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11/25/00

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 63-31486
Date Received: 5/10/2002
Receipt No: *W027171*
Received By: *CS*

RECEIVED

MAY 15 2002

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PACKER VICTORY FAMILY HERITAGE Phone: (208)853-9216

6809 BARON AVE
BOISE ID 83703

2. Date of Priority: 01/01/1982

3. Source: SPANISH FORK , WET GULCH , WET GULCH , SPANISH FORK Trib. to: ELK CREEK
, SPANISH FORK , SPANISH FORK , ELK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05E	23	NE NE NW	BOISE	Ending Point
06N	05E	23	NW NW NE	BOISE	Beginning Point
06N	05E	23	NW NW NE	BOISE	Ending Point
06N	05E	23	NW NE NW	BOISE	Beginning Point

5. Description of diverting works:

INSTREAM STOCK WATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 10

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05E	23	NE	NW	STOCKWATER	
			NW	NE	STOCKWATER	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM SET TO TEMPORARY STATUS UNTIL SIGNED IN FRONT OF A NOTARY AND RETURNED TO THIS OFFICE WITH \$25 FILING FEE.

15. Basis of Claim: Beneficial Use

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 Organizations:

I do solemnly swear or affirm that I am Irene V. Victory of
General Partner
Title

Packer Victory Family Heritage, that I have signed the foregoing
Organization
document in the space below as Irene V. Victory of
General Partner
Title

Packer Victory Family Heritage and that the statements contained in the
Organization
foregoing document are true and correct. Irene V. Victory
Signature of Authorized Agent

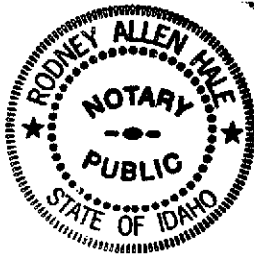
General Partner - Packer Victory Family Heritage
Title and Organization

May 13, 2002
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th DAY
of MAY 2002
Rodney Allen Hale
Notary Public

Residing at 7154 W. STATE ST.
My commission Expires 01/08/2008



05/22/2002

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

RIGHT NUMBER: 63-31486

NAME AND ADDRESS: PACKER VICTORY FAMILY HERITAGE
6809 BARON AVE
BOISE ID 83703

SOURCE: SPANISH FORK
WET GULCH

TRIBUTARY: ELK CREEK
TRIBUTARY: SPANISH FORK

QUANTITY: 0.02 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1982

POINT OF DIVERSION:
T06N R05E S23 NWNWNE Begin of Stream Flow Within BOISE County
T06N R05E S23 NWNWNE End of Stream Flow Within BOISE County
T06N R05E S23 NENENW End of Stream Flow Within BOISE County
T06N R05E S23 NWNENW Begin of Stream Flow Within BOISE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within BOISE County
T06N R05E S23 NWNE T06N R05E S23 NENW

THE USE OF WATER FOR IN-STREAM STOCK UNDER THIS RIGHT IN THE NENW, SECTION 23, T6N, R5E IS LIMITED TO THE EAST HALF OF THE NENW, SECTION 23, T6N, R5E.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31486 V1

WATER RIGHT NUMBER: 63-31486 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PACKER VICTORY FAMILY HERITAGE 6809 BARON AVE BOISE, ID 83703 (208)853-9216

Priority Date: 01/01/1982
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SPANISH FORK WET GULCH	ELK CREEK SPANISH FORK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPANISH FORK	NE1/4NE1/4NW1/4	Sec. 23, Twp 06N, Rge 05E, B.M.
BOISE County	(Ending of Reach)	
WET GULCH	NW1/4NW1/4NE1/4	Sec. 23, Twp 06N, Rge 05E, B.M.
BOISE County	(Beginning of Reach)	
WET GULCH	NW1/4NW1/4NE1/4	Sec. 23, Twp 06N, Rge 05E, B.M.
BOISE County	(Ending of Reach)	
SPANISH FORK	NW1/4NE1/4NW1/4	Sec. 23, Twp 06N, Rge 05E, B.M.
BOISE County	(Beginning of Reach)	

Place of UseSTOCKWATER Within BOISE County

T06N R05E S23	NWNE	T06N R05E S23	NENW
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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. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31486 V1

1. Place of Use THE USE OF WATER FOR IN-STREAM STOCK UNDER THIS RIGHT IN THE NENW, SECTION 23, T6N, R5E IS LIMITED TO THE EAST HALF OF THE NENW, SECTION 23, T6N, R5E.

Comments:

1. csaxton 5/22/2002 POU

Comment: RECOMMENDED POU IS NOT LOCATED ON FEDERAL LANDS.

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:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust: False

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan:

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>
Summary			05/15/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	5/22/2002 11:37:17 AM	csaxton	Edited shape boundary
POD	5/22/2002 11:38:19 AM	csaxton	Edited point location
Contacts	5/15/2002 12:55:27 PM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review
POD	5/15/2002 12:57:11 PM	csaxton	Edited point location
POD	5/15/2002 12:57:39 PM	csaxton	Edited point location
POD	5/15/2002 12:58:08 PM	csaxton	Edited point location
POD	5/15/2002 12:58:32 PM	csaxton	Edited point location
POU	5/15/2002 12:59:11 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31486 V1

Summary	5/15/2002 1:01:56 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
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State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 15, 2002

**PACKER VICTORY FAMILY HERITAGE
ATTN: IRENE VICTORY
6809 BARON AVE
BOISE ID 83703**

RE: Snake River Basin Adjudication (SRBA) claim 63-031486

Dear Irene,

I received your signed notice of claim 63-031486 along with the \$25 filing fee for in-stream stock water use on your property north of Idaho City on May 15, 2002.

Enclosed is a copy of your receipt and a copy of my recommendation that will be sent to the SRBA court sometime in the middle of June, 2002. Please look over the recommendation and feel free to contact me if you have any questions or concerns.

Respectfully submitted,

Craig L. Saxton
SR. Water Resource Agent
Adjudication Bureau

Idaho Department of Water Resources Receipt

Receipt ID W029171

Payment Amount	\$25.00	Date Received	5/15/2002 1:03:24 PM	Region	Western	Status	
Payment Type	Check	Check Number	3664				

Payer	VICTORY, IRENE V
Comment	INSTREAM STOCK WATER CLAIM 63-31486

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337	42503	1155	

Signature Line (Dept. Representative)