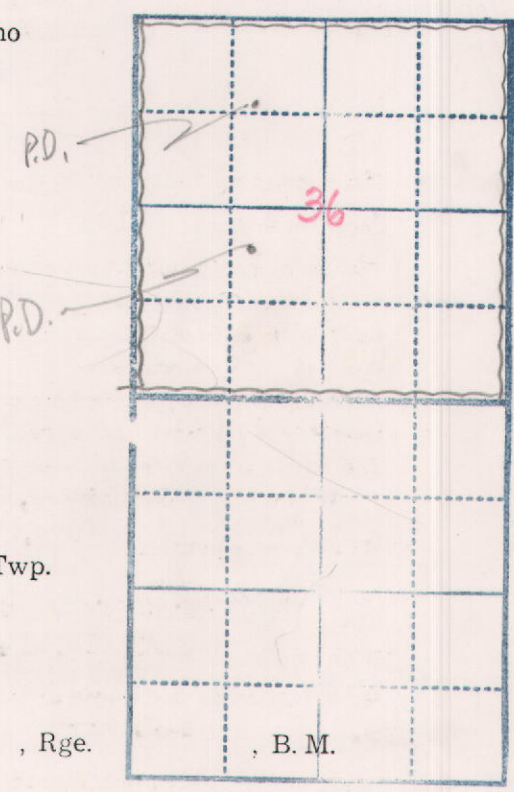


MTL: John Hanson
25-2627

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37259
Permit No. G- 29262
District No.

1. Name of Applicant: Harvey B. Summers
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 12.8 or Idaho
Miners' inches 640 or gallons per minute 5760
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground - 2 wells
4. Location of point of diversion or well is in the Well #2 NE $\frac{1}{4}$ of the NW $\frac{1}{4}$
Well #1/ NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36
Twp. 3 N , Rge. 36 E , B.M., County of Bonneville
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pumps & sprinkler systems
8. Estimated cost of works: \$100,000.00
9. (a) Is reservoir to be used? no
(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 onhand: \$
(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) 12.8 (cubic feet per second, inches or gallons per minute) is for new lands.

R	36	4
---	----	---

T

3

2

P.D.

Check w/ Photo

10	10	10	10
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40	40	40	40
----	----	----	----

10	10	10	10
----	----	----	----

39	40	40	40
----	----	----	----

36

160. ARES

160

160 To US Highway 20
159 — AND Idaho
Jelly

639 Acres

AR+A - G39

SUBD - 16

Q - 10.8 cc c.f.s.

9-4-A



Affidavit of Publication
The Post - Register

RECEIVED
JAN 26 1966

Department of Reclamation

STATE OF IDAHO }
County of Bonneville } ss.

I, E. F. McDermott, being first duly sworn, depose
and say: That I am the Principal Clerk of the Post Company,
a corporation of Idaho Falls, Bonneville County, Idaho, publisher of The
Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, in Bonneville County, Idaho, and that said news-
paper has been published continuously and uninterruptedly for more than
four (4) years up to and including the last publication of the notice here-
inafter referred to.

Affiant further says that the said newspaper, prior to the date of the
first publication of said notice, as hereinafter stated, did designate a par-
ticular day of the week as the day on which legal notices, required by law
or by order of any Court of competent jurisdiction within the State to be
published weekly, would be published, and that since prior to the date of
the first publication of said notice, as hereinafter stated, said newspaper
has at the head of the editorial column of said paper and in each issue
thereof announced the day of the week on which such legal notices required
by law or by order of any Court of competent jurisdiction to be published
weekly would be published, and that such day so designated was and is
the Sunday issue or edition of said newspaper of each week.

Affiant further says that the notice, of which a copy is hereto attached
and made a part of this affidavit, was published in said The Post-Register
in the Sunday edition or issue of said newspaper for four
consecutive weeks, the first publication having been made in the Sunday
issue of said newspaper on the 21st day of November,
1965 and that said notice was thereafter published in each Sunday issue
of said newspaper as follows:

On Sunday the 28th day of November, 1965..
and on Sunday the 5th day of December, 1965..
and on Sunday the 12th day of December, 1965..
and on Sunday the _____ day of _____, 19____..
and on Sunday the _____ day of _____, 19____..
and on Sunday the _____ day of _____, 19____..
and that said notice was published in the regular and entire issue of said
newspaper on the said respective dates of publication, and that such notice
was published in the newspaper and not in any supplement issue thereof.

E. F. McDermott

Subscribed in my presence and sworn to before me this 13th
day of December, 1965..

Karensdale
Notary Public
Residence: Idaho Falls, Idaho
My commission expires April 5th, 1967.

