

11/14/2006

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: December 8, 2006

Water right number: 67-14749

GERALD ARTHUR O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612
Telephone Number: (208)253-4235

MARY LOU O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612
Telephone Number: (208)253-4235

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

*Disagree w/ Priority Date and should be
1884. - no C Smith*

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

Same Diversion Point + Pipe

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

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

DATE: _____ SIGNATURE: *Gerry O'Day*
Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

note: Re-review Watermaster Records.

*12-19-06: Right recommended based on 67-66,
wob 67-54. Priority date not changed
as requested*

C Smith

12-12-06

SCANNED
DEC 08 2006

08/14/2006

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

RIGHT NUMBER: 67-14749

NAME AND ADDRESS: GERALD ARTHUR O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612

MARY LOU O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 09/23/1901

POINT OF DIVERSION:

T17N R01W S4 NENE Lot 1 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.060 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S15 SWNE 2.70

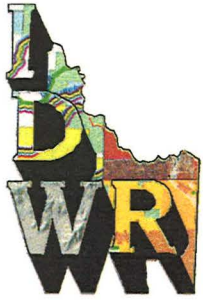
2.7 ACRES TOTAL

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

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

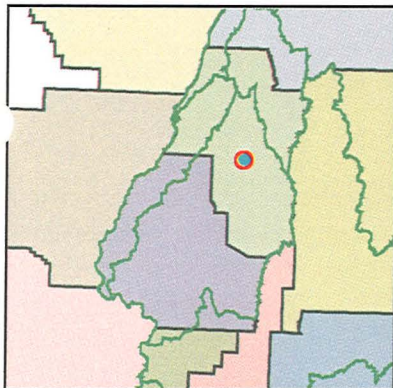
SRBA Recommendation:

67-14749

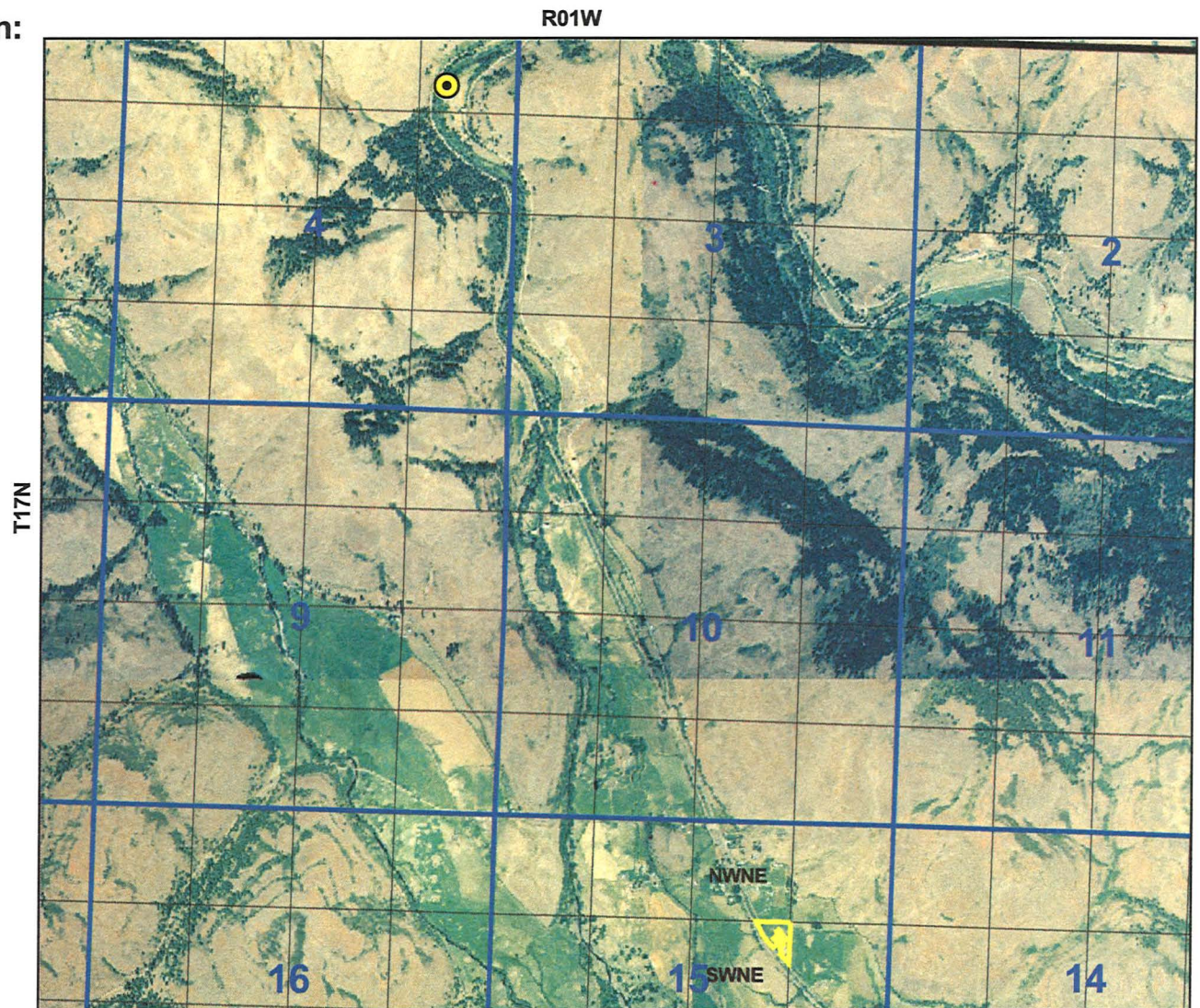
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 1 2 Miles



