

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-167, 29-168, 29-178, 29-179, 29-13333,
29-13334.

01/10/2003

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

RIGHT NUMBER: 29-13333
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: EAST CREEK TRIBUTARY: DEMPSEY CREEK
QUANTITY: 0.710 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.94 CFS. COMBINED RIGHT NOS.: 29-167, 29-168,
29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 01/01/1999

POINT OF DIVERSION:

T10S R38E S10 NWNWNE 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	0.710 CFS
STOCKWATER	04/01 10/31	0.050 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R38E S33	SWSE	23.0	T10S R38E S04 Lot 1 NENE	15.0
T10S R38E S04 Lot 2 NWNE		4.0	T10S R38E S04 SWNE	29.0
T10S R38E S04	SENE	32.0	T10S R38E S04 SWNW	0.9
T10S R38E S04	SENE	18.0	T10S R38E S04 NESW	28.0
T10S R38E S04	NWSW	1.6	T10S R38E S04 SWSW	2.8
T10S R38E S04	SESW	6.9	T10S R38E S04 NESE	2.8
T10S R38E S04	NWSE	20.0		

STOCKWATER Within BANNOCK County

T09S R38E S33	SWSE		T10S R38E S04 Lot 1 NENE	
T10S R38E S04 Lot 2 NWNE			T10S R38E S04 SWNE	
T10S R38E S04	SENE		T10S R38E S04 SWNW	
T10S R38E S04	SENE		T10S R38E S04 NESW	
T10S R38E S04	NWSW		T10S R38E S04 SWSW	
T10S R38E S04	SESW		T10S R38E S04 NESE	
T10S R38E S04	NWSE			

184 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

01/10/2003

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

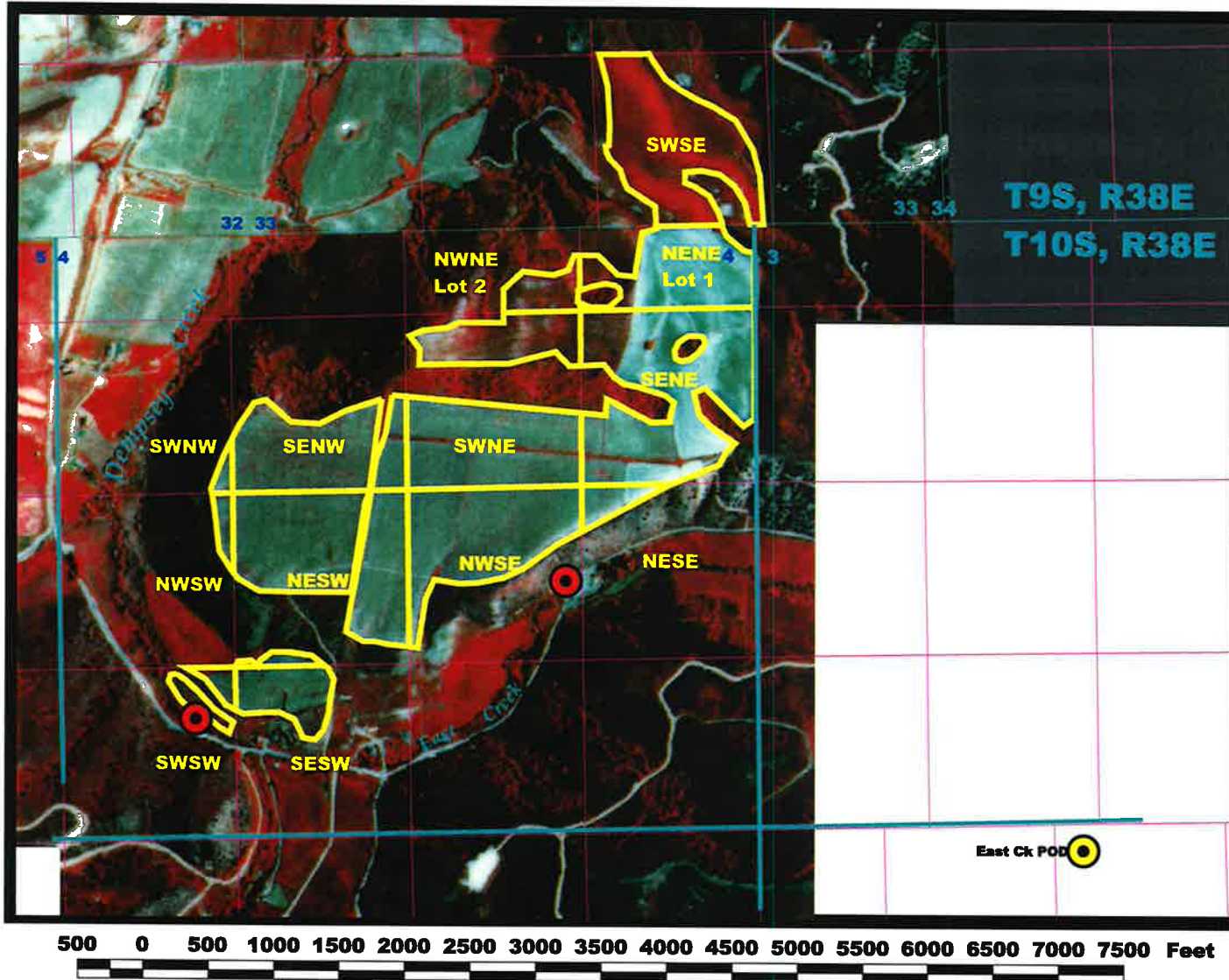
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-167, 29-168, 29-178, 29-179, 29-13333,
29-13334.



