

#50

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: A21-07076
Date Received: 3/09/1989
Receipt No: 1002991
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK G. SUMMERS 208-356-6875
Address: 2839 E. SUGAR CEMETERY RD.
SUGAR CITY, ID 83448

2. Date of Priority: AUG 08, 1975

3. Source: BLUE CREEK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	43E	10	NW	NW	NE		FREMONT

5. Description of diverting works:
HOLDING POND, ELECTRIC MOTOR/PUMP/MAINLINE/LATERALS/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.470		459.00

7. Total Quantity Appropriated is:
2.470 C.F.S. (and/or) 459.00 A.F.A.

8. Total consumptive use is 382.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	43E	2	SW	SE		IRR	2.0
Section Acres							2.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	43E	10	NE	NE		IRR	2.0
			SE	NE		IRR	10.0
					Section Acres		12.0
		11	NE	NE		IRR	3.0
			NW	NE		IRR	14.0
			NE	NW		IRR	12.0
			NW	NW		IRR	15.0
			SE	NW		IRR	35.0
			NE	SW		IRR	22.0
			NW	SE		IRR	38.0
					Section Acres		139.0
					Total Acres		153.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

21-2045, 21-2102, 21-2104, 21-07075, 21-4025.

14. Remarks:

COMBINED RATE OF DIV. UNDER THIS RT. & RT. 21-2104 SHALL NOT EXCEED 2.47 CFS.

15. Basis of Claim: LICENSE

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): Frank G. Summers Date: 3, 9, 89

Date: _____

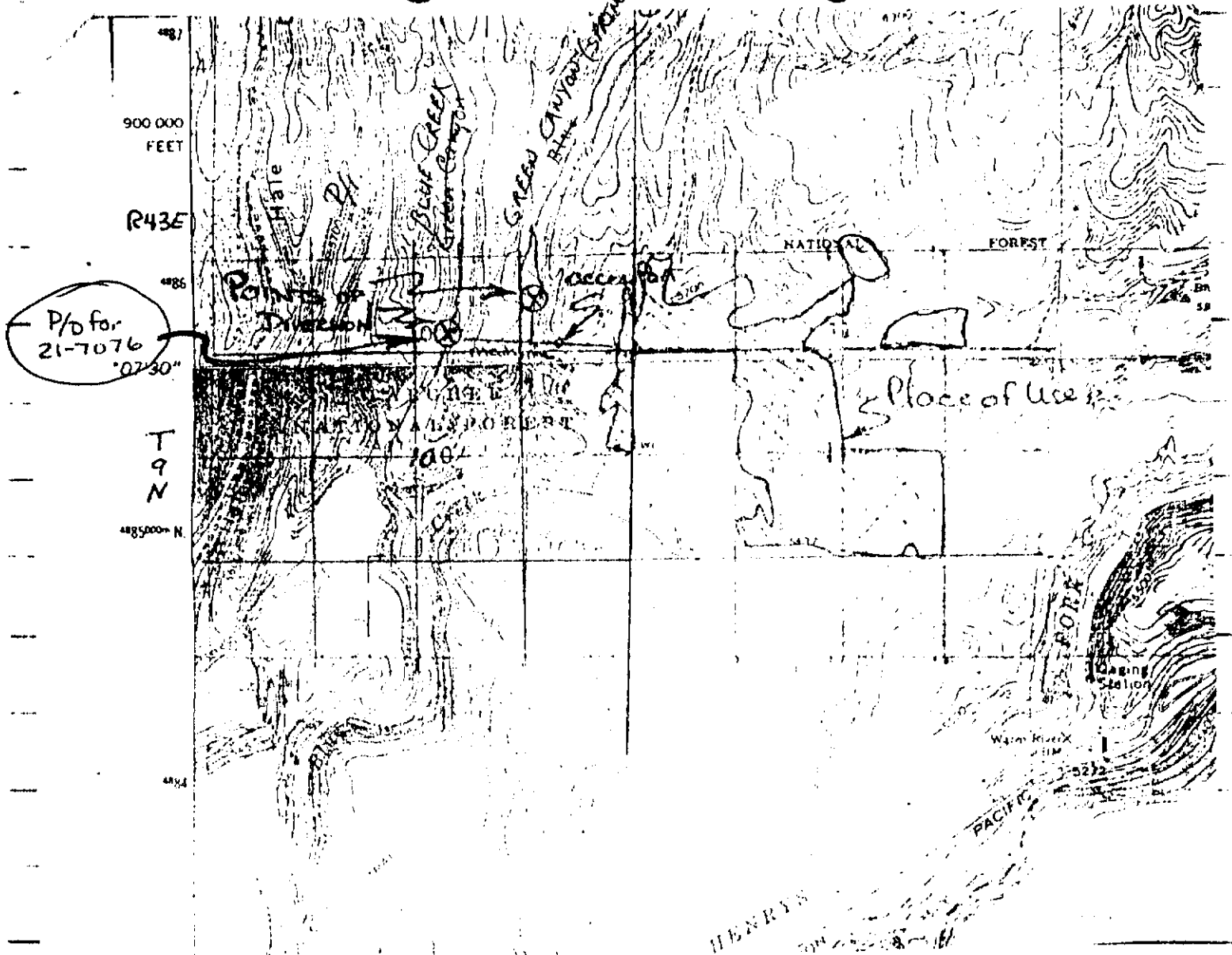
State of Idaho)
County of Tremont) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of March 19 89