B-11, 500

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

Notice is hereby given that a 5
P.M., on the 8th day of January, 1966,
at Rexburg, County of Madison, State
of Idaho before W. B. Kennedy, No-
tary Public, at 5 West 1st South, Rex-
burg, Idaho, proof will be submitted
of the completion of works for the
diversion of 12.8 cubic feet per second
of underground water from a well,
and of the application to beneficial
use of said water, in accordance with
the terms and conditions of Permit
No. G-29262, 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 Harvey B. Summers,
R.F.D. No. 1, Sugar City, 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 12.8 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 12.8 cubic feet per second.

4. The point of diversion of said
water is NE 1/4 SW 1/4, Sec. 26, Twp. 3
N., R. 36 E.B.M.

5. The place where said water is
used is All of Section 36, Twp. 3
North, Range 36, E.B.M. Bonneville
County, Idaho.

6. The date of priority which said
user is prepared to establish is Dec-
ember 30th, 1960.

CARL E. TAPPAN
State Reclamation Engineer
Published: Nov. 21, 28, Dec. 5, 12, 1965

29262

State of Idaho

License and Certificate of Water Right

Water License No. G-29262 Priority December 30, 1960 Amount 10.78 c.f.s.

THIS IS TO CERTIFY that HARVEY B. SUMMERS

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 30, 1960; that Permit No. G-29262 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 10.78 second feet, was issued thereunder on February 13, 1968, showing that said works were completed on the 8 day of January, 1966; and that on the 8 day of January, 1966 HARVEY B. SUMMERS

of Rexburg, 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 a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-29262 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 ~~the~~ Volume of Licenses, out Page, on the 13 day of February, 1968.

The right hereby confirmed dates from December 30, 1960.

The Point of Diversion is located in the NE 1/4, SW 1/4, Sec. 36, Twp. 3 N, R. 36 E, B.M. Bonneville County.

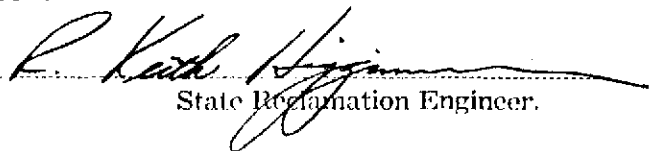
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 10.78 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N	36 E	36	NE $\frac{1}{4}$	Entire section est. at 659 acres	160
			NW $\frac{1}{4}$		160
			N $\frac{1}{2}$ SW $\frac{1}{4}$		80
			SW $\frac{1}{4}$ SW $\frac{1}{4}$		39
			SE $\frac{1}{4}$ SW $\frac{1}{4}$		40
			SE $\frac{1}{4}$		160
Total number of acres irrigated:					639

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 13 day of February, 1968.


State Reclamation Engineer.

35 2627

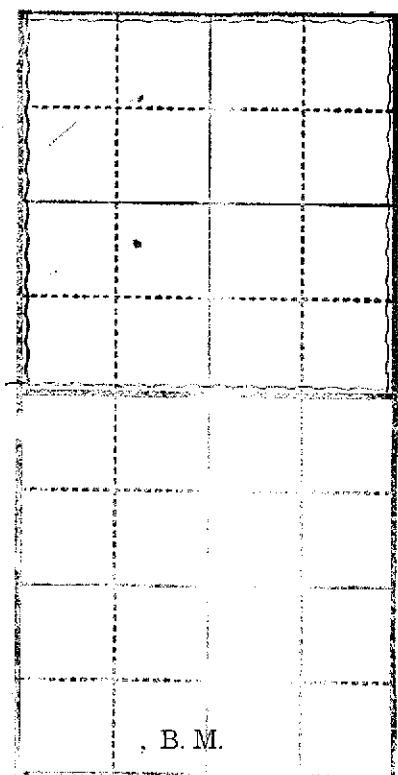
35 2626

29262

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37259
Permit No. G- 29262
District No.

1. Name of Applicant: Harvey B. Summers
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 12.8 or Idaho
Miners' inches 640 or gallons per minute 5760
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground - 2 wells
4. Location of point of diversion or well is in the Well #2 NE $\frac{1}{4}$ of the NW $\frac{1}{4}$
Well #1 NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36
Twp. 3 N , Rge. 36 E , B.M., County of Bonneville
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pumps & sprinkler systems
8. Estimated cost of works: \$100,000.00
9. (a) Is reservoir to be used? no
(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) 12.8 (cubic feet per second, inches or gallons per minute) is for new lands.



Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HARVEY B. SUMMERS
 of Rexburg , County of Madison , and State of
 Idaho , the holder of Permit No. G-29262... , issued upon
 Application No. G-37259... bearing date of priority of December 30, 1960, authorizing the
 diversion of 12.8 second feet of waters of 2 wells.....

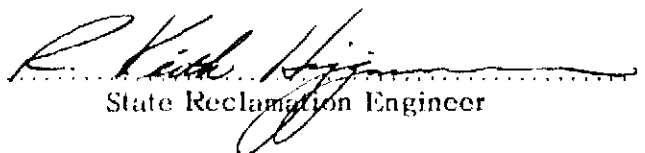
County of Bonneville , State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 10.78 second feet of the waters of a well, from
 subterranean flow, ...

that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Township
 3 North, Range 36 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: all of Section 36, Township 3 North, Range 36 East, ..
 Boise Meridian.

Proof of Completion of Works made: January 8, 1966

Witness my hand this 13 day of February , A. D. 19 .. 68..


 State Reclamation Engineer

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

SUBMIT WITHIN 30 DAYS AFTER COMPLETION OF WELL: SEE IDAHO STATUTES 42-238

Permit No. 9-13-67 Well No. _____ County Boonville

Owner Harvey T. Custer (Nile Custerhart)

Address Elcho Hill, Idaho

Driller Elcho Hill

Address 0 550 South 11th, Tootill, Idaho

Well location NE 1/4 SW 1/4 Sec. 36, T. 34 N/S, R. 36 E/W

Size of drilled hole 20 inch

Total depth of well 778

Give depth to standing water from the ground _____ Water temp. _____ °Fahr.

Test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet. Pump? _____ Bail? _____

Size of pump and motor used to make test _____

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

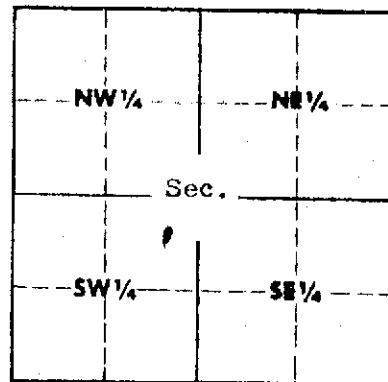
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for irrigation Weight of casing per lineal foot _____

Thickness of casing 1" Casing material steel
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 0 - 18 ft
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

Locate well in section



CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
20"	0	18	18'	steel etc

Number and size of perforations none located _____ feet to _____ feet from ground

Date of commencement of well April 23, 1960 Date of completion of well June 14, 1960

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	18	top soil	no	no
18	700	silt clay	no	
370	372	Sandstone - dolomitic.	yes	
If more space is required use Sheet No. 2				

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed _____, Chief of Police

By Stirling Sigman

License No. 50

Dated April 11, 1960, 1960.

Well Driller's Helper_____NONE

29262

February 13, 1968

Re: Permit No. G-29262

Harvey B. Summers
Rexburg,
Idaho

Dear Mr. Summers:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 34012 in the amount of \$37.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

29262

August 25, 1967

Re: Permit G-29262

Harvey B. Summers
Rexburg, Idaho

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-29262 and has found the following:

Quantity of water diverted: 10.78 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 10.78 c.f.s.

Purpose of use: Irrigation of 639 acres in all of Sec. 36,
T. 3 N, R. 36 E, B.M.

The priority date established is: December 30, 1960.

A fee totaling \$ 37.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:rw

29262

29262

August 25, 1967

Re: Permit G-29262

Harvey B. Summers
Rexburg, Idaho

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-29262 and has found the following:

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Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:aw

29262

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

August 25, 1967

RECEIVED
SEP 25 1967
Department

Re: Permit G-29262

Harvey B. Summers
Rexburg, Idaho

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-29262 and has found the following:

Quantity of water diverted: 10.78 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 10.78 c.f.s.

Purpose of use: irrigation of 639 acres in all of Sec. 36,
T. 3 N, R. 36 E, B.M.

The priority date established is: December 30, 1960.

