

03/23/2006

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

RIGHT NUMBER: 77-4008

NAME AND ADDRESS: ROBERT J GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

CATHERINE M GILLIHAN
C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

SOURCE: GOVERNMENT CREEK

TRIBUTARY: LOGAN CREEK

QUANTITY: 0.290 CFS

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

PRIORITY DATE: 10/05/1925

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	0.230 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R09E S35	SWNE	3.14	T21N R09E S35	SENE	5.00
T21N R09E S35	NESW	3.00			

DOMESTIC Within VALLEY County

T21N R09E S35 NESW

STOCKWATER same as IRRIGATION

11.14 ACRES TOTAL

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

03/08/2006

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

RIGHT NUMBER: 77-4008

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10064 GLEN ELLEN ST
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C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

SOURCE: GOVERNMENT CREEK

TRIBUTARY: LOGAN CREEK

QUANTITY: 0.290 CFS

2 AFY

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

PRIORITY DATE: 10/05/1925

POINT OF DIVERSION:

T21N R09E S35 NESWNW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	05/01 10/31	0.230 CFS

AFY

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R09E S35	SWNE	2.40	3.14	T21N R09E S35
T21N R09E S35	NESW	2.20	3.00	

SENW 3.40 5.00

STOCKWATER Within VALLEY County

T21N R09E S35	SWNE	T21N R09E S35	SENW
T21N R09E S35	NESW		

DOMESTIC Within VALLEY County

T21N R09E S35	NESW
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8 ACRES TOTAL 11.14

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

03/03/2006

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

RIGHT NUMBER: 77-4008

NAME AND ADDRESS: ROBERT J GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

CATHERINE M GILLIHAN
C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

SOURCE: GOVERNMENT CREEK

TRIBUTARY: LOGAN CREEK

QUANTITY: 0.380 CFS

? AFY

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

PRIORITY DATE: 10/05/1925

POINT OF DIVERSION:

T21N R09E S35 NESWNW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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	3.14	T21N R09E S35	SENW	5.00
T21N R09E S35	NESW	3.00			

STOCKWATER Within VALLEY County

T21N R09E S35	SWNE	T21N R09E S35	SENW
T21N R09E S35	NESW		

DOMESTIC Within VALLEY County

T21N R09E S35	NESW
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~~16 ACRES TOTAL~~ 11.14

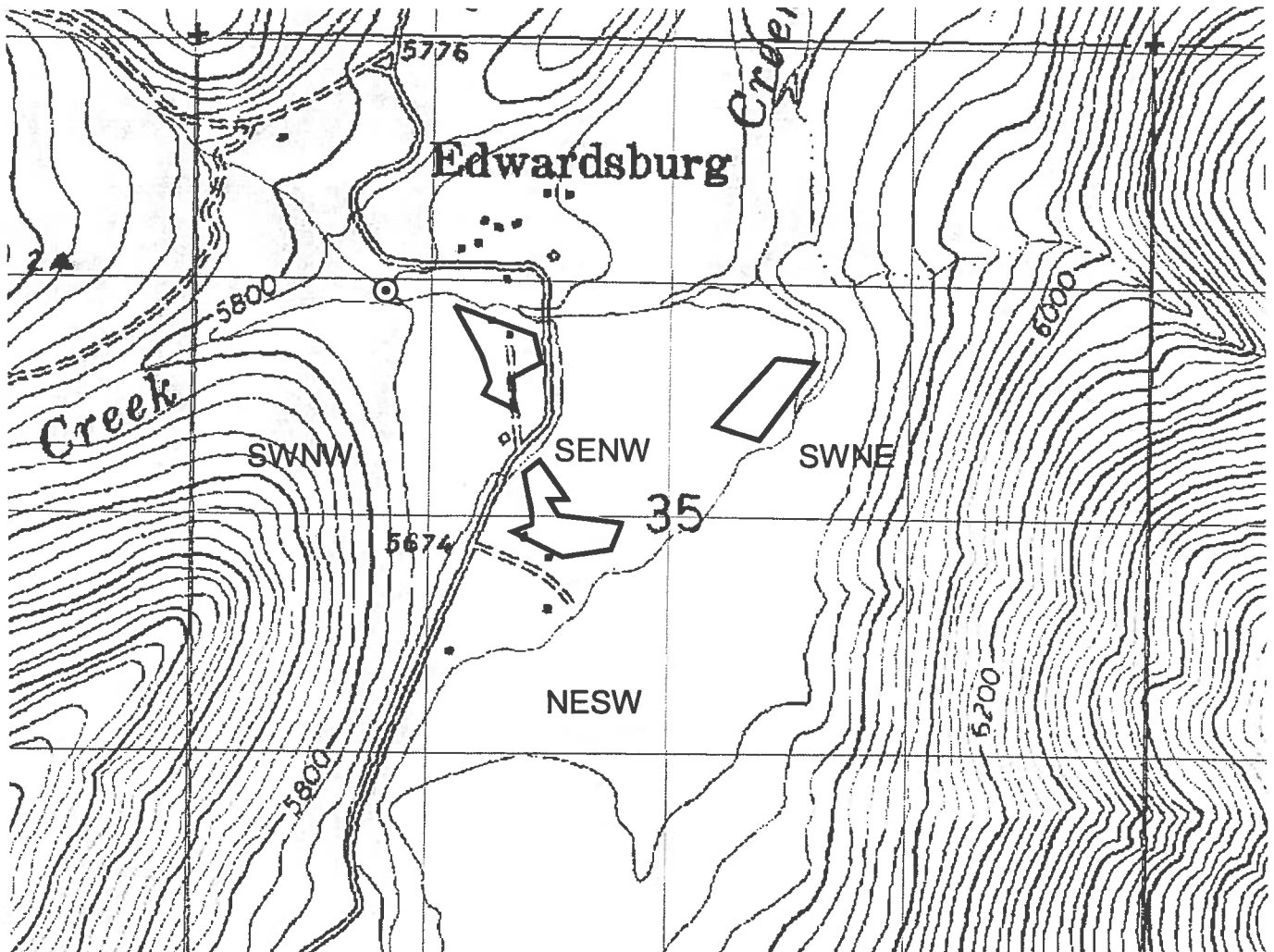
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



0 600 1200 Feet



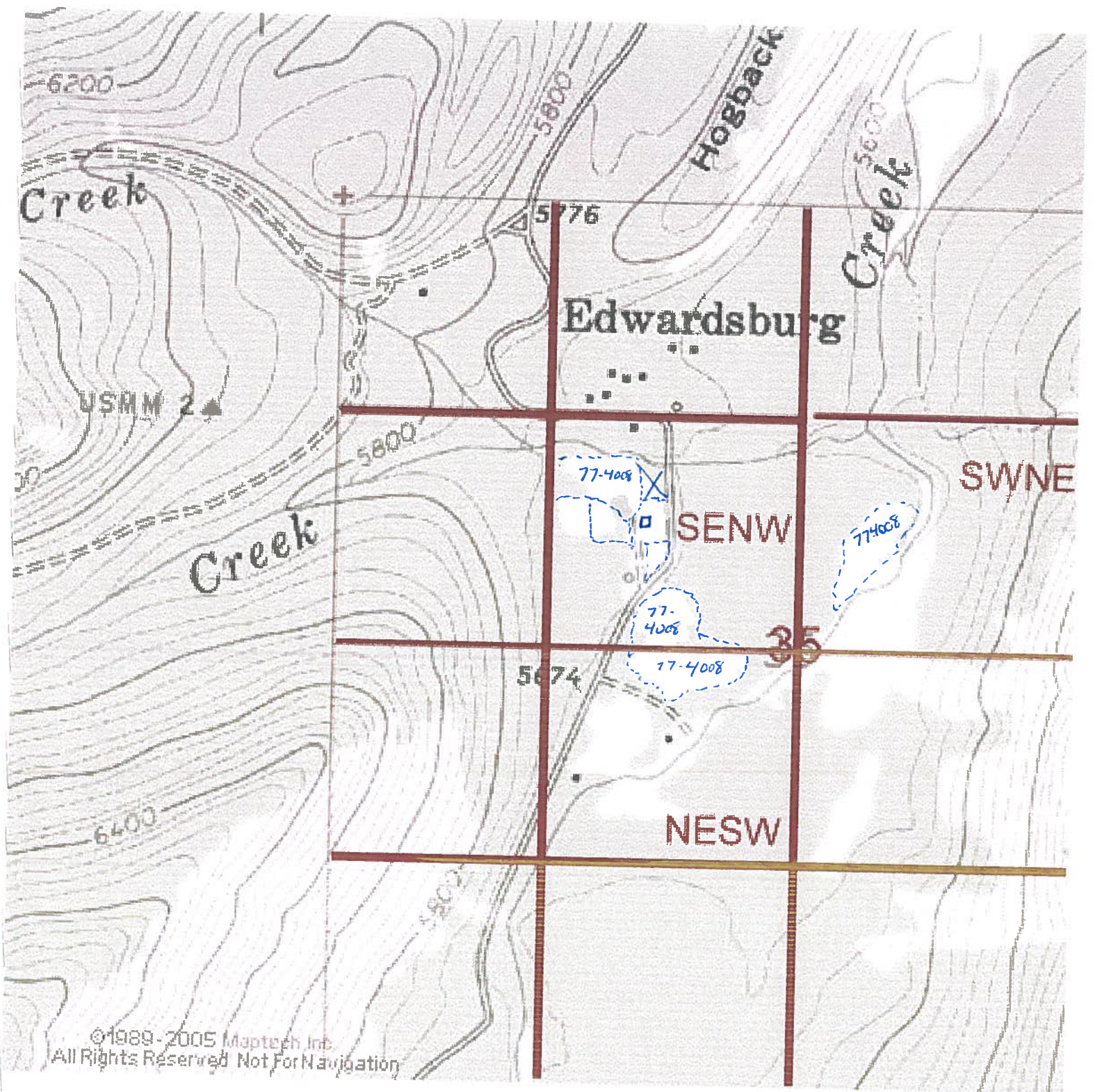
Section 35
T21N R9E



⊙ Point of Diversion

□ Place of Use

Map prepared on March 3, 2006
By Kenneth Knoblock
Idaho Department of Water Resources



77-4008



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 9, 2006

Catherine Gillihan
10064 Glen Ellen St.
Boise, ID 83704

RE: 77-4007, 77-4008 & 77-7058

Dear Ms. Gillhan:

I re-evaluated our recommendations as a result of your e-mail of March 7, 2006.

