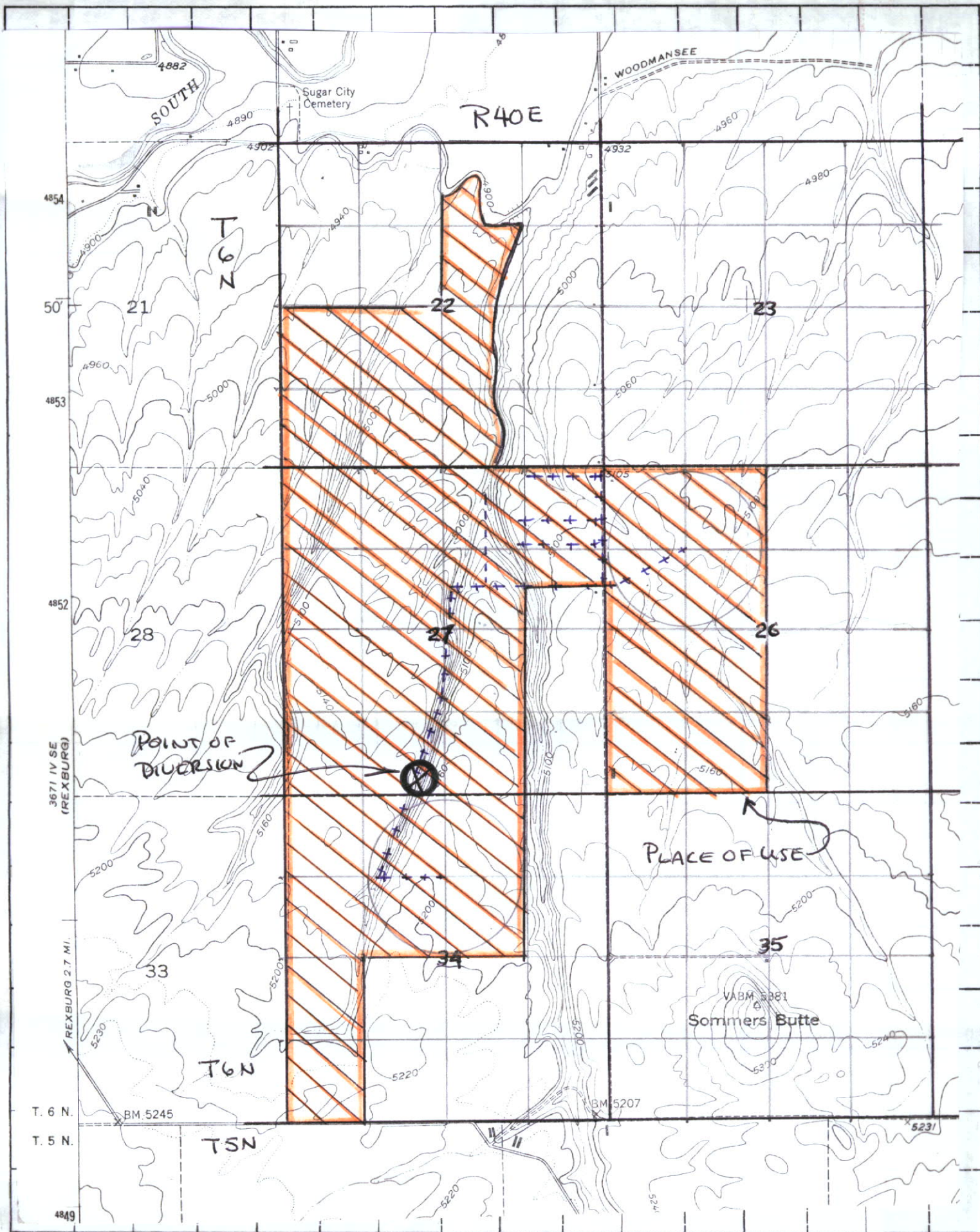


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

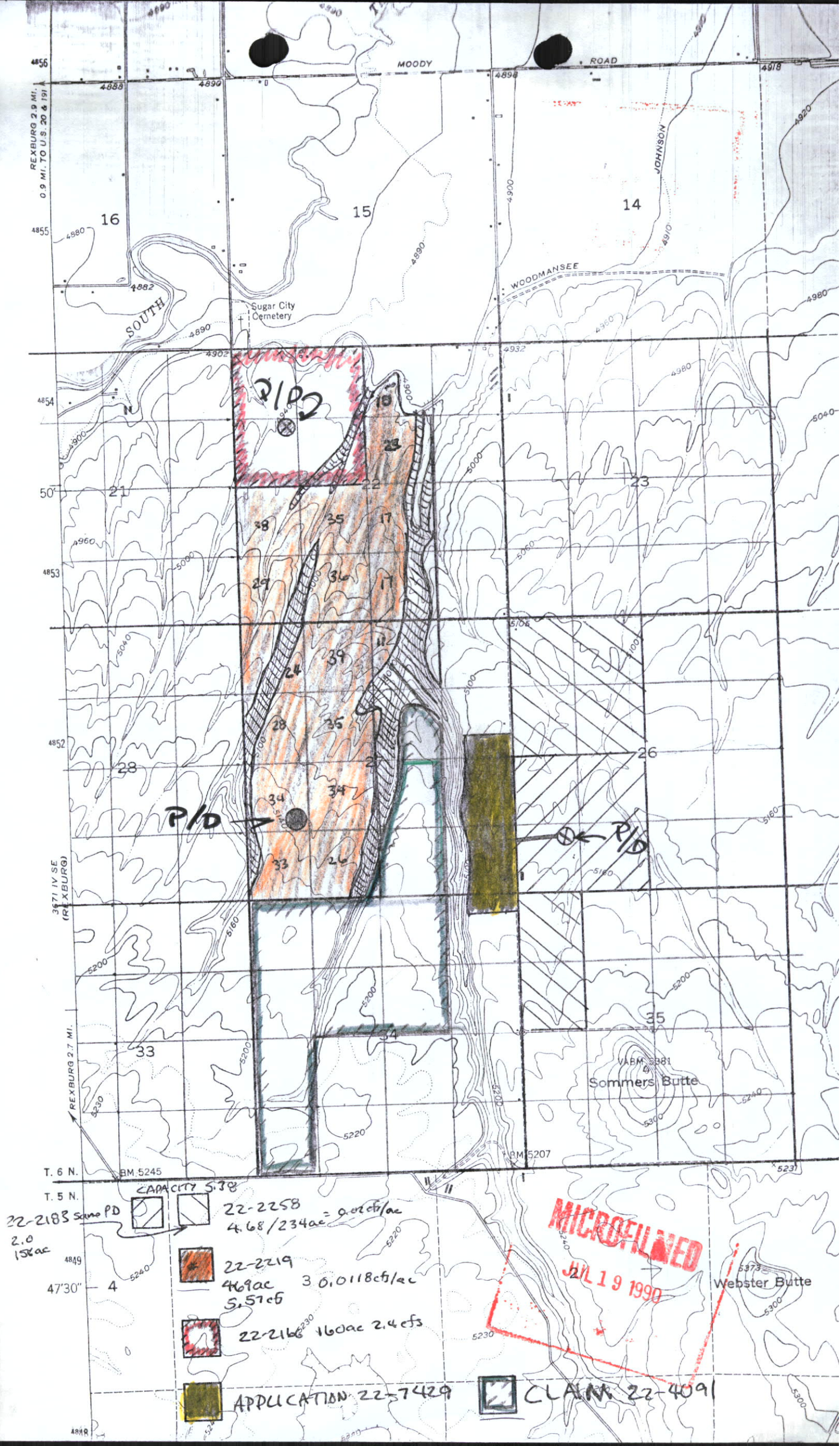


BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

JUL 19 1990

F. Kelly Summers
(Applicant)
Vice Pres Frank Summers, Inc.



PROOF OF PUBLICATION

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OCT 13 1989

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07491

FRANK SUMMERS INC.
ROUTE 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt:
SESW Sec 27 T 06N R 40E
Use: IRRIGATION (7.000 CFS)
Date Filed: 5-20-1985
In: T06N R40E S22 NWNE SWNE
NESW NWSW SWSW SESW NWSE
SWSE
S26 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
S27 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW NESW
NWSW SWSW SESW NWSE SWSE
S34 NWNE SWNE NENW NWNW
SWNW SENW NWSW SWSW
1313.0 ACRES TOTAL

22-07498

HUSKINSON, RANDY
RT. 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt:
SESW Sec 24 T 06N R 40E
SWSW Sec 24 T 06N R 40E
Use: IRRIGATION (.940 CFS)
Date Filed: 6-17-1985
In: T06N R40E S13 SESE
S24 NWNE NENW NWNW
47.0 ACRES TOTAL

22-07500

RICKS, DOUGLAS T.
139 BIRCH AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt:
NESE Sec 31 T 06N R 40E
Use: IRRIGATION (1.100 CFS)
Date Filed: 6-24-1985
In: T06N R40E S32 SWSW SESW
80.0 ACRES TOTAL