Point(s) of Diversion: T10S, R38E
Sec. 10 □ NWNWNE



LEGEND

- | | |
|---|---------------------------|
|  | Point of Diversion |
|  | SESE |
|  | Place of Use |
|  | Section |
|  | Quarter-Quarter |

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

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: 29-13333

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):

Fix Priority Date to 6/15/1973 Done

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

4/9/03

RM

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

Done.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

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 Nos. 29-167, 29-168, 29-178 and 29-179 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-167, 29-168, 29-178, 29-179, 29-13333,
29-13334.

This right is for an enlargement of 37 acres within the place of use
described for this right.

\$119⁰⁰ Dues

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 29-13333
Date Received: 3/27/2002
Receipt No: E028395
Received By: 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

2. Date of Priority: ~~01/01/1999~~ **6.15-1999 RPT**

3. Source: EAST CREEK Trib. to: DEMPSEY CREEK

4. Point of Diversion:

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

5. Description of diverting works:

DIVERSION OFF CREEK TO PIPELINE THEN TO SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.71	
STOCKWATER	04/01	10/31	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 200

2913333



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	33	SW SW	SE SE	IRRIGATION STOCKWATER	22.5
Section Acres						22.5
10S	38E	4	NW	SE	IRRIGATION	20.4
			NE	NE	IRRIGATION	14.6
			NE	SE	IRRIGATION	2.8
			NW	NE	IRRIGATION	4
			SW	NE	IRRIGATION	28.7
			SE	NE	IRRIGATION	31.6
			SW	NW	IRRIGATION	0.9
			SE	NW	IRRIGATION	18
			NE	SW	IRRIGATION	27.8
			NW	SW	IRRIGATION	1.6
			SW	SW	IRRIGATION	2.9
			SE	SW	IRRIGATION	6.8
			NW	SE	STOCKWATER	
			NE	NE	STOCKWATER	
			NE	SE	STOCKWATER	
			NW	NE	STOCKWATER	
			SW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			SW	NW	STOCKWATER	
			SE	NW	STOCKWATER	
			NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SW	SW	STOCKWATER	
			SE	SW	STOCKWATER	
Section Acres						160.1
Total Acres						182.6

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:

29-00167, 29-00168, 29-00178, 29-00179

14. Remarks:

STOCKWATER FOR 200 CATTLE.

