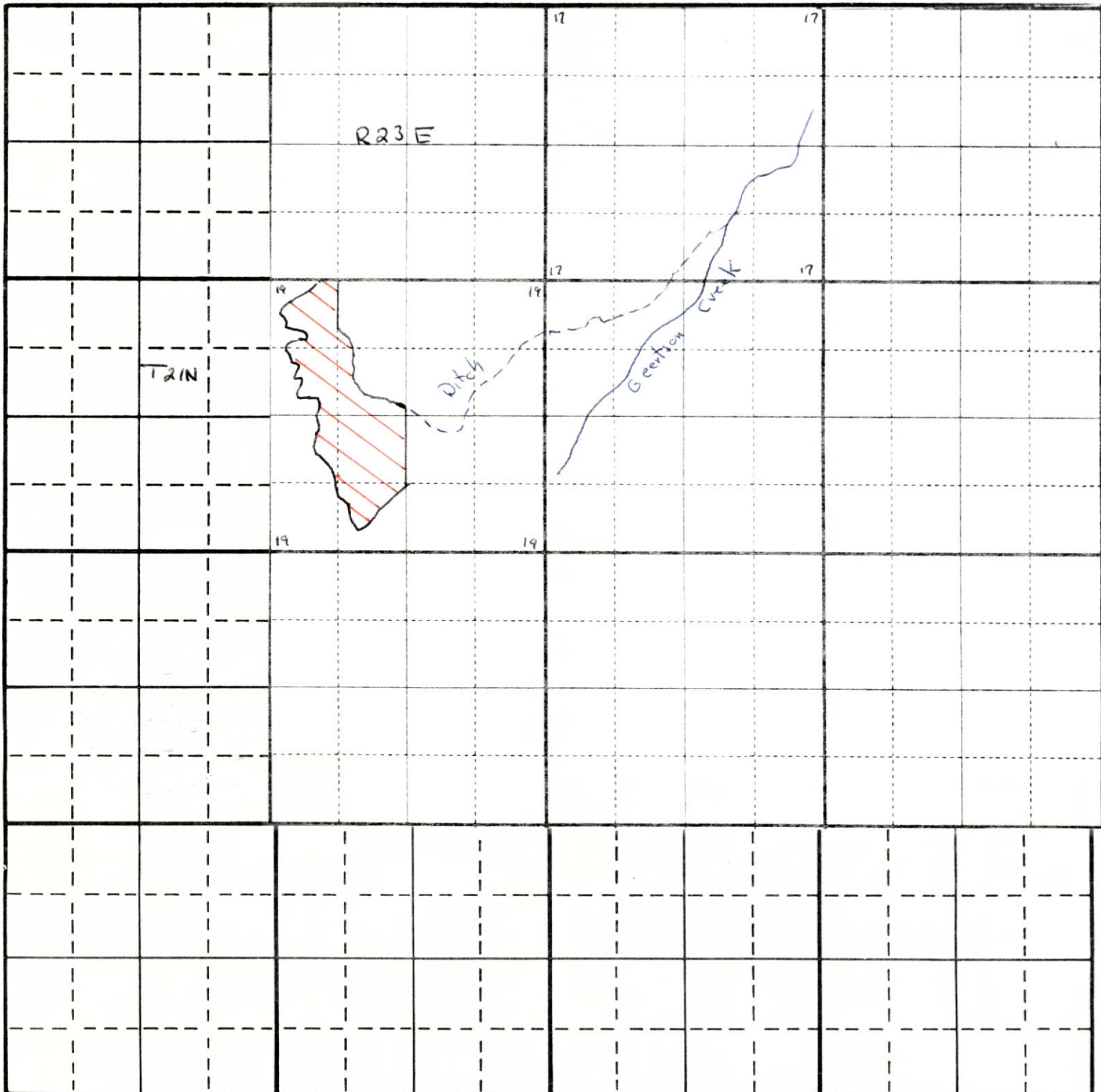


c. Describe the lands and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
21N	23E	19					1	28	17	16.5	40	6	(10.5)						119

Total number of acres to be irrigated 119

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHTS

NO. 74-1805/0001

Notice is hereby given that Joseph L. Tonsmeire, Salmon, Idaho has applied to the Department of Water Resources for a change in the place of use of the waters of Geertson Creek tributary to Lemhi River. The right sought to be changed is evidenced to Herbert and Katherine Aldous, Findings of Fact, Lemhi River Basin Case No. 4948 dated in Dec. 30, 1982 in Seventh District Court, County of Lemhi and is recorded as follows:

74-0001 AMOUNT: 1.80
cfs PRIORTIY: 6-01-1868

74-1805 AMOUNT: 0.60
cfs PRIORITY: 5-24-1923

POINT OF DIVER-
SION: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
17, T. 21N, R. 23E,
B.M., Lemhi County.

The water is used to irrigated 119 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23E, B.M.

TO BE CHANGED
AS FOLLOWS

The water will be used to irrigate 119 acres within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before June 18, 1984.

A. KENNETH DUNN
DIRECTOR

Published Recorder
Herald, Salmon, ID 5/31
& 6/07/84.

5-31-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JUN 8 1984

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 Proposed Change of Water Rights-74-1805-0001

_____ 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 May 31, 1984 and ending with the issue dated June 7, 1984

Jerry G. Rosin

Subscribed and sworn to before me, this seventh

day of June, 1984

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

Publication Fee \$ 26.55

MICROFILMED

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

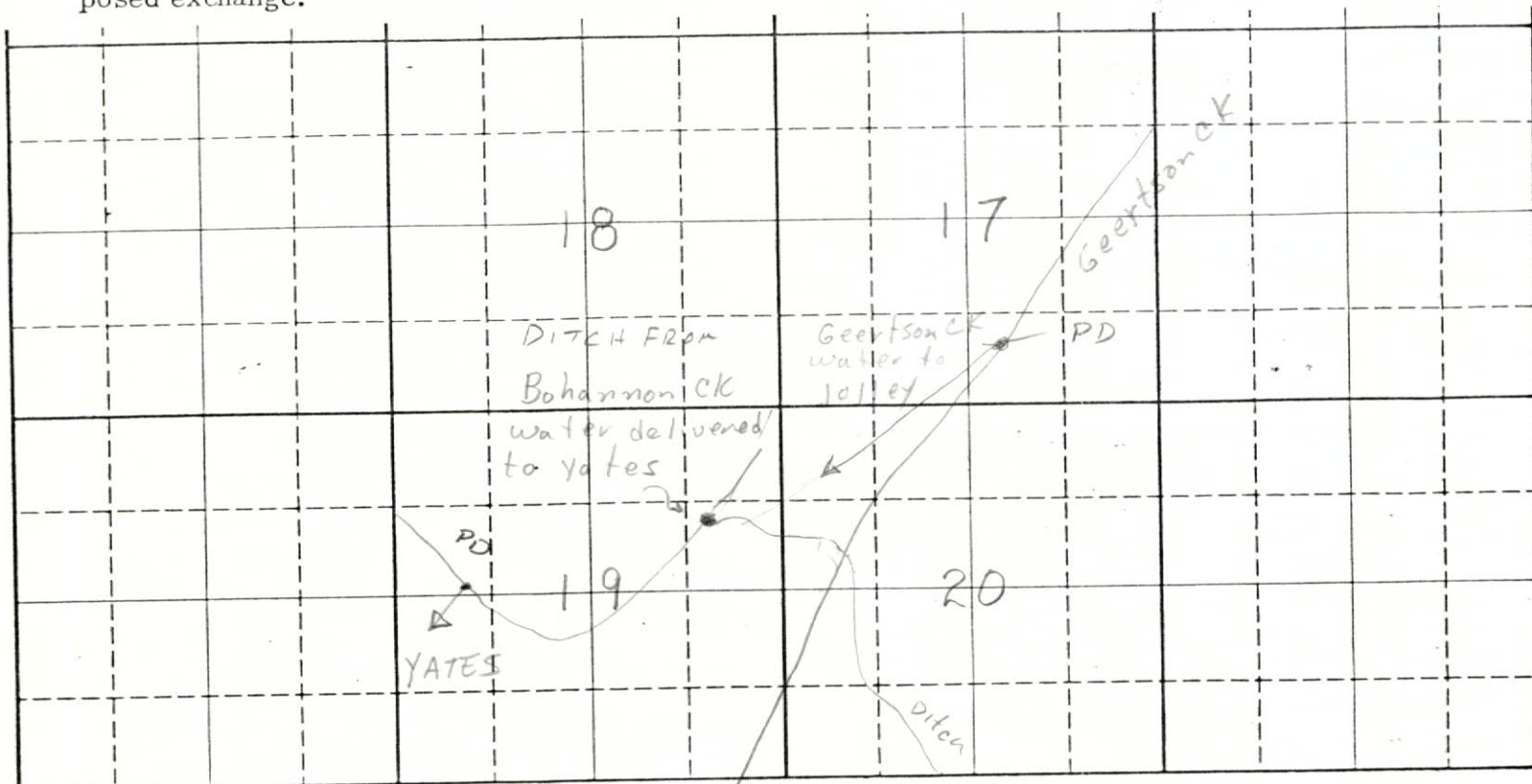
9. Name of Right Holder Ralph Yates
Post office address Route 1 Salmon, Idaho
10. Source of water Geertson Creek tributary to Lemhi River
(Name of stream or source)
11. Name of canal or ditch G-12a
12. Amount of water a. 1.8 c.f.s. and/or
b. _____ acre feet/annum
13. Right obtained by:
a. Decree to Herbert Aldous in Case of Proposed Lemhi Adjudication
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of Lemhi. Fully describe decree (if known) _____

b. Permit, License, or Claim No. 74-0001 in the records of the Department of Reclamation.

EXCHANGE

14. 1.8 c.f.s and/or _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into Yates Ditch at a point in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 21N, Range 23E, B.M., in Lemhi County; Additional points, if any _____
15. In lieu thereof 1.8 c.f.s. and/or _____ acre feet per annum will be diverted from Geertson Creek at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 21N, Range 23E, B.M., in Lemhi County.
16. Explanation The applicant has a tract of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20 & SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 T21N R23E, that can be irrigated more effectively through the exchange of Bohannon Ck. water for Geertson Ck. water as presented in this application.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



MICROFILMED

NOTICE OF
APPLICATION FOR
EXCHANGE OF WATER

Notice is hereby given that Dale E. Jolley, Salmon, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Bohannon Creek tributary to Lemhi River, evidenced by Decree to Dale E. Jolley in case of Proposed Lemhi Adjudication, County of Lemhi and are recorded as follows:
74-0179A and 74-0179B

AMOUNT: 3.59 cfs
PRIORITY: June 1, 1897

The water is used to irrigate 252.4 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29; Twp. 21N, Rge. 23E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; Twp. 21N, Rge. 23E from April 1 to November 1 with the point of diversion located within the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 28, Twp. 21N, Rge. 23E, Lemhi County.
PROPOSED EXCHANGE

1.8 cfs of Bohannon Creek water delivered into Yates ditch at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 21N, Rge. 23E, Lemhi County will be exchanged for 1.8 cfs from Geertson Creek evidenced by Decreed Right No. 74-0001 to Herb Aldous in Case of Proposed Lemhi Adjudication diverted at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 21N, Rge. 23E, Lemhi County.

