

AJ5809NP
No. R35-12046

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 34

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUTH PACKER	04/11/1902	DOMESTIC	01-01 12-31	0.04 CFS	
C	P MERRILL PACKER					
	1046 WALKER					
	BLACKFOOT ID 83221					
	(208) 785-0341					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R35E S06 SESW BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
03S	35E	6	:					:					:					:					:
			:					:					:					:					:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0361207

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/04/1997 User-ID: DS1-DSHA Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 02/25/92 SMITH 02/26/92 SMITH 03/30/95 POST-STD 03/04/97 DS1-DSHA

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✓ OK JHA
11-10-98

LAW OFFICES

Packer & Kerr, Chartered

Blackfoot, Idaho 83221
(208) 785-0990

Thomas W. Packer
Robert M. Kerr, Jr.

RECEIVED

291 North Broadway
P. O. Box 160

NOV 6 1989

November 3, 1989

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
150 Shoup Avenue Suite 15
Idaho Falls, Idaho 83402

RE: Notice of Claim A35-12046 and A27-11152

Dear Mr. Carlsen:

In reviewing the letter of claim that you sent me, I believe that you returned the To Notice to Water Right because I failed to submit a Power of Attorney with them. Therefore, I have enclosed a Durable Power of Attorney.

If there are any other problems please notify me.

Sincerely,

THOMAS W. PACKER
Thomas W. Packer

TWP/rdj

Enclosures

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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

October 23, 1989

P. Merrill and Ruth Packer
1046 Walker
Blackfoot, ID 83221

RE: Notice of CLaim A35-12046 and A27-11152

Dear Mr. and Mrs. Packer:

The Idaho Department of Water Resources (IDWR) is returning your Notice(s) of Claim to a Water Right because of insufficient information and/or fees. All items on the forms must be completed and fees submitted before the IDWR can process the notice(s).

A Notice of Claim to a Water Right must be filed in the Snake River Basin Adjudication at this time for all purposes commencing prior to November 20, 1987, except for some domestic and stock uses not exceeding 13,000 gallons per day. Failure to record a Notice of Claim for all other uses will result in forfeiture of the water right. However, the IDWR recommends that notices also be filed for domestic and stock purposes for various reasons.

Please correct the items identified below and return the notice(s) to the IDWR within 30 days of the date of this letter. If the corrected forms are not returned within the 30-day period, the filing fee previously paid for the notice(s) will be refunded and the record will be removed from the IDWR records. If the corrected notice(s) are returned to the IDWR after the refund has been made, each notice will be assessed an additional late fee.

If the Notice of Claim is signed by someone other than the claimant in Item #16, the signature must be notarized and written evidence such as a Power-of-Attorney must be submitted with the form showing that the signator has the authority to sign for the claimant.

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Ruth Packer
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If you wish to make an appointment to discuss the corrections, please call the IDWR at (208)-525-7161.

Respectfully submitted,

Ernest Carlsen.

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

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4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Packer

CLAIM

ENT. NO.

135-12046

DATE RECEIVED

6-1-89

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒
2. Is a priority date entered? ☒
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒
3. (a) Is a source entered? ☒
(b) Is a tributary to entered? (if required) ☒ N/A
4. Is the legal description of the p.d. sufficient? ☒
5. Is there a description of the diverting works? ☒
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒
Is the period of use included? ☒
Is a quantity claimed for each use? ☒
7. Is a total quantity claimed entered? ☒
8. If required is a consumptive use entered? ☒ N/A
Is the consumptive use correct? ☒ N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒
11. Is (are) the county(ies) entered? ☒
12. Is the ownership of p.u. checked? ☒
13. Are other water rights listed or "none" indicated? ☒
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ N/A
15. Is the basis of the claim indicated? ☒
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒
18. Has the claim been signed, sealed, and dated by a notary? ☒
19. Was this claim filed on time, or was an extension granted? ☒
20. Is the fee enclosed correct? ☒ Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☒ N/A
22. Should this claim be data entered? ☒

Claim checked by:

