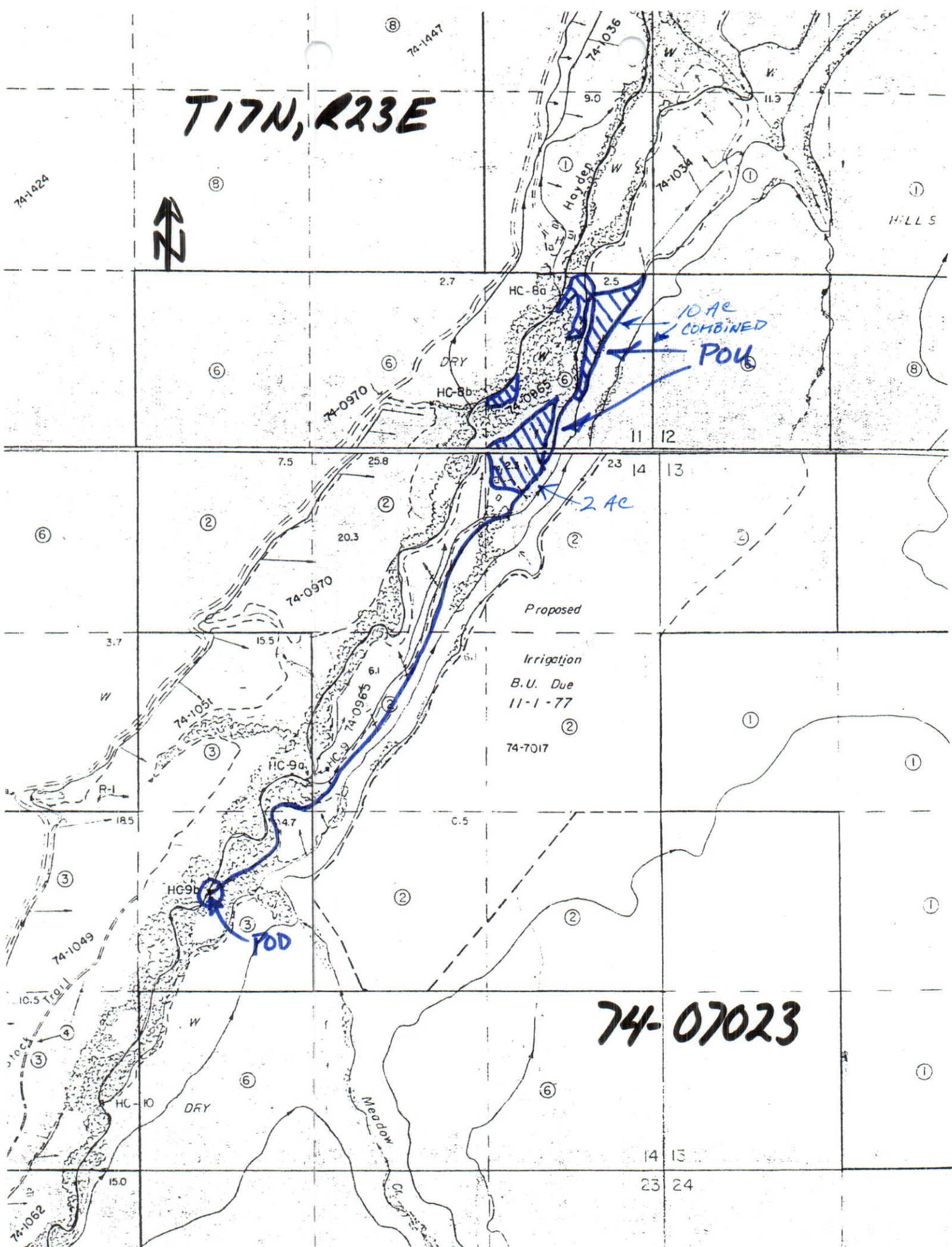
T17N, R23E

74-07023

T17N, R23E

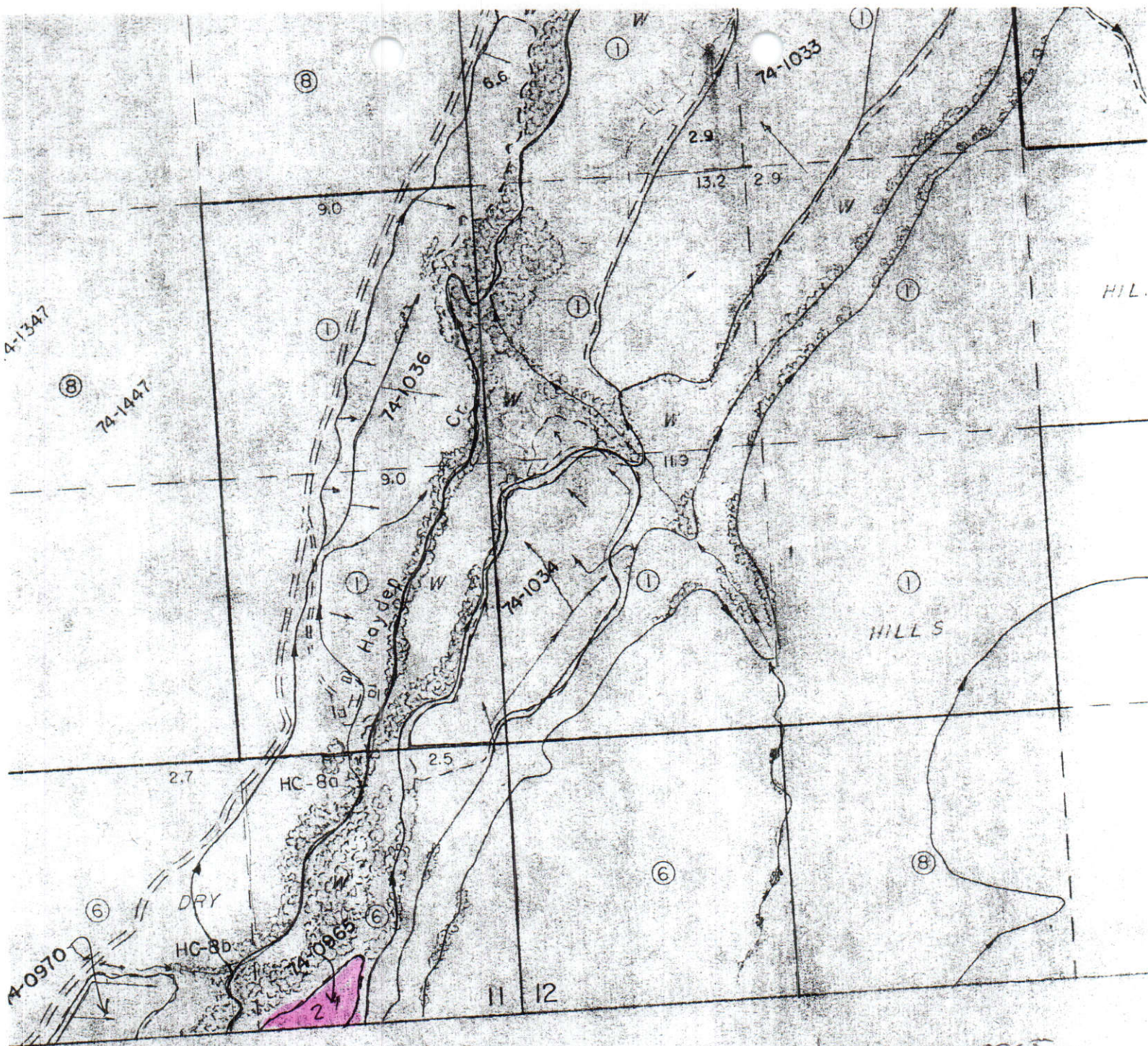
74-07023

T17N, R23E



Proposed
Irrigation
B.U. Due
11-1-77
74-7017

74-07023



Kermit
and Dale L.
a W. and Helen M.
and Mina E.
t and Bernice M.
Charles Jr. and Ray c/o Seher, Clarence or Madge
J. and Ethlyn c/o Arave, Parley A.
management

It appears to me that 74-00965
covers the 2 acres shaded in red.
Since this is also Hayden creek water
it should not be included in
licensing permit 74-07023

[Signature]

4-10-97

74-07023

Lemhi Adj Map

Map "B" for r.f. during licensing

JOE TONSHEIRE

IRRIGATION

15/4

POINT OF
DIVERSION
OFF HAYDEN
CREEK



FIRST
CONTROL
DEVICE
ON DITCH

PERMIT
NUMBER

74-07023

JOE TONSHEIKE

IRRIGATION

2/4

SECOND
CONTROL
DEVICE
ON DITCH



DITCH
NEAR
MEASUREMENT
POINT



PERMIT
NUMBER

74-07023

JOE TONSHEIKE

IRRIGATION

354

1ST PLACE
OF USE
IN SEC 14.

DITCH IS
BEHIND
CAMERAMAN



1ST PLACE
OF USE IN
SEC 11.

DITCH IS
ON LEFT OF
PICTURE



PERMIT
NUMBER

74-07023

JOE TONSMEIRE

IRRIGATION

4/4

PLACE OF
USE
NE S/4SE OF
SEC 11
ALONG RD.



