

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07491

Date of Priority: May 20, 1985

Maximum Diversion Rate: 7.00 CFS

Comes now FRANK SUMMERS INC
C/O KELLY SUMMERS
327 S 3000 E

SUGAR CITY ID 83448 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07491, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	7.00 CFS

LOCATION OF POINTS OF DIVERSION:

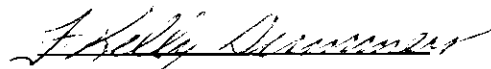
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 27, Twp 06N, Rge 40E, B.M., MADISON County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 27, Twp 06N, Rge 40E, B.M., MADISON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 40E 22		10.0	26.0						39.0	40.0	31.0	37.0		18.0	20.0		221.0
06N 40E 26									40.0	39.0	38.0	40.0					157.0
06N 40E 27	39.0	17.0	19.0	20.0	39.0	26.0	30.0	36.0	35.0	36.0	36.0	30.0		28.0	38.0		429.0
06N 40E 34		38.0	39.0	1.3	29.0	40.0	35.0	36.0		26.0	35.0	1.3					280.6

Total Acres: 1087.6

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 20 day of February, 2006.


(Signature)

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FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee = 50.00 Received by PM # C000502 Date 3-6-06

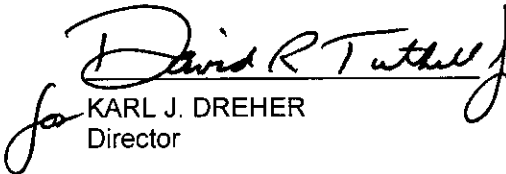
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07491 with the following:

CONDITIONS OF APPROVAL

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. Right 22-2219 is also diverted through the point of diversion located within the NWSW, S27, T06N, R40E.
3. Rights 22-2183, 22-2219 and 22-7491 when combined shall not exceed a total annual maximum diversion volume of 3810.0 af at the field headgate, and the irrigation of 1087.6 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 28th day of March, 2006.


KARL J. DREHER
Director