

06/20/2001

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

RIGHT NUMBER: 29-2462D

NAME AND ADDRESS: THOMAS J SUMMERS JR
PO BOX 13
POCATELLO, ID 83204

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.15 CFS

PRIORITY DATE: 07/02/1962

POINT OF DIVERSION: T07S R35E S21 NWNWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.15 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County
T07S R35E S21 NWSE 7.5

7.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

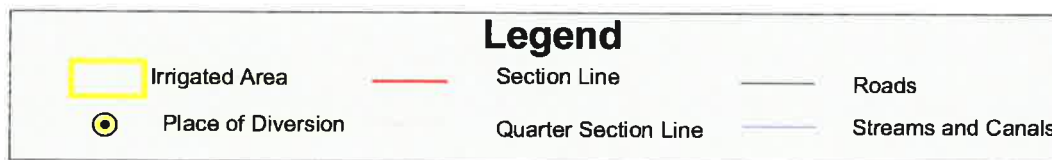
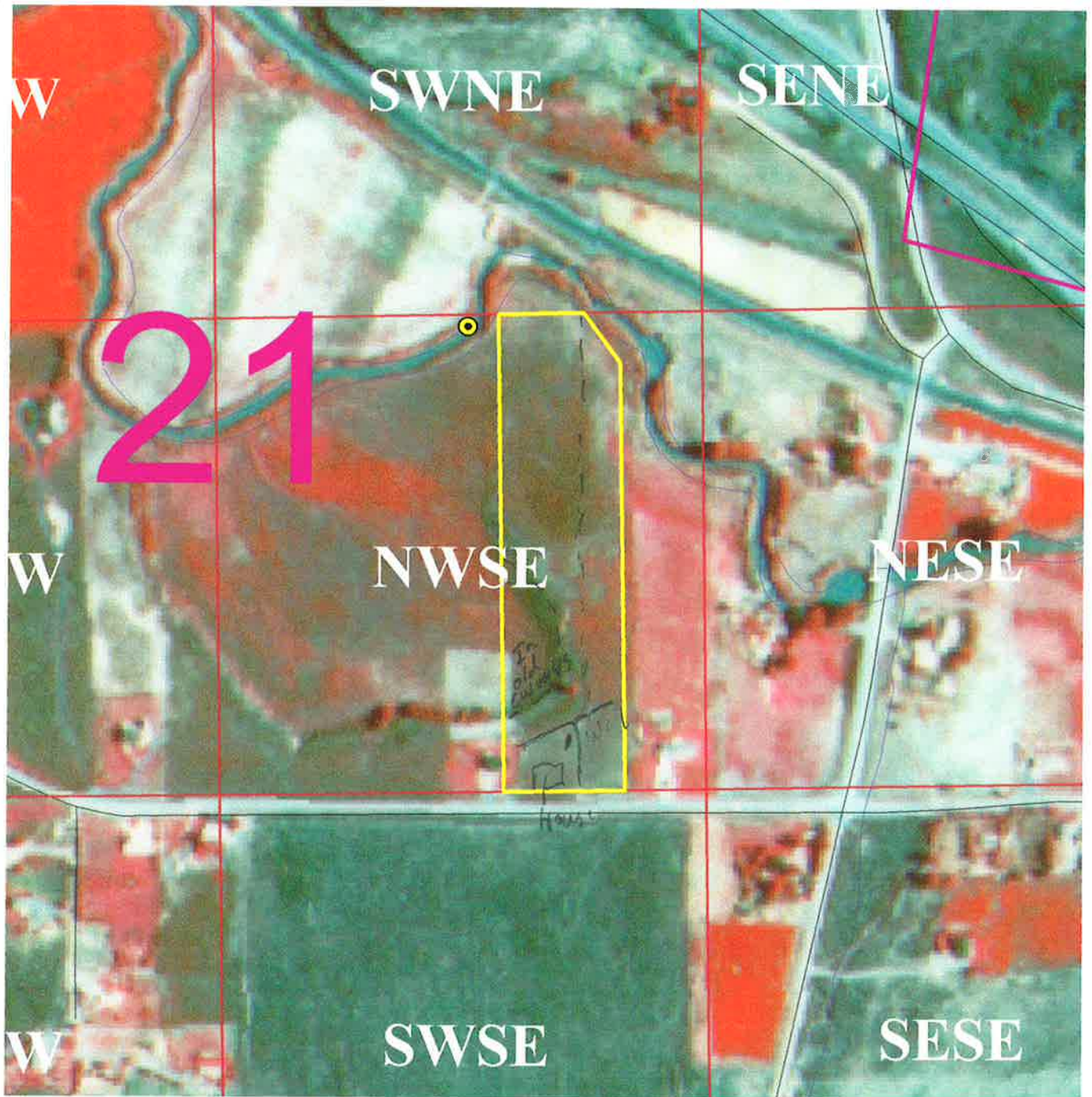
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Water Right Claim Number A29-02462D
Township , 7S35E