LAST PLACE
OF USE
NE SESE,
SEC 11



PERMIT
NUMBER

24-07023

R 23 E

T 17 N

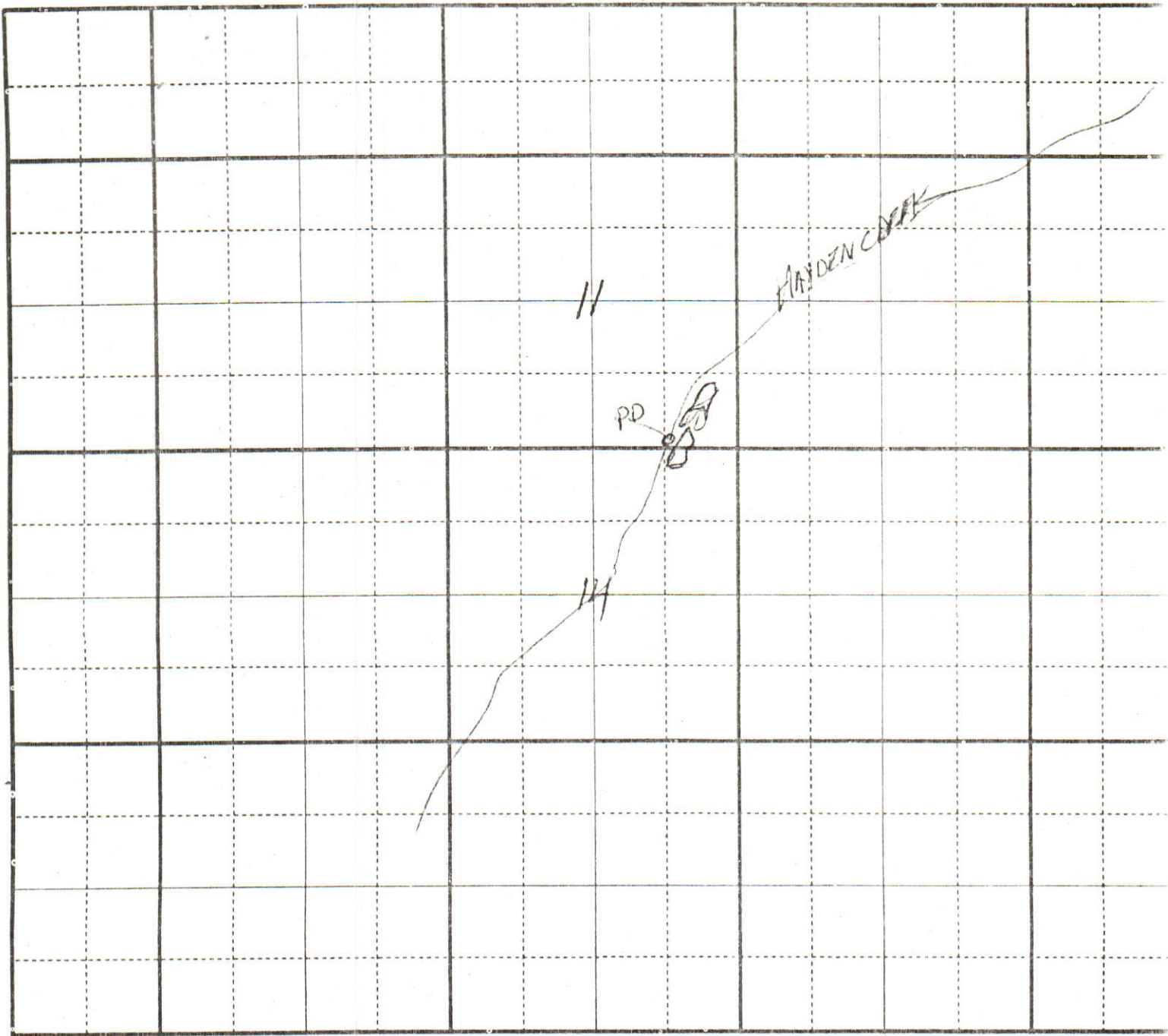
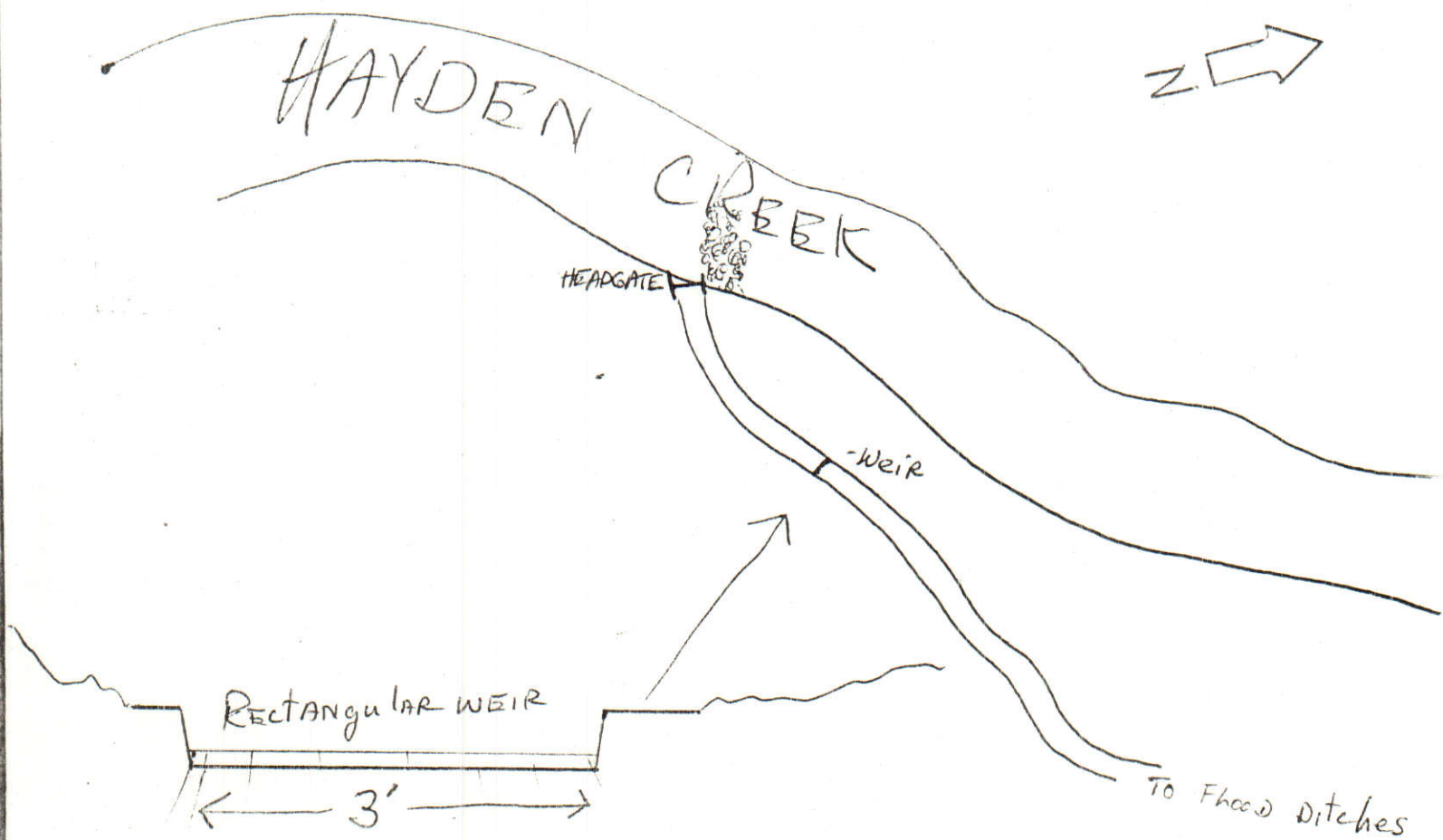


Diagram of System



CLAIMED UNDER
74-0965
5.5.

B 57

B 173

Hayden Creek

THE 0970
NOT COVERED BY THIS PERMIT

Added to 74-7023
Per field
recommendation
5.1.
11-3-82

Recommended to
be licensed on 74-7023
ROUND TO 10 ACRES

Dry
Gulch

F-69

2.4
4.9
9
2.7

43.9

15.6

22.7

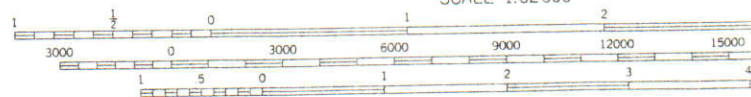
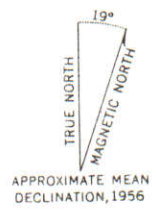
3.0

14.2

SCALE



Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1954. Advance field check 1956
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue
Unchecked elevations are shown in brown



MICROFILMED

NOV 28 1976

Idaho

Eastern L. State College

Rob Kane

10-6-76

Joe Tonsmeire

Water Measurement

Given:

Needs water measurement - showing water loss from headgate to point of use - approx 3/4 mile.

X-Sectional area of headgate:



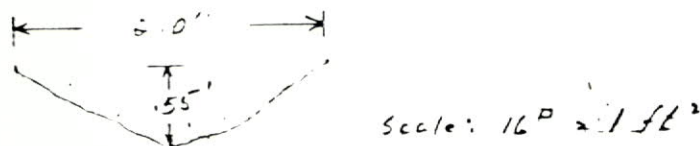
Float time per 100' = 52 sec.

$$V = \frac{100}{52} = 1.9 \text{ fps}$$

$$\text{Area} = 21.5^2 = \frac{21.5}{16} = 1.34 \text{ ft}^2$$

$$Q = V A = 1.9 \times 1.34 = 2.55 \text{ cfs}$$

X Sectional area of take out for field



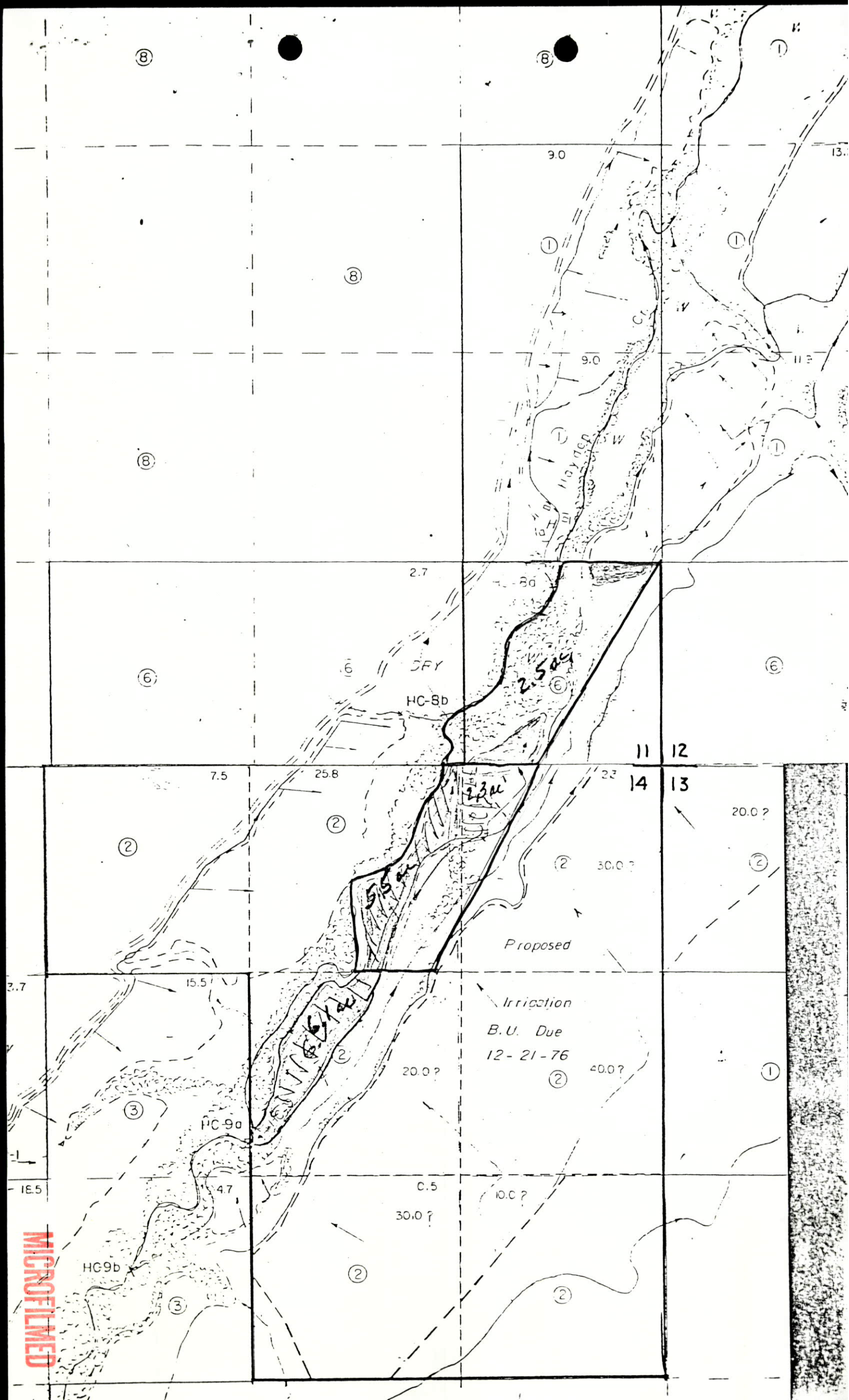
Float time per 100' = 44 sec.

