

09/07/2004

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

RIGHT NUMBER: 25-58

NAME AND ADDRESS: RETA SUMMERS
288 AUTUMN WOOD DR
RIGBY ID 83442

SOURCE: WILLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.600 CFS

PRIORITY DATE: 04/01/1876

POINT OF DIVERSION:

T03N R39E S11 NESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.600 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R39E S10	NESE	11.0	T03N R39E S10	SWSE	31.0
T03N R39E S10	SESE	38.0			

80 ACRES TOTAL

Use of this right with Right No. 25-168 is limited to the irrigation of a combined total of 80 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: Decreed

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

Use of this right is combined with water from Farmers Friend Irrigation Co. and Enterprize Canal Co.

Water is delivered through Sargent-Summers Canal.

SCANNED

SEP 22 2004

PROFILED

RECEIVED

OCT 13 2004

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

09/07/2004

RECEIVED
OCT 13 2004
DEPARTMENT OF
WATER RESOURCES

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: 25-58

RETA SUMMERS

288 AUTUMN WOOD DR

RIGBY ID 83442

Telephone Number: (208)745-0381

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: OCT. 5, 04 SIGNATURE: Reta Summers Davis

Please print your name: Reta Summers

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

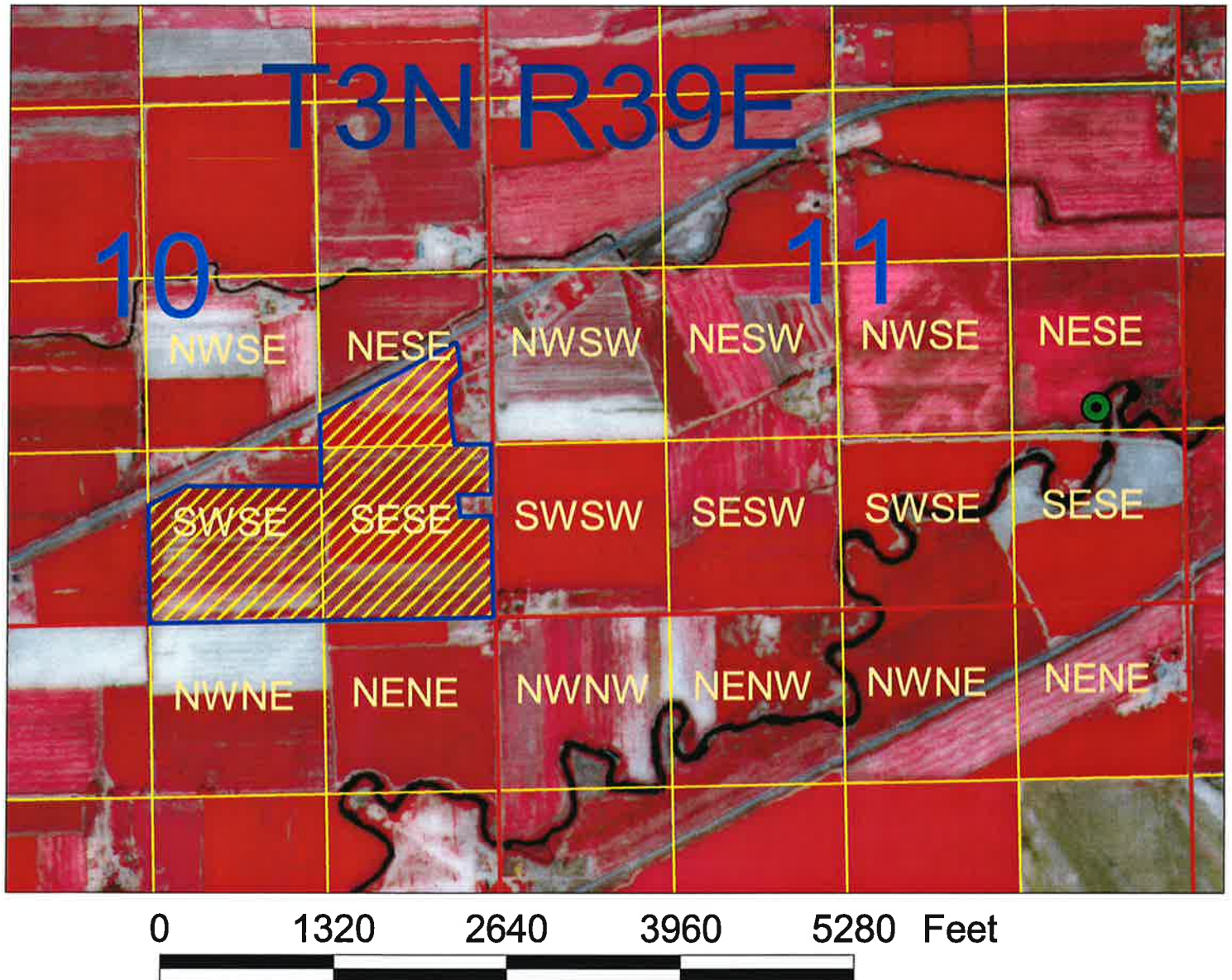
RECEIVED
OCT 20 2004
Department of Water Resources
Eastern Region

