

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

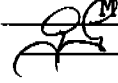
IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02186

Date Received: 8/04/1988

Receipt No: M000804

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WALZ ENTERPRISES INC. 208-356-5291  
Address: 550 S. 4000 W.  
REXBURG, ID 83440

2. Date of Priority: OCT 17, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06N      | 41E   | 11      | SW     | NE     | SW     |     | MADISON |

5. Description of diverting works:  
300 HP PUMP, 500' DEEP, 24" CASING

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 3.570  |      |        |

7. Total Quantity Appropriated is:  
3.570 C.F.S. (and/or) 1285.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 06N      | 41E   | 10      | NE     | NE     |     | IRR | 38.0  |
|          |       |         | NW     | NE     |     | IRR | 37.0  |
|          |       |         | SW     | NE     |     | IRR | 36.0  |

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Date: 08/04/88

A2202186



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OCT 28 1988

10. Place of Use: Continued

| Township | Range | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-------|---------|---------------|-----|-----|-----|-------|
| 06N      | 41E   | 10      | SE            | NE  |     | IRR | 39.0  |
|          |       |         | Section Acres |     |     |     | 150.0 |
|          |       | 11      | SW            | NW  |     | IRR | 38.0  |
|          |       |         | SE            | NW  |     | IRR | 39.0  |
|          |       |         | NE            | SW  |     | IRR | 39.0  |
|          |       |         | NW            | SW  |     | IRR | 39.0  |
|          |       |         | SW            | SW  |     | IRR | 38.0  |
|          |       |         | SE            | SW  |     | IRR | 38.0  |
|          |       |         | NW            | SE  |     | IRR | 20.0  |
|          |       |         | SW            | SE  |     | IRR | 30.0  |
|          |       |         | Section Acres |     |     |     | 281.0 |
|          |       |         | Total Acres   |     |     |     | 431.0 |

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: LICENSE  
Water Right Number: 29086

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08/20/88

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): Wah Enterprises Inc Date: 8-4-1988

by Gus J. Wah Date:                     

State of Idaho )

) SS.

County of Madison )

