

01/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13327

NAME AND ADDRESS: RONNIE D TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

SOURCE: DEMPSEY CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.078 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-162 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.54 CFS.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION:

T10S R38E S4 NESWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.078 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R38E S32	SESE	7.7	T09S R38E S33	SWSW	24.0
T09S R38E S33	SESW	9.5			

41.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-162 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 41.2 ACRES IN A SINGLE IRRIGATION SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-162
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

WATER IS DELIVERED THROUGH WEST DEMPSEY DITCH.

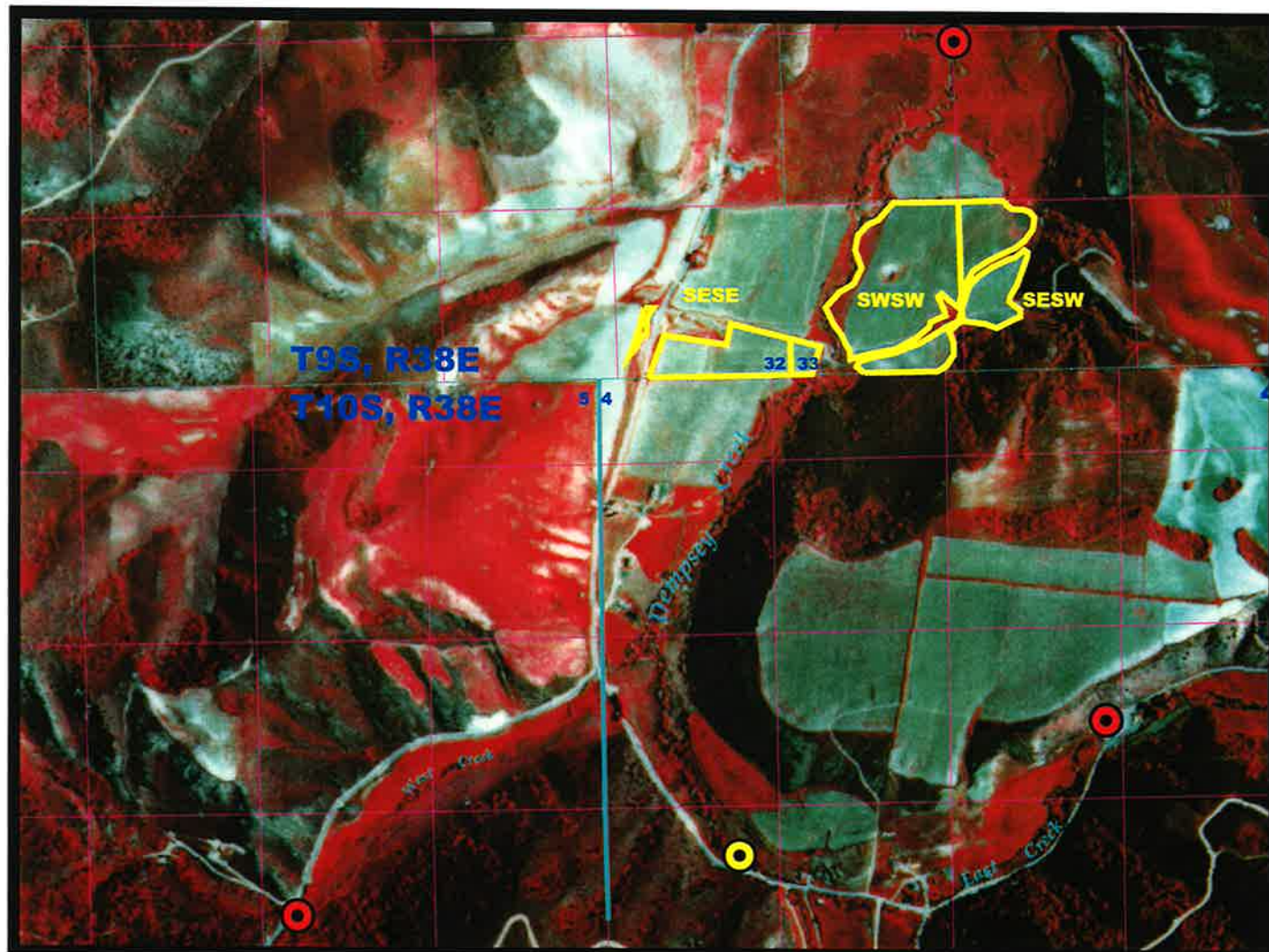
THIS RIGHT IS FOR AN ENLARGEMENT OF 5.2 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.