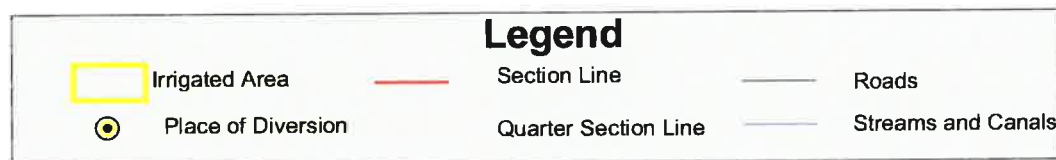
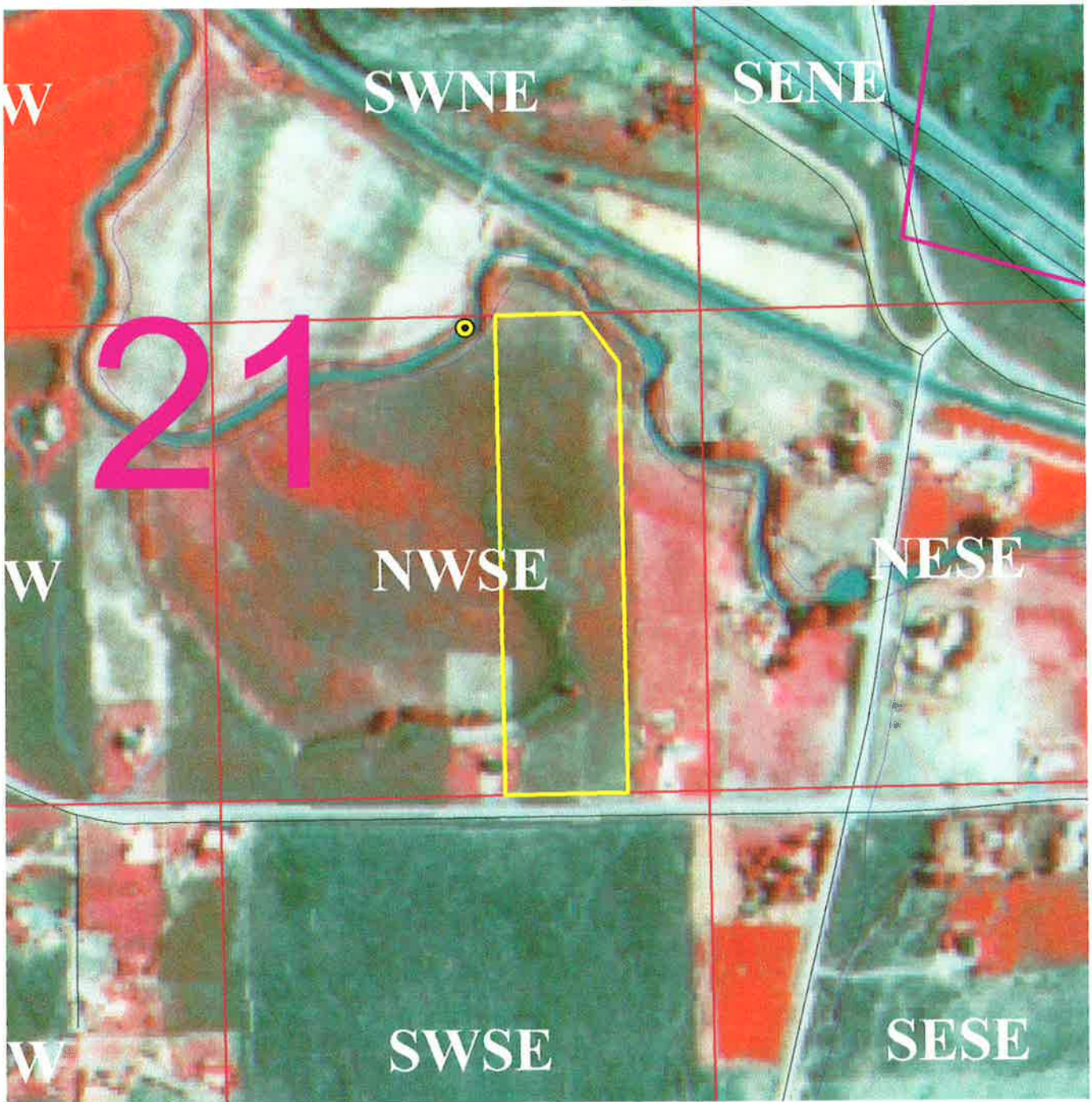
08/31/2000



SCANNED
FEB 15 2006

Water Right Claim Number A29-02462D
Township , 7S35E

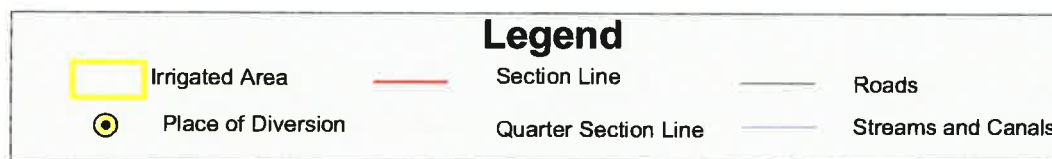
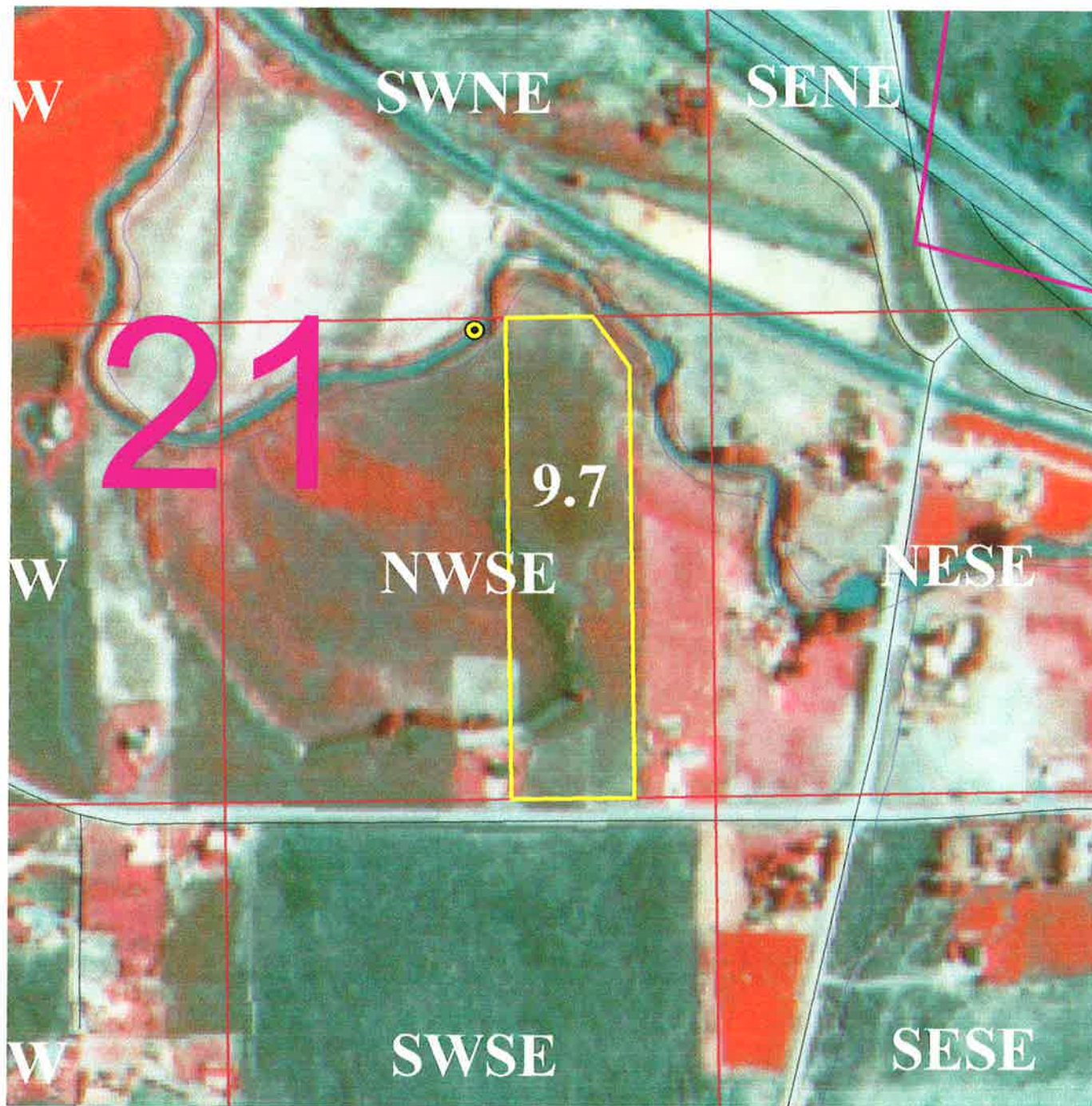
08/31/2000



