

10/31/2005

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

RIGHT NUMBER: 79-14132

NAME AND ADDRESS: JAMES P SUMMERVILLE  
BOX 10  
RIGGINS ID 83549  
  
VELMA R SUMMERVILLE  
BOX 10  
RIGGINS ID 83549

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS  
2.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/16/1974

POINT OF DIVERSION:

T24N R01E S15 SENE Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| DOMESTIC              | 03/15 11/15          | 0.020 CFS<br>2.00 AFY |

PLACE OF USE: DOMESTIC Within IDAHO County

T24N R01E S15 SENE

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 purpose of use pursuant to Section 42-1425, Idaho Code.

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: ~~A78-07052~~ 79-14132  
Date Received: 8/24/1988  
Receipt No: W000752  
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES P. SUMMERVILLE 208-628-3294  
Address: BOX 10  
RIGGINS, ID 83549

AND/OR  
Name: VELMA R. SUMMERVILLE 208-628-3294  
Address: BOX 10  
RIGGINS, ID 83549

2. Date of Priority: APR 16, 1974

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 24N      | 01E   | 15      | SE     | NE     | 01     |     | IDAHO  |

5. Description of diverting works:  
7 1/2 HP PUMP, PIPE & SPRINKLER DRAWN FROM RIVER & PUMPED TO ~~POU~~.

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 03/15 | 11/15 | 0.020 |      |        |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) 2.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/IRRIGATION OF LAWN, GARDEN & FRUIT TREES.

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 24N      | 01E   | 15      | SE NE      | 01  | DOMEST |       |

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
AC. IRR. = .5.

15. Basis of Claim: LICENSE  
Water Right Number: 787052

MICROFILMED  
OCT 06 1992

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: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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 78-7052

Date Received

Receipt Number

RECEIVED  
AUG 15 1988

NOTICE OF CLAIM  
TO A  
WATER RIGHT

## ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED  
AUG 4 1988

Department of Water Resources  
Western Regional Office

Department of Water Resources  
Western Regional Office

## Please type or print clearly

1. Name of Claimant (s) James P. Summerville  
Velma R. Summerville Phone (208) 628-3294

Mailing Address Box 10, Riggins, Idaho Zip 83549

2. Date of Priority (Only one (1) per claim) April 16, 1974

3. Source of water supply (a) Main Salmon River  
which is tributary to (b) Snake River

4. Location of point of diversion is: Township 24N Range 1E  
Section 15, 1/4 of SE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_, B.M.,  
County of Idaho

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. 7½ horse power electric pump, pipe  
and sprinkler, drawn from river and pumped to lawn, garden and fruit  
trees adjacent to house. Runs up to 35 sprinklers - built in irrigation  
system.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)  
For domestic (Both dates are inclusive) purposes from March 15 to Nov. 15 amount .02 (cfs)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of  
livestock) None

MICROFILMED  
OCT 06 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |
| 24  | 1E  | 15  |        |       |       | D     |        |       |       |       |        |       |       |       |        |       |       |       |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes X No         
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
City of Riggins - water system or None ( )

14. Remarks: See attached map.

15. Basis of Claim (check one) Beneficial Use        Posted Notice        License X Permit X  
Decree       

If applicable provide IDWR Water Right Number 78-7052

Court        Case Number        Decree Date       

Plaintiff vs Defendant       

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true  
and correct.

Signature of Claimant (s) James P. Summerville Date 8-1-1988  
Velma Summerville Date 8-1-'88

For Organizations: I do solemnly swear or affirm that I am        Title       

of        Organization       , that I have signed the foregoing  
document in the space below as        Title        of        Organization       

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent       

Title and Organization        Date       

State of Idaho/or        )  
County of Idaho ) SS.

Subscribed and sworn (or affirmed) before me this 1 day of August 1988

SEAL

Notary Public Dennis J. Albright

Residing at Boise

My Commission Expires 12-25-88

Last Name Summerville Ident No.       