A fee totaling \$ 37.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

DWM:nw

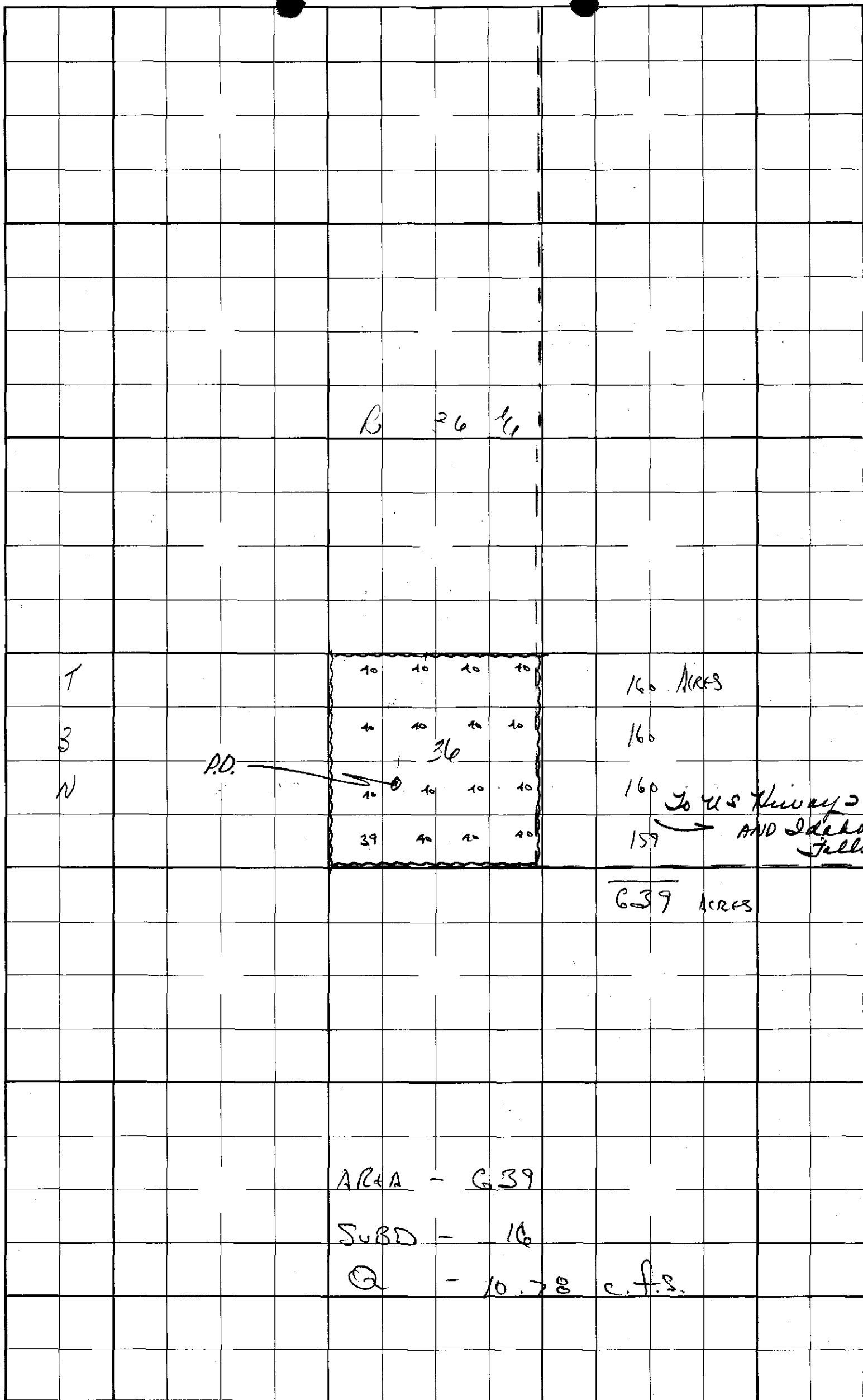
29262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29262

REPORT ON PROOF OF Completion of Works & Beneficial Use



9-4-A



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

Permit No. G-29262 ✓

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

1. Name of applicant Harvey B. Summers ✓

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the #1-NE 1/4 SW 1/4 & #2-NE 1/4 NW 1/4 of Section 36

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

4. Describe works as they exist, giving dimensions and capacities of same:

350 H.P. G.E. motor # UVI 714574
WINTROATH Pump 150 # 12" DISCHARGE
THROUGH 200 H.P. G.E. motor # PSI 313002
WINTROATH VERTICAL Pump (SEE DIAGRAM)

5. Water is used for: Irrigation

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):

all of Sec. 36., 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: _____

76.8 - 5/32 RAIN BIRD 30 W.S @ 80 lbs
(76.8) (6.32 gpm) = 10.78 c.f.s.
150 gpm

This examination was made on the 15 TH day of AUG, 1967

(Signed) Dean Reynolds Examiner.

29262
Plat 1

S-41324
Harvey B. Summers 365'-30" x 30" 5/32
Route #1
Sugar City, Idaho 765' x 100' - 45'
Permit No. G-29262

Examination for Completion of Works & Beneficial Use

County Bonneville

Sec. 36 T. 3N R. 36 EBM

Quantity: 12.8 cfs.

