

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: A73-00081
Date Received: 4/21/1989
Receipt No: E006989
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: MAY 4, 1904

3. Source: PAHSIMEROI RIVER Trib. to: SALMON RIVER
SPRINGS PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	8	NW	SE	SW		CUSTER

5. Description of diverting works:
T.G. MONTGOMERY DITCH. FLOOD IRRIGATION OF PASTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

A73-00081

Page 1

Date: 01/16/91

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8. Total consumptive use is 167.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING 125 PAIRS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	21E	6	SW	NE		IRR	3.0
			SW	SW	7	IRR	35.0
			SE	SW		IRR	15.0
			NW	SE		IRR	6.0
			SW	SE		IRR	8.0

Section Acres 67.0

Total Acres 67.0

11. Place of use in counties: LEMHI, CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D NOT IDENTIFIED IN DECREE.

SPRINGS ON/NR SE4, S8; NENE, S9; W2SW, S9, T15N, R21E.

CHANGE IN OWNERSHIP: 1-16-91/JT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 2/17/1926

ROSCOE HAMILTON ET AL.

Decree Plaintiff

vs

W.G. SWENDSEN, ET AL.

Decree Defendant

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: A73-00081

Date Received: 4/21/1989

Receipt No: 606989

Received By: Ed

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MATSUURA BROTHERS, PARTNERSHIP GUNTHER 208-785-2948
Address: C/O GLENN MATSUURA
426 N. 150 W.
BLACKFOOT, ID 83221

2. Date of Priority: MAY 04, 1904

3. Source: PAHSIMEROI RIVER Springs Trib. to: SALMON RIVER
PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	21E	8	NW	SE	SW		CUSTER

5. Description of diverting works:
T.G. MONTGOMERY DITCH. FLOOD IRRIGATION OF PASTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.000		

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

8. Total consumptive use is 167.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING 125 PAIRS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15N	21E	6	SW	NE		IRR	3.0

A73-00081

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Date: 04/21/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	21E	6	SW	SW	7	IRR	35.0
			SE	SW		IRR	15.0
			NW	SE		IRR	6.0
			SW	SE		IRR	8.0
						Section Acres	67.0
						Total Acres	67.0

11. Place of use in counties: LEMHI, CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D NOT IDENTIFIED IN DECREE.
SPRINGS ON/NR SE4, S8; NENE, S9; W2SW, S9, T15N, R21E.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 2/17/1926

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am General Partner of
Matsuura Bros. ^{Title}
Organization, that I have signed the foregoing
document in the space below as General Partner of
Matsuura Bros. ^{Title}
Organization and that the statements contained in the
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Gen Part. of Matsuura Bros.
Title and Organization

April 21, 1989
Date

State of Idaho
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21 day
of April 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

Gravel Pit

Pahsimero

36

BM 4710

31

32

5040

130

DITCH

T16N

T15N

BURSTEADT LANE

L4 L3 L2 L1

L5

L6

LEMMING CUSTER SPRINGS

BM 4749

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DITCH

R 20 E

R 21 E

River

BM 4765

MAY 64 MI.
PATTERSON 20 MI.

Point of Diversion

DITCH

Spring

18

Anderson

17
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6315

13

5600

4800



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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CHANGE IN OWNERSHIP

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

[] Water Right Number(s): A73-00081

[] Name and Address of Former Claimant(s): MATSUURA BROTHERS, PARTNERSHIP

C80 GLENN MATSUURA

426 N. 150 W. BLACKFOOT, ID. 83221

[] 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.

George M. Bowles, Trustee

Date: Aug. 23, 1990

RECEIVED

AUG 21 1990

Department of Water Resources
Eastern District Office

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CHANGE IN OWNERSHIP

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[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

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WARRANTY DEED

195375

For Value Received **MATSUURA BROTHERS LAND COMPANY, a Partnership, by GLENN MATSUURA, Managing Partner,**

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 Grantee s, their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that itxhe is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: May 23, 1990.