Copies White-State, Yellow-Claimant

**MICROFILMED**  
**OCT 06 1992**

*first claim*

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: 39356

Ident. Number 78-7052 *filed*Date Received 09/21/84

Receipt Number \_\_\_\_\_

RECEIVED  
JUL 14 1988

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
JUL 12 1988

Department of Water Resources  
Western Regional Office

Department of Water Resources

## Please type or print clearly

1. Name of Claimant (s) James D. Summerville and  
Velma R. Summerville Phone (208) 628-3294

Mailing Address Box 10, Riggins, Idaho Zip 83549

2. Date of Priority (Only one (1) per claim) Main Salmon River

3. Source of water supply (a) Salmon River  
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 24N Range 1E Section 15,  
\_\_\_\_\_ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Idaho

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 7½ horsepower electric pump, pipe and sprinklers, drawn from river and pumped to lawn, garden and fruit trees, adjacent to home, runs up to 35 sprinklers - built in irrigation system.

RECEIVED  
MICROFILMED

AUG 15 1988  
OCT 06 1992

Department of Water Resources

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov. 15 amount .02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .02 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 1.75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | 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 |        |
| 24  | 1E  | 15  |        |       |       | .5    |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated .5

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes x No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

House uses Riggins City water. Somtimes used for lawn sprinkling. or None ( )

14. Remarks:

**MICROFILMED**

**OCT 06 1992**

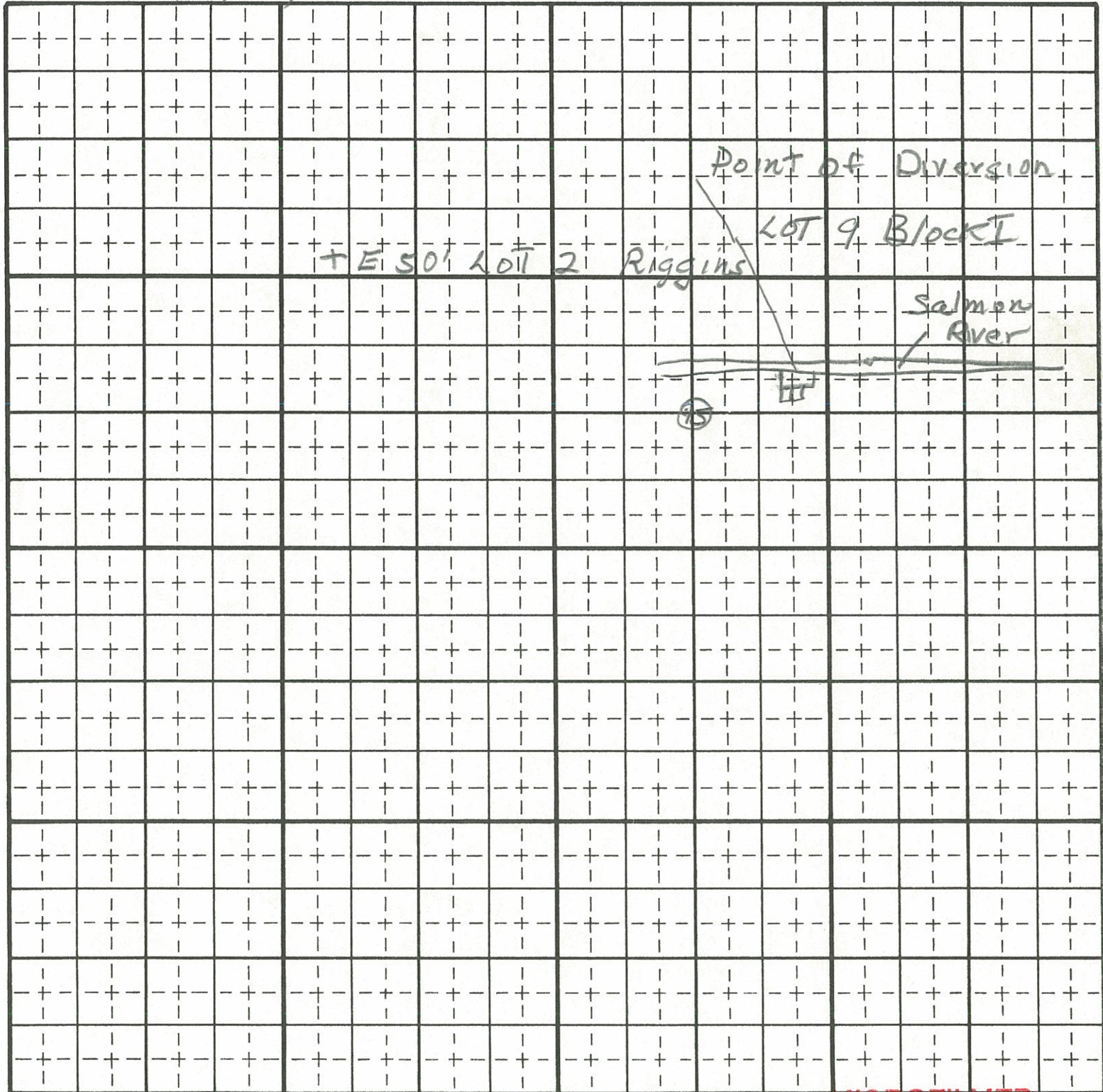
Last Name Summerville Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Part of City of Riggins  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  15 T24N R1E13M See Plat



