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DEPARTMENT OF
WATER RESOURCES

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING
TWIN FALLS DISTRICT COURT
FILED

2007 JAN 23 PM 12:36

COPY

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

In Re SRBA

)

Water Rights: 22-2238, 22-2258B,
22-2260B, 22-7005B, 22-11318, 22-
13181

Case No. 39576

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change **SUMMERS FARM & RANCH**

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

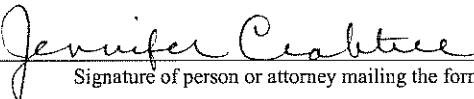
DATED: 1/26/07

K. Rogers
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 26, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
SUMMERS FARM & RANCH
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
RAY RIGBY
PO BOX 250
REXBURG ID 83440
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2238

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.660 CFS
822.50 AFY

Right Nos. 22-2238, 22-2258B and 22-11318 are limited to a total combined diversion rate of 5.24 cfs and to a total combined annual diversion volume of 2224.2 AF.

PRIORITY DATE: 06/29/1964

POINT OF
DIVERSION: T06N R40E S26 NESWSW Within MADISON County
T06N R40E S35 SENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.660 CFS 822.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S27	SENE	10.00	T06N R40E S27	NESE	27.00
T06N R40E S27	SESE	27.00	T06N R40E S34	NENE	28.00
T06N R40E S34	SWNE	0.20	T06N R40E S34	SENE	22.00
T06N R40E S34	SENW	0.20	T06N R40E S34	NESW	40.00
T06N R40E S34	NWSW	4.20	T06N R40E S34	SWSW	4.40
T06N R40E S34	SESW	37.00	T06N R40E S34	NESE	24.00
T06N R40E S34	NWSE	40.00	T06N R40E S34	SWSE	38.00
T06N R40E S34	SESE	20.00	T06N R40E S35	NENE	39.00
T06N R40E S35	NWNE	40.00	T06N R40E S35	SWNE	40.00
T06N R40E S35	SENE	38.00	T06N R40E S35	NENW	37.00
T06N R40E S35	NWNW	39.00	T06N R40E S35	SWNW	39.00
T06N R40E S35	SENW	40.00	T06N R40E S35	NESW	16.00
T06N R40E S35	NWSW	39.00	T06N R40E S35	SWSW	37.00
T06N R40E S35	SESW	37.00	T06N R40E S35	NESE	20.00
T06N R40E S35	NWSE	31.00	T06N R40E S35	SWSE	38.00
T06N R40E S35	SESE	18.00			

870 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 870 acres in a single irrigation season. Combined Right Nos.: 22-2238, 22-2258B, 22-11318.

This right is limited to the irrigation of 235 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 22-2238, 22-2258B and 22-11318

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 22-11318 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2258B

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.580 CFS
276.50 AFY

Right Nos. 22-2238, 22-2258B and 22-11318 are limited to a total combined diversion rate of 5.24 cfs and to a total combined annual diversion volume of 2224.2 AF.

PRIORITY DATE: 08/26/1965

POINT OF
DIVERSION: T06N R40E S26 NESWSW Within MADISON County
T06N R40E S35 SENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.580 CFS 276.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S27	SENE	10.00	T06N R40E S27	NESE	27.00
T06N R40E S27	SESE	27.00	T06N R40E S34	NENE	28.00
T06N R40E S34	SWNE	0.20	T06N R40E S34	SENE	22.00
T06N R40E S34	SENE	0.20	T06N R40E S34	NESW	40.00
T06N R40E S34	NWSW	4.20	T06N R40E S34	SWSW	4.40
T06N R40E S34	SESW	37.00	T06N R40E S34	NESE	24.00
T06N R40E S34	NWSE	40.00	T06N R40E S34	SWSE	38.00
T06N R40E S34	SESE	20.00	T06N R40E S35	NENE	39.00
T06N R40E S35	NWNE	40.00	T06N R40E S35	SWNE	40.00
T06N R40E S35	SENE	38.00	T06N R40E S35	NENW	37.00
T06N R40E S35	NWNW	39.00	T06N R40E S35	SWNW	39.00
T06N R40E S35	SENE	40.00	T06N R40E S35	NESW	16.00
T06N R40E S35	NWSW	39.00	T06N R40E S35	SWSW	37.00
T06N R40E S35	SESW	37.00	T06N R40E S35	NESE	20.00
T06N R40E S35	NWSE	31.00	T06N R40E S35	SWSE	38.00
T06N R40E S35	SESE	18.00			

870 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 870 acres in a single irrigation season. Combined Right Nos.: 22-2238, 22-2258B, 22-11318.

This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 22-11318 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The following rights are also diverted through point of diversion described above: 22-2238, 22-2258B and 22-11318

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2260B

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.450 CFS
1,079.50 AFY

Right Nos. 22-7005B and 22-2260B are limited to a total combined diversion rate of 5.45 cfs and to a total combined annual diversion volume of 2313.3 AF.

