

R 36 E

T

3

N

#2 PD

13

24

PD

#1

160

160

160

160

160

800

to Osgood →

#1 = 51 Aug psi. = 5.30 GPM per 5/32" nozzle
12 x 40 = 480 nozzles

Subdivisions 20

#2 = 55 Aug psi. = 5.72 GPM per 5/32" nozzle
11 x 40 = 440 nozzles

AREA 800 acres

Q = 10.79 cfs. or 539 1/2 inches

$$23 \overline{) 11316} \quad 57 \text{ ksc avg} = 5:30.5 \text{ hr}$$

$$40 \text{ nozzle pressure} = \frac{480 \times 530}{44 \text{ F.F.}} = 5.67 \text{ cfs}$$

51 50 51 61 47 40

61 62 67 61 60 61 60
 61 67 60 60 60
 53 50 59 55 55 55

52 50 55 51 60 42
 55 54 61 51 57 51
 41 50 59 60 54

11 - 40 x 5/32 nozzle pressure 440

$$\text{avg psi} = \frac{55 \times 440}{44 \text{ F.F.}} = 5.12 \text{ cfs}$$

29709

RECEIVED
SEP 7 1965

Department of Reclamation

Proof of Publication The Post-Register

State of Idaho, {
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 16th day of June, 1965, last publication having been made on the 7th day of July, 1965, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 8th day of July, 1965

Charles Hale
Notary Public

My commission expires April 5th, 1967

NOTICE OF PROOF OF COMPLETION
OF WORKS
and
APPLICATION OF WATER TO
BENEFICIAL USE
Notice is hereby given that at 10
A.M., on the 20th day of July, 1965,
at Rexburg, County of Madison, State
of Idaho before Ray W. Rigby, Notary
Public, at (address) 25 North Second
East, Rexburg, Idaho, proof will be
submitted of the completion of works
for the diversion of 12 cubic feet per
second of underground water from
two wells, and of the application to
beneficial use of said water, in ac-
cordance with the terms and conditions
of Permit No. G-29709, heretofore, is-
sued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address
of the person or corporation holding
said permit is Roy Summers, Rexburg,
Idaho.
2. Said works of diversion will be
fully completed on the date for such
completion, and the amount of water
which said works are capable of con-
veying to the place of use is 12 cubic
feet per second.
3. The use to which said water has
been applied is irrigation purposes and
the amount applied to beneficial use is
12 cubic feet per second.
4. The points of diversion of said
water are in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13 TWP. 3 N.,
Rge. 36 E.B.M.
5. The place where said water is
used is All of Section 13; the N $\frac{1}{4}$ NE $\frac{1}{4}$
and the N $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, all
in Twp. 3 N., Rge. 36 E.B.M.
6. The date of priority which said
user is prepared to establish is May
15, 1961.

Carl E. Tappen
State Reclamation Engineer
Pub.: June 16, 23, 30 July 7, 1965

29709

RECEIVED
JUN 14 1965

Application for Amendment

POINT OF DIVERSION

Department of Reclamation

Permit No. G-29709

Comes now ROY SUMMERS and
represents to the State Reclamation Engineer of the State of Idaho:

That he is (are) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29709.

That the points of diversion is described in said Permit as being located:
In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13, Twp. 3 N., Rge. 36 E.B.M.

That he now requests that the points of diversion be changed to a points
located: In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 13, Twp. 3 N., Rge.
36 E.B.M.

That the reason for desiring to make such change is as follows:

When the application was filed, it was contemplated that the wells would
be placed at places shown in the application. When the drilling was done,
it was deemed best to place the wells at the places shown by the change.

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at Rexburg, Idaho, this 9th day of June 1965.

Roy Summers

Date of Receipt at Department Of Reclamation: June 14, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

CARL E. TAPPAN

I, ~~MEDYXMIKANTER~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE
the above and foregoing application for amendment to Permit to Appropriate the Public
Waters of the State of Idaho, No. G-29709. This approval constitutes a new
permit and is issued as an amendment to the original permit, to which it refers and of
which it becomes a part, and said application is approved only insofar as the rights of
others will not be adversely affected thereby.

Recorded in Book 105 of
Permits, at Page 29709
June 14, 1965

Carl E. Tappan
State Reclamation Engineer

29709

ASSIGNMENT

For value received, WE hereby assign all of our right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29709 to Roy Summers of Route 1, Sugar City, Idaho

*

G. T. Newcomb
Permit Holder

Abbie Dell Newcomb
Wife of Permit Holder

STATE OF IDAHO)
: ss
County of Twin Falls.)

On this 19 day of January, 1965, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared G. T. NEWCOMB and ABBIE DELL NEWCOMB are known to me to be the person s whose name s is subscribed to the within instrument and duly acknowledged to me that the Y executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Notary Public
Residing at Twin Falls, Idaho

My commission expires: January 22, 1969

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

29709

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29709 to Roy Summers of Route 1, Sugar City, Idaho.

