

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
QUANTITY: 5.450 CFS
1,079.50 AFY

TRIBUTARY:

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:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

January 22, 2007

SUMMERS FARM & RANCH
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY ID 83448

RE: Notice of Change of Address for 22-2238, 22-2258B, 22-2260B,
22-7005B, 22-11318, 22-13181 and Notice of Completed
Administrative Proceeding (NCAP)

Dear Mr. Summers:

The Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

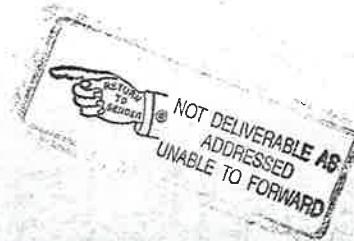
SCANNED

JUN 06 2007

DEPT OF WATER RESOURCES
STREET BOX 100
900 N. SKYLINE DR.
FO FALLS, IDAHO 83402



ADDRESS SERVICE
REQUESTED



SCANNED
JUN 06 2007

F.O.E.



SUMMERS FARM & RACH INC
C/O DANNE SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448

per phone
call:

1500 S 3000 E
S.C. 83448
ID

!SADPP
not from
forward

PDR
22-2238
22-2258B
22-2260B
22-7005B
22-1131B
22-13181

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

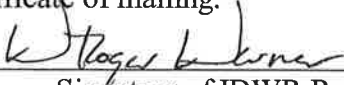
☐ period of use ☐ nature of use

☐ 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


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:

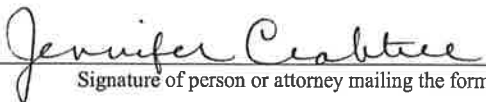
Each party in the subcase, or attorney of record
RAY RIGBY
PO BOX 250
REXBURG ID 83440