77-7058 – as you pointed out, I neglected to list the period of use as 1/1 to 12/31 and the amount of 0.04 cfs. That has been corrected.

The place of use is the SENE as you described in your amended claim.

The Department's standard for the period of use for that area is May 1 to October 31. I cannot change the season without documentation from an independent source.

77-4007 – I did neglect to remove the comment about combined water rights. It has been removed.

I did neglect to account for the ditch loss, thank you for pointing that out. It should be 0.02 cfs per acre and increased to account for a 30% ditch loss. The right now reflects those calculations.

77-4008 – I reviewed place of use and discovered that I had inadvertently overlapped rights and included a portion of the swamp that you mentioned. That has been corrected.

I want to thank you for helping to arrive at a true determination of your water rights.

Sincerely,

Kenneth Knoblock
Water Resources Agent

03/08/2006

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

RIGHT NUMBER: 77-4008

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10064 GLEN ELLEN ST
BOISE ID 83704

CATHERINE M GILLIHAN
C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

SOURCE: GOVERNMENT CREEK

TRIBUTARY: LOGAN CREEK

QUANTITY: 0.290 CFS

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

PRIORITY DATE: 10/05/1925

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	0.230 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T21N R09E S35	SWNE	2.40	T21N R09E S35	SENE	3.40
T21N R09E S35	NESW	2.20			

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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8 ACRES TOTAL

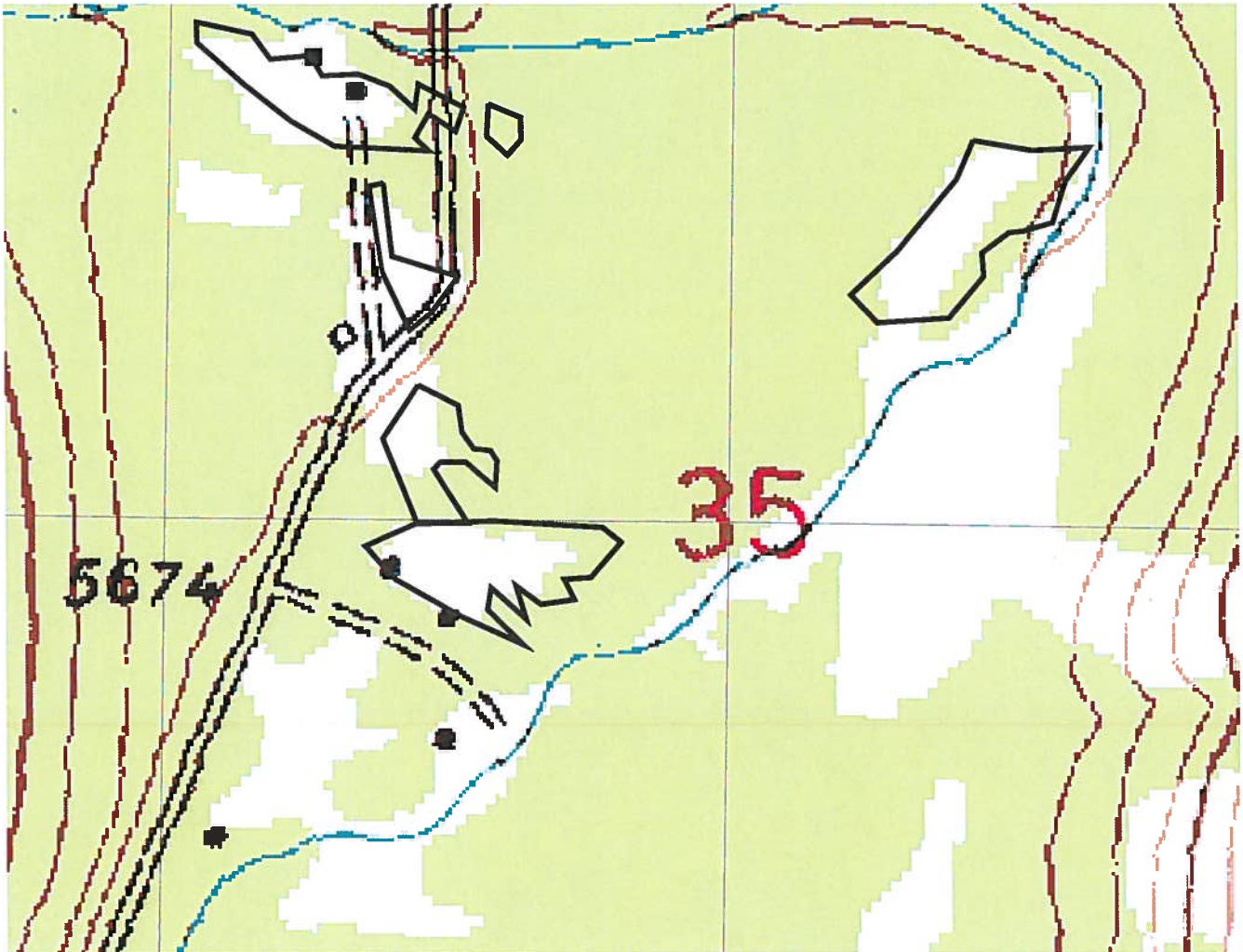
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4008



0 300 600 Feet



Section 35
T21N R9E

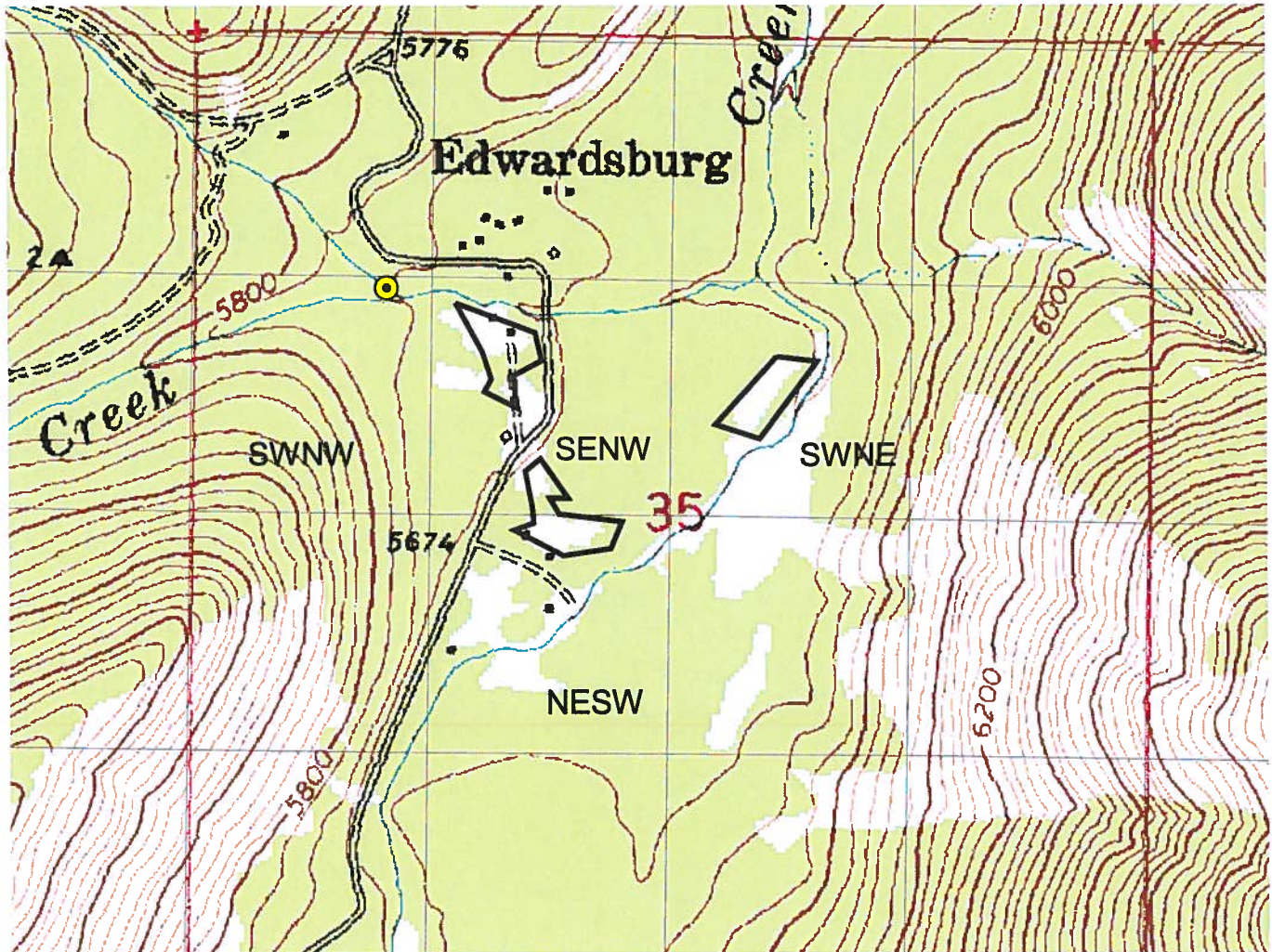


● Point of Diversion

□ Place of Use

Map prepared on March 8, 2006
By Kenneth Knoblock
Idaho Department of Water Resources

77-4008



0 600 1200 Feet



Section 35
T21N R9E



● Point of Diversion

□ Place of Use

Map prepared on March 3, 2006
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 3, 2006

Catherine Gillihan
10064 Glen Ellen St.
Boise, ID 83704

RE: 77-4007, 77-4008 & 77-70558

Dear Ms. Gillihan:

Enclosed are new maps and preliminary recommendations reflecting the comments you made on the Notice of Error Reply. Please contact me if the changes are incorrect.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

77-4008



Edwards old homestead cabin

RECEIVED
MAR 02 2006
IDWR/North

SCANNED
FEB 27 2006

by 16 acres.) This statement did not appear on the 77-7008 or 77-7058 so I assume that it was over looked. Please advise to your intentions on this

statement, but we request that that statement be removed. The water has to be

alternated some on the various pastures with 77-7008, but the full acreages are

covered in a season.

