

10/17/2006

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

RIGHT NUMBER: 22-10483

NAME AND ADDRESS: FRANK SUMMERS INC
C/O KELLY SUMMERS
327 S 3000 E
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
217.00 AFY

Right Nos. 22-2183 and 22-10483 are limited to a total combined diversion rate of 2.0 cfs and to a total combined annual diversion volume of 742 AF.

PRIORITY DATE: 06/01/1968

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

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.780 CFS 217.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R40E S26	NESW	39.00	T06N R40E S26	NWSW	38.00
T06N R40E S26	SWSW	37.00	T06N R40E S26	SESW	39.00
T06N R40E S27	NENE	39.00	T06N R40E S27	NWNE	7.10
T06N R40E S27	SENE	16.00			

215.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 215.1 acres in a single irrigation season. Combined Right Nos.: 22-2183 and 22-10483.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right No. 22-2183 pursuant to Section 42-1426, Idaho Code.

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 - Beneficial Use

This right is for an enlargement of 62 acres within the place of use described for this right.

Right No. 22-2183 is also diverted through point of diversion described above.

8113

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: A22-10483
Date Received: 8/02/1988
Receipt No: E002244
Received By: CW

RECEIVED

AUG 24 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK SUMMERS INC. 208-356-6875
Address: 327 S. 3000 E.
SUGAR CITY, ID 83448

2. Date of Priority: JUN 01, 1968

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	SW	SW			MADISON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.260		

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

8. Total consumptive use is 126.0 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	NE	NE		IRR	39.0
			NW	NE		IRR	8.0
			SE	NE		IRR	16.0

Section Acres 63.0

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Date: 08/04/88

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10. Place of Use: Continued

Total Acres 63.0

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:
THIS IS AN EXPANSION OF LICENSE 22-2183

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

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

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State of Idaho)

County of Madison) SS.Subscribed and sworn (or affirmed) before me this 22nd dayof August 19 88May Lin Clawson
Notary Public

Seal

Residing at RexburgMy Commission Expires 4.2.94

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