

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: A22-04091
Date Received: 8/03/1988
Receipt No: E001064
Received By: KCCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK SUMMERS, INC. 208-356-5375
Address: 327 SOUTH 3000 EAST
SUGAR CITY, ID 83448

2. Date of Priority: MAY 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	27	NW	SW			MADISON

5. Description of diverting works:
WELL, PUMP & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.200		

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

8. Total consumptive use is 702.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	27	SE	SW		IRR	12.0
			NW	SE		IRR	30.0
			SW	SE		IRR	38.0

Section Acres 80.0

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Date: 08/03/88

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OCT 29 1992

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	34	NW	NE		IRR	37.0
			SW	NE		IRR	39.0
			NE	NW		IRR	26.0
			NW	NW		IRR	39.0
			SW	NW		IRR	35.0
			SE	NW		IRR	37.0
			NW	SW		IRR	24.0
			SW	SW		IRR	32.0
			SE	SW		IRR	2.0
						Section Acres	271.0
						Total Acres	351.0

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: 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 Organizations:

I do solemnly swear or affirm that I am Vice President of
Title
Frank Summers, Inc., that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
Frank Summers, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

F. Kelly Summers
Signature of Authorized Agent

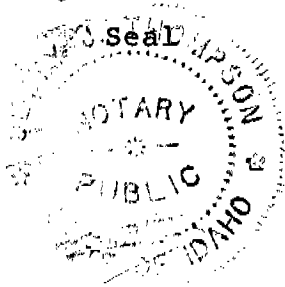
V. Pres. Frank Summers, Inc.
Title and Organization

