

**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: March 3, 2006

Water right number: 77-4007

CATHERINE M GILLIHAN

850 JACKSON AVE

EMMETT ID 83617

Telephone Number: (208) 365-5384

ROBERT J GILLIHAN JR

850 JACKSON AVE

EMMETT ID 83617

10004 W. Glen Ellen
Boise, ID 83704

208-327-0907

208-321-1092

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The combining of this water right = 77-4007 & 77-7058 in error
The overlapping of water rights denies us 8+ acres of water -
land has been cleared in around lodge contains trees & denied because not cleared

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

77-4007 - should contain at least 8 acres -
SE NW - should be 3+
NE SW should be 5

3. Give a brief explanation as to why you disagree with these portions:

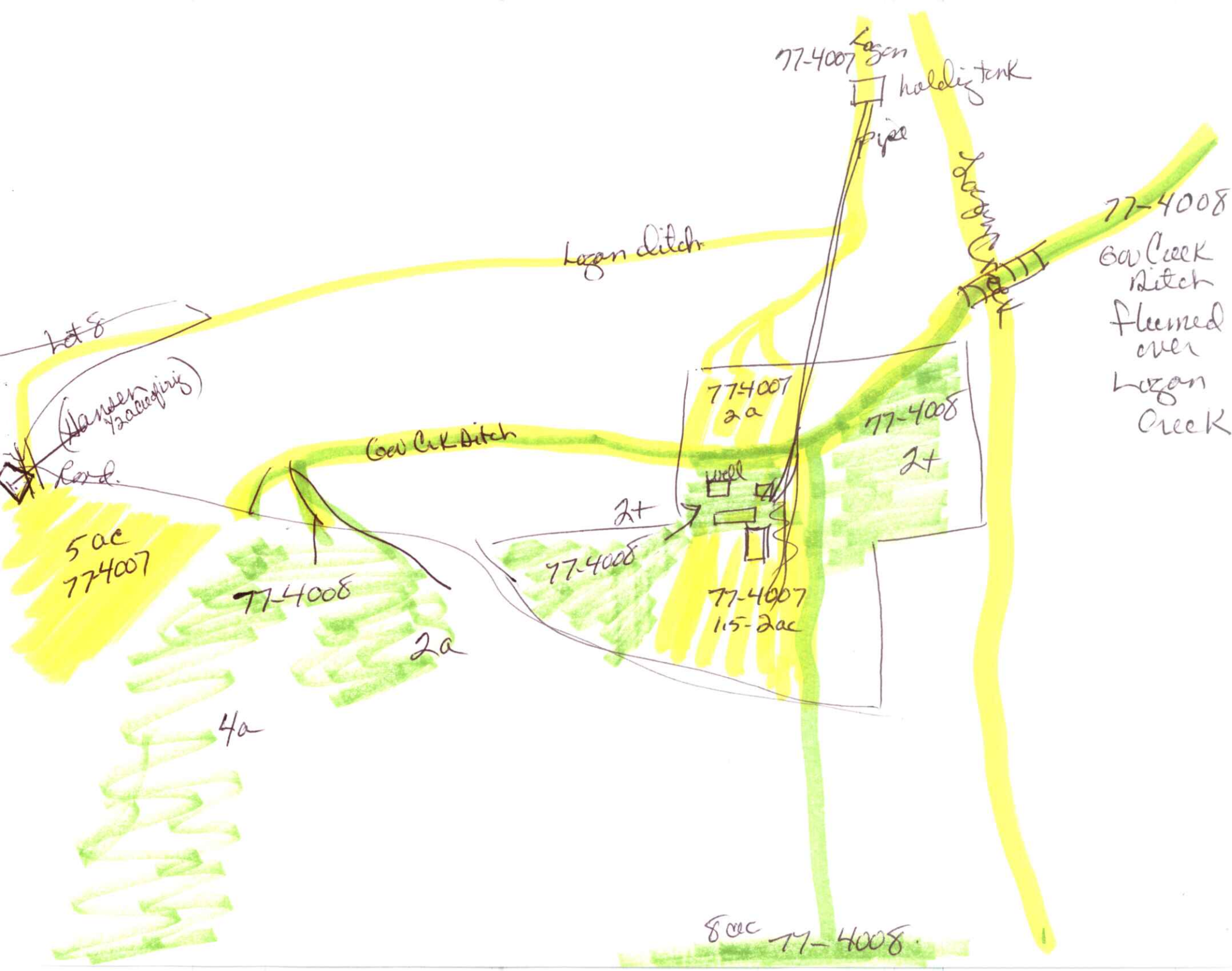
Because areas circled on map by R. Knoblock are
incorrect as far as we can determine - map furnished.
acres determined by combining water rights not on this property.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800