PRIORITY DATE: 09/30/1965

POINT OF
DIVERSION: T06N R41E S27 SESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	5.450 CFS 1,079.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S26	NENW	40.00	T06N R41E S26	NWNW	38.00
T06N R41E S26	SWNW	39.00	T06N R41E S26	SENW	39.00
T06N R41E S26	NESW	40.00	T06N R41E S26	NWSW	40.00
T06N R41E S26	SWSW	39.00	T06N R41E S26	SESW	39.00
T06N R41E S27	NENE	40.00	T06N R41E S27	NWNE	38.00
T06N R41E S27	SWNE	36.00	T06N R41E S27	SENE	39.00
T06N R41E S27	NESW	29.00	T06N R41E S27	SESW	30.00
T06N R41E S27	NESE	37.00	T06N R41E S27	NWSE	24.00
T06N R41E S27	SWSE	39.00	T06N R41E S27	SESE	40.00
T06N R41E S34	NENE	38.00	T06N R41E S34	NWNE	35.00
T06N R41E S34	NENW	10.00	T06N R41E S35	NENW	38.00
T06N R41E S35	NWNW	38.00			

825 ACRES TOTAL

This right is limited to the irrigation of 385 acres within the place of use described above in a single irrigation season.

Right Nos. 22-7005B and 22-2260B are limited to the irrigation of a combined total of 825 acres in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-7005B is also diverted through point of diversion described above.

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7005B

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.040 CFS
1,233.80 AFY

Right Nos. 22-7005B and 22-2260B are limited to a total combined diversion rate of 5.45 cfs and to a total combined annual diversion volume of 2313.3 AF.

PRIORITY DATE: 02/10/1968

POINT OF
DIVERSION: T06N R41E S27 SESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.040 CFS 1,233.80 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R41E S26	NENW	40.00	T06N R41E S26	NWNW	38.00
T06N R41E S26	SWNW	39.00	T06N R41E S26	SENW	39.00
T06N R41E S26	NESW	40.00	T06N R41E S26	NWSW	40.00
T06N R41E S26	SWSW	39.00	T06N R41E S26	SESW	39.00
T06N R41E S27	NENE	40.00	T06N R41E S27	NWNE	38.00
T06N R41E S27	SWNE	36.00	T06N R41E S27	SENE	39.00
T06N R41E S27	NESW	29.00	T06N R41E S27	SESW	30.00
T06N R41E S27	NESE	37.00	T06N R41E S27	NWSE	24.00
T06N R41E S27	SWSE	39.00	T06N R41E S27	SESE	40.00
T06N R41E S34	NENE	38.00	T06N R41E S34	NWNE	35.00
T06N R41E S34	NENW	10.00	T06N R41E S35	NENW	38.00
T06N R41E S35	NWNW	38.00			

825 ACRES TOTAL

Right Nos. 22-7005B and 22-2260B are limited to the irrigation of a combined total of 825 acres in a single irrigation season.

This right is limited to the irrigation of 440 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-2260B is also diverted through point of diversion described above.

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-11318

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.340 CFS
1,134.20 AFY

Right Nos. 22-2238, 22-2258B and 22-11318 are limited to a total combined diversion rate of 5.24 cfs and to a total combined annual diversion volume of 2224.2 AF.

PRIORITY DATE: 10/31/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION: T06N R40E S26 NESWSW Within MADISON County
T06N R40E S35 SENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.340 CFS 1,134.20 AFY

PLACE OF USE: IRRIGATION in MADISON County

T06N R40E S27	SENE	10.00	T06N R40E S27	NESE	27.00
T06N R40E S27	SESE	27.00	T06N R40E S34	NENE	28.00
T06N R40E S34	SWNE	0.20	T06N R40E S34	SENE	22.00
T06N R40E S34	SENW	0.20	T06N R40E S34	NESW	40.00
T06N R40E S34	NWSW	4.20	T06N R40E S34	SWSW	4.40
T06N R40E S34	SESW	37.00	T06N R40E S34	NESE	24.00
T06N R40E S34	NWSE	40.00	T06N R40E S34	SWSE	38.00
T06N R40E S34	SESE	20.00	T06N R40E S35	NENE	39.00
T06N R40E S35	NWNE	40.00	T06N R40E S35	SWNE	40.00
T06N R40E S35	SENE	38.00	T06N R40E S35	NENW	37.00
T06N R40E S35	NWNW	39.00	T06N R40E S35	SWNW	39.00
T06N R40E S35	SENW	40.00	T06N R40E S35	NESW	16.00
T06N R40E S35	NWSW	39.00	T06N R40E S35	SWSW	37.00
T06N R40E S35	SESW	37.00	T06N R40E S35	NESE	20.00
T06N R40E S35	NWSE	31.00	T06N R40E S35	SWSE	38.00
T06N R40E S35	SESE	18.00			

870 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 870 acres in a single irrigation season. Combined Right Nos.: 22-2238, 22-2258B, 22-11318.

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.

This right is based upon an enlargement of Right Nos. 22-2238 and 22-2258B pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

The following rights are also diverted through point of diversion described above: 22-2238, 22-2258B and 22-11318

This right is for an enlargement of 556 acres within the place of use described for this right.

01/22/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13181

NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
15.00 AFY

PRIORITY DATE: 09/22/1961

POINT OF
DIVERSION: T06N R44E S25 NENENE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.070 CFS 15.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R44E S25 SENE 5.00

5 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SPLIT FROM FORMER RIGHT 22-2210