SCANNED
FEB 15 2006

Water Right Claim Number A29-02462D
Township , 7S35E

08/31/2000



300 0 300 600 Feet



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FEB 15 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 29-2462D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS J SUMMERS JR PO BOX 13 POCATELLO, ID 83204 (208)234-0874

Original Owner	ALBERT M JOHNSON POCATELLO, ID 83201
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Priority Date:	07/02/1962
Basis:	License
Status:	Active

<u>Source</u>	<u>Tributary to</u>
PORTNEUF RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.15 CFS		
Total Diversion	0.15 CFS				

Location of Point(s) of Diversion:

PORTNEUF RIVER	NWNWSE	Sec. 21	Township 07S	Range 35E	BANNOCK County
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IRRIGATION Use:
Acre Limit: 7.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION	BANNOCK County
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<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	21		NWSE	7.5									

Total Acres: 7.5

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Dates:

Licensed Date:
 Claim Received Date: 06/04/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:

SF5 Filed:

Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/20/01 10:32:46 AM	csaxton			In Process
POD	6/20/01 10:50:00 AM	csaxton			In Process
POU	6/20/01 10:54:48 AM	csaxton			In Process
Priority Date	6/20/01 10:46:46 AM	csaxton			In Process
Quantity	6/20/01 10:59:19 AM	csaxton			In Process
Season	6/20/01 10:56:31 AM	csaxton			In Process
Source	6/20/01 10:53:46 AM	csaxton			In Process
Summary	6/20/01 11:03:59 AM		6/20/01 11:03:59 AM	csaxton	Complete
Use	6/20/01 10:54:21 AM	csaxton			In Process

Other Information:

Receipt Number(s): E014778

State or Federal: S

Owner Name Connector:

Water District Number: 29

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

PresumptionFlag:

Notice of Error Flag:C

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Contacts	6/20/01 10:32:44 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Field Exam May 2001. Edited point location
POD	6/20/01 10:52:15 AM	csaxton	1. (NO) The basis is not beneficial use.
POD	6/20/01 10:49:57 AM	csaxton	2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Point of Diversion Moved within the same 40 acre tract prior to 1987. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: GPS Point
POU	6/20/01 10:55:32 AM	csaxton	8. (NO) Point of Diversion remark was not required.
POU	6/20/01 10:55:11 AM	csaxton	9. (YES) Point of Diversion condition was required.
POU	6/20/01 10:54:46 AM	csaxton	Edited PLS Edited shape boundary 1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	6/20/01 10:46:44 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended.