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



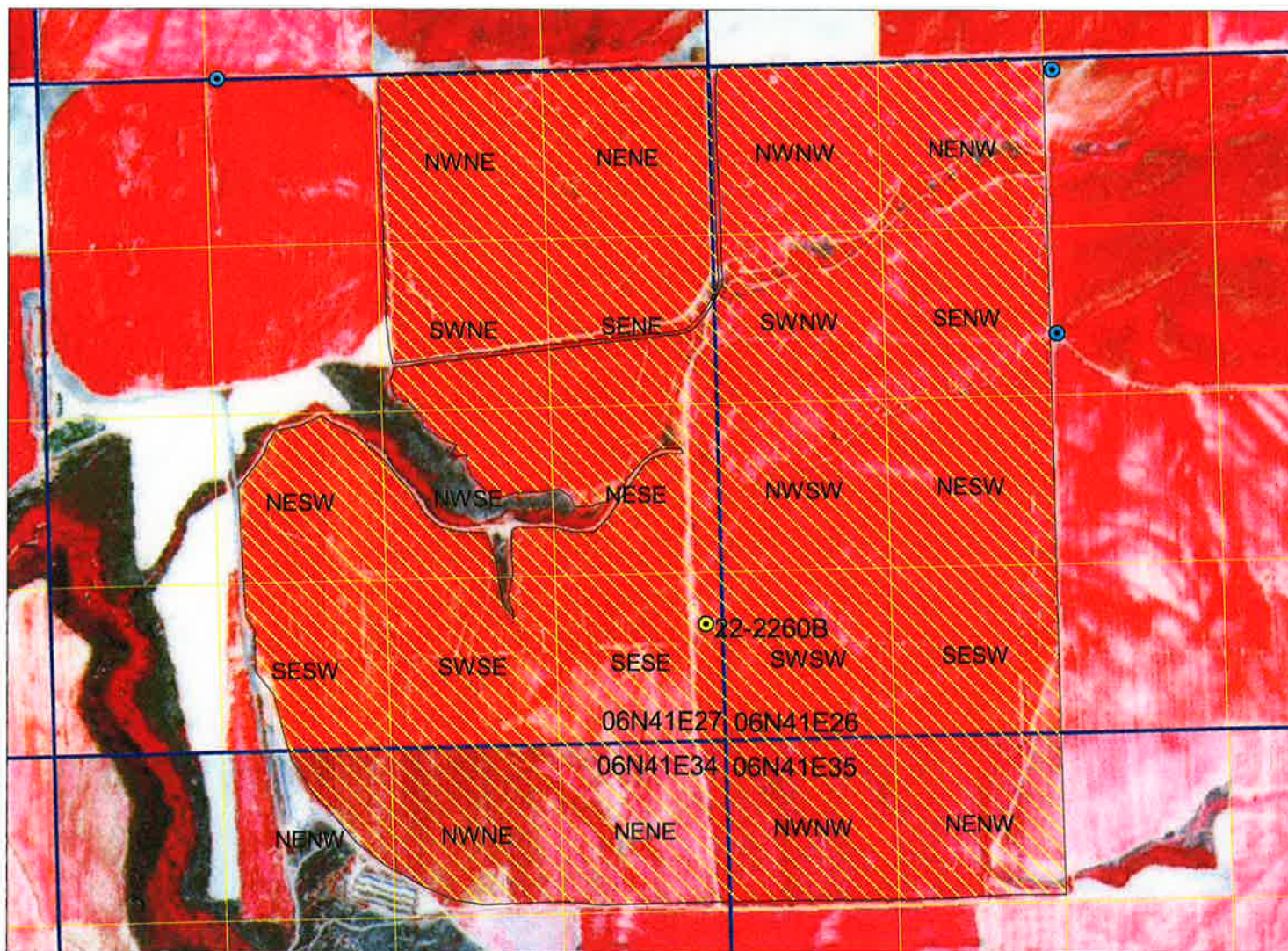
State of Idaho

Department of Water Resources

Eastern Region



Water Right(s): 22-2260B



Acres Irrigated = 825



- Point of Diversion
- ▨ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: January 2006

Water Right No(s). A22-2260B + 422-7005B

GPS data - 2693084
1404209

GPS File - 222260B

GPS DATA:

Tag # A0016320 Location: on middle power pole

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 700
SN: J1427279

PUMP

Make: Johnston Model: _____ Disch: _____
SN: GC-1511

NOTES:

System - Well & pump to Pivots. Met with Danny Summers
(Home phone - 356-3465, cell 317-1922) & he confirmed P.O.U., address & phone.
New address is 15005. 3000E, Rexburg, ID.

