

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 29-13136
Date Received: 11/28/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARRY PACKER Phone: (208)234-2363

8675 N PARKS RD
POCATELLO ID USA 83201

2. Date of Priority: 06/01/1887

3. Source: POCATELLO CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06S	35E	19	SE NE	BANNOCK

5. Description of diverting works:

PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:

A2913136



10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	35E	19	SE	NE	IRRIGATION	2
Section Acres						2
Total Acres						2

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

29-00443

AJ Side

WR - Side
not split

A) Finkins

0.10 cfs
5 ac

B) Fritch

0.02 cfs
10 ac

C) Stacking

0.05 cfs
2.5 ac

D) Stanley

10 cfs
52.5 ac

E) Johnson

0.01
2.0 ac

F) Dixon

0.02 cfs
7.0 ac

G) Anderson

0.20 cfs ≈ 0.06
2.0 ac

H) Packer

0.08 cfs
4 ac

I) Paul

0.04 cfs
2.0 ac

P) Anderson, Ruessine

0.83 cfs
43.6 ac

Q) Todd Anderson

0.17 cfs
8.9 ac

J) Smith

0.01 cfs
2 ac

K) Morris

0.01 cfs
1.5 ac

L) Finkelburg

0.01 cfs
1 ac

M) Griggs

0.09 cfs
3 acres

N) Travis

1 cfs ≈ 0.60
30 acresTaney
29-00443
2.0 cfs
 ≈ 360 ac

TR 735

changed POB TO
Eliminate
65,34E, 23, NWNE
Added N $\frac{1}{2}$ of S $\frac{1}{2}$
Sect 13Totals 2.64 cfs
over claimedNote: If Reduce "G" + "N" to an 1"/acre
total cfs = 2.10 cfs



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 28, 2000

LARRY PACKER
8675 N PARKS RD
POCATELLO ID 83201

RE: CHANGE IN OWNERSHIP FOR 29-443H

Dear Mr. Packer:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

29-13136, 0.05 CFS ON 2 ACRES, PACKER
29-13137, 0.03 CFS ON 2 ACRES, HURLEY

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG JC
9/25/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 25 2000

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A29-00443H					
SPLIT OFF 1/3					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) LARRY & TAMARA PACKER (208) 234-2363
8675 N PARKS RD, POCA TELLO ID 83201
4. New Owner/Claimant(s) JOHN & NANCY HURLEY
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 11826 ROAD 27.1
- City, State and ZIP Code DOLORES, CO 81323
- New Telephone Number (970) 564-0853 WORK (505) 368-7103
5. Date you acquired the property 3/26/2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>A 29-00443 H</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.027 C.F.S</u>	<u>1.98 ACRES</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>.027 C.F.S.</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	

7. ☒ Signature of New Owner(s) or Claimant(s) John T. Hurley
(include title if applicable) Nancy R. Hurley

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

P31029

3-11
WARRANTY DEED

NO. 04933 20004933

RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
2000 MAR 30 PM 3 49OFFICIAL RECORD BOOK NO 756
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 6.00 DEPUTY *LM*

For Value Received LARRY D. PACKER and TAMARA SUE PACKER, Husband and Wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JOHN THOMAS HURLEY and NANCY RUTH HURLEY, Husband and Wife

whose address is: 1115 Ridgecrest Gallup, NM 87301

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, ID, to-wit:

A TRACT OF LAND LOCATED IN SECTION 19 AND 20, T. 6 S., R. 35 E., B.M., BEING A PORTION OF DEED NUMBER 91012773 IN BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ¼ CORNER OF SECTION 19 BEING MARKED BY A BANNOCK COUNTY MONUMENT RECORDING NUMBER 650978;

THENCE N 0°02'17" E (BASIS OF BEARINGS AS PER RECORDING NUMBER 705510) ALONG THE EAST LINE OF SECTION 19, A DISTANCE OF 670.61 FEET TO THE SOUTH PROPERTY LINE OF THE REMAINDER OF DEED NUMBER 91012773;

THENCE S 56°53'00" W., ALONG THE SOUTH LINE OF THE REMAINDER OF DEED NUMBER 91012773, A DISTANCE OF 59.72 FEET AND A ½ INCH IRON REBAR, THE TRUE POINT OF BEGINNING;

THENCE N 0°02'17" E, PARALLEL AND 50.00 FEET FROM THE EAST LINE OF SECTION 19, A DISTANCE OF 430.01 FEET TO THE CENTER OF POCATELLO CREEK ROAD AND A ½ INCH IRON REBAR;

THENCE S 85°36'02" E, ALONG THE CENTER OF POCATELLO CREEK ROAD, A DISTANCE OF 217.35 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF PARKS ROAD AND A ½ INCH IRON REBAR;

THENCE S 18°13'45" E ALONG THE WEST RIGHT-OF-WAY LINE OF PARKS ROAD, A DISTANCE OF 235.55 FEET TO A ½ INCH IRON REBAR AND THE SOUTHEAST CORNER OF THE REMAINDER OF DEED NUMBER 91012773;

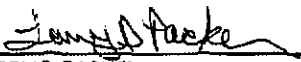
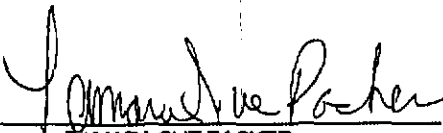
THENCE S 56°53'00" W, ALONG THE SOUTH LINE OF SAID PROPERTY A DISTANCE OF 347.06 FEET, TO THE TRUE POINT OF BEGINNING.