State of Idaho

Department of Water Resources

Eastern Region



500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500 Feet

Water Right(s):
29-00162, 29-13327

Place of Use: (parts of): T9S, R38E
Sec. 32 SESE, Sec. 33 S2SW

Point(s) of Diversion:
T10S, R38E Sec. 4 ☐ NESWSW

**Note: Delivery through West
Dempsey Ditch**



LEGEND

-  **Point of Diversion**
-  **SESE**
-  **Section**
-  **Quarter-Quarter**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2003

RECEIVED

JAN 16 2004

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

2004 JAN 15 PM 2 35

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

In Re SRBA

Case No. 39576

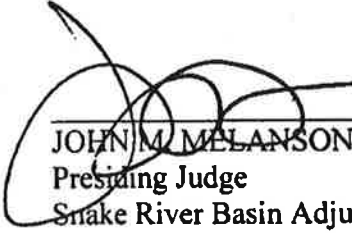
) SUBCASE: See Exhibit A
)
)

) ORDER SETTING OBJECTION &
) RESPONSE DEADLINE
)

On January 14, 2004, the Idaho Department of Water Resources filed an *Amended Director's Report* for water rights listed on attached Exhibit A, to include a subordination remark pertaining to enlargement claims. Notice of the filing of the *Amended Director's Report* was served on the claimants for the above captioned claims and shall appear on the docket sheet for January 2004, served on February 8, 2004.

IT IS SO ORDERED that all *Objections* to the *Amended Director's Report* are due **no later than 5:00 p.m. on February 27, 2004**. *Responses* to the *Objections* are due **no later than 5:00 p.m. on March 15, 2004**. All *Objections* and *Responses* are limited to issues pertaining to the amendments to the *Director's Report*.

Dated January 15, 2004.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-10065
29-10176
29-10449
29-11775
29-13213
29-13251
~~29-13327~~
29-13406
29-13408
29-13421
29-13428
29-13429
29-13482
29-13553
29-13554
29-13618
29-13619
29-13620
29-13621
29-13622

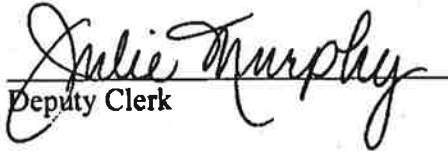
CERTIFICATE OF MAILING

I certify that a true and correct copy of the Order was mailed on 1/15/04 with sufficient first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk

RECEIVED

JAN 23 2004

Department of Water Resources
Eastern Region

Water Right: 29-13251
NAME & ADDRESS: ARKANSAS RANCHES INC
8450 S BOB SMITH RD
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 05/20/1970

POINT OF DIVERSION: T09S R37E S10 NWSWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S10 NESE SWSE SESE
S14 SWNW
S15 NENE NWNE SWNE SENE

This right is for an enlargement of 150.0 acres within the total 157.0 acres recommended.

Water Right: 29-13327
NAME & ADDRESS: RONNIE D & SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T10S R38E S04 NESWSW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R38E S32 SESE
S33 SWSW SESW

This right is for an enlargement of 5.2 acres within the total 41.2 acres recommended.

Water Right: 29-13386
NAME & ADDRESS: CATHERINE SPINNER-SCHUEREN
2641 E TWO MILE RD
MC CAMMON, ID 83250

SOURCE: TWO MILE CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1985

POINT OF DIVERSION: T08S R37E S31 SWSWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T08S R37E S31 NESW NWSW(LOT 3) SWSW(LOT 4) SWSE

This right is for an enlargement of 2.8 acres within the total 72.8 acres recommended.

Water Right: 29-13406
NAME & ADDRESS: BRETT CASPERSON
8893 E MAUGHAN RD
LAVA HOT SPRINGS, ID 83246

SOURCE: DEMPSEY CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION: T09S R38E S33 SWNW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R38E S33 NESE NWSE SWSE SESE

This right is for an enlargement of 59.7 acres within the total 179.7 acres recommended.