Field Exam Date: 1-25-2006 Agent: Z. W. Jones

GPS
Tag



A22-2260B + A22-7005B, Looking North

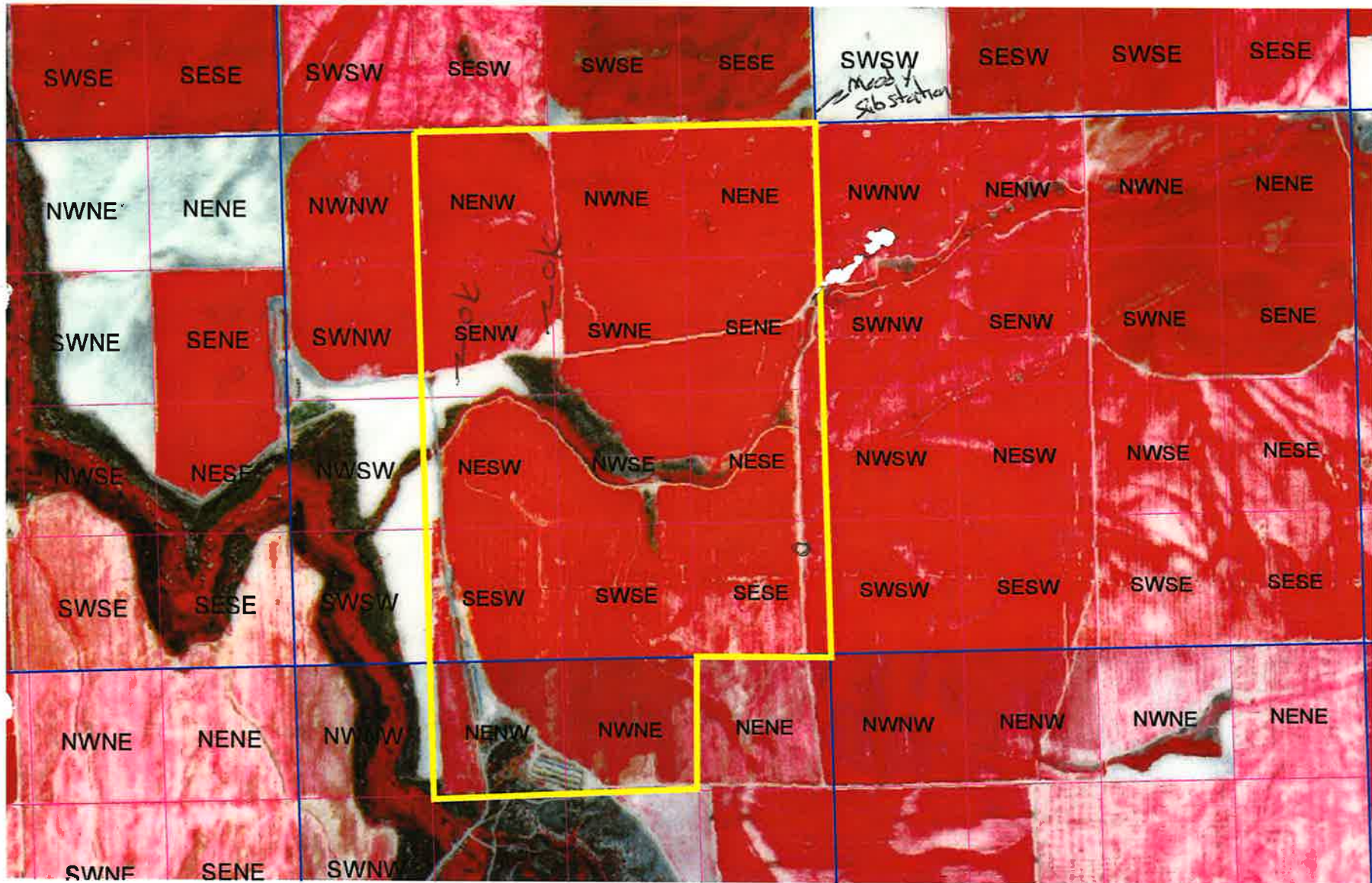
222260-B

06N41E27 06N41E26

Township
06N

Range
41E

Section
27, 34



Notes:

"OK" means irrigated - dug

Water Right #: 2202260B

Examiner:

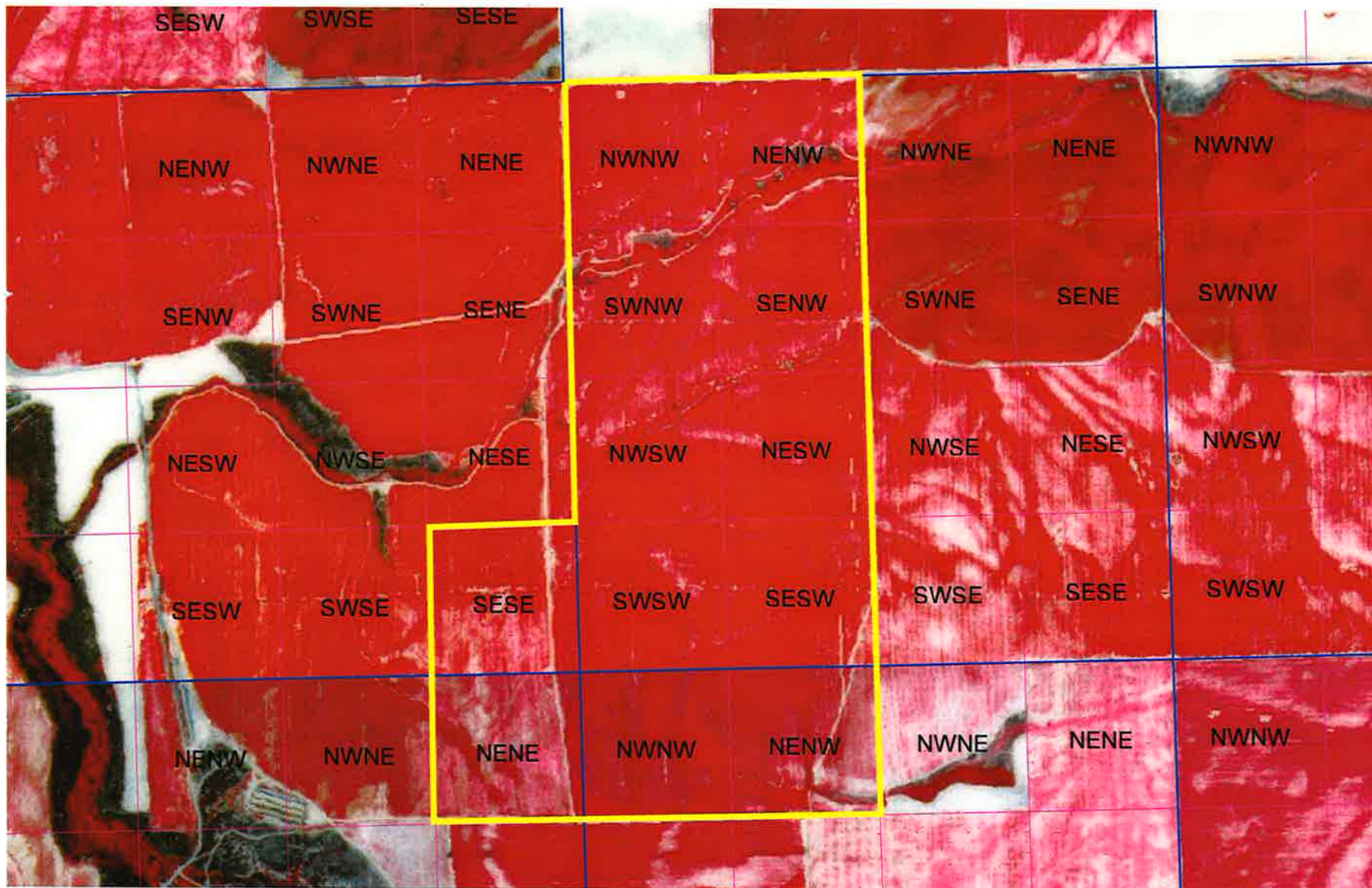
Date:



Township
06N

Range
41E

Section
26, 27, 34, 35



Notes:



Water Right #: ~~2213181~~

Examiner: 22-70053

Date:

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Nedrow, Paul E.	12.59		22-2260
3302	Summers Farm & Ranch	5.45		22-2260B
	Nedrow, Paul E.	7.14		22-2260A
3301	Nedrow Farms Inc.	7.14		22-2260A

TRANSE

MICROFILMED

SEP 24 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-2260 Priority September 30, 1965 Amount 12.59 cfs

THIS IS TO CERTIFY, that Paul E. Nedrow
of Rexburg, Idaho, has complied with the terms and conditions of Permit
No. 22-2260 issued pursuant to Application for Permit dated September 30, 1965,
and has submitted proof to the Department of Water Resources on June 4, 1973,
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 12.59 cfs of water from a groundwater source,
tributary to _____, 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>April 1</u> to <u>November 1</u> at <u>12.59</u> cfs and <u>3115.0</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 12.59 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
3115.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 27; Twp. 6N, Rge. 41E in the County of Madison

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	41E	25					30	28	40	40									138
		26	29	31	40	40	34	38	35	40	40	40	40	40					487
		27									22			37			35	40	134
		34	39	38			15												92
		35						39											39

Total number of acres irrigated 890

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 29TH day of July, 19 82.

