

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

RIGHT NUMBER: 22-10646
NAME AND ADDRESS: SUMMERCO INC
27 N 3000 E
SUGAR CITY ID 83448
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 2.380 CFS
416.50 AFY
PRIORITY DATE: 06/01/1961
POINT OF DIVERSION:
T06N R40E S26 SENWNE Within MADISON County
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		2.380 CFS 416.50 AFY	
PLACE OF USE:	<u>IRRIGATION in MADISON County</u>					
T06N R40E S22	NENE	5.20	T06N R40E S22	SWNE	1.60	
T06N R40E S22	SENE	31.00	T06N R40E S22	NESE	36.00	
T06N R40E S22	NWSE	8.40	T06N R40E S22	SWSE	4.80	
T06N R40E S22	SESE	37.00	T06N R40E S23	NENE	12.00	
T06N R40E S23	SWNE	4.00	T06N R40E S23	SENE	39.00	
T06N R40E S23	SWSW	40.00	T06N R40E S23	SESW	40.00	
T06N R40E S23	NESE	39.00	T06N R40E S23	NWSE	21.00	
T06N R40E S23	SWSE	39.00	T06N R40E S23	SESE	39.00	
T06N R40E S24	NESE	35.00	T06N R40E S24	NWSE	18.00	
T06N R40E S24	SWSE	26.00	T06N R40E S24	SESE	39.00	
T06N R40E S25	NENE	40.00	T06N R40E S25	NWNE	24.00	
T06N R40E S25	SWNE	29.00	T06N R40E S25	SENE	38.00	
T06N R40E S25	NESW	29.00	T06N R40E S25	NWSW	40.00	
T06N R40E S25	SWSW	39.00	T06N R40E S25	SESW	38.00	
T06N R40E S25	NESE	12.00	T06N R40E S25	NWSE	39.00	
T06N R40E S25	SWSE	15.00	T06N R40E S26	NENE	40.00	
T06N R40E S26	NWNE	40.00	T06N R40E S26	SWNE	40.00	
T06N R40E S26	SENE	40.00	T06N R40E S26	NENW	40.00	
T06N R40E S26	NWNW	39.00	T06N R40E S26	SWNW	40.00	
T06N R40E S26	SENW	40.00				

1177 ACRES TOTAL

1177 The rights listed below are limited to the irrigation of a combined total of
acres in a single irrigation season. Combined Right Nos.:22-2258A, 22-2295,
22-10646, 22-10777
This right is limited to the irrigation of 119 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 - Beneficial Use

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



Idaho Department of Water Resources

SRBA Recommendation:

22-10646

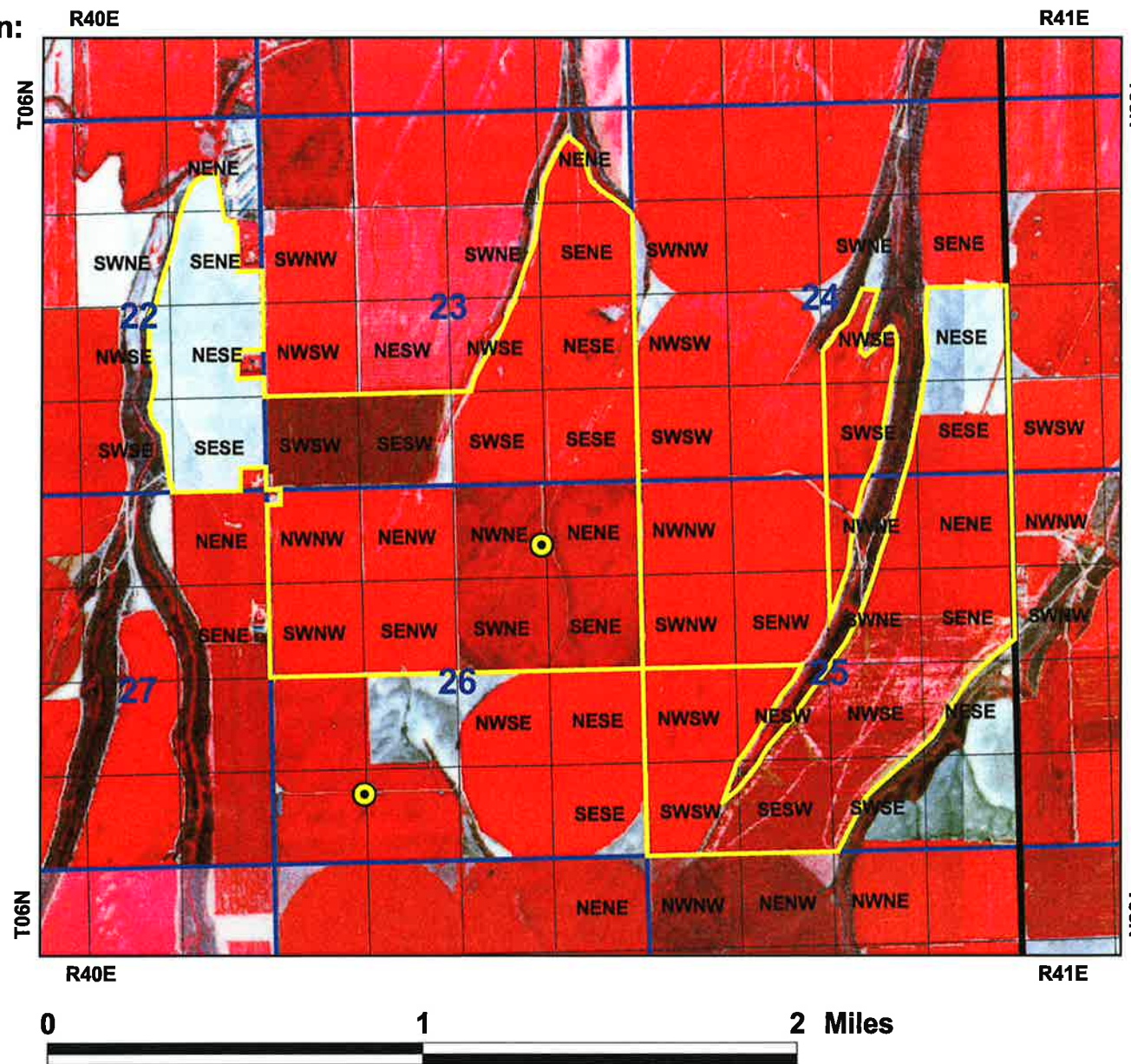
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