PROFILED
SCANNED
OCT 12 2004



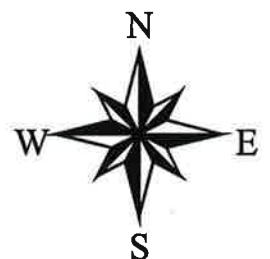
Department of Water Resources

Claim No.: 25-00058



- Point of diversion
- Place of use
- Sections
- QQ

PROFILED



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: September 2004

Water Right Report 25-58

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ABEL CLEVERLY
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/	to /	1.600 CFS	
STOCKWATER	/	to /		
DOMESTIC	/	to /		

WILLOW CREEK NW1/4SE1/4 Sec. 11, Twp 03N, Rge 39E, B.M.
BONNEVILLE County

IRRIGATION

[illegible]

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. General P/D NOT GIVEN IN DECREE. SOURCE WD01.
P/U INCOMPLETE IRR. AC. = 80.

Dates and Other Information:

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SEP 22 2004

A25-00058 / A25-00168 Summary 9/18/03

- 1) Ownership is correct. New phone # 745-0381. Mailing address is Mrs. Summers' son Kirk but my letter did not come back. Mrs. Summers contacted me. Kirk handles many of the farm affairs. Farm is operated by Doug Berry, 523-6097.
- 2) POB is correct on layout. GPS 675,458 E 280,201 N Waypoint 58.
- 3) POB. Per Doug part of mapped POB is neighbors, watered through same ditch originally, but now they pump from canal. See sketch on layout.
- 4) Overlap. Per Mrs. Summers, Enterprise & Farmer's Friend water also used.
- 5) Photos. Headgate, Ditch, POB from east side.

Depe A. Coulter

A25-00058 / A25-00168 Field Insp 9/15/03

Photos

- 1) Headgate - GPS
675,458 E 280,201 N
Waypoint 58
- 2) Ditch looking West fr.
headgate

Notes

- 1) Per Doug Moss. Summers is
the only user on this headgate.
Used to be another but now
they pump directly fr. Creek.
It appears they used
Enterprise water, not Willow Cr.
- 2) See sketch map in A25-00168
on NAPP layout.

PROFILE
Water Resources
Field Services
208 663 4667
SCANNED

SEP 22 2004

A25-00058 / A25-00168 Contact log

9/11/03 16:26 523-6555 No longer in service
Nothing in phone book.
Note that letter did not come back as
Undeliverable

9/15/03 Doug Berry runs farm, Mrs. Summers
still owns the ground.
Kirk Summers is the son who takes
care of property - look in I.F. phone book -
523-6097 is Doug's number

9/17/03 Mrs. Summers left message on my
answering machine. Her new # is
745-0381

9/18/03 Mrs. Summers 7:35 AM
Mrs. Summers also has Enterprise water &
Farmers Friend. I explained preliminary
recommendation & NOE process.