Please advise as to the next procedure or do you directly send these papers to adjudication?

I sincerely appreciate your help in these water applications, I know it has been quite a task, and you are to be commended for the work. Thank you again, Catherine Gillihan

03/03/2006

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

RIGHT NUMBER: 77-4008

NAME AND ADDRESS: ROBERT J GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

CATHERINE M GILLIHAN
C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID 83704

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: 10/05/1925

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

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

State of Idaho

License and Certificate of Water Right

Water License No. 16247

Amount 0.5 Sec. Ft.

Water District No.

Priority Oct. 5, 1925

THIS IS TO CERTIFY that William A. Edwards of Edwardsburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 23, 1925; that Permit No. 16247 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on April 23rd, 1928, showing that said works were completed on the 12th day of April, 1928; and that on the 10th day of October, 1930,

William A. Edwards of Edwardsburg, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Government Creek, a tributary of Logan Creek, for the purpose of Irrigation & Domestic Use, under Use Permit No. 16247 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3682, on the 11th day of February, 1932;

The right hereby confirmed dates from October 5, 1925;

The Point of Diversion is located in the NW 1/4 NW 1/4, Sec. 35, Tp. 21 N., R. 9 E., B. M., Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N.	9 E.	35	SW 1/4	40	5
"	"	35	NE 1/4	40	5
"	"	35	SE 1/4	40	15
Total					25

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 11th day of February, 1932

R. W. FARIS

Commissioner of Reclamation

(SEAL)

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 77-4008
Date Received: 11/17/1988
Receipt No: W001453
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT J GILLIHAN JR Phone:
10064 GLEN ELLEN ST
BOISE ID USA 83704

CATHERINE M GILLIHAN Phone: (208)327-0907
C/O ROBERT JAMES GILLIHAN JR
10064 GLEN ELLEN ST
BOISE ID USA 83704

RECEIVED
MAR 02 2006
IDWR/North

2. Date of Priority: 10/05/1925

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	Type
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	4/01	11/01	0.58	
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.64 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
21N	09E	35	NE	SW		DOMESTIC	
			SE	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			SW	NE		STOCKWATER	
			SW	NE		IRRIGATION	8
			SE	NW		IRRIGATION	9
			NE	SW		IRRIGATION	12
Section Acres							29
Total Acres							29

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:

14. Remarks:

This claim is for a portion of license 77-2043.

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): Catherine Gilligan Date: 2/24/06
_____ Date: _____

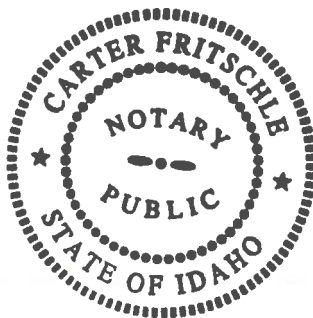
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of February 2006 Carter Fritschle

Notary Public

Residing at Kuna ID

My commission Expires 3-21-2006



01/05/2006

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

RECEIVED
MAR 02 2006
IDWR/North

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 35-5W NE - 8 acres.
SE NW - 6 + 9 acres.
NE SW - 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 wet for fire prevention - did not allow for 5 years of F.S. thinking

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
~~950 JACKSON AVE~~
~~EMMETT ID 83617~~

10064 W. Glen Ellen
Boise, 1183704
208-321-1092
208-327-0907

SOURCE: GOVERNMENT CREEK
QUANTITY: 0.380 CFS

TRIBUTARY: LOGAN CREEK

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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	SENW	5.00
T21N R09E S35	NESW	3.00			

STOCKWATER Within VALLEY County

T21N R09E S35	SWNE	T21N R09E S35	SENW
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.

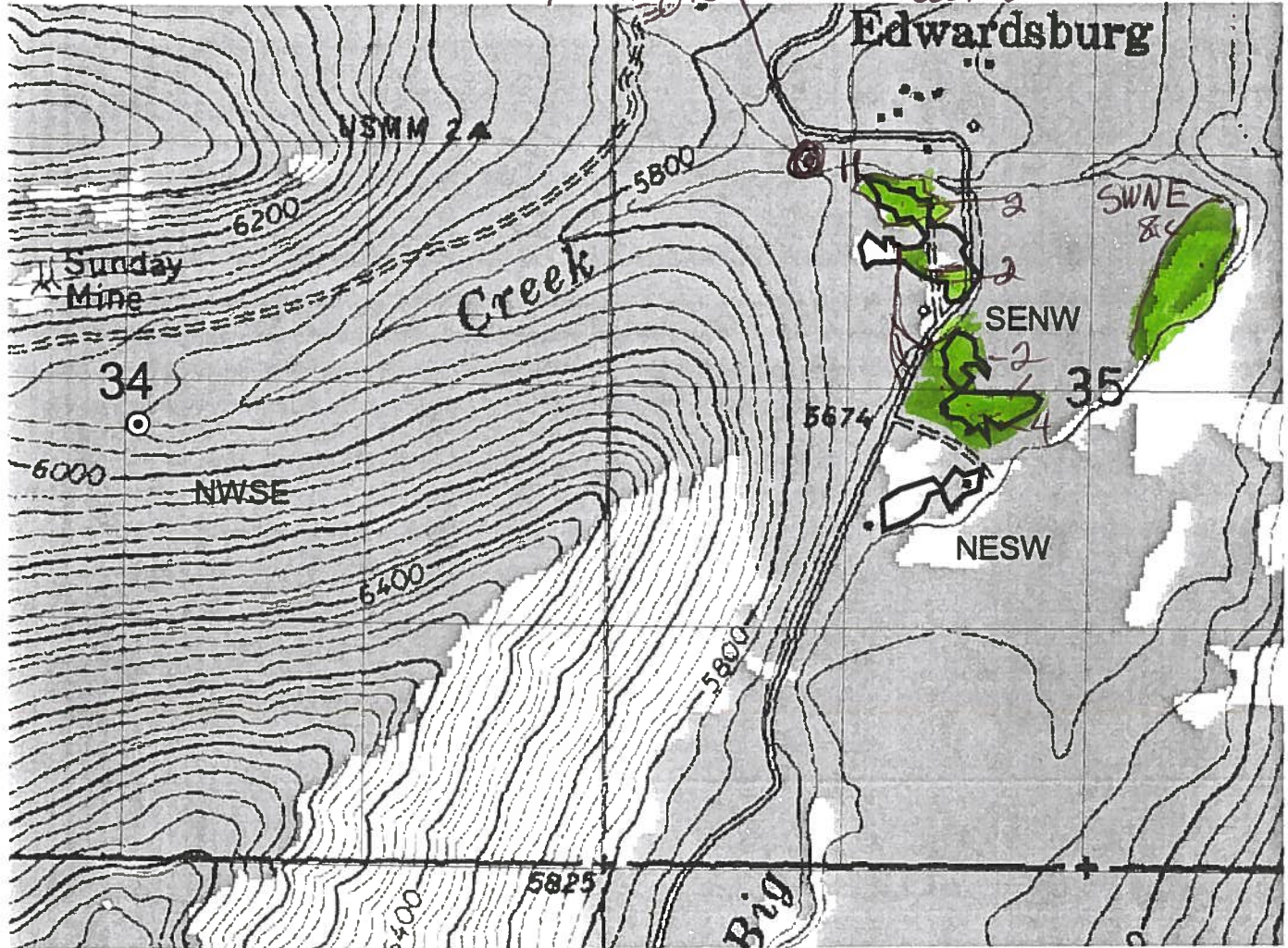
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4008

Gov Creek water

Point of Diversion Flume



0 600 1200 Feet

Sections 34 & 35
T21N R9E

⊙ Point of Diversion

□ Place of Use

SCANNED

FEB 27 2006

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.

SCANNED

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

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)
County of _____) SS.