22-07502

COOK, STEPHEN B.
THOMAS, HELEN
244 WEST FIRST SOUTH
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt:
LOT 3 (SESW) Sec 4 T 05N R 40E
SWSW Sec 32 T 06N R 40E
Use: IRRIGATION (.800 CFS)
Date Filed: 6-27-1985
In: T06N R40E S32 SWSE
40.0 ACRES TOTAL

22-07503

FRANK SUMMERS INC.
RT. 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt:
NWNE Sec 26 T 06N R 40E
SWSW Sec 27 T 06N R 40E
Use: IRRIGATION (1.260 CFS)
Date Filed: 6-26-1985
In: T06N R40E S27 NENE NWNE
SENE
63.0 ACRES TOTAL

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

5 October	19 89		19
12 October	19 89		19
	19		19
	19		19
	19		19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 12th day of October in the year of 1989, before me, Sandra K. Wann

22-07506

SMITH, CRAIG J.
RT. 4 BOX 11
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt:
SWSW Sec 16 T 05N R 40E
Use: IRRIGATION (2.200 CFS)
Date Filed: 7-01-1985
In: T05N R40E S16 NESW NWSW
SWSW SESW
S21 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW NWSE
SWSE
S28 NENW NWNW
577.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 23, 1989.
S/R. Keith Higginson, Director
October 5, 12, 1989
No. 611

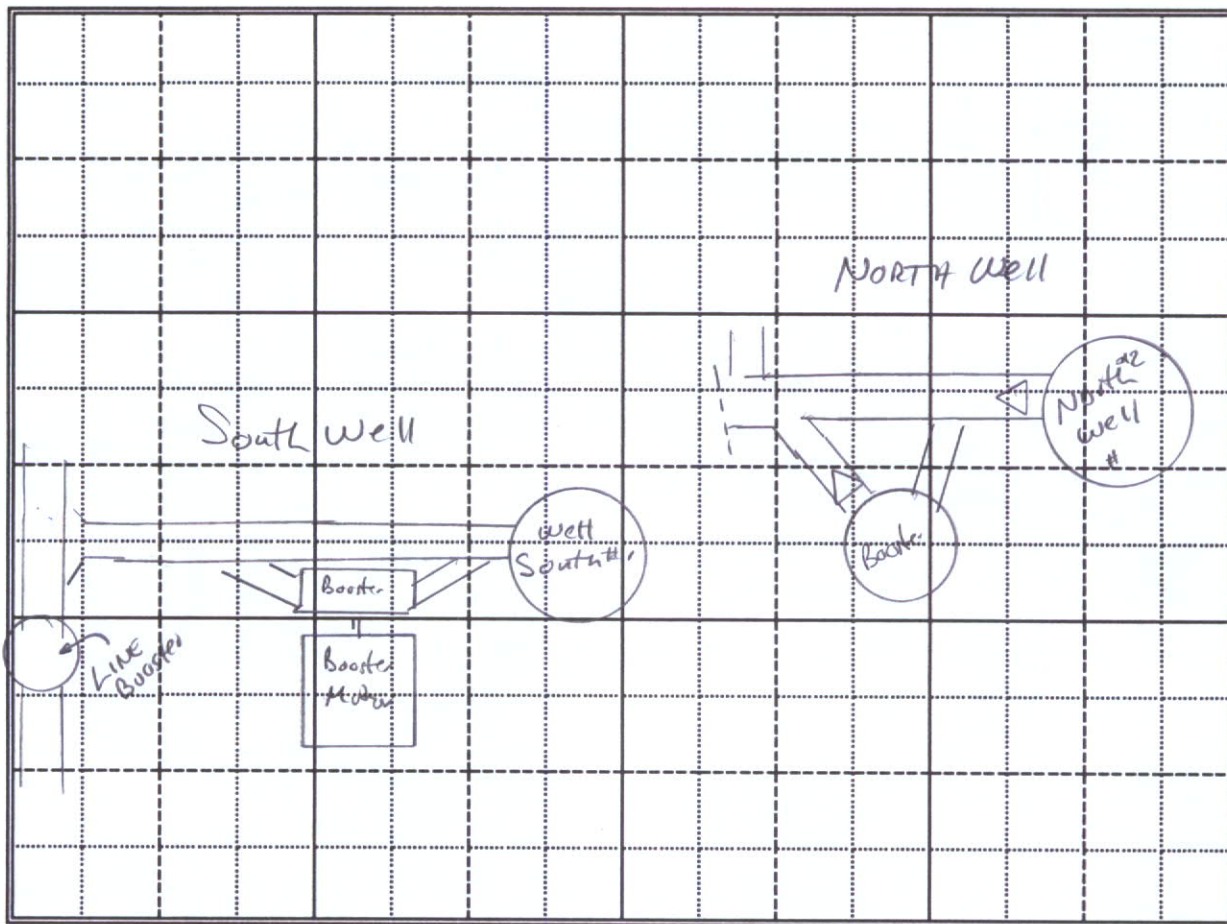
person whose name subscribed to the within instrument, declared that the statements therein are true, and the same.