Nile Osterhout
Permit Holder

Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Madison.)

On this 13th day of May, 1965, before me, a Notary Public for the State of Idaho, residing at Rexburg, Idaho, personally appeared NILE OSTERHOUT, a single man, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Lay W. Lighy
Notary Public
Residing at Rexburg, Idaho

My commission expires: 1-26-67

- * If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

29709

ASSIGNMENT

For value received, I have assigned all of my right, title and

interest in Permit to appropriate the Public Waters of the State of Idaho,

G-29709

Roy Summers

of

Route 1, Sugar City, Idaho.

Walt Amestoy
Permit Holder

Wife of Permit Holder

State of Utah

County of Salt Lake

On this 8th day of May, 1965, before me, a Notary Public

for the State of Utah, residing at Salt Lake City, Utah

personally appeared WALT AMESTOY, a single man,

are

known

and duly acknowledged that he executed the foregoing

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Ernest C. Allington
Notary Public
Residing at Salt Lake City, Utah

My commission expires: Nov. 26 1967

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant shall be described by legal subdivisions

29709

NAME OF APPLICANT... Walt Amey, G. T. Newcomb, Nile Oster...

Form No. 0

TWP 3: North, Range 36 EBM

Well
Section 13

Well--0

Section 24

Permit Map No. 29709
As Approved MAY 19 1961
GEO. N. CARTER
Reclamation Engineer

LEGAL NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 20th day of July, 1965, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at (address) 25 North Second East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 12 cubic feet per second of underground water from two wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23709, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 12 cubic feet per second.

4. The points of diversion of said water are in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16 TWP. 3 N., Rge. 35 E.B.M.

5. The place where said water is used is All of Section 13, the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 24, all in Twp. 3 N., Rge. 36 E.B.M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

Carl E. Tappen

State Reclamation Engineer

Pub.: June 16, 23, 30 July 7, 1965

State of Idaho
License and Certificate of Water Right

Water License No. G-29709 Amount 10.79 c.f.s.

Water District No. Priority May 15, 1961

THIS IS TO CERTIFY that WALT AMESTOY, G. T. NEWCOMB, and NILE OSTERHOUT -
Assignee - ROY SUMMERS

of Twin Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 15, 19 61 ; that Permit No. G-29709
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
10.79 second feet, was issued thereunder on February 7, 19 67, showing that said works
were completed on the 20th day of July, 19 65 ; and that on the 20th
day of July, 19 65 ,

ROY SUMMERS

of Sugar City, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of 2 wells

, a tributary of subterranean flow, for the purpose of irrigation and
domestic use, under Use Permit No. G-29709 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

14 of Licenses at page 8668, on the 7 day of February, 19 67 ;

The right hereby confirmed dates from May 15, 19 61 ;

The Point of Diversion is located SW~~1~~NE~~1~~4,

in the SW 1/4 SE 1/4, Sec. 13, Tp. 3 N, R. 36 E., B. M. County of Bonneville

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 10.79 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	36 E	13	all	640	640
			N ~~1~~ 2 N ~~1~~ 2	160	160
			Total number of acres to be irrigated:	800	

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

7th day of February, 19 67 .

/s/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

copy in folder
65-2591

8667+
KD

Trans No.
1089

State of Idaho
License and Certificate of Water Right

Water License No. 24958

Amount 6.0 c.f.s.

Water District No.

Priority Jan. 17, 1960

THIS IS TO CERTIFY that OWEN FUHRIMAN
of Donnelly, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 24, 1954; that Permit No. 24958
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.0 second feet, was issued thereunder on May 17, 1955, showing that said works
were completed on the 16th day of May, 1955; and that on the 25th
day of January, 1965,

OWEN FUHRIMAN
of Donnelly, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Lake Fork
River, a tributary of No. Fork Payette R., for the purpose of irrigation
, under Use Permit No. 24958 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
14 of Licenses at page 8667, on the 3 day of February, 1967;

The right hereby confirmed dates from January 17, 1960;

The Point of Diversion is located
in the SE 1/4 NE 1/4, Sec. 4, Tp. 16N, R. 3E, B. M. County of Valley.

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 6.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16N	3 E	3	NW1/4 SW1/4	40	35
			NE1/4 SE1/4	40	38
		9	SE1/4 SE1/4	40	40
			E1/2 NE1/4	80	80
			NE1/4 SE1/4	40	27
		16	SE1/4 SE1/4	30	11
			SE1/4 NE1/4	40	25
			NE1/4 SE1/4	40	25
			SE1/4 SE1/4	40	35
			Total number of acres to be irrigated:		316

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

3rd day of February, 1967.