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SEP 22 2004

Water Resources
Field Services
208 663 4667

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August 18, 2003

Reta Summers
10787 E Ririe Hwy
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-00058, A25-00168

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

The main purpose of this visit is to locate and photograph the headgate(s), ditches, and irrigated lands.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

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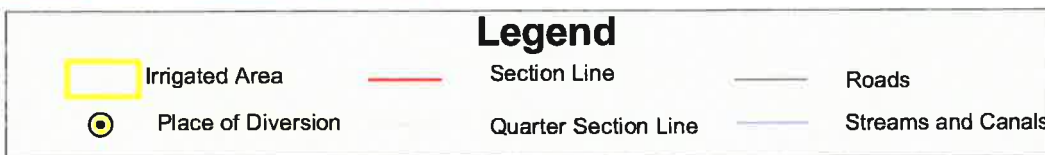
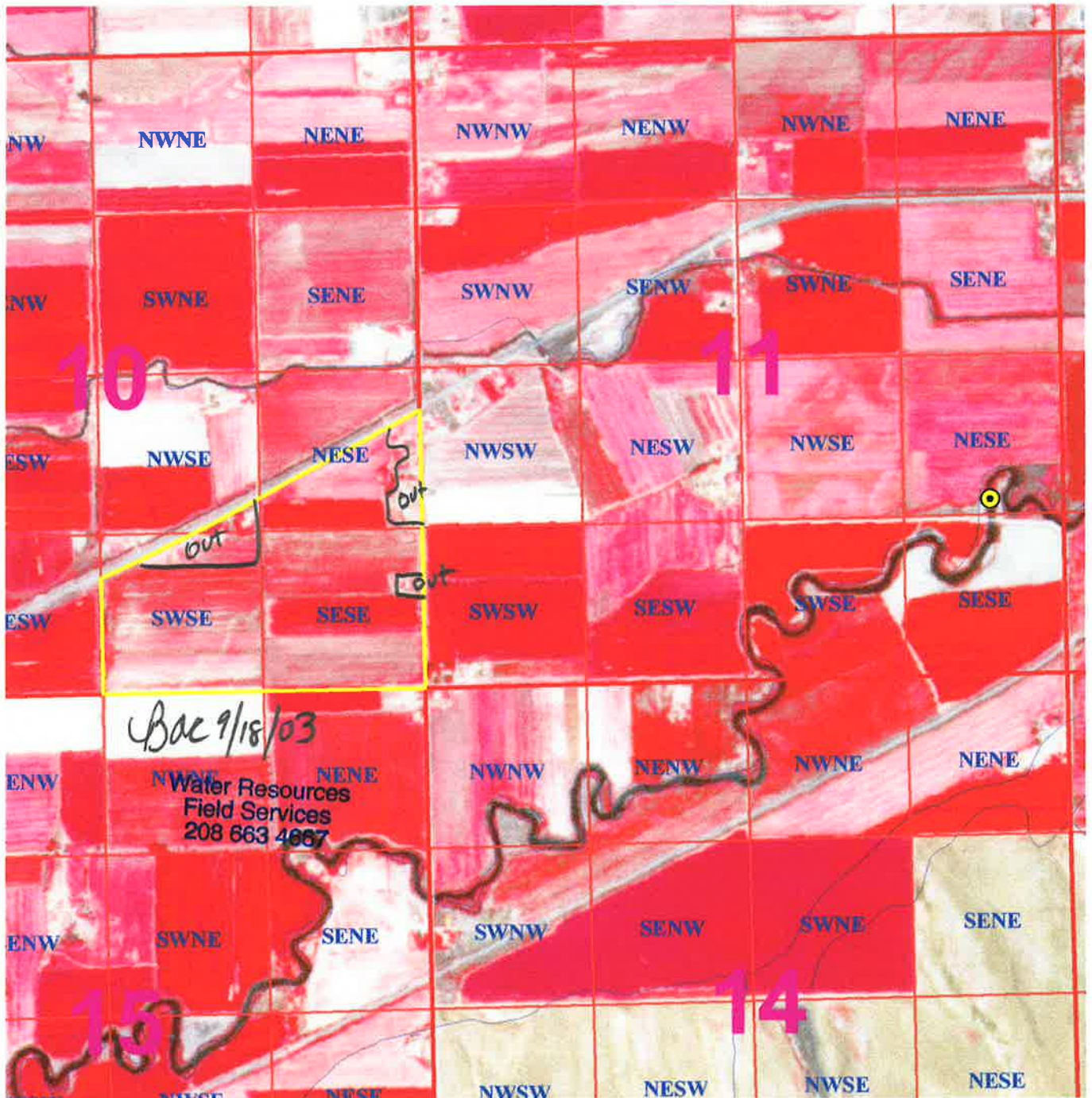
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SEP 22 2004