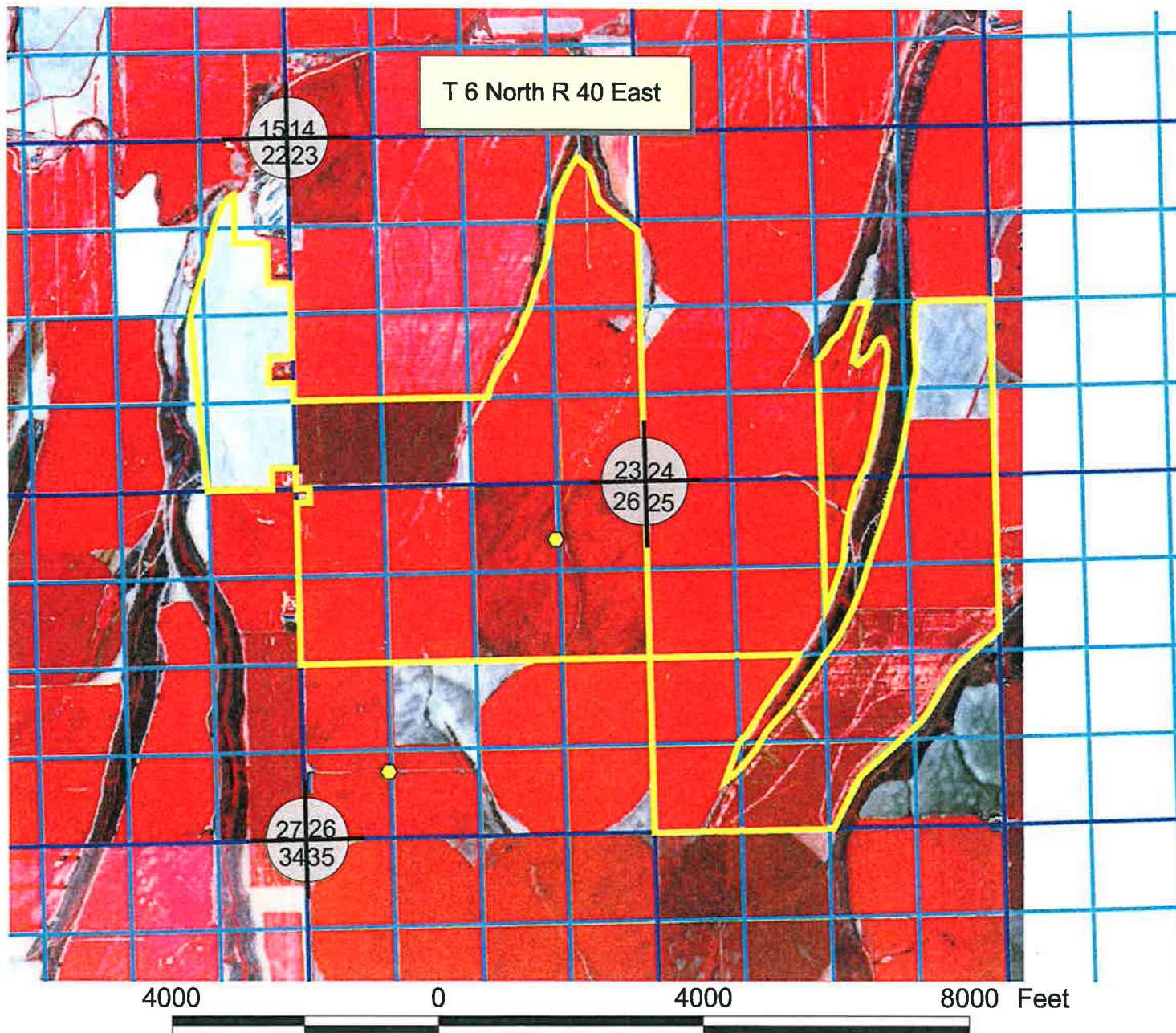
Prepared by J. Crabtree
On Wednesday, November 22, 2006
1987/88 Aerial Photography



State of Idaho
Department of Water Resources
Eastern Region



Claim No.(s): 22-2258A, 22-2295, 22-10646, 22-10777



- Points Of Diversion
- Place of Use
- Sections
- Quarter Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by T. Galbraith
Date: Feb. 2006



Summerco, Inc.
Gary Summers
27 N. 3000 E.
Sugar City, ID 83448

February 3, 2006

Re: Claim A22-10646

To Whom It May Concern:

I, Donald L. Parkinson, age 68, live at 1204 N 3000 E in Sugar City Idaho 1/8 mile north of the Summers' farm. I testify that the 119-125 acres (FSA mapping shows 125 acres) in section 22, Township 6N, Range 40E has been irrigated from wells in the NW NE Section 26 and SW SW Section 26, T6N, R40E since the growing season of 1961.

I have this knowledge because I was a neighbor farmer to the Summers and had a field of my own right across the road from the above mentioned field. I distinctly remember their field being irrigated that year because I drove by it every day and also because that was the first year they planted potatoes in it. We worked together and even shared equipment.