Subscribed and sworn (or affirmed) before me this 4 day

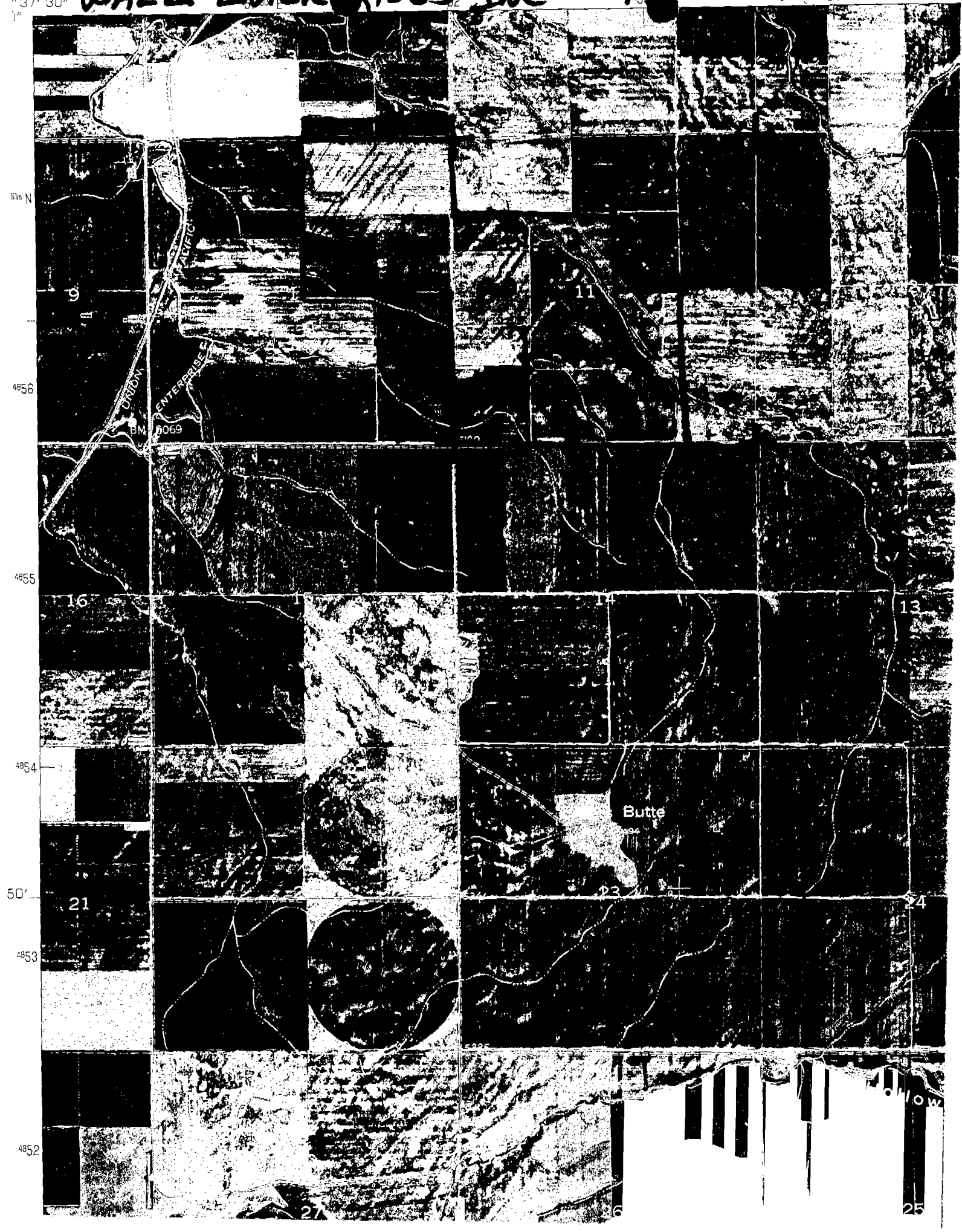
of Aug 19 88

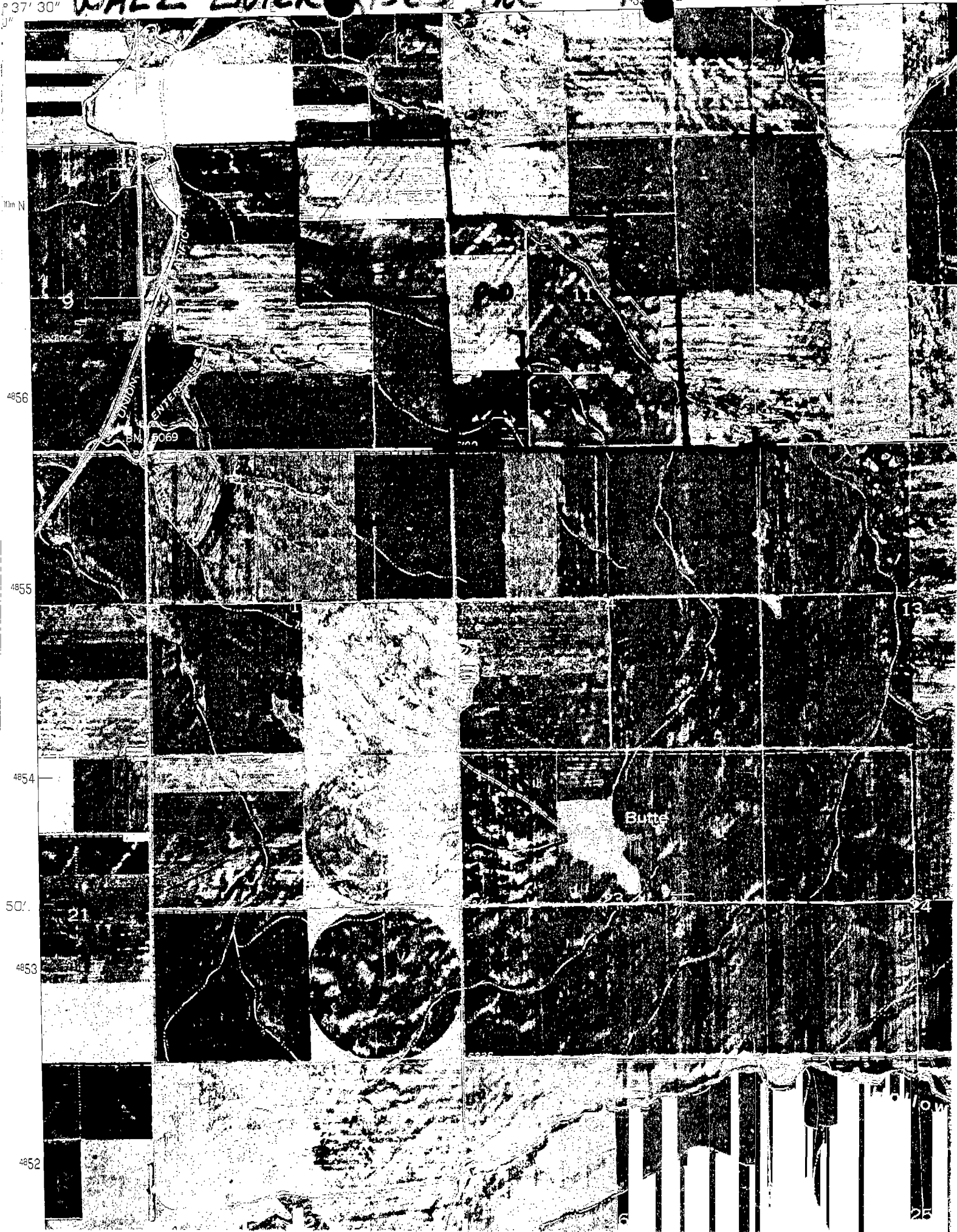
John J. L. L. L.  
Notary Public

Seal

Residing at Bartel

My Commission Expires 6/3/91





White N

4856

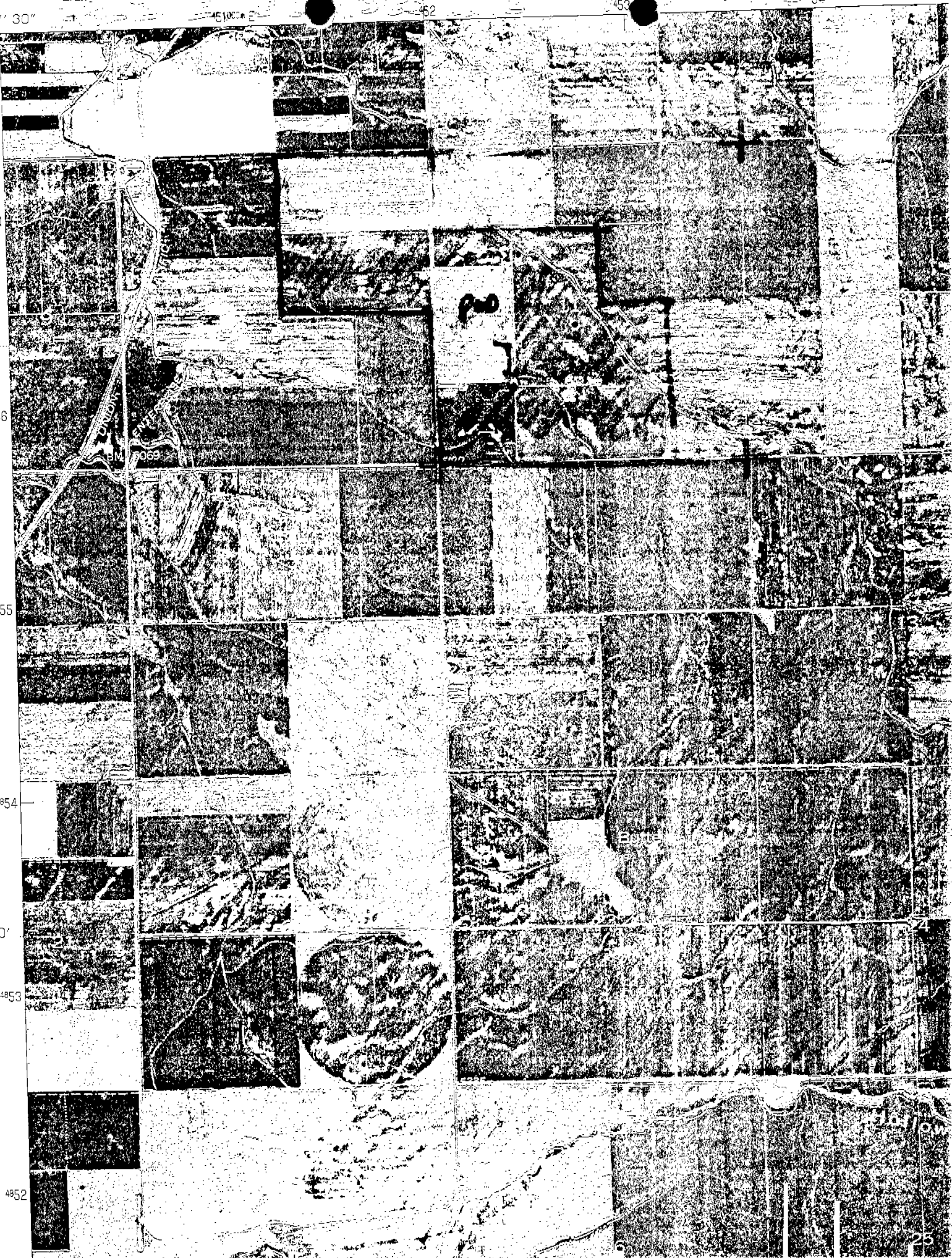
4855

4854

50'

4853

4852



Log for claim 22-02186

Spatial Dynamics BTD

7/27/01

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 06n41e         | 10  | NENE | 38               | 39             |         |
| 06n41e         | 10  | NWNE | 37               | 38             |         |
| 06n41e         | 10  | SWNE | 36               | 39             |         |
| 06n41e         | 10  | SENE | 39               | 37             |         |
| 06n41e         | 11  | SWNW | 38               | 38             |         |
| 06n41e         | 11  | SENW | 39               | 39             |         |