$$V = \frac{100}{44} = 2.27 \text{ fps}$$

$$\text{Area} = 10^2 = \frac{10}{16} = .625$$

$$Q = V A = 2.27 \times .625 = 1.42 \text{ cfs}$$

$$\text{Total loss} = \frac{1.42}{2.55} = .55 \text{ or } 50\% \text{ approx.}$$



MICROFILMED

February 9, 1973

Re: Application No. 73-7020 - Joseph C. & Frances B. Tonsmeire

Recorder-Herald
P.O. Box 310
Salmon, ID 83467

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA
Enc: Legal notice

Bill submitted 2/23/73 by ba

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Joseph L. & Frances B. Tonsmeire, P. O. Box 871, Salmon, Idaho have on 2-8-73 submitted Application No. 73-7020 for a permit to appropriate 0.3 cubic feet per second of water from Hayden Creek, tributary to the Lemhi River, by means of ditch, headgate and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 17N, R. 23E, B. M., Lemhi County to be used from April 1 to Nov. 1 for the irrigation of 15 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 17N, R. 23E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before March 5, 1973.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on February 15 and February 22, 1973.
2-15-2tc

74-7023

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)
DATE IN CONNECTION WITH PERMIT NO. 74-7023) ORDER
IN THE NAME OF JOSEPH C. and FRANCES B. TONSMEIRE)

WHEREAS, on February 8, 1973, Joseph C. and Frances B. Tonsmeire filed with the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 0.30 cubic feet per second of water from Hayden Creek, tributary to the Lemhi River, to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 17N, Rge. 23E, B.M., Lemhi County, to be used for irrigation purposes; and,

WHEREAS, on March 7, 1973, the Department approved said application and issued Permit No. 74-7023 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1977; and,

WHEREAS, on March 1, 1977, the permit holders submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 74-7023 be extended to April 1, 1979.

Dated this 3rd day of March, 1977.


for A. KENNETH DUNN
Administrator, Operations Division

MICROFILMED

Identification No. 74 7023
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant JOSEPH L. & FRANCES B. TONSMIRE
post office address P.O. BOX 871 SALMON, IDAHO 83467
2. Source of water supply HAYDEN CREEK which is a tributary of LEMMING RIVER
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 17N
Range 23E B.M. LEMMING County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into HAYDEN CREEK at a point in SE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 11 Township 17N Range 23E B.M. LEMMING

4. Water will be used for the following purposes:

Amount .3 for IRRIGATION purpose from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (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. 0.3 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
EXISTING DITCH & HEADGATE, PUMP & CLOSED
TRANSFER SYSTEM TO UPPER BENCH

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 _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 4 years.

b. Estimated construction cost is \$ 1000.00.

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: _____ 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 _____.

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

74-7023

74-7023

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	
17N	23E	11																15	15 ACRES

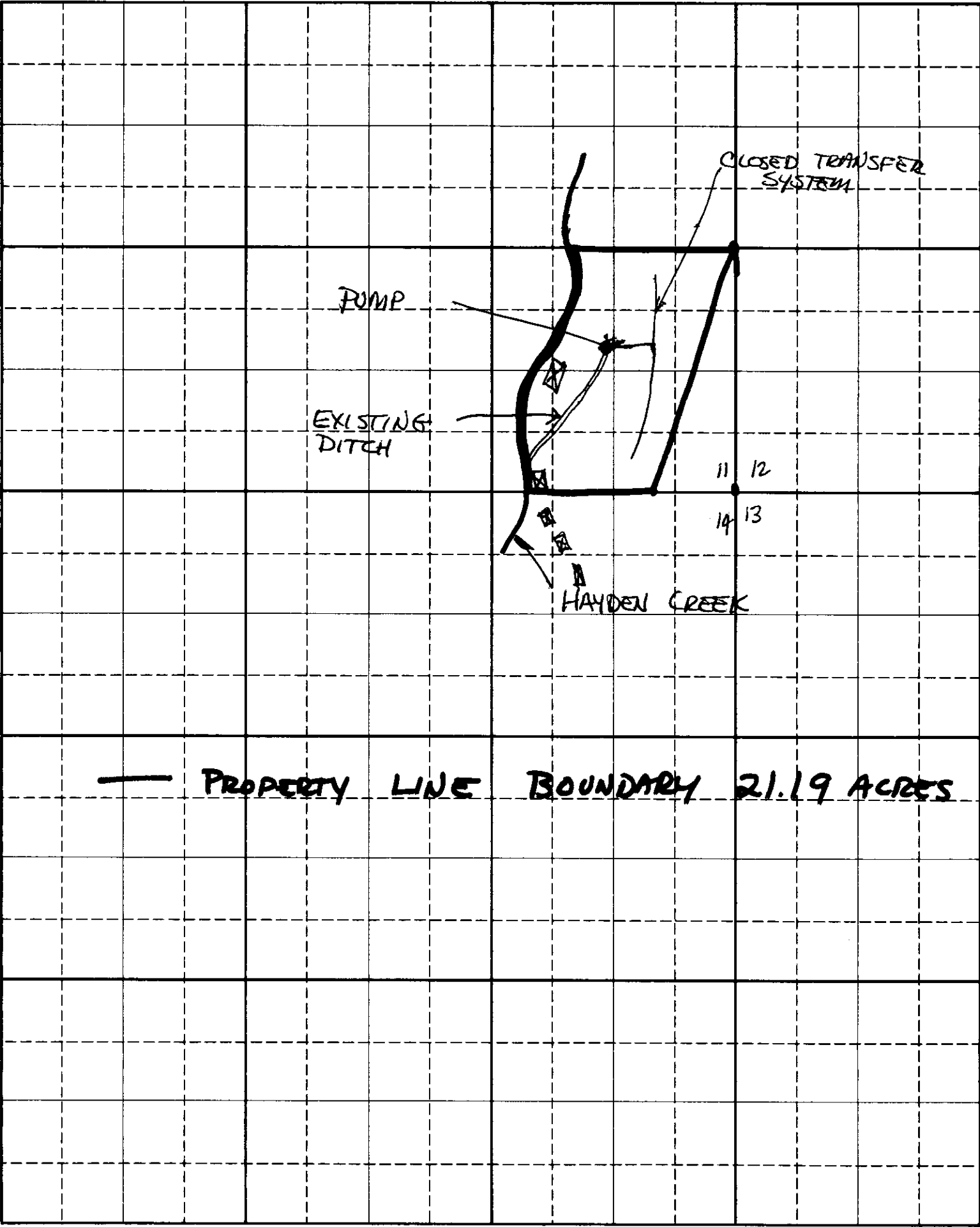
Total number of acres to be irrigated 15 ACRES

c. Describe any other water rights used for the same purposes as described above.
WATER FOR 2.5 ACRES FROM CLAIM 74-0965
CROP INCLUDED.

9. a. Who owns the property at the point of diversion JOSEPH L. & FRANCES B. TONSMETRE
b. Who owns the land to be irrigated or place of use JOSEPH L. & FRANCES B. TONSMETRE
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 WE HAVE PURCHASED 21.19 ACRES (A PARCEL OF 480 ACRES) FROM WILMORE - VRELL / SALMON, IDAHO WE PLAN TO USE 15.0 OF THE 21.19 ACRES IN CULTIVATION. WHICH WAS NOT PREVIOUSLY IRRIGATED.

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
1.75

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.

Joseph J. Jansmeire
(Applicant)
Francis A. Jansmeire

74-7023

74-7023

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by NCY DF

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>NCY</u>	<u>2/9/73</u>	Application No. <u>74-7023</u> Name <u>Tonsmeire</u>
(2)	<u>"</u>	<u>"</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/C ☒ Place of Use <u>map not to scale</u> ☒ Map ☒ Fee ☒ <u>county</u>
(3)	<u>"</u>	<u>"</u>	Send copies to: ☐ Idaho State Health Department <u>N.A.</u> ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>"</u>	<u>"</u>	☐ Request Special Use Permit from U.S.F.S. <u>N.A.</u> ☐ Request Easement from B.L.M.
(5)	<u>"</u>	<u>"</u>	In form for advertising <u>yes</u>
(6)	<u>BA</u>	<u>"</u>	Affidavit of Publication received <u>2/23/73</u>
(7)	<u>BA</u>	<u>"</u>	Final date for protests <u>3/5/73</u> Protests received: yes <u>no</u> ☒
(8)	<u>"</u>	<u>"</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>"</u>	<u>"</u>	Located within Water District No. <u>None</u>
(10)	<u>"</u>	<u>"</u>	Critical groundwater area: yes <u>no</u> <u>N.A.</u>
(11)	<u>"</u>	<u>"</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>N.A.</u> ☐ Increasing (comment) _____
(12)	<u>"</u>	<u>"</u>	Comments: <u>Hydro. Ch. is not main</u> <u>adged but is included in the combr</u> <u>adged.</u>
(13)	<u>NCY</u>	<u>3/5/73</u>	Action recommended: ☒ Approve ☐ Deny Priority <u>2/8/73</u> Reason for Reduction _____ <u>"</u> <u>"</u> ☒ See attached sheet for conditions of approval <u>"</u> <u>"</u> No conditions for approval
(14)	<u>"</u>	<u>"</u>	District <u>Eastern</u> By <u>NORMAN C. YOUNG</u> Date <u>3/5/73</u> Title <u>D.E.</u>

74-7023

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☒ Use of water under this permit is subject to control by the watermaster of the Lemhi River. ~~State Water District No. _____,~~

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☒ Other: Subject to control of future
Lemhi River watermaster

74-7023

RECEIVED

FEB 22 1973

Department of Water Administration
240 South Holmes, Idaho Falls, Idaho

**NOTICE OF APPLICATION FOR
WATER PERMIT**

That **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 Permit #73-7020**

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 **Feb. 15**, 1973 and ending with the issue dated **Feb. 22**, 1973.