ES

Date:

7-18-89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

SS-8-2-89

Sent to claimant by:

Date:

Date:

Checked by:

Date:

Comments:

Notary - No Power of Attorney attachedNotary MICROFILMED

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DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESES PRESENTS:

That I, P. MERRILL PACKER, whose address is 1046 E Walker, Blackfoot, Bingham County, Idaho, have and do by these presents name, constitute and appoint Thomas W. Packer, whose address is 579 W 75 S, Blackfoot, Idaho 83221, my true and lawful attorney, for me in my name, place and stead to act for me as though I were present and acted in person, including the execution of any instrument in writing, and the acknowledgment thereof where proper, in all matters of business pertaining to my personal and business affairs, my properties, real, personal, mixed, and in all other matters whatsoever, with full power of substitution in the premises.

Without limiting the generality of the foregoing, I empower my said attorney, for me and in my name, to ask, demand, sue for, collect, recover and receive all sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities and demands whatsoever as are now or shall hereafter become due, owing, payable or belonging to me, and to endorse and cash checks, drafts, money orders, certificates of deposit, etc., to deposit and/or withdraw funds from any and all accounts in my name, or in which I have an interest, to execute all documents relating to motor vehicles and real and personal property of all kinds and such other instruments in writing of whatever kind or nature as may be necessary or proper pertaining to my personal and business affairs, giving and granting unto Thomas W. Packer, said attorney, full power and authority to do and perform each, all and every act and things whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as I might or could do if personally present, I hereby ratify and confirm that which my said attorney shall lawfully do or could do or cause to be done by virtue of these presents.

This power of attorney shall not be affected by any subsequent disability or incapacity which may affect me. I further nominate the said Thomas W. Packer, and the survivor of him, as conservator, guardian of my estate and guardian of my person if protective proceedings are hereafter commenced.

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APR 18 1994

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: A35-12046
Date Received: 6/05/1989
Receipt No: E008865
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RUTH PACKER 208-785-0341
Address: 1046 WALKER
BLACKFOOT, ID 83221

OR
Name: P. MERRILL PACKER 208-785-0341
Address: 1046 WALKER
BLACKFOOT, ID 83221

2. Date of Priority: APR 11, 1902

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	6	SE	SW			BINGHAM

5. Description of diverting works:

PUMP HOUSE 6" CASING, CENTRIFICAL PUMP, 80", PIPE TO HOUSE, WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSEHOLD, S/1-2 HORSES

A35-12046

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Date: 09/12/89

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	35E	6	SE SE	SW SW	DOMEST STOCK	

11. Place of use in counties: BINGHAM

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: BENEFICIAL USE

A35-12046

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Date: 09/12/89

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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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

FILED

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

CIVIL CASE NUMBER: 39576

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

Identification No. A35-12046
Date Received postmarked 6/1/89 z.o.
Receipt Number COO8865

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JUN - 2 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day. Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) P Merrill Packer or Ruth Packer Phone (208) 785-0341

Mailing Address 1046 Walker Blackfoot, Idaho Zip 83221

2. Date of Priority (Only one per claim) April 11, 1902 Month/Day/Year

3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 38^S Range 35
Section 6 , _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, B
County of Bingham

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pump house 6" casing centrifical pump 80" deep pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

	Month/Day	Month/Day	(cfs)
For <u>Domestic</u> purposes from <u>1-1</u> to <u>12-31</u> amount <u>.04</u>			
(Both dates are inclusive)			
For <u>Stockwater</u> purposes from <u>1-1</u> to <u>12-31</u> amount <u>.02</u>			

7. Total quantity claimed .06 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household - Stockwater 1-2 horse

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10. Place of use is: Township: 35 Range 35

Section 6, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Bingham for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

N/A

14. Remarks: N/A

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

P. Merrill Parker by
Thomas W. Parker P.O.A. Date 5-31-89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 1st day of June 19 89

SEAL

Notary Public Julie J. Martin

Residing at Blackfoot

My Commission Expires 11-23-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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