Jim L. Hansen
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

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JUL 19 1990

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NORTH well #2	US Electric	350	1246109	Layne/Bowler	44813
North Booster	GE	100	# JKT918148	Johnston	TH287
South well #1	US Electric	350	4084233043907	Vertiline	12"
South Booster	GE	75	VD351703	Aurora	91-10393

*Code to correspond with No. on map and aerial photo

LINE Ditch US Motor

60 P4298992

Johnston

10"

D. FLOW MEASUREMENTS

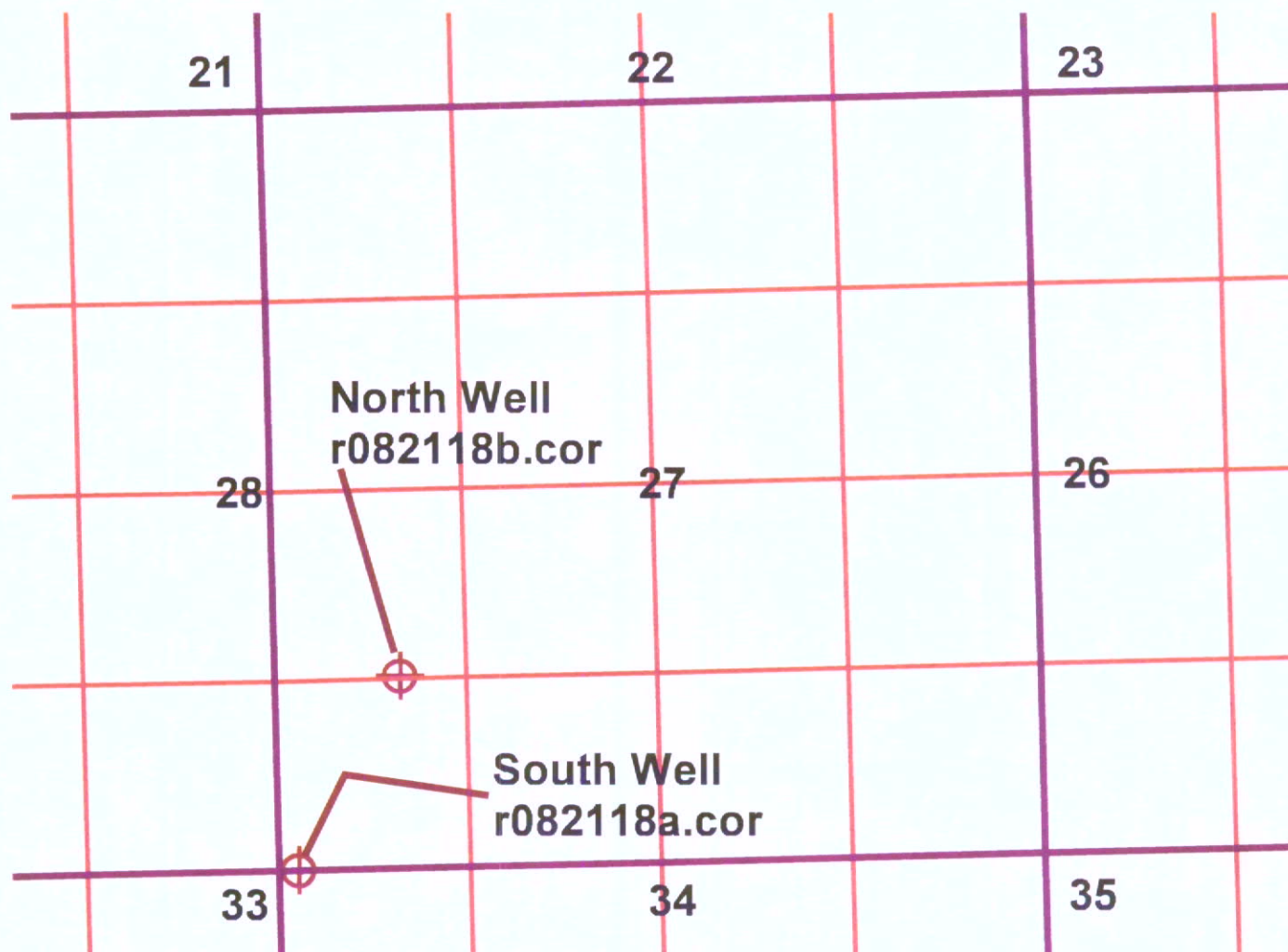
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic meter @ South well	Sonic	Fuji	FLC-51011	TK0089TB st:# 240333		
Sonic meter for North well	Sonic	Polysonic	TFP	149743 26863		