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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before March 5, 1973.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on February 15 and February 22, 1973.
2-15-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

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 Permit #73-7020**

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Jerry G. Rosin
twenty second

Subscribed and sworn to before me, this

day of **February**, 1973

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

Publication Fee \$ 12.21

74-7023

MAY 23 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 74-07023

JOSEPH L. TONSHERE

1. Owner: FRANCES B. TONSHIRE

Phone No. (208) 756-3959

Current Address: P.O. Box 871, SALMON, IDAHO 83467

2. Accompanied by: FRANCES TONSMELKE

EXAM DATE: 9/22/95

Address: N/A

Phone No. 21A

Relationship to Permit Holder: OWNER

3. Source: HAYDEN CREEK tributary to LEMMING RIVER

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: 74-01036

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination *ON SITE INSP.*

[illegible]

TOTAL

10

See MAP 8

Date 1/22/92 DISCHARGE MEASUREMENT NOTES

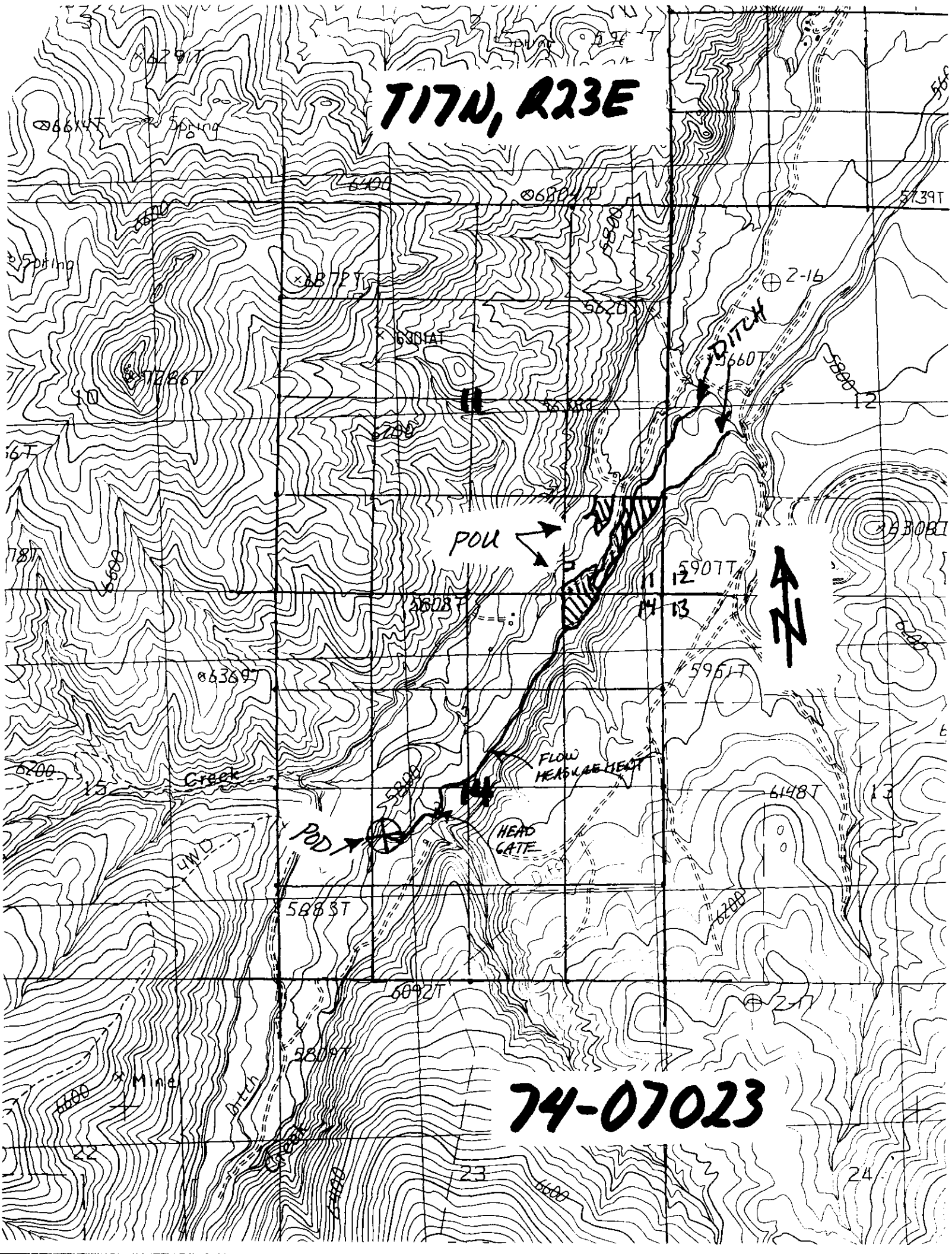
DITLH

River at HAYDEN CREEK

No. _____ of _____ Sheets. Comp. by Chk. by _____

74-07023

T17N, R23E



74-07023

T17N, R23E

ROAD
DITCH
↓ → FLOW

74-07023

T17N, R23E

HILL 5

10 ARE
COMBINED
POU

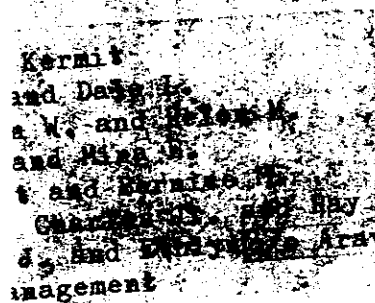
Proposed

Irrigation

B.U. Due
11-1-77

74-7017

74-07023



247

74-07023

Map "B" For ref. during hearings

JDE JONSMERKE

IRRIGATION

15/4

POINT OF
DIVERSION
OFF HAYDEN
CREEK

FIRST
CONTROL
DEVICE
ON DITCH

PERMIT
NUMBER

74-07023

JDE TOLDSHEILE

IRRIGATION

2/4

SECOND
CONTROL
DEVICE
ON DITCH

DITCH
NEAR
MEASUREMENT
POINT

PERMIT
NUMBER

74-07023

JOE TONSHEIKE

IRRIGATION

35/4

1ST PLACE
OF USE
IN SEC 14.

DITCH IS
BEHIND
CAMERAMAN

1ST PLACE
OF USE IN
SEC 11

DITCH IS
ON LEFT OF
PICTURE

PERMIT
NUMBER

74-07023

JOE TOLUSHEKE

IRRIGATION

4/14

PLACE OF
HSE
NE SESE OF
SEC 11
ALONG RD.

LAST PLACE
OF HSE
NE SESE,
SEC 11

PERMIT
NUMBER

74-07023

E. NARRATIVE/REMARKS/COMMENTS

WATER FOR THIS PERMIT IS DIVERTED OUT OF HAYDEN
CREEK BY WAY OF A GRAVEL ^{IN CHANNEL} BERM. WATER THEN PASSES
THROUGH (2) TWO SEPARATE CONTROL GATES * (NOT LOCKABLE)
AND ~~THE~~ THEN CONTINUES DOWN TO PLACES OF USE
THROUGH A DITCH.

FLOW MEASUREMENT WAS DONE IN THE DITCH JUST
PRIOR TO ENTERING THE FIRST DOWNSTREAM PLACE OF
USE (SEC 14, 2 ACRES).

ALL IRRIGATION IS ACCOMPLISHED BY FLOOD IRRIGATION
OUT OF DITCHES (AT THIS TIME).

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

EXCEPT AS NOTED ABOVE.

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Q - AA METER MEASUREMENT - 1.93 CFS

PERMIT LIMITS TO 0.24 CFS

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \overset{10}{12} \times \overset{35 \text{ af}}{3.5} = 42 \text{ AF}$$

$$V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.24 \text{ CFS} \times 183 \times 1.9835 = 87.1 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 42 \text{ AF}$$

2. Volume Calculations for Other Uses:

$$\overset{10 \text{ ac}}{10} \times 0.02 = 0.20 \text{ CFS}$$

H. RECOMMENDATIONS PERMIT LIMITS TO 0.24 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>4/15</u>	<u>10/15</u>	<u>0.24 0.20</u>	<u>35 42 AFA</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.24 CFS</u> 0.20	<u>35 42 AFA</u>

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 Donald Smith Date 12/19/96

Reviewer _____ Date _____

SEAL

January 7, 1983

RE: Permit No. 74-7023

Joseph L. & Francis Tonsmeire
P.O. Box 871
Salmon, ID 83467

Dear Mr. and Mrs. Tonsmeire:

Our office received your letter on December 23, 1982. Since the three water rights and the land in which they cover are in question, I have sent all the exam material to our Eastern Regional Office for a re-examination. A representative from that office will be contacting you in the near future. After that re-exam is completed we will be able to issue a license.

If you have any questions, please contact our Eastern Regional Office at 525-7161.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw

cc: Eastern Region

WILDERNESS RIVER OUTFITTERS
AND TRAIL EXPEDITIONS, INC.

P.O. BOX 871

SALMON, IDAHO 83467

PHONE (208) 756-3959

DEC 22 1982

Department of Water Resources

TO

ROBYN CARLSON
Dept Water Resources
Boise

DATE

SUBJECT

Permit 74 7023

Dear Robyn -

Thanks for your letter of Dec 15, 1982 -
regarding permit 74-7023. There seems to
be some confusion on what is going on.
It is my impression that the permit 74 7023
and decree 74 0765 water the same ground.
The purpose of the additional water was to
cover several acres for additional ground and
also compensate for ditch loss. If your records
are contradictory to this we better get together and
try to figure it out. Sincerely,
Joe Jansmeine

Wilderness River Outfitters
And Trail Expeditions, Inc.

P. O. BOX 871 — Phone (208) 756-3959
SALMON, IDAHO 83467



ROBYN CARLSON

Dept of Water Resources - State Office
450 W. State St. (Statehouse)
Boise, Idaho 83720





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

December 15, 1982

RE: Permit No. 74-7023

Joseph L. & Francis Tonsmeire
P.O. Box 871
Salmon, ID 83467

Dear Mr. and Mrs. Tonsmeire:

Our office received your letter on November 29, 1982. In answering your question regarding the possibility that this permit is a duplicate to the Department's Proposed Finding for the Lemhi River our records show the following water rights.

Permit 74-7023	0.24 cfs for 12 acres
Decree 74-0965	0.48 cfs for 16.4 acres
Decree 74-0970	0.92 cfs for 30.5 acres
	<u>1.64</u> total <u>58.9</u> acres

None of these rights are on the same land.

We are now in the process of licensing Permit No. 74-7023. In our letter dated November 5, 1982, we enclosed a partially completed Application for Amendment. Please return the amendment along with the \$20.00 filing fee within thirty days from this letter. The purpose for the amendment is to change the place of use on the permit to correspond with what our field examiner found.

If you have any other questions please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw

Wilderness River Outfitters

And Trail Expeditions, Inc.

P. O. BOX 871 — PHONE (208) 756-3959
SALMON, IDAHO 83467



Jim Johnson
Water Distribution Supervisor
Dept. of Water Resources
Boise -

RE: Permit No. W-7023

Dear Jim -

Thanks for your letter of Nov. 5, 1982
Question! Is the permit in addition to
Beneficial use from Dept's proposed findings
or ~~is~~ this the same as the Beneficial Use.