Water Right: 29-13498
NAME & ADDRESS: CECIL E ARMSTRONG
NORMAN ARMSTRONG
849 W GLOVER RD
ARIMO, ID 83214

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1985

POINT OF DIVERSION: T10S R36 S09 NENE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10S R36 S09 NENE NWNE SWNE SENE
T10S R36 S10 NWNW

This right is for an enlargement of 34 acres within the total 174 acres recommended.

Water Right: 29-13553
NAME & ADDRESS: JASON & AMBER HALL
1302 AMMON ST
POCATELLO, ID 83201

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENESW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S22 NENE NWNE

This right is for an enlargement of 2.1 acres within the total 5.0 acres recommended.

Water Right: 29-13554
NAME & ADDRESS: RUSSELL & NATALIE GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: GROUNDWATER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S14 NWSW

This right is for an enlargement of 4.9 acres within the total 11.7 acres recommended.

Water Right: 29-13617
NAME & ADDRESS: MAX W HALL
PO BOX 784
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S14 NWSW
S15 NESW NESE NWSE SWSE SESE
S22 NENE NWNE SWNE(LOT 2) SENE(LOT 1)
NWNW(LOT 4) SENW(LOT 3)

This right is for an enlargement of 69.0 acres within the total 222.4 acres recommended.

Water Right: 29-13618
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S15 NESW SESW NWSE SWSE

This right is for an enlargement of 3.3 acres within the total 8.6 acres recommended.

Water Right: 29-13619
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S15 SWSE

This right is for an enlargement of 3.3 acres within the total 8.7 acres recommended.

Water Right: 29-13620
NAME & ADDRESS: JEFFERY F HARRIS
PO BOX 252
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S15 SWSE
S22 NWNE

This right is for an enlargement of 3.3 acres within the total 8.8 acres recommended.

Water Right: 29-13621
NAME & ADDRESS: LARRY & LANA NAEF
5512 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S15 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S22 NENE NWNE

This right is for an enlargement of 2.0 acres within the total 6.2 acres recommended.

Water Right: 29-13622
NAME & ADDRESS: ROBIN HULL
2142 ARBON VALLEY HWY
POCATELLO, ID 83204

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 07/15/1976

POINT OF DIVERSION: T09S R37E S12 SENENW SESENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S15 NWSE SWSE

This right is for an enlargement of 3.0 acres within the total 8.3 acres recommended.

The water rights will be subject to all prior water rights. Those asserting injury from the enlargements may file petitions with the Director, Idaho Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402-3653 on or before March 25, 2004.

NOTICE OF ENLARGEMENT OF WATER RIGHT

The following claims to water rights have been filed in the Snake River Basin Adjudication as enlargements to existing water rights under Idaho Code §42-1426. Note that the places of use in Bannock County are shown to the nearest section — more specific locations are available upon request.

Water Right: 29-4381
NAME & ADDRESS: RICHMAN RANCH INC
RICK RICHMAN PRES
907 E RICHARDS RD
DOWNEY, ID 83234

SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1987

POINT OF DIVERSION: T11S R36E S11 NESWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T11S R36E S11 NENE NWNE SWNE SENW

This right is for an enlargement of 6.0 acres within the total 74.0 acres recommended.

Water Right: 29-10077
NAME & ADDRESS: CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE
SALT LAKE CITY, UT 84150-6312

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1981

POINT OF DIVERSION: T11S R37E S07 SENW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T11S R37E S07 NENW SENW NESW SESW S18 NWNE NENW SENW NESW SESW

This right is for an enlargement of 7.0 acres within the total 324.0 acres recommended.

Water Right: 29-10888
NAME & ADDRESS: ROBERT F & KATHLEEN A ZALUSCH
8083 W POCATELLO CREEK RD
POCATELLO, ID 83201

SOURCE: NORTH FORK POCATELLO CREEK TRIBUTARY: POCATELLO CREEK

PRIORITY DATE: 11/18/1987

POINT OF DIVERSION: T06S R35E S20 SENENE S21 SWNNWN

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T06S R35E S20 SENE

This right is for an enlargement of 2.2 acres within the total 2.2 acres recommended.

