

STATE OF IDAHO,

County of ...Bonnevill...

ss.

T 17
1-179

...S. J. & Wm. Summers... each... being first duly sworn, upon his oath deposes and says:

they are

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

Part of the N.W. $\frac{1}{4}$ of Sec. 30 T. 4 N. R. 40 E. B. M. containing 148.39 acres; also $6\frac{1}{3}$ acres in S.W. $\frac{1}{4}$ of Sec. 19 T. 4 N. R. 40 E. B. M. Wm. Summers N.E. $\frac{1}{4}$ of Sec. 25 T. 4 N. R. 39 E. B. M. containing 160 acres. as evidenced by the decree dated June 10th. 1885... day of South Fork of Snake River in the cause entitled... Rexburg Irrigation Co. Plaintiff,

vs. Teton Irrigation Canal Co. Defendant, brought in the District Court of the Sixth Judicial District of the State of Idaho; or,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No.

they

That he intends to change the point of diversion, as described in said decree or permit, to the following described point: About 50 yards down stream in same sub-division the N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Sec. 27 T. 4 R. 40 E. B. M.

That such change will be made for the following reasons, to-wit: That it will eliminate the maintenance of about 2 $\frac{1}{2}$ miles of ditch for the Summers Brothers and eliminate maintaining an expensive flume for the Harrison Canal Co. and both the Harrison Canal Co. and the Summers Brothers have agreed that greater efficiency could be gained by changing the 620 inches of the Summers decree to the head of the Harrison canal as described above and take the 620 inches out of the Harrison at the point where the flume was formerly maintained. Soren Nelson expects to maintain his 50 inches in the Dick Steel ditch as before.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Subscribed and sworn to before me this

S. J. Summers
Wm. Summers

24th day of March 1914

J. J. Surman
Notary Public.

My commission expires 7/9/18



Received and filed for record in the office of the State Engineer at Boise, Idaho.

900 MAR 26 1914

J. C. King

SCANNED

MAY 23 2007