Water Resources
Field Services
208 663 4667

Water Right Claim Number 25-00058
Township , 3N39E

11/27/2000



900 0 900 1800 2700 Feet

SPATIAL
DYNAMICS

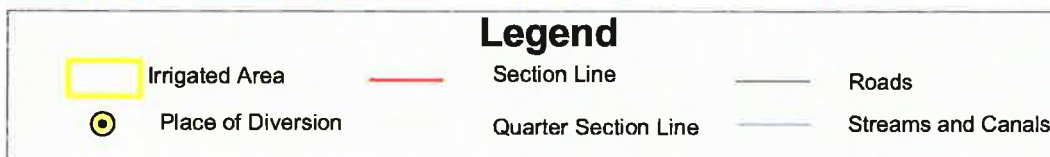
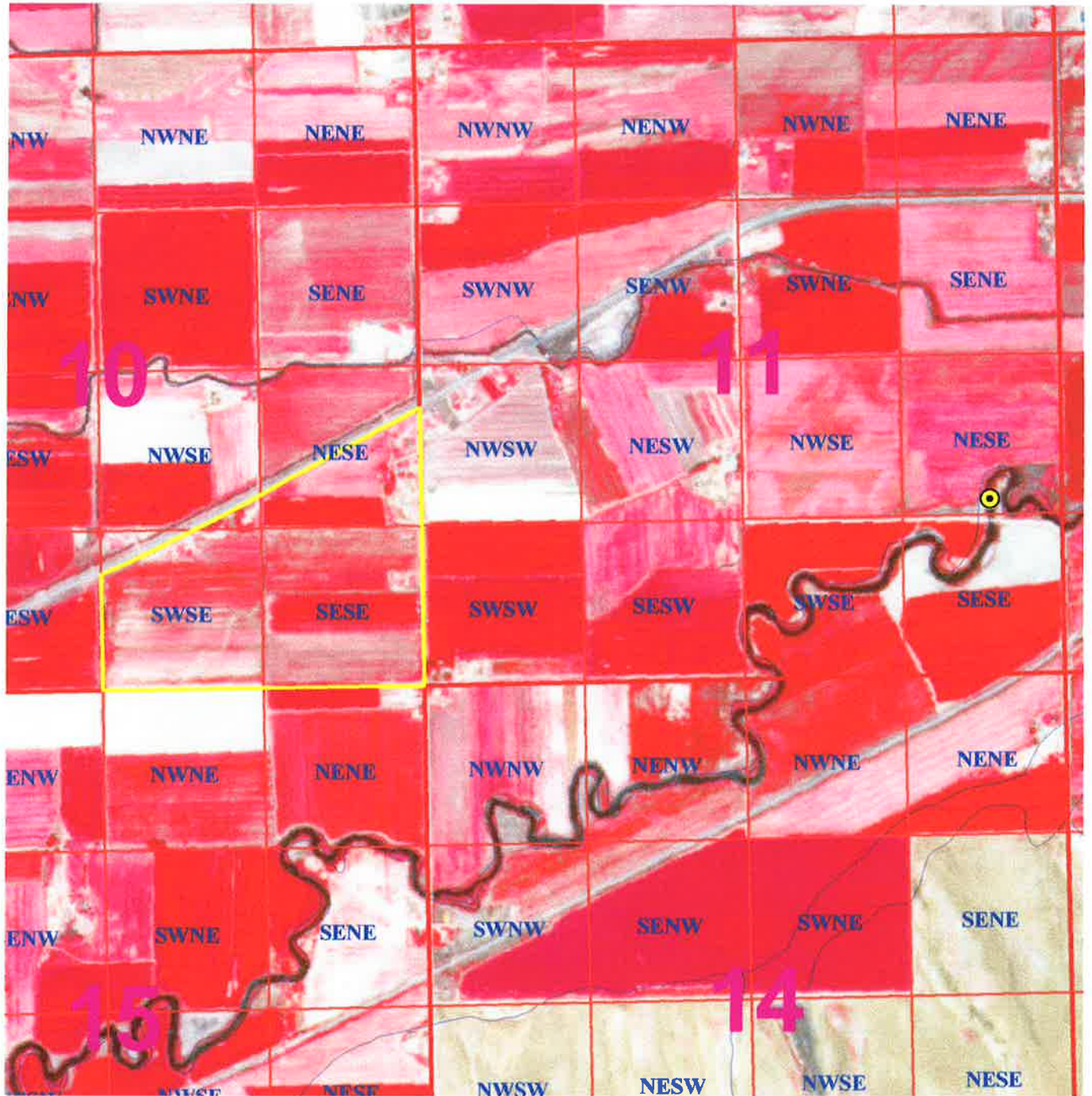
SCANNED