Prepared by C. Saxton
On Monday, August 14, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14749 V1

WATER RIGHT NUMBER: 67-14749 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SAMUEL E MC MAHAN
	, ZZ
Current Owner	GERALD ARTHUR O DAY 2568 FRUITVALE-GLENDALE RD FRUITVALE, ID 83612 (208)253-4235
Current Owner	MARY LOU O DAY 2568 FRUITVALE-GLENDALE RD FRUITVALE, ID 83612 (208)253-4235

Priority Date: 09/23/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

WEISER RIVER	L1 (NE1/4NE1/4)	Sec. 4, Twp 17N, Rge 01W, B.M.
ADAMS 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	
17N	01W	15			2.7														2.7

Total Acres: 2.7

Conditions of Approval:

1. C18 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.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14749 V1

Comments:

1. csaxton 8/14/2006 Delivery Records
Comment: Water Master Delivery records show delivery of this right to the POU claimed.
2. csaxton 8/14/2006 Basis of Claim
Comment: This right is a portion of decreed right 67-66.
3. csaxton 8/14/2006 Copied From Claim (1)
Comment: This right was renumbered to right 67-14749 .
4. csaxton 8/14/2006 Copied From claim (2)
Comment: This right is renumbered from former right 67-54A.
5. csaxton 8/14/2006 Copied From Claim (3)
Comment: THIS WATER CARRIED IN THE ROBERTSON-SEAVY DITCH.
COPY OF DEED ATTACHED.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	8/14/2006 1:30:54 PM	csaxton			Active
Priority Date	8/14/2006 1:32:09 PM	csaxton			Active
POD	8/14/2006 1:32:23 PM	csaxton			Active
Source	8/14/2006 1:33:22 PM	csaxton			Active
POU	8/14/2006 1:34:16 PM	csaxton			Active
Use	8/14/2006 1:34:23 PM	csaxton			Active
Season	8/14/2006 1:38:00 PM	csaxton			Active
Quantity	8/14/2006 1:38:09 PM	csaxton			Active
Summary			08/14/2006	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14749 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	8/14/2006 1:30:10 PM	csaxton	Updated shape for Active POU
POU	8/14/2006 1:34:18 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - POU recommended in different QQ than Decreed. Description for Question 13 - Water master delivery records.
Season	8/14/2006 1:38:02 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	8/14/2006 1:33:11 PM	csaxton	Updated PLS
Quantity	8/14/2006 1:38:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14749 V1

Summary	8/14/2006 1:43:51 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5.- Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	8/14/2006 1:29:52 PM	csaxton	Updated shape for Active POU
POU	8/14/2006 1:30:18 PM	csaxton	Updated PLS for Active POU
Contacts	8/14/2006 1:30:56 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	8/14/2006 1:32:10 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/14/2006 1:32:25 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	8/14/2006 1:33:02 PM	csaxton	Updated shape
Source	8/14/2006 1:33:23 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14749 V1

