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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

79388

Name of Applicant(s) Summerco Management Inc Phone 208 390 9314

Mailing address 750 Hillside Dr. Rexburg Idaho 83440 27 N. 3000 E. Email _____
Sugar City Id 83448

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

RECEIVED

MAY 27 2014

Department of Water Resources
Eastern Region

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Rhett Summers
Signature of Applicant or Authorized Representative

Rhett Summers Secretary
Print Name and Title if applicable

5-21-14
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Please see attached.

79388

Summerco Management Inc Transfer – Part 1A.2.

This is one of two transfers, submitted simultaneously, that propose to equalize the rate of water distributed over two POU's owned by Summerco Management Inc. The first, smaller POU is covered by rights 22-7136 and 22-10972, and has a rate per acre of 0.009 cfs at the time of submittal. The second, larger POU is covered by rights 22-2258A, 22-10646, 22-10777, 22-13955, 22-2295, 22-7515, and 22-2191, and has a rate per acre of 0.016 cfs.

This transfer proposes to move 331 acres from the smaller POU to the larger POU, and create a 1605.0 acre combined place of use with rights 22-2258A, 22-10646, 22-10777, 22-13955, 22-2295, 22-7515, and 22-2191. The change in POU and the creation of the combined POU will also necessitate a change in the PODs of all rights except 22-7515. To move the 331 acres from the smaller POU, rights 22-7136 and 22-10972 will both be split.

A second transfer will propose moving 331 acres from the larger POU to the smaller POU. The resulting rate per acre for both POU's will be 0.014.

STATE OF IDAHO
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#2

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	22-7136	2.98	Irrigation	4/15 to 10/15	Groundwater
☒ ☐	22-2295	1.51	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	22-7515	8.50	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	22-13955	3.10	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	22-10777	9.68	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	22-10646	2.38	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	22-2258A	3.10	Irrigation	04/01 to 13/31	Groundwater
☒ ☐	22-2191	3.38	Irrigation	04/01 to 10/31	Groundwater
☐ ☒	22-10972	0.50	Irrigation	04/01 to 10/31	Groundwater

Total authorized under rights 23.03 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 23.03 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No		SE	NW	NE	26	06N	40E	Madison	Groundwater	
No		NE	SW	SW	26	06N	40E	Madison	Groundwater	
No		NW	NW	SW	25	06N	40E	Madison	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	40E	22	5.2		1.6	31									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	39.0	39.0	40.0					477.0
06N	40E	35													19.0			18.0	37.0
06N	40E	36					40.0	40.0	40.0	35.0		40.0	38.0						233.0
Total Acres (for irrigation use)																			1605.0

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing pumps and irrigation infrastructure.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
It will continue to be irrigated in the manner described in attachment 1A.2.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

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APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

Because the same volume of water / acres are being exchanged between the two systems, an ESPA transfer analysis is not required.

All of the cross-listed points of diversion are within adjacent ESPA model cells.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$3040 Date _____ Received by _____ Receipt # ED39895

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCO MANAGEMENT INC 750 HILLSIDE DR REXBURG, ID 83440 (208)356-9314

Status: Active

Tributary

1,526.0 AF

Sec. 31, Twp 06N, Rge 41E, MADISON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
06N	41E	32						39.0	32.9				L3 L4						71.9

POU Total Acres: 509.0

1.	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.
2.	E61	The rights listed below are limited to a total combined diversion rate of 4.59 cfs and to a total combined annual diversion volume of 1781.5 AF. Combined Right Nos.: 22-7136 and 22-10972.
3.	K06	This right is limited to the irrigation of 436 acres within the place of use described above in a single irrigation season.
4.	E56	The rights listed below are limited to the irrigation of a combined total of 509 acres in a single irrigation season. Combined Right Nos.: 22-7136 and 22-10972.
5.	K01	Right No. 22-10972 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6.	F05	Right No. 22-10972 is also diverted through point of diversion described above.
7.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425,

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8. S41 Idaho Code.
The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCO MANAGEMENT INC 750 HILLSIDE DR REXBURG, ID 83440 (208)356-9314