Any protest to the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before March 9, 1981.

C. STEPHEN ALLRED
Director
Published in The Recorder-Herald 2/19 & 2/26/1981.

2-19-2rc

Affidavit of Publication

STATE OF IDAHO
County of Lemhi

ss.

FEB 27 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 Change of Water Rights
74-0179A and 74-0179B

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 February 19 1981 and ending with the issue dated February 26 1981

Subscribed and sworn to before me, this twenty sixth
day of February, 1981

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

Publication Fee \$ 23.76

MICROFILMED

Transfer No. 3044Water Right No. 74-0001/74-1805

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Joseph L. Tonsmeire Phone _____
Post Office address Box 871 Salmon, ID 83467

A. DESCRIPTION OF RIGHT AS RECORDED1. Right evidenced by 74-1805

a. Decree No. 74-0001 Decreed to Herbert & Katherine Aldous
Findings of Fact, Lemhi River Basin (Name) case #4948
in case of _____ vs _____

dated in 12-30-1982 in 7th. District Court county of Lemhi
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant has
purchased ground to which right is appurtenant. Applicant will provide
a warrenty deed.

3. Source of water Geertson Creek tributary to Lemhi River4. Date of priority 74-0001- June 1, 1868
74-1805- May 24, 1923

5. Water is used for the following purposes:

74-0001 amount 1.80cfs for Irrigation purposes from 3-15 to 11-15
74-1805 amount 0.60cfs for Irrigation purposes from 3-15 to 11-15
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.40 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17
Township 21N Range 23E, B.M., in Lemhi County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	19					28	17	12	40	6		16						119

MICROFILMED
119

Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years
of non-use? No If yes, describe in item DBFMA KC

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- [illegible]

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

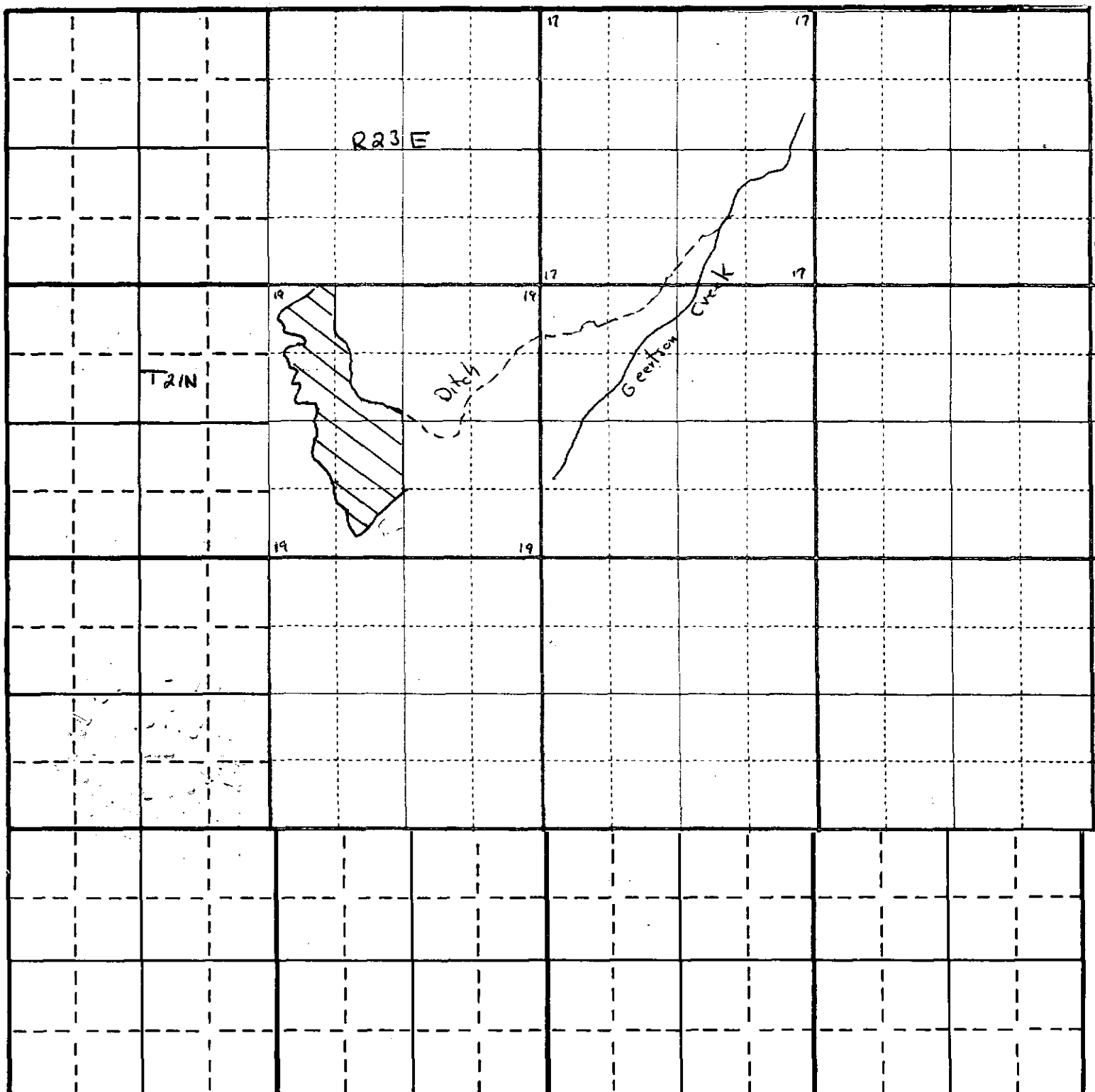
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No change- this ground irrigated from another source,

c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	23E	19					1	28	17	16.5	40	6	(10.5)						119

Total number of acres to be irrigated 119

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15th day of May, 19 84

(Signature of Applicant)

Calvin Wray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-0001/1805 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 74A, Geertson Creek.

Witness my hand this 13th day of August, 19 85

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EMC Date 5-15-84 Protest filed by ~~Katherine Aldous~~ With Drawn
 Prelim. check by Ln Fee \$50.00
 Receipted by CW Date 5-15-84 #33544
 Published in Record of Gerald Copies of protest forwarded by CW
 Pub. dates 5/31 + 6/07/84 Hearing held by _____ Date _____
 Watermaster recommendation requested on #74A Recommended for approval denial
5-23-84 rec'd. 9-06-84 by Rae Jim

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHTS

NO: 74-1805/0001

Notice is hereby given that Joseph L. Tonsmeire, Salmon, Idaho has applied to the Department of Water Resources for a change in the place of use of the waters of Geertson Creek tributary to Lemhi River. The right sought to be changed is evidenced to Herbert and Katherine Aldous, Findings of Fact, Lemhi River Basin Case No. 4948 dated in Dec. 30, 1982 in Seventh District Court, County of Lemhi and is recorded as follows:

74-0001 AMOUNT: 1.80

cfs PRIORTIY: 6-01-1868

74-1805 AMOUNT: 0.60
cfs PRIORITY: 5-24-1923

POINT OF DIVER-
SION: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
17, T. 21N, R. 23E,
B.M., Lemhi County.

The water is used to irrigated 119 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23E, B.M.

TO BE CHANGED
AS FOLLOWS

The water will be used to irrigate 119 acres within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before June 18, 1984.

A. KENNETH DUNN
DIRECTOR

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

JUN 8 1984

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 Proposed Change of Water Rights-74-1805-0001

is 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 May 31, 1984 and ending with the issue dated June 7, 1984

Jerry G. Rosin

Subscribed and sworn to before me, this seventh

day of June, 1984

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

Publication Fee \$ 26.55

MICROFILMED

ALL GENERAL

NOV 28 1984

Department of Water Resources
Eastern District Office

NOV 26 - 1984

State of Idaho
Department of Water Resources

Gentlemen

Last week I made a telephone call to
cancel the hearing as of Wednesday, NOV 28.
The hearing in regard to the Protest against
Approval of Transfer No 74-0001/74-1805,
in the name of Joseph J. Hornsmeier.

I talked with you and learned the
transfer is Beneficial to Mr Hornsmeier
and myself. Consequently I am making
a request to cancel the hearing.

Sincerely
Fathrine E. Aldous
Rt. 1 Box 13
Salmon, Idaho 83467

MICROFILMED

RECEIVED

JUN 14 1984

Department of Water Resources
Eastern District Office

May 13, 1984

Idaho Department of Water Resources
150 Shoup, Suite 15
Idaho Falls, Idaho 83402

Dear Sir

I, Katherine Aldous am making a protest
against the Change in place of use of the
Geertsen Creek tributary to the Lemhi River.

I have a Sale Contract with Mr.
Lonsmeire that has not been fulfilled.
I feel he should have made me acquainted
with his intention before making this
request. If he or anyone from your
Department will explain the reason and
benefit for this Change, I may then
approve this Change.

I am enclosing the notice taken
from the Record Herald.

Sincerely

MICROFILMED

Katherine Aldous
Rt 1 Box 13 Salmon Idaho 83414

INDICATES TOTAL

SOURCE: GEERTSON CREEK

TRIBUTARY TO: LEMHI RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-0009	SANTOS, A. M. SANTOS, VERNE RT. 1 SALMON ID 83467	05-01-1868	IRRIGATION	03-15 11-15	.30 CFS	NWSW S20 T21N R23E	NENE(31) SENE(04) DECREE S30 T21N R23E SWSW(02) S20 T21N R23E SESE(16) S19 T21N R23E * 53 ACRES*	
	REMARKS: AC. IRR.=51.9.							
74-0001	ALDOUS, HERBERT ALDOUS, KATHERINE RT. 1 SALMON ID 83467	06-01-1868	IRRIGATION	03-15 11-15	1.80 CFS	SWSE S17 T21N R23E	SENW(12) NESW(40) DECREE SESW(16) LT01 (NWNW)(28) LT02 (SWNW)(17) LT03 (NWSW)(06) S19 T21N R23E * 119 ACRES*	
	REMARKS: AC. IRR.=119.5.							
74-0002	JOLLEY, E. DALE JOLLEY, MILDRED H. RT. 1 SALMON ID 83467	05-01-1870	IRRIGATION	03-15 11-15	.90 CFS	SENE S17 T21N R23E	NENE(37) NWNW(32) DECREE S19 T21N R23E SESW(14) LT03 (NWSW)(07) LT04 (SWSW)(13) S18 T21N R23E * 103 ACRES*	
	REMARKS: AC. IRR.=102.4.							
74-0005	JOLLEY, E. DALE JOLLEY, MILDRED H. RT. 1 SALMON ID 83467	05-01-1879	IRRIGATION	03-15 11-15	1.00 CFS	SWSE S17 T21N R23E	SWNW(09) DECREE S20 T21N R23E SWNE(31) SENE(22) NASE(19) S19 T21N R23E * 81 ACRES*	
	REMARKS: AC. IRR.=82.2.							
74-0006	BOLTON, WILLIAM B. BOLTON, ROSE STARR P.O. BOX 6 SALMON ID 83467	05-01-1881	IRRIGATION	03-15 11-15	.60 CFS	SENE S04 T21N R23E NENE S04 T21N R23E NENE S09 T21N R23E	NENE(15) SENE(10) DECREE SENW(24) NWSE(32) S09 T21N R23E * 81 ACRES*	
	REMARKS: AC. IRR.=81.2.							