Source: 2 Wells

#1 NE 1/4 Sec 36

P.D.: 42 NE 1/4 NW 1/4 Sec 36

Tap - 3N. Rge. 36 E. B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: December 30, 1960

Due: January 9, 1966

Made Jan 8, 1966

Twenty Dec 30, 1960

INSTRUCTIONS TO EXAMINERS

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.

350 HP GE motor
UVT 714574

WINTROATH PUMP

12 DISCHARGE

THAP 55

WINTROATH PUMP
9733

200 HP GE

PSZ 313002

WINTROATH PUMP
9733

DON SAMUELSON
GOVERNOR



JUL 6 1967

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

June 29, 1967

RECEIVED
AUG 3 1967

Department of Reclamation

RE: Permit G-29262

Don C. Archibald
Utah Mortgage Loan Corporation
P.O. Box 460
Idaho Falls, Idaho

Dear Mr. Archibald:

We are enclosing a copy of permit G-29262 that is issued for all of Section 6, T 3 N., R 36 E., B.M. There was a permit G-27237 for the S $\frac{1}{2}$ of Section 1, T 3 N., R 35 E., B.M., however, it was cancelled on May 24, 1963. We have no record of any permit for the land in Jefferson County. None of the permits were in name of Don C. Archibald.

There is a \$1.00 fee for the copy of permit G-29262 which you may remit to this office.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enclosure

8/2/67. 100 Check mailed. Thanks for your assistance - Don Archibald

Rec'd mailed
8/3/67

29262

June 29, 1967

RE: Permit G-29262

Don C. Archibald
Utah Mortgage Loan Corporation
P.O. Box 460
Idaho Falls, Idaho

Dear Mr. Archibald:

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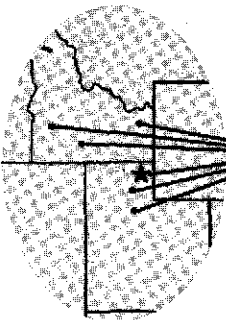
Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Enclosure

29262



UTAH MORTGAGE LOAN CORPORATION

Idaho Falls, Idaho, Office: 357 "F" Street
Mortgage Bankers Since 1892

RECEIVED
JUN 28 1967
Department of Reclamation
Phone: 522-8954

June 27, 1967

Department of Reclamation
Room 107
State House
Boise, Idaho 83701

Gentlemen:

Please provide us with a copy of the application for water permit or a copy of the water license issued in the name of Don C. Archibald, or any others on property described as follows:

All of Section 6 in Township 3 North Range 36 EBM in Bonneville County, Idaho. North half Section 1 in Township 3 North Range 35 EBM Bonneville County, Idaho. South half Section 31 Township 4 North Range 36 EBM Jefferson County, Idaho.

If there is a charge for this service, please send your statement along with the forms and we will promptly remit.

Very truly yours,

Don C. Archibald
Vice President

DCA/jm

G 29262 - NOT EXAMINED.
G 27237 - 5 1/2 SECT, 3N. 35E CANCELLED 5/24/63
NONE JEFFERSON

Mortgage Loans
Insurance
Real Estate Sales
Land Development



29262

January 26, 1966

RE: Permit No. G-29262
Harvey B. Summers

W. B. Kennedy
Attorney at Law
Rexburg, Idaho

Dear Mr. Kennedy:

We acknowledge receipt of the depositions of holder and witnesses, also affidavit of publication in the Post-Register, all submitted in proof of completion of works and beneficial use on the above referred permit.

It should be noted that the law requires the depositions of two disinterested witnesses. While this Department does not intend to challenge the validity or acceptability of those submitted you may find it to your advantage to obtain additional depositions in the event Roy Summers and Frank Summers are found not to be disinterested as the statutes intend. We enclose now forms for your use.

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,

M. RUSSELL BOSCH
Office Manager

MRB:ejw
Encl: forms for deposition of witnesses

Eng. Report made 2-1-66

29262

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G29262

JAN 30 1966
Department of Reclamation

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

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Harvey B. Summers, Madison County, farmer, RFD #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-29262
January 9, 1961, December 30, 1960.

Ques. 4. State source of water supply: Ground
Give location of point of diversion, showing subdivision, section, township and range
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, Twp. 3 North, Range 36 East Boise Meridian

Ques. 5. Describe your works of diversion: One well - pump system.- sprinklers
; state amount of water they are capable of conveying from point of diversion to place of use: 12.8 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: sprinkling system
; if a well, state depth of well 365'; depth and size of casing 30' of 20"; depth to water 324'; if pump is used, state discharge of pump: 12.8 cfs; tell how it was measured or determined standard measuring device; if sprinkler irrigation, give number and size of nozzles and operating pressure: 768 nozzles - 5/32" - 45lbs.