Status: Active

Tributary

255.5 AF

Sec. 31, Twp 06N, Rge 41E, MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	41E	31	40.0	26.0	40.0	40.0	0.1			20.0	40.0	20.0	38.0	29.0	40.0	40.0	34.0	30.0	437.1
06N	41E	32						39.0	32.9				L3 L4						71.9

POU Total Acres: 509.0

1.	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.
2.	E61	The rights listed below are limited to a total combined diversion rate of 4.59 cfs and to a total combined annual diversion volume of 1781.5 AF. Combined Right Nos.: 22-7136 and 22-10972.
3.	E56	The rights listed below are limited to the irrigation of a combined total of 509 acres in a single irrigation season. Combined Right Nos.: 22-7136 and 22-10972.
4.	K06	This right is limited to the irrigation of 73 acres within the place of use described above in a single irrigation season.
5.	K09	This right is for an enlargement of 73 acres within the place of use described for this right.
6.	F05	Right No. 22-7136 is also diverted through point of diversion described above.
7.	K02	This right is based upon an enlargement of Right No. 22-7136 pursuant to Section

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8. C11 42-1426, Idaho Code.
This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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3/17/2014

Water Right 22-2295

Owner Type **Name and Address**
Current Owner SUMMERCO INC
27 N 3000 E
SUGAR CITY, ID 83448
(208)356-7314

Priority Date: 2/9/1960

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	7.210 CFS	1,468.0 AF
	<u>Total Diversion</u>		7.210 CFS	1,468.0 AF

Source and Point(s) of Diversion

GROUND WATER	SEWNNE	Sec. 26, Twp 06N, Rge 40E, MADISON County
GROUND WATER	NESWSW	Sec. 26, Twp 06N, Rge 40E, MADISON County

Place Of Use

IRRIGATION within MADISON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0

Right Acre Limit: 419.0

POU Total Acres: 1,177.0

Conditions of Approval:

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.:22-2258A, 22-2295, 22-10646, 22-10777
3. K06 This right is limited to the irrigation of 419 acres within the place of use described above in a single irrigation season.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

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Proof Report

Water Right 22-2191

Owner Type **Name and Address**
 Current Owner SUMMERCO MANAGEMENT INC
 750 HILLSIDE DR
 REXBURG, ID 83440
 (208)356-9314

Priority Date: 11/15/1960**Basis:** Decreed**Status:** Active

Source **Tributary**
 GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	3.380 CFS	945.0 AF
	Total Diversion		3.380 CFS	945.0 AF

Source and Point(s) of Diversion

GROUND WATER	SESWNW	Sec. 36, Twp 06N, Rge 40E, MADISON County
GROUND WATER	NWSW	Sec. 25, Twp 06N, Rge 40E, MADISON County

Place Of Use

IRRIGATION within MADISON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	40E	35													19.0			18.0	37.0
06N	40E	36					40.0	40.0	40.0	35.0		40.0	38.0						233.0

POU Total Acres: 270.0

Conditions of Approval:

1. 214 Prior to the diversion and use of water under Transfer approval 77771, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2014

Water Right 22-2258A

Owner Type **Name and Address**
Current Owner SUMMERCO INC
27 N 3000 E
SUGAR CITY, ID 83448
(208)356-7314

Priority Date: 8/26/1965

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.100 CFS	542.5 AF
	<u>Total Diversion</u>		3.100 CFS	542.5 AF

Source and Point(s) of Diversion

GROUND WATER	SEWNNE	Sec. 26, Twp 06N, Rge 40E, MADISON County
GROUND WATER	NESWSW	Sec. 26, Twp 06N, Rge 40E, MADISON County

Place Of Use

IRRIGATION within MADISON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0									319.0

Right Acre Limit: 155.0

POU Total Acres: 1,177.0

Conditions of Approval:

1. 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.:22-2258A, 22-2295, 22-10646, 22-10777
3. K06 This right is limited to the irrigation of 155 acres within the place of use described above in a single irrigation season.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCO INC 27 N 3000 E SUGAR CITY, ID 83448 (208)356-7314