MICROFILMED

05/04/83

DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

INDICATES TOTAL

SOURCE: GEERTSON CREEK

TRIBUTARY TO: LEMHI RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-0918	SALMON	10 83467				T21N R23E NWNE S09 T21N R23E		
REMARKS: CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.								
* 66 ACRES*								
74-1669A	JOLLEY, E. DALE JOLLEY, MILDRED H. RT. 1 SALMON	05-24-1923	IRRIGATION	03-15 11-15	1.84 CFS	SENE S17 T21N R23E	NENE(37) NENW(09) DECREE NWNE(32) S19 T21N R23E SESW(14) LT03 (NWSW)(07) LT04 (SWSW)(13) S18 T21N R23E	
REMARKS: AC. IRR.=111.2, CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.								
* 112 ACRES*								
74-1669B	JOLLEY, E. DALE JOLLEY, MILDRED H. RT. 1 SALMON	05-24-1923	IRRIGATION	03-15 11-15	.90 CFS	SWSE S17 T21N R23E	SNNW(09) DECREE S20 T21N R23E SWNE(31) SENE(22) NASE(19) S19 T21N R23E	
REMARKS: AC. IRR.=82.2, CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.								
* 81 ACRES*								
74-1805	ALDOUS, HERBERT ALDOUS, KATHERINE RT. 1 SALMON	05-24-1923	IRRIGATION	03-15 11-15	.60 CFS	SWSE S17 T21N R23E	SENW(12) NESW(40) DECREE SESW(16) LT01 (NWNW)(28) LT02 (SNNW)(17) LT03 (NWSW)(06) S19 T21N R23E	
REMARKS: AC. IRR.=119.5, CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.								
* 119 ACRES*								
74-0621	BOLTON, WILLIAM B. BOLTON, ROSE STARR P.O. BOX 6 SALMON	06-01-1936	IRRIGATION	03-15 11-15	1.03 CFS	NENW S16 T21N R23E SNNW S16 T21N R23E	SENE(05) DECREE S17 T21N R23E NENW(06) NWNW(24) SNNW(15)	

MICROFILMED

SALE AGREEMENT

THIS SALE AGREEMENT, Made and entered into this 1st day of December, 1980, by and between RALPH L. YATES and ALTA C. YATES, husband and wife, of County of Lemhi, State of Idaho, hereinafter referred to as "Sellers," and ARTHUR C. TONSMEIRE, JR., an unmarried man, ARTHUR C. TONSMEIRE, III, an unmarried man, and JOSEPH TONSMEIRE and FRANCES TONSMEIRE, husband and wife, of County of Lemhi, State of Idaho, hereinafter referred to as "Buyers,"

W I T N E S S E T H:

That, for and in consideration of the covenants and agreements herein contained, Sellers agree to sell and convey unto Buyers, and Buyers agree to purchase and pay for the following real property, situate, lying and being in the County of Lemhi, State of Idaho, as follows, to-wit:

REAL PROPERTY

More particularly described on Exhibit "A" (Tract I and Tract II) attached hereto and made a part hereof.

TOGETHER WITH All water and water rights and ditch and ditch rights appurtenant to the conveyed property or used with the conveyed property whether such rights have been acquired by beneficial use, decree, permit or otherwise.

PERSONAL PROPERTY

No personal property is included in this sale, except the carpets, drapes and the basement wood stove in the home.

S. R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
LEWIS, IDAHO 83226
(208) 879-2488

1. PURCHASE PRICE: It is understood and agreed that the total purchase price is FIVE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$550,000.00), ONE HUNDRED FIFTY NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$159,500.00) of which has been received by Sellers and the receipt of which is hereby acknowledged

MICROFILM

set their hands in triplicate, the day and year first above written, the original of the Sale Agreement, acknowledged by Buyers and Sellers, to be placed with the Escrow Holder, and Sellers and Buyers each to have a signed copy, not acknowledged.

Ralph L. Yates
Ralph L. Yates
Alta C. Yates
Alta C. Yates
SELLERS

ARTHUR C. TONSMEIRE JR.
Arthur C. Tonsmeire, Jr.
ARTHUR C. TONSMEIRE III
Arthur C. Tonsmeire, III
Joseph Tonsmeire
Joseph Tonsmeire
Frances Tonsmeire
Frances Tonsmeire
BUYERS

STATE OF IDAHO)
County of Lemhi) : aa.

On this 10th day of December, 1980, before me, the undersigned a Notary Public in and for said State, personally appeared RALPH L. YATES and ALTA C. YATES, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Em. H. H. H.
Notary Public for Idaho
Residing at Salmon
My Commission Expires: 1/10/82

STATE OF IDAHO)
County of Lemhi) : ss.

On this 1st day of December, 1980, before me, the undersigned a Notary Public in and for said State, personally appeared

JOSEPH TONSMEIRE and FRANCES TONSMEIRE

known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Em. H. H. H.
Notary Public for Idaho
Residing at Salmon, Idaho
My Commission Expires: 1/10/82

AMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL (208) 879-4485

STATE OF)

: ss.

County of)

On this _____ day of _____, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared

known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Notary Public for
Residing at
My Commission Expires:

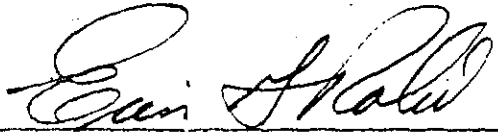
STATE OF IDAHO)

: ss.

County of Lemhi)

On this 1st day of December, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH TONSMEIRE, attorney in fact for ARTHUR C. TONSMEIRE, JR., and ARTHUR C. TONSMEIRE, III, known to me to be the person whose name is subscribed to the within instrument as said attorney in fact and acknowledged to me that he executed the same as such attorney in fact for Arthur C. Tonsmeire, Jr. and Arthur C. Tonsmeire, III.

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



Notary Public for State of Idaho
Residing at Salmon, Idaho
Comm. expires: 1/10/82

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TEL (208) 879-4488

EXHIBIT "A"
TRACT I

A parcel of land being in the S 1/2NE1/4 and the SE1/4 of Section 24, and the NE1/4NE1/4 of Section 25, T. 21 N., R. 22 E.; Lots 1, 2, 3, and 4, SE1/4 NW1/4, E1/2SW1/4 of Section 19, NW1/4 of Section 30, T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more particularly described as follows:
Commencing at the Section Corner common to Section 13, 18, 19, and 24, which is the REAL POINT OF BEGINNING a distance of 1,321.42 feet on a South Bearing along the West boundary of said Lot 1; Thence S. 89°34'04" W.; 2,628.26 feet along the North Boundary of the S1/2NE1/4 of said Section 24; Thence S. 0°02'47" E.; 1,827.45 feet along the West Boundary of the S1/2NE1/4 and the NW1/4 SE1/4 of said Section 24 to a point on the Northern bank of the Lemhi River; thence the following courses and distances along said Lemhi River; S. 36°10'53" E.; 128.01 feet; S. 68°42'53" E.; 186.58 feet; S. 46°34'30" E.; 335.99 feet; S. 52°23'32" E.; 673.06 feet to a point on the South boundary of the NW1/4SE1/4 of said Section 24; Thence N. 89°28'25" E.; 11.88 feet along said South boundary: Thence N. 2°50'00" W.; 30.31 feet; Thence N. 50°17'00" E.; 422.20 feet; Thence S. 25°33'00" E.; 712.70 feet; Thence S. 20°39'00" E.; 423.00 feet; Thence S. 12°20'00" E.; 276.00 feet; Thence S. 14°51'00" W.; 199.70 feet to a point on the Northerly R. O. W. of State Highway No. 28; Thence S. 54°22'20" E.; 4,062.81 feet along said R. O. W. to a point on the Easterly Boundary of E1/2NW1/4 of said Section 30; Thence N. 0°17'32" W.; 2,286.91 feet along said Eastern Boundary to the South Quarter Corner of said Section 19; Thence N. 0°02'14" W.; 3,968.40 feet along the East Boundary of the E1/2SW1/4 and the SE1/4NW1/4 of said Section 19; Thence S. 89°22'18" W.; 1,325.20 feet along the North Boundary of the SE1/4NW1/4 of said Section 19; Thence N. 0°01'14" E.; 1,321.81 feet along the East Boundary of Lot 1, of said Section 19; Thence S. 89°21'10" W.; 1,162.92 feet along the North Boundary of Lot 1 to the REAL POINT OF BEGINNING.

EXCEPTING AND RESERVING THEREFROM:

A parcel of land lying in the S1/2SW1/4 of Section 19 and the NW1/4 of Section 30, all in T. 21 N., R. 23 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the South Quarter corner of said Section 19, a distance of 644.33 feet along the east boundary of the NW1/4 of Section 19 to a point on the Westerly R. O. W. of Geertson Creek Road and being the REAL POINT OF BEGINNING. From this REAL POINT OF BEGINNING, the following courses and distances along said Westerly R. O. W. N. 27°33'43" W., 233.12 feet; N. 40°25'15" W., 353.14 feet; N. 09°18'17" W., 817.77 feet along the chord of a curve to the right having a central angle of 62°13'57" and a radius of 791.22 feet; Thence S. 51°50'11" W., 434.15 feet; Thence S. 26°43'21" W., 98.60 feet; Thence N. 88°00'23" W., 67.17 feet; Thence S. 60°50'18" W., 67.09 feet; Thence N. 46°17'09" W. 101.28 feet; Thence S. 67°33'31" W., 523.61 feet; Thence S. 28°20'52" E., 337.14 feet; Thence S. 20°32'46" E., 194.40 feet; Thence S. 31°20'22" E., 676.37 feet; Thence S. 45°40'47" E., 1347.15 feet to a point on the Westerly R. O. W. of Geertson Creek Road; Thence N. 0°17'32" W., 1231.73 feet along said R. O. W. to the REAL POINT OF BEGINNING.