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

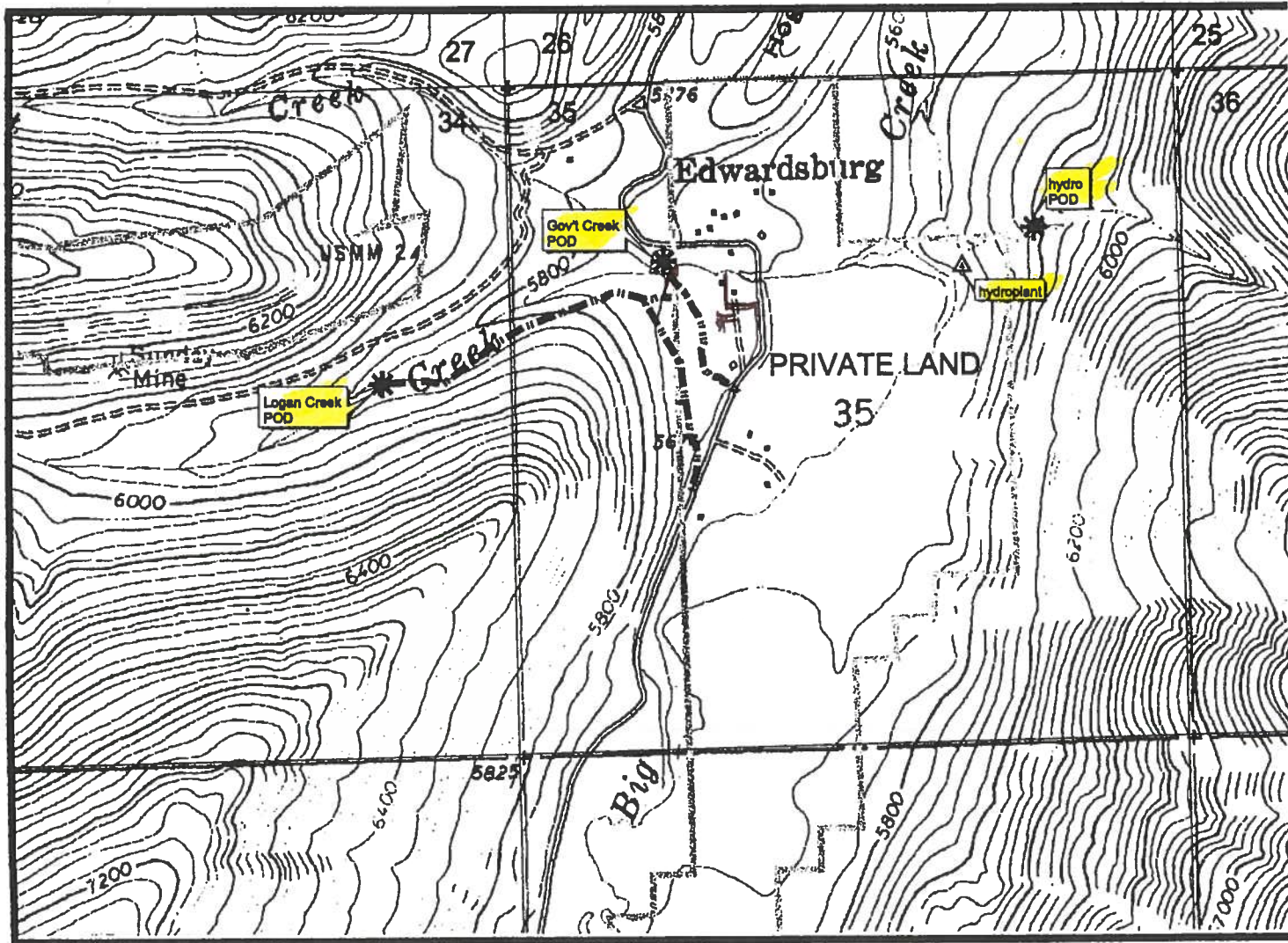
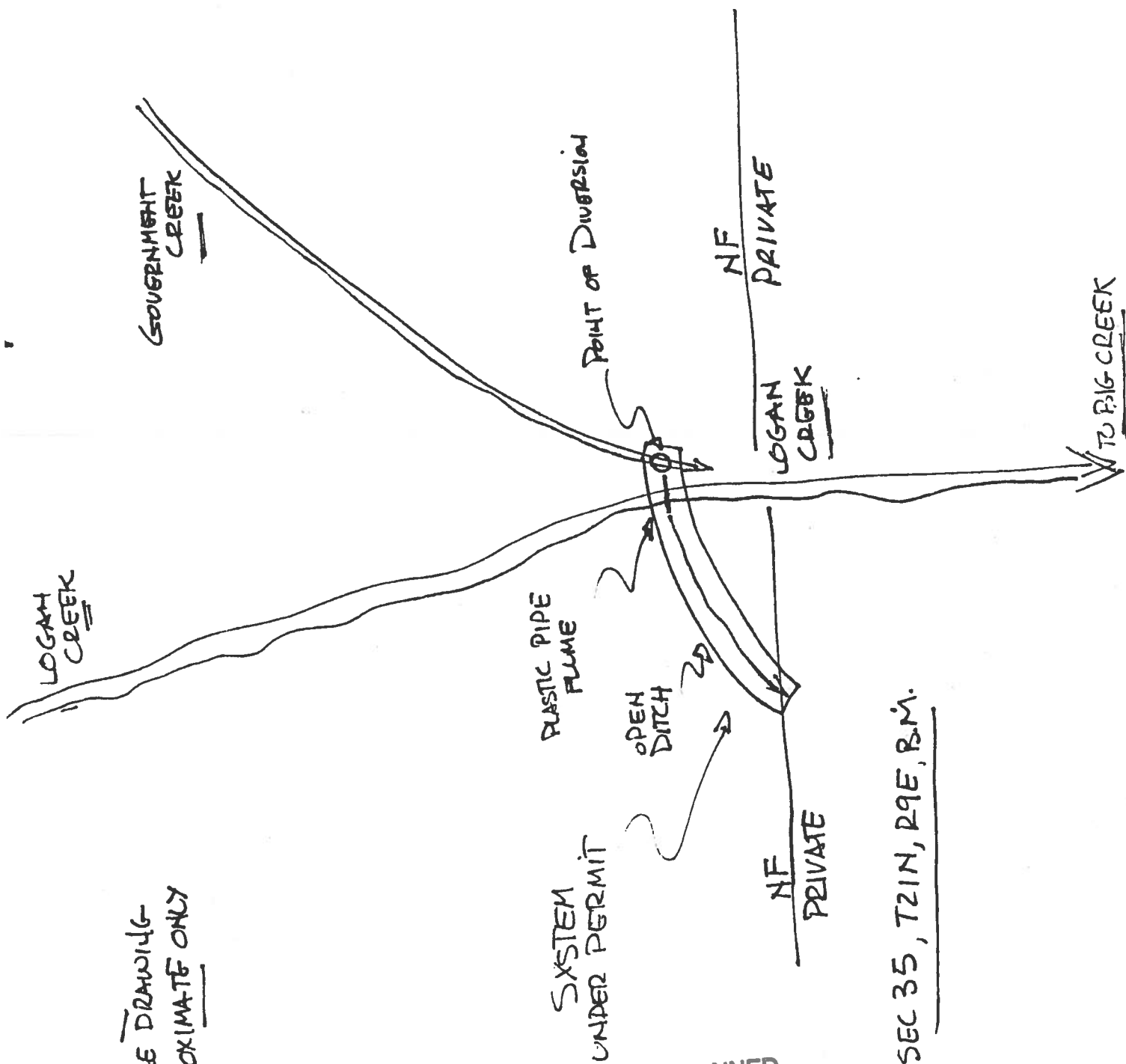


Exhibit A

SCANNED

FEB 27 2006

LINE DRAWING-
APPROXIMATE ONLY



SCANNED

FEB 27 2006

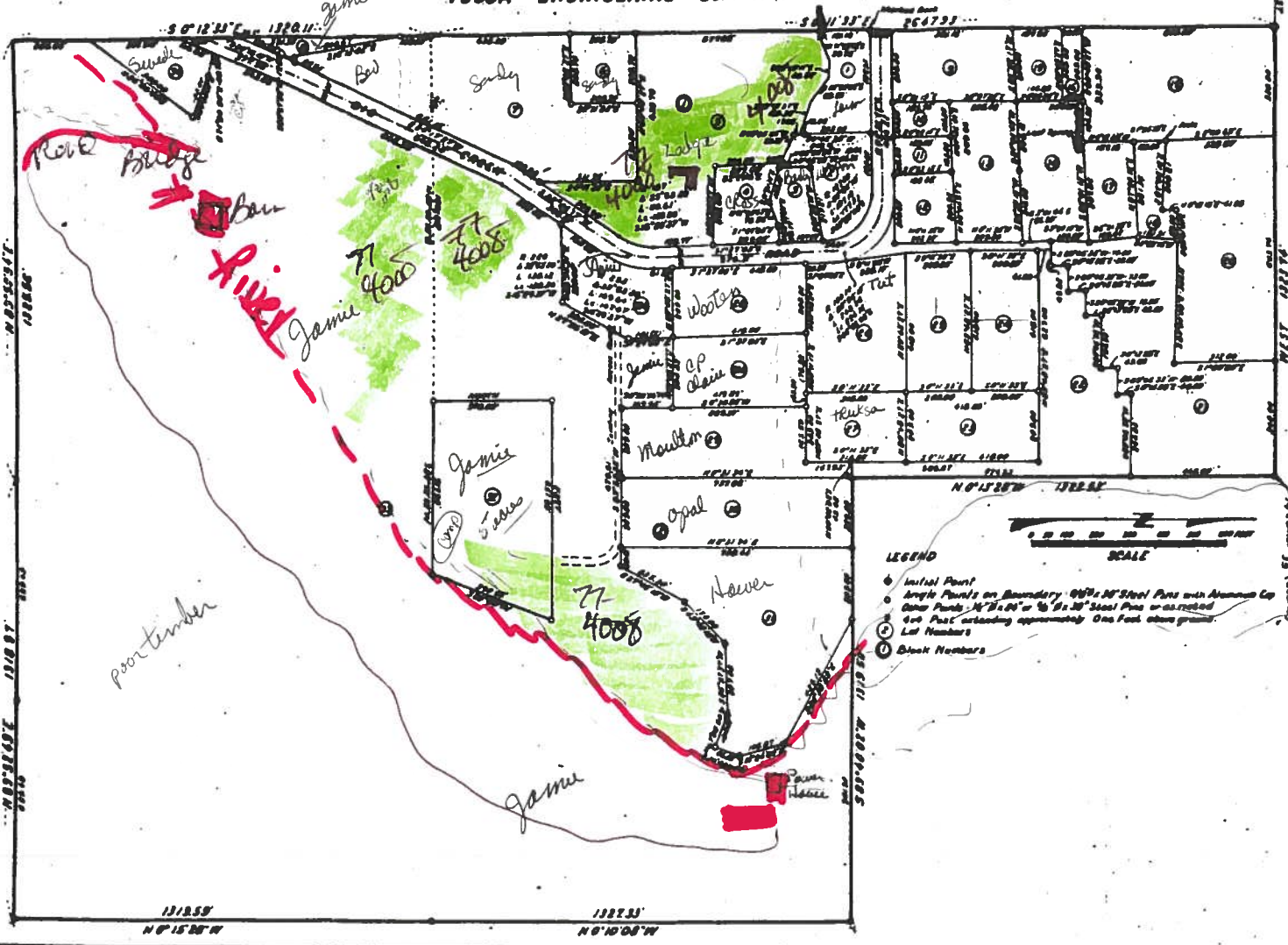
SEC 35, T21N, R9E, B.M.