01/05/2006

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

RIGHT NUMBER: 77-4007
NAME AND ADDRESS: CATHERINE M GILLIHAN
~~850 JACKSON AVE~~
~~EMMETT ID 83617~~
ROBERT J GILLIHAN JR
~~850 JACKSON AVE.~~
~~EMMETT ID 83617~~

10064 W. Glen Ellen
Boise, ID 83704
208-321-1092
208-327-0907

SOURCE: LOGAN CREEK
QUANTITY: 0.240 CFS

TRIBUTARY: BIG CREEK

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/07/1925

POINT OF DIVERSION: T21N R09E S34 NWNWSE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	05/01 10/31	0.160 CFS
DOMESTIC	01/01 12/31	0.080 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R09E S35 SENW 5.00 T21N R09E S35 NESW 3.00

DOMESTIC Within VALLEY County

T21N R09E S35 SENW

8 ACRES TOTAL

on East Side of River

Right Nos. 77-4007, 77-4008 and 77-7058 are limited to the irrigation of a combined total of 8 acres in a single irrigation season.

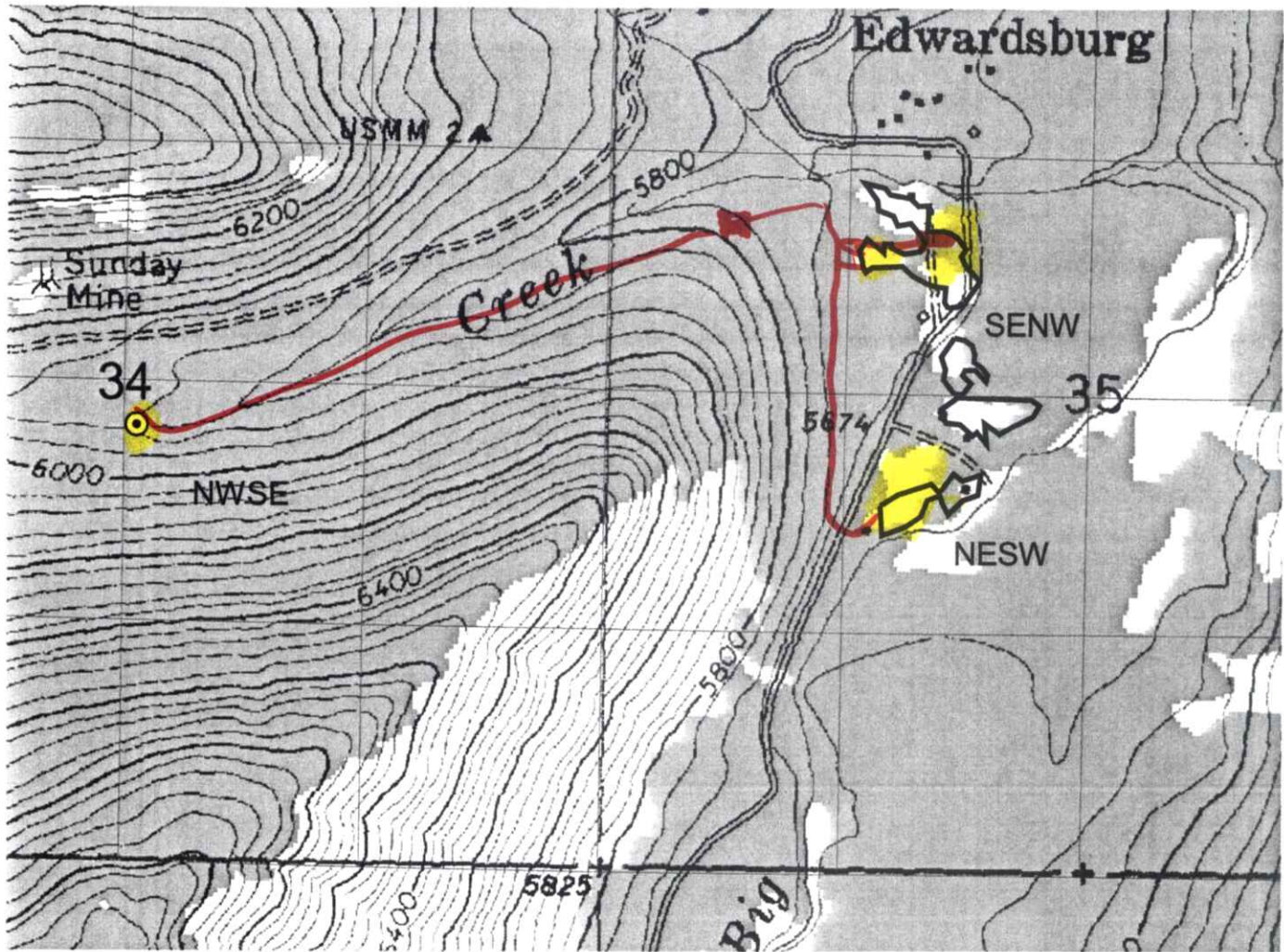
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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