Use	8/14/2006 1:34:24 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
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Water Supply Bank:

Split history for Decreed Right 67-00066

WR

SRBA Claim

67-66	Fruitvale Townsite	67-66	Fruitvale Townsite
0.6	cfs	0.6	
48	ac	48	
0	af	0	

Acreage calculated at 5/8 inch per acre

67-00066A	McDowell	0.03		
		0.5	Domestic	In Decreed POU
67-00066B	Herrick	0.035		
		0.5	Domestic	In Decreed POU
67-00066C	Hug	0.07		
		5.6		In Decreed POU
67-00066D	Ringering	0.15		
		6		Part of claimed POU not in Decreed POU
67-00066E	Ellis	0.03		
		0.6		In Decreed POU
67-00066F	Getusky	0.03		
		2		In Decreed POU
67-00066G	Joslin	0.065		
		0.5	Domestic	In Decreed POU
67-00066H	Kamerdula	0.05		
		2		In Decreed POU
67-00066I	Friend	0.09		
		4.8		Not in decreed POU
67-00066J	Friend	0.04		
		2		In Decreed POU
67-14749	O'day	0.06		
		4		
67-14059	Shelby/Ludwig	0.16		
		12		

Sum CFS =	0.81
Sum Acre =	40.5
Sum AF =	n/a

Extra CFS =	36.5
Extra Acre =	7.5
Extrea AFA =	n/a

Recommendation

Rate/acre

67-00066A	Getusky, Justin	0.03		
		0.5		
67-00066B	Getusky, Mike	0.036		
		0.5		
67-00066C	Hug	0.06		
		4.8		
67-00066D	Ringering	0.038		
		3		
67-00066E	Ellis	0.018		
		0.6		
67-00066F	Getusky, Mike	0.03		
		1.7		
67-00066G	Joslin	0.04		
		0.5		
67-00066H	Kamerdula	0.05		
		1.8		
67-00066I	Friend	0.09		
		4		
67-00066J	Friend	0		
		0		
67-14749	O'day	0.06		
		2.7		
67-14059	Shelby/Ludwig	0.058		
		4.6		
	Not claimed	0.09		
		7.2		

Sum CFS =	0.6
Sum Acre =	31.9
Sum AF =	n/a

Extra CFS =	0
Extra Acre =	16.1
Extrea AFA =	n/a

*Last updated 8-14-06 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

Water Master Records

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority Date
29	RP00080000042B	GETUSKY, JUSTIN	1.5	66	FRUITVALE	9/23/01
29	RP00080000032A	KAMERDULA, ANNA	2.5	66	FRUITVALE	9/23/01
29	RP0008000000DA	DAWSON, WM J	1.5	66	FRUITVALE	9/23/01
29	RP00080000137B	FRIEND, PETE & CHRIS	1.25	66	FRUITVALE	9/23/01
29	RP00080000122B	FRIEND, PETE & CHRIS	4.75	66	FRUITVALE	9/23/01
29	RP00080000112A	JOSLIN, JAMES	3	66	FRUITVALE	9/23/01
29	RP0008000000SC	O'DAY, DANNY & LESLIE	5.5	66	FRUITVALE	9/23/01
29	RP0008000000SC	O'DAY, DANNY & LESLIE	3	66	FRUITVALE	9/23/01
29	RP00080000103A	HERRICK, CHESTER	1.75	66	FRUITVALE	9/23/01
29	RP00080000062A	GETUSKY, MIKE	1.5	66	FRUITVALE	9/23/01
29	RP00080000153B	HUG, JAMES	3	66	FRUITVALE	9/23/01
29	RP0008000000PA	GEORGE, BOB	0.75	66	FRUITVALE	9/23/01

28.5

Mike Getusky

Not claimed/ Bob appears to be current owner.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

July 28, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

GERALD AND MARY LOU O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14749
Identification Number Change and Address Change

Dear Mr. and Mrs. O'Day:

The identification number of your water right has been changed from #67-54A to 67-14749. Nothing else on your water right has been changed. Please use the new number in future inquiries or correspondence you may have with our Department.

I have enclosed a copy of your Notice of Claim that you may retain for your records.

Also, we have been advised your address has changed. Before we can change our records, however, we need your written confirmation this is your correct mailing address.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you may have, and return this letter by August 20, 2006.

