

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: A75-07020
Date Received: 11/01/1990
Receipt No: E013997
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAN O'CONNOR
Address: PO BOX 219
CHALLIS, ID 83226
208-879-2542
2. Date of Priority: DEC 15, 1971
3. Source: WIRE GULCH CREEK Trib. to: PANTHER CREEK, SALMON RIVE
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	18E	34	NW	NW			LEMHI
5. Description of diverting works:
REFER TO REMARKS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		
DOMESTIC	01/01	12/31	0.080		
7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 12.0 Acre Feet Per Annum.
9. Non-irrigation uses:
5-6 HORSES USE OPEN WATER FROM GULCH & PANTHER CREEK
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	18E	33	NE	NE		IRR	4.0
			NE	NE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT HAS ASSOCIATES IN OWNERSHIP & CLAIMS ON BEHALF OF ALL OWNERS. MAPS OF THIS AREA VARY REGARDING PRECISE LOCATION. LANDS ARE WITHIN ORIGINAL HES #239.
#5 - WATER COLLECTED IN COVERED SUMP; PIPED IN 2-INCH PIPE TO WOODEN HOLDING TANK & TRANSPORTED TO P.O.U. IN 2-INCH PLASTIC BURIED PIPE. EXACT LOCATION OF DIVERSION & LANDS ARE ESTIMATES AS LANDS LIE IN UNSURVEYED DOMAIN.

15. Basis of Claim: LICENSE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A75-07020

5/1/90

E013997

RECEIVED

OCT 23 1990

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) DAN O'CONNOR Phone (208) 879-2542Mailing Address P. O. Box 219, Challis, Idaho Zip 832262. Date of Priority (Only one (1) per claim) 12-15-713. Source of water supply (a) Wire Gulch Creekwhich is tributary to (b) Panther Creek, Salmon River4. a. Location of existing point of diversion is: Township 23 N Range 18 E Section 341/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

1/4, Govt. Lot B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water collected in covered sump;pipd in 2-inch pipe to wooden holding tank and transported to
place of use in 2-inch plastic buried pipe. Exact location of
diversion and lands are estimates as lands lie in unsurveyed
domain.

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DEC 15 1992

A7507020

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 0.03 or _____

For Domestic purposes from 01/01 to 12/31 amount 0.08 or _____

For Livestock purposes from 01/01 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount 1.5 or _____

7. Total quantity claimed (a) 0.13, 11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5-6 horses use open water from Gulch and Panther Creek

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
23N	18E	33	S&D 4																4

Total number of acres irrigated 4

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: Claimant has associates in ownership and claims on behalf of
all owners. Maps of this area vary regarding precise location.
Lands are within original HES #239.

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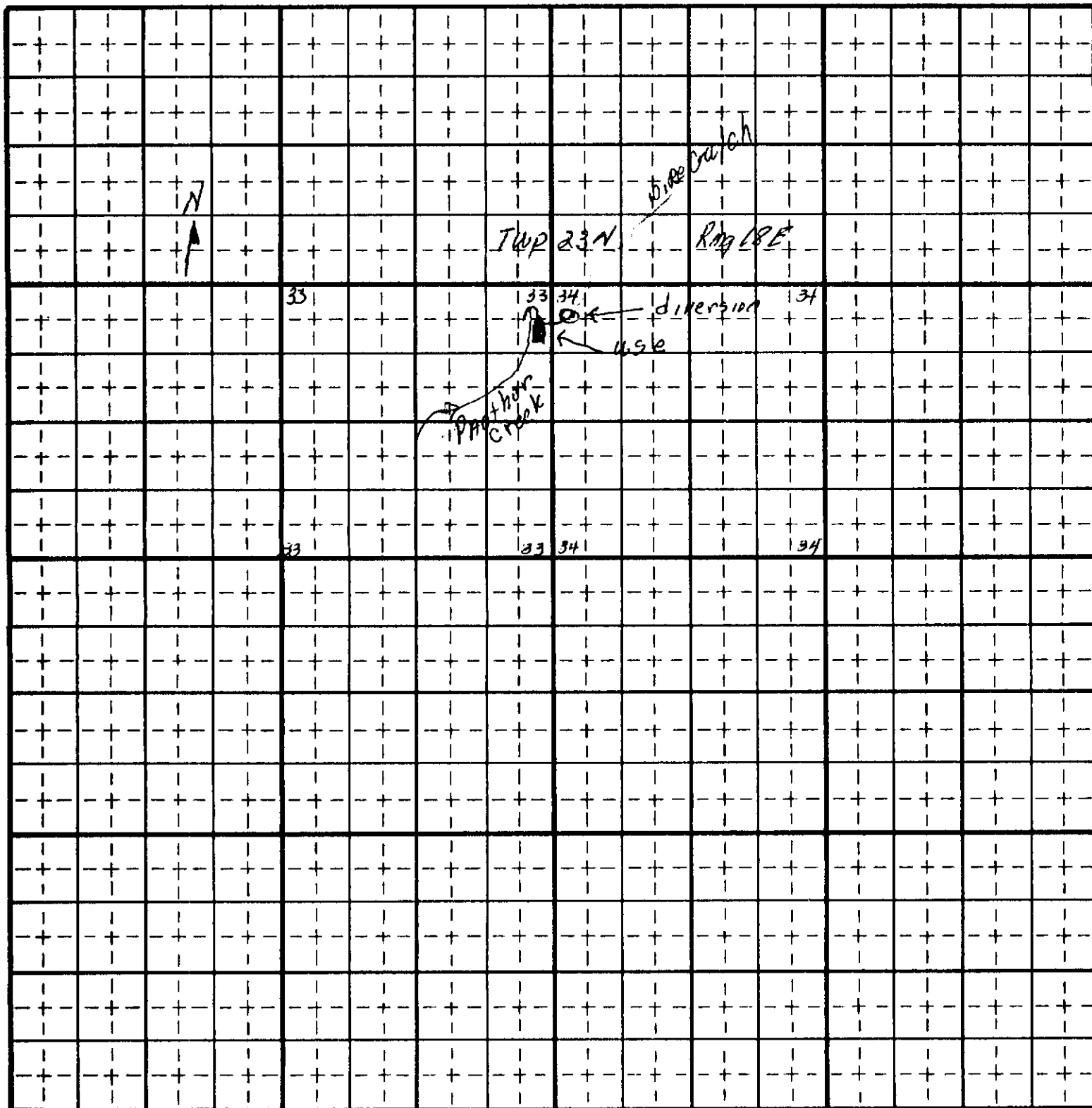
DEC 15 1992