Status: Active

Tributary

Volume
2,600.5 AF
2,600.5 AF

GROUND WATER	NWSW	Sec. 25, Twp 06N, Rge 40E,	MADISON County
GROUND WATER	SWSW	Sec. 26, Twp 06N, Rge 40E,	MADISON County
GROUND WATER	NWNE	Sec. 26, Twp 06N, Rge 40E,	MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0																12.0
06N	40E	24													35.0	18.0	26.0	39.0	118.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0		39.0	15.0		331.0
06N	40E	26									40.0	39.0	39.0	40.0					158.0

1.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
2.	X35	Rights 22-2258A, 22-2295, 22-7515, 22-10646, 22-10777 and 22-13955 when combined shall not exceed a total diversion rate of 22.37 cfs, a total annual maximum diversion volume of 4672.5 af at the field headgate, and the irrigation of 1335 acres.
3.	048	The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCOC INC 27 N 3000 E SUGAR CITY, ID 83448 (208)356-7314

Status: Active

Tributary

GROUND WATER	SEWNNE	Sec. 26, Twp 06N, Rge 40E,	MADISON County
GROUND WATER	NESWSW	Sec. 26, Twp 06N, Rge 40E,	MADISON County

POU Total Acres: 1,177.0

- | | | |
|----|-----|---|
| 1. | 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. |
| 2. | E56 | The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.:22-2258A, 22-2295, 22-10646, 22-10777 |
| 3. | K06 | This right is limited to the irrigation of 119 acres within the place of use described above in a single irrigation season. |
| 4. | C03 | Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code. |

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCO INC 27 N 3000 E SUGAR CITY, ID 83448 (208)356-7314

Status: Active

Tributary

1,694.0 AF

Sec. 26, Twp 06N, Rge 40E, MADISON County
Sec. 26, Twp 06N, Rge 40E, MADISON County

[illegible]

POU Total Acres: 1,177.0

1.	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.
2.	E56	The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.:22-2258A, 22-2295, 22-10646, 22-10777
3.	K06	This right is limited to the irrigation of 484 acres within the place of use described above in a single irrigation season.
4.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

3/17/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUMMERCO INC 27 N 3000 E SUGAR CITY, ID 83448 (208)356-7314

Status: Active

Tributary

Volume

Sec. 26, Twp 06N, Rge 40E, MADISON County
Sec. 26, Twp 06N, Rge 40E, MADISON County

IRRIGATION within MADISON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	40E	22	5.2		1.6	31.0									36.0	8.4	4.8	37.0	124.0
06N	40E	23	12.0		4.0	39.0							40.0	40.0	39.0	21.0	39.0	39.0	273.0
06N	40E	24													35.0	18.0		26.0	79.0
06N	40E	25	40.0	24.0	29.0	38.0					29.0	40.0	39.0	38.0	12.0	39.0	15.0		343.0
06N	40E	26	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0	40.0	39.0	39.0	40.0					477.0