EXCEPTING: A parcel of land located in the NE1/4SE1/4 Section 24, T. 21 N., R. 22 E. B.M., Lemhi County, Idaho, more specifically described as follows:
Commencing at the Northeast Section Corner of said Section 24, from which the Northeast Section Corner of Section 13 bears North, a distance of 2836.98 feet on a bearing of S. 4°14'51" W to the REAL POINT OF BEGINNING. From this Real Point of Beginning, a distance of 550.56 feet on a bearing of S. 18°28'49" E.; thence S. 75°36'39" W., 108.56 feet; thence N. 83°21'43" W., 463.91 feet; thence N. 06°38'17" E., 382.02 feet; thence N. 71°31'11" E., 366.16 feet to the REAL POINT OF BEGINNING.

A strip of land located in the NE1/4SE1/4 Section 24, T. 21 N., R. 22 E., and the NW1/4SW1/4 Section 19, T. 21 N., R. 23 E. B.M., Lemhi County, Idaho, more specifically described as follows:

A 20.00 foot strip of land being 10.00 feet on both sides of the following described centerline:

Commencing at the Northwest Section Corner of said Section 19, from which the Northwest Section Corner of Section 18 bears North, a distance of 3236.00 feet on a bearing of S. 11°20' E., to a point on the Southeasterly Right-of-Way of the Lemhi County Road and the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING a distance of 705.00 feet on a bearing of S. 74°30' W., to a point on the Easterly boundary of the Ralph Yates 5.00 acre parcel.

MICROFILMED

EXHIBIT "A"
TRACT II

A parcel of land located in the NE1/4SE1/4 Section 24, T. 21 N., R. 22 E.B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Northeast Section Corner of said Section 24, from which the Northeast Section Corner of Section 13 bears North, a distance of 2836.98 feet on a bearing of S. 4°14'51" W. to the REAL POINT OF BEGINNING. From this Real Point of Beginning, a distance of 550.56 feet on a bearing of S. 18°28'49" E.; thence S. 75°36'39" W., 108.56 feet; thence N. 83°21'43" W., 463.91 feet; thence N. 06°38'17" E., 382.02 feet; thence N. 71°31'11" E., 366.16 feet to the REAL POINT OF BEGINNING.

A strip of land located in the NE1/4SE1/4 Section 24, T. 21 N., R. 22 E., and the NW1/4SW1/4 Section 19, T. 21 N., R. 23 E.B.M., Lemhi County, Idaho, more specifically described as follows:

A 20.00 foot strip of land being 10.00 feet on both sides of the following described centerline:

Commencing at the Northwest Section Corner of said Section 19, from which the Northwest Section Corner of Section 18 bears North, a distance of 3236.00 feet on a bearing of S. 11°20' E., to a point on the Southeasterly Right-of-Way of the Lemhi County Road to the REAL POINT OF BEGINNING.

From this REAL POINT OF BEGINNING a distance of 705.00 feet on a bearing of S. 74°30' W., to a point on the Easterly boundary of the Ralph Yates 5.00 acre parcel.

MICROFILMED

PROTEST OF PROPOSED CHANGE OF WATER RIGHT

TO: Director of the Idaho Department
of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

and

Dale E. Jolley
Route #1, Box 15
Salmon, Idaho 83467

RE: Proposed Change of Water Right
No. 74-0179A and 74-0179B

Comes now the Lemhi Irrigation District and protests the above described applications for proposed Change of Water Right on the following grounds:

1. That the Department of Water Resources has no jurisdiction to adjudicate the proposed change of water rights in place of use, because the matter is subject to, and involved in that certain action in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Lemhi, Civil Case No. 4948, commonly known as the Lemhi River Adjudication.
2. That the change of the point of use as proposed adversely affects the adjacent rights of the members of the Lemhi Irrigation District.
3. That the proposed changes adversely affect downstream water users.

Dated this 16th day of March, 1981.

LEMHI IRRIGATION DISTRICT
Kent Smith, Chairman
Jack Powers, Vice-Chairman
Ralph Logan, Director

By: 

JAMES C. HERNDON
Acting Secretary

RECEIVED

MAR 18 1981

Department of Water Resources
Eastern District Office

MICROFILMED

PROTEST OF PROPOSED CHANGE OF WATER RIGHT

TO: Director of the Idaho Department
of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

and

Dale E. Jolley
Route #1, Box 15
Salmon, Idaho 83467

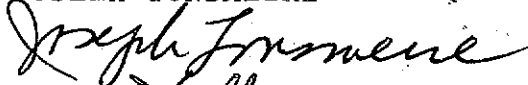
RE: Proposed Change of Water Right
No. 74-0179A and 74-0179B

Comes now Joseph Tonsmeire, one of the contract purchasers of the property formerly owned by Ralph Yates, et ux, and Herbert Aldous, et ux, and protests the above described application for proposed change of water right on the following grounds:

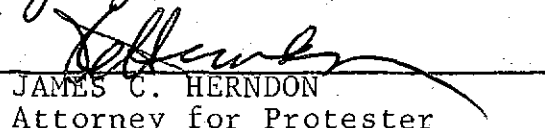
1. The proposed change adversely affects his water right and place of use which is downstream from the applicant.
2. That the change, if granted, would affect the volume of water beneficially used by protester.

Dated this 16th day of March, 1981.

JOSEPH TONSMEIRE



By:



JAMES C. HERNDON

Attorney for Protester

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MAR 18 1981

Department of Water Resources
Eastern District Office

MICROFILMED

March 3, 1981.
Salmon, Idaho

Department of Water Resources

Dear Sirs:

Concerning the permit
of the trading of Bohannon Creek water
belonging to Dale Jolley for Gurtson Creek
water belonging to the Herb Aldous ranch.

I feel that there is not sufficient
water to do so. I feel this will cause
trouble, because ~~I~~ he hasn't brought
his water through the place ^{from} ~~creating~~
~~from~~ ~~creating~~ for at least 13 yrs. so
he lost his right of way through the
ranch. Approximately only 15 acres that
he wants to irrigate. If he has excess
water on Bohannon Creek maybe you ought
to look in on this matter.

Sincerely Yours
Vardell Olson

RECEIVED

MAR 9 1981

Department of Water Resources
Eastern District Office

MICROFILMED

March 3, 1981
Salmon, Idaho

Dept of Water Resources

Dear Sirs:

Concerning the permit
of the trading of Bohannon creek water
belonging to Dale Jolley for Gerton creek
water belonging to Keith Aldous ranch.
Jolley has only 15 acres that cannot
be irrigated by Bohannon creek water.
He has not used his Gerton creek
water on this ground for approximately 13
years here for lost his right to use
the ditch that goes thru my property.
I think this permit is going to
create more problems on the use of
Gerton Creek -

Sincerely Yours
Virgil O. Olson -

RECEIVED

MAR 9 1981

Department of Water Resources
Eastern District Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

P R O T E S T

REFERENCE IS HEREBY MADE to that Notice of Application of Water which appeared in the Recorder Herald at Salmon, Idaho, on Thursday, February 26, 1981, stating that Dale E. Jolley of Salmon, Idaho, had applied to the Department of Water Resources for an exchange of the waters of Bohannon Creek, tributary to Lemhi River.

We, the undersigned, HERBERT A. ALDOUS and KATHERINE ~~E. ALDOUS~~ ALDOUS, of Route 1, Box 13, Salmon, Idaho, do hereby file this Protest with the Idaho Department of Water Resources, 150 Shoup Avenue, Idaho Falls, Idaho 83401, for the reason that if this application was granted it would interfere with our existing water rights.

DATED this 3rd day of March, 1981.

Herbert A. Aldous
Katherine E. Aldous
/ Rt. 1, Box 13
Salmon

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MAR 9 1981

Department of Water Resources
Eastern District Office

MICROFILMED

IN THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

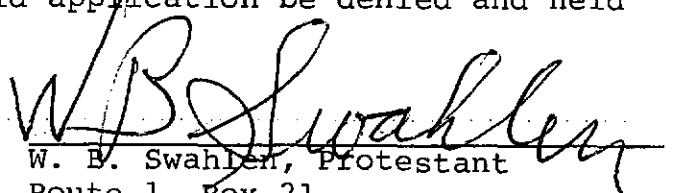
In the Matter of the Application)
for Exchange of Water of)
DALE E. JOLLEY, Salmon, Idaho) P R O T E S T
Nos. 74-0179A and 74-0179B)

W. B. SWAHLEN, whose address is Route 1, Box 21, Salmon, Idaho 83467, hereby protests and excepts to the above captioned application for exchange of water and for grounds of said protest states:

1. Said application proposes to transfer irrigation water from the Bohannon Creek drainage to the Geertson Creek drainage. Protestant is the owner of irrigation rights from Bohannon Creek, some of which rights are prior and some of which rights are subsequent in priority to the rights sought to be transferred from Bohannon Creek. Protestant's said irrigation rights from Bohannon Creek will be diminished in violation of Section 42-240, Idaho Code if said application is granted.

2. The proposed transfer, if granted, will have the direct and proximate effect of injuring protestant's said irrigation and water rights, which injury will be actual, real and substantial in that, among other things, said requested change would increase the burden on, and decrease the volume in, the stream furnishing the water for protestant's said irrigation rights, all in violation of Sections 42-108 and 42-222, Idaho Code.

WHEREFORE, the undersigned protests and excepts to said application and prays that said application be denied and held for naught.


