

**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: 77-4008

CATHERINE M GILLIHAN

~~BIG CREEK ID 83677~~

Telephone Number: ~~(208) 327-0907~~

ROBERT J GILLIHAN JR

~~850 JACKSON AVE.~~

~~EMMETT ID 83617~~

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

See map on 77-4007.

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

The overlapping & combining this right & 77-4007 denying us our 16 acres of irrigation - He includes right # in error - 77-7058 which is on another piece of property -

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

① 21N 09E 3-SWNE - 8 acres.
SENE - 6 + 9 acres.
NESE - 4 + acres
② put 77-7058 on East side of River & not included in this water.

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

- Because of the error of locating 77-7058 on ~~east~~ side of river.
- Aerial doesn't show true pasture & grass among trees.
- trees have to be cut for fire prevention - did not allow for 5 years of F.S. thinning.

☐ 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: 77-4008
NAME AND ADDRESS: CATHERINE M GILLIHAN
BIG CREEK ID 83677
ROBERT J GILLIHAN JR
~~850 JACKSON AVE.~~
~~EMMETT ID 83617~~

*10064th Ellen Ellen
Boise, ID 83704
208-321-1092
208-327-0907*

SOURCE: GOVERNMENT CREEK TRIBUTARY: LOGAN CREEK
QUANTITY: 0.380 CFS

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

PRIORITY DATE: 07/02/1928

POINT OF DIVERSION: T21N R09E S35 NESWNW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	05/01 10/31	0.320 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R09E S35	SWNE	8.00	T21N R09E S35	SENE	5.00
T21N R09E S35	NESW	3.00			

STOCKWATER Within VALLEY County

T21N R09E S35	SWNE	T21N R09E S35	SENE
T21N R09E S35	NESW		

DOMESTIC Within VALLEY County

T21N R09E S35	NESW
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16 ACRES TOTAL

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.

not near this property.

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

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

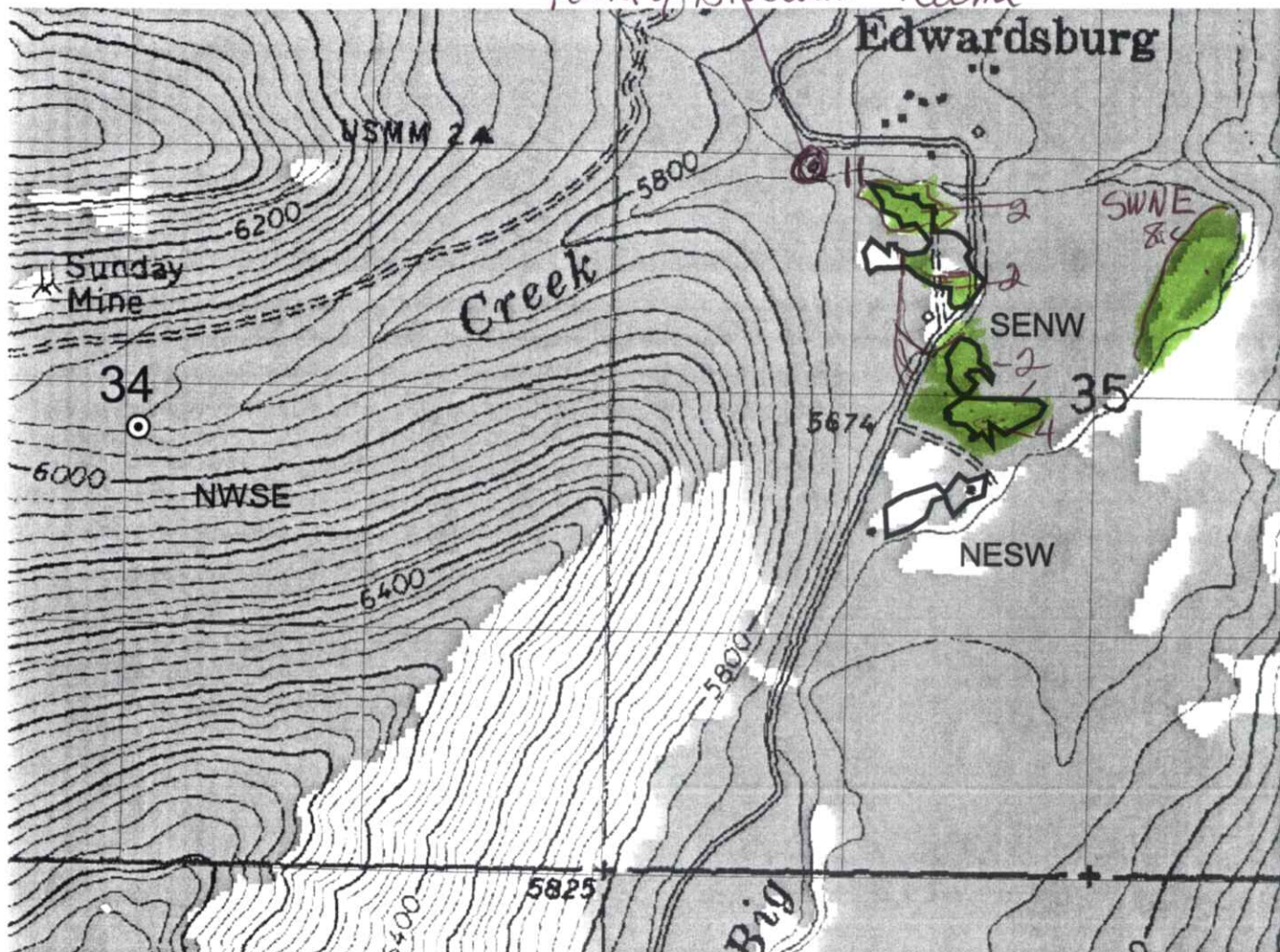
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4008