77-4007



0 600 1200 Feet

Sections 34 & 35
T21N R9E



⊙ Point of Diversion

□ Place of Use

Map prepared on April 11, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: A77-04007
Date Received: 11/17/1988
Receipt No: W001453
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CATHERINE M GILLIHAN 208-327-0907
Address: BIG CREEK ID 83677
OR
Name: ROBERT J GILLIHAN 208-327-0907
Address: BIG CREEK ID 83677

2. Date of Priority: MAY 7, 1925

3. Source: LOGAN CREEK Trib. to: BIG CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	09E	34	NW	NW	SE		VALLEY

5. Description of diverting works:
DIV. DAM W/DITCHES, HOLDING TANK W/PIPE TO DOMESTIC USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.240		
DOMESTIC	01/01	12/31	0.080		

7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/GILLIHAN'S LODGE, SHOWERHOUSE, LAUNDRY - UP TO 17 PEOPLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	09E	35	SE	NW		IRR	3.0
			SE	NW		DOMEST	
			NE	SW		IRR	9.0
						Section Acres	12.0
						Total Acres	12.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

WATER RIGHT NO. 77-02073 - SEE REMARKS.

14. Remarks:

THIS CLAIM FILING INCLUDES THE 5 ACRES LISTED IN WATER RIGHT NO. 77-02073. THE PRIORITY DATE OF 77-02073 IS INCORRECT SINCE THE USE OF THIS WATER BEGAN EARLIER THAN WHEN THE PERMIT WAS FILED. THIS CLAIM REFLECTS THE CORRECT PRIORITY DATE FOR ALL USES.