W. B. Swahlen, Protestant
Route 1, Box 21
Salmon, Idaho 83467

RECEIVED

MAR 6 1981

Department of Water Resources
Eastern District Office

MICROFILMED

Identification No. _____
Exchange No. 2520
74-0179 A, B

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
WATER RESOURCES
APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Dale E. Jolley
Post office address Route 1 Salmon, Idaho
2. Right obtained by:
a. Decree to Dale E. Jolley in Case of Proposed Lemhi Adjudication
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of Lemhi. Fully describe decree _____

b. Permit, License, or Claim No. 74-0179A in the records of the Department of
Reclamation. 74-0179B
3. Source of water Bohannon Creek tributary to Lemhi
(Name of stream or source)
4. Date of Priority of Right June 1, 1897
5. Amount of water a. 3.59 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April 1 to November 1
(Purpose) (Month-Day) (Month-Day)
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SE 1/4 NE 1/4 of Section 28,
Township 21N Range 23E, B.M., in Lemhi County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
74-0179A																			
	21N	23E	20										22	3.7					25.7
			29				17.5	40	20.1										77.6
74-0179B																			
	21N	23E	19			14									39	15.2	35.2	23.4	126.8
			20						10.6		11.7								22.3

Total number of acres to be irrigated 252.4

DESCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

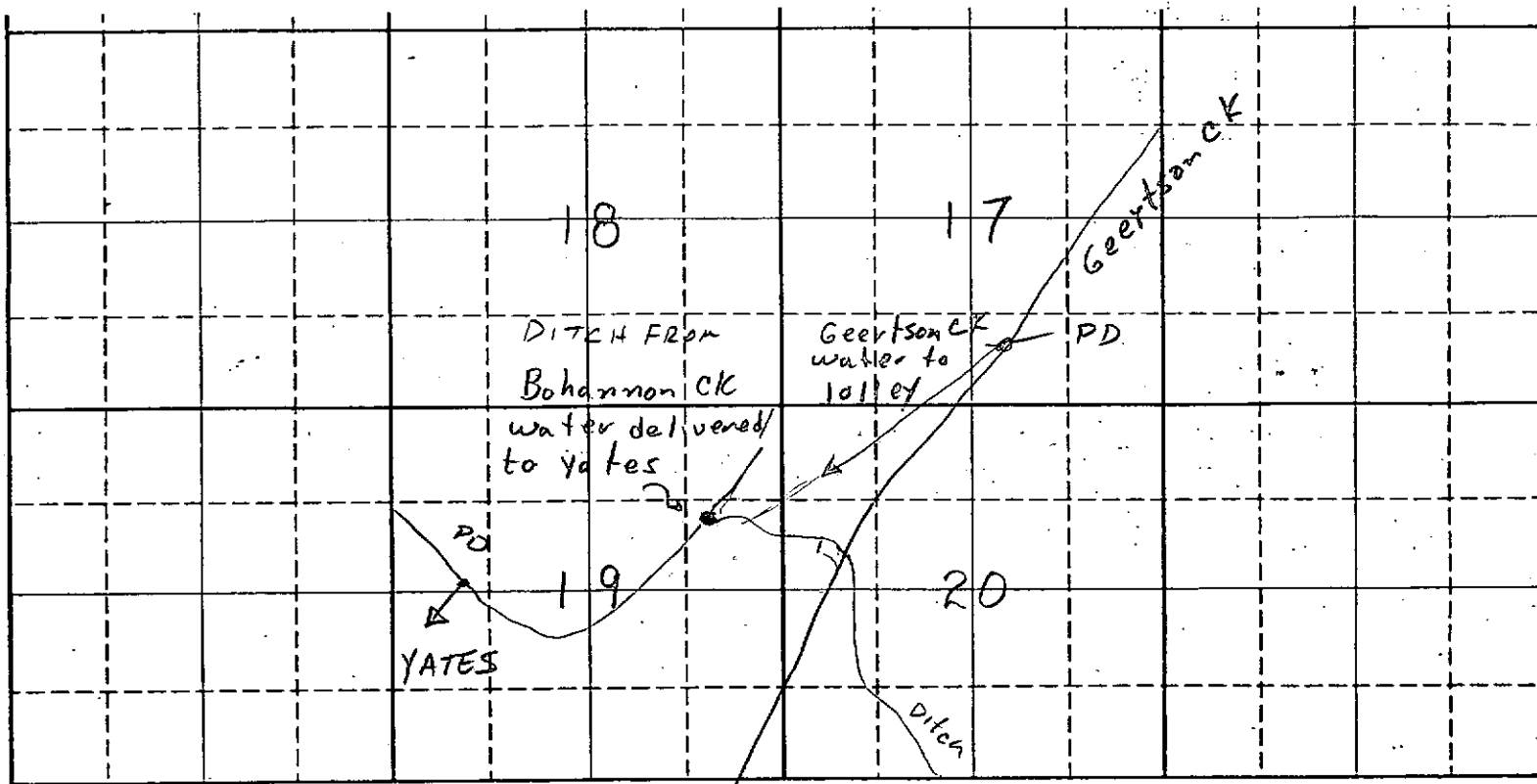
9. Name of Right Holder Ralph Yates
Post office address Route 1 Salmon, Idaho
10. Source of water Geertson Creek tributary to Lemhi River
(Name of stream or source)
11. Name of canal or ditch G-12a
12. Amount of water a. 1.8 c.f.s. and/or
b. _____ acre feet/annum
13. Right obtained by:
a. Decree to Herbert Aldous in Case of: Proposed Lemhi Adjudication
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of Lemhi. Fully describe decree (if known) _____

b. Permit, License, or Claim No. 74-0001 in the records of the Department of Reclamation.

EXCHANGE

14. 1.8 c.f.s and/or _____ acre feet per annum of water diverted at the point described in line 7 and will be delivered into Yates Ditch at a point in SE 1/4 NE 1/4 of Section 19, Township 21N, Range 23E, B.M., in Lemhi County; Additional points, if any _____
15. In lieu thereof 1.8 c.f.s. and/or _____ acre feet per annum will be diverted from Geertson Creek at a point within the SW 1/4 SE 1/4 of Section 17, Township 21N, Range 23E, B.M., in Lemhi County.
16. Explanation The applicant has a tract of land in the SW1/4NW1/4 Sec. 20 & SE1/4NE1/4 Sec. 19 T21N R23E, that can be irrigated more effectively through the exchange of Bohannon Ck. water for Geertson Ck. water as presented in this application.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange.



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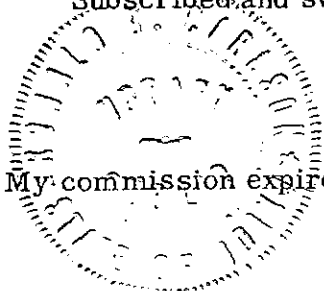
I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

E. Dale Jolley
(Signature of Applicant)

Subscribed and sworn to before me this 29 day of January 19 81.

Ronald D. Carter
(Notary Public)

My commission expires 2/14/82



ACTION OF THE STATE RECLAMATION ENGINEER

I have examined Application for Exchange of Water No. _____ and said application is hereby _____.

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

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

Witness my hand this _____ day of _____, 19 _____.

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by RDC Date 1/29/81 Time 12:38 Preliminary check by _____

Fee \$ 50.00 Receipted by RDC Date 1/29/81 # 17003 Publication prepared by KW

Date 2/12/81 Published in Record of Decisions Dates 2/19 & 2/26/81

Affidavit of Publication received _____ Publication approved by _____

Republished Dates _____

Protests Filed By:

Copies
Forwarded

Protestant	Address	Date Filed	by	Date	Action Taken
------------	---------	------------	----	------	--------------

Agreement needed _____ Agreement received _____

Hearings held at _____ Date _____

Recommended for approval _____ denial by _____

(Title)

WITHDRAWN

MICROFILMED

PROPOSED FINDING OF WATER RIGHTS - LEMHI RIVER DRAINAGE

SOURCE: Geertson Creek and Tribs.

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		MAXIMUM RATE OF DIVERSION (cfs)	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED		BASIS OF RIGHT and REMARKS
				From	To					
74-0009	SANTOS, A. M. and/or Verne Route 1 Salmon, Idaho	5 -1 -1868	Irrigation	4/1	11/1	0.3	NW $\frac{1}{4}$ SW $\frac{1}{4}$, S.20 T21N, R23E	Sec. 19 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20 SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30 NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, T21N, R23E	15.8 1.6 31.0 3.5 <u>51.9</u>	Decree
74-0001	ALDOUS, Herbert or Katherine Route 1 Salmon, Idaho	6 -1 -1868	Irrigation	4/1	11/1	1.8	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S.17 T21N, R23E	Sec. 19 Lot 1, Lot 2, Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, T21N, R23E	28.4 17.3 6.4 11.9 39.5 16.0 <u>119.5</u>	Decree
74-0002	JOLLEY, E. Dale and/or Mildred H. Route 1 Salmon, Idaho	5 -1 -1870	Irrigation	4/1	11/1	0.9	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.17 T21N, R23E	Sec. 18 Lot 3, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, T21N, R23E	6.9 12.8 14.0 36.7 32.0 <u>102.4</u>	Decree
74-0005	JOLLEY, E. Dale and/or Mildred H. Route 1 Salmon, Idaho	5 -1 -1879	Irrigation	4/1	11/1	1.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$, S.17 T21N, R23E	Sec. 19 SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20 SW $\frac{1}{4}$ NW $\frac{1}{4}$, T21N, R23E	31.4 22.3 19.3 9.2 <u>82.2</u>	Decree

PROPOSED FINDING OF WATER RIGHTS - LEMHI RIVER DRAINAGE

SOURCE: Bohannon Creek

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From To	MAXIMUM RATE OF DIVERSION (cfs)	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
74-0177	SWAHLEN, William B. and/or Marian H. Salmon, Idaho	4 -1 -1888	Irrigation	4/1 11/1	1.90	Sec. 2 Lot 2 Lot 3 (2 Div.) T21N, R23E Sec. 35 Lot 2 T22N, R23E	Sec. 2 SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 3, Lot 4, T21N, R23E <u>116.8</u>	Decree 31.0 29.1 16.7 40.0
74-0179A	JOLLEY, E. Dale and/or Mildred H. Route 1 Salmon, Idaho	6 -1 -1897	Irrigation	4/1 11/1	2.08	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.28 T21N, R23E	Sec. 20 SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, T21N, R23E <u>103.3</u>	Decree 22.0 3.7 17.5 40.0 20.1
74-0179B	JOLLEY, E. Dale and/or Mildred H. Route 1 Salmon, Idaho	6 -1 -1897	Irrigation	4/1 11/1	1.50	SE $\frac{1}{4}$ NE $\frac{1}{4}$, S.28 T21N, R23E	Sec. 19 SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, T21N, R23E <u>149.1</u>	Decree 14.0 39.0 15.2 35.2 23.4 10.6 11.7

RECEIVED

NOTICE OF
APPLICATION FOR
EXCHANGE OF WATER

Notice is hereby given that Dale E. Jolley, Salmon, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Bohannon Creek tributary to Lemhi River, evidenced by Decree to Dale E. Jolley in case of Proposed Lemhi Adjudication, County of Lemhi and are recorded as follows:
74-0179A and 74-0179B

AMOUNT: 3.59 cfs
PRIORITY: June 1, 1897

The water is used to irrigate 252.4 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29; Twp. 21N, Rge. 23E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; Twp. 21N, Rge. 23E from April 1 to November 1 with the point of diversion located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, Twp. 21N, Rge. 23E, Lemhi County.
PROPOSED EXCHANGE

1.8 cfs of Bohannon Creek water delivered into Yates ditch at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 21N, Rge. 23E, Lemhi County will be exchanged for 1.8 cfs from Geertson Creek evidenced by Decreed Right No. 74-0001 to Herb Aldous in Case of Proposed Lemhi Adjudication diverted at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 21N, Rge. 23E, Lemhi County.

Any protest to the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before March 9, 1981.

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald 2/19 & 2/26/1981.