Donald Parkinson

Donald L Parkinson 2-3-06

RECEIVED
FEB 06 2006
Department of Water Resources
Eastern Region

- 22-10646 - On 1-17-2006 Stp inspected

this claim and told claimant to

submit evidence of enlargement/priority

- This claim is pre-1963 so ~~is~~ ^{is} ~~then~~

if claimant can prove up on that date

then it will be a beneficial use claim. I

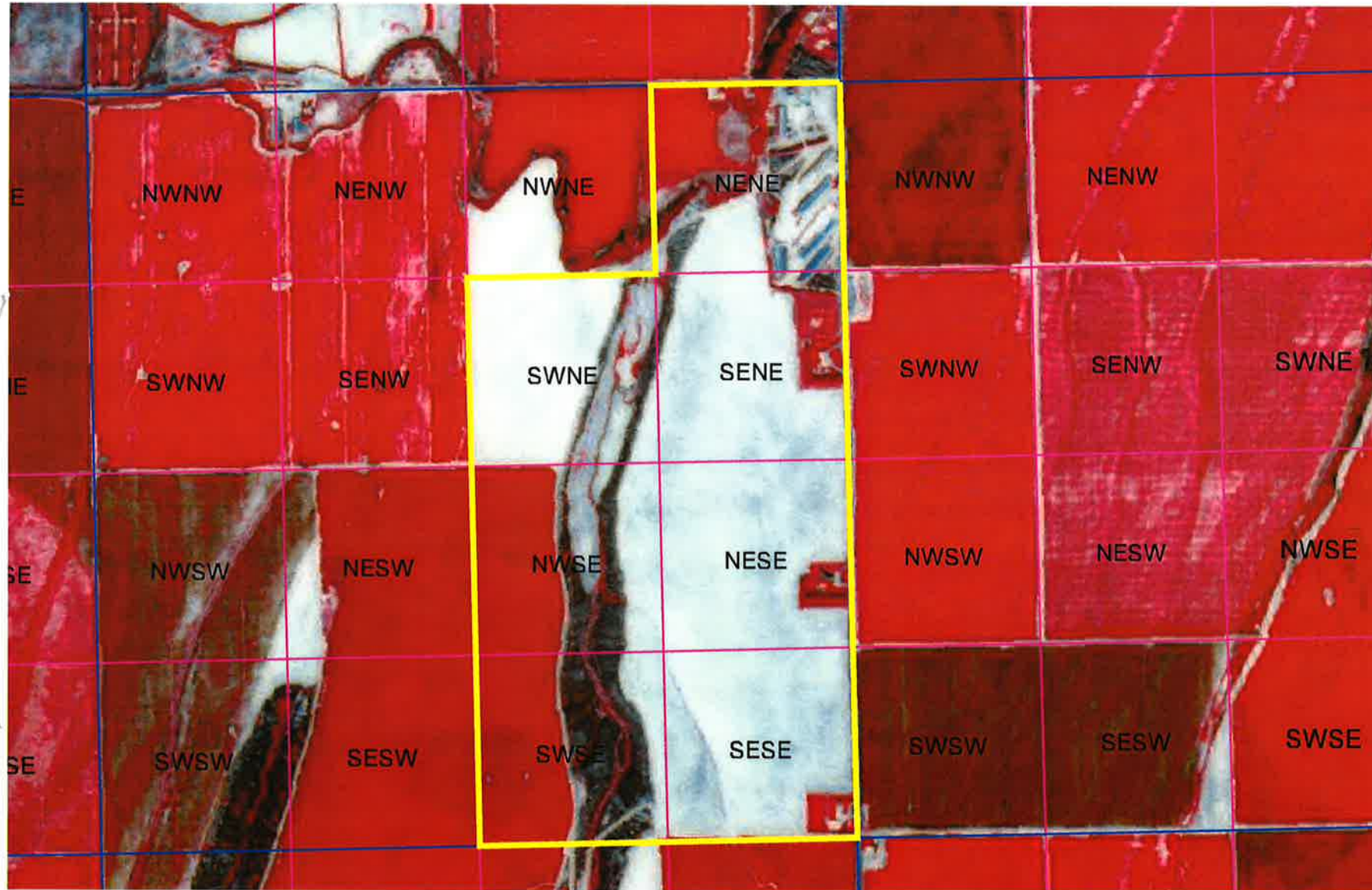
claimant can prove a date after 1963 but

prior to 1967 then it would be an enlargement
with all applicable conditions. If 1-20-05

Township
06N

Range
40E

Section
22



Notes:



0.08 0 0.08 0.16 0.24 Miles

A scale bar with markings for 0.08, 0, 0.08, 0.16, and 0.24 miles.

Water Right #: 2210646

Examiner:

Date:

Contacts Data Entry Form

Water Right No. A2210646

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>SUMNER CO</u>	<u>INC.</u>				
Name connector: and _____, or _____, and/or _____						
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

BU. Claim.

Other Water Rights used

FE pop/pop conveyance system

Reviewer: _____

Date: _____

WELL LOG AND REPORT TO THE
STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec. _____, 19____
Well No. _____
Permit No. _____

(DO NOT FILL IN)

Owner Ray and Bert Summers Address Rexburg, Idaho.