R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-29709 Priority May 15, 1961 Amount 10.79 c.f.s.
WALT AMESTOY, G. T. NEWCOMB, and NILE OSTERHOUT -

THIS IS TO CERTIFY that

Assignee - ROY SUMMERS

of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 15, 1961; that Permit No. G-29709 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 10.79 second feet, was issued thereunder on February 7, 1967, showing that said works were completed on the 20th day of July, 1965; and that on the 20th day of July, 1965, ROY SUMMERS

of Sugar City, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of 2 wells

a tributary of subterranean flow for the purpose of irrigation and domestic use under Use Permit No. G-29709 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 14 of Licenses, at Page 8668, on the 7th day of February, 1967.

The right hereby confirmed dates from May 15, 1961.

The Point of Diversion is located SW 1/4 NE 1/4, in the SW 1/4 SE 1/4, Sec. 13, Twp. 3 N, R. 36 E, B.M. Bonneville 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 10.79 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	36 E	13 24	all N½ N½	640 160	640 <u>160</u>
Total number of acres to be irrigated:					800

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 7th day of February, 1967.

R. Keith Higgins
 State Reclamation Engineer.

29709

LICENSE AND CERTIFICATE OF WATER RIGHT

in Book 14 of Licenses, Page 8668

29709

G. T. Newcomb, Agent
729 Commercial Avenue
Twin Falls, Idaho

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37715
Permit No. G- 29709
District No.

Assigned to

1. Name of Applicant: Walt Amestoy, G. T. Newcomb, and Nile Osterhout
Postoffice address: 729 Commercial Avenue County: Twin Falls State: Idaho

2. Quantity of water claimed: 12 cubic feet

(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean (2 wells)

4. Location of point of diversion or well is in the SW NE 13
SE 1/4 of the SW 1/4 of Section 13
Twp. 3 North, Rge. 36 East, B.M., County of Bonneville

5. Water is to be used for: Irrigation and domestic

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: 2 turbine pumps, 2 mile aluminum mainline, 25 sprinkler laterals

8. Estimated cost of works: \$ 87,000.00 equipment; \$12,000.00 wells

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

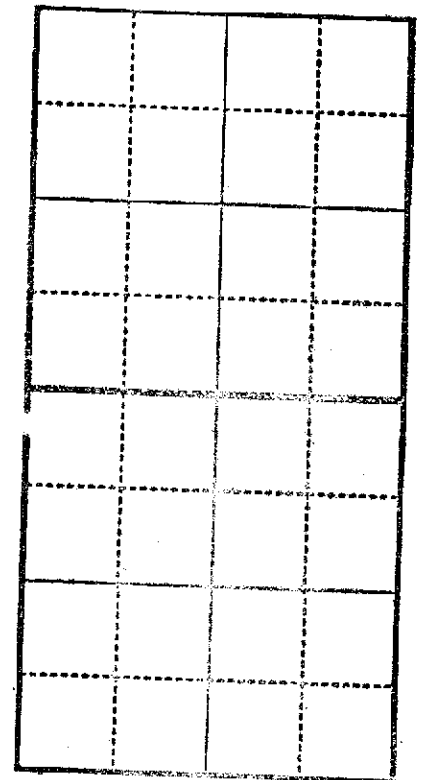
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 12.0 (cubic feet per second, inches or gallons per minute) is for new lands.



Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	36 E	13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
3 N	36 E	24	40	40			40	40										160	
A S S I G N M E N T																		TOTAL	800
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29709 to ROY SUMMERS of Route #1, Sugar City, Idaho																			
NILE OSTERHOUT Permit Holder (1/3)																			
STATE OF IDAHO) 																			

A S S I G N M E N T

For value received I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-29709 to ROY SUMMERS of Route #1, Sugar City, Idaho

s/ G. T. NEWCOMB
Permit Holder

s/ ABBIE DELL NEWCOMB
Wife of Permit Holder

STATE OF IDAHO)
) ss
County of Twin Falls)

On this 19th day of January, 1965, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho, personally appeared G. T. Newcomb and Abbie Dell Newcomb known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Notarial Seal, the day and year in this certificate first above written
My commission expires January 22, 1969

s/ MAXINE PAYNTER
Notary Public
Residing at Twin Falls, Idaho

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-29709 to ROY SUMMERS of Route #1, Sugar City, Idaho

s/ WALT AMESTOY
Permit Holder

STATE OF UTAH)
):
County of Salt Lake)

On this 8th day of May, 1965, before me, a Notary Public for the State of Utah, residing at Salt Lake City, Utah, personally appeared WALT AMESTOY, a single man, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

s/ Gilbert C. Allington
Notary Public
Residing at Salt Lake City, Utah

My commission expires November 26, 1967

Application for Amendment
POINT OF DIVERSION
Permit No. G-29709

Comes now ROY SUMMERS and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29709. That the points of diversion are described in said Permit as being located: In the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, of Sec. 13, Twp. 3 N., Rge. 36 E., B.M.

That he now requests that the points of diversion be changed to points located: In the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, of said Section 13, Twp. 3 N., Rge. 36 E., B.M.