2-19-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

FEB 27 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 Change of Water Rights

74-0179A and 74-0179B

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 February 19, 1981 and ending with the issue dated February 26, 1981

Jerry G. Rosin

Subscribed and sworn to before me, this twenty sixth

day of February, 1981

Vere Armstrong

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

Publication Fee \$ 23.76

MICROFILMED

WATER RIGHT NUMBER 74-0001

OWNER LAST NAME - ALDOUS ✓
OWNER LAST NAME - ALDOUS ✓
OWNER LAST NAME - TONSMEIRE ✓
ADDRESS LINE 1 - P.O. BOX 871 ✓
ADDRESS LINE 3 -
SOURCE - GEERTSON CREEK
STAGE - DECREE
TOTAL DIV. VOLUME - .00 AFA
DIVERSION POINT - SWSE 17 21N 23E LOT
FROM - 03-15 TO - 11-15 USE - IRRIGATION ✓
USE - IRRIGATION

FIRST NAME - HERBERT ✓
FIRST NAME - KATHERINE ✓
FIRST NAME - JOSEPH L. ✓

ORIG OWNER - 0 ✓
ORIG OWNER - 0 ✓
ORIG OWNER -

ADDRESS LINE 2 -

CITY - SALMON

STATE - ID ZIP CODE - 83467

TRIBUTARY OF - LEMHI RIVER

PRIORITY - 06-01-1868 ✓ COUNTY - LEMHI

TOTAL DIV. RATE - 1.8000 -CFS

STATUS -
TRFR/AMEND - T WATER DIST. - 74A DLE/CAREY ACT - RIGHT BASIS - 8
REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
USE DIV. RATE - 1.8000 CFS USE DIV. VOLUME - .00 AFA

PLACE OF USE - TWN 21N RNG 23E SEC 19

TRACT NENW LOT	AC 01	TRACT NWNW LOT	AC 28
TRACT SNNW LOT	AC 17	TRACT SENW LOT	AC 17
TRACT NESW LOT	AC 40	TRACT NWSW LOT	AC 06
TRACT SESW LOT	AC 11		

DATE - TOTAL ACRES 120

DECREE NAME -

REMARKS - AC. IRR = 119. ✓ TRANS. 3044. ✓

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL - R04 01E

DIVERSION MEANS -

August 15, 1985

RE: Transfer of Water Right Nos. 74-0001 & 74-1805

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 3044). Be sure to note the conditions of approval as listed on the final page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: MAY 17 1984

1. Right number 74-0001 Applicant JOE L. TONSMERE
74-1805
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- ok { a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
b. ☒ Description of original point of diversion.
c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

OK ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

NO change ☒ Check description of point(s) of diversion.

OK ☒ Check description of place of use.

OK ☒ Check map (shows p.d. and p.u. after transfer).

OK ☒ Check for correct signature, notarization, and fee.

OK ☒ Check proof of ownership of right &/or land from which water is transferred.

OK ☒ Check for expansion in use of right. Comments NO

OK ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NO

j. ☐ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 74A

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 5-22-84 Received on 9-06-84
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* OIE, OS(74A, Geertson Creek)

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FEE 06 1985

4. By RPL Date 1/31/85

Department of Water Resources

Jim 8-7-85 USE ABOVE CONDITIONS

* All uses within Watermaster Districts require special conditions.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

January 8, 1985

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

A review of the file on your application to transfer water right 74-0001 reveals that proof of possessory interest has not been provided for the six acres southeast of the Geertson Creek road that are being dewatered. Verification of possessory interest can be satisfied by providing a copy of your latest tax notice that lists the land in the SE1/4 SW1/4, Sec. 19, T. 21N, R. 23E.

Since no further action can be taken on the application without this information, your prompt attention to this matter will be appreciated.

Respectfully submitted,

Ernest Carlson

ERNEST CARLSEN
Assistant Regional Supervisor

EMC/cz

MICROFILMED

*Dear Emil —
Please find enclosed a copy of the
Sale Agreement w/ property descrip. Please
return it to me when you're finished.
Thanks for*

January 8, 1985

Mr. Ray Rigby, Esq.
Box 250,
Rexburg, ID 83440

RE: Application for Transfer 74-0001/1805 Tonsmeire
Petition to Intervene

Dear Mr. Rigby:

On November 28, 1984, Katharine Aldous withdrew her protest of application for transfer of water right 74-0001 in the name of Joseph Tonsmeire. With no other protests against the application the possibility for intervening in the matter was removed. Therefore, there will be no further administrative consideration given to the Petition to Intervene on behalf of Vergil and Verdell Olsen and processing of the application will be resumed.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EMC/cz

MICROFILMED

January 8, 1985

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

A review of the file on your application to transfer water right 74-0001 reveals that proof of possessory interest has not been provided for the six acres southeast of the Geertson Creek road that are being dewatered. Verification of possessory interest can be satisfied by providing a copy of your latest tax notice that lists the land in the SE1/4 SW1/4, Sec. 19, T. 21N, R. 23E.

Since no further action can be taken on the application without this information, your prompt attention to this matter will be appreciated.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EMC/cz

MICROFILMED

December 19, 1984

RE: Application for Transfer No. 74-0001/1805

Joseph L. Tonsmeire
Box 871
Salmon, Idaho 83467

Dear Mr. Tonsmeire:

This is to advise you that Katherine Aldous has withdrawn her protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter and has resumed the processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

ORIGINAL FILED

December 19, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Ms. Katherine Aldous
Rt. #1, Box 13
Salmon, Idaho 83467

Dear Ms. Aldous:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department will take no further action in setting a hearing in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

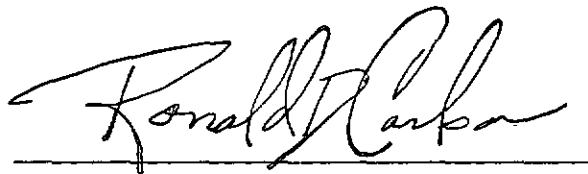
RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST	)	
APPROVAL OF APPLICATION FOR	)	NOTICE OF HEARING
TRANSFER NO. 74-0001/1805 IN THE	)	CANCELLATION
NAME OF JOSEPH L. TONSMEIRE	)	

Notice is hereby given that the Department of Water Resources has cancelled the hearing concerning the above referenced application scheduled for Wednesday, November 28, 1984 as the outstanding protest has been withdrawn.

Dated this 26th day of November 1984.



RONALD D. CARLSON
Eastern Regional Supervisor

MICROFILMED

November 20, 1984

RE: Application for Transfer No. 74-0001/1805

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Enclosed is a copy of a petition to intervene in the matter of protest filed against your application for transfer.

The petition has been filed in accordance with Department of Water Resources Rules of Practice and Procedure, a copy of which is also enclosed.

A decision will be made at the hearing whether or not to grant leave to intervene. If the protest is resolved prior to the hearing, the petition to intervene will not be eligible for consideration and the hearing will be cancelled.

If the request to intervene is granted, the intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by the Department's granting leave to intervene, become parties to the matter for the purpose of court review or appeal.

If this office can be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

cc: Katherine Aldous

MICROFILMED

November 20, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Mr. & Mrs. Vergil O. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. & Mrs. Olson:

Your petition to intervene in the matter of protests against application for transfer No. 74-0001/1805 has been received and a copy sent to the applicant.

A decision will be made at the hearing whether or not to grant leave to intervene. If the protest is resolved prior to the hearing, your petition to intervene will not be eligible for consideration and the hearing will be cancelled.

If the request is granted, intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by this action, become parties to the matter for purposes of court review or appeal.

If this office can be of any further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Ray Rigby, Attorney

RECORDED

November 20, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Mr. & Mrs. Verdell Olson
Rt. #1
Salmon, Idaho 83467

Dear Mr. & Mrs. Olson:

Your petition to intervene in the matter of protests against application for transfer No. 74-0001/1805 has been received and a copy sent to the applicant.

A decision will be made at the hearing whether or not to grant leave to intervene. If the protest is resolved prior to the hearing, your petition to intervene will not be eligible for consideration and the hearing will be cancelled.

If the request is granted, intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by this action, become parties to the matter for purposes of court review or appeal.

If this office can be of any further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Ray Rigby, Attorney

MICROFILMED

T 74-0001/1805 - Joseph L. Tonsmeire

Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho
Wednesday, November 28, 1984 - 9:00 a.m.

ROSTER OF ATTENDANCE

Hearing Officer: _____

<u>Name</u>	<u>Address</u>	<u>Representing</u>
-------------	----------------	---------------------

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPLICATION)
FOR TRANSFER NO. 74-0001 AND 74-1805 IN THE)
NAME OF JOSEPH L. TONSMEIRE) STIPULATION
_____)

BY THIS STIPULATION, the undersigned parties to
the above-captioned case waive compliance with the requirements
of Idaho Code, Section 67-5211, including the right to a
proposed decision, to file exceptions to a proposed decision
and to present briefs and oral arguments to the Director of
the Department of Water Resources and agree that the Director
may render a final decision in this case without first
submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

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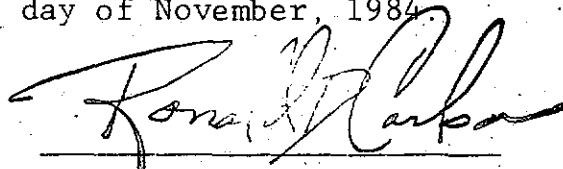
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST	)	
APPROVAL OF TRANSFER NO. 74-0001/	)	NOTICE OF HEARING
74-1805 IN THE NAME OF JOSEPH L.	)	AND/OR CONFERENCE
TONSMEIRE	)	
_____	)	

On May 15, 1984, Joseph L. Tonsmeire, Salmon, Idaho filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. On June 14, 1984, the Department received a protest against approval of said application from Katherine Aldous.

The Department has set the matter of protest for hearing for Wednesday, November 28, 1984 at 9:00 a.m. in the Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 14th day of November, 1984.



RONALD D. CARLSON

Eastern Regional Supervisor

MICROFILMED

November 20, 1984

RE: Application for Transfer No. 74-0001/1805

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Enclosed is a copy of a petition to intervene in the matter of protest filed against your application for transfer.

The petition has been filed in accordance with Department of Water Resources Rules of Practice and Procedure, a copy of which is also enclosed.

A decision will be made at the hearing whether or not to grant leave to intervene.

If the request to intervene is granted, the intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by the Department's granting leave to intervene, become parties to the matter for the purpose of court review or appeal.

If this office can be of further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

cc: Katherine Aldous

RECEIVED
NOV 21 1984

November 20, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Mr. & Mrs. Verdell Olson
Rt. #1
Salmon, Idaho 83467

Dear Mr. & Mrs. Olson:

Your petition to intervene in the matter of protests against application for transfer No. 74-0001/1805 has been received and a copy sent to the applicant.

A decision will be made at the hearing whether or not to grant leave to intervene.