Ques. 6. State for what purpose water is used: Sec. 36. Twp. 3 N. R. 36 E.B.M.
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
All of Section 36, Twp. 3 N. R. 36, E.B.M., has been irrigated.

No log

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

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Sterling Sigman, Pocatello, Idaho.

Ques. 7. If for other than irrigation purposes, show full legal description of place 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: July 20, 1960 - 12.8 cfs - Time used since first use:

Every irrigation season since original date of use.

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

None

(sign) Harvey B. Sumner

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 8th day of January, A. D. 19 66.

My commission expires: 2/26/66.

W B Kennedy
Notary Public for Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29262

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:

Roy Summers, RFD #1, Sugar City, Idaho - age 47, farmer.

Ques. 2 Are you acquainted with Harvey B. Summers, the holder of
Permit No. G-29262? How long have you known him and where does he reside?

All his life. He resides at RFD #1, Sugar City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29262 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Ground

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

Describe works for conveying water to place of use: pump and sprinkling system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 12.8 How much water have you seen being so
conveyed? 12.8

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

All acres in Section 36, Twp. 3 North, Range 36, E.B.M., Bonneville
County, Idaho.

29262

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.

Dry farm. 12.8 cubic feet per second.

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

Ques. 10. When did you first see this water used? July 20, 1960
Other times you have seen such use: Every irrigation season since that date.

(Signed):

Roy Summers

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 8th day of January, A. D. 19 66

W B Kennedy
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 2/26/66

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Permit No. G-29262

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:

Frank Summers, RFD #1, Sugar City, Idaho - age 43 - farmer

Ques. 2 Are you acquainted with Harvey B. Summers, the holder of
Permit No. G-29262? How long have you known him and where does he reside?

All his life. He resides in Madison County, Idaho, SRFD #1, Sugar City.

Ques. 3. Have you read or heard said Permit No. G-29262 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Ground

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

Describe works for conveying water to place of use: pump and sprinkling system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 12.8 How much water have you seen being so
conveyed? 12.8

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

All acres in Section 36, Twp. 3 N., Range 36 E.B.M., Bonneville County,
Idaho.

29262

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.
dry farm. 12.8 cubic feet per second.

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

Ques. 10. When did you first see this water used? July 20, 1960
Other times you have seen such use: Every irrigation season since that date.

(Signed):

+ Frank Summers

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 8th day of January, A. D. 19 66

W B Kennedy
Notary Public for the State of Idaho
Residing Rexburg, Idaho

My commission expires 2/26/66.

Affidavit of Publication
The Post - Register

RECEIVED
JAN 12 1966

STATE OF IDAHO }
County of Bonneville } ss.

Department of Reclamation

I, E. F. McDermott, being first duly sworn, depose and say: That I am the Principal Clerk of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publisher of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, in Bonneville County, Idaho, and that said newspaper has been published continuously and uninterruptedly for more than four (4) years up to and including the last publication of the notice hereinafter referred to.

Affiant further says that the said newspaper, prior to the date of the first publication of said notice, as hereinafter stated, did designate a particular day of the week as the day on which legal notices, required by law or by order of any Court of competent jurisdiction within the State to be published weekly, would be published, and that since prior to the date of the first publication of said notice, as hereinafter stated, said newspaper has at the head of the editorial column of said paper and in each issue thereof announced the day of the week on which such legal notices required by law or by order of any Court of competent jurisdiction to be published weekly would be published, and that such day so designated was and is the Sunday issue or edition of said newspaper of each week.

Affiant further says that the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said The Post-Register in the Sunday edition or issue of said newspaper for four consecutive weeks, the first publication having been made in the Sunday issue of said newspaper on the 21st day of November, 1965 and that said notice was thereafter published in each Sunday issue of said newspaper as follows:

On Sunday the 28th day of November, 1965
and on Sunday the 5th day of December, 1965
and on Sunday the 12th day of December, 1965
and on Sunday the _____ day of _____, 19____
and on Sunday the _____ day of _____, 19____
and on Sunday the _____ day of _____, 19____
and that said notice was published in the regular and entire issue of said newspaper on the said respective dates of publication, and that such notice was published in the newspaper and not in any supplement issue thereof.

E. F. McDermott

Subscribed in my presence and sworn to before me this 13th day of December, 1965.

Karensdale

Notary Public
Residence: Idaho Falls, Idaho

My commission expires April 5th, 1967.