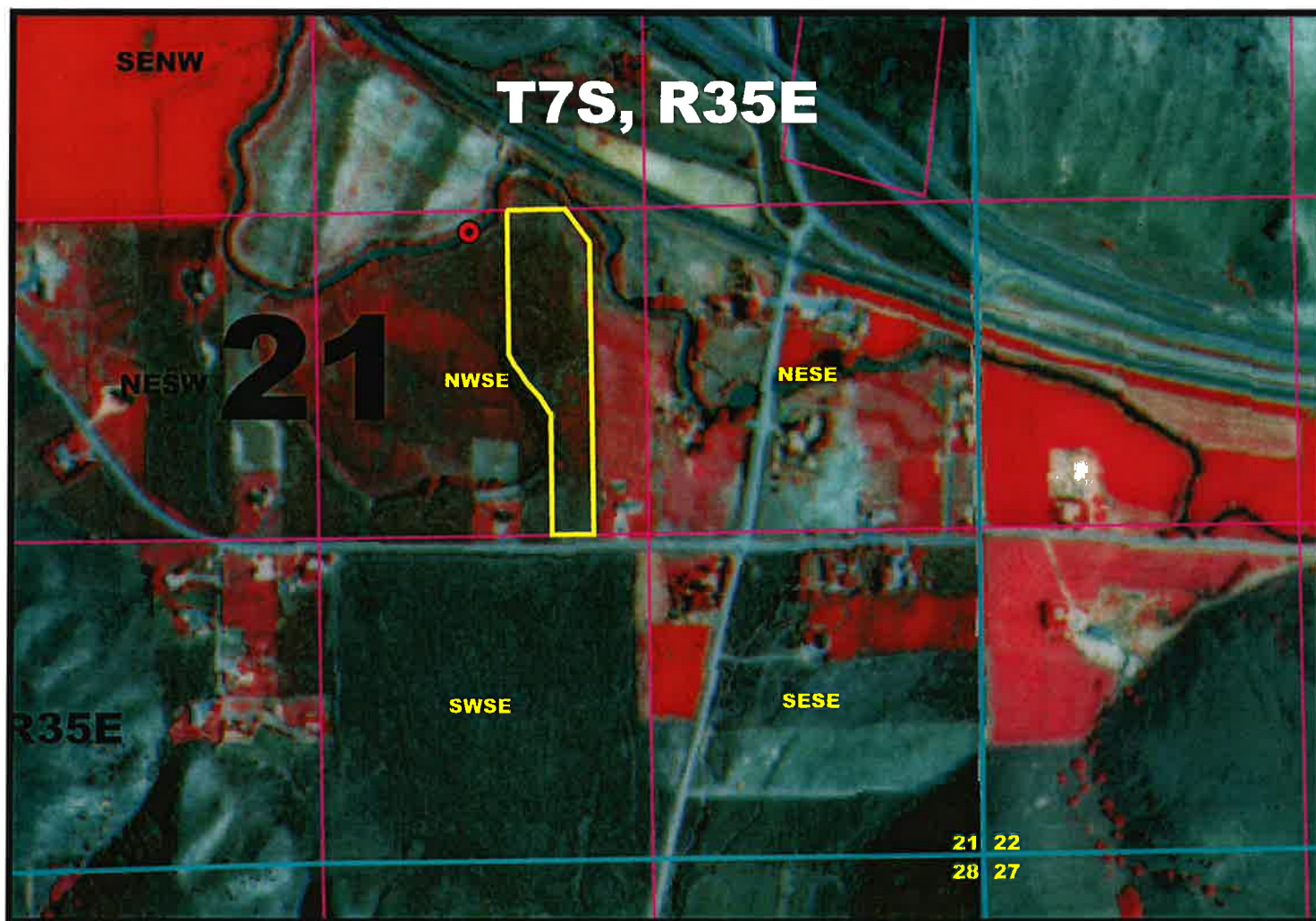
Quantity	6/20/01 10:59:17 AM	csaxton	13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	6/20/01 10:56:29 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	6/20/01 10:53:44 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	6/20/01 11:03:57 AM	csaxton	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (YES) This is a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	6/20/01 10:54:20 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (YES) The claimed purpose of Use can be verified using the water right file. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-02462D