If the request is granted, intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by this action, become parties to the matter for purposes of court review or appeal.

If this office can be of any further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Ray Rigby, Attorney

MICROFILMED

November 20, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Mr. & Mrs. Vergil D. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. & Mrs. Olson:

Your petition to intervene in the matter of protests against application for transfer No. 74-0001/1805 has been received and a copy sent to the applicant.

A decision will be made at the hearing whether or not to grant leave to intervene.

If the request is granted, intervenors will be allowed to participate in any conference or hearing before the Department, but will not, by this action, become parties to the matter for purposes of court review or appeal.

If this office can be of any further assistance, please contact us.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Ray Rigby, Attorney

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RECEIVED

NOV 15 1984

Department of Water Resources
Eastern District Office

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
FOR TRANSFER NO. 1805 OF WATER)
RIGHT NO. 74-0001 IN THE NAME OF)
TONSMEIRE)
-----)

PETITION TO INTERVENE

COMES NOW, Vergil O. Olson and Irene Olson, his wife,
of Route 1, Box 12, Salmon, ID 83467, and Verdell Olson and
Valerie Olson, his wife, of Route 1, Salmon, ID 83467, and
petition the Director of the Department of Water Resources of
the State of Idaho for an order granting said Petitioners leave
to intervene and appear in the above-entitled matter, for the
reason that said Petitioners are the owners of water rights in
Geertson Creek and otherwise have rights to the use of surface
waters in tributaries of the Lemhi River drainage basin, which
will be affected by the proposed transfer. Those rights are
all referred to in the following cases:

(a) In the Matter of the General Determination of the
Right to the Use of Surface Waters and Tributaries from What-
ever Source of the Lemhi River Drainage Basin: Vergil O. and
Irene Olson, Appellants, v. Idaho Department of Water
Resources; Herbert and Katherine Aldous; William B. and Rose
Starr Boulton; William T. and Wilma A. Bramlette; E. Dale and
Mildred H. Jolley; Frank J. and Betty Kohl; A. M. and Verne
Santos; Ralph and Alda C. Yates; Arthur C. Tonsmeire, Jr;

MICROFILMED

Arthur C. Tonsmeire III; and Joseph and Frances Tonsmeire,
Respondents.

(b) Vergil Olson and Verdell Olson, Petitioners/
Appellants, v A. Kenneth Dunn, Director, Idaho Department of
Water Resources, Respondent/Defendant.

(c) Vergil O. and Irene Olson, Appellants, v Idaho
Department of Water Resources, et al., Respondents.

DATED This 13th day of November, 1984.

Vergil O. Olson
Vergil O. Olson

Irene Olson
Irene Olson

Verdell Olson
Verdell Olson

Valerie Olson
Valerie Olson

CERTIFICATE OF MAILING

I HEREBY CERTIFY, That on the 13th day of November,
1984, I served a true and correct copy of the foregoing
Petition to Intervene upon the following named persons at the
addresses listed, by first-class mail at Rexburg, Idaho, with
first-class postage prepaid:

Ernest Carlsen
Idaho Department of Water Resources
Assistant Regional Supervisor
150 Shoup Avenue - Suite 15
Idaho Falls, ID 83402

Katherine Aldous
Route 1, Box 13
Salmon, ID 83467

Joseph Tonsmeire
Box 871
Salmon, ID 83467

Vergil O. Olson
Vergil O. Olson

November 20, 1984

Lemhi County Clerk
Lemhi County Courthouse
206 Courthouse Drive
Salmon, ID 83467

Gentlemen:

This is to confirm the use of the Commissioners Room for water right hearings to be held by this Department beginning at 9:00 a.m. on Tuesday, November 27 and on Wednesday, November 28, 1984.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICROFILMED

PS Form 3811, July 1982

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

(The restricted delivery fee is charged in addition
to the return receipt fee.)**TOTAL \$** _____3. **ARTICLE ADDRESSED TO:**Joseph A. Jansmeire
Box 871
Salmon ID 834674. **TYPE OF SERVICE:**☐ REGISTERED☐ INSURED☒ CERTIFIED☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

13251

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE☐ Addressee☒ Authorized agent

Verna E. Kite Schindler

5.

DATE OF DELIVERY

NOV 15 1984

POSTMARK

(may be on reverse side)

6. **ADDRESSEE'S ADDRESS** (Only if requested)NOV
157. **UNABLE TO DELIVER BECAUSE:**7a. **EMPLOYEE'S
INITIALS**
KE

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



RECEIVED

NOV 16 1984

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

150 SHoup AVE. Suite 15

IDAHO FALLS, IDAHO 83401
(Name of Sender)

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, July 1982

RETURN RECEIPT

74-0001

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$

☐ Show to whom, date, and address of delivery .. \$

2. ☐ **RESTRICTED DELIVERY** \$
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
Katherine Aldous
Rt #1 Box B
Salmon Id 83461

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER
13252

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

L. R. Raymond

5. **DATE OF DELIVERY**
NOV 15 1984

POSTMARK
(may be on reverse side)
NOV 15 1984

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**
N.W.

MICROFILMED

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.

PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE

150 SHOUP AVE. Suite 15

IDAHO FALLS, IDAHO 83401
(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

RECEIVED
JUN 15 1967

PS Form 3877, Sept. 1978
 ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

DEPARTMENT OF WATER RESOURCES

NAME AND ADDRESS OF SENDER

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

Indicate type of mail

- ☐ Registered
☐ Insured
☐ COD
☒ Certified

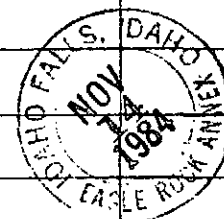
I certify that we have

- ☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1 No	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S. D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	13244	Paula Whittaker Box 240 Readon Id	20	75				60				74-7164
2	13245	Nellie Purcell Box 15 Readon Id										"
3	13246	Denise Rounty St. Box 36 Salmon										75-7367
4	13247	Wibb Wilkerson 1058 1st Sandpoint										"
5	13248	Bureau Land Mgmt. P.O. Box 430 Salmon										"
6	13249	Patricia Full P.O. Box 1922 Salmon										"
7	13250	V. J. Trust. Inc. 324-25th Ogden										"
8	13251	Joseph Jonsmeier Box 871 Salmon										774-0001
9	13252	Kathleen Aldous Lt #1 Box 13 Salmon										"
10	13253	Blackburn P.O. Box 58 Sunday										74-7235
11	13254	Don Heinicke, F.I.S. 1515 Fenwick St										"
12	13255	Jim Caples 502 Broadway Pl Salmon										75-7308
13	13256	Barry Marcus, Atty. 737 W. 7th Boise										"
14	13257	Preston Wilson HC 72 Box 2310 May										73-7085
15	13258	Andrew Apple P.O. Box 2314 Sun Valley										73-7085 73-7086



TOTAL NUMBER OF PIECES LISTED BY SENDER

15

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

15

POSTMASTER, PER (Name of receiving employee)

R. Taggart

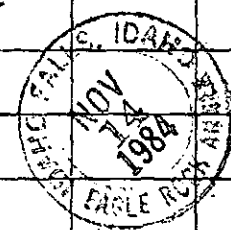
The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

NAME AND
ADDRESS
OF SENDEREASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ CertifiedI certify that we have
☐ Commercial Insurance
☐ A deductible clause of
\$Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

LINE	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE REMARKS
1	13259	Michael E. Muew Box 2330 Myf	20	75							73-7085 73-7086
2											
3											
4											
5											
6											
7		Notice sent to the following									
8		uncertified 3									
9		Robert K. Ogden									74-7164
10		Richard Brown									"
11		Lowell Shrappe									74-0001
12		Bergie Olsen									"
13		Gene Martiny									73-7085 73-7286
14											
15											
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.					
1		one		Taggart							

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN ☆ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

MICROFILMED



October 15, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Vergil O. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. Olson:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the transfer. November 28, 1984 has initially been selected for the date of the hearing which will be held in Salmon.

Certified notices confirming the date, place and time will be mailed to you two weeks before the hearing should you still wish to intervene in this matter. Please notify this office prior to the mailing of the certified notice if you intend to intervene.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

October 15, 1984

RE: Application for Transfer No. 74-0001/1805

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the transfer. November 28, 1984 has initially been selected for the date of the hearing which will be held in Salmon.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

October 15, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Katherine Aldous
Rt. #1, Box 13
Salmon, Idaho 83467

Dear Ms. Aldous:

To recommend final action on the above captioned application, an administrative hearing must be held to examine the issues of protest against granting the transfer. November 28, 1984 has initially been selected for the date of the hearing which will be held in Salmon.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

RECEIVED

SEP 6 1984

Department of Water Resources
Eastern District Office

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. _____

WATER DISTRICT #74-a

WATERMASTER Lewell Thrapp

DATE: 9-4-84

COMMENTS: As I am just starting as
watermaster, I do not feel as
though I am qualified to comment
on this application for transfer
of water Right, at the present time

☐ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

Lewell Thrapp
Watermaster

MICROFILMED

August 29, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Lowell Thrapp, Watermaster
Water District No. 74-A
Rt. #1 Box 55
Salmon, ID 83467

Dear Mr. Thrapp:

Please find enclosed a copy of the above referenced application(s) and water recommendation form(s). Please review the application(s) and complete the form(s), returning it to this office on or before September 10, 1984. Your cooperation in this matter would be appreciated.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Enclosure

MICROFILMED

June 26, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Vergil O. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. Olson:

On June 20, 1984, the Department received your letter in reference to the above captioned application. Your letter will be placed in the file; however, you can not be recognized as a protestant because the letter arrived in our office after the protest period had expired.

If you wish to be a party of record and have an opportunity to testify at the hearing you must petition for leave to intervene in the pleadings. The procedure for filing such a petition is described on the enclosed copy of Rule 6 from the Department's Rules and Regulations for Practice and Procedure.

Though intervention can be requested any time up to five (5) days prior to the date set for hearing, to insure that you will receive notice of the hearing, your petition should be submitted to this office within fifteen days from the date of this letter.

Please feel free to contact me if you have any questions regarding the above matter.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

MICROFILMED

Jun 20, 1984

L Vergil O. Olson

Protest # 74-0001 - 74-1805
water rights of Joe Lonsmin
being changed to new
ground.

Vergil O. Olson

MICROFILMED

June 19, 1984

RE: Application for Transfer No. 74-0001/1808

Robert Durand, Watermaster
Water District No. 74-A
Salmon, ID 83467

Dear Mr. Durand:

Our files indicate we have not received your watermaster comments on the above captioned application for transfer, which was forwarded to you on May 23, 1984. Therefore, enclosed please find a copy of the application and another watermaster recommendation form.

Section 42-222 of the Idaho Code states that watermaster recommendations must be submitted to the Department before proceeding with final administrative action. Since advertising of the application is completed, I urge you to give this matter immediate attention.