W. B. KENNEDY
ATTORNEY AT LAW
REXBURG, IDAHO

January 25th, 1966

RECEIVED
JAN 26 1966

Department of Reclamation

State of Idaho,
Department of Reclamation,
107 State House,
Boise, Idaho.

Re: Proofs of Application
of Water to Beneficial Use.

Harvey B. Summers, also known
as H. Bert Summers, RFD #1,
Sugar City, Idaho.

Permits : G-31973 & G-29262

Gentlemen:

I enclose herewith the proofs in the above matters,
together with the Affidavits of Publication.

The hearing was held on the 8th of January, pursuant
to the notice, but due to press of work at this time
I am a little slow in forwarding these papers.

Yours very truly,



W. B. Kennedy

/j

Encls:

29262

December 6, 1965

Re: Permit No. G-29262
Harvey B. Summers

Post Register
Idaho Falls, Idaho

Gentlemen:

On November 16, 1965, we mailed you a Notice of Publication on the above numbered permit requesting a copy of tear sheet of first publication for checking purposes.

To date we have not received such copy and ask that one be mailed to us as soon as possible

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
Office Manager

HP:ew

Re: Permit No. G-29262
Harvey B. Summers

November 16, 1965

Mr. W. B. Kennedy,
Attorney at Law,
Rexburg, Idaho.

Dear Mr. Kennedy:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-29262, in the name of Harvey B. Summers. Final Proof is to be made before you, as Notary on the 5th day of January, 19 66, at 5:00 o'clock P.M., at 5 West 1st South, 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

29262

Re: Permit No. G-29262
Harvey B. Summers

Date: Nov. 16, 1965

Post Register,
Idaho Falls, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to January 8, 1966
the date set for proof; the expense of the publication is to be paid
by the applicant's attorney, W. B. Kennedy
of 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

29262

RECEIVED
NOV 16 1965

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

Department of Reclamation

Notice is hereby given that at 5 P. M., on the 8th day of January
19 66, at Rexburg, County of Madison, State of Idaho
before W. B. Kennedy, Notary Public, at (address) 5 West
1st South, Rexburg, Idaho, proof will be submitted of the completion
of works for the diversion of 12.8 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-29262, 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 Harvey B. Summers, R.F.D. #1, Sugar City, 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 12.8 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
12.8 cubic feet per second.

4. The point of diversion of said water is
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, Twp. 3 N., R. 36 E.B.M.,

5. The place where said water is used is
All of Section 36, Twp. 3 North, Range 36, E. B. M. Bonneville
County, Idaho.

6. The date of priority which said user is prepared to establish is
December 30th, 1960.

Carl E. Tappan
State Reclamation Engineer

RECEIVED
NOV 18 1965

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 15th, 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.

Please send further correspondence
to W. B. Kennedy, Atty.,
Rexburg, Idaho.

H. Burt 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.

29262

RECEIVED

NOV 16 1965

Department of Reclamation

Application for Amendment

POINT OF DIVERSION

Permit No. G - 29262

in file

Not approved

Comes now Harvey B. 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 - 29262.
are

That the points of diversion ~~is~~ described in said Permit as being located:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, T. 3 N., R. 36 E.B.M.,

That he now requests that the points of diversion be changed to a point located: NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 36, T. 3 N., R. 36 E.B.M.

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

Two wells were planned originally but only one was drilled and is supplying sufficient water.

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 15th day of November, 19 65.

H. B. Summers

Date of Receipt at Department of Reclamation _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, 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. _____. 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 _____ of
Permits, at Page _____

State Reclamation Engineer

not necessary if above is true

29262

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29262

Nov. 1, 1965

Harvey B. Summers
RExburg, Idaho

Dear Mr. Summers:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29262 are due not later than **January 9, 1966.**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc.

cc:

29262

January 11, 1961

Re: Permit No. G-29262

Mr. Harvey B. Summers,
Rexburg, Idaho.

Dear Mr. Summers:

We enclose Permit No. G-29262 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-5482 which was issued covering payment in the amount of \$8.00 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:pmk

29262

December 12, 1960

Re: Application for Permit

Harvey B. Summers
Rimborg, Idaho

Dear Mr. Summers:

Your application for permit to appropriate subterranean water has been received.