SEP 22 2004

PROVIDED

Water Right Claim Number 25-00058
Township , 3N39E

11/27/2000



900 0 900 1800 2700 Feet

SPATIAL DYNAMICS

PROTECTED

SCANNED
SEP 22 2004

AJ5809NP
No. A25-00058

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RETA SUMMERS 10787 E RIRIE HWY IDAHO FALLS ID 83401 (208) 523-6555	04/01/1876	IRRIGATION	04-01 11-01	1.600 CFS	
TOTAL DIVERSION:					1.600 CFS	
CONSUMPTIVE USE:						212.50 AFA

Water Source: WILLOW CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03N R39E S11 SENESE BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM						

03N 39E 10 :			:																	:	12		33	40	:	85.0
																			TOTAL ACRES			85.0				

POU County: BONNEVILLE

Non-Irrigation Uses: NONE

Other Rights: 35-0168, ENTERPRISE CANAL CO.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00168

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00059 A01-00060 A01-00061 A01-00233 A01-00248 A01-10200 A01-10201 A01-10202 A01-10203 A25-00168

Dates: Exam Made Date: Verified Date: 03/05/1985 Objection Filed Date:

Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:

Audit: 08/07/89 OLENICHA 03/29/95 POST-STD

SCANNED
SEP 22 2004
PROFILED

SCANNED

JUL 25 2001

150 X

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: A25-00058
Date Received: 8/07/1989
Receipt No: E010270
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RETA SUMMERS 208-523-6555
Address: 10787 E. RIRIE HWY
IDAHO FALLS, ID 83401

2. Date of Priority: APR 01, 1876

3. Source: WILLOW CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	39E	11	SE	NE	SE		BONNEVILLE

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 212.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	39E	10	NE	SE		IRR	12.0
			SW	SE		IRR	33.0
			SE	SE		IRR	40.0

Section Acres 85.0

A25-00058

Page 1

Date: 08/07/89

A2500058



MICROFILMED

NOV 06 1992

10. Place of Use: Continued

Total Acres 85.0

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:
35-0168, ENTERPRISE CANAL CO.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

EAGLE ROCK & WILLOW CR. WATER
Decree Plaintiff

vs

HENRY KIEFER ET AL
Decree 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: _____

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): Reta Summers Date: Aug. 24, 1989

Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 24 day

of August 19 89

Jeffery R. Summers
Notary Public

Seal

Residing at Rigby, Idaho

My Commission Expires March 8, 1993

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R39E



MICROFILMED
NOV 6 1982