For the Director

Norman C. Young

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: A22-02260B
Date Received: 8/25/1988
Receipt No: E001770
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUMMERS FARM AND RANCH INC. 208-356-3465
Address: RTE 1
SUGAR CITY, ID 83448

2. Date of Priority: SEP 30, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	27	SE	SE			MADISON

5. Description of diverting works:
WELL & PUMP TO 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	5.450		

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

8. Total consumptive use is 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	41E	27	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0

A22-02260B

Page 1

Date: 11/20/89



MICROFILMED

OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	41E	27	SE		NE		IRR	38.0
			NE		SW		IRR	34.0
			SE		SW		IRR	37.0
			NE		SE		IRR	27.0
			NW		SE		IRR	25.0
			SW		SE		IRR	35.0
			SE		SE		IRR	22.0
							Section Acres	332.0
		34	NW		NE		IRR	38.0
			NE		NW		IRR	15.0
							Section Acres	53.0
							Total Acres	385.0

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:

5.45 CFS IS THE DIVERSION CAPACITY OF THIS WELL AS MEASURED BY THE DEPT. ON 7-6-1979. CONDITION: THIS RIGHT WHEN COMBINED WITH THE RIGHT OF NEDROW FARMS, INC. UNDER APPLICATION FOR TRANSFER OF WATER RIGHT UNDER THIS SAME DATE PERTAINING TO RIGHT NOS 22-2260/7005 SHALL NOT EXCEED 12.59 CFS.

|

*****MEMO*****

THIS RIGHT WAS ORIGINALLY FILED ON AS A22-02260A. SO THE ADJ. NUMBER WOULD CORRESPOND WITH THE WATER RIGHT NUMBER, IT WAS CHANGED TO A22-02260B. DAN NEDROW WILL FILE ON A22-02260A. 20 NOV. 89, ERNEST CARLSEN

15. Basis of Claim: LICENSE

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 _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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

Renumbered A22-02260B
Ident. Number: A22-02260A
Date Received: 8/25/1988
Receipt No: E001770
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUMMERS FARM AND RANCH INC. 208-356-3465
Address: RTE 1
SUGAR CITY, ID 83448

2. Date of Priority: SEP 30, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	41E	27	SE	SE			MADISON

5. Description of diverting works:
WELL & PUMP TO 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	5.450		

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

8. Total consumptive use is 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	41E	27	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0

A22-02260A

Page 1

Date: 08/25/88

MICROFILMED
OCT 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	41E	27	SE	NE		IRR	38.0
			NE	SW		IRR	34.0
			SE	SW		IRR	37.0
			NE	SE		IRR	27.0
			NW	SE		IRR	25.0
			SW	SE		IRR	35.0
			SE	SE		IRR	22.0
			Section Acres				
	34	NW	NE		IRR	38.0	
		NE	NW		IRR	15.0	
Section Acres						53.0	
Total Acres						385.0	

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:

5.45 CFS IS THE DIVERSION CAPACITY OF THIS WELL AS MEASURED BY THE DEPT. ON 7-6-1979. CONDITION: THIS RIGHT WHEN COMBINED WITH THE RIGHT OF NEDROW FARMS, INC. UNDER APPLICATION FOR TRANSFER OF WATER RIGHT UNDER THIS SAME DATE PERTAINING TO RIGHT NOS 22-2260/7005 SHALL NOT EXCEED 12.59 CFS.