TEMPORARY STATUS; FEES DUE.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-00167, 29-00168, 29-00178, 29-00179 PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 35.6 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

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): *Remona D Tillotson* Date: 7-23-02

Date:

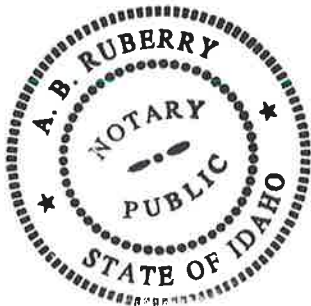
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd
of July 2002 *Aaron B Ruberry*

Notary Public

Residing at *Grand Falls Idaho*

My commission Expires 9/23/03



29-167, 168, 178 & 179

I. All Rts. ARE FROM SAME PDD ON EAST CK. NO OTHER PDD CLAIMED - THIS HAPPENED LONG LONG AGO - WATER WAS DELIVERED THROUGH OPEN DITCH TO PDD FOR GRAVITY IRRIG BY BOTH FLOOD AND SPRINKLER. MR. TILLOTSON INSTALLED THE PIPING ABOUT 1998 OR 1999.

II. OLD SURVEY PLATS NAME EAST CREEK AS EAST FORK DEMOSBY CREEK. USGS RECOGNIZES EAST CK TODAY.
→ REF: OD BB-92. - CØ2

III. PDD w/ Limits ON AC AND Q. COMBINED USG REMARKS.
→ C1B, CØ3, CØ5, ... SØ8. NO ACRE LIMIT DETAILED BY DECREE.

IV.	Rt #	Priority	Claimed		Limit RECOMMENDED @ 0.02 cfs/ac.	
			cfs	AC.	cfs	AC.
	29-167	7/1/81	0.52	144 [±]	0.52	26 [±]
	29-168	5/1/82	0.54	144 [±]	0.54	27 [±]
	29-178	5/1/82	1.24	163 [±]	1.24	62 [±]
	29-179	4/15/93	<u>0.64</u>	163 [±]	<u>0.64</u>	<u>32[±]</u>
					2.94	147 [±]

a. RECOGNIZED ACRES BY GPS 182[±]

b. NEEDS ENLARG... CLAIM FOR (-135[±]) AC

c. DECREE IS NOT CLEAR AS TO DIV. RATE / AC. HOWEVER, §42-202 (3), §42-220 IC ARE SPECIFIC AS TO 1" / AC OR 0.02 cfs PER ACRE.

V. SEASON OF USE BY DECREE IS APRIL 15 TO SEPTEMBER 15. HOWEVER, EARLY AND LATE SEASON OF EXTENDED USE ARE RECOGNIZED - BUT REQUIRE ADDITIONAL CLAIMS.

This statement is regarding the history of beneficial use of water for Claim #29-13333 on my farm in Dempsey Creek south of Lava Hot Springs.

In June, 1973, I shared the cost of installing a main line and sprinkler system with my neighbor George DeRay Hobson for improvements to irrigated ground I owned and ground owned by Mr. Hobson. Mr. Hobson was then able to water approximately an additional 50 acres of farm ground. The 50 acres was in addition to the acreage in claim #29-13333. The additional acreage is in T.10S., R.38E., Section 4 and includes land in SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, Lot 2 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 1 NE $\frac{1}{4}$, NE $\frac{1}{4}$.

I have since then purchased this same ground from Mr. Hobson and am the current owner of the ground and user of the water.

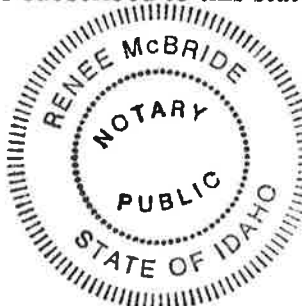
I can also confirm the water on the increased acreage has historically been used on the farm ground before April 15th and after September 15th during all of these years.

Signature

Address

Ronnie P. Tiltson
Box 261
Lava Hot Springs, Idaho

On December 16, 2002, before me, Renee McBride a Notary Public, personally appeared Ronnie Tiltson, known to me to be the person whose name is subscribed to this statement.



Notary Public

Residing At

Term Expires

Renee McBride
Lava Hot Springs
May 31, 2006