

04/09/2003

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

RIGHT NUMBER: 29-13334
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: 2.940 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: 08/07/1932

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	2.940 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	SENW	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			

184 ACRES TOTAL

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

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29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 01/01/1999

8/7/1992

POINT OF DIVERSION:

T10S R38E S10 NWNWNE Within BANNOCK County

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PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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PLACE OF USE: IRRIGATION Within BANNOCK County

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184 ACRES TOTAL

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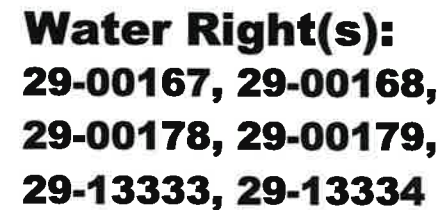
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29-13334.



**Place of Use: (parts of): T9S, R38E
Sec. 33 SWSE,
T10S, R38E Sec. 4 NE, SW,
N2SE, S2NW**

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



LEGEND



Point of Diversion

SESE

Place of Use

--	--

Section

11

Quarter-Quarter

**GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 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: 29-13334

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 8/7/1932

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

*Done
4/9/03*

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

#100.00 Dug
ABR

piece

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 29-13334
Date Received: 3/27/2002
Receipt No: EQ28395
Received By: 12/20/02 ABR

EXTENDED SEASON OF USE

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

ADT

2. Date of Priority: ~~01/01/1999~~ 8-7-1982

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	2.94	

7. Total Quantity Appropriated is:
2.94 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	33	SW SE	IRRIGATION	22.5
				Section Acres	22.5
10S	38E	4	NW SE	IRRIGATION	20.4
			NE NE 1	IRRIGATION	14.6
			NE SE	IRRIGATION	2.8
			NW NE 2	IRRIGATION	4

2913334



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

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:

14. Remarks:

THIS AN EXTENDED SEASON OF USE CLAIM BASED ON DECREED RIGHTS 29-00167, 29-00168, 29-00178, 29-00179.

TEMPORARY STATUS; FEES DUE.

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): Rennie D Tillotson Date: 7-23-02

Date:

State of Idaho)
County of Bannock) SS.

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

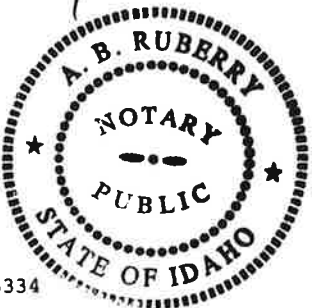
of July 2002

Aaron B Ruberry

Notary Public

Residing at PO Box 10000

My commission Expires 9/23/03



My name is Gladys Hobson 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.

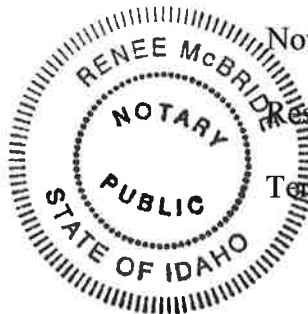
My husband and I started farming with my husband's father in the Dempsey Creek Valley in 1938 after we were married. Water from East Creek and Dempsey Creek was being used for beneficial use on our farm ground which is now owned by the Tillotsons. I have personal knowledge the water was being used for beneficial use as early as 1932, which is when my husband's father moved onto this same ground.

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

Signature
Address

Gladys Hobson

On ~~August~~ ^{Dec.} 11, 2002, before me, Renee McBride a Notary Public, personally appeared Gladys Hobson, 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