

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: A73-00076
Date Received: 1/ 8/1990
Receipt No: S010866
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PATRICIA D. GUNTHER 415-433-3887
Address: 209 POST STREET
SUITE 1104
SAN FRANCISCO, CA 94108

AND

Name: GEORGE M. BOWLES 415-433-3887
Address: 209 POST STREET
SUITE 1104
SAN FRANCISCO, CA 94108

AND

Name: DONALD M. GREGORY, JR. 415-433-3887
Address: 209 POST STREET
SUITE 1104
SAN FRANCISCO, CA 94108

2. Date of Priority: APR 1, 1912

3. Source: DUCK SPRING Trib. to: SPRING CREEK
SPRING CREEK PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	26	SW	SE			LEMHI

5. Description of diverting works:
ELLIS DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	21E	7	SW	NE	IRR	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 2782 CHANGED P/U.

THE WATER COMING FROM DUCK SPRING AND SPRING CREEK IS DIVERTED
ACROSS TO THE PAHSIMEROI RIVER THEN DIVERTED IN TO THE ELLIS
CANAL WHERE IT IS THEN SUPPLIED TO THE 20 ACRES IRRIGATED.
OWNERSHIP CHANGE: 1-16-91/JT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ROSCOE HAMILTON, ET AL.
Decree Plaintiff

W.G. SWENDSEN, ET AL.
Decree Defendant

vs

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

RECEIVED

Ident. Number: A73-00076
Date Received: 1/08/1990
Receipt No: 5010866
Received By: AD

JAN - 9 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD A. BLATZ
Address: H.C. 62 BOX 1200
ELLIS, ID

GUNTHER 40

208-876-4429

83235

2. Date of Priority: APR 01, 1912

3. Source: DUCK SPRING
SPRING CREEK

Trib. to: SPRING CREEK
PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	26	SW	SE			LEMHI

5. Description of diverting works:
ELLIS DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

A.F.A.

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	21E	7	SW	NE		IRR	20.0

Section Acres 20.0

A73-00076

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Date: 01/08/90



MICROFILMED

DEC 14 1992

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 2782 CHANGED P/U.

THE WATER COMING FROM DUCK SPRING AND SPRING CREEK IS DIVERTED
ACROSS TO THE PAHSIMEROI RIVER THEN DIVERTED IN TO THE ELLIS
CANAL WHERE IT IS THEN SUPPLIED TO THE 20 ACRES IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ROSCOE HAMILTON, ET AL.

Decree Plaintiff

vs

W.G. SWENDSEN, ET AL.

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: 0

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): Donald A. Blatz Date: Jan 8-90
Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Jan. 19 90

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JANUARY 16, 1991

PATRICIA D GUNTHER
GEORGE M BOWLES
DONALD M GREGORY JR
209 POST STREET SUITE 1104
SAN FRANCISCO CA 94108

RE: CHANGE IN OWNERSHIP FOR A73-00076, 04017, 07017A,
AND 00081

Your request for Change in Ownership submitted for
your Notices of Claim A73-00076, 04017, 07017A, and
00081 has been processed and the Notices modified to
reflect you as the new owners.

Enclosed are typed Notices with your names shown as the
current owners. Review the forms and if there are other
corrections or questions, feel free to contact this
office.

If there are no questions or corrections, please keep
these Notices for your records.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure: Printed Notices of Claim

File: P

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DEC 14 1992

RECEIVED

AUG 27 1990

CHANGE IN OWNERSHIP

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Department of Water Resources

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A73-00076 and A73-04017

[] Name and Address of Former Claimant(s): DONALD A. BLATZ

H.C. 62 BOX 1200

ELLIS, ID. 83235

[] New Claimant(s): PATRICIA D. GUNTHER, GEORGE M. BOWLES

DONALD M. GREGORY JR. - AS THEIR INTERESTS APPEAR

[] New Mailing Address: DONALD M. GREGORY, JR.

209 POST STREET, SUITE 1104

SAN FRANCISCO, CAL 94108

New Telephone Number: (415) 433-3887

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: WARRENTY DEED
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): Patricia D. Gunther

Donald M. Gregory, Jr.

Sam B. Bowles, Trustee

Date: Aug 23, 1990

MICROFILMED

DEC 14 1992

WARRANTY DEED

195376

For Value Received

DON A. BLATZ, a/k/a DONALD A. BLATZ, a Widower,

the grantor, do es hereby grant, bargain, sell and convey unto G. M. BOWLES TRUST, by GEORGE M. BOWLES, Trustee, as to an undivided 1/3 interest; DONALD M. GREGORY, JR., an unmarried man dealing with his sole and separate property, as to an undivided 1/3 interest, and PATRICIA D. GUNTHER, a married woman dealing with her sole and separate property, as to an undivided 1/3 interest, as Tenants in Common, the grantees, whose current address is 601 Montgomery Street, San Francisco, CA 94111,

the following described premises, in Lemhi and Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor do es 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 incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 23, 1990.

Don A Blatz
Don A. Blatz, a/k/a DONALD A. BLATZ

STATE OF IDAHO

COUNTY OF Custer

On this 29th day of May, in the year 1990, before me, a Notary Public, personally appeared DON A. BLATZ a/k/a DONALD A. BLATZ 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.

Ethel M. Beck
Notary Public
Residing at 1000

My Comm. Expires: lifetime

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of *Salmon River Realty*

at 25 minutes past 2 o'clock P.M., this 1st day of June 1990, in my office, and duly recorded in Book of Deeds at page

Ethel M. Beck
Ex-Officio Recorder
By *Jauna J. J. J.*
Deputy.

Fees \$ 6.00
Mail to: CCT

INSTRUMENT NO.

EXHIBIT "A" *Bratz*

SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, AND THE PORTION OF THE N $\frac{1}{2}$ NE $\frac{1}{4}$ LYING AND BEING WEST OF THE PAHSIMEROI RIVER IN CUSTER COUNTY, ALL IN SECTION 7, TOWNSHIP 15 NORTH, RANGE 21 E., B.M.;

ALSO, THE FOLLOWING DESCRIBED PROPERTY IN LEMHI COUNTY, IDAHO, TO WIT:

ALL OF THAT PART OF THE NW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 21 E., B.M., THAT LIES IN LEMHI COUNTY, IDAHO, AND ALL OF THAT PART OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 21 E., WHICH LIES IN LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T. 15 N., R. 21 E., B.M., CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7, A DISTANCE OF 1350.96 FEET ON A BEARING OF S. 89° 46' 57" W., ALONG THE SECTION LINE; THENCE S. 0° 12' 35" E., 1044.81 FEET TO THE REAL POINT OF BEGINNING. THENCE S. 0° 12' 35" E., 277.60 FEET; THENCE N. 89° 44' 54" E., 327.02 FEET TO A POINT IN THE CENTER OF A DITCH;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG CENTERLINE OF SAID DITCH:

N. 24° 31' 56" W., 129.57 FEET;

N. 43° 40' 58" W., 67.74 FEET;

N. 86° 51' 05" W., 110.13 FEET;

THENCE N. 48° 41' 25" W., 156.41 FEET TO THE REAL POINT OF BEGINNING.

State of Idaho

County of Lemhi

as No. 206774

This instrument was filed for record at the request of *Alvin Stevenson* at 11:57 o'clock *a* m *6-7* 19 *90* and duly filmed and indexed in the records of Lemhi County

Alberta Wiederrick

Ex-Officio Recorder

By *Dorinda Carson* Deputy

Fees *6.00*