MICROFILMED

OCT 06 1992

Last Name Summerville

Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit 78-7052  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1 - Plat of Riggins

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) James P. Summerville Date 7-8-88  
James P. Summerville

Velma R. Summerville Date " " "  
Velma R. Summerville

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

\_\_\_\_\_ Title  
of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or Idaho )  
County of Idaho ) SS.

Subscribed and sworn (or affirmed) before me this 8 day of July 19 88

SEAL

Notary Public Delina E. Bell

Residing at Riggins, Idaho

My Commission Expires 1-11-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

MICROFILMED  
OCT 06 1992

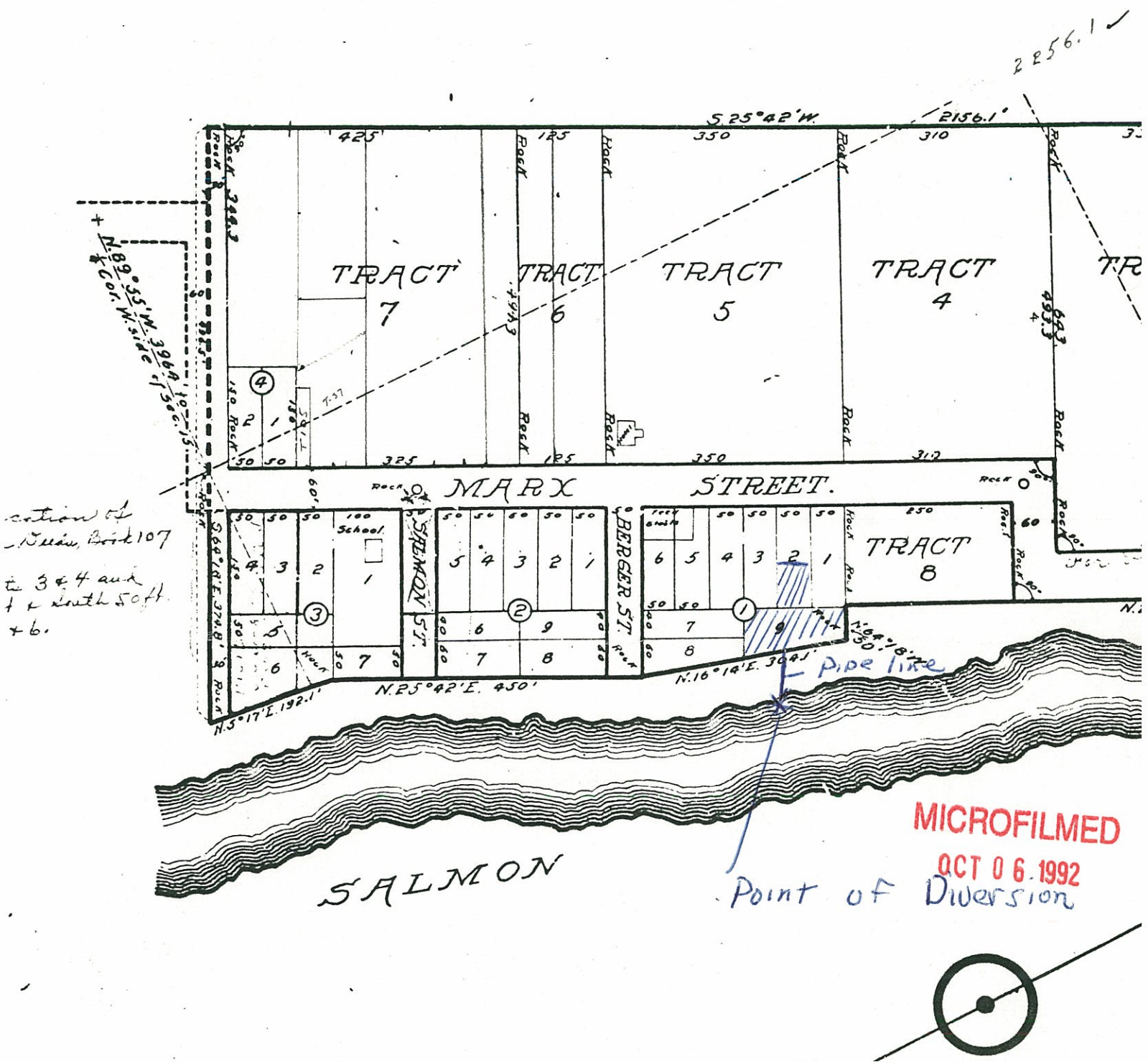
Last Name Summerville Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