If this is all the water I was able
to divert from Hayden Creek the water
wouldn't even get to the land it
irrigates. Also there is more that twelve
acres total irrigated.

If the license is water in addition to
Beneficial Use water that is acceptable but
if the total diversion amount is .24 cfs
this is not sufficient water for irrigation.
Sincerely, Joe Tonsmire



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

November 5, 1982

RE: Permit No. 74-7023

Joseph L. & Frances B. Tonsmeire
P.O. Box 871
Salmon, ID 83467

Dear Mr. and Mrs. Tonsmeire:

A representative of this Department made an examination of the works covered by your Permit No. 74-7023 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.24 cfs Source: Hayden Creek

The maximum quantity diverted shall not exceed 36.0 acre feet
per year.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 17N, Rge. 23E, Lemhi County

Beneficial use: Irrigation of 12 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11;
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Twp. 17N, Rge. 23E

Priority date established: February 8, 1973

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

Wilderness River Outfitters

And Trail Expeditions, Inc.

P. O. BOX 871 — PHONE (208) 756-3959
SALMON, IDAHO 83467



Claim no - 74-0965

Clarence Seher

on map 17 No 23E - D

priority 10-8-26

Claim 74-0970

41-1935

.92 CFS

P.D. SW NE 27

17 23

Place of use

Sec 11 SW SE 2.7 ac.

Sec 14 NW NE 20.3

NW NW 7.5

30.5

15

R 23 E

T 17 N

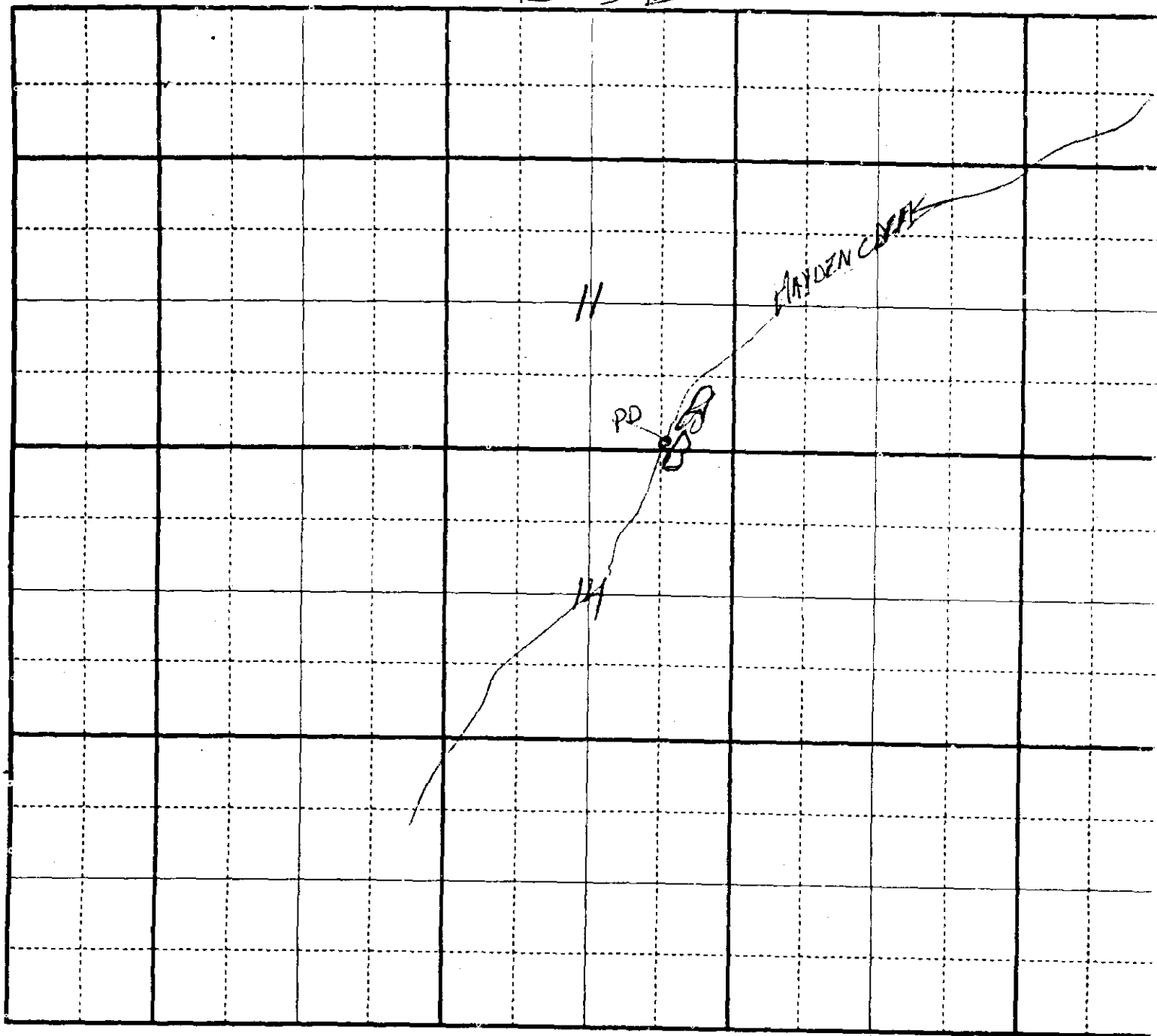
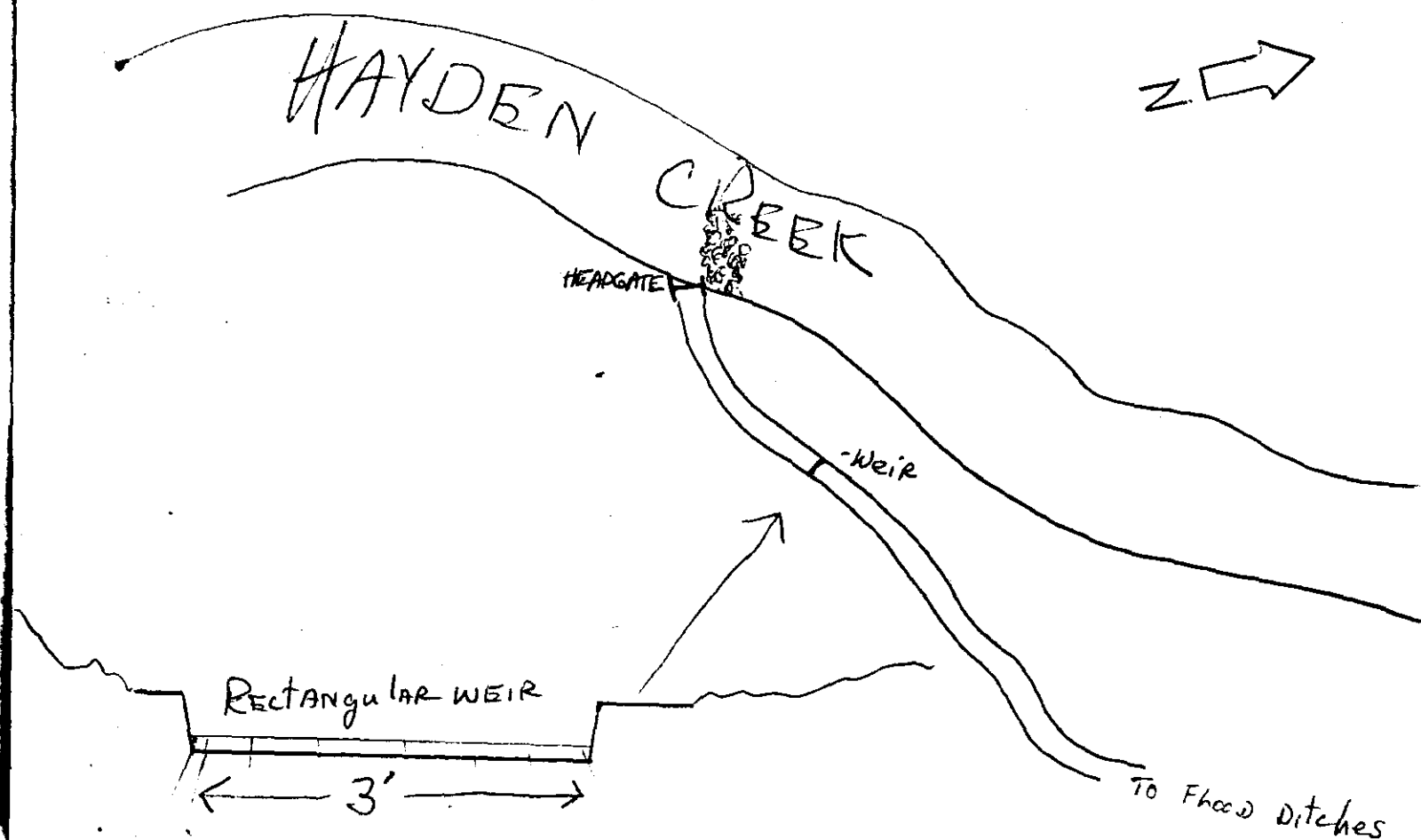


Diagram of System



DATE OF EXAM 6-5-79

ACREAGE
Found 12.0
Recommended 12.0

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = .24 c.f.s. V = 36 AF AF/Ann. from Apr 1 to Nov 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
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: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N/A
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .470 CFS Method of measurement Rectangular Weir ✓

Total Q recommended .24 cfs Meter No. _____ Type _____ Condition GOOD

Total V recommended 36 AF/YR

Recommended Amendments:

P.D. Place of Use ADD 2.4 ACRES IN NENE SEC 14 Suppld
Other _____ capacity
None _____

MEASUREMENT CALCULATION:
Q: RECTANGULAR WEIR MEASURED 1 9/16" HEAD ON 3' CREST = .470 CFS
V = .24 X 1.4835 X 214 = 121.87 AF/YR 3.0 X 12 = 36 AF/YR

Allow .02 cfs/ac 12 x .02 = .24

SYSTEM DESCRIPTION:
HEADGATE & DIVERSION DAM ON HAYDEN CREEK, DITCHES
TO PASTURES "ALL FLOOD IRRIGATION AT THIS TIME."

REMARKS: System shown By Mr. & Mrs. Townsend

Examiner's Signature Rodney A. Parker Date 11-1-79
Checked by Anthony R. Kozlowski Date 4-30-80
Approved by [Signature] Date 11-1-80

Overlap Review on back

App 74-7080 Tony Gulch. 1/2 Overlap different some
claim 74-0965 Hayden Cr F/D = ONE, NESW
Sec 14 T17N R23E

No Overlap
in P/D

P/D see copy in
file

No overlap w/ P/U

see map (AERIAL PHOTO)
attached to field exam

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF SURFACE WATERS AND TRIBUTARIES FROM WHATEVER SOURCE OF THE LEMHI RIVER DRAINAGE BASIN.