8-3-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of August 19 88

Betty J. Thompson
Notary Public



Residing at Idaho Falls
My Commission Expires 6-94

4855

4854

507

4853

4852

POINT OF DIVERSION

4851

4850

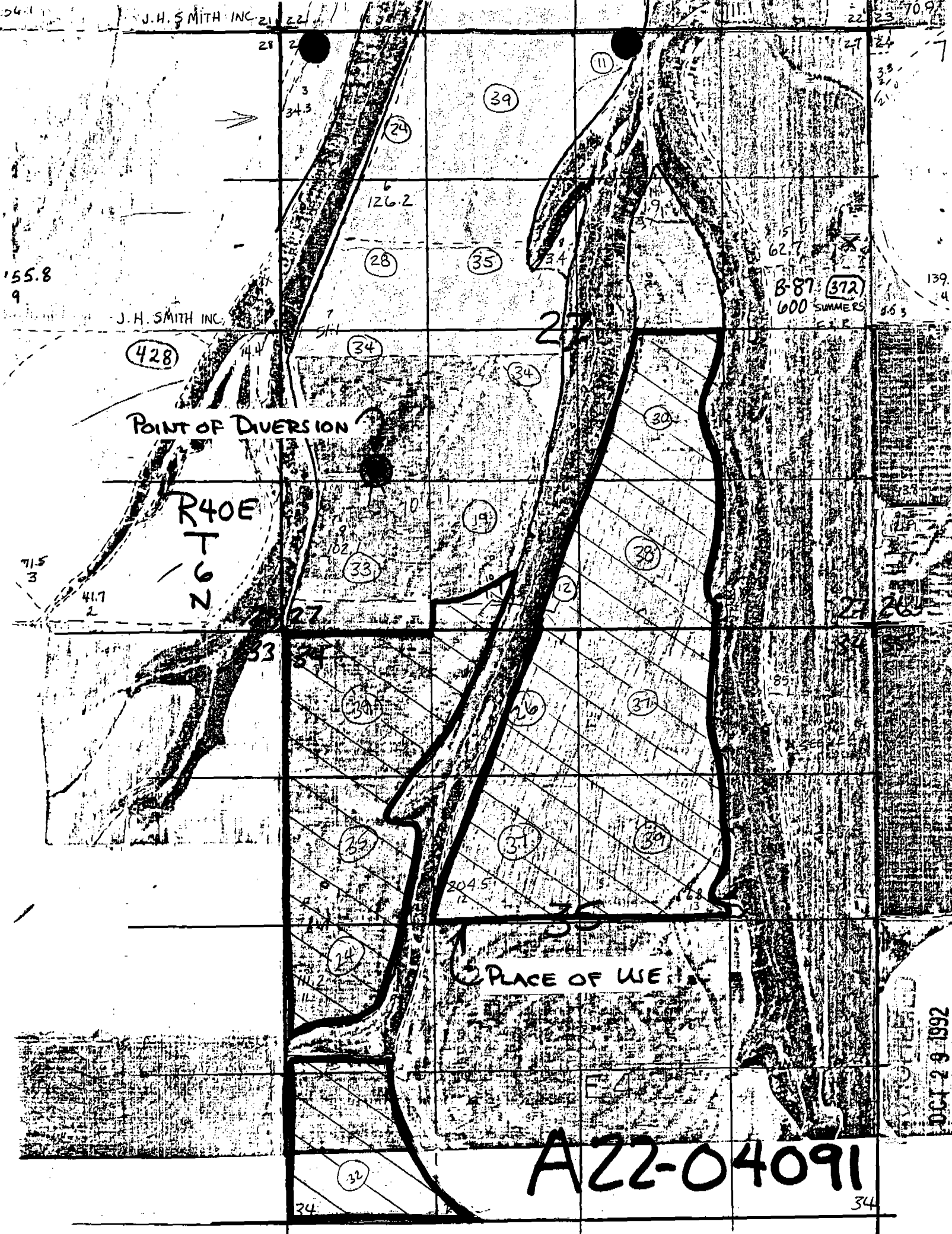
4849

R40E
T 6
N

PLACE OF USE

T. 6 N.
T. 5 N.

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J. H. SMITH INC. 21 22 23 70.9

28 2 3 34.3

126.2

24 28 35 34 19 62.7 139.4

J. H. SMITH INC. 7 51.1 34 27 34 30 38 33 34 37 39 31 32 34

POINT OF DIVERSION

R40E

26T

71.5 3 41.7 2

428

600 SUMMERS E.P.

204.5

PLACE OF USE

A22-04091

DEC 29 1992

Log for claim 22-04091

Spatial Dynamics LTD

7/2/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	27	SESW	12	11	
06n40e	27	NWSE	30	27	
06n40e	27	SWSE	38	37	
06n40e	34	NWNE	37	38	
06n40e	34	SWNE	39	40	
06n40e	34	NENW	26	26	
06n40e	34	NWNW	39	40	
06n40e	34	SWNW	35	35	
06n40e	34	SENW	37	34	
06n40e	34	NWSW	24	26	
06n40e	34	SWSW	32	33	
06n40e	34	SESW	2	1.1	
Totals:			351	348.1	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Frank Summers, Inc.

(Name of Claimant)

Rt. 1, Sugar City, Idaho 83448

(Mailing Address)

Telephone No. 356-5375

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May, 1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater

tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>7.20 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity <u>7.20 cfs</u>		Use _____		Period of Use From _____	To _____

- (4) 7.20 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SW 1/4, Sec. 27 Twp. 6N Rge. 40E B.M., County of Madison

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well, pump and sprinkler system

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	40E	27												5			30	38	73
		34		40	40		32	40	35	35		25	40						287