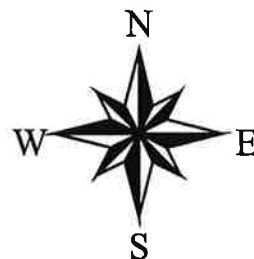


1320 0 1320 Feet

Total Irrigated Acres: 7.5

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

SCANNED
FEB 15 2006



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2001

PROFITED

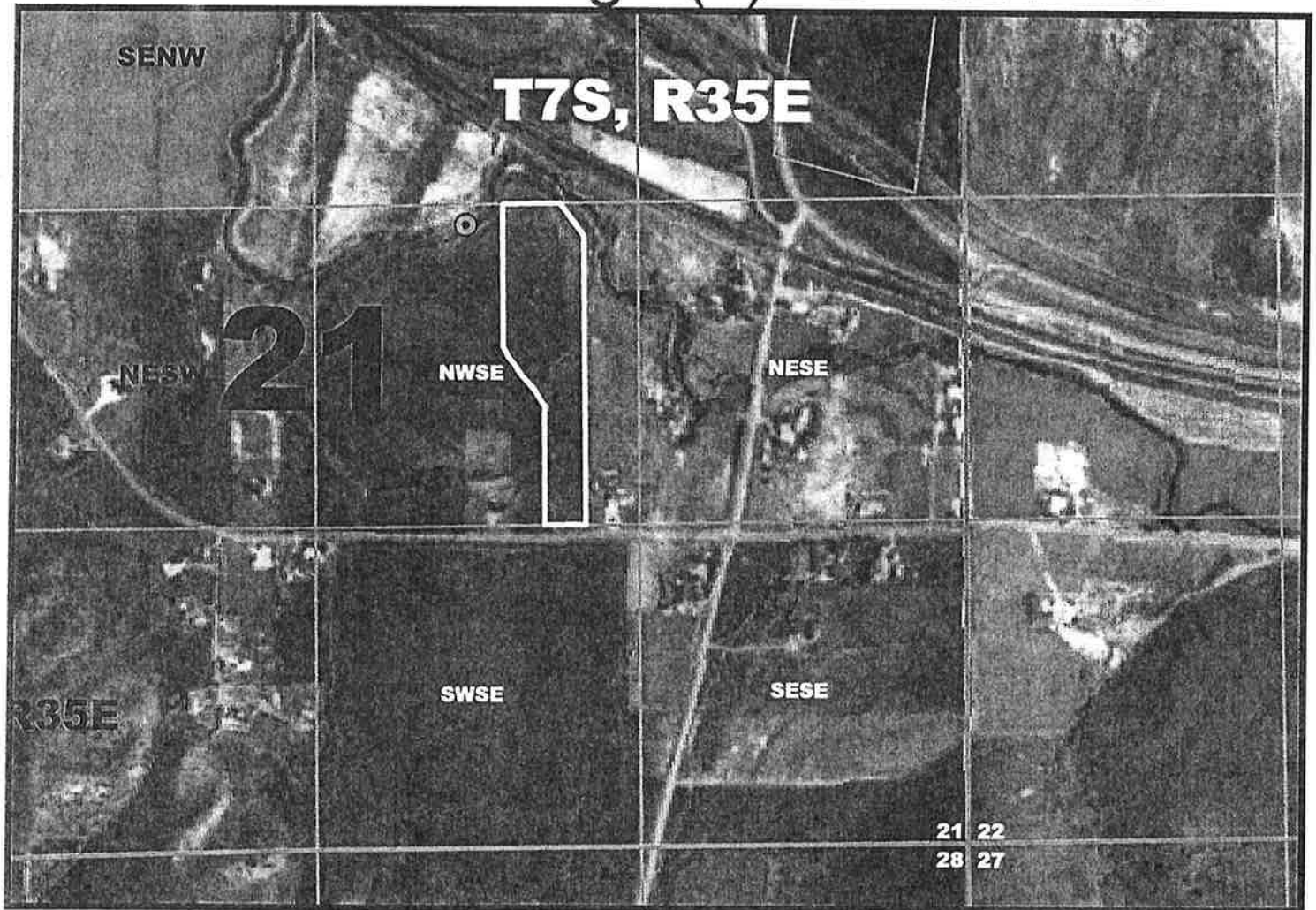


STATE OF IDAHO

Department of Water Resources
Eastern Region

PRELIMINARY RECOMMENDATION

Water Right(s): 29-02462D



1320 0 1320 Feet

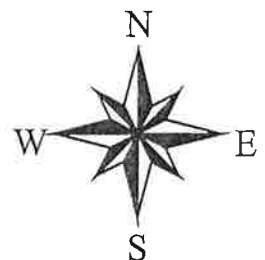
Total Irrigated Acres: 7.5

● Point(s) of Diversion

Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: June 2001

August 6, 2001

THOMAS J SUMMERS JR
47 E S TEMPLE # PARAGUAY
SALT LAKE CITY UT 84150-9701

RE: Change of Address

Dear Mr. Summers,

I received your voice mail message on July 23rd but have been late getting back to you. Regarding your mailing address, when our recommendations are completed, any correspondence will be mailed to the address listed on the recommendation (I am not involved with the mailing process). Our records list your address as: P.O. Box 13, Pocatello, ID 83204. If you wish to change the mailing address you need to complete and sign a change of address form (enclosed).

Feel free to contact me if you have any questions. Have fun in Paraguay!

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED
FEB 16 2006

July 6, 2001

THOMAS J SUMMERS JR
47 E S TEMPLE # PARAGUAY
SALT LAKE CITY UT 84150-9701

RE: Preliminary Water Right Recommendation for 29-02462D

Dear Mr. Summers,

.....
It looks like the original letter (below) I sent didn't make it in time. I am forwarding the letter to the address on the returned envelope.
.....

Enclosed is a copy of my preliminary recommendation for your water right. Also enclosed is a colored map showing the irrigated place of use (POU) and point of diversion (POD) that I am planning on recommending. If you feel any part of this recommendation is inaccurate, please contact me as soon as possible.

When I say "Preliminary Recommendation" I mean that this is what I will recommend unless some unforeseen information comes to my attention.

You mentioned you have a person that will be taking care of your place while you are overseas. One option you have is to add his name to your claim as a representative. The caretaker of your place will then get copies of any mailings that the department will be sending regarding your water right. This would include any objections to your water right that might be made by a third party. Upon your return, you can always have his name removed.

To do this, just send a signed statement saying that you would like your caretakers name added to your water right claim as a representative, along with his contact information. As a representative, he will not have the power to make any changes on your water right unless he is given power of attorney.

Due to the short time frame we have for correspondence, please feel free to contact me at my home at (208) 523-4904. I will be leaving town on Saturday afternoon June 23rd and will not be returning before you leave the country.

Thank you for your patience. As always, feel free to contact me at the Idaho Falls office at (208) 525-7161.

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FEB 15 2006

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

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FEB 15 2006

129-02462

Claimed	Rec
A Fowler	
0.04	0.09
5 ac	4.6 ac
B Cook	
0.30	0.18 ^v - Disallow
10 ac	9.5 ac
C Hobbs	
0.08	0.06
5.3 ac	3.4 ac
D Summers	
0.30 cfs	0.15
10 ac	7.5 ac
E Pimentel	
0.10	0.07
4.8	3.8

Σ cfs Claimed = 0.72 cfs
Σ Acres Claimed = 35.1 ac

cfs = overclaimed
Acres = underclaimed

Σ cfs Recommended = 0.55 cfs
Σ Acreage Recommended = 28.8 ac

Johnson
0.55 cfs
70 ac

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FEB 15 2006

PROFILED

C Saxton 9/26/01



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 20, 2001

THOMAS J SUMMERS JR
PO BOX 13
POCATELLO, ID 83204

RE: Preliminary Water Right Recommendation for 29-02462D

Dear Mr. Summers,

Enclosed is a copy of my preliminary recommendation for your water right. Also enclosed is a colored map showing the irrigated place of use (POU) and point of diversion (POD) that I am planning on recommending. If you feel any part of this recommendation is inaccurate, please contact me as soon as possible.

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Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

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FEB 15 2006

WR #: 29-02462D

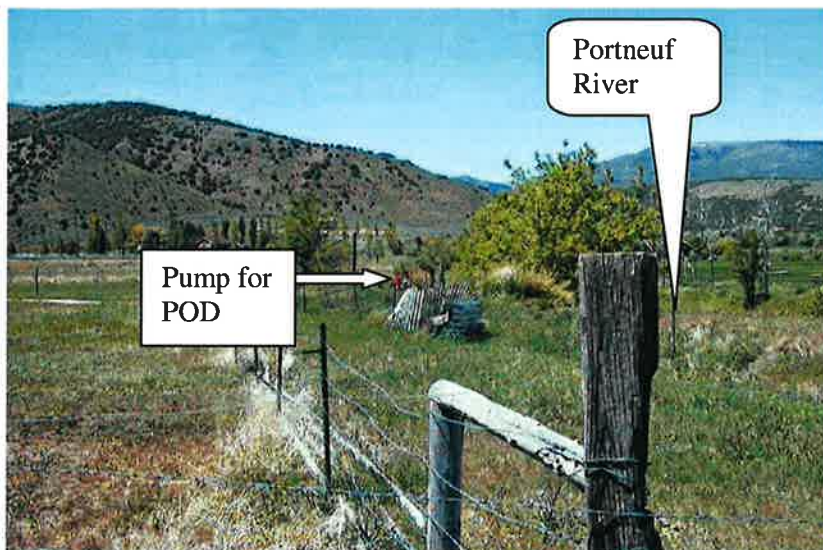
DATE: 5/21/01

GPS File: N/A (pinpointed on map)

OR

Northing: _____

Easting: _____



Pump Located on Leo's place but services irrigation for Mr. Hurst's original home. Looking South. Pocatello Creek in background.

WR #: 29-03462D

DATE: 5/21/01

GPS File: N/A (pinpointed on Map)

Or

Northing: _____

Easting: _____



Looking South at Mr. Summer's home. Shows that area was historically irrigated by flood irrigation through a ditch system.