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Gillihan Ditch and Hydro Diversions

T21N,R9E,section 34 and 35

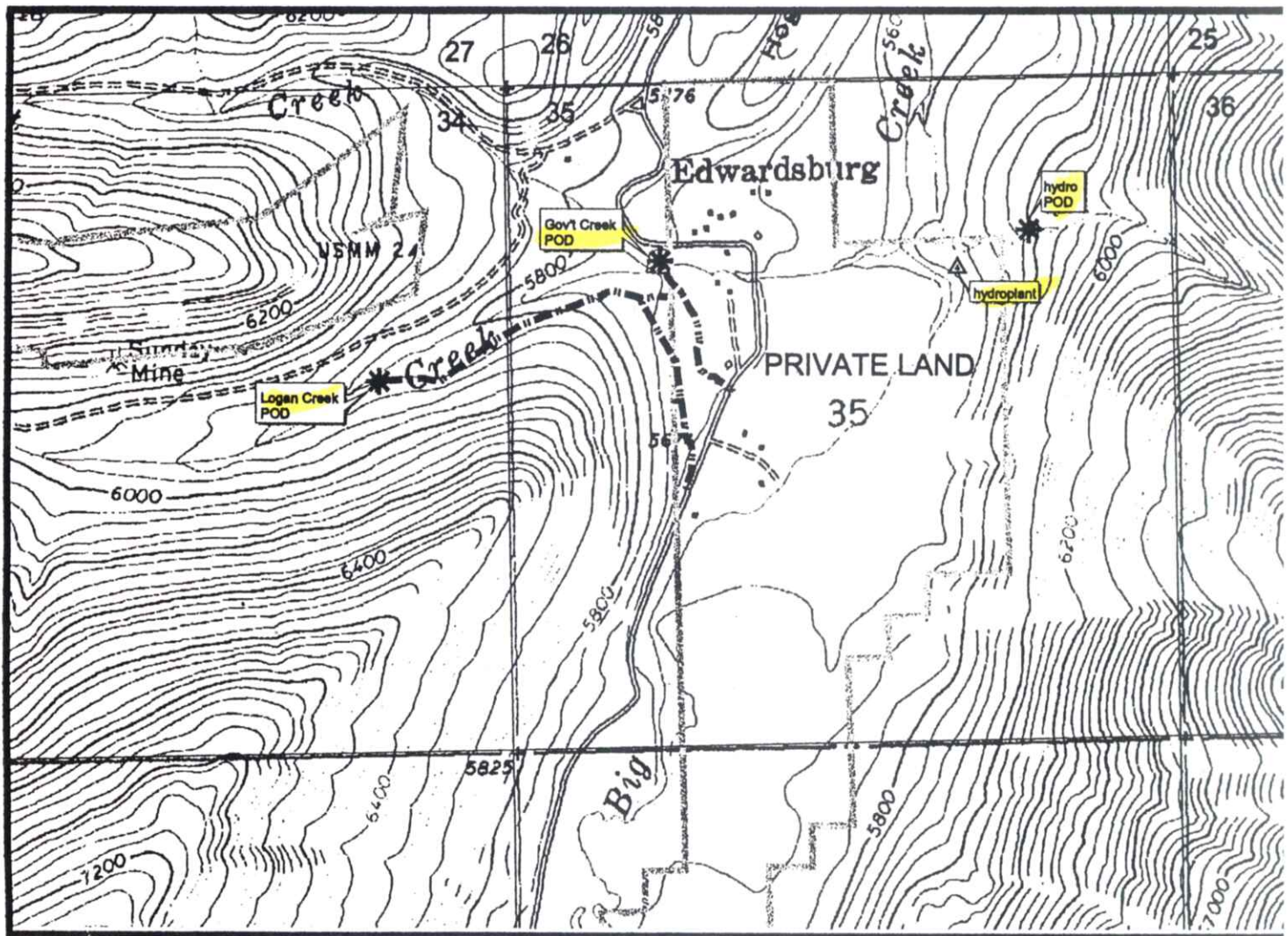
