

04/03/2003

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

RIGHT NUMBER: 23-4036

NAME AND ADDRESS: BURL L SUMMERS  
330 S AMMON RD  
AMMON ID 83406

DWAYNE E SUMMERS  
PO BOX 206  
RIRIE ID 83443

SOURCE: RICKS SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 02/20/1920

POINT OF DIVERSION:

T03N R41E S36 SENW Within BONNEVILLE County Source: RICKS SPRING

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T03N R41E S36 SENW

DOMESTIC Within BONNEVILLE County

T03N R41E S36 SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

SOURCE IS ALSO KNOWN AS RICKS SPRING.

SCANNED  
JUL 14 2004

04/03/2003

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

Water right number: 23-4036

BURL L SUMMERS  
330 S AMMON RD  
AMMON ID 83406  
Telephone Number: (208)524-0603

DWAYNE E SUMMERS  
PO BOX 206  
RIRIE ID 83443  
Telephone Number: (208)538-5450

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: FEB 10-2004 SIGNATURE: Dwayne E. Summers  
Please print your name: DWAYNE EARL SUMMERS

IDWR Regional Office,

RECEIVED

MAR 17 2004

Department of Water Resources  
Eastern Region

SCANNED  
JUL 14 2004

04/03/2003

**NOTICE OF ERROR  
REPLY**

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Telephone Number: (208)538-5450

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/10/04 SIGNATURE: Burl L Summers  
Please print your name: Burl L Summers

IDWR Regional Office,

04/03/2003

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

RIGHT NUMBER: 23-4036

NAME AND ADDRESS: BURL L SUMMERS  
330 S AMMON RD  
AMMON ID 83406

DWAYNE E SUMMERS  
PO BOX 206  
RIRIE ID 83443

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED  
13,000 GALLONS PER DAY.

PRIORITY DATE: 02/20/1920

POINT OF DIVERSION:  
T03N R41E S36 SENW Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within BONNEVILLE County  
T03N R41E S36 SENW  
DOMESTIC Within BONNEVILLE County  
T03N R41E S36 SENW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use  
SOURCE IS ALSO KNOWN AS RICKS SPRING.

23-4036 STAT 243

- I. CLAIMED AS SIMPLE D/S SO RECOMM.
- II. SOURCE CLAIMED AS 'RICKS SPINNER'. NO SUCH REFERENCE IS MADE ON CQR X-96.  
RECOMMEND AS SPRING TO SINKS w/ Bp/.
- III ADD N11 AND N13

\$25

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 23-4036  
Date Received: 1/13/1989  
Receipt No: E027720  
Received By: DC

A2304036



NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BURL L SUMMERS Phone: (208)524-0603

330 S AMMON RD  
AMMON ID USA 83406

DWAYNE E SUMMERS Phone: (208)538-5450

PO BOX 206  
RIRIE ID USA 83443

2. Date of Priority: 02/20/1920

3. Source: RICKS SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County     | Type |
|----------|-------|---------|-----------------------|------------|------|
| 03N      | 41E   | 36      | SE NW                 | BONNEVILLE |      |

5. Description of diverting works:

spring box to pipeline stock trough and house

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |
| DOMESTIC   | 01/01 | 12/31 | 0.02   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:  
Number of other uses: 30  
Number of homes: 1

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|----------|-------|---------|------------|-----|------------|-------|
| 03N      | 41E   | 36      | SE         | NW  | STOCKWATER |       |
|          |       |         | SE         | NW  | DOMESTIC   |       |

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 60 CATTLE

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

15. Basis of Claim: Statutory Claim

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): X *Raymond Summers* Date: May 6-2002

\_\_\_\_\_  
Date:

State of Idaho  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this  
6 of May 2002

*Dave Carlson*

Notary Public

Residing at Rigby, Id

My commission Expires 2/26/2006



R-41-E

EE-4  
1999

|    |    |
|----|----|
| 26 | 25 |
| 35 | 36 |

2432  
T2342

Rich's  
Sprink

2007

⑥

10.5

CRP

①

39.4

CRP  
98-2008

⑧

10.3

CRP  
98-2008

⑨

9.3

CRP

35

36

2

1

1977  
T408

②

68.1

⑤

52.2

CRP

⑦

55.1

CRP

⑩

64.6

HPS

2

T