The application can be approved upon receipt of the filing fee of \$8.00.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

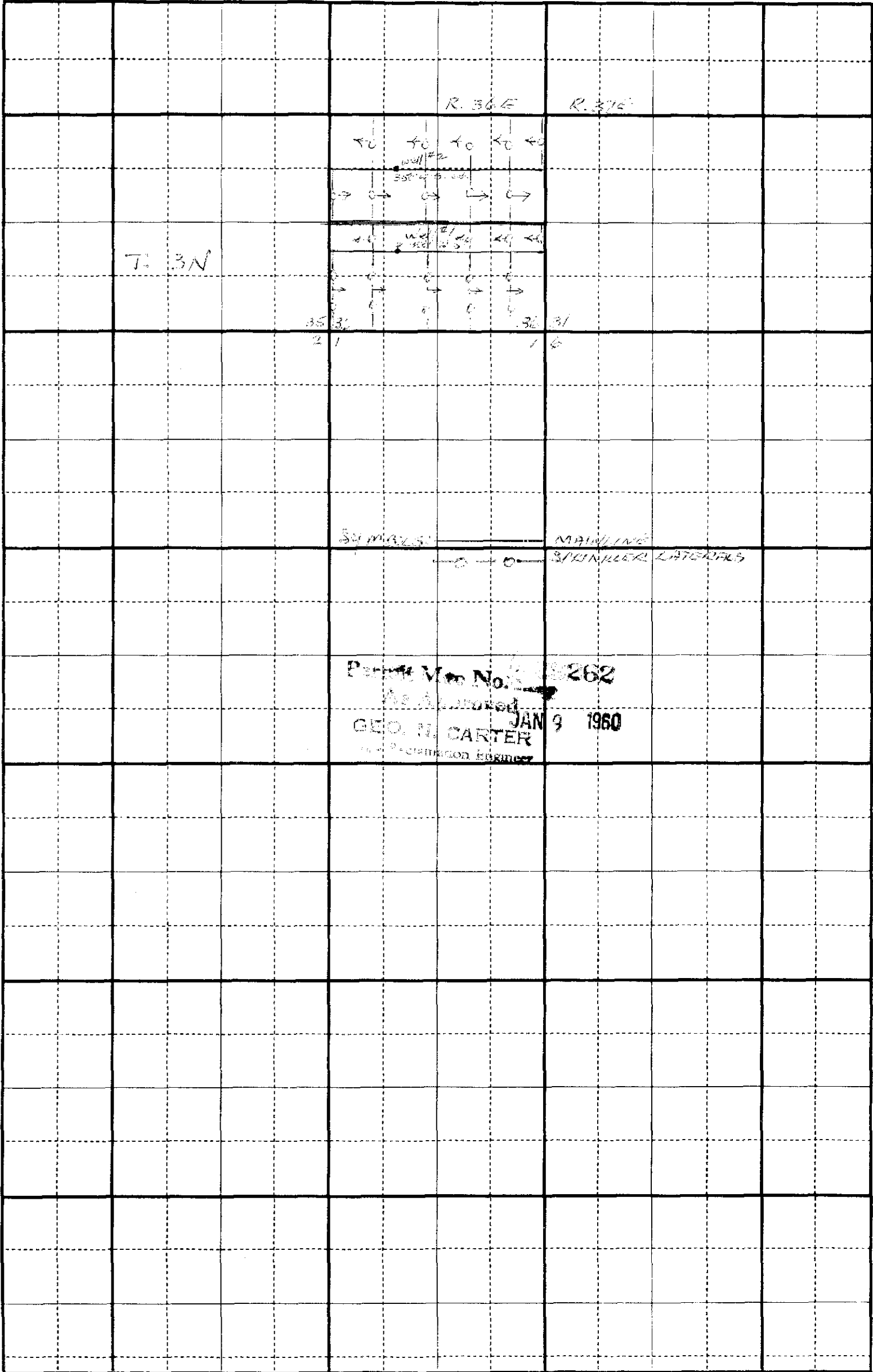
(Mrs.) Edna P. Hule
Chief Clerk

EPR:ew

29262 PT

NAME OF APPLICANT HARVEY E. SUMMERS

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and
BENEFICIAL USE**

APPLICATION OF WATER TO

Notice is hereby given that a 5 P.M., on the 8th day of January, 1966, at Rexburg, County of Madison, State of Idaho before W. B. Kennedy, Notary Public, at 5 West 1st South, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 12.8 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29262, 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 Harvey B. Summers, R.F.D. No. 1, Sugar City, 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 12.8 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 12.8 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, Twp. 3 N., R. 36 E.B.M.

5. The place where said water is used is All of Section 36, Twp. 3 North, Range 36, E.B.M., Bonneville, County, Idaho.

6. The date of priority which said user is prepared to establish is December 30th, 1960.

CARL E. TAPPAN

State Reclamation Engineer

Published: Nov. 21, 26, Dec 5, 12, 7

27202