Driller Lee Harris Address Rexburg, Idaho Lic. No. 139

Location of Well: N.E. $\frac{1}{4}$ Sec. 26, T. 6 N/8, R. 40 E/W Madison County,
S.E. $\frac{1}{4}$ of 2E. and S.W. $\frac{1}{4}$ of 23 6N 40E. S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Sec. 23
and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ $\frac{1}{4}$ Sec.

Size of Drilled Hole 19 inch Total depth of Well 330 ft.

Give depth of standing water from surface 270 ft. Water Temp. 54 °Fahrenheit

On pumping test delivery was 1680 g.p.m. or _____ c.f.s. Drawdown was 0 feet.

Size of pump and motor used to make the test 8 inch column 200 horse motor

Length of time pumped during check was 4 hr., _____ minutes.

If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____

If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per linear foot _____

Thickness of casing no casing in hole Casing material _____
E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing _____
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)

Number and size of perforations _____ located _____ feet to _____ feet
from surface of ground.

Other perforations _____

Date of commencement of well _____ Date of completion of well Feb. 5 1960.

Type of well rig 28L Bucyrus-Erie Spudder

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

DAILY DRILLING REPORT

NAME OF FARM	Summers Brothers	WELL NO.	SECTION	TWP.	RANGE
--------------	------------------	----------	---------	------	-------

Date Nov 23, 1959

	FROM DEPTH OF	TO DEPTH OF	FORMATION AND ADDITIONAL REMARKS
MORNING TOWER	126 Feet	moving	To Summers
	277	"	"Rigging up"
	288	"	"
	299	"	"
	Sat 31 Oct Started to gravel		
Name of Tool Dresser _____ Driller Sign Here _____			
DAYLIGHT TOWER	0 31 Feet	8 Feet	Top soil
	8 "	50 "	Gray Sand Stone Med.
	112 50 "	70 "	Gray Sand Stone
	70 3 "	80 "	Brown Sand Hard
Name of Tool Dresser _____ Driller Sign Here _____			
AFTERNOON TOWER	80 Feet	86 Feet	Brown clay crevice 95 feet
	86-4 100 "	95 "	Brown or Red Sandy Cinders
	100 95 "	130 "	Cinders & Lava Crumbers
	(Shot) 100 "	Cancelled 5 yd. Shot at 120 125 125	
Name of Tool Dresser _____ Driller Sign Here _____			

255 CUT BANK PIONEER PRESS PRINT

DAILY DRILLING REPORT

NAME OF FARM	Summers Brothers	WELL NO.	SECTION	TWP.	RANGE
--------------	------------------	----------	---------	------	-------

Date Nov 23, 1959

	FROM DEPTH OF	TO DEPTH OF	FORMATION AND ADDITIONAL REMARKS
MORNING TOWER	130 Feet	135 Feet	Lava Gray
	155 "	175 "	Sinters black & gray
	175 "	190 "	Lost all water drilled dry at, coming out
	175 "	190 "	Long Gray 190 crevice
Name of Tool Dresser _____ Driller Sign Here _____			
DAYLIGHT TOWER	190 Feet	200 Feet	Black Lava
	200 "	220 "	Brown Sanders
	220 "	285 "	Brown Gray red Lava very hard
	285 288 "	278 "	Soft spot seep of water water fills up to 278
Name of Tool Dresser _____ Driller Sign Here _____			
AFTERNOON TOWER	286 Feet	305 Feet	Black Lava Sandy very Hard
	305 "	307 "	Soft broke
	307 "	315 "	Black Lava very Hard
	315 "	317 "	very Hard Shell Shells sharp
Name of Tool Dresser _____ Driller Sign Here _____			