| 06n41e         | 11  | NESW | 39               | 40             |         |
| 06n41e         | 11  | NWSW | 39               | 38             |         |
| 06n41e         | 11  | SWSW | 38               | 36             |         |
| 06n41e         | 11  | SESW | 38               | 38             |         |
| 06n41e         | 11  | NWSE | 20               | 12             |         |
| 06n41e         | 11  | SWSE | 30               | 35             |         |
| <b>Totals:</b> |     |      | 431              | 429            |         |

## WATER LICENSE

Water License No. G-29086 Priority October 17, 1960 Amount 3.57 c.f.s.

THIS IS TO CERTIFY, that Packer Farm Corporation  
of Rexburg, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated October 17, 1960; that Permit G-29086 was issued pursuant  
to said application; that the proposed works were completed on or about June 1961  
with a storage/or carrying capacity of 3.57 c.f.s., said works consisting of well,  
pump and motor, and that on October 19, 1965  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1285  
acre feet per season, with a maximum rate of diversion of 3.57 cubic feet per second of the waters  
of ground water, tributary of \_\_\_\_\_,  
for the purpose of Irrigation from April 1 to October 31  
and for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and for  
\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_; and that the use  
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-  
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is  
located in NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 11, T. 6 N., R. 41 E., B.M., and  
other additional points \_\_\_\_\_, in the County of  
Madison; and that the amount of water to which such right is  
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially  
used for said purposes and shall not exceed 1285 acre feet per year.