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FEB 15 2006

WR #: 29-03462D

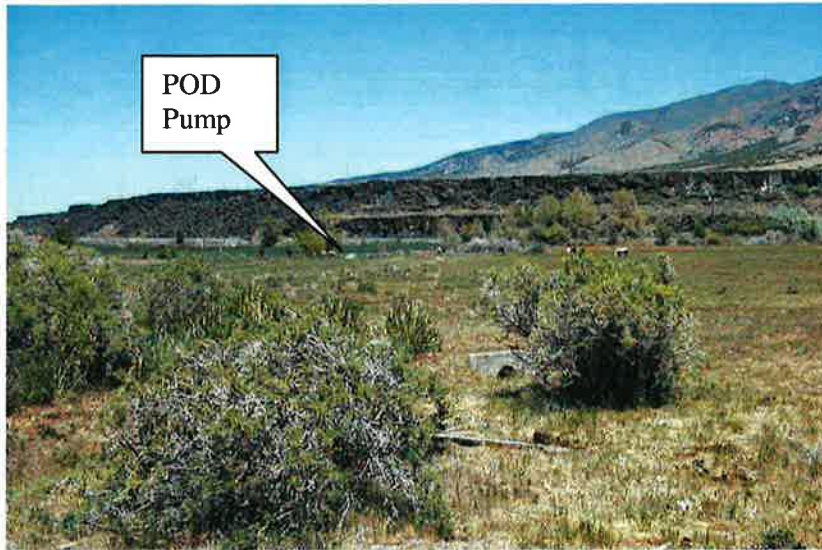
DATE: 5/21/01

GPS File: N/A (pinpointed on Map)

Or

Northing: _____

Easting: _____



Looking NW at Mr. Summer's home. Shows that area was historically irrigated by flood irrigation through a ditch system. Portneuf river at base of Basalt flats.

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June 18, 2001

To whom it may concern:

I HAVE owned property at 7677 West Portneuf since 1956 and lived at this address since 1966.

I AM ~~AWARE~~ THAT the acres across from my house, which includes 7310 West Portneuf, were irrigated at that time. This property was ~~not~~ irrigated from the Portneuf River until some time ~~until~~ after 1980.

Mrs. Estelle M. Munn

7677 West Portneuf Rd.

PROFILE

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FEB 15 2006

kinko's®
Express Yourself.™

fax cover sheet

Kinko's of Pocatello • Telephone: (208) 232-6646 • Fax: (208) 232-6647 • Email: usa2995@kinkos.com

Date 6-18-01

Number of pages 2 (including cover page)

to: Name CRAIG SAXTON
Company Idaho Water Dist.
Telephone 525-7161
Fax 525-7177

from: Name TOM SUMMERS
Company _____
Telephone 234-0874
Fax _____

Comments

*CRAIG I appreciate your kind attention
to this matter. Tom Summers
7310 N Portway
Poc. Id 83224*

More than 1,000 locations worldwide. For the location nearest you, call 1-800-2-KINKOS. Visit our Web site at www.kinkos.co

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FEB 15 2006

Tom Summers

234-0874 (daytime.)

- 7310 W Portneuf.

Toward the End June

<Called Merna>

1 claim from Portneuf.

will be leaving country in June need
to do his examine his claim right away,
near Portneuf Gap.

5/19/01 | Returned Call to Merna + Tom
said they don't need to be there
for the Exam. Tom would be out there
Monday and if they couldn't be there
or wanted to be there to call my
cell

5/22/01

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FEB 15 2006

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s35e	21	NWSE	10	9.7	
Totals:			10	9.7	

5/21/01 Call and confirm if lower area is irrigated
Does well only, do lawn?

5/22/01 - Baine Thomas (caretaker after Tom leaves)

→ August '90 = Bought the place

- Morris Dairy → knows History Place

Leaving June 24 to go over seas for 3 years.

PROFILE

SPATIAL
DYNAMICS
FEB 15 2006

AJ5809NP
No. A29-02462D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 160

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS J SUMMERS JR PO BOX 13 POCATELLO ID 83204 (208) 234-0874	07/02/1962	IRRIGATION	04-15 10-15	0.200 CFS	
					TOTAL DIVERSION:	0.200 CFS
					CONSUMPTIVE USE:	25.00 AFA

Water Source: PORTNEUF RIVER

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T07S R35E S21 NENWSE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		

07S 35E 21 :																10				10.0
																	TOTAL ACRES		10.0	

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-11553 A29-02462C A29-02462E A29-11553 A29-11604

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02462 A29-02462B A29-02462C A29-02462E A29-04215

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 06/04/90 DCARLSON 12/03/92 COX 07/13/94 COX 03/29/95 POST-STD



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Tom,

6/4/90

Enclosed is a computer entered version of your water right claim.

Some corrections or additions were made from your original claim. Please review this new claim and if you agree with it, please sign and notarize the claim and return it to us with \$60⁰⁰ (\$50 plus \$1/ACRE) and a copy of the extension you were granted. Thank you.

Dave Carls

WATER AGENT

SCANNED

FEB 15 2006

PROFILED

RECEIVED

JUN MICROFILMED

NOV 13 1992
Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Thomas J. Summers, Jr.

Name of Claimant

B (208) 237-8815

(41) (208) 234 0874

Phone Number

DOB 13

Mailing Address

Pocatello, Idaho 83204

City

State

Zip

BANNOCK County Idaho

County(s) where place of use is located

4-19-90

Date claim originally due

Rights from Portneuf River may attach to License #29-2462

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Extension is requested because the property
to which the rights attach was placed in
escrow by myself for purchase on 4/3/90.

Claimant requests an extension to

8/30

, 19 90

Signature

Thomas J. Summers Jr.

Date of request

5/7

, 19 90

Title

Special Agent - FBI

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Notice was not given.

and if granted the filing deadline is extended to

June 20

, 19 90

Signed this 19 day of

May

, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

SCANNED

FEB 15 2006

PROFILED

NOV 13 1992

State of Idaho

License and Certificate of Water Right

Water License No. 30548

Amount 0.55 c.f.s.

