

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72806

This is to certify that: RONNIE D TILLOTSON

And

SHERRIL TILLOTSON

PO BOX 261

LAVA HOT SPRINGS ID 83246

(208)776-5267

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-167	WR/Decreed	07/01/1881	0.52 cfs	N/A	26.0	184.0	EAST CREEK
29-168	WR/Decreed	05/01/1882	0.54 cfs	N/A	27.0	184.0	EAST CREEK
29-178	WR/Decreed	05/01/1882	1.24 cfs	N/A	62.0	184.0	EAST CREEK
29-179	WR/Decreed	04/15/1893	0.64 cfs	N/A	32.0	184.0	EAST CREEK
29-13333	WR/Decreed	06/15/1973	0.71 cfs	N/A	37.0	184.0	EAST CREEK
29-13334	WR/Decreed	08/07/1932	2.94 cfs	N/A	N/A	184.0	EAST CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-167	NO	NO	YES	NO	NO	NO
29-168	NO	NO	YES	NO	NO	NO
29-178	NO	NO	YES	NO	NO	NO
29-179	NO	NO	YES	NO	NO	NO
29-13333	NO	NO	YES	NO	NO	NO
29-13334	NO	NO	YES	NO	NO	NO

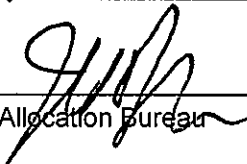
SUPPORT DATA
 IN FILE # 29-167

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
29-167	29-167	0.52 cfs	N/A	26.0	199.7		N/A	N/A	N/A	N/A
29-168	29-168	0.54 cfs	N/A	27.0	199.7		N/A	N/A	N/A	N/A
29-178	29-178	1.24 cfs	N/A	62.0	199.7		N/A	N/A	N/A	N/A
29-179	29-179	0.64 cfs	N/A	32.0	199.7		N/A	N/A	N/A	N/A
29-13333	29-13333	0.71 cfs	N/A	37.0	199.7		N/A	N/A	N/A	N/A
29-13334	29-13334	2.94 cfs	N/A	184.0	199.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		2.94 cfs	N/A	184.0	199.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of September, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-167
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-167 is now described as follows.

Right Holder: RONNIE D TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

Priority Date: July 01, 1881

Source: EAST CREEK

Tributary: DEMPSEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	0.52 CFS
			0.52 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	38E	33												5.0			35.0		40.0
10S	38E	4	20.0	10.0	29.0	32.0			.9	18.0	27.0				2.8	20.0			159.7
			L 1	L 2															

Total Acres: 199.7

WATER RIGHT NO. 29-167
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right No. 29-13333 is an enlargement of this right pursuant to Section 42-1426, Idaho Code..
5. This right is limited to the irrigation of 26 acres within the place of use described above in a single irrigation season.
6. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 184 acres.
7. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-168
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-168 is now described as follows.

Right Holder: RONNIE D TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

Priority Date: May 01, 1882

Source: EAST CREEK

Tributary: DEMPSEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	0.54 CFS
			0.54 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 38E 33												5.0			35.0		40.0
10S 38E 4	20.0	10.0	29.0	32.0			.9	18.0	27.0				2.8	20.0			159.7
	L 1	L 2															

Total Acres: 199.7

WATER RIGHT NO. 29-168
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right no. 29-13333 is an enlargement of this right pursuant to section 42-1426, Idaho Code.
5. This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.
6. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 184 acres.
7. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-178
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-178 is now described as follows.

Right Holder: RONNIE D TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

Priority Date: May 01, 1882

Source: EAST CREEK

Tributary: DEMPSEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 09/15	1.24 CFS
			1.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	38E	33												5.0			35.0		40.0
10S	38E	4	20.0	10.0	29.0	32.0			.9	18.0	27.0				2.8	20.0			159.7
			L 1	L 2															

Total Acres: 199.7

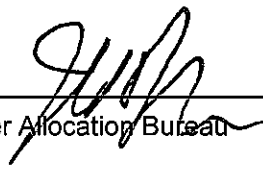
WATER RIGHT NO. 29-178
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right No. 29-13333 is an enlargement of this right pursuant to Section 42-1426, Idaho Code..
5. This right is limited to the irrigation of 62.0 acres within the place of use described above in a single irrigation season.
6. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 184 acres.
7. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-179
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-179 is now described as follows.

Right Holder: RONNIE D TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

Priority Date: April 15, 1893

Source: EAST CREEK

Tributary: DEMPSEY CREEK

BENEFICIAL USE

IRRIGATION

From

04/15 to 09/15

To

Diversion Rate

0.64 CFS

0.64 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	38E	33												5.0			35.0		40.0
10S	38E	4	20.0	10.0	29.0	32.0									2.8	20.0			159.7
			L 1	L 2															

Total Acres: 199.7

WATER RIGHT NO. 29-179
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Right No. 29-13333 is an enlargement of this right pursuant to Section 42-1426, Idaho Code..
5. This right is limited to the irrigation of 32.0 acres within the place of use described above in a single irrigation season.
6. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 199.7 acres.
7. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13333
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-13333 is now described as follows.

Right Holder: RONNIE D TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
 PO BOX 261
 LAVA HOT SPRINGS ID 83246

Priority Date: June 15, 1973

Source: EAST CREEK

Tributary: DEMPSEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.71 CFS
STOCKWATER	04/01 to	10/31	0.05 CFS
			0.71 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION and STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 38E 33												5.0			35.0		40.0
10S 38E 4	20.0	10.0	29.0	32.0			.9	18.0	27.0				2.8	20.0			159.7
	L1	L2															

Total Acres: 199.7

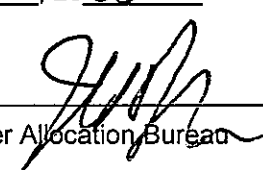
WATER RIGHT NO. 29-13333
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 37 acres within the place of use described above in a single irrigation season.
5. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 184 acres.
6. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13334
As Modified by Transfer No. 72806

In accordance with the approval of Transfer No. 72806, Water Right No. 29-13334 is now described as follows.

Right Holder: RONNIE D TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

And

SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS ID 83246

Priority Date: August 07, 1932

Source: EAST CREEK

Tributary: DEMPSEY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	2.94 CFS
			2.94 CFS

LOCATION OF POINT(S) OF DIVERSION:

EAST CREEK NWNWNE Sec. 10 Twp 10S Rge 38E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	38E	33												5.0			35.0		40.0
10S	38E	4	20.0	10.0	29.0	32.0			.9	18.0	27.0				2.8	20.0			159.7
			L 1	L 2															

Total Acres: 199.7

WATER RIGHT NO. 29-13334
As Modified by Transfer No. 72806

CONDITIONS OF APPROVAL

1. The operation and administration of this water right is subject to the terms and conditions of the Portneuf River Settlement Agreement, Basin 29; Portneuf River filed with the SRBA District Court April 22, 2005.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. This right is limited to the irrigation of 184 acres within the place of use described above in a single irrigation season.
6. Rights 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334 when combined shall not exceed a total diversion rate of 2.94 cfs, and the irrigation of 184 acres.
7. The following rights are also diverted through the point of diversion described above: 29-167, 29-168, 29-178, 29-179, 29-13333, and 29-13334.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of September, 2008



Chief, Water Allocation Bureau