MAP NO.

WATER RIGHT

74-0965

17N-23E-D

Notice is hereby given that Clarence and/or Madge L. Seher

(Name of Claimant)

Box 1124, Salmon, Idaho 83467

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the LEMHI River;

The extent and nature of said claim is as follows:

- [illegible]

Total No. of acres 15.9

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 16.4

- (7) Effluent, sewage waste, or return water from this use is discharged into _____
- (8) If you are claiming water as a member of an organization, list name of organization. _____
- (9) Remarks Priority date based on patent date. (Clarence A. Negus)
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

January 19, 1972

(Date)

Individual

(Signature of Claimant)

(Signature of Spouse)

nature of Authorized Agent)

State of Idaho

County of Lemhi

On this 19th day of January

Clarence Seher

a notary public, personally appeared Clarence Seher
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, the
corporation, partnership or _____) executed the same. Clarence Seher

Notary Public residing at Salmon, Idaho

My commission expires

July 14, 1974

74-7023

CLAIMED UNDER
74-0965
55.

B173

B57

Hayden Creek

5.82

Foundation

74-7023

Recommended to
be licensed on 74-7023
ROUND TO 10 ACRES

dry
Gully

43.9

14.2

3.0

11 1/2

4 1/2

October 13, 1978

Mr. Joseph Tonsmeire
P. O. Box 871
Salmon, ID 83467

Re: Permit No. 74-7023

Enclosed is the proof of beneficial use form you submitted to our Eastern Regional office on October 6, 1978. Please be advised that we received a proof of beneficial use form in proper form on March 4, 1977.

I have completed a field exam form to be sent to our regional office and a representative of our Department will make an examination. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls (523-7186).

Sincerely,

RITA FLECK
Secretary

RF:

Enc: Proof of Beneficial Use

Rita
74-7023
Oct. 5, 1978

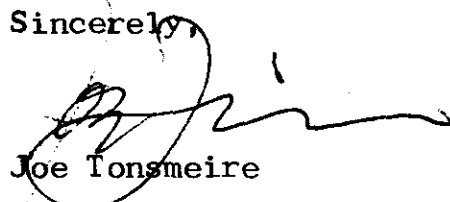
State of Idaho
Department of Water Resources
Idaho Falls, Idaho 83401

Dear Sirs:

I am RESUBMITTING this "proof of application of water to beneficial use". The first submission was rejected because there was no approved measuring device. I have installed a 4' rectangular weir just below the headgate. To get sufficient water for irrigating, plus allowing for the high ditch loss between point of diversion and where the water is first used, the total water diverted read $3\frac{1}{4}$ " at the weir. According to the chart you gave me, for a 4' weir this represents 1.85cfs.

If or when you plan your field inspection, please give advance notice as we are having a lot of beaver trouble and the ditch is periodically shut off.

Sincerely,


Joe Tonsmeire

RECEIVED

OCT 6 1978

Department of Water Resources
Eastern District Office

RECEIVED

MAR 4 1977

Identification No. _____

Permit No. 74-7023

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Joseph L. & Frances E. Tonsmeire
b) Post Office Address P.O. Box 871, Salmon, Idaho 83467
2. Permit Number 74-7023
3. Date of Priority that you are prepared to establish 2-08-73
4. a) Source from which water was appropriated Hayden Creek tributary to Lemhi River
b) Location of the point of diversion: SE 1/4 SE 1/4, Section 11
Township 17N, Range 23E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 0.30 for Irrigation purposes from Apr. 1 to Nov. 1 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.30 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: SCS agent Bob Kane Salmon, Idaho

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:
Private ditch
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) water is diverted into gravity ditch for a distance of 3/4 to 1 mile, then flood irrigated over cultivated land

- b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

I Presently have a 20' of 18" Pipe that I will install a weir and staff gage. The rectangular diversion from the creek will be rated.
c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

10/6/78 J.

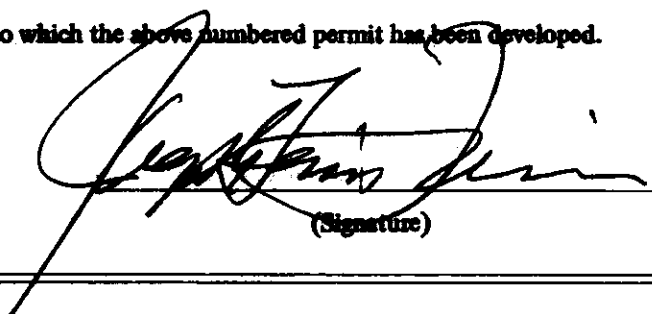
9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	23E	11																15	15

Total number of acres irrigated 15

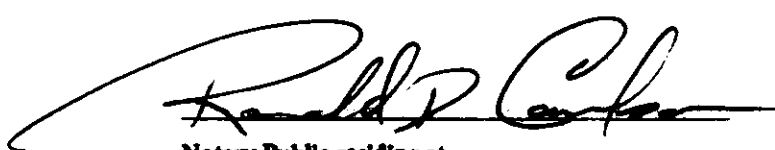
10. Remarks: _____

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

2 March 1977 (Date)  (Signature)

State of IDAHO)
) ss.
 County of Bonneville)

On this 2nd 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.


 Notary Public residing at Idaho Falls, Idaho

My commission expires 2/14/78

March 7, 1977

Re: Permit No. 74-7023

Joseph C. &/or Frances Tonsmeire
Box 871
Salmon, Idaho 83467

Dear Mr. & Mrs. Tonsmeire:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to April 1, 1979.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

December 1, 1976

Joseph Tonsmeire
P.O. Box 871
Salmon, Idaho 83467

Dear Mr. Tonsmeire:

After reviewing your application for permit and proof of application of water to beneficial use we find we must return both, including your check No. 92-289 in the amount of \$25.00.

Your proof of beneficial use shows land that is not included on the approved permit and should not include the land shaded in red in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 17N, R. 23E. Your signature must be notarized on this document, therefore, we have retyped your proof showing the correct priority date and land description. Please sign before a notary public and return before April 1, 1977. I call your attention to Item 7b, of the proof of beneficial use requesting the type and size of the measuring device. A rectangular headgate is not an approved measuring device. A headgate is a means of controlling the flow of water into the diversion ditch and a means to completely shut the water out of a diversion ditch. The weir must be placed downstream of the headgate as practical to create a weir pond. A weir is the most economical and accurate measuring device to measure water in an open ditch. I have enclosed information on weirs with rating tables for rectangular weirs which is the easiest to make. The weir must be installed before the permit can be inspected for license.

Your application for permit is for the same land described in Lemhi Adjudication Claim No. 74-0965 which has 0.0293 cfs per acre or approximately 1 $\frac{1}{2}$ inches per acre. We can not approve applications for permit that duplicate and increase the amount of appropriation for more than 0.02 cfs or 1 inch per acre. The land description of the location of the 5.5 and 6.1 acres are reversed to the locations given on the Lemhi Adjudication Findings.

I have enclosed a copy of the map showing the land in question. The red shaded area is the acreage described in 74-0965. The blue shaded area is the area as described by Newton & Schafer Engineering taken from the copies you enclosed. We can accept applications for permits for lands that are not shaded in red at the rate of 0.02 cfs per acre, more can be allowed if the requirement is based on engineering formulas of presumptive requirements furnished by SCS engineers or a private engineering consultant.

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Joseph Tonsmeire
December 1, 1976
Page 2

The inventory and evaluation you submitted that was worked up by Bob Kane is interesting, but unacceptable as there was no approved measuring device installed to obtain the measurements.

We have also enclosed a new application for permit. It would probably be more of an advantage to you if you brought your information into our office for assistance.

If you have any questions concerning these matters, please feel free to contact me.

Very truly yours,



LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Attachment

Enclosures

MICROFILMED

January 31, 1977

CERTIFIED MAIL

138246

74-7023

Re: Permit No.

Joseph C. & Frances B. Tonsmeire
Box 871
Salmon, Idaho 83467

Dear Mr. & Mrs. Tonsmeire:

74-7023

One of the conditions of approval of your water Permit No. _____ (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 11, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

Trail
Wilderness River Outfitters

And Trail Expeditions, Inc.

P. O. BOX 871 — PHONE (208) 756-3959
SALMON, IDAHO 83467



February 27, 1977

RECEIVED

R. Keith Higginson, Director
Dept. of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

MAR 1 1977 *ok. jg*
Department of Water Resources
4/1/79

Dear Keith:

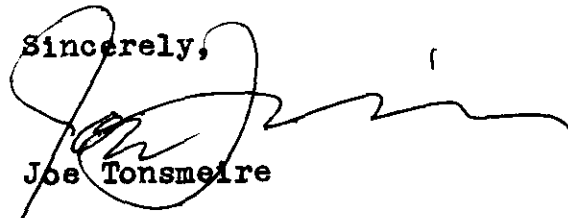
Thanks for your certified letter of January 31, 1977 concerning water permit 74-7023.

Last fall I filed a copy of the form Proof of Application of Water to Beneficial Use. Bob Kane of the local Soil Conservation Service did the field measurement of the water --- but the response of Loy Johnson was that this measurement was unacceptable since there was no measuring device permanently installed.

I am therefore asking for an extension in time to build and install a measuring device and obtain a flow measurement acceptable to the Water Department.

The extension in time would normally be only until the irrigating season this year, but since the water situation appears so abnormally low I thought it best to ask for an extension to the next irrigation season of 1978. If this is acceptable to the Water Department, I would like to have until June 30, 1978 to complete proof of beneficial use. Although I feel I might possibly be able to complete the proof sooner, a later date would give me additional leeway. If June 30, 1978 is an unacceptable extension, let me know.