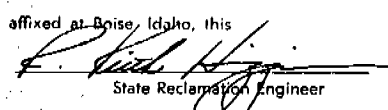
Description and location of place of use:

| TWP.       | RANGE       | SEC.      | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS     |
|------------|-------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|
|            |             |           | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |            |
| <u>6 N</u> | <u>41 E</u> | <u>10</u> | <u>38</u>        | <u>37</u>        | <u>36</u>        | <u>39</u>        |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | <u>150</u> |
|            |             | <u>11</u> |                  |                  |                  |                  |                  |                  | <u>38</u>        | <u>39</u>        | <u>39</u>        | <u>39</u>        | <u>38</u>        | <u>38</u>        |                  | <u>20</u>        | <u>30</u>        |                  | <u>281</u> |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |             |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |

Total number of acres irrigated 431

The right to the use of the water 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 State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 1969
  
State Reclamation Engineer

22 2180

29086 22-2186

7-23080  
22-2186

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37081  
Permit No. G- 29086  
District No.

1. Name of Applicant: Packer Farm Corporation, by Clyde P. Packer, Pres.

Postoffice address: 321 E. 3rd So., Rexburg County: Madison

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 9 or Idaho  
Miners' inches 450 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Well (Subterranean)

4. Location of point of diversion or well is in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section Eleven  
Twp. 6 N , Rge. 41 E , B.M., County of Madison

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.

7. Kind of works: Deep well, pump, electric motor, main & laterals

8. Estimated cost of works: \$35,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5  
years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: January 16, 1958 in Idaho

(b) Amount of capital stock: \$100,000

(c) Amount paid in: \$100,000

(d) Names and addresses of directors: Clyde P. Packer & Dora M. Packer, of 321 E. 3rd, Rexburg, Idaho; Clyde Dean. Packer & Preston Merrill Packer of Blackfoot, Idaho; Claire Preece of Boise, Idaho, Dora Lee Walz, Rt. 1, Rexburg, Ida; & Alden M. Packer of Idaho Falls, Idaho.

II. The financial resources of the applicant are (a) Cash on hand: \$ 700.00

(b) Treasury stock: none

(c) Bonds to be issued: none

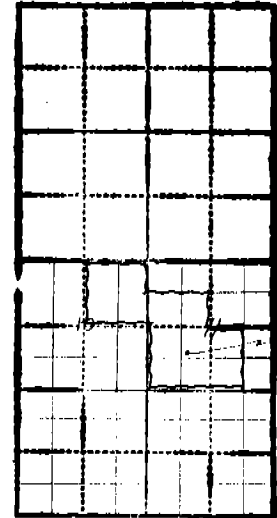
(d) Other resources: crop on hand - \$20,000; Land & bldg. & machinery \$162,260

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 9.0 (cubic feet per second, inches or gallons per minute) is for new lands.



**BE IT KNOWN THAT** The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By **Clyde P. Packer** Agent.

Corrected application received:

The number of this permit is G— 29086

Recorded in Book 102 Page 29086 Approved October 20, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ \_\_\_\_\_ to be filed on or before \_\_\_\_\_

**Work to begin on or before**

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **April 20, 1963**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 20, 1965

Witness my hand this                    20th                    day of                    October, 1960

s/ GEO. N. CARTER  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,  
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to  
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20th  
day of October, 1960.

