

Ident. No. 23-11333

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

221-9819 (cell)

1. Name of Applicant Tom Summers Phone 527-5523
Mailing address 5505 Jupiter Hills DR, Idaho Falls, Id 83401
2. Source of water supply Little Pine Creek which is a tributary of Howlape Creek
3. Location of point of diversion is Township 3N Range 42E Sec. 29, in the SE $\frac{1}{4}$,
NW $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot _____, B.M., Bonneville County;
additional points of diversion if any: SESWSW, Sec 29, T3N, R 42E
4. Water will be used for the following purposes:
Amount 0.20 for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Diversion dam for flood
irrigation
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

3. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	42E	29									6	7.4	6.8						20.2

Total number of acres to be irrigated 20.2

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? Applicants

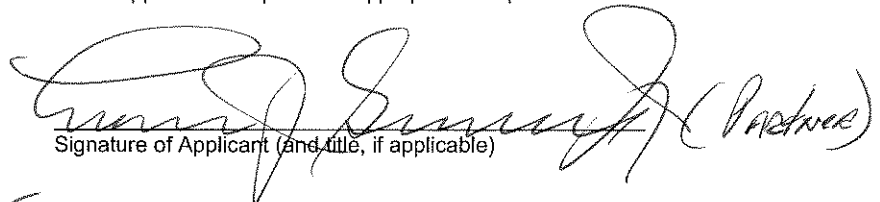
b. Who owns the land to be irrigated or place of use? Applicants

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: Application based on 23-2071 (T3520). T3520 moved the point of diversion from Little Pine Creek to Antelope Creek and changed the place of use. At the time (1990) the transfer was filed water from Little Pine Creek flowed into Antelope Creek. Brad Boyde Foster constructed a dam upstream on Antelope creek. When the flow of Antelope Creek stopped (By Foster's dam) water from Little Pine Creek simply sank and was unavailable at the New P/D. Consequently there was not sufficient water to implement T3520. Little Pine Ck is tributary to Antelope Creek both tributary to sinks. No other Rights on Little Pine Creek (SEE ATTACHED)

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.) (SEE ATTACHED PAGE)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

Received by Kaw Date 10/12/05 Time 1536 Preliminary check by _____
Fee \$ 100.00 Received by Kaw # E031331 Date 10/12/05
Publication prepared by 5 Date 11/3 & 11/10/05 Published in Post Register
Publication approved _____ Date _____

Place of Use

29

T
3
N

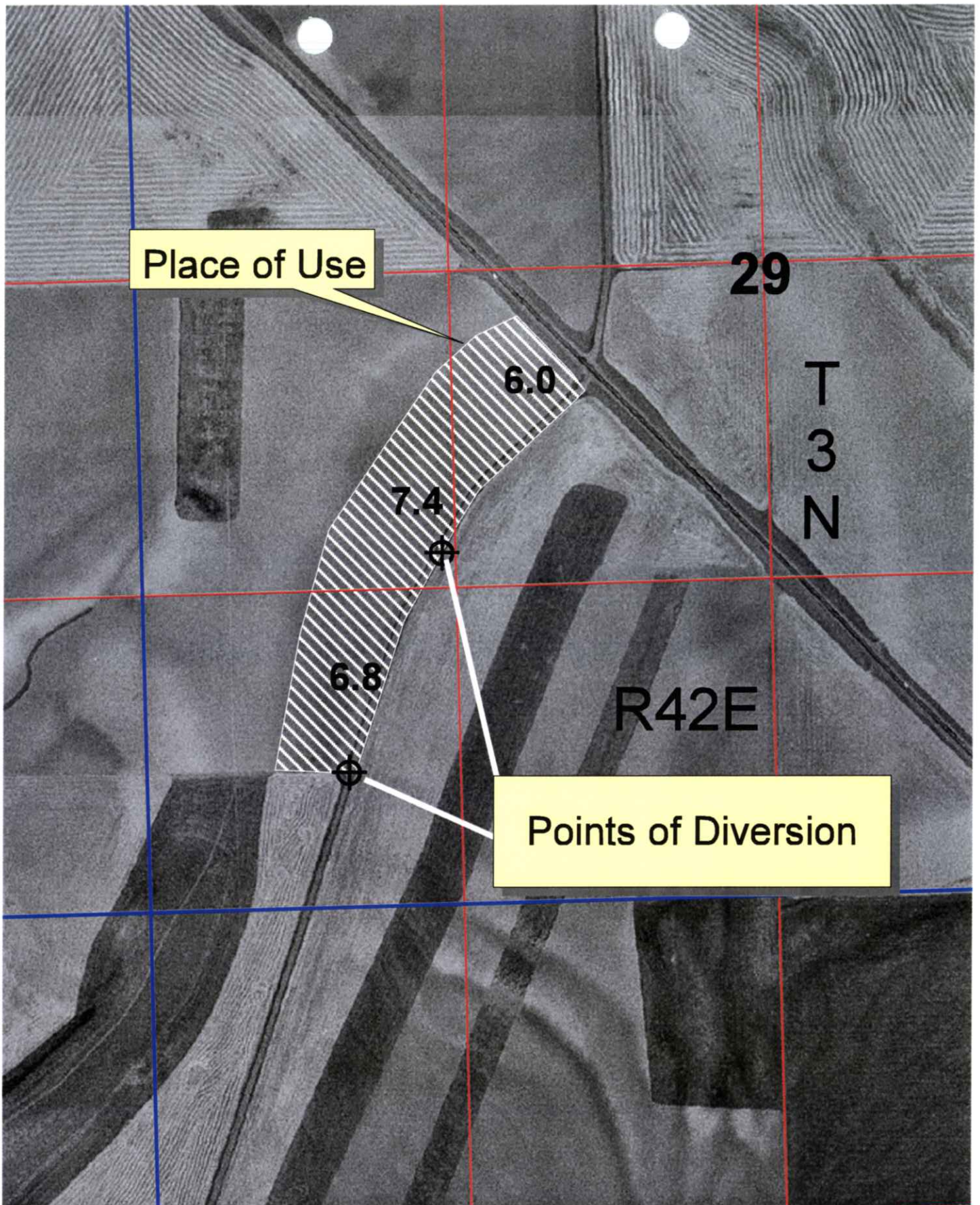
6.0

7.4

6.8

R42E

Points of Diversion



Application for Permit

Tom Summers
5505 Juniper Hills Dr
Idaho Falls, ID 83401

(208) 527-5523
(Cell) (208) 221-9809

12. Remarks: This application seeks a water right to divert water from Little Pine Creek. Water from Little Pine Creek is currently being used for irrigation of several hundred trees planted (about 2002) in cooperation with the USDA Riparian Stream Bed Protection Program.

The application is based on 23-2071 (T3520). Transfer 3520 was filed on 23-2071 to change the place of use and move the point of diversion from Little Pine Creek to Antelope creek. When filed in 1990, water from Little Pine Creek flowed into Antelope Creek and was available at the point of diversion on Antelope Creek. Subsequently Brad & Boyd Foster constructed a dam upstream on Antelope Creek. When the flow from Antelope Creek was stopped by the Foster's dam water from Little Pine Creek simply sank and was no longer available at the point of diversion. Consequently there was not sufficient water to effectively implement the change approved under transfer 3520.

Right 23-2071, as changed by transfer number 3520, was disallowed in the Snake River Basin Adjudication based on non-use at the point of diversion and place of use from Antelope Creek.

Little Pine Creek is tributary to Antelope Creek. Antelope Creek never reached the Snake River. Little Pine Creek and Antelope Creek are tributary to "sinks". There are no other water rights on Little Pine Creek.