MATSUURA BROTHERS LAND COMPANY, A Partnership,

By: Glenn Matsuura
Glenn Matsuura, Managing Partner

STATE OF IDAHO
COUNTY OF **Custer**

On this 25 day of May, in the year 19 90, Glenn Matsuura, a Notary Public, personally appeared Glenn Matsuura, Managing Partner of Matsuura Brothers Land Company, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

NOTARY PUBLIC
Glenn Matsuura
Notary Public, Idaho.
My Comm. Expires: September

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 2:00 o'clock P.M., this 15th day of June 19 90, in my office, and duly recorded in Book of Deeds at page

Ethel M. Reek
Ex-Officio Recorder
By: Glenn Matsuura
Deputy.

Fees \$ 6.00
Mail to: Salmon River Realty

Chicago Title Insurance
Company of Idaho



EXHIBIT "A" *Matsuo*

TRACT 1:

THAT PART OF THE NW1/4SE1/4 OF SECTION 6, TOWNSHIP 15 N., R. 21 E., B.M., SITUATED IN LEMHI COUNTY, IDAHO AND THE SE1/4SE1/4 OF SECTION 6, TOWNSHIP 15 N., R. 21 E., B.M., EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE MARKING THE SE CORNER OF SAID SECTION, THENCE NORTH 1420 FEET, MORE OR LESS, TO THE NE CORNER OF THE SE1/4SE1/4 OF SAID SECTION 6, THENCE WEST ALONG THE NORTH LINE OF SAID SE1/4SE1/4 985 FEET TO THE EASTERLY BANK OF A DITCH, THENCE SOUTHERLY ALONG THE EASTERLY BANK OF SAID DITCH TO THE INTERSECTION OF THE SOUTH LINE OF SAID SE1/4SE1/4, THENCE EAST ALONG SAID SOUTH LINE OF SAID SE1/4SE1/4 435 FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

THAT PART OF THE SW1/4SE1/4 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 21 EAST OF THE BOISE MERIDIAN, SITUATED IN LEMHI COUNTY, IDAHO.

ALSO, PART OF LOT 2 AND PART OF THE SW1/4NE1/4 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 21 EAST OF THE BOISE MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER OF THE PRESENT COUNTY ROAD AND THE SOUTH LINE OF SAID SW1/4NE1/4 OF SAID SECTION 6 AT A POINT 136 FEET WEST OF THE SE CORNER THEREOF, THENCE ALONG SAID COUNTY ROAD AS FOLLOWS: NORTH 28° WEST 730 FEET, THENCE NORTH 32° WEST 443 FEET, NORTH 26° WEST 345 FEET, NORTH 38° WEST 520 FEET, NORTH 64° WEST 195 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2, THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 2, AND THE WEST LINE OF THE SAID SW1/4NE1/4 1750 FEET MORE OR LESS, TO THE SW CORNER OF SAID SW1/4NE1/4, THENCE EAST ALONG THE SOUTH LINE OF SAID SW1/4NE1/4 1184 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

ALSO, A PART OF THE NE1/4SE1/4 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 21 EAST OF THE BOISE MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SW CORNER OF SAID NE1/4SE1/4 OF SECTION 6, THENCE EAST ALONG THE SOUTH LINE OF SAID NE1/4SE1/4 541 FEET TO THE CENTER OF THE PRESENT COUNTY ROAD, THENCE ALONG THE SAID COUNTY ROAD NORTH 28° WEST 480 FEET, NORTH 1° WEST 115 FEET, NORTH 27° WEST 413 FEET, NORTH 32° WEST 210 FEET TO A POINT ON THE WEST LINE OF SAID NE1/4SE1/4 OF SAID SECTION 6, THENCE SOUTH ALONG THE WEST LINE OF THE SAID NE1/4SE1/4 1120 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

TRACT 2

THAT PART OF THE NW1/4SE1/4 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 21 EAST OF THE BOISE MERIDIAN, SITUATED IN CUSTER COUNTY, IDAHO, AND THAT PART OF THE SW1/4SE1/4 OF SAID SECTION 6, SITUATED IN SAID CUSTER COUNTY, IDAHO, AND LOT 7, AND THE SE1/4SW1/4 OF SECTION 6, TOWNSHIP 15 NORTH, RANGE 21 EAST OF THE BOISE MERIDIAN.

State of Idaho)
County of Lemhi)

.. No. **206773**

This instrument was filed for record at
the request of *Lynn Stevenson*
at *11:51* 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 *Diana L. Carlson* Deputy

Fees: *6.00*