Do not hesitate to contact this office toll-free at 1/800-452-4129 if you have any questions or concerns.

Sincerely,


Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Copy of Notice of Claim

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

SCANNED
JUL 28 2006

Split history for Decreed Right 67-00054

WR

Claimed

67-00054 McMahan
0.44 cfs
35.2 ac

67-00054 Hill
0.44
33

67-54A O Day
0.6
4
67-54B VanGrunsven
0.44
33

Re#ered

67-14749 O Day
See split history for 67-66
67-14749 is a portion of 67-66
No recommendation for 67-54A

67-54B VanGrunsven
0.44
33

Acrage at 5/8 inches per acre

Sum CFS =	1.04
Sum Acre=	37
Sum AF =	n/a

Un-accounted CFS =	-0.6
Un-accounted Acre =	-1.8
Un-accounted AFA =	n/a

Sum CFS =	0.44
Sum Acre=	33
Sum AF =	n/a

Extra CFS =	-0.44
Extra Acre =	-33
Extra AFA =	n/a

*Last updated 7-28-06 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority Date
25	RP17N01W151352	JORDAN, JOE	5.78		26 STG	
25	RP17N01W151352	JORDAN, JOE	22	54	S MCMAHAN	6/1/84
26	RP17N01W151352	JORDAN, JOE	1	50	I MCMAHAN	5/31/84
29	RP0008000000SC	O'DAY, DANNY & LESLIE	5.5	66	FRUITVALE	9/23/01
29	RP0008000000SC	O'DAY, DANNY & LESLIE	3	66	FRUITVALE	9/23/01

Van Grunsven
Van Grunsven
Van Grunsven

SEP 14 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
 Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
 Governor

KARL J. DREHER
 Director

September 3, 2004

JOSEPH AND CYNTHIA JORDAN
 5855 W FARM MARKET RD
 BOISE ID 83714-9450

RE: Snake River Basin Adjudication (SRBA)

**Notices of Claim to a Water Right #67-54B, 67-60B, 67-81AD,
 67-82A, 67-12337 and 69-4105**

Dear Claimants:

*Records modified 9-15-04
 New owner contacted.*

*THESE WEISER RIVER BASIN RIGHTS WERE
 JOAN WITH LAND IN 2003 TO RON &
 ANITA VAN GRUNOVEN. (208) 253-4456.*

The Postal Service advised us your address has changed to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by September 21, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally
 Sally Sherman
 Technical Records Specialist
 Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

9/9/04

SCANNED

SEP 14 2004

↓ return to sender ↓

fee due 70¢

First-Class Mail
Postage and Fees Paid
USPS
Permit No. G-10

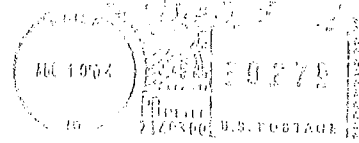
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~Postage Service Request~~

U.S. POSTAL SERVICE
PS FORM 3547

67-54B
✓-60B
✓-81AD
✓-82A
✓-2053A
✓-12337
~~69-4105~~

ADMINISTRATIVE SERVICE
REQUESTED



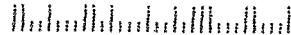
Jord 555

CYNTHIA A JORDAN

JOSEPH L JORDAN
2555 FRUITVALE GLENDALE
RD
FRUITVALE ID 8362

JORD555 83612222 1A03 06 08/12/04
JORDAN 5555 W FARM MARKET RD
BOISE ID 83714-9450 FORM 3547

FACTS 83612



↓ return to sender ↓

fee due 70¢

First-Class Mail
Postage and Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

U.S. POSTAL SERVICE
PS FORM 3547

67-54B

✓ - 60B

✓ - 81AD

✓ - 82A

✓ - 12337

69-4105

ADDITIONAL SERVICE
REQUESTED

Jord 555

CYNTHIA A JORDAN

JOSEPH L JORDAN

PO BOX 102

FRUITVALE ID 83620

JORD555 836122005 1A03 08 08/11/04
FORM 3547

JORDAN
5855 W FARM MARKET RD
BOISE ID 83714-9450

FAAGTMS 83612

|||||

RECEIVED
AUG 17 2004
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 67-14749
Date Received: 10/11/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

GERALD ARTHUR O DAY Phone: (208)253-4235

2568 FRUITVALE-GLENDALE RD
FRUITVALE ID USA 83612

MARY LOU O DAY Phone: (208)253-4235

2568 FRUITVALE-GLENDALE RD
FRUITVALE ID USA 83612

2. Date of Priority: 06/01/1884

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	4	NE NE 1	ADAMS	

5. Description of diverting works:

DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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
17N	01W	15	SW	NE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER CARRIED IN THE ROBERTSON-SEAVY DITCH.
COPY OF DEED ATTACHED.