Water Right: 29-11493
NAME & ADDRESS: WILLIAM A & KATHLEEN M EGAN
1451 W HAWKINS RD
ARIMO, ID 83214

SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 06/01/1982

POINT OF DIVERSION: T11S R36E S11 NWSE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T11S R36E S11 NESW NWSE

This right is for an enlargement of 8.0 acres within the total 48.0 acres recommended.

Water Right: 29-11775
NAME & ADDRESS: CARROLL & JONE WILLMORE ESTATE
C/O JIM WILLMORE
519 PARK ST
ST ANTHONY, ID 83445

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 08/07/1932

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R37E S14 SENW NESW SESW SWSE

This right is for an enlargement of 6.6 acres within the total 121.4 acres recommended.

Water Right: 29-11799
NAME & ADDRESS: GARL & ANAVOE BARNES
3717 E BACK DOWNWATA RD
DOWNEY, ID 83234

SOURCE: MARSH CREEK TRIBUTARY: PORTNEUF RIVER

PRIORITY DATE: 04/01/1976

POINT OF DIVERSION: T12S R37E S05 NESESE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T12S R37E S04 SWSW S05 NWSE SWSE SESE

This right is for an enlargement of 28.0 acres within the total 78.0 acres recommended.

Water Right: 29-12518
NAME & ADDRESS: CECIL E ARMSTRONG
849 W GLOVER RD
ARIMO, ID 83214

SOURCE: DALE EVANS
PO BOX 34
ARIMO, ID 83214

SOURCE: GROUNDWATER

PRIORITY DATE: 06/26/1979

POINT OF DIVERSION: T10S R36E S15 NESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10S R36E S15 NESW NWSW SWSW SESW

This right is for an enlargement of 77.0 acres within the total 156.0 acres recommended.

Water Right: 29-12519
NAME & ADDRESS: HOWARD L ARMSTRONG
13244 W TRAIL CREEK
POCATELLO, ID 83204

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1970

POINT OF DIVERSION: T10S R36E S15 SWNNW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10S R36E S15 NENW NWNW SWNNW SENW S16 NENE SENE

This right is for an enlargement of 77.0 acres within the total 237.0 acres recommended.

Water Right: 29-13150
NAME & ADDRESS: KENNETH R & BRENDA DEGN
19748 S DEGN RD
DOWNEY, ID 83234

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1976

POINT OF DIVERSION: T11S R37E S18 SWNNW (LOT 2)

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T11S R37E S18 NWNW (LOT 1) SWNNW (LOT 2)

This right is for an enlargement of 17.9 acres within the total 100.0 acres recommended.

Water Right: 29-13180
NAME & ADDRESS: MOUNTAIN VIEW FARMS INC

POCATELLO, ID 83202-5206

SOURCE: GROUNDWATER

PRIORITY DATE: 06/27/1986

POINT OF DIVERSION: T06S R35E S30 NESWNE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T06S R35E S30 NESW SESW NWSE SWSE

This right is for an enlargement of 53.1 acres within the total 53.1 acres recommended.

Water Right: 29-13204
NAME & ADDRESS: ELMER H & FRANCES ANNE STANGER
2770 W PORTNEUF RD
INCOM, ID 83245

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

PRIORITY DATE: 10/31/1981

POINT OF DIVERSION: T07S R36E S20 SWSWSE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T07S R36E S20 SWSE S29 NWNE NENW SESE

This right is for an enlargement of 10.0 acres within the total 91.2 acres recommended.

Water Right: 29-13213
NAME & ADDRESS: BARBARA W KEVAN
3462 N 2500 E
TWIN FALLS, ID 83301

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION: T08S R38E S28 SWNESW

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T09S R38E S04 SWNE NENW

This right is for an enlargement of 2.4 acres within the total 4.0 acres recommended.