Gov Creek water

Point of Diversion Home



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: A77-04008

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 JR 208-327-0907
Address: BIG CREEK ID 83677

2. Date of Priority: JUL 2, 1928

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	09E	35	NE	SW	NW		VALLEY

5. Description of diverting works:

DIV. DAM W/FLUME OVER LOGAN CK. & DITCHES TO PLACES OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.640 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOME, S/10 HD. HORSES.

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
21N	09E	35	SW	NE		IRR	8.0
			SW	NE		STOCK	
			SE	NW		IRR	9.0
			SE	NW		STOCK	
			NE	SW		IRR	12.0
			NE	SW		DOMEST	
			NE	SW		STOCK	

Section Acres 29.0

Total Acres	29.0
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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. 77-02043 - SEE REMARKS.

14. Remarks:

THIS CLAIM FILING INCLUDES THE 25 ACRES SHOWN IRRIGATED UNDER LICENSE NO. 77-02043. SINCE AN ADDITIONAL 4 ACRES WERE IRRIGATED IN 1928, THIS CLAIM COVERS THE ENTIRE AMOUNT AND WATER RIGHT NO. 77-02043 WILL NOT BE CLAIMED.

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

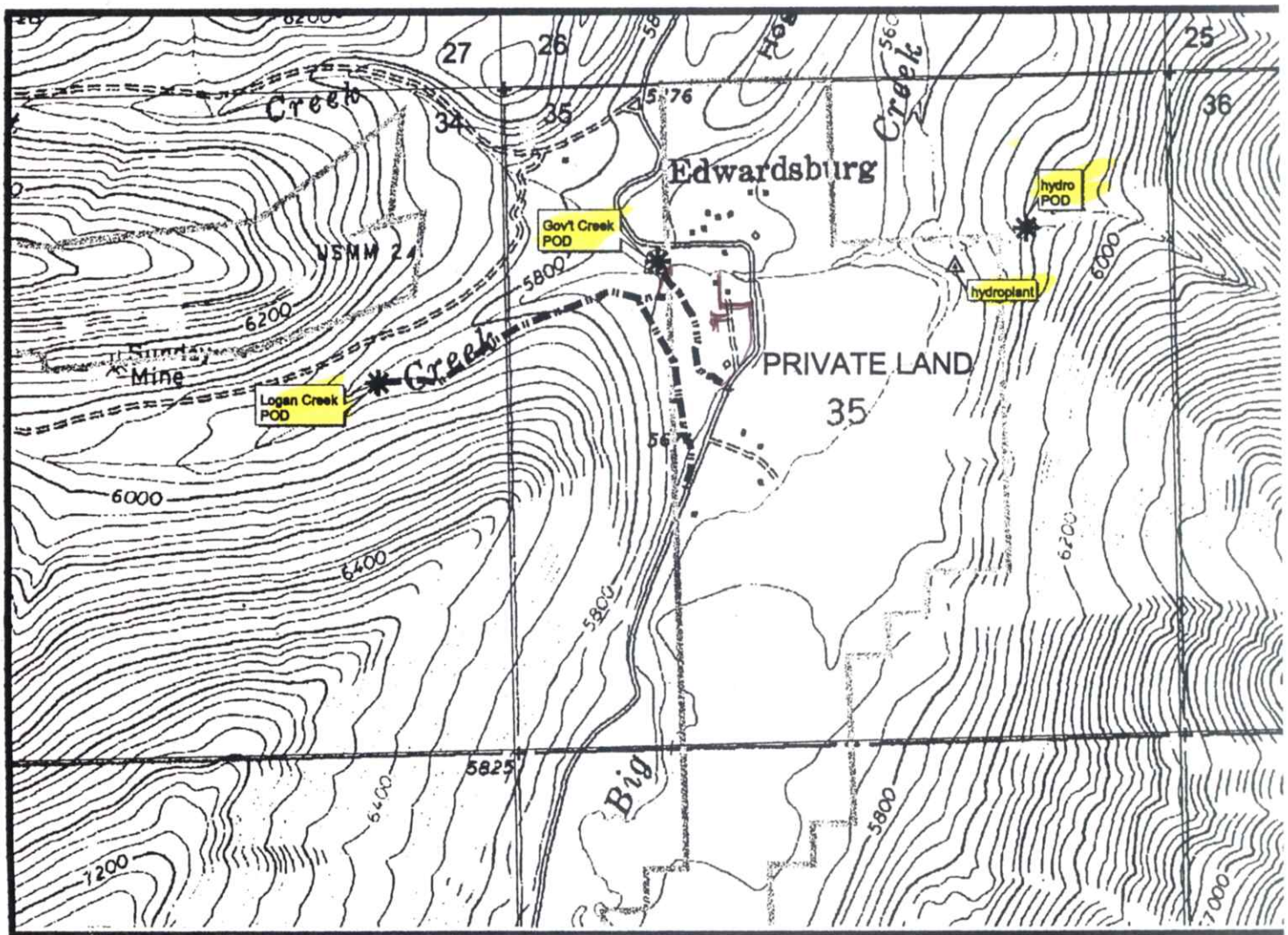
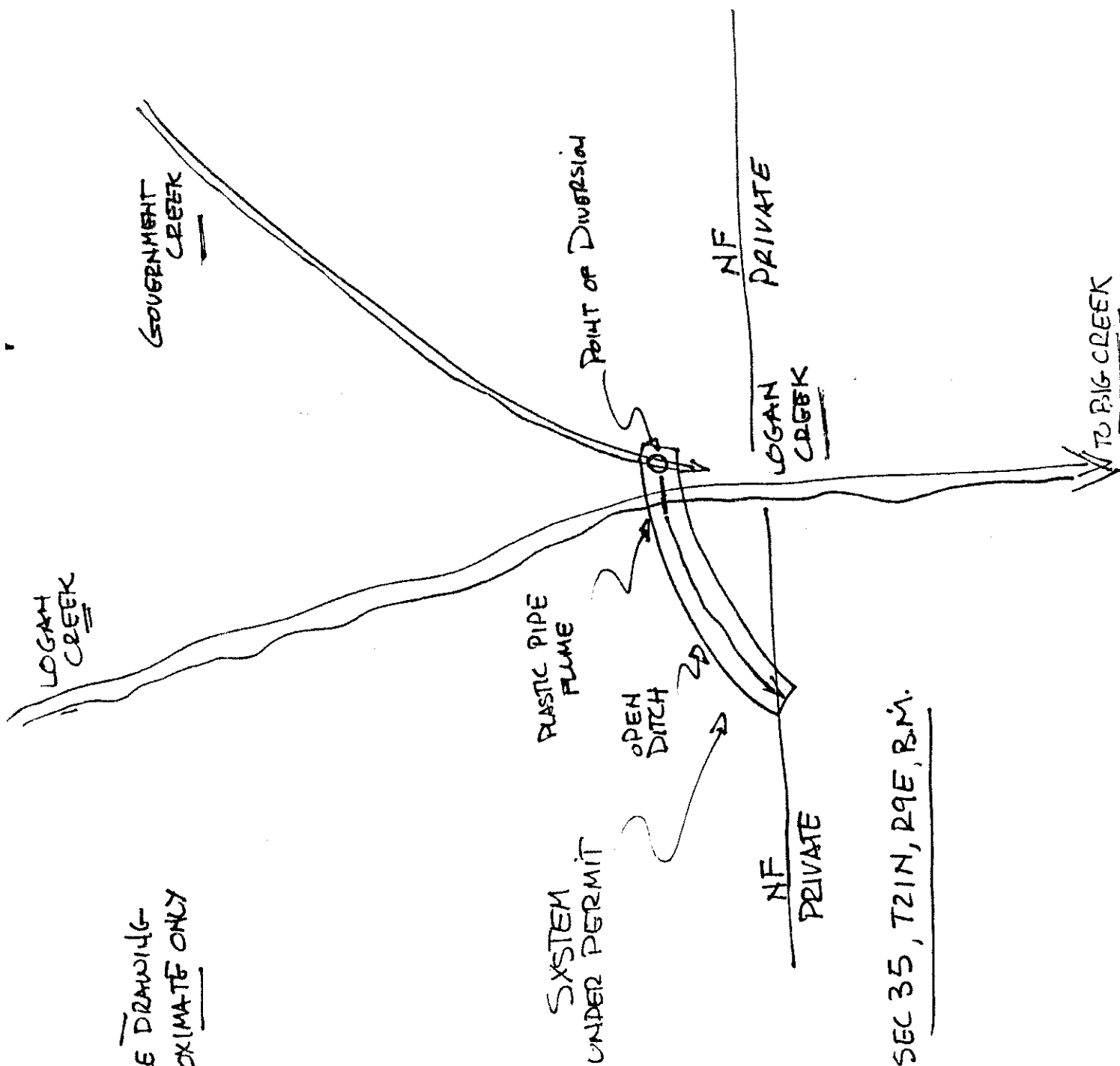


Exhibit A

LINE DRAWING-
APPROXIMATE ONLY



SEC 35, T21N, R9E, B.M.

7.7-4008

VALLEY COUNTY, IDAHO
TUDOR ENGINEERING COMPANY