EDWARDSBURG RECORDER'S PLAT NO 1

A PORTION OF SECTION 35, T21N, R9E, 8M

VALLEY COUNTY, IDAHO
TUDOR ENGINEERING COMPANY

77-4008



SCANNED

FEB 27 2006

Knoblock, Ken

From: catherine M gillihan [cgilli@juno.com]
Sent: Tuesday, March 07, 2006 10:34 AM
To: Knoblock, Ken
Subject: Re:

The following is the comments of 77-4007 and 77-4008.

77-4008 1- The irrigation date is reduced to 5/01 to 10/31 and should read of 4/01-11/01.

This needs to be corrected due to the fact that some seasons are dryer and start earlier depending on weather and drought. We then need to start earlier to make

use of the water while we have it. Our water depends entirely on the weather and

supply. We can do nothing to increase it.

2- You also decreased the amount to .320cfs instead of 0.580cfs. This ditch does

not have the fall it needs and depends on pressure which depends on the amount that is in the creek. We need to be allowed the full amount as long as it lasts to

cover this porous ground. I showed Mr. Fritschle that we use plastic tubes to

carry the water where we can to get coverage.

3- The map drawn for 77-4008 does not entirely reflect where the water is used.

(Where the lane leaves the main road across from the fire department on SENW, 77-4008 irrigates the pasture across from that firehouse, if it makes a

difference.)

77-4007 1- You decreased the irrigation to 5/01 to 10/31 instead of 4/01 to 11/01.

Depending on the dryness of the season or drought we do start irrigating early if needed,

because the water can be scarce and not last the full season.

2- You decreased our water from 0.240cfs to 0.160cfs. Because of the nature of

the creek, length of the ditch and the rocky and porous soil we do need the full amount to get the water to these pastures.

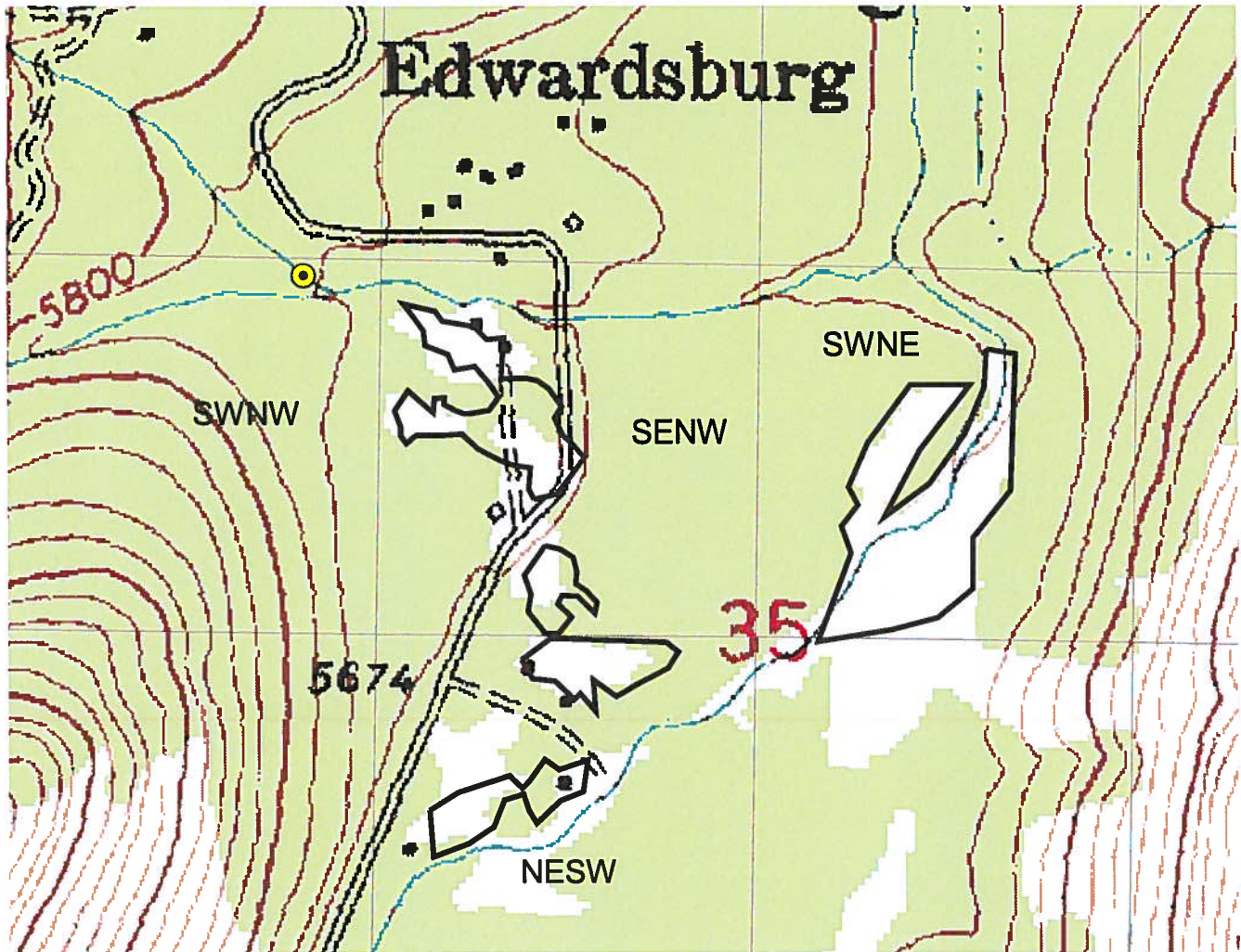
3- You also did not remove the note at the bottom of the acreages stating that the

right nos. 77-4007, 77-4008, and 7058 are limited to the total of irrigation of combined

8 acres in a single irrigation season. (Since these rights are not

combined and do not irrigate the same properties, you are decreasing our acreage

77-4008



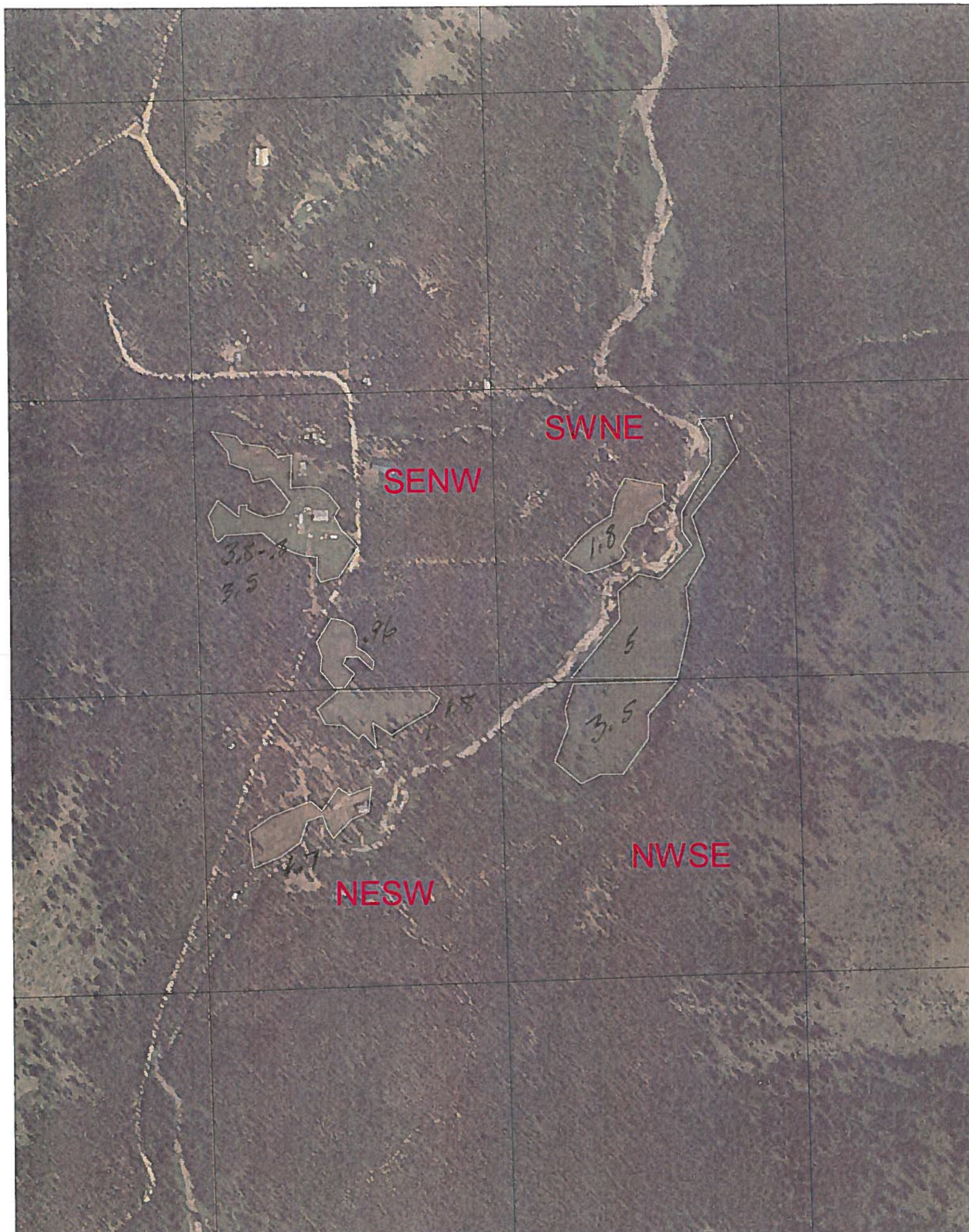
0 400 800 Feet

Section 35
T21N R9E

● Point of Diversion

□ Place of Use

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





[illegible]

c. Describe any other water rights used for the same purposes as described above. None