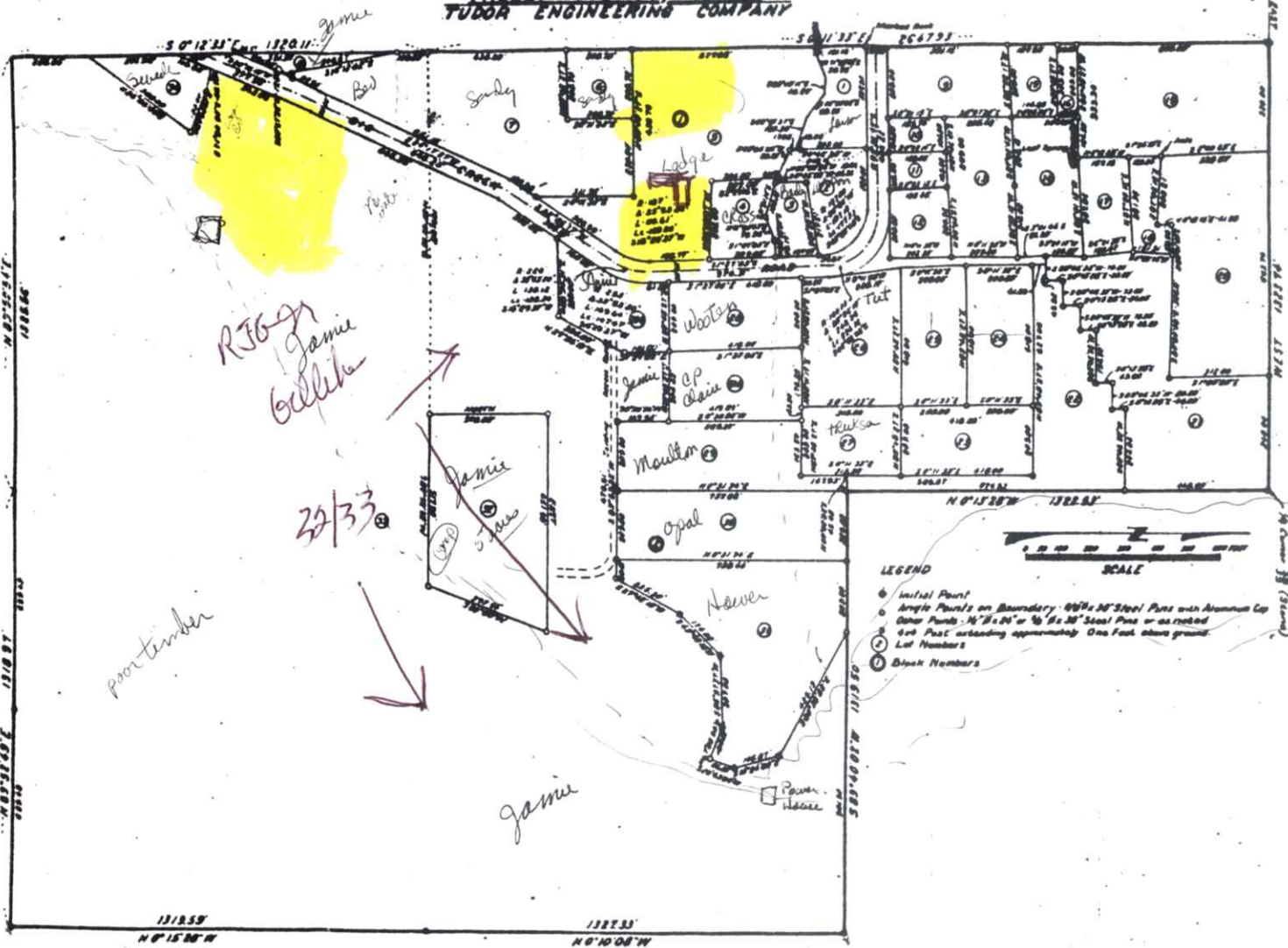


Exhibit A

EDWARDSBURG RECORDER'S PLAT NO 1

A PORTION OF SECTION 35, T21N, R9E, BM

VALLEY COUNTY, IDAHO
TUDOR ENGINEERING COMPANY



77-4007