Your cooperation is appreciated.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosures

MICROFILMED

June 19, 1984

RE: Application for Transfer No. 74-0001/1805

Joseph L. Tonsmeire
Box 871
Salmon, ID 83467

Dear Mr. Tonsmeire:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

MICROFILMED

June 19, 1984

RE: Application for Transfer No. 74-0001/1805 TONSMEIRE

Katherine Aldous
Rt. #1, Box 13
Salmon, ID 83467

Dear Ms. Aldous:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

MICROFILMED

May 23, 1984

RE: Application for Transfer No. 74-0001/0805 TONSMEIRE

Robert Durand, Watermaster
Water District No. 74-A
Salmon, ID 83467

Dear Mr. Durand:

Please find enclosed a copy of the above referenced application(s) and water recommendation form(s). Please review the application(s) and complete the form(s), returning it to this office on or before June 18, 1984.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC: CW

Enclosure

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 74-1805/0001

Notice is hereby given that Joseph L. Tonsmeire, Salmon, Idaho has applied to the Department of Water Resources for a change in the place of use of the waters of Geertson Creek tributary to Lemhi River. The right sought to be changed is evidenced by ~~the~~ to Herbert and Katherine Aldous, Findings of Fact, Lemhi River Basin Case No. 4948 dated in Dec. 30, 1982 in Seventh District Court, County of Lemhi and is recorded as follows:

74-0001 AMOUNT: 1.80 cfs PRIORITY: 6-01-1868

74-1805 AMOUNT: 0.60 cfs PRIORITY: 5-24-1923

POINT OF DIVERSION: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 21N,

R. 23E, B.M., Lemhi County.

The water is used to irrigated 119 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used to irrigate 119 acres within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 21N, R. 23E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before June 18, 1984.

A. KENNETH DUNN
Director

Published Recorder Herald, Salmon, ID 5/31 & 6/07/84.

MICROFILMED

August 28, 1981

RE: Application for Exchange No. 74-0179 A & B/74-0001

W. B. Swahlen
Rt. #1, Box 21
Salmon, ID 83467

Dear Mr. Swahlen:

This is to inform you that Dale E. Jolley has withdrawn the above referenced application for exchange. The Department has voided this application in our files and will take no further action in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

RECEIVED
SEP 02 1981

Department of Water Resources

MICROFILMED

August 28, 1981

RE: Application for Exchange No. 74-0179 A & B/74-0001

Herbert A. Aldous
Katherine E. Aldous
Rt. #1, Box 13
Salmon, ID 83467

Dear Mr. & Mrs. Aldous:

This is to inform you that Dale E. Jolley has withdrawn the above referenced application for exchange. The Department has voided this application in our files and will take no further action in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

August 28, 1981

RE: Application for Exchange No. 74-0179 A & B/74-0001

Verdell Olson
Rt. #1
Salmon, Idaho 83467

Dear Mr. Olson:

This is to inform you that Dale E. Jolley has withdrawn the above referenced application for exchange. The Department has voided this application in our files and will take no further action in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

August 25, 1981

RE: Application for Exchange No. 74-0179A/74-0179B/74-0001

Dale E. Jolley
Rt. #1
Salmon, Idaho 83467

Dear Mr. Jolley:

This is to acknowledge receipt of your withdrawal of the above referenced application. The Department will take no further action in this matter and has voided the application in our files.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Kent Foster, Attorney at Law

MICROFILMED

August 28, 1981

RE: Application for Exchange No. 74-0179 A & B/74-0001

James C. Herndon
Attorney at Law
Herndon Hotel Block
Salmon, Idaho 83467

Dear Mr. Herndon:

SUBJECT: Protests in behalf of Joseph Tonsmeire and
Lemhi Irrigation District

This is to inform you that Dale E. Jolley has withdrawn the above referenced application for exchange. The Department has voided this application in our files and will take no further action in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

August 28, 1981

RE: Application for Exchange No. 74-0179 A & B/74-0001

Vergil O. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. Olson:

This is to inform you that Dale E. Jolley has withdrawn the above referenced application for exchange. The Department has voided this application in our files and will take no further action in this matter.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

WILLIAM S. HOLDEN
R. VERN KIDWELL, P. A.
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER, P. A.
STEPHEN E. MARTIN
CHARLES A. HOMER

GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO
JAMES D. HOLMAN
GAYLE A. SORENSON

August 10, 1981

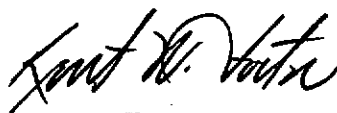
Mr. Ernest Carlsen
Department of Water Resources
Eastern District Office
150 Shoup
Idaho Falls, ID 83402

Re: E. Dale and/or Mildred H. Jolley
Application for Exchange - 74-0179A and 74-0179B
for 74-001

Dear Mr. Carlsen:

Pursuant to the discussion we had at the hearing
in Salmon last week on the Jolleys' application for transfer,
this letter will serve as a written request on behalf of the
Jolleys for withdrawal of the application for exchange
referenced above.

Yours very truly,



Kent W. Foster

KWF:lh

RECEIVED

AUG 12 1981

Department of Water Resources
Eastern District Office

MICROFILMED

IN THE MATTER OF
APPLICATION FOR EXCHANGE
#74-0179 A & B, & 74-0001
IN THE NAME OF DRLE
E. JOLLEY.

Withdrawal
of
Application.

I hereby withdraw my application for exchange of rights
#74-0179 A, & 74-0179 B for water right #74-0001 &
respectfully request the Department of Water Resources
void said application from their records and to take
no further action in pursuing the application.

Signed the 7th day of August, 1981 in Salmon, Idaho

E. Dale Jolley
Dale E. Jolley, Applicant.

MICROFILMED

150 Shoup Ave.-----

525-7161

March 24, 1981

RE: Application for Exchange of Water Rights Nos. 74-0179A & 74-0179B

Dale E. Jolley
Route #1
Salmon, ID 83467

Dear Mr. Jolley:

Enclosed herewith are copies of two additional protests we have received regarding the above application.

Sincerely,

KAY WALKER
Secretary

KW:k
Enclosures

MICROFILMED

March 19, 1981

RE: Application for Exchange No. 74-0179A & B (74-0001) Jolley

James C. Herndon
Attorney at Law
Herndon Hotel Block
Salmon, Idaho 83467

Dear Mr. Herndon:

SUBJECT: Protests in behalf of Joseph Tonsmeire and
Lemhi Irrigation District

This is to acknowledge receipt of the protests filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?

You should be aware, however, that the timeliness of the protests may be considered at any conference and/or hearing in the matter.

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

RECEIVED

Wilderness River Outfitters

And Trail Expeditions, Inc.

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



Ernest Carlson
State Dept of Water Resources
Hale Falls, Idaho.

RECEIVED

MAR 17 1981

Department of Water Resources
Eastern District Office

Dear Ernest -

Regarding the water exchange applied
for by Dale Jolly involving our ditch
on Carlson Creek:

While the exchange is not totally
unacceptable there are some problems
that need to be further discussed.

I would like this exchange to
be subject to an agreement between
Jolly and myself and would
like to see the proposed exchange
tested to see what effects this

MICROFILMED

exchange is going to have on
our irrigation practices before
being committed to the exchange.

Whatever legal bullshit is
necessary to have this take
place we will do - although
hopefully this letter will suffice
to bring this process about.

Sincerely,



JOE TOWNSMEIER

MICROFILMED

March 16, 1981

RE: Application for Exchange No. 74-0179A & B (74-0001)

Dale E. Jolley
Rt. #1
Salmon, Idaho 83467

Dear Mr. Jolley:

Enclosed please find a copy of the protests filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

RECORDED
INDEXED

March 16, 1981

RE: Application for Exchange No. 74-0179A & B (74-001)

Vargil O. Olson
Rt. #1, Box 12
Salmon, Idaho 83467

Dear Mr. Olson:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

REPROFILMED

March 16, 1981

RE: Application for Exchange No. 74-0179A & B (74-001)

Verdell Olson
Rt. #1
Salmon, Idaho 83467

Dear Mr. Olson:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

March 16, 1981

RE: Application for Exchange No. 74-0179A & B (74-001)

Mr. Herbert A. Aldous
Katherine E. Aldous
Rt. #1, Box 13
Salmon, Idaho 83467

Dear Mr. & Mrs. Aldous:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

MICROFILMED

March 16, 1981

RE: Application for Exchange No. 74-0179A & B (74-001)

W. B. Swahlen
Rt. #1, Box 21
Salmon, Idaho 83467

Dear Mr. Swahlen:

This is to acknowledge receipt of the protest filed against the above referenced application for exchange. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for exchange:

1. Are other water rights injured by the exchange?
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If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office
Sherman F. Furey, Attorney

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 12, 1981

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 9, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF
APPLICATION FOR
EXCHANGE OF WATER

Notice is hereby given that Dale E. Jolley, Salmon, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Bohannon Creek tributary to Lemhi River, evidenced by Decree to Dale E. Jolley in case of Proposed Lemhi Adjudication, County of Lemhi and are recorded as follows:

74-0179A and 74-0179B

AMOUNT: 3.59 cfs

PRIORITY: June 1, 1897

The water is used to irrigate 252.4 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29; Twp. 21N, Rge. 23E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; Twp. 21N, Rge. 23E from April 1 to November 1 with the point of diversion located within the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 28, Twp. 21N, Rge. 23E, Lemhi County.

PROPOSED EXCHANGE

1.8 cfs of Bohannon Creek water delivered into Yates ditch at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 21N, Rge. 23E, Lemhi County will be exchanged for 1.8 cfs from Geertson Creek evidenced by Decreed Right No. 74-0001 to Herb Aldous in Case of Proposed Lemhi Adjudication diverted at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 21N, Rge. 23E, Lemhi County.

Any protest to the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before March 9, 1981.

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald 2/19 & 2/26/1981.

RECEIVED

FEB 18 1981

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR EXCHANGE OF WATER

Notice is hereby given that Dale E. Jolley, Salmon, Idaho, has applied to the Department of Water Resources for an exchange of the waters of Bohannon Creek tributary to Lemhi River, evidenced by Decree to Dale E. Jolley in case of Proposed Lemhi Adjudication, County of Lemhi and are recorded as follows:

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PROPOSED EXCHANGE

1.8 cfs of Bohannon Creek water delivered into Yates ditch at a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 21N, Rge. 23E, Lemhi County will be exchanged for 1.8 cfs from Geertson Creek evidenced by Decreed Right No. 74-0001 to Herb Aldous in Case of Proposed Lemhi Adjudication diverted at a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 21N, Rge. 23E, Lemhi County.

Any protest to the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before March 9, 1981.

C. STEPHEN ALLRED

Director

Published in the Recorder-Herald 2/19 & 2/26/1981.

MICROFILMED