This right was renumbered to right 67-14749.

This right is renumbered from former right 67-54A.

15. Basis of Claim: Decreed

16. Signature(s)

AUG 09 2006

DEPARTMENT OF
WATER RESOURCES

State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

July 28, 2006

JAMES E. RISCH
GovernorKARL J. DREHER
Director

GERALD AND MARY LOU O DAY
2568 FRUITVALE-GLENDALE RD
FRUITVALE ID 83612

Records updated 8-10-06.
-M

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14749
Identification Number Change and Address Change

Dear Mr. and Mrs. O'Day:

The ident
67-14749. Nothi
future inquiries c

I have en

Also, we
records, howeve

Please si
corrections to yo
water rights you

Do not h
questions or cor

C - you have file.

pls file in

Mr. J. O'Day
8-10-06

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Copy of Notice of Claim

#####

The address is correct as shown above or as otherwise changed.

Mary Lou O'Day
Claimant Signature

253-4235
Telephone No.

SCANNED

AUG 10 2006

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 67-14749
Date Received: 10/11/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

GERALD ARTHUR O DAY Phone: (208)253-4235

PO BOX 100
FRUITVALE ID USA 83620

MARY LOU O DAY Phone: (208)253-4235

PO BOX 100
FRUITVALE ID USA 83620

2. Date of Priority: 06/01/1884

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	4	NE NE 1	ADAMS	

5. Description of diverting works:

DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	

7. Total Quantity Appropriated is:
0.06 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
17N	01W	15	SW	NE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER CARRIED IN THE ROBERTSON-SEAVY DITCH.
COPY OF DEED ATTACHED.

This right was renumbered to right 67-14749.

This right is renumbered from former right 67-54A.

15. Basis of Claim: Decreed

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: A67-00054A

Date Received: 10/11/1989

Receipt No: C91214

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD ARTHUR O'DAY 208-253-4235
Address: P.O. BOX 100
FRUITVALE, ID 83620

AND/OR

Name: MARY LOU O'DAY 208-253-4235
Address: P.O. BOX 100
FRUITVALE, ID 83620

2. Date of Priority: JUN 01, 1884

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	4	NE	NE		1	ADAMS

5. Description of diverting works:
DAM IN RIVER TO DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A67-00054A

Page 1

Date: 10/11/89

SCANNED
MAY 10 2004

MICROFILMED

OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	15	SW	NE		IRR	4.0
Section Acres							4.0
Total Acres							4.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS WATER CARRIED IN THE ROBERTSON-SEAVY DITCH.
COPY OF DEED ATTACHED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree 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: 1

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): Gerald O'Day Date: 10-11-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of October 19 89

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

COPY

WARRANTY DEED

For Value Received

DOUGLAS G. EASTLICK, a single man

the Grantor, does hereby grant, bargain, sell and convey unto

GERALD ARTHUR O'DAY and MARY LOU O'DAY, husband and wife

whose current address is: 2292 Glen Vista, Sparks, NV 89434

the following described premises, to-wit:

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 15: A parcel in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Commencing at the NE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

thence South along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ 600 feet, more or less, to the NE side of the old Highway 95 right of way;

thence Northwest along the right of way 800 feet, more or less, to a point on the North line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

thence East 450 feet, more or less, to the PLACE OF BEGINNING.

TOGETHER with three inches of adjudicated water having an 1884 priority date, and three shares in the Robertson-Sevey Ditch Company, all the same being appurtenant to the above described property, together with an easement by, through and in the Rice pipeline for the transportation thereof.

SUBJECT to an easement through the above described land to Lorn Rice and his heirs for the Rice pipeline.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 11th day of July, 1989.