SEE ATTACHED RESTRICTIONS

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

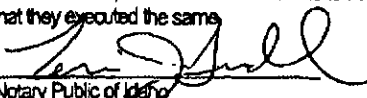
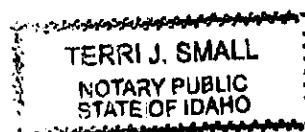
Dated: March 26, 2000


LARRY D. PACKER
TAMARA SUE PACKER

STATE OF Idaho

COUNTY OF BANNOCK

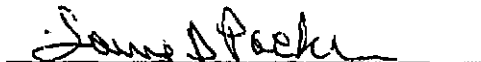
On this 27th day of March, 2000, before me, a Notary Public in and for said State, personally appeared LARRY D. PACKER and TAMARA SUE PACKER, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: POCATELLO, ID
Commission Expires: 04/28/05

20004933

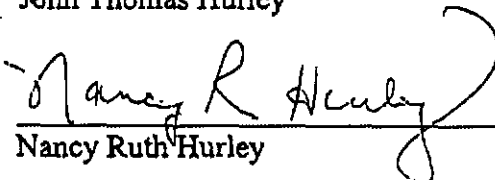
ATTACHMENT TO WARRANTY DEED
PACKER TO HURLEY

1. Only site built home of 1600 square feet or more, excluding basement may be built on property. A two car garage or larger must also be built with home.
2. One-third of Pocatello Creek Water rights now owned by seller will be included with sale of said property.

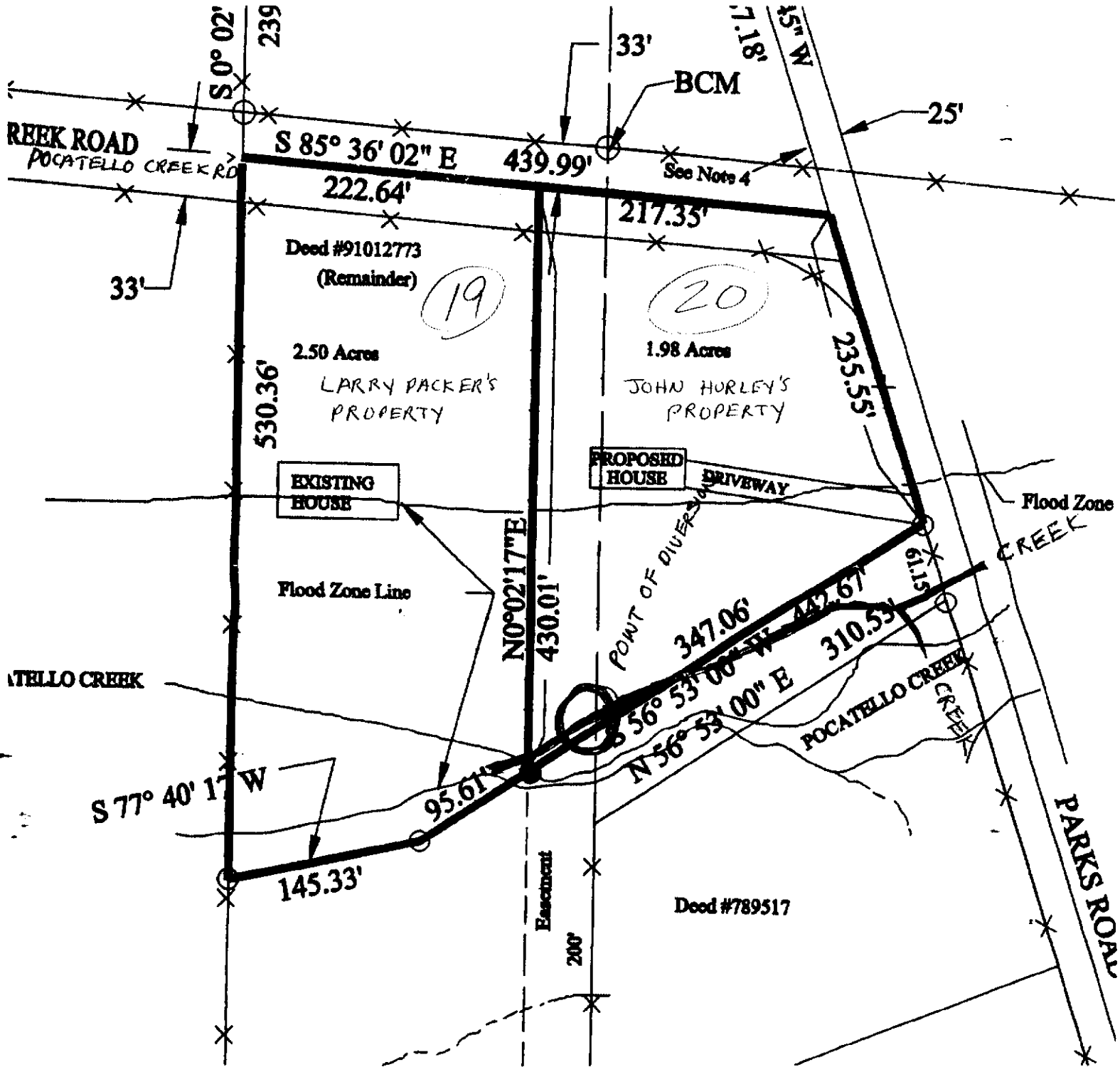

Larry D. Packer


Tamara Sue Packer


John Thomas Hurley


Nancy Ruth Hurley

March 27, 2000



2.50
1.98
4.48