POU Total Acres: 1.296.0

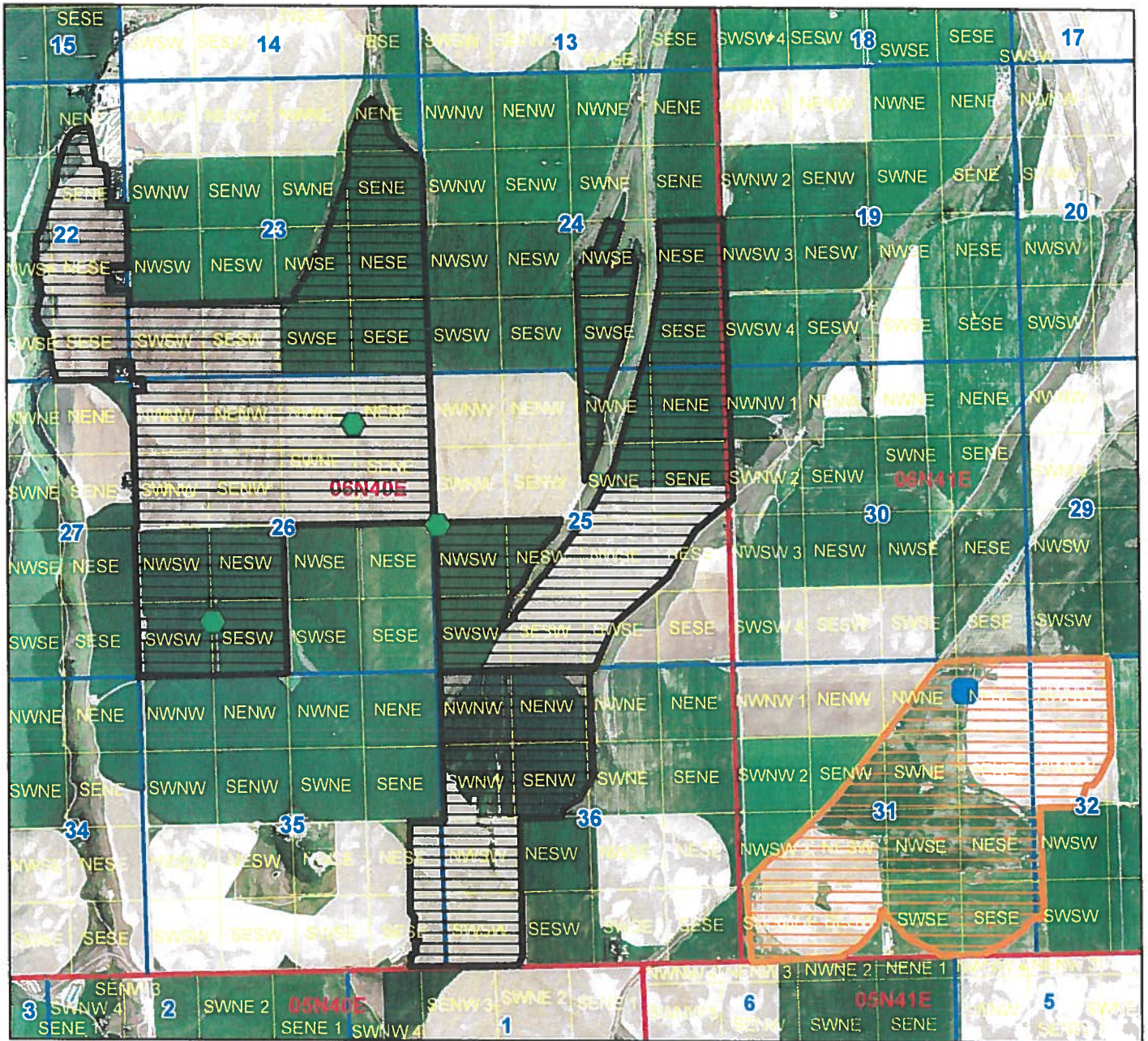
1.	K09	This right is for an enlargement of 158 acres within the place of use described for this right.
2.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3.	C18	This partial decree is subject to such general provisions necessary for the definition 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.
4.	K02	This right is based upon an enlargement of Right No. 22-2258A pursuant to Section 42-1426, Idaho Code.
5.	E60	Right Nos. 22-2258A and 22-13955 are limited to a total combined diversion rate of 3.1 cfs and to a total combined annual diversion volume of 542.5 AF.
6.	E55	Right Nos. 22-2258A, 22-2295, 22-10646, 22-10777 and 22-13955 are limited to the irrigation of a combined total of 1335 acres in a single irrigation season.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2014

7. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Summerco Transfer



Legend

- Proposed 22-7136, 22-10972, 22-2258A, 22-10646, 22-10777, 22-13955, 22-2295, 22-7515, 22-2191 POU
- Proposed 22-7136, 22-10972, 22-2258A, 22-10646, 22-10777, 22-13955, 22-2295, 22-7515, 22-2191 POD
- Current 22-7136 & 22-10972 POU
- Current 22-7136 & 22-10972 POD
- Township/Range
- Sections
- QQ



0 0.35 0.7 1.4 Miles

Summerco Transfer



Legend

- Current 22-7136 & 22-10972 POD
- Current 22-7136 & 22-10972 POU
- Township/Range
- Sections
- QQ



0 0.15 0.3 0.6 Miles

Summerco Transfer