Sincerely,


Joe Tonsmeire

JT/kc

cc
Loy Johnson
Senior Water Resource Agent
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

MICROFILMED

PROPOSED FINDING OF WATER RIGHTS - LEMHI RIVER DRAINAGE

75

SOURCE: Hayden Creek & Tributaries

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
				From	To					
74-0965	SEHER, Clarence and/or Madge L. Box 1124 Salmon, Idaho	10-8 -1926	Irrigation	4/1	11/1	50.0	0.48 <i>.0292652926</i>	Sec. 14 SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ T17N, R23E	Sec. 11 SE $\frac{1}{4}$ SE $\frac{1}{4}$, 2.5 Sec. 14 NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.3 NW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.5 SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.1 T17N, R23E <u>16.4</u>	Beneficial Use
74-1051	SCHLEHUBER, Edwin W. and/or Delores 5538 University Street San Diego, California	4 -1 -1931	Irrigation	4/1	6/15	47.0	0.46	SW $\frac{1}{4}$ NW $\frac{1}{4}$, S.14 T17N, R23E	Sec. 14 SE $\frac{1}{4}$ NW $\frac{1}{4}$, 15.5 T17N, R23E <u>15.5</u>	Beneficial Use Rye Grass Creek
		4 -1 -1931	Stockwater	4/1	6/15	<u>1.4</u> 48.4	<u>0.02</u> 0.46	Same as above	Same as above	
74-2283	STEWART, Marvin W. and/or Helen M. Box 20 Lemhi, Idaho	3 -24-1932	Irrigation	4/1	11/1	62.0	0.44	NE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 1 T17N, R23E	Sec. 20 SW $\frac{1}{4}$ SE $\frac{1}{4}$, 4.7 Sec. 29 NW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.0 T18N, R24E <u>20.7</u>	License
74-0970	SEHER, Clarence and/or Madge L. Box 1124 Salmon, Idaho	4 -1 -1935	Irrigation	4/1	11/1	92.0	0.92	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S.27 T17N, R23E	Sec. 11 SW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.7 Sec. 14 NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.3 NE $\frac{1}{4}$ NW $\frac{1}{4}$, 7.5 T17N, R23E <u>30.5</u>	Beneficial Use
74-1049	SCHLEHUBER, Edwin W. and/or Delores R. 5538 University Ave. San Diego, California	4 -1 -1935	Irrigation	4/1	11/1	159.0	1.58	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S.27 T17N, R23E	Sec. 14 SW $\frac{1}{4}$ NW $\frac{1}{4}$, 3.7 SE $\frac{1}{4}$ NW $\frac{1}{4}$, 15.5 NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.7 NW $\frac{1}{4}$ SW $\frac{1}{4}$, 18.5 SW $\frac{1}{4}$ SW $\frac{1}{4}$, 10.5 T17N, R23E	Beneficial Use

MICROFILMED

Box 871
Salmon, Idaho 83467

November 26, 1976

RECEIVED

NOV 29 1976

Department of Water Resources
Eastern District Office

Loy Johnson
Idaho Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Loy:

Please find enclosed the following items:

1. A new application for .64cfs of additional irrigation water.
2. A check for \$25.00 for fees for the new application.
3. Proof of beneficial use for permit #74-7023.
4. A copy of the water measurement taken this fall by Bob Kane (ASCS Salmon, Idaho) showing water diverted, water arriving at field take out and % loss from ditch.

I hope this is organized enough so you can sort it out- I would have to say I had a hard time figuring out which irrigated land was in which section but I think it's pretty close.

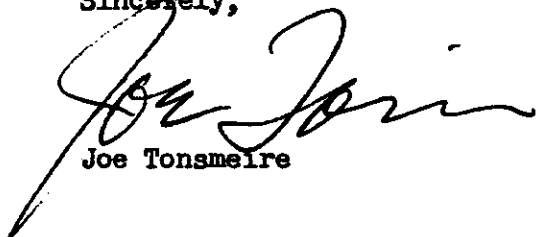
Please also notice that the total amount of water were were using this past season was 1.42 cfs (at the field) which required diversion of 2.55 cfs at the headgate. The new enclosed permit brings the total water applied for to the 1.42cfs which includes-

- a. the original use of .48cfs (ident #74-0965)
- b. the permit #74-7023
- c. this new application I am enclosing.

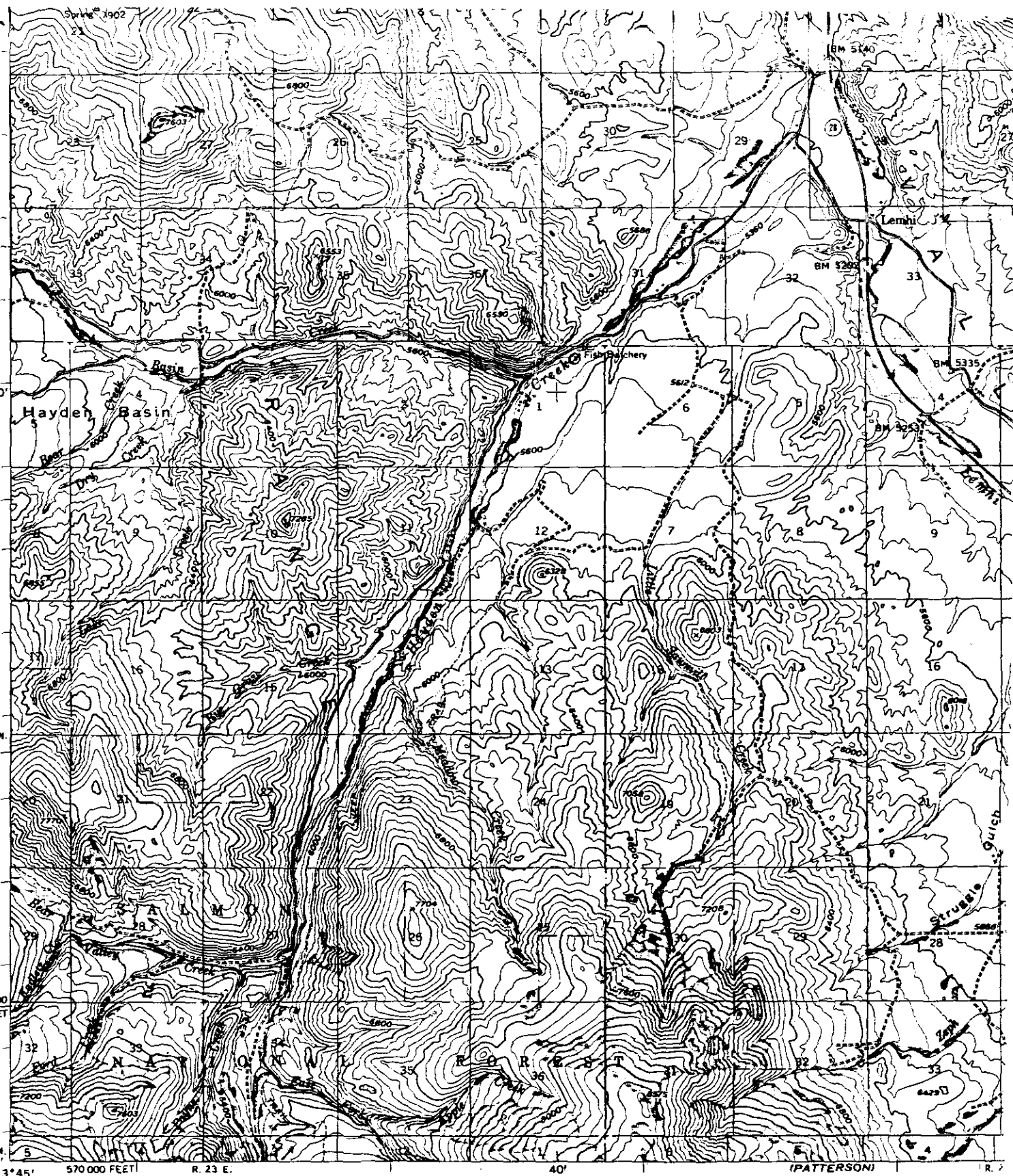
I hope the enclosed water measurement taken by Bob Kane (ASCS) which serve as a proof of beneficial use for this new enclosed permit.

Thanks for your time and consideration on this matter.

Sincerely,


Joe Tonsmeire

MICROFILMED



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods

Aerial photographs taken 1954. Advance field check 1956

Polyconic projection. 1927 North American datum

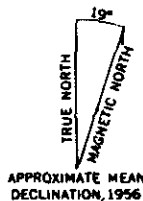
10,000-foot grid based on Idaho coordinate system,

central zone

1000-meter Universal Transverse Mercator grid ticks,

zone 12, shown in blue

Unchecked elevations are shown in brown



CONTOUR INTERVAL 80 FEET
DOTTED LINES REPRESENT 40-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARD
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WA
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE

MICROFILMED

NOV 29 1976

INVENTORY & EVALUATION

* INDIVIDUAL
GROUP
UNIT OF GOVERNMENT

Department of Water Resources
Eastern District Office

REQUESTED BY Joe Tansmeire LOCATION Hayden Creek

ASSISTED BY Bob Kane DATE 10-6-76

SITUATION: Water is diverted from Hayden Creek and conveyed in open ditch to point of use which is a distance of about 3/4 mile. The soil that the ditch extends through is a gravelly, sandy loam and is quite pervious. Water loss from seepage in the ditch is high.

SUGGESTED SOLUTION(S): See attached sheet showing computation for water measurements. In addition, an estimated 6-8 mi. in. flows into ditch from Meadow Creek and was included in measurement at point of takeout but was not included in measurement at headgate since it enters the ditch several hundred feet before the headgate. Meadow Creek water is filed on by another landowner. With the high loss of water in this ditch it would be necessary to divert atleast twice the amount needed for irrigation at the point of use.

* Circle appropriate category.

MICROFILMED

NOV 28 1976

TIME

Division

Eastern District Office

Idaho

Bob Kane

10-6-76

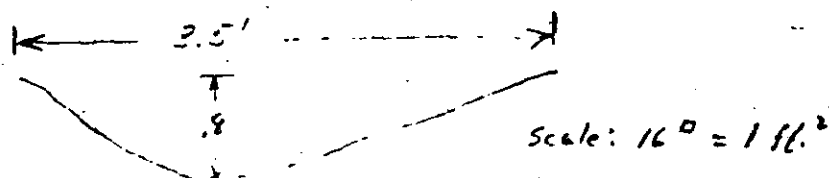
Joe Tonsmeire

Water Measurement

Given:

Needs water measurement - showing water loss from headgate to point of use - approx 3/4 mile.

X-Sectional area of headgate:



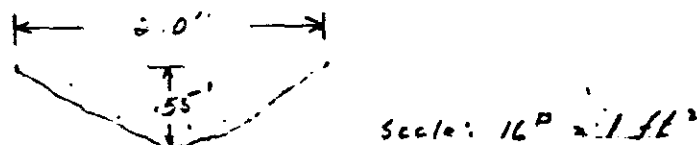
Float time per 100' = 52 sec.

$$V = \frac{100}{52} = 1.9 \text{ fps}$$

$$\text{Area} = 31.5'' = \frac{31.5}{16} = 1.97 \text{ ft}^2$$

$$Q = V A = 1.9 \times 1.97 = 3.74 \text{ cfs}$$

X Sectional area of take out for field



Float time per 100' = 44 sec.