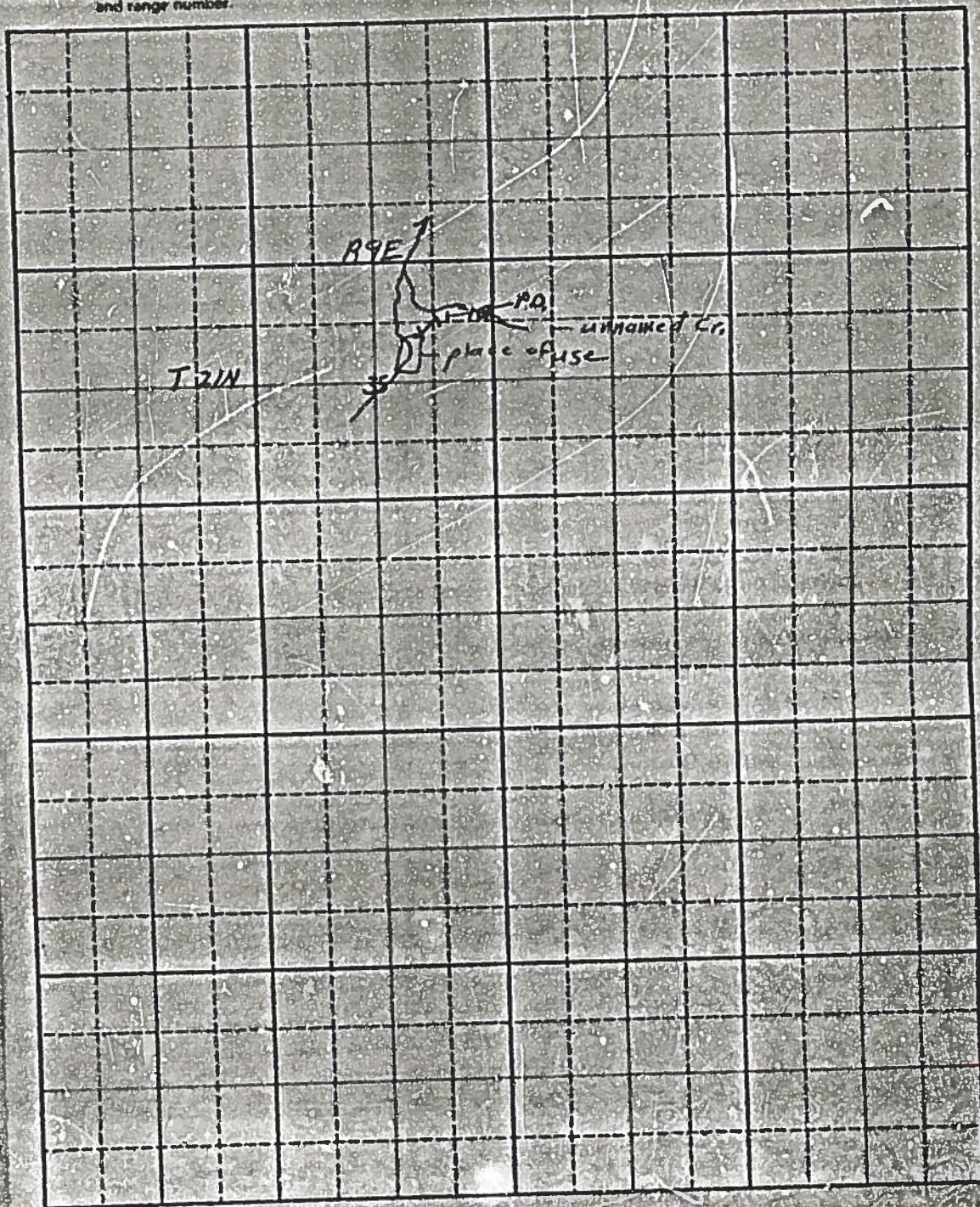
10. Remarks

~~SECRET~~

MICROFILMED

OCT 05 1980

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
[Name]

MICROFILMED

OCT 15 1992

-Warren Ida

Oct. 30 - 28

Bureau of Reclamation

Dear Sir

I'm writing my protest against Mr. W. M. A. Edwards for the use of the water in Government Creek. My reasons are that Mr. Edwards hasn't used the water in Government Creek for ten years. And that he has more water in Logan Creek than he can use therefore I don't believe he has any use for the water in Government Creek.

Subscribed and sworn to before me,
this 31st day of October 1930

Howard M. Williams

16247

Otto Morris
Notary Public
Residing at Wenden, Idaho

Land Patent Image

[Quick Help](#) [Bookmark \(Ctrl+D\)](#)[Home](#) > [Land Patent Search](#) > [Results List](#) > [Land Patent Details](#) > Land Patent Image

Acc./Ser. Nr.: 1018329 Patentee: ANNESLEY NAPIER EDWARDS

Issue Date: 8/9/1928

Image Formats: Small GIF | [Large GIF](#) | [TIFF](#) | [PDF](#)[Add To Shopping Cart](#)Go to Page: 1 [2](#)

Blackfoot 041887

4-1048-R

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Annesley Napier Edwards has been established and duly consummated, in conformity to law, for the lot five, the northwest quarter of the southeast quarter of the northeast quarter of the northwest quarter, the southwest quarter of the northeast quarter of the northwest quarter, the southeast quarter of the southeast quarter of the northwest quarter of the northwest quarter, the east half of the southwest quarter of the northwest quarter, the northwest quarter of the southeast quarter of the northwest quarter, the north half of the southwest quarter of the southeast quarter of the northwest quarter, and the southwest quarter of the southwest quarter of the southeast quarter of the northwest quarter of Section two in Township twenty north and the east half of the southwest quarter, the north half of the northwest quarter of the southwest quarter of the southeast quarter, and the southwest quarter of the northwest quarter of the southwest quarter of the southeast quarter of Section thirty-five in Township twenty-one north all in Range nine east of the Boise Meridian, Idaho, containing one hundred fifty-nine acres and seventy-four hundredths of an acre, according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

104
NOW KNOW YE, That there is, therefore, granted by the UNITED STATES

101811
unto the said Annesley Napier Edwards the tract of Land above described;
TO HAVE AND TO HOLD the said tract of Land, with the appurtenances there-
of, unto the said Annesley Napier Edwards and to his heirs and assigns
forever; subject to any vested and accrued water rights for mining, agri-

RECORD OF PATENTS: Patent Number 1018329

←-4180

GOVERNMENT PRINTING OFFICE

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Accession/Serial #: 1018329 **BLM Serial #:** IDBL 0041887

