

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71664

This is to certify that: CONNIE M TILLOTSON Or
KIT H TILLOTSON
PO BOX 701
LAVA HOT SPRINGS ID 83246
(208)776-5825

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>
29-158A	WR/Decreed	04/01/1880	1.77 cfs	N/A	N/A	88.7	DEMPSEY CREEK
29-13405	WR/Decreed	04/01/1938	1.77 cfs	N/A	N/A	88.7	DEMPSEY CREEK

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

29-159A	WR/Decreed	04/15/1896	0.06 cfs	N/A	3.0	88.7	DEMPSEY CREEK
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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>
29-158A	YES	YES	YES	NO	NO	NO
29-13405	YES	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-158A	29-13702	0.02 cfs	N/A	N/A	1.0	29-13701	1.75 cfs	N/A	N/A	87.7
29-13405	29-13704	0.02 cfs	N/A	N/A	1.0	29-13703	1.75 cfs	N/A	N/A	87.7
29-159A		N/A	N/A	N/A	N/A	29-159A	0.06 cfs	N/A	3.0	87.7
COMBINED TOTALS		0.02 cfs	N/A	N/A	1.0		1.75 cfs	N/A	87.7	87.7

Detailed Water Right Description(s) attached

Dated this 7th day of November, 2005



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-158A

WATER RIGHT NO. 29-13701
As Modified by Transfer No. 71664

In accordance with the approval of Transfer No. 71664, Water Right No. 29-13701 is now described as follows.

Right Holder: KIT H TILLOTSON Or
 CONNIE M TILLOTSON
 PO BOX 701
 LAVA HOT SPRINGS ID 83246

Priority Date: April 01, 1880

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 09/15	1.75 CFS	
			1.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

DEMPSEY CREEK NWNESW Sec. 33 Twp 09S 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	28											24.0	34.0	.1				58.1
09S	38E	29													28.0	1.6			29.6

Total Acres: 87.7

CONDITIONS OF APPROVAL

1. This right when combined with rights 29-13703 and 29-159A shall provide no more than 0.02 cfs per acre.
2. Rights 29-13701, 29-13703 and 26-159A when combined shall not exceed the irrigation of 87.7 acres in a single irrigation season.
3. Rights 29-13703 and 29-159A are also diverted through the point of diversion described above.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/22/2004.
5. 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 7th day of November, 2005


 Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13702
As Modified by Transfer No. 71664

In accordance with the approval of Transfer No. 71664, Water Right No. 29-13702 is now described as follows.

Right Holder: KIT H TILLOTSON And
 CONNIE M TILLOTSON
 PO BOX 701
 LAVA HOT SPRINGS ID 83246

Priority Date: April 01, 1880

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 09/15	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

DEMPSEY CREEK SWSW Sec. 4 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					
09S	38E	32															1.0	1.0	

Total Acres: 1.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Rights 29-13702 and 29-13704 when combined shall not exceed a total diversion rate of 0.02 cfs, and the irrigation of one acre.
5. Right 29-13704 is also diverted through the point of diversion described above.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 03/22/2004.
7. 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.

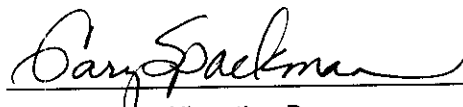
WATER RIGHT NO. 29-13702
As Modified by Transfer No. 71664

CONDITIONS OF APPROVAL

8. 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.
9. This right does not grant any right-of-way or easement across the land of another.

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 7th day of November, 20 05



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13703
As Modified by Transfer No. 71664

In accordance with the approval of Transfer No. 71664, Water Right No. 29-13703 is now described as follows.

Right Holder: KIT H TILLOTSON Or
 CONNIE M TILLOTSON
 PO BOX 701
 LAVA HOT SPRINGS ID 83246

Priority Date: April 01, 1938

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.75 CFS	
			1.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

DEMPSEY CREEK NWNESW Sec. 33 Twp 09S 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					
09S	38E	28									24.0	34.0	.1					58.1	
09S	38E	29												28.0	1.6			29.6	

Total Acres: 87.7

CONDITIONS OF APPROVAL

1. This right when combined with Rights 29-13701 and 29-159A shall provide no more than 0.02 cfs per acre.
2. Rights 29-13701, 29-13703 and 29-159A when combined shall not exceed the irrigation of 87.7 acres in a single irrigation season.
3. Rights 29-13701 and 29-159A are also diverted through the point of diversion described above.
4. 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 7th day of November, 2005



Chief, Water Allocation Bureau

WATER RIGHT NO. 29-13704
As Modified by Transfer No. 71664

In accordance with the approval of Transfer No. 71664, Water Right No. 29-13704 is now described as follows.

Right Holder: CONNIE M TILLOTSON And
 KIT H TILLOTSON
 PO BOX 701
 LAVA HOT SPRINGS ID 83246

Priority Date: April 01, 1938

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.02 CFS	
			0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION:

DEMPSEY CREEK SWSW Sec. 4 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	32																1.0	1.0

Total Acres: 1.0

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Rights 29-13702 and 29-13704 when combined shall not exceed a total diversion rate of 0.02 cfs, and the irrigation of one acre.
5. Right 29-13702 is also diverted through the point of diversion described above.
6. 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.

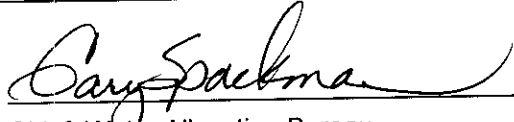
WATER RIGHT NO. 29-13704
As Modified by Transfer No. 71664

CONDITIONS OF APPROVAL

7. 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.
8. This right does not grant any right-of-way or easement across the land of another.

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 7th day of November, 20 05


Chief, Water Allocation Bureau

WATER RIGHT NO. 29-159A
As Modified by Transfer No. 71664

In accordance with the approval of Transfer No. 71664, Water Right No. 29-159A is now described as follows.

Right Holder: KIT H TILLOTSON Or
 CONNIE M TILLOTSON
 PO BOX 701
 LAVA HOT SPRINGS ID 83246

Priority Date: April 15, 1896

Source: DEMPSEY CREEK

Tributary: PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	0.06 CFS	
			0.06 CFS	

LOCATION OF POINT(S) OF DIVERSION:

DEMPSEY CREEK NWNESW Sec. 33 Twp 09S 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	28									24.0	34.0	.1						58.1
09S	38E	29													28.0	1.6			29.6
Total Acres:			87.7																

CONDITIONS OF APPROVAL

1. This right when combined with rights 29-13701 and 29-13703 shall provide no more than 0.02 cfs per acre.
2. Rights 29-13701, 29-13703 and 29-159A when combined shall not exceed the irrigation of 87.7 acres in a single irrigation season.
3. Rights 29-13701 and 29-13703 are also diverted through the point of diversion described above.
4. This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/01 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 9/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the SRBA partial decree date.
6. 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 7th day of November, 2005



Chief, Water Allocation Bureau