

04/03/2003

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

RIGHT NUMBER: 23-4036

NAME AND ADDRESS: BURL L SUMMERS
330 S AMMON RD
AMMON ID 83406

DWAYNE E SUMMERS
PO BOX 206
RIRIE ID 83443

SOURCE: RICKS SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 02/20/1920

POINT OF DIVERSION:

T03N R41E S36 SENW Within BONNEVILLE County Source: RICKS SPRING

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
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T03N R41E S36 SENW

DOMESTIC Within BONNEVILLE County

T03N R41E S36 SENW

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

SOURCE IS ALSO KNOWN AS RICKS SPRING.

425

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 23-4036
Date Received: 1/13/1989
Receipt No: E027720
Received By: DC

A2304036



**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BURL L SUMMERS Phone: (208)524-0603
330 S AMMON RD
AMMON ID USA 83406
DWAYNE E SUMMERS Phone: (208)538-5450
PO BOX 206
RIRIE ID USA 83443

2. Date of Priority: 02/20/1920

3. Source: RICKS SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	41E	36	SE NW	BONNEVILLE	

5. Description of diverting works:

spring box to pipeline stock trough and house

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	
DOMESTIC	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 30
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	41E	36	SE SE	NW NW	STOCKWATER DOMESTIC	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 60 CATTLE

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

15. Basis of Claim: Statutory Claim

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): X *Dwight Summers* Date: May 6-2002
_____ Date: _____

State of Idaho
County of Bonneville) SS.

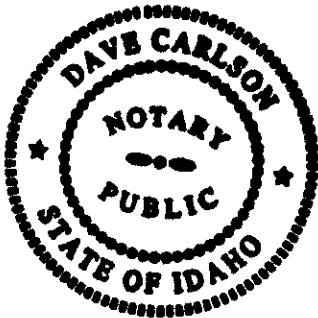
Subscribed and sworn (or affirmed) before me this
6 of May 2002

Dave Carlson

Notary Public

Residing at Regen, Id

My commission Expires 2/26/2006



04/03/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-4036

BURL L SUMMERS

330 S AMMON RD

AMMON ID 83406

Telephone Number: (208)524-0603

DWAYNE E SUMMERS

PO BOX 206

RIRIE ID 83443

Telephone Number: (208)538-5450

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: FEB 10 - 2004 SIGNATURE: Dwayne E. Summers
Please print your name: DWAYNE EARL SUMMERS

IDWR Regional Office,

RECEIVED

MAR 17 2004

Department of Water Resources
Eastern Region

04/03/2003

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-4036

BURL L SUMMERS
330 S AMMON RD
AMMON ID 83406
Telephone Number: (208)524-0603

DWAYNE E SUMMERS
PO BOX 206
RIRIE ID 83443
Telephone Number: (208)538-5450

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/10/04

SIGNATURE:

Burl L Summers

Please print your name:

Burl L Summers

IDWR Regional Office,

04/03/2003

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

RIGHT NUMBER: 23-4036

NAME AND ADDRESS: BURL L SUMMERS
330 S AMMON RD
AMMON ID 83406

DWAYNE E SUMMERS
PO BOX 206
RIRIE ID 83443

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 02/20/1920

POINT OF DIVERSION:
T03N R41E S36 SENW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

DOMESTIC

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T03N R41E S36 SENW

DOMESTIC Within BONNEVILLE County

T03N R41E S36 SENW

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: BASIS OF CLAIM - Beneficial Use

SOURCE IS ALSO KNOWN AS RICKS SPRING.

23-4036 STAT 243

- I. CLAIMED AS SIMPLE D/S SO RECOMM.
- II. SOURCE CLAIMED AS 'RICKS SPARK'. NO SUCH REFERENCE IS MADE ON OR X-96.
RECOMMEND AS SPRING TO SINKS w/ Bp1.
- III ADD N11 AND N13

R-41-E

EE-4
1999

26	25
35	36

T

2432
T2342

DRICKS
SPRING

2007

⑥

10.5

CRP

①

39.4

CRP
98-2008

⑧

10.3

CRP
98-2008

⑨

9.3

CRP

35	36
----	----

2

1

1977
T408

②

68.1

⑤

52.2

CRP

⑦

55.1

2

⑩

64.6

SPR

2

T