Names

Patentee: ANNESLEY NAPIER EDWARDS

Survey

State: IDAHO

Acres: 159.74

Metes/Bounds: No

Title Transfer

Issue Date: 8/9/1928

Land Office: Blackfoot

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

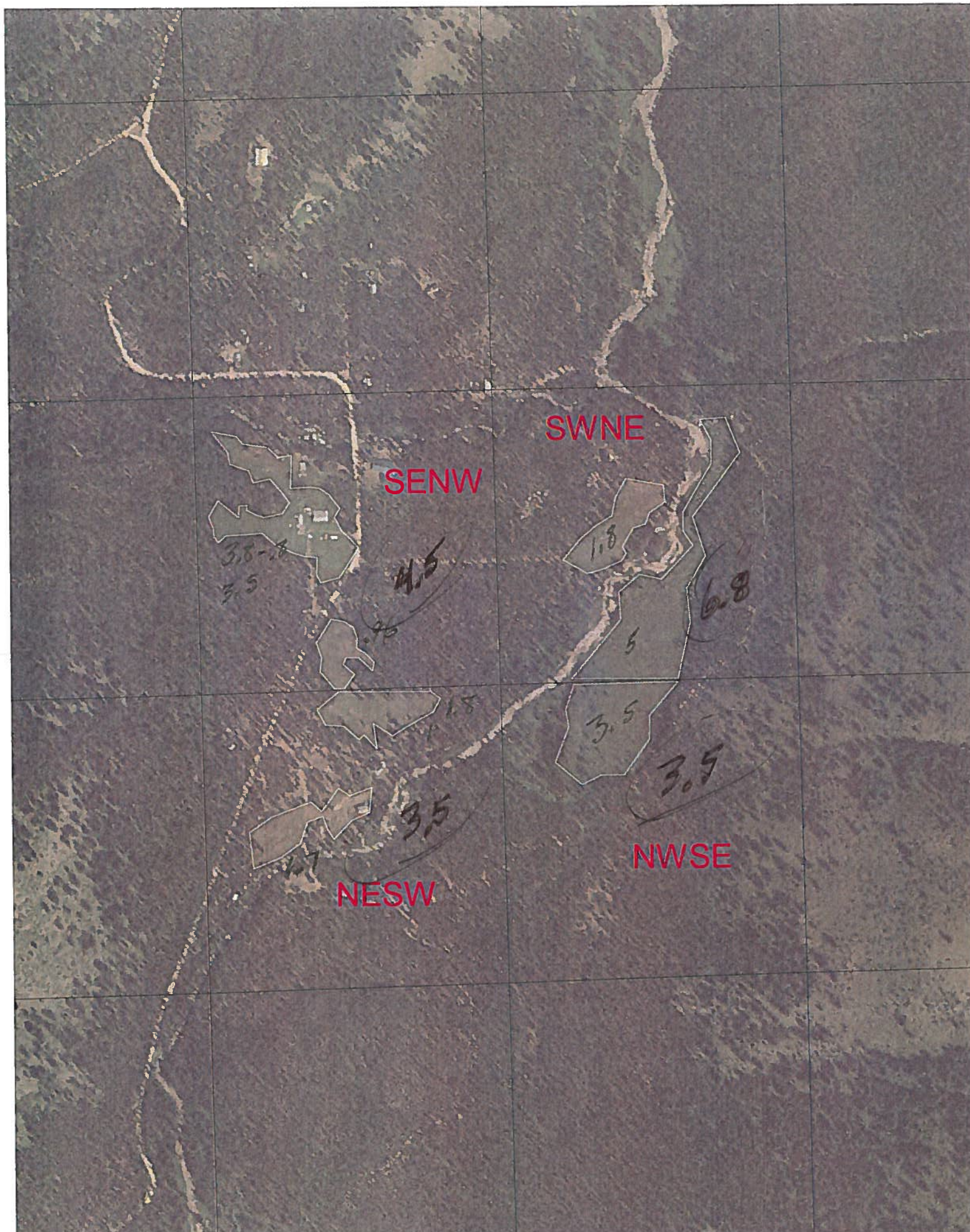
Document Numbers

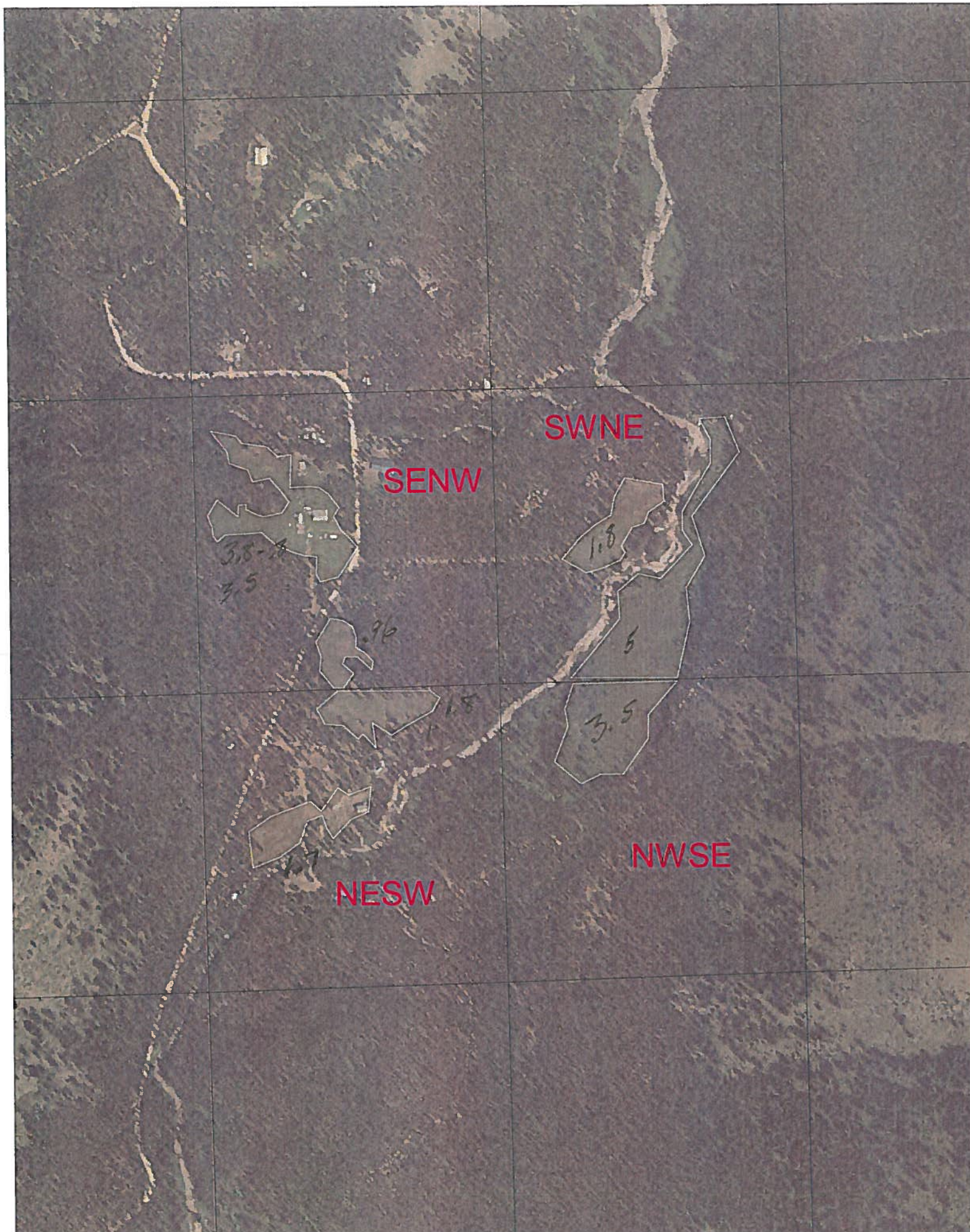
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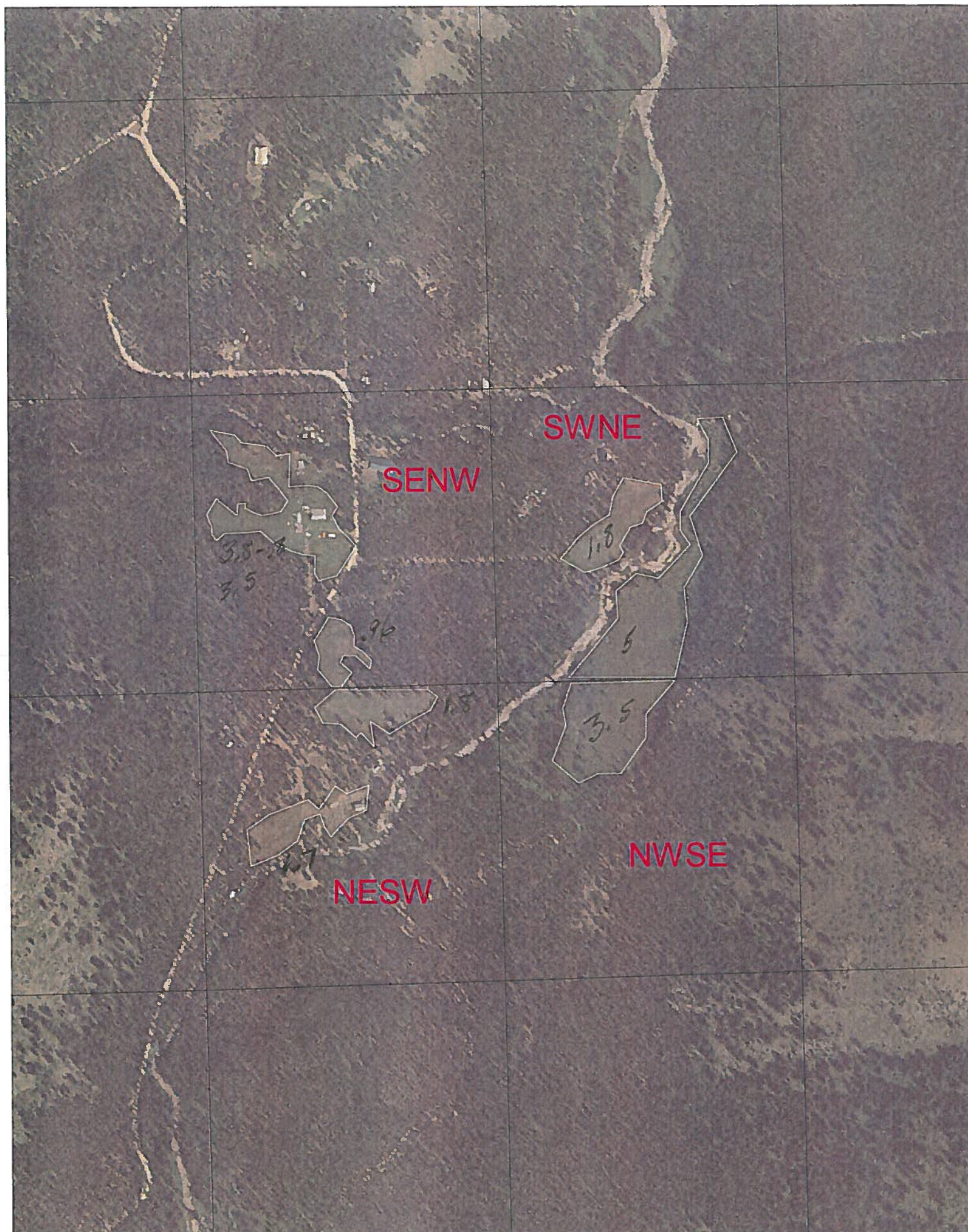
Accession/Serial Nr.: 1018329

BLM Serial Nr.: IDBL 0041887

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
E½SW	35/	21-N	9-E	No	Boise	ID	Valley	
NWSENENW	2/	20-N	9-E	No	Boise	ID	Valley	
SWNENW	2/	20-N	9-E	No	Boise	ID	Valley	
SESENWNW	2/	20-N	9-E	No	Boise	ID	Valley	
E½SWNW	2/	20-N	9-E	No	Boise	ID	Valley	
NWSENW	2/	20-N	9-E	No	Boise	ID	Valley	
N½SWSENW	2/	20-N	9-E	No	Boise	ID	Valley	
SWSWSENW	2/	20-N	9-E	No	Boise	ID	Valley	
5	2/	20-N	9-E	No	Boise	ID	Valley	
Remarks: LOT 5 OF NENW QUARTER								
N½NWSWSE	35/	21-N	9-E	No	Boise	ID	Valley	
SWNWSWSE	35/	21-N	9-E	No	Boise	ID	Valley	







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 of	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.