15. Basis of Claim: LICENSE

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 Pres _____ of _____ Title

Summers Farm & Ranch Inc _____, that I have signed the foregoing Organization
document in the space below as Pres _____ of Title

Summers Farm & Ranch Inc _____ and that the statements contained in the Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Pres Summers Farm & Ranch Inc
Title and Organization

8/25/88
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of August 19 88

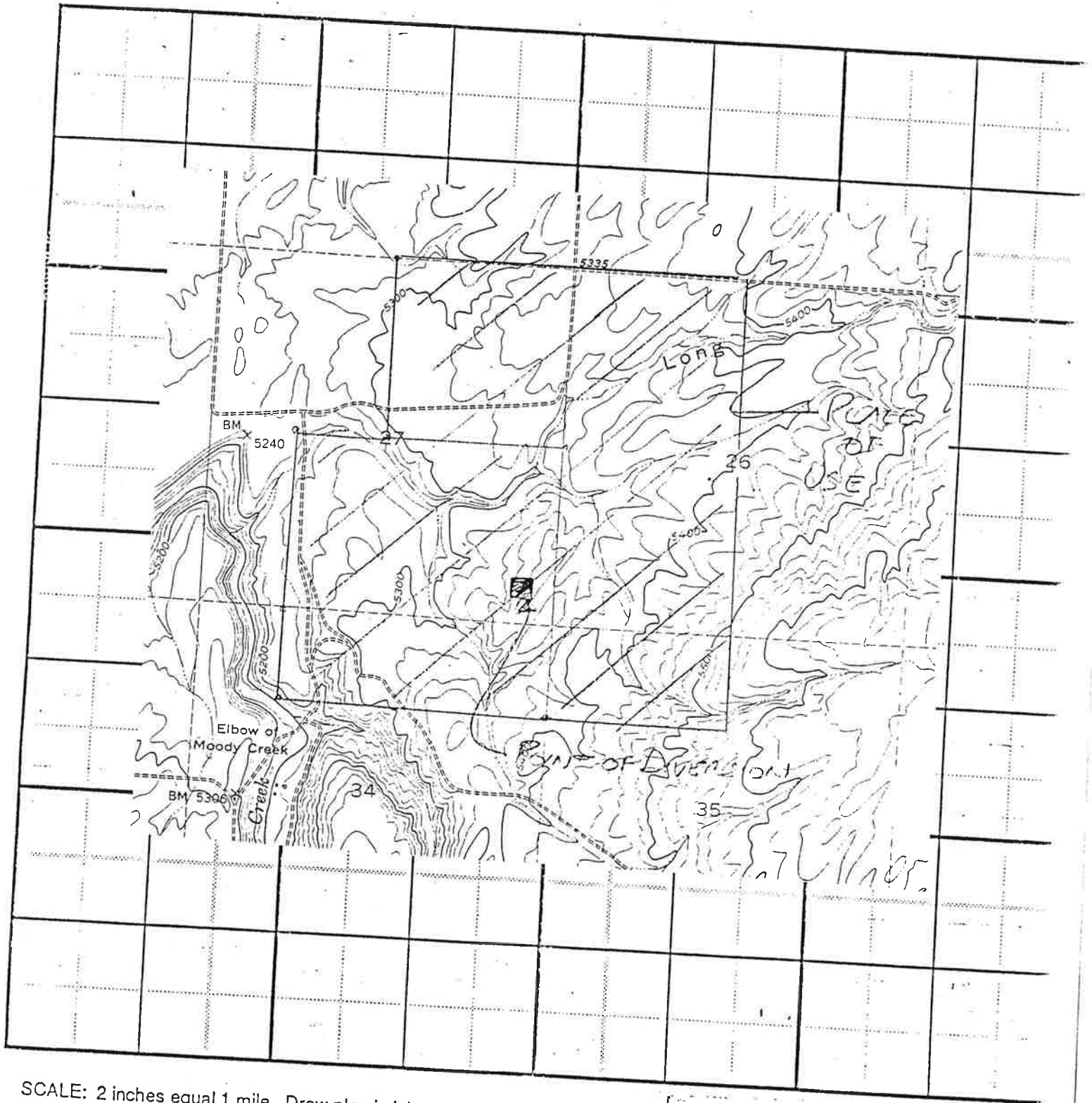
Calvin Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

2. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.



A22-02260A



12 MAY 86
H.W. J. OCT 29 1992