Douglas G. Eastlick

STATE OF IDAHO, County of Adams

On this 11th day of July, 1989, before me, a notary public in and for said State, personally appeared Douglas G. Eastlick, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public for Idaho
Residing at Fruitvale
Commission Expires: 7/93

COPY

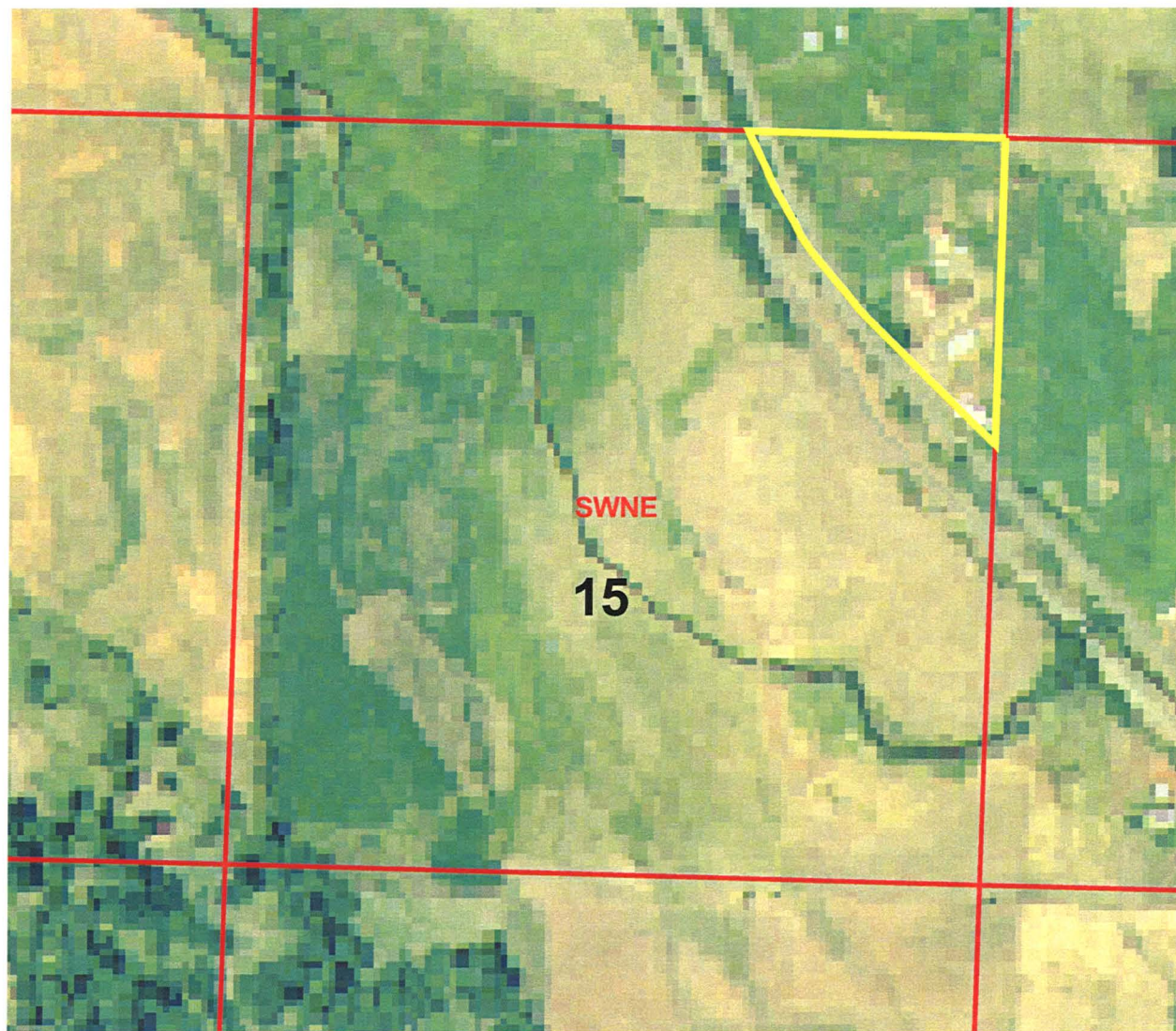
001 0 1 1885
MICROFILMED

Idaho Department of Water Resources

T17N, R01W S15
Water Right No: 67-54A

Legend

-  Point of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



0.1 0 0.1 0.2 Miles