Anthony L. Olenchak
Notary Public

Seal

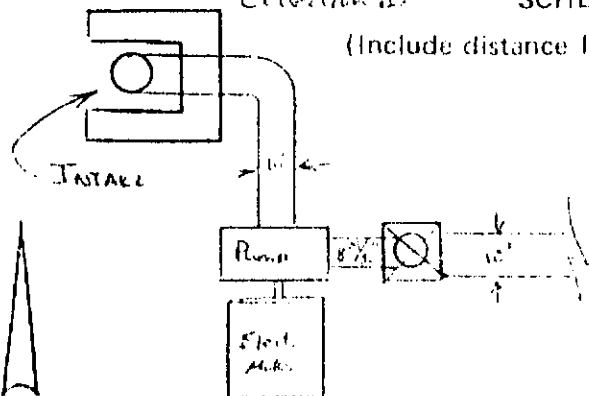
Residing at Idaho Falls
My Commission Expires 7/12/1994



Calculation of

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



④

Point(s) of diversion: NW 1/4 NE 1/4, Sec 10, T4N R43E

Place(s) of Use

[illegible]

MICROFILMED

~~OCT 21 1992~~

AJ0749NP
No. A21-07076

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORTH FORK HIGHLANDS PARTNERSHIP PO BOX 50699 IDAHO FALLS ID 83405	08/08/1975	IRRIGATION	04-01 11-01	2.470 CFS	459.00 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					2.470 CFS	459.00 AFA 382.50 AFA

Water Source: BLUE CREEK

Tributary to: HENRYS FORK

Stage: LICENSE

Point(s) of Diversion:

T09N R43E S10

NWNWNE

FREMONT County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09N	43E	2	:																	:	2.0
09N	43E	10	:	02				10												:	12.0
09N	43E	11	:	03	14				12	15		35		22			38			:	139.0
TOTAL ACRES																				:	153.0

POU County: FREMONT

Non-Irrigation Uses: NONE

Other Rights: 21-2045, 21-2102, 21-2104, 21-07075.

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 01.
R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for
- irrigation of the lands above.

Remarks: GEN COMBINED RATE OF DIV. UNDER THIS RT. & RT. 21-2104 SHALL NOT
EXCEED 2.47 CFS.
CHANGED OWNERSHIP PER REQUEST/JC/9-19-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 01

Field Inspection Flag:
Presumption Flag:



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

July 19, 2000

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

RE: Amending SRBA Claims A21-07075 and A21-07076

Dear Kent:

In November 1999 you sent me several documents on behalf of North Fork Highlands Partnership, including the two amended claim forms, referenced above. I could not process the amended claims because the filing fee of \$32.00 for the additional acreage was not included.

Though failure to provide the fee for the additional acres prevented processing of the amended claims, increasing the number of acres under each right is also an issue. Water rights 21-07075 and 21-07076 were each licensed for the same 153 acres. These are the acres presently listed on the respective SRBA claims. Provided the 185.1 acres listed on the amended claims was irrigated prior to November, 1987 your client may want to file an enlargement claim on the additional 32 acres. The fee for the enlargement claim would be \$82.00. With the enlargement claim there would be no fee for amending A21-07075 and A21-07076.

I apologize for the extended delay in returning the amended claim forms. Please contact me if you have questions concerning the above matter.

Respectfully yours,

Ernest Carlsen
Water Rights Supervisor

Enclosures (2)

emc



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 19, 1999

NORTH FORK HIGHLANDS PARTNERSHIP
PO BOX 50699
IDAHO FALLS ID 83405

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A21-02045,
A21-02102, A21-02104, A21-04025, A21-07075, A21-07076,
21-10750

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

RECEIVED

JUN 2 2 1998

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Partial Deeds issued.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A21-07076, A21-10750, A21-10750
A21-02045, A21-02102, A21-07075, A21-02104, A21-04025
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) DONNA T. SUMMERS, PERSONAL REPRESENTATIVE OF THE ESTATE OF FRANK T. SUMMERS, DECEASED
DONNA SUMMERS, aka DONNA T. SUMMERS
4. New Owner/Claimant(s) NORTH FORK HIGHLANDS PARTNERSHIP
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address PO BOX 50699
City, State and ZIP Code Idaho Falls, Idaho 83405
New Telephone Number () -
5. Date you acquired the property June 15, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) *[Signature]* Date June 18, 1998
[Signature] Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 23, 1998

TO: NORTH FORK HIGHLANDS PARTNERSHIP
PO BOX 50699
IDAHO FALLS ID 83405

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR A21-07076, A21-02045, A21-10750, A21-02102, A21-07075, A21-02104, A21-04025 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

- ☒ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,
- ☒ LEGAL DESCRIPTION OF PROPERTY
- ☒ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)
- ☐ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.