# RIGGINS, IDAH

IN Sec. 15. T. 24. N. R. 1. E. B. M.

Surveyed and Platted by  
H.L. Heyes, C.E. of Weiser, Idaho



SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Summerville, James CLAIM IDENT. NO. A78-07052  
 DATE RECEIVED 8-15-88 CK # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

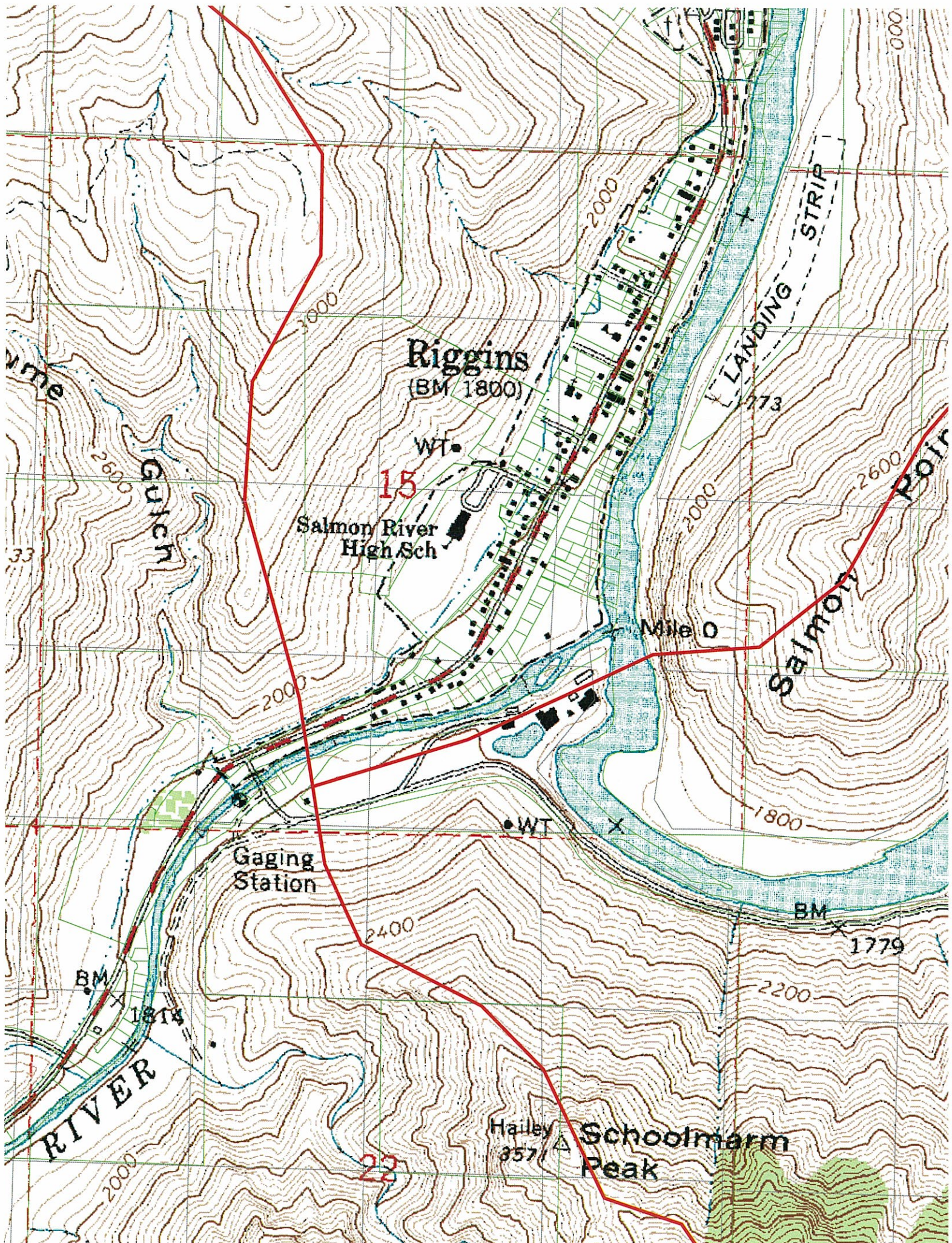
|                                                                                                                                                                                                                                                                                                              | YES      | NO    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                                                                                                           | <u>✓</u> | _____ |
| 2. Is priority date entered?                                                                                                                                                                                                                                                                                 | <u>✓</u> | _____ |
| Is the water use exempt from Permit requirements? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater). |          |       |
| 3. (a) Is a source entered?                                                                                                                                                                                                                                                                                  | <u>✓</u> | _____ |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                                                                                                                 | <u>✓</u> | _____ |
| 4. Is the legal description of the p.d. complete?                                                                                                                                                                                                                                                            | <u>✓</u> | _____ |
| 5. Is there a description of the diverting works?                                                                                                                                                                                                                                                            | <u>✓</u> | _____ |
| 6. Are the water uses appropriate for the form? The short form limited to domestic and stockwater. Instream stockwater must use long form.                                                                                                                                                                   | <u>✓</u> | _____ |
| Is the period of use included?                                                                                                                                                                                                                                                                               | <u>✓</u> | _____ |
| Is a quantity claimed for each use?                                                                                                                                                                                                                                                                          | <u>✓</u> | _____ |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                                                                                                      | <u>✓</u> | _____ |
| 8. Is a consumptive use required?                                                                                                                                                                                                                                                                            | <u>✓</u> | _____ |