Water District No. _____

Priority July 2, 1962

THIS IS TO CERTIFY that

ALBERT M. JOHNSON

of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 2, 1962; that Permit No. 30548 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.55 second feet, was issued thereunder on August 30, 1963, showing that said works were completed on the 19th day of November, 1962; and that on the 19th day of November, 1962,

ALBERT M. JOHNSON

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Pocatello River, a tributary of Snake River, for the purpose of irrigation, under Use Permit No. 30548 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7691, on the 30 day of August, 1963;

The right hereby confirmed dates from July 2, 1962;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 21, T. 3, R. 3, E. 1, B. Blaine, Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.55 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S.	35 E.	21	SW 1/4 NE 1/4	1.95	2
			NE 1/4 SW 1/4	27.7	3
			SE 1/4 SW 1/4	35.1	4
Total number of acres to be irrigated:					70

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of August, 1963.

S. CARL M. TAPPAN

State Reclamation Engineer.

(SEAL)

REPORT OF ENGINEER

Permit No. 30240

This proof is for completion of works & beneficial use in Water District No. 1

1. Name of applicant **Albert M. Johnson**

8. Source of water supply: Portneuf River

11. Location of point of divergence. Is in the

T. 2 A

13 98 6109

100

10

4. Describe works as they exist, giving dimensions and capacities of same. Tractor pump (Cornell) adapted to any tractor. Cornell pump for centrifugal pump 6" x 9" mounted on tractor, 18" x 14" pulley on P.T.O. shaft to a 7" pulley on pump. Model 4-100-115-500 (1931)

5. Water is used for Irrigation

6. State whether or not water has been turned into works of diversion

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation).

65.05 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21 all in Twp. 7 N., Rge. 35 E.N.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? *Sage River*

Remarks: 2000 Alkali at Tanager along

Measured by Sparking Meter

This examination was made on the

(Signed)

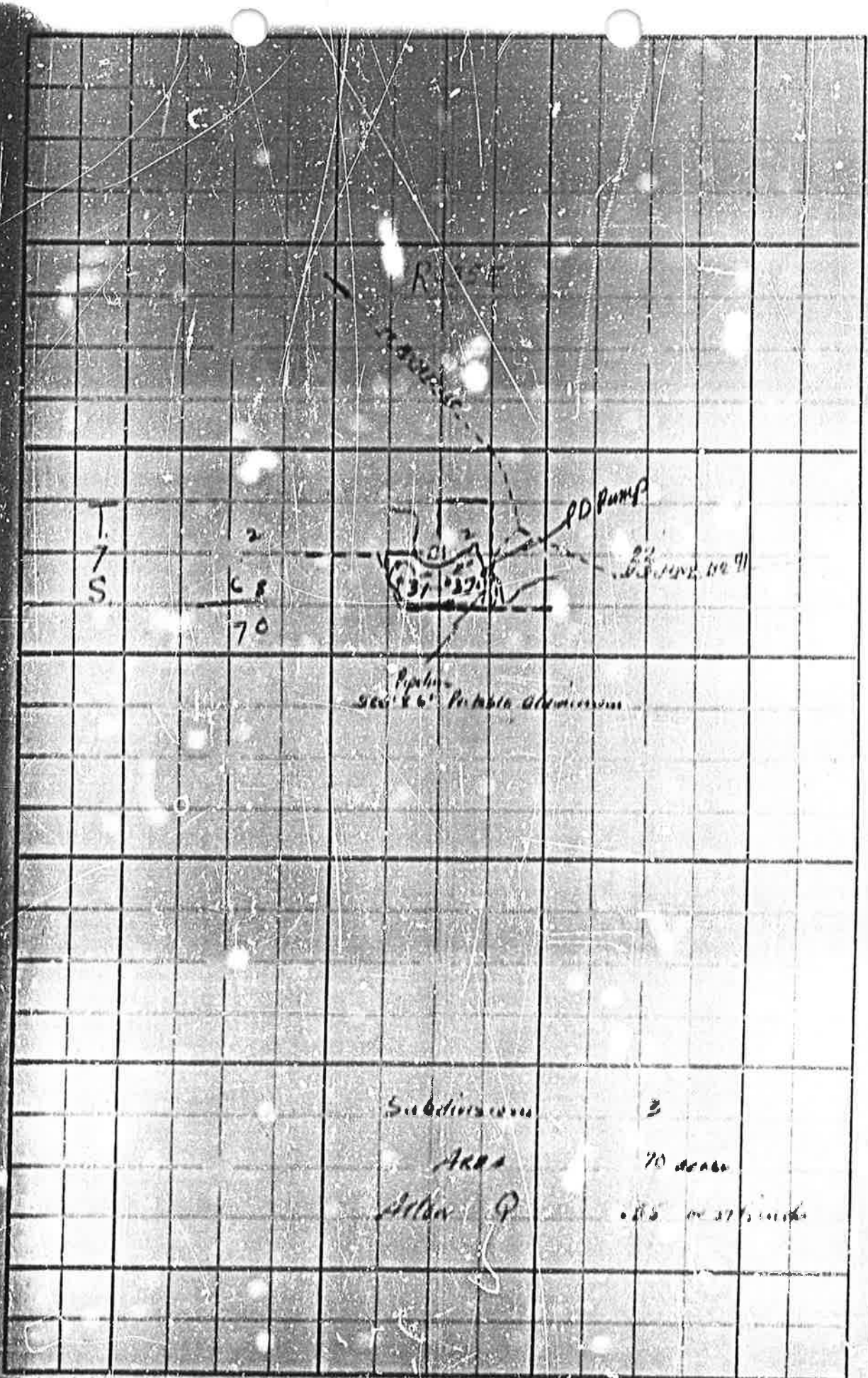
day of

444

1863

REMARKS

305-45



Scale: 3 inches equals 1 mile. Draw Map in Ink.