2. Measurements: Southwell May 5.46 cfs

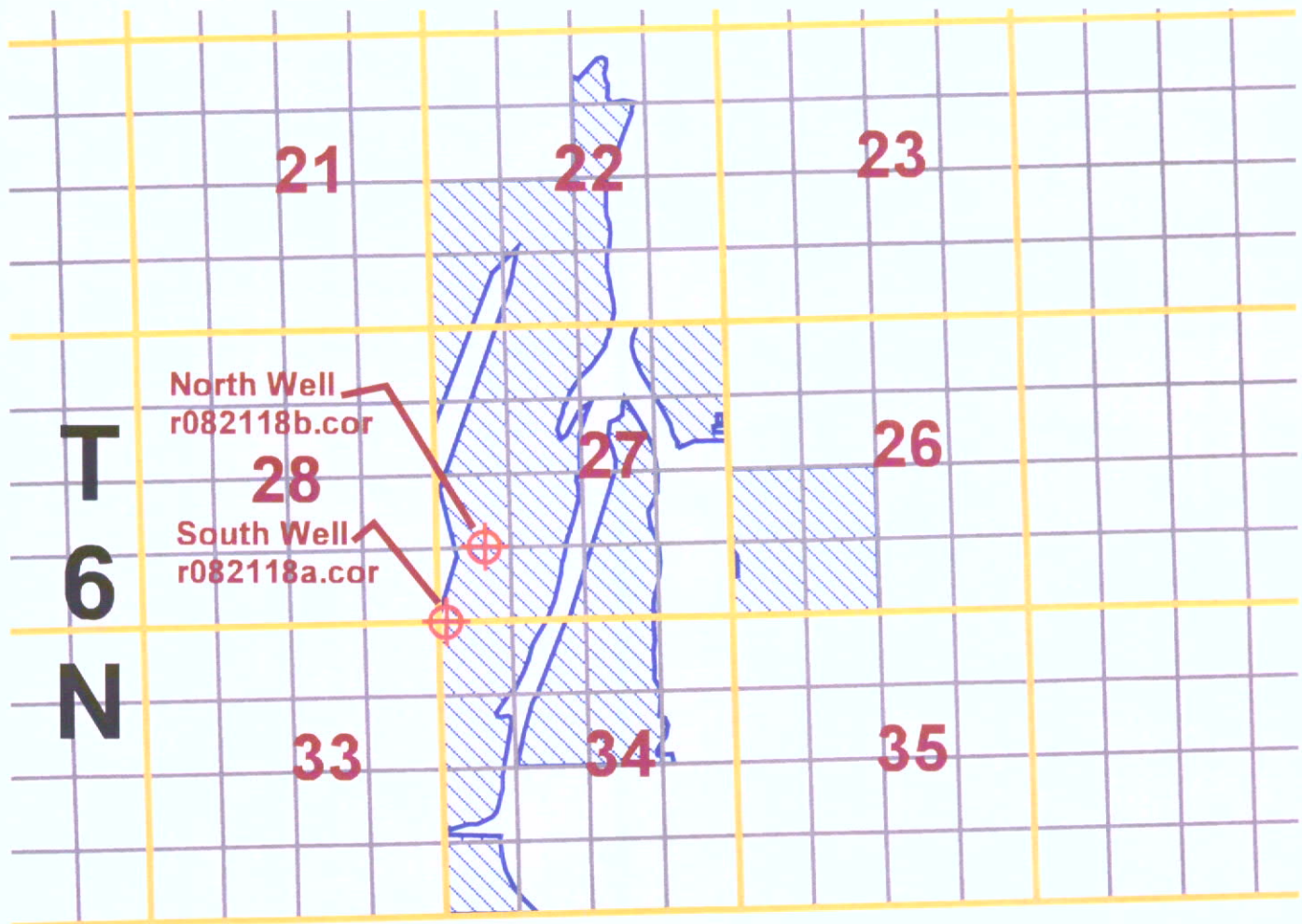
$$\text{North Well} = \left(\text{Observed East Pivot } 167 \text{ gpm} \right) + (2800 \text{ gpm}) = 3457 \text{ gpm} = 7.76 \text{ cfs}$$