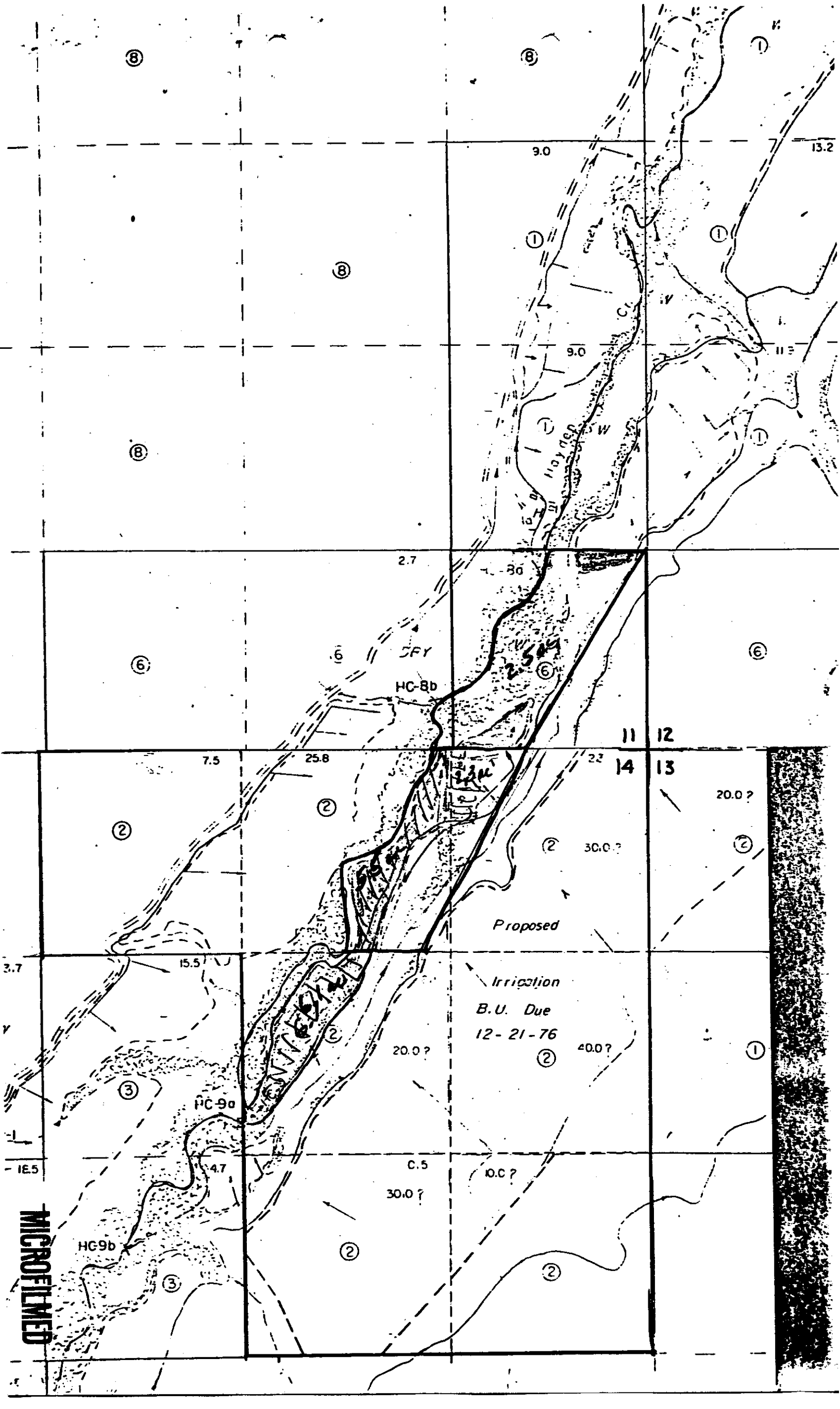
$$V = \frac{100}{44} = 2.27 \text{ fps}$$

$$\text{Area} = 10'' = \frac{10}{16} = .625 \text{ ft}^2$$

$$Q = V A = 2.27 \times .625 = 1.42 \text{ cfs}$$

$$\text{Total loss} = \frac{1.42}{3.74} = .38 \text{ or } 38\% \text{ approx.}$$

MICROFILMED



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October 7, 1975

Re: Permit No. 74-7023

Mr. Joseph C. Tonsmeire
Box 871
Salmon, Idaho 83467

Dear Mr. Tonsmeire:

Your recent letter to Mr. Saxton has been referred to me since he has been assigned to the position of District Supervisor of the Department's Western District Office.

Your Permit No. 74-7023 would allow you to irrigate 15 acres in Section 11 that you applied for using an open ditch system. You would not be restricted in the type of system that you would install for the irrigation, but the amount of water or the number of acres cannot be increased without filing a new application.

Therefore, with the change you listed in your letter, no change in your existing permit would be required.

If you have any further questions, please let us know.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

MICROFILMED

L Glen Sexton
Dept. of Water Resources
Statehouse
Besse

RECEIVED

OCT 6 1974

Department of Water Resources

Dear Glen -

Thank you for your response to
my letter concerning Permit right 74-7023
however now I have another question.
I bought an additional piece of property
adjoining the piece we filed for a
water right for. With the two pieces
we now have a field that was
originally irrigated by a ditch.
We would like to change our permit
so as to utilize the original ditch
instead of the sprinkler idea we asked
for in the permit we filed for (74-7023).
Is it necessary to refile the permit
or can we make this alteration

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and keep the permit already issued.
Thank you.

Sincerely -

Joseph Jonsmeire
Permit right 74-7023

Box 871

Salmon, Idaho 83467

MICROFILMED

April 2, 1975

Re: Permit Right 74-7023 Joseph L. & Frances B. Tonsmeire

Mr. Joe Tonsmeire
P.O. Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Your letter received by our Eastern District Office on March 26, 1975 has been referred to me for response.

In your letter you request information on which procedure to follow to be included in the "allotment". I assume you are referring to what procedure to follow in order to have your permit included in the pending Determination of Water Rights on the Lemhi River Basin. From our files, I note that approved Permit No. 74-7023 was issued appurtenant to your property. In order to perfect a water right, you need to complete the requirements of the permit, specifically to make proof of beneficial use of the water on or before April 1, 1977. If such proof is made, an examination will be conducted by the Department and a license of water right will be issued. There is probably no advantage to have your permit right included in the pending Determination of Water Rights on the Lemhi River Basin. A licensed right is as valid as a decreed right when distributed by a watermaster. The only difference would be that your right would date later in time than many of the water rights in the Lemhi River Basin.

If you have further questions concerning this matter, please feel free to contact me.

Sincerely,

L. Glen Saxton
Water Resources Engineer

LGS:rb

Norman Young

State of Idaho - Dept. of Water Resources

1515 Lincoln Road

Idaho Falls, Idaho

RECEIVED

MAR 26 1975

Department of Water Resources
Eastern District Office

Dear Norman -

I understand you are in charge of adjudication of water in the Lemhi Valley.

I have a little over 40 acres on Hayden Creek. Part of this has water rights filed for by Clarence Regus around 1920 or so and some of the 40 has a permit I filed for in 1973.

I don't know what procedure

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to follow to be included in the
allotment - but would appreciate it
if you would drop me a letter
as to what I should do.

Thank you

Joe Jonsen's

P.O. Box 871

Salmon, Idaho 83467

or

just gen. delivery

Lemhi, Idaho.

James E. Scher

21.19 sec 11
17 23

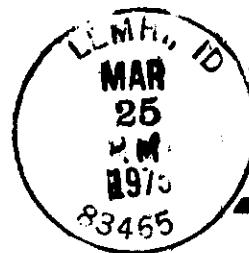
S² SE

74-0965
-0970

map 17-23-A

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JOE TONSMETRE
P.O. Box 871
SALMON, IDAHO
83467



Norman Young
State of Idaho - Dept. of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho

RECEIVED

March 7, 1973

Re. Permit No.: 74-7023

Joseph C. Tonsmeire
P. O. Box 871
Salmon, Idaho 83467

Dear Mr. Tonsmeire:

Enclosed is a copy of your approved Application for Permit No. 74-7023 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

74-7023

February 9, 1973

Re: Application No. 73-7020 - Joseph C. & Frances B. Tonsmeire

Recorder-Herald
P.O. Box 310
Salmon, ID 83467

Notice
Joseph L. & Frances B. Tonsmeire, P. O. Box 871, Salmon, Idaho have on 2-8-73 submitted Application No. 73-7020 for a permit to appropriate 0.3 cubic feet per second of water from Hayden Creek, tributary to the Lemhi River, by means of ditch, headgate and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 12N, R. 23E, B. M., Lemhi County, to be used from April 1 to Nov. 1 for the irrigation of 15 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 12N, R. 23E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before March 8, 1973.

R. KEITH HIGGINSON

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted

2/23/73

by

NCY:BA
Enc: Legal notice

74-7023

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joseph L. & Frances B. Tonsmeire, P.O. Box
871, Salmon, Idaho
have ~~has~~ on 2-8-73 submitted Application No. 73-7020
for a permit to appropriate 0.3 cubic feet per second ~~acre feet per annum~~
of water from Hayden Creek, tributary to the Lemhi River,
by means of ditch, headgate and pump
within the SE~~1~~SE~~4~~, Sec. 11, T. 17N, R. 23E, B.M., Lemhi County;

to be used from April 1 to Nov. 1
for the irrigation of 15 acres
within the SE~~1~~SE~~4~~, Sec. 11, T. 17N, R. 23E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
March 5, 1973.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on February 15 and February 22, 1973

74-7023

NCH

February 9, 1973

Mr. Joseph L. Tonsmeire
P.O. Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Attached herewith is departmental receipt No. 7086 in the amount of \$25.00 for the application for permit which was submitted to this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

74-7023

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

February 6, 1973

RECEIVED

FEB 8 1973

Department of Water Administration
Eastern District Office

Joseph Tonsmeire
P. O. Box 871
Salmon, Idaho 83467

Dear Mr. Tonsmeire:

We are returning your Application for Permit filed in connection with the waters of Hayden Creek, tributary Lemhi River.

Before we can process your Application for Permit, we will require a filing fee of \$25. We also suggest that the irrigation season listed under item four be changed from April 1 to November 1, as our records indicate that this would be the irrigation season for the area.

When the application is returned, please send it to Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, as our Eastern District Office will process your application.

Under Item 10, the application you have inquired concerning a prior filing in connection with approximately two and one-half acres located in the same legal description as your application.

We are enclosing a copy of Claim 74-0965. This claim is prepared in connection with an adjudication proceeding filed in Lemhi County. We believe that part of the claim covers your inquiry. You should understand that this claim has not been confirmed by court action and can be considered as no more than just a claim.

If you have any further questions on this matter, please contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".
Donald W. McEldowney
Water Rights Administrator

DWM:kss

Enclosures

74-7023

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FEB 8 1973

Department of Water Administration
Eastern District Office

P.O. Box 871

SALMON, IDAHO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
240 SOUTH HOLMES
IDAHO FALLS, IDAHO

DEAR SIR:

PLEASE FIND MY APPLICATION ENCLOSED
FOR IRRIGATION WATER FROM HAYDEN CREEK.
ALSO ATTACHED FIND FOR CLAIM TO
WATER RIGHT #74-0965 WHICH WOULD
TRANSFER WITH THE PROPERTY.

IS THERE ANYTHING ELSE I NEED
TO DO PRESENTLY IN CONNECTION WITH
THIS APPLICATION?

SINCERELY,
Joseph J. Jonsmeire

74-7023

3/5/73

Note:

This application
was found to be in
the wrong basin and
number was changed
after advertising.

BA

74-7023