That the reason for desiring to make such change is as follows: When the application was filed, it was contemplated that the wells would be placed at places shown in the application. When the drilling was done, it was deemed best to place the wells at the places shown by the change. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Rexburg, Idaho, this 9th day of June, 1965.

/s/ Roy Summers

Date of Receipt at Department of Reclamation: June 14, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29709. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ CARL E. TAPPAN
State Reclamation Engineer

Recorded: June 14, 1965

Permit No. G-29709
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Walt Amestoy, G. T. Newcomb, and Nile Osterhout - Assignee - Roy Summers of Twin Falls, County of Twin Falls, and State of Idaho, the holders of Permit No. G-29709, issued upon Application No. G-37715 bearing date of priority of May 15, 1961, authorizing the diversion of 12 second feet of waters of 2 wells County of Bonneville, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 10.79 second feet of the waters of 2 wells from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3 N., R. 36 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: Sec. 13; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 24, T. 3 N., R. 36 E., .M.

Proof of Completion of Works Made: July 20, 1965

Witness my hand this 7th day of February, A. D. 1967

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 10.79 SEC. FT.
LICENSE PAGE NO. 8668

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

Walt Amestoy, G. T. Newcomb, and Nile Osterhout-

This is to certify that Assignee - Roy Summers

of Twin Falls, County of Twin Falls, and State of
 Idaho, the holder of Permit No. G-29709, issued upon
 Application No. G-37715, bearing date of priority of May 15, 1961, authorizing the
 diversion of 12 second feet of waters of 2 wells

County of Bonneville, State of Idaho, for irrigation and domestic
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 10.79 second feet of the waters of 2 wells from
 subterranean flow;

that the point of diversion of said waters SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 3 N.,
 R. 36 E., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: Sec. 13; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 24, T. 3 N., R. 36 E., B.M.

Proof of Completion of Works Made: July 20, 1965

Witness my hand this 7th day of February, A.D. 1967.

R. Keith Higgins
 State Reclamation Engineer

29709

Permit No. G-29709

Certificate of Completion
of Work

Dated February 7, 1967

Stream 2 wells

County Bonneville

Amount 10.79 c.f.s.

Date of Priority May 15, 1961

Recorded in Book 104

of Permits, page 29709

29 709

February 7, 1967

RE: Permit No. G-29709

Roy Summers
Rt 1
Sugar City, Idaho 83448

Dear Mr. Summers:

Enclosed are the Certificate of Completion of Works and
License and Certificate of Water Right on the above
numbered permit, and departmental receipt No. G-11274
in the amount of \$45.00 covering the fees.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificates, receipt

29709

ROBERT E. SMYLLIE
Governor



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

RECEIVED
CARL E. TAPPAN
State Reclamation Engineer
JAN 27 1967
Department of Reclamation

October 6, 1966

RE: Permit No. G-29709

Roy Summers
Route #1
Sugar City, Idaho

Dear Mr. Summers:

Our field examiner's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29709 shows the well(s) ~~is~~ (are) capable of conveying 539.5 miner's inches, or 10.79 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water originally requested, the amount of water actually used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$ 45.00, we will issue the Certificate of Completion of Works for 10.79 c.f.s. and the License and Certificate of Water Right for 10.79 c.f.s. confirming the right, with priority of May 15, 1961, to the use of subterranean water with the point^s of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13 and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, for irrigation of 800 acres in all of Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 24, T. 3 N, R. 36 E, B.M.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

29709

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29709

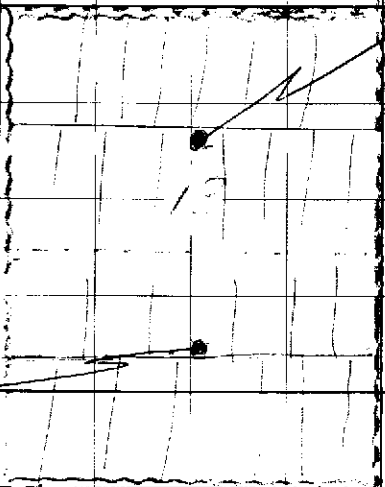
REPORT ON PROOF OF Completion of Works & Beneficial Use

1 2 3 4 5

N

2 PD

PD



160

160

160

160

160

800

to Oregon →

1 = 57 (avg psi) = 5.30 GPM per 5/8" nozzle
12 x 40 = 480 nozzles

Subdivisions 20

2 = 58 (avg psi) = 5.22 GPM per 3/4" nozzle
11 x 40 = 440 nozzles

AREA 800 acres

Q = 10.79 cfs. @ 53 1/2 in dia.

$$23 \sqrt{57 \text{ } 11316} \quad \text{Kc avg} = 5:30.5 \text{ hr}$$

$$40 \text{ mph relin} = \frac{480 \times 530}{24 \text{ F.F.}} = 5.67 \text{ cfs}$$

51 50 51 61 4740

61 62 67 61 60 61 60
61 67 60 60 60 60
53 50 59 4 4 5

road

52 50 55 51 60 52
55 54 61 54 57 51
41 40 57 60 54

11 - 40 x 55 mph relin = 440

$$\text{avg relin} = \frac{55 \times 440}{24 \text{ F.F.}} = 5.12 \text{ cfs}$$

29709

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No 9-29709

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Roy Summers

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW 1/4 & SW 1/4 of Section 13

T. 3 N. R. 36 E.B.M. County of Bonneville

4. Describe works as they exist, giving dimensions and capacities of same: #1 350 HP U.S. Motor #1254077, Wintroath Pump #10124, 10" discharge 18' North to 10" Main line east and west. #2 350 HP U.S. Motor # Wintroath Pump #10128, 10" discharge 10' south to a Y and 10" Main line East & West. Each lateral has 40-50' rights

5. Water is used for: Irrigation and domestic

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

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):

Sec. 13., NE 1/4, NW 1/4 Sec. 24., Twp. 3 N., Rge. 36 E.B.M.

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

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

Remarks: Mr. Oliver Richie Leesea along

Measured by taking pressure readings along each lateral.
#1 - North Pump 12 lines @ 40 = $\frac{480 \times 5.30}{2.486} = 5.67$ cfs.
#2 - South Pump 11 lines @ 40 = $\frac{440 \times 5.72}{2.486} = 5.12$ cfs.
10.79 - total cfs

This examination was made on the 16 day of June, 19 66

(Signed) Larry Johnson Examiner.

29709

356-6295

County

Sec. 13 T. 38 N. R. 36 E. 36 E. 36 E.

12 of 2

2

Free:

Extension:

Completion of Works:

Filed:

Made: July 20, 1965

Priority: May 15, 1961

1. Always carefully note the location of the point of diversion and accurately plat same.

2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.

3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks; such as towns, lakes, large streams and public roads.

4. If any unusual conditions are discovered, make plain statement of them under remarks.

5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.

6. Give general characteristics of soils, topography, and crops raised.

JUN 27 1968

Department of Reclamation

29709

September 2, 1965

Re: Permit No. **G-29709**

Roy Summers
Route #1
Sugar City, Idaho

Dear Mr. Summers:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the POST-REGISTER, all submitted in proof of completion of works and beneficial use on Permit No. **G-29709**

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:
cc: Ray W. Rigby
Attorneys at Law
P. O. Box 362
Rexburg, Idaho

29709

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
SEP 7 1965
Department of Reclamation

Permit No. G 29709

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Roy Summers, Route 1, Sugar City, Idaho, Farmer, P.O. Route 1, Sugar City, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G 29709, May 19, 1961, May 15, 1961, date of priority.

Ques. 4. State source of water supply: subterranean.
Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Twp. 3 North, Range 36, E.B.M. (2 wells)
two 250 H.P. motors, two L.B. pumps,

Ques. 5. Describe your works of diversion: 20 inch holes, no casing, 340 ft. deep, portable main line (2 mi.), laterals (25) and sprinklers (825)
; state amount of water they are capable of con-

veying from point of diversion to place of use: 12 cfs.; Give name of canal or ditch or other works by which water is conducted to such place of use: main line and laterals.

; if a well, state depth of well 340 feet; depth and size of casing no casing, except 15 ft. at top, depth to water 280 feet.; if pump is used, state discharge of pumps: 5400 gal. / per minute.; tell how it was measured or determined

discharge gage; if sprinkler irrigation, give number and size of nozzles and operating pressure: 825 sprinklers, 60 psi pressure, 11/64 nozzles.

Ques. 6. State for what purpose water is used: irrigation & domestic
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

640 acres in Section 13; 80 acres in N $\frac{1}{2}$ NE $\frac{1}{4}$ and 80 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$, both in Section 24; all in Twp. 3, North, Range 36 E.B.M.

32
12
24
72
544
29709
15 25 32
63 1
44
25
33
825

State nature of all improvements which have been made as a direct result of said use:

Two potato cellars, a little house, and the irrigation systems.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Cope Drilling Company, Lindsay Blvd., Idaho Falls, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

by assignments from the originals permit holders, which assignments have been recorded on the records of State Reclamation Dep't. Boise, Idaho
Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 50 cfs on June 15, 1961 - Time used since first use:

Entire irrigation season each year since June 15, 1961, including the present season.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

none

(sign) Ray Summers

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Rexburg ✓

, County of

Madison

State of Idaho, on this 20th ✓ day of July ✓, A. D. 19 65 ✓.

My commission expires: 1-26-67.

Lay W. Legby ✓
Notary Public, residing at
Rexburg, Idaho.

29709

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

SEP 7 1965
Department of Reclamation

Permit No. G-29709✓

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Donald L. Parkinson Age 28. Farmer.
Rt # 1 Sugar City, Idaho. Resides as neighbor to Roy

Ques. 2 Are you acquainted with Roy Summers, the holder of
Permit No. G 29709 ? How long have you known him and where does he reside?

He resides at Route 1, Sugar City, Idaho. I've known him 20 years.

Ques. 3. Have you read or heard said Permit No. G29709✓ read, and are you familiar
with its provisions and conditions: Yes x No. _____

Ques. 4. State source of water supply: subterranean

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 13, Twp. 3 North, Range 36 E.B.M.

Describe works for conveying water to place of use: two 250 H.P. motors, two L.B.
pumps, 20 in. holes, 340 ft. deep,
2 mi. portable mainline, 25 laterals and 825 sprinklers with 11/64 nozzles.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 12 cfs. How much water have you seen being so
conveyed? 12 cfs.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

640 acres in Section 13; 80 acres N $\frac{1}{2}$ NE $\frac{1}{4}$ and 80 acres N $\frac{1}{2}$ NW $\frac{1}{4}$, both in
Section 24; all in Twp. 3 North, Range 36 E.B.M.

29709

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The land is a sandy loam. The 12 cfs. seem to water the total 800 acres very nicely, without any to spare.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? no
If so, in what way and to what extent? --

Ques. 10. When did you first see this water used? June 15, 1961.

Other times you have seen such use: on occasion each season since that time.

(Signed):

Donald L. Parkinson

* * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rexburg, County of Madison, State of Idaho, on
this 20th day of July, A. D. 19 65

Ray W. Rigby

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 1-26-67.

29709

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
SEP 7 1965

Boise, Idaho

Department of Reclamation

Permit No. G-29709

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Ross Harris 52 Rexburg, Idaho - Farmer
P.O. Box 372 Rexburg, Idaho

Ques. 2 Are you acquainted with Roy Summers, the holder of

Permit No. G 29709 ^{yes} How long have you known him and where does he reside?

He resides at Route 1, Sugar City, Idaho. I've known him 40 years.

Ques. 3. Have you read or heard said Permit No. G 29709 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: subterranean.

Give location of place of diversion, showing subdivision, section, township and range

SW $\frac{1}{2}$ NE $\frac{1}{2}$ and SW $\frac{1}{2}$ SE $\frac{1}{2}$ in Section 13, Twp. 3 North, Range 36, E.B.M.

Describe works for conveying water to place of use: two 250 H.P. motors, two L.B. pumps, 20 in. holes, 340 ft. deep, 2 mi. portable mainline, 25 laterals and 825 sprinklers with 11/64 nozzles.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 12 cfs. How much water have you seen being so conveyed? 12 cfs.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

640 acres in Section 13; 80 acres N $\frac{1}{2}$ NE $\frac{1}{2}$ and 80 acres N $\frac{1}{2}$ NW $\frac{1}{2}$, both in Section 24; all in Twp. 3 North, Range 36 E.B.M.

29709

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The land is a sandy loam. The 12 cfs. seem to water the total 800 acres very nicely, without any to spare.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? No.
If so, in what way and to what extent? --

Ques. 10. When did you first see this water used? June 15, 1961.

Other times you have seen such use: on occasion each season since that time.

(Signed):

Ross Harris

* * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Rexburg, County of Madison, State of Idaho, on
this 20th day of July, A. D. 1965.

Lay W. Lighy
Notary Public for the State of Idaho
Residing at Rexburg, Idaho

My commission expires 1-26-67.

29709

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, E. F. McDermott, first being duly sworn, depose and say: That I am the

Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for four consecutive weeks, first publication having been made on the 16th day of June, 1965, last publication having been made on the 7th day of July, 1965, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 8th day of July, 1965

Karl H. Hale
Notary Public

My commission expires April 5th, 1967

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 20th day of July, 1965, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at (address) 25 North Second East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 12 cubic feet per second of underground water from two wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29703, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 12 cubic feet per second.

4. The points of diversion of said water are in the SW1/4 and the SW1/4 of Section 18 TWP. 3 N., Rge. 36 E.B.M.

5. The place where said water is used is All of Section 13; the N1/4 and the N1/4 of Section 24, all in Twp. 3 N., Rge. 36 E.B.M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

Carl E. Tappan
State Reclamation Engineer
Filed June 15, 25, 30 July 7, 1965

29009

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440

RECEIVED
SEP 10 1965
FBI

RAY W. RIGBY
GORDON S. THATCHER

September 3, 1965

TELEPHONE
356-6701
356-3238
AREA CODE 208

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Re: Permit No. G-29709

Dear Mr. Tappan:

Enclosed herewith are Deposition of Holder, two Depositions of Witnesses and Affidavit of Publication concerning the above numbered permit. This matter has been delayed because after taking the proofs, we waited for the affidavit of publication and verification of a couple of items.

Yours very truly,



of RIGBY & THATCHER

SS
Enclosures

29709

June 14, 1965

RE: Permit No. G-29709
Roy Summers

Rigby and Thatcher
Attorneys at Law
Rigby, Idaho

Gentlemen:

Enclosed is the amendment to the point of diversion on the
above numbered permit.

Also enclosed is departmental receipt No. G-9326 in the
amount of \$1.00 covering the fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna F. Rule
Chief Clerk

EPR:mr

Enc. amendment
receipt

29709

RECEIVED
JUN 14 1965

Application for Amendment

POINT OF DIVERSION

Department of Reclamation

Permit No. G-29709

Comes now ROY SUMMERS and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29709

That the point of diversion is located In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13, Twp. 3 N., Rge. 36 E.B.M.

That he now requests that the point of diversion be changed to a point located: In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 13, Twp. 3 N., Rge. 36 E.B.M.

That the reason for desiring to amend said permit is as follows:

When the application was filed, it was contemplated that the wells would be placed at places shown in the application. When the drilling was done, it was deemed best to place the wells at the places shown by the change.

That no one will be injured by such change and that such change will be made at Permit holder's own risk.

Signed at Rexburg, Idaho this 9th day of June 1965.

Date of Receipt at Department of Reclamation: June 11, 1965

OFFICIAL OF STATE RECLAMATION ENGINEER

CARL E. TAPPAN

I, ~~ROBERT M. HARTER~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29709. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 105 of
Permits, at Page 29709
June 11, 1965

Carl E. Tappan
State Reclamation Engineer

29709

Re: Permit No. **0-29709**
Roy Summers

June 11, 1965

Mr. Ray W. Rigby,
Attorney at Law,
Box 362,
Rigby, Idaho.

Dear Mr. Rigby:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **0-29709**, in the name of **Roy Summers**. Final Proof is to be made before you, as Notary on the **20th** day of **July**, 19**65**, at **10:00** o'clock **A.M.**, at **25 North Second East, Rexburg**, Idaho.

As of this date, we have mailed the Notice to the **Post Register Idaho Falls, Idaho**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29709

Re: Permit No. G-29709
Roy Summers

Date: June 14, 1965

Post Register,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to July 20, 1965
the date set for proof; the expense of the publication is to be paid
by the applicant 's attorney, Ray W. Rigby
of Box 362, Rexburg, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

29709

RECEIVED
JUN 14 1965

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 10 A.M., on the 20th day of July,
1965, at Rexburg, County of Madison, State of Idaho
before Ray W. Rigby, Notary Public, at (address) 25 North Second East, Rexburg, Idaho, proof will be submitted of the completion
of works for the diversion of 12 cubic feet per second of underground water from a two
wells, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29709, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Ray Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 12 cubic feet per second.

3. The use to which said water has been applied is Irrigation
for agricultural purposes and the amount applied to beneficial use is
12 cubic feet per second.

4. The points of diversion of said water ~~is~~ are In the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 13 TWP. 3 N., Rge. 36 E.B.M.

5. The place where said water is used is All of Section 13; the N $\frac{1}{4}$ NE $\frac{1}{4}$ and the
N $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, all in Twp. 3 N., Rge. 36 E.B.M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

Carl P. Trappan
State Reclamation Engineer

29709 18

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 9, 1965

(P. O.) Rexburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Post Register of
Idaho Falls, Idaho, published in the
county in which the works are situated.

Roy Summers

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

29709

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440

June 10, 1965

RAY W. RIGBY
GORDON S. THATCHER

RECEIVED
JUN 14 1965
DEPARTMENT OF RECLAMATION
TELEPHONE
356-6701
356-3238
AREA CODE 208

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Re: Permit No. G-29709 Roy Summers

Dear Mr. Tappan:

Enclosed is Authorization for Publication, two copies of Form 36, Application for Amendment of Point of Diversion, together with our check for \$1.00 to cover the filing fee, and an executed Relinquishment of Permit No. G-30353 all for Roy Summers of Rexburg, Idaho.

Please send the forms for submission for proof to this office.

Yours very truly,



of RIGBY & THATCHER

ljr

Enclosures

29709

May 20, 1965

Re: Permits No. G-29709; G-30353
Roy Summers

Rigby & Thatcher
Attorneys at Law
Rigby, Idaho

Attn: Ray W. Rigby

Dear Mr. Rigby:

Returned herewith are the three assignments of Permit No. G-29709 which have been recorded in this office. Also enclosed are Forms 36 and 11, relinquishment form and amendment application.

Permit No. G-29709 shows well locations as SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 3 N., R. 36 E. and G-30353 shows well location in SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 13. Permit No. G-29709 should have the point of diversion amended if the other permit shows correct location of the wells.

Mr. Summers has made proof of completion of works and beneficial use of the water under Permit No. G-30353. This permit will have to be relinquished if he chooses to use the earlier priority under G-29709.

There is a fee of \$1.00 for recording the amendment but no fee at this time for the other forms.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignments
Form 36 and 11
amendment & relinquishment
Receipt No. G-9272 - \$1.50

2 9709

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 362
REXBURG, IDAHO 83440

May 14, 1965

TELEPHONE
356.6701
356.3238
AREA CODE 208

RAY W. RIGBY
GORDON S. THATCHER

Mr. Carl E. Tappan
State Reclamation Engineer
107 State House
Boise, Idaho 83701

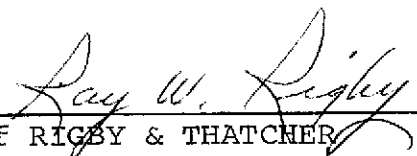
Re: Permit No. G-29709 - Roy Summers
Permit No. G-30353 - Roy Summers

Dear Mr. Tappan:

In accordance with your letter of September 28, 1964, we have obtained Assignments of Permit No. G-29709 from Walt Amestoy, G. T. Newcomb and wife, and Nile Osterhout, to Roy Summers. We enclose the same herewith, together with our check in the sum of \$1.50 to cover costs of assigning said Permit.

If you need anything further to complete this application of water to beneficial use, please advise.

Yours very truly,


of RIGBY & THATCHER

ss
Enclosures

29709

ASSIGNMENT

For value received, WE hereby assign all of our right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29709 to Roy Summers of Route 1, Sugar City, Idaho

G. T. Newcomb
Permit Holder

Abbie Dell Newcomb
Wife of Permit Holder

STATE OF IDAHO)
County of Twin Falls) ss

On this 19 day of January, 1965, before me, a Notary Public for the State of Idaho, residing at Twin Falls, Idaho,

personally appeared G. T. NEWCOMB and ABBIE DELL NEWCOMB

known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Notary Public
Residing at Twin Falls, Idaho

My commission expires: January 22 1969

If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

29709

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-29709 to Roy Summers of Route 1, Sugar City, Idaho.

[Signature]
Permit Holder

Wife of Permit Holder

STATE OF IDAHO)
) ss
County of Madison.)

On this 13th day of May, 1965, before me, a Notary Public for the State of Idaho, residing at Rexburg, Idaho, personally appeared WILE OSTERBOUT, a single man, known to me as the person whose name is on the record and duly acknowledged to me that he executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

[Signature]
Notary Public
Residing at Rexburg, Idaho

My commission expires: 1-26-67

- * * If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

29709

all

G-29709

Roy Summers

Route 1, Sugar City, Idaho.

Utah

Utah

WALT AMESTOY, a single man,

Seal

Nov 26 1957

29709

September 28, 1964

RE: Permit G-30353
Roy Summers

Roy Summers
Route # 1
Sugar City, Idaho

Dear Mr. Summers:

It has come to our attention that we have two permits covering wells in the same location and having the same land lists.

Since your permit is the later of the two, and you have submitted Proof of Completion of Works and Application of Water to Beneficial Use, it is felt that you may have purchased the land from the owners of the first permit. The owners as listed on permit G-29709 are Walt Amestoy, G.T. Newcomb and Nile Osterhout.

The priority date for your permit G-30353 is January 10, 1963, and the priority date on permit G-29709 is May 15, 1961. If you desire to have the earlier priority date you will have to get an assignment for permit G-29709 and withdraw your proofs on G-30353. This will require that it be published again under permit G-29709.

The fee for assignment is \$.50 and we are enclosing the forms for making such assignment.

You may leave your Permit G-30353 as is and the other permit will cancel itself after May 1966.

We would appreciate knowing if you purchased the property from the holders of permit G-29709 and your desires regarding these permits.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:ct

Enc. Assignment form

29709

May 23, 1961

Re: Permit No. G-29709
Walt Amestoy, G. T. Newcomb
and Nile Osterhout

Mr. G. T. Newcomb,
729 Commercial Avenue,
Twin Falls, Idaho.

Dear Mr. Newcomb:

We enclose Permit No. G-29709 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5927 which was issued covering payment in the amount of \$7.75 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pak

29709

NAME OF APPLICANT... Walt Amey, G. T. Newcomb, Nile Oster

Form No. 0

TWP 3 North, Range 36 EBM

Well
Section 13

Well - 0

Section 24

Permit Map No. 29709
As Approved MAY 19 1961
GEO. N. CARTER
Reclamation Engineer

LEGAL NOTICE

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 20th day of July, 1965, at Rexburg, County of Madison, State of Idaho before Ray W. Rigby, Notary Public, at (address) 25 North Second East, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 12 cubic feet per second of underground water from two wells, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23703, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 12 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is 12 cubic feet per second.

4. The points of diversion of said water are in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 TWP. 3-N., Rge. 36 E.B.M.

5. The place where said water is used is All of Section 13 the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24 all in Twp. 3 N., Rge. 36 E.B.M.

6. The date of priority which said user is prepared to establish is May 15, 1961.

Carl E. Tappen

State Reclamation Engineer

Pub.: June 16, 23, 30 July 7, 1965