$$Q_{\text{Total}} = 13.16 \text{ cfs}$$



-  S06n40e.shp
-  T06n40e.shp
-  Posnpnt.shp

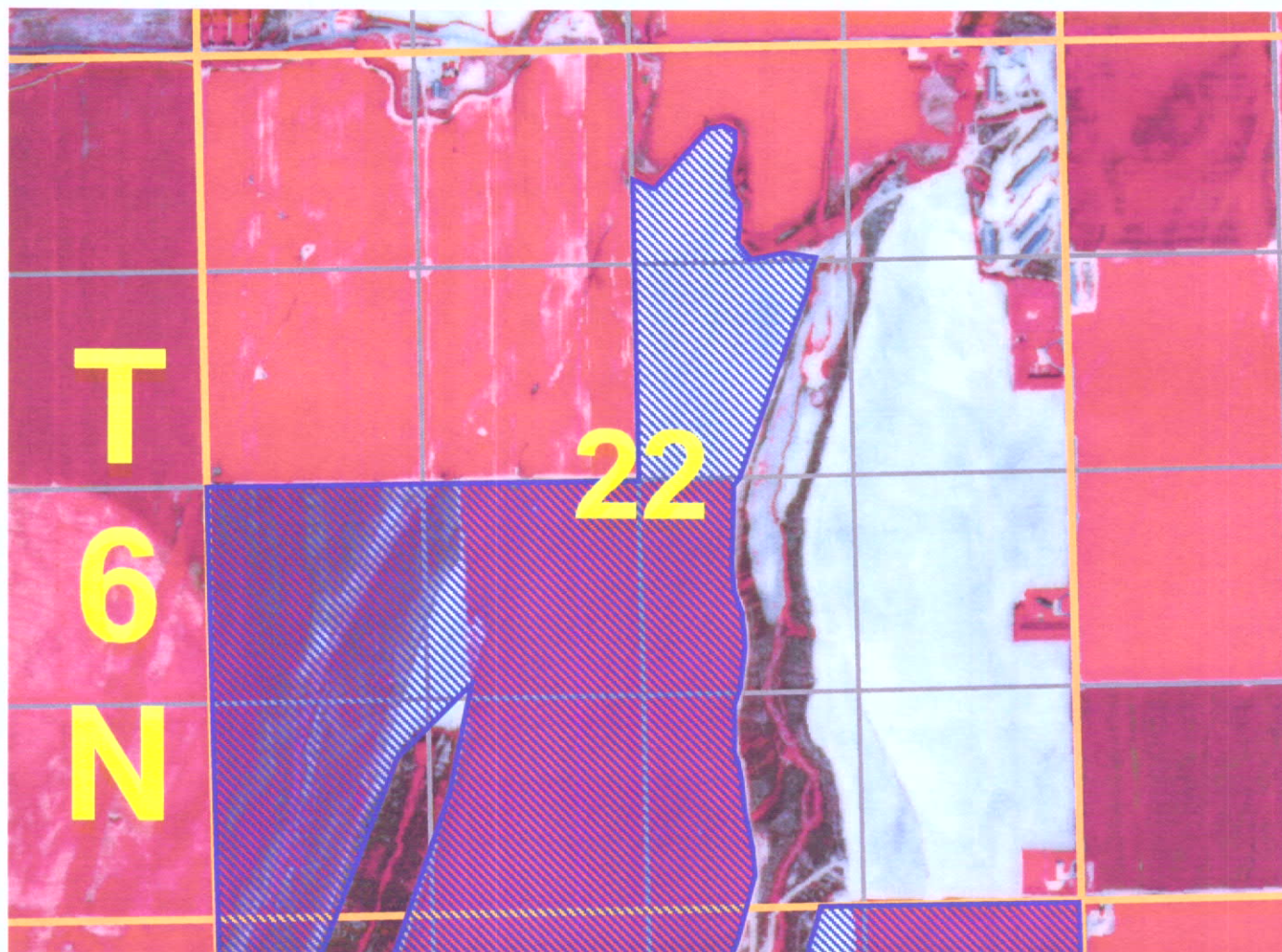