30546

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: A29-02462D
Date Received: 6/04/1990
Receipt No: E014778
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS J. SUMMERS, JR. 208-234-0874
Address: PO BOX 13
POCATELLO, ID 83204

2. Date of Priority: JUL 02, 1962

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	35E	21	NE	NW	SE		BANNOCK

5. Description of diverting works:
PUMP TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	35E	21	NW	SE		IRR	10.0

A29-02462D

Page 1

Date: 06/04/90

PROFILED

SCANNED
FEB 15 2006

MICROFILMED
NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30548

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): Thomas J. Summers Date: 6/6/90
Merna Summers Date: 6-6-90

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 6th day

of June 19 90

Seal

Ann Ratliff
Notary Public

Residing at Locust, Idaho

My Commission Expires 1/22/91

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 A29-024625

Date Received _____

Receipt Number _____

RECEIVED

MAY 24 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A2902462D



Please type or print clearly

1. Name of Claimant (s) THOMAS J. SUMMERS, JR. Phone (208) 234 0874Mailing Address POB 13, Pocatello, Idaho Zip 832042. Date of Priority (Only one (1) per claim) June 2, 19623. Source of water supply (a) Portneuf Riverwhich is tributary to (b) same4. a. Location of existing point of diversion is: Township 7S Range 35E Section 21,NE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

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

Township 7S Range 35E Section 21, NE 1/4 of NW 1/4 of SE 1/4,Govt. Lot _____ B.M., County of Bannockending point is: Township 7S Range 35E Section 21, NE 1/4 of NW 1/4 ofSE 1/4, Govt. Lot _____ B.M., County of Bannock5. 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.Pump now exists from which irrigation
pipes are used. Existing ditches and head gates are not used.

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NOV 13 1992

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

8. Total consumptive use claimed is 3 acre feet per annum.

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.

[illegible]

Total number of acres irrigated	10
---------------------------------	----

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

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. _____ or None (☒)

14. Remarks:

Prior beneficial use ~~was~~ attached to water license no. 29-2462

MICROFILMED

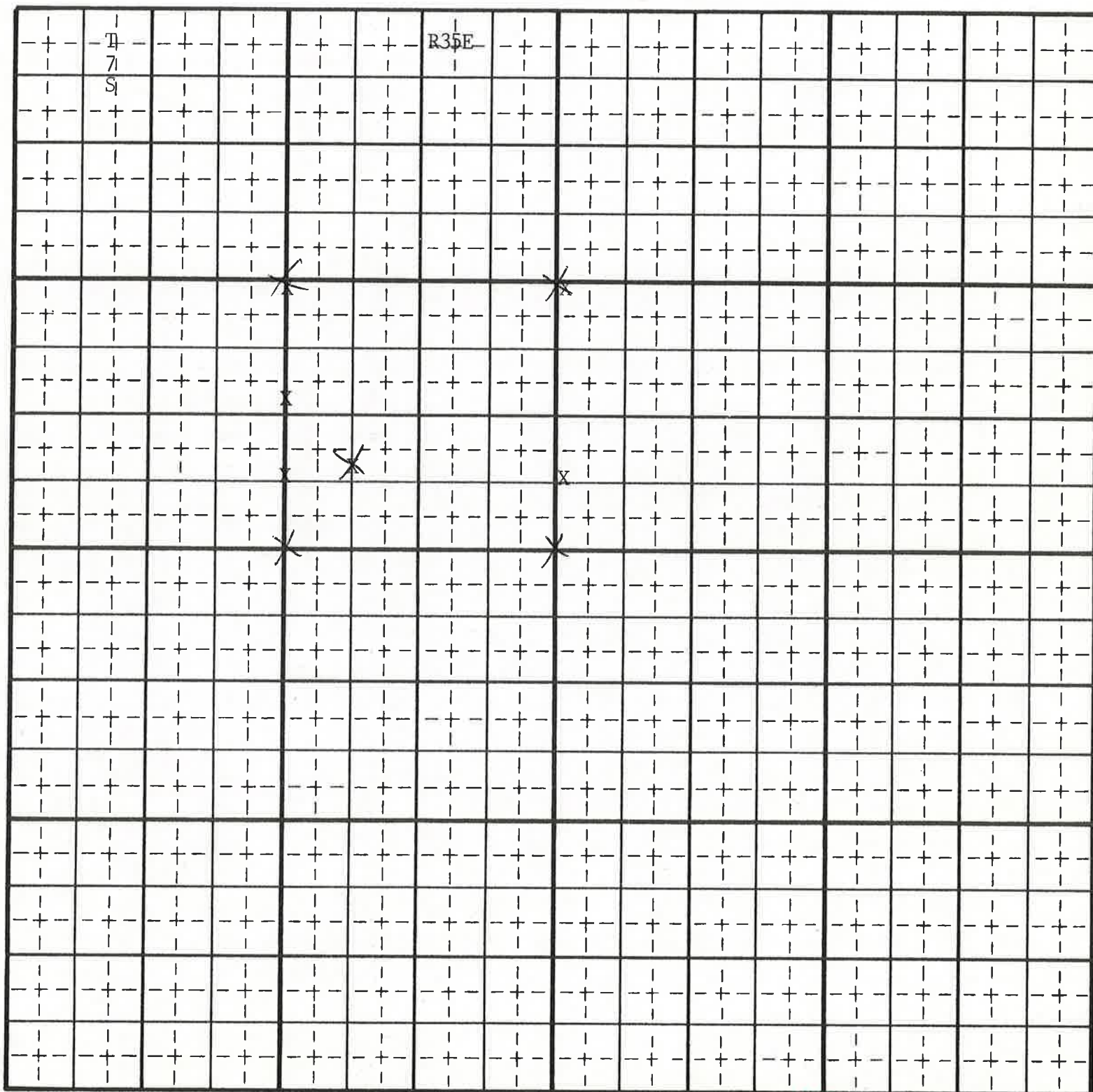
NOV 13 1992

Last Name Summers Ident No. FEB 15 2006

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



SCANNED

FEB 15 2006

MICROFILMED

NOV 13 1992

Last Name Summers

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☐ 29-2462

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

Number of attachments ONE

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

Signature of Claimant (s)

Thomas J. Summers

Date

5/14/90

Date

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

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

Bannock

SS.

Subscribed and sworn (or affirmed) before me this

16

day of

May

19

90

SEAL

Notary Public

Ann Rathliff

Residing at

Pocatello, Idaho

My Commission Expires

1/22/92

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

SCANNED

FEB 15 2006

Last Name

Summers

Ident. Number

MICROFILMED

NOV 13 1992

Copies White-State, Yellow-Claimant