| If required is a consumptive use entered?                                                                                                                                                                                                                                                                    | <u>✓</u> | _____ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.                                                                     | <u>✓</u> | _____ |
| 10. Is (are) the place(s) of use entered?                                                                                                                                                                                                                                                                    | <u>✓</u> | _____ |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                                                                                                        | <u>✓</u> | _____ |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                                                                                                        | <u>✓</u> | _____ |
| 13. Are other water rights listed or "none" checked?                                                                                                                                                                                                                                                         | <u>✓</u> | _____ |
| 14. Are remarks required? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)                                                                                                                                                                  | <u>✓</u> | _____ |
| 15. Is the basis of the claim checked?                                                                                                                                                                                                                                                                       | <u>✓</u> | _____ |
| 16. Is the claim signed by the claimant?                                                                                                                                                                                                                                                                     | <u>✓</u> | _____ |
| Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)                                                                                                                 | <u>✓</u> | _____ |
| Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                                                                                                                    | <u>✓</u> | _____ |
| Is the fee enclosed correct?                                                                                                                                                                                                                                                                                 | <u>✓</u> | _____ |
| Should this claim be receipted and data entered?                                                                                                                                                                                                                                                             | <u>✓</u> | _____ |
| If this claim is based on an existing water right, has the identification number been entered?                                                                                                                                                                                                               | <u>✓</u> | _____ |