22-07491



-  Posnpnt.shp
-  S06n40e.shp
-  T06n40e.shp
-  22-7491pu.shp

R40E

22-07491



R40E

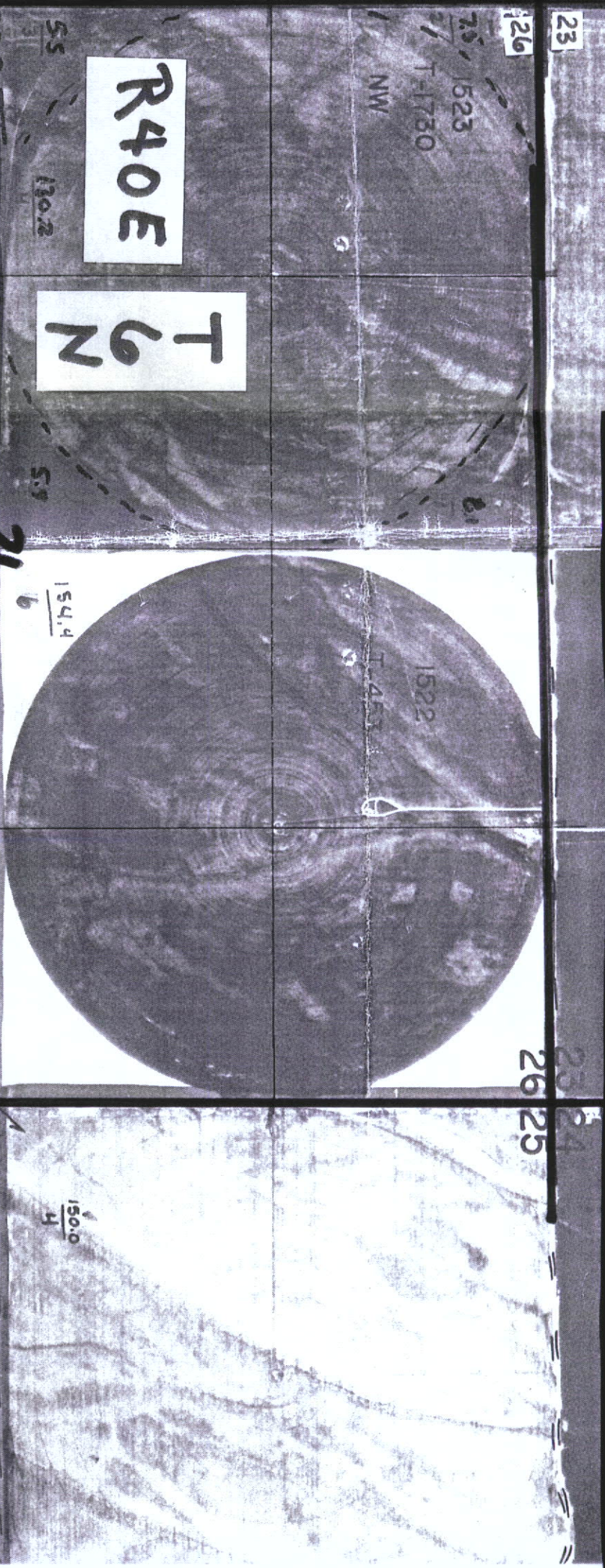
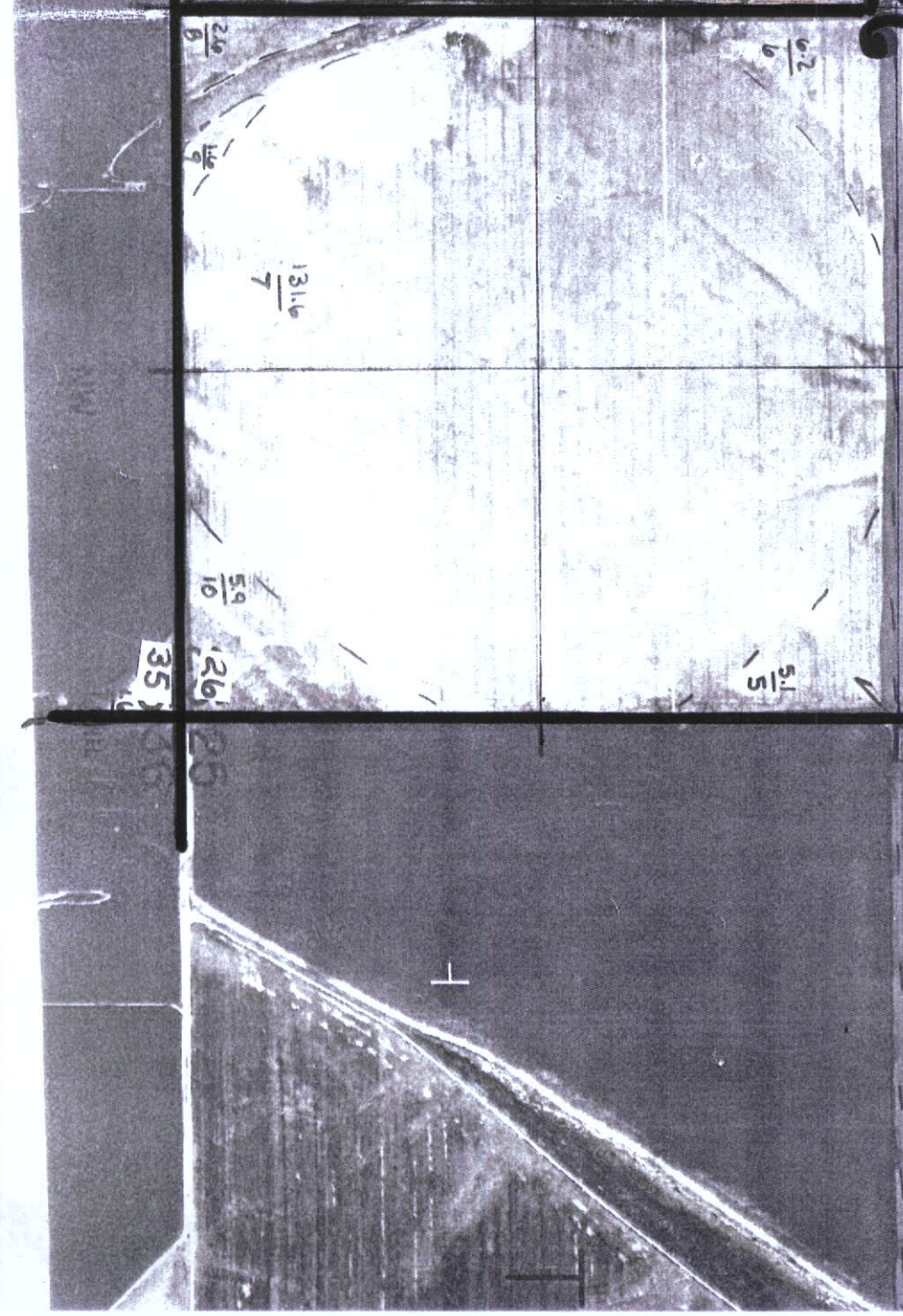
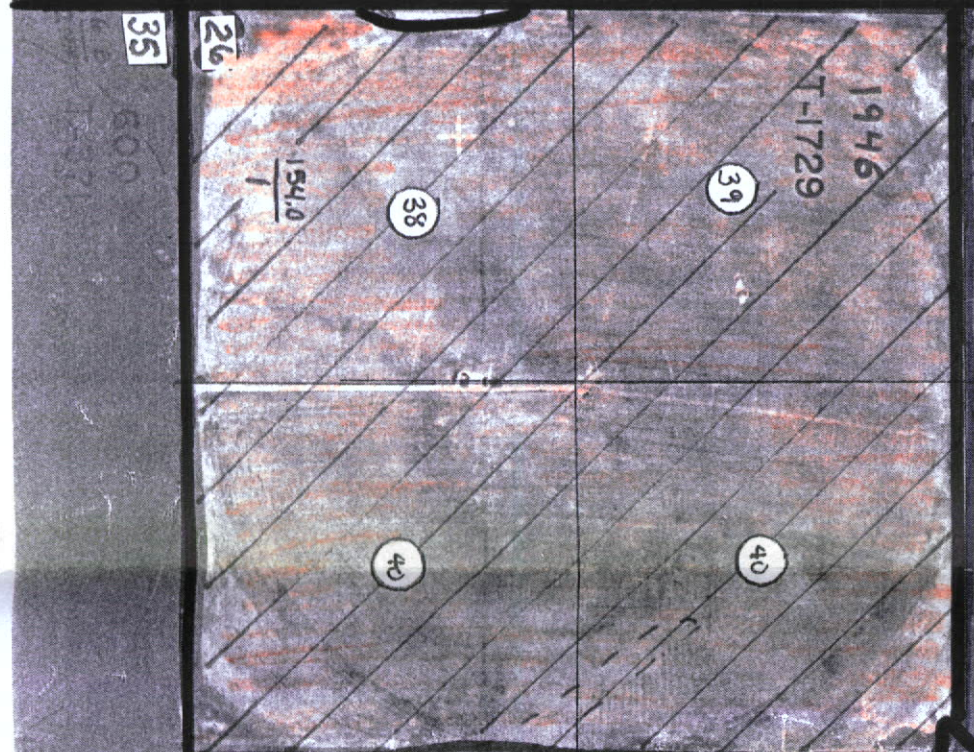