Last Name O'CONNOR Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Location Not precise. Variation in Maps and Data

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Last Name

O'Connor

Ident No.

DEC 15 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-07020

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Dan O'Connor Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Auster) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 19 90

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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DEC 15 1992

Last Name O'CONNOR Ident. Number _____

Copies White-State, Yellow-Claimant

4/11/1989

SREA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

O'CONNOR

CLAIM IDENT. NO.

A75-07020

DATE RECEIVED

CK #

AMOUNT \$

1. Is the name and address complete with zip code? ☒ YES ☐ NO ^{Requires info?}
2. Is a priority date entered? ☒ YES ☐ NO
3. Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO
3. (a) Is a source entered? ☒ YES ☐ NO
- (b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☐ YES ☒ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☒ NO N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.d. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☒ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☒ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: JXDate: 10-30-90Claim must be returned to claimant: ☐ Yes ☒ NoClaimant must be notified of modifications: ☐ Yes ☒ NoReceipt Prepared by: AKDate: 11/1/90Claim data entered by: AKDate: 11/1/90Checked by: AKDate: 11/1/90Sent to claimant by: AKDate: 11/1/90Comments: Ltr ret'd this office / corrections

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DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

October 17, 1990

Dan O'Connor
P.O. Box 219
Challis, ID 83226

RE: Notice of Claim A75-07020

Dear Mr. O'Connor:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right because of insufficient information. All items on the forms must be completed and fees submitted before the IDWR can process the notice.

Please correct the items identified below and return the notice to the IDWR by November 19, 1990.

Item #6: Your license calls for 0.11 cfs of water for irrigation of four (4) acres and 0.03 cfs for domestic purposes. By definition, in Section 42-111 Idaho Code, "domestic use" includes the use of water for livestock if the total domestic use does not exceed 13,000 gallons per day. To claim stockwater as a separate use will require filing a separate Notice of Claim for that purpose. Please correct the claim to reflect the license and return to this office.

A Notice of Claim to a Water Right must be filed in the Snake River Basin Adjudication at this time for all purposes commencing prior to November 20, 1987, except for some domestic and stock uses not exceeding 13,000 gallons per day. Failure to record a Notice of Claim for all other uses will result in forfeiture of the water right.

Should extenuating circumstances prevent you from being able to return the notice by the above date, it is important IDWR be notified. Failure to either return the corrected notice or provide justification for

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

PROCESSED

OCT 17 1990

Department of Water Resources
Eastern District Office

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DEC 15 1992

Dan O'Connor
Page - 2 -

additional time will be cause for refunding the filing fee previously paid and removal of the notice from the IDWR records. Notices returned after the refund process has been initiated will be subject to a late fee plus the regular filing fee.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208)-525-7161.

Respectfully submitted,



Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

*P.S. a stockwater claim form with instructions
is enclosed*

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DEC 15 1992

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. Box 36
CHALLIS, IDAHO 83226

(208) 879-4488

REC-1113
MAY 1 1990
Department of Water Resources
Eastern District Office

April 30, 1990

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83401

Re: Dan O'Connor Water

Dear Sirs:

Enclosed is the Notice of Claim to a Water Right in the
above matter, along with my check in the amount of \$54.00.

Very truly yours,

James R. Bennetts

JRB:jab
Enclosures

MICROFILMED
DEC 15 1992

North District

NOV 21 1977

State of Idaho

Department of Water Resources

RECEIVED

Department of Water Resources
Eastern District Office

NOV 16 1977

WATER RIGHT LICENSE

Department of Water Resources

License of Water Right No. 75-7020 Priority December 15, 1973 Amount 0.11 cfs

THIS IS TO CERTIFY, that DAN O'CONNOR
of Challis, Idaho, has complied with the terms and conditions of Permit
No. 75-7020 issued pursuant to Application for Permit dated December 15, 1971
and has submitted proof to the Department of Water Resources on March 3, 1975
that he has applied water to a beneficial use. An examination by the Department indicates that the works have a
capacity for the diversion of 0.11 cfs of water from Wire Gulch Creek
tributary to Panther Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to October 30	at 0.03 cfs and	10.50 acre feet
Domestic	from Jan. 1 to December 31	at 0.08 cfs and	2.40 acre feet
	from to at cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.11 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
12.90 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 23N,
Rge. 18E, B.M. in the County of Lemhi

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
23N	18E	33	3.5																3.5

Total number of acres irrigated 3.5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21st day of
October, 19 77.

Director