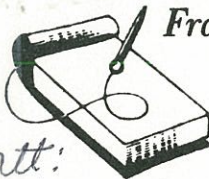
Revised 6-27-88

Claim checked by: LW

Comments: \_\_\_\_\_

**MICROFILMED**  
**OCT 06 1992**





From the desk of

RECEIVED

AUG 15 1988

VELMA SUMMERVILLE

Department of Water Resources  
Western Regional Office

8-12-88

Reggie, Lde.

att:

Linda Warner

Dear Linda;

I am enclosing the Orig. filing  
Claim (plus envelope) & check. As you  
can see it was postmarked July 8 '88  
& stamped rec'd by your Depart., July 12,  
'88 then returned to us July 25<sup>th</sup>. We  
immediately mailed a corrected copy  
per your letter, Aug. 1<sup>st</sup> & mailed Aug 2<sup>nd</sup>  
by our attorney, which was returned  
to us yesterday Aug. 11, 1988 hence my  
telephone call to you.

Hoping this clears matters up.

Thank you for all your help.

Sincerely,

Velma Summerville  
(Mrs. James Summerville)

P.S. Will enclose both checks as I'm  
still confused as to correct amt.

Our Orig. Permit was April '74  
& I'm not sure where to put that  
figure but it should be correct

MICROFILMED

OCT 16 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS  
Governor

August 5, 1988

R. KEITH HIGGINSON  
Director

James or Velma Summerville  
Box 10  
Riggins, ID 83549

RECEIVED  
AUG 15 1988

Department of Water Resources  
Western Regional Office

Dear Claimant(s):

This will acknowledge the receipt of your Notice of Claim(s) and your check, number 3384, in the amount of \$25.00 in the Western Regional Office on August 4, 1988.

Please note that the deadline for filing claims in Idaho County was July 27, 1988, and that there is a \$50.00 late charge per claim filed in addition to the filing fee. Therefore, we are returning your claim(s) and your check. In order to file the claim(s), the total filing fee plus the late fee must be submitted to our office within 30 days.

However, we are providing the opportunity for you to file a Request For an Extension of Time to avoid this late charge. Enclosed is a Request for Extension of Time form which will need to be completed and returned to our office within 30 days. If this extension request is granted, the \$50.00 late fee will be refunded to you.

Please contact this office if we can be of further assistance.

Sincerely,

Jan Shurte  
Water Rights Supervisor  
Adjudication Section

JS:sl  
Enclosures

MICROFILMED  
OCT 06 1992

**Dennis L. Albers**

ATTORNEY AT LAW

P.O. BOX 314

GRANGEVILLE, IDAHO 83530

2 August 1988

KAMIAH OFFICE  
311 MAIN  
PHONE (208) 935-2161

GRANGEVILLE OFFICE  
204 W. NORTH  
PHONE (208) 983-2310

Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, Idaho 83705

Gentlemen:

Re: Jim Summerville  
Ident. Number 78-7052

Enclosed please find an original Notice of Claim to a  
Water Right with the \$25 filing fee.

Thanks.

Yours truly,



DENNIS L. ALBERS

DLA:law

Enclosure

RECEIVED  
AUG 15 1988

Department of Water Resources  
Western Regional Office

RECEIVED  
AUG 4 1988

Department of Water Resources  
Western Regional Office

MICROFILMED  
OCT 06 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS  
Governor

July 25, 1988

R. KEITH HIGGINSON  
Director

RECEIVED  
AUG 15 1988

Department of Water Resources  
Western Regional Office

RE: Returned Notice of Claim

Jim or Velma Summerville  
Box 10  
Riggins, ID 83549

Dear Claimant:

Enclosed is the Notice of Claim that we received July 12, 1988, and check #3353 in the amount of \$50.00. The reasons for the return are as follows:

1. The claim must have a Priority Date (earliest date that waters were first put to use). *Apr. 16, 1979*
2. The Notice of Claim form you submitted is for purposes other than domestic uses. Since you have stated in your claim that you irrigate your lawn and garden (fruit trees included) which is less than 1/2 acre, you may file a domestic claim (forms and instructions enclosed). This will change your filing fee to \$25.00 with no variable fee.

Please return the completed domestic Notice of Claim with your payment of \$25.00 to this office within 30 days to avoid any late fees.

If you have any questions, feel free to contact me or this office.

Sincerely,

*Eldon L. Roush*

Eldon L. Roush  
Water Resources Agent  
Adjudication Section

ER:sl  
Enclosures

MICROFILMED  
OCT 06 1992

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

*Renumbered to 79-14132*

License of Water Right No. 78-7052 Priority April 16, 1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that JAMES P. SUMMERVILLE  
of Riggins, Idaho, has complied with the terms and conditions of Permit  
No. 78-7052 issued pursuant to Application for Permit dated April 16, 1974,  
and has submitted proof to the Department of Water Resources on April 21, 1976,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.02 cfs of water from the Salmon River,  
tributary to the Snake River, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                          | Rate of Diversion   | Annual Volume        |
|-------------------|----------------------------------------|---------------------|----------------------|
| <u>Irrigation</u> | from <u>March 15</u> to <u>Nov. 15</u> | <u>0.02 cfs</u> and | <u>2.0 acre feet</u> |
|                   | from _____                             | cfs and             |                      |
|                   | from _____                             | cfs and             |                      |

(Open dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
2.0 acre feet per year, said waters to be diverted within the SE 1/4 of Sec. 15,  
Twp. 24 N, Rge. 1 E, B.M. in the County of Idaho

Description and location of place of use:

| Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals   |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |          |
| 24 N | 1 E   | 15   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | One-half |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |          |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |          |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |          |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |          |

Total number of acres irrigated One-half

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of  
June, 19 76.

*[Signature]*  
Director