No. of acres 360

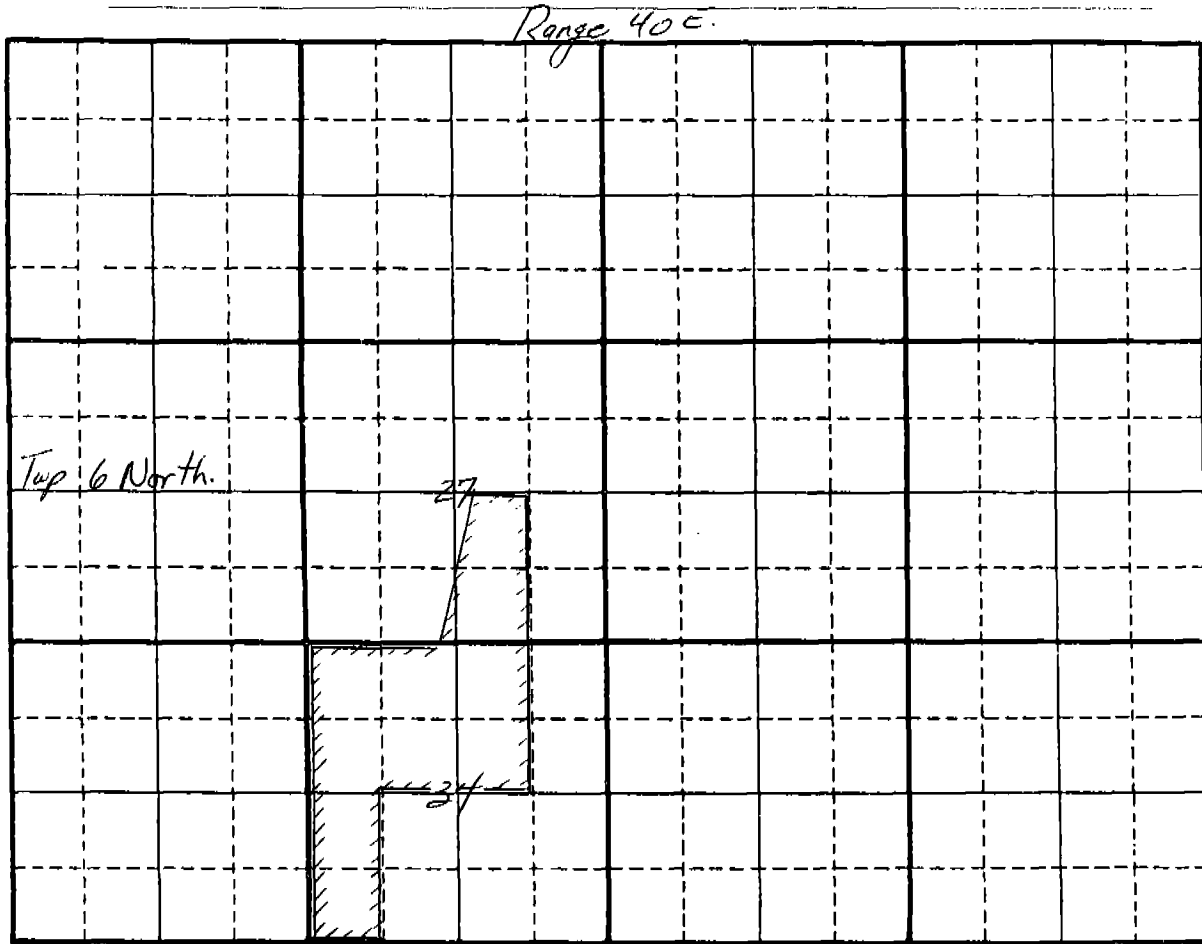
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

Frank Summers Incorporated

(8) Remarks _____



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Malden) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge; affiant is President of Frank Summers, Inc.

Sworn to before me this 8th day of April, 1983

Frank Summers
(Claimant)
Stephen E. Fitch
Notary Public
Residing at Rexburg

My commission expires 6/1/84

Received by SW Date 4-18-83 FOR DEPARTMENT USE ONLY
Prelim. check by HWS Date 4-19-83 Exception filed by: _____ Forwarded to _____ Date _____
\$30.00 fee received by SW Date 4-19-83 # 28068 claimant by: _____
Published in Standard Journal
Dates 4/28 & 5/5/83