Water Right: 29-13247
NAME & ADDRESS: OX YOKO RANCH
1706 N HWY 38
BRIGHAM CITY, UT 84302

SOURCE: GROUNDWATER

PRIORITY DATE: 04/01/1987

POINT OF DIVERSION: T10S R36E S33 SESE (4 POD's within this section) S34 SESW T11S R36E S03 SESW S04 SWNE S05 SESE

PURPOSE OF USE: IRRIGATION

PLACE OF USE: T10S R36E S33 SESE S34 SWSW SESW NWSE SWSE SESE T11S R36E S03 NENE(LOT1) NWNE(LOT2) SWNE SENE NENW(LOT3) NWNW(LOT4) SWNN SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE S04 NENE(LOT1) NWNE(LOT2) SWNE SENE NESW NWSW SWSW SESW NESE NWSE SWSE SESE S05 SESW SWSE SESE(LOT7) S08 NENE(LOT1) NWNE SWNE SENE(LOT2) NENW SENW S09 NENE NWNE SWNE NENW NWNW SENW NESW NWSE SWSE S10 NENW NWNW

This right is for an enlargement of 45.0 acres within the total 1480.0 acres recommended.

JAN 13 2004

Department of Water Resources
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PROOF OF PUBLICATION

JAN 05 2004

Department of Water Resources
Eastern Region

STATE OF IDAHO
County of Bannock

LN10275

KAREN MASON

being first duly sworn on oath deposes and says: That SHE was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

DEC. 18	, 2003	2003
DEC. 25	, 2003	, 2003
	2003	, 2003

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

Karen Mason

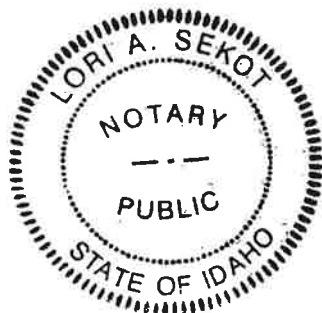
STATE OF IDAHO
COUNTY OF BANNOCK

On this 30TH DAY of DEC. in the year of 2003, before me, a Notary Public, personally appeared KAREN MASON, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Lori A. Sekot
Notary Public for Idaho

Residing at ARIMO

My commission expires :FEBRUARY 2009



02/18/2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13327

RONNIE D TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5267

SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246
Telephone Number: (208)776-5267

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-15-03

SIGNATURE:

Ronnie D Tillotson

Please print your name:

Ronnie D. Tillotson

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Home place

\$50⁰⁰ Fee Due

No Late Fee - ABR

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-13327
Date Received: 3/26/2002

Receipt No:
Received By:

EP28395

ENLARGEMENT

12/20/02 ABR

ENLARGEMENT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONNIE D TILLOTSON Phone: (208)776-5267
PO BOX 261
LAVA HOT SPRINGS ID USA 83246

SHERRIL TILLOTSON Phone: (208)776-5267
PO BOX 261
LAVA HOT SPRINGS ID USA 83246

2913327



2. Date of Priority: ~~01/01/1999~~ 1945 *R.D.T.*
3. Source: DEMPSEY CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	38E	4	NE SW SW	BANNOCK	

5. Description of diverting works:

WEST DEMPSEY DITCH HEADING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.078	

7. Total Quantity Appropriated is:
0.078 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	38E	32	SE SE	IRRIGATION	7.7
				Section Acres	7.7
09S	38E	33	SE SW	IRRIGATION	9.5
			SW SW	IRRIGATION	24.1
				Section Acres	33.6

Total Acres 41.3

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

29-00162

14. Remarks:

ENLARGEMENT CLAIM FOR 5.2 ACRES.

EVIDENCE OF PRIORITY REQUESTED.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Ronnie D Tellata Date: 7-23-02

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd

of July 2002

Aileen B Rubenay

Notary Public

Residing at Idaho Falls Idaho

My commission Expires 9/23/03



My name is Fern Byington and this statement is being provided for Ronnie and Sherril Tillotson regarding the history of beneficial use of water on their farm in Dempsey Creek south of Lava Hot Springs.

My husband and I owned the farm before the Tillotsons. We moved onto the farm in 1945 and purchased it from my father-in law.

The irrigation water was used on the farm Ronnie and Sherril now own before April 15th and after September 15th during all of the years we owned the farm.

Signature Fern F Byington
Address 10284 E Hwy 30
Lava Hot Springs, Id 83246

On August 19, 2002, before me, Renee McBride a Notary Public, personally appeared Fern F Byington, known to me to be the person whose name is subscribed to this statement.



Notary Public Renee McBride
Residing At Lava Hot Springs ID
Term Expires May 31 2006