MICROFILMED
OCT 24 1996

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

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.

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16. Signature(s)

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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 _____

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 77-07299
A77-04007

A77-04008

A77-02058 & A77-10125

[] Old Mailing Address: 850 JACKSON AVE.

EMMETT, ID

83617

[] New Mailing Address: BIG CREEK, IDAHO

83627

New Telephone Number: (208) 327-0907

[] Signature of Claimant: Catherine Gillihan

Date: 4/25/95

FOR IDWR USE ONLY:

Initial Review and Data-Entry J

Date: 4-25-95 By:

Further Action Needed: COPY FILED IN LICENSE

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

MICROFILMED

OCT 24 1996

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: 208-453(79)

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CATHERINE M. GILLIHAN 208-365-5384
Address: 850 JACKSON AVE.
EMMETT, ID 83617

OR

Name: ROBERT J. GILLIHAN, JR. 208-365-5384
Address: 850 JACKSON AVE.
EMMETT, ID 83617

2. Date of Priority: JUL 02, 1928

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			SE		NW		STOCK	
			NE		SW		IRR	12.0
			NE		SW		DOMEST	
			NE		SW		STOCK	
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Number of attachments: _____

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Signature of Claimant(s): Catherine Gillihan Date: 11-17-88

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of November 19 88

Jan Thurtell
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-18-94

3

2974 III NE
BIG CREEK) 633

620 000 FEET



EDWARDSBURG RECORDER'S PLAT NO 1

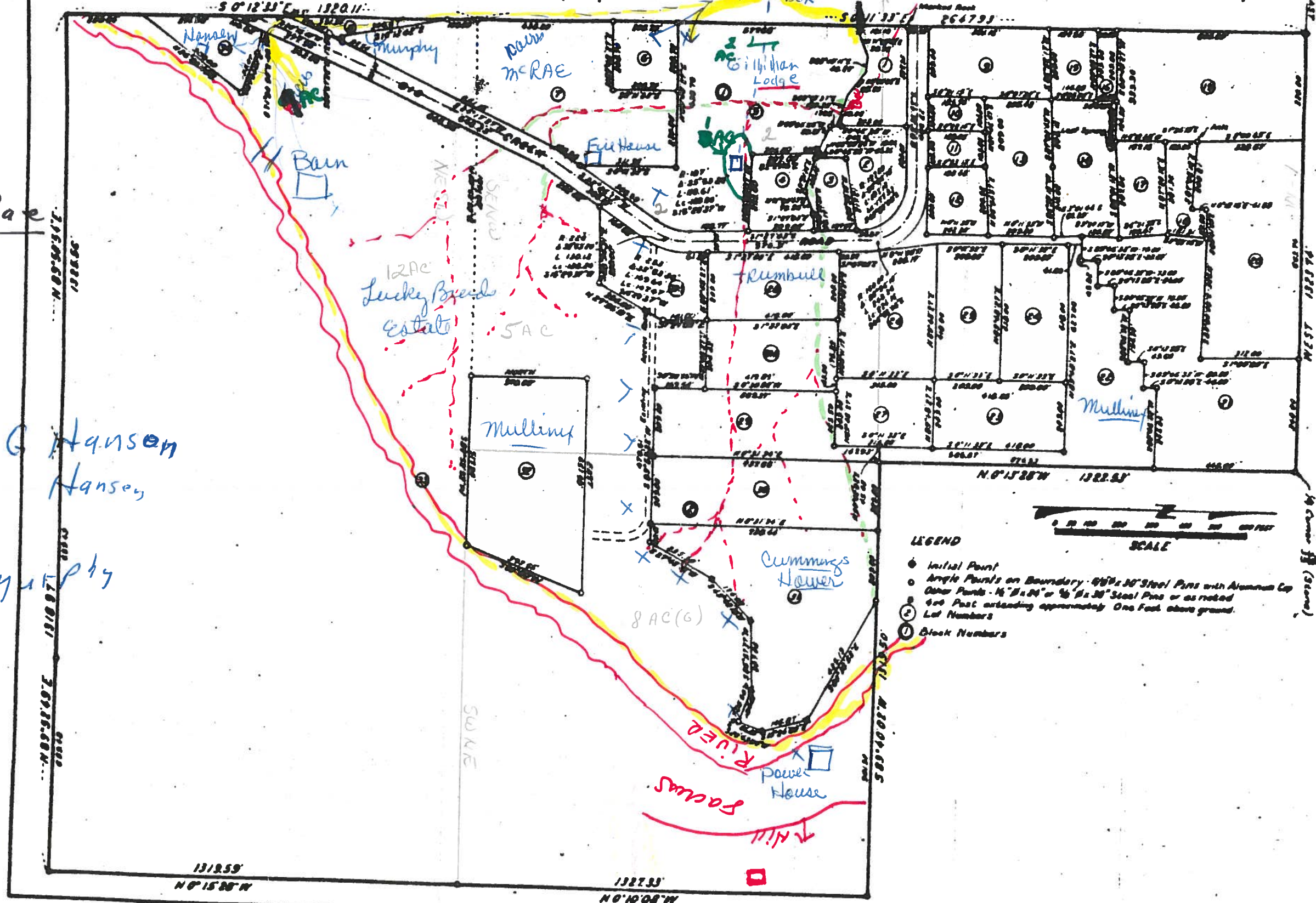
A PORTION OF SECTION 35, T21N, R9E, B1M
VALLEY COUNTY, IDAHO
TUDOR ENGINEERING COMPANY

12 AC - LOGAN CR.

1/2 Acres
Hanson
ditch - 06

Robin McRae
Dentist

1965
Walter G. Hanson
Hilda
Beverly Murphy



2" fill

Discharge
F.S.
1st Cement
4" pipe
Lodge
overflow

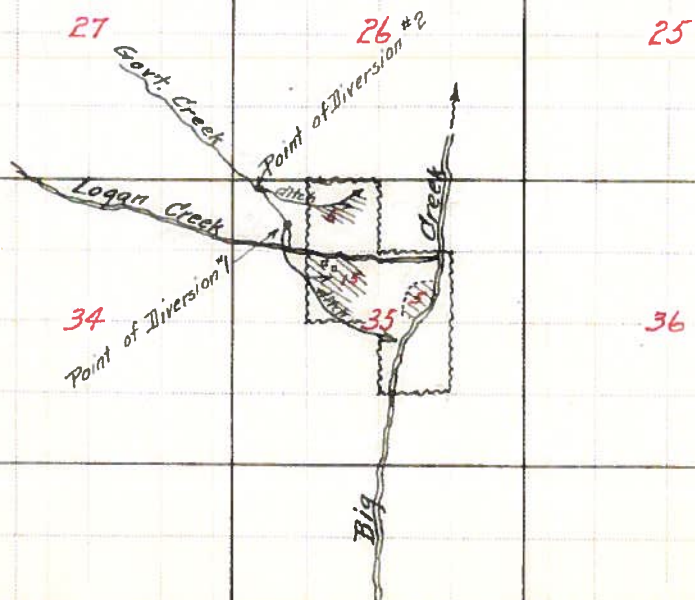
replace
small
creek
3" pipe
Lodge

Discharge in
creek

Self
cleaning
screen
6"

CEMENT 3000' ft.
No Name Creek

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERMIT NO.



Efom

16247

Pedigree	
Related Documents	
General Provision	

MICHAEL (Current); GERRINGER TRUST, TERESA B (Current)

Information for type: Recommendation

	Record Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details											
Pedigree	3	77	2043	A 1	1	License Active	1925-10-05	0.02	GOVERNMENT CREEK	IRRIGATION	CROSS, GRAYDON O (Current); CROSS, LA JUANA H (Current)
Related Documents											
General Provision											
Details											
Pedigree	4	77	2043	B 1	1	License Active	1925-10-05	0.0568	GOVERNMENT CREEK	IRRIGATION	GERRINGER TRUST, B MICHAEL (Current); GERRINGER TRUST, TERESA B (Current)
Related Documents											
General Provision											

Information for type: Statutory Claim, Decree and License

	Record Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details											
Related Documents	5	77	2043			License Active	1925-10-05	0.5	GOVERNMENT CREEK	DOMESTIC, IRRIGATION	EDWARDS, WILLIAM A (Current)
General Provision											

2500000
2100000

Number of records = 5

Search Results

USAGE INSTRUCTION

Clear Search Help

Search for: active Records

Water Right Details											
Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details											
Related Documents	1	77	2073	A	License	Active	1940-01-05	0.02	LOGAN CREEK	IRRIGATION	JENSEN, JEFF (Current); JENSEN, TAMMY (Current)
General Provision											

Information for type: Recommendation

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority	Date	Diversion Rate	Source List	Water Uses	Owner List
Details													
	Related Documents	2	77	2073	A	1	License	Active	1940-01-05	0.02	LOGAN CREEK	IRRIGATION	JENSEN, JEFF (Current); JENSEN, TAMMY (Current)
	General Provision												

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority	Date	Diversion Rate	Source List	Water Uses	Owner List
Details													
	Related Documents	3	77	2073			License	Active	1940-01-05	0.11	LOGAN CREEK	DOMESTIC, IRRIGATION	EDWARDS, NAPIER (Current)
	General Provision												

Number of records = 3