**Countersigned:**

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE  
Governor

*Secretary of State.*

12.

| Twp.                            | Range | Sec. | NE¼          | NW¼          | SW¼          | SE¼          | Totals |
|---------------------------------|-------|------|--------------|--------------|--------------|--------------|--------|
|                                 |       |      | NE¼NW¼SW¼SE¼ | NE¼NW¼SW¼SE¼ | NE¼NW¼SW¼SE¼ | NE¼NW¼SW¼SE¼ |        |
| 6 N                             | 41 E  | 10   | 40 40 40 40  |              |              |              | 160    |
| 6 N                             | 41 E  | 11   |              | 40 40        | 40 40 40 40  | 20 30        | 290    |
|                                 |       |      |              |              |              | TOTAL        | 450    |
| LICENSE ISSUED FOR 3.57 SEC. P. |       |      |              |              |              |              |        |
| LICENSE PAGE NO. _____          |       |      |              |              |              |              |        |

LICENSE ISSUED FOR 3.57 SEC. P.  
 LICENSE PAGE NO.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
REPORT OF EXAMINER

Permit No. G-29086

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_

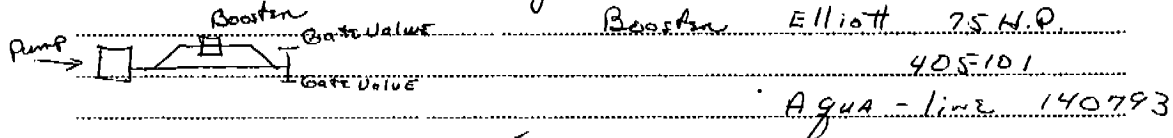
1. Name of applicant Packer Farm Corporation

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 11

T. 6 N R. 41 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: GENERAL Electric  
300 H.P. PVJ 310001 - Layne & Bowler Venti-line  
28275 10" Discharge



5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 Sec. 10., SW 1/4 SW 1/4, W 1/2 Sec. 11., Twp. 6 N., Rge. 41 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks:

Mel Brown From Idaho Falls installed  
the system. The system will produce  
1600 G.P.M. without the booster.  
Booster was not on when exam was  
made. Q = 3.57 cfs.  
IRRIGATION REQ. RETURN = 3.5 AC-FT / ACRE / SEASON  
(No deposits in folder 3/24/66.)

This examination was made on the \_\_\_\_\_ day of July 1968

(Signed) \_\_\_\_\_

Examiner.

22-2186  
29086

Clyde P. Packer, Pres. Packer Farm Corp.  
321 E. 3rd. South  
Rexburg, Idaho

Permit No. G-29086

Grant

H. H. H. H. H.

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 11 T. 6N R. 41 E

Quantity: 9 cfs

22-

Source: Well

P.D.: NE 1/4 SW 1/4  
Sec. 11 Twp. 6N Rge. 41E

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: Oct. 17, 1960

Due: Oct. 20, 1965

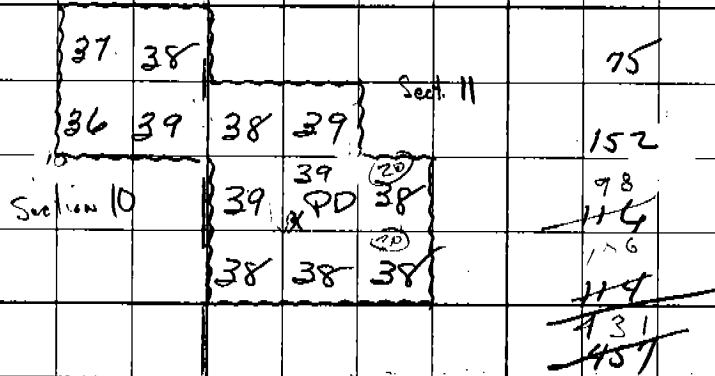
INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Twp 6N

Ry 41E

New Date



Subd. 12

Q = ALLOW 3.57 <sup>(Based upon)</sup> <sub>(Section 11)</sub>

A = ~~457~~ 431 ACRES ARE 7-15-69

VOL - 1285 AC-FT / SECTION

PRIORITY - 10-17-60

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29086

REPORT ON PROOF OF Completion of Works & Beneficial Use