255 CUT BANK PIONEER PRESS PRINT

DAILY DRILLING REPORT

NAME OF FARM		WELL NO.		SECTION		TWP.		RANGE	
Summers Bros.		1							
Date Feb. 5, 1950									
MORNING TOWER	FROM DEPTH OF	TO DEPTH OF	FORMATION AND ADDITIONAL REMARKS						
	3 Feet	waited on Test Pump							
	4 "	run 960 ft test pump							
	5 "	run 315 test Pump							
and made test Static Water Level 270									
Name of Tool Dresser Driller Sign Here									
DAYLIGHT TOWER	Continued	Feet	Feet						
	Feet	Feet	pumping at 1750 R.P.M for 2 hrs.						
	Making 16 80 gal." per. min. had no draw down								
	water clear. water temp. 54° Tested by								
Mel Brown Co". Idaho Falls, Idaho.									
Name of Tool Dresser Driller Sign Here									
AFTERNOON TOWER	330 ft.	Feet	Feet						
	Feet	Feet	10. = per. ft. 3300. =						
	waiting" on test pump, running & pulling 100. =								
	3400. =								
Name of Tool Dresser Driller Sign Here									

255 CUT BANK PIONEER PRESS PRINT

DAILY DRILLING REPORT

NAME OF FARM		WELL NO.		SECTION		TWP.		RANGE	
Summers Bros.		1							
Date Feb., 1950									
MORNING TOWER	FROM DEPTH OF	TO DEPTH OF	FORMATION AND ADDITIONAL REMARKS						
	Feet	Feet	I, Summers Bros. accept						
	"	"	this well, same is completed						
	"	"	and grant Lee Harris, Drilling						
Contractor the right to tear									
Name of Tool Dresser Driller Sign Here									
DAYLIGHT TOWER	Feet	Feet	down and move off location						
	"	"							
	"	"							
	"	"	Roy Summers						
Name of Tool Dresser Driller Sign Here									
AFTERNOON TOWER	Feet	Feet							
	"	"							
	"	"							
	"	"							
Name of Tool Dresser Driller Sign Here									

255 CUT BANK PIONEER PRESS PRINT

Reviewed
3-3-04

March 3, 2004

**SUMMERCO INC
27 N 3000 E
SUGAR CITY ID 83448**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-10646

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUNE 01, 1961, from a WELL.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 22-10646
Date Received: 8/17/1988
Receipt No: E001379
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUMMERCO INC Phone: (208)356-9314
27 N 3000 E
SUGAR CITY ID USA 83448

2. Date of Priority: 06/01/1961

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
06N	40E	26	SE	NW	NE	MADISON	
06N	40E	26	NE	SW	SW	MADISON	

5. Description of diverting works:

WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.38	

7. Total Quantity Appropriated is:
2.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot		Use	Acres
06N	40E	22	NE	NE	IRRIGATION	4

SW	NE	IRRIGATION	2
SE	NE	IRRIGATION	30
NW	SW	IRRIGATION	9
NE	SE	IRRIGATION	36
SW	SE	IRRIGATION	4
SE	SE	IRRIGATION	34

Section Acres 119

Total Acres 119

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:

14. Remarks:

THIS IS AN EXPANSION OF LICENSE 22-2295

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.

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: A22-10646
Date Received: 8/04/1988
Receipt No: E001379
Received By: H.C.J.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUMMERCO INC. 208-356-7803
Address: 27 N. 3000 E.
SUGAR CITY, ID 83448

2. Date of Priority: JUN 01, 1961

3. Source: GRUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	22	SW	SW	SW		MADISON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.580		

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

8. Total consumptive use is 238.0 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	22	NE	NE		IRR	4.0
			SW	NE		IRR	2.0
			SE	NE		IRR	30.0

A22-10646 Page 1 Date: 08/16/88



NOT RECORDED
NOV 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	40E	22	NW		SW		IRR	9.0
			NE		SE		IRR	36.0
			SW		SE		IRR	4.0
			SE		SE		IRR	34.0
							Section Acres	119.0
							Total Acres	119.0

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 22-2295

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

Kerry S. Hiteox
Signature of Authorized Agent
Summerco Inc.
Title and Organization
8-16-88
Date

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of August 19 88

Kerry S. Hiteox
Notary Public

Seal

Residing at Reynburg, Idaho

A22-10646

Page

My Commission Expires 7-10-91
3 Date: 08/16/88

RECORDED
NOV 05 1992

NOV 05 1952
UNCLASSIFIED

MISS
SO. 151.3

TEN

B-87 (372)
600 SUMMERS

MISS
N
155.5

790

(422)

R40E

A22-10.4C

VMWERS INC.

(456)

(451)

(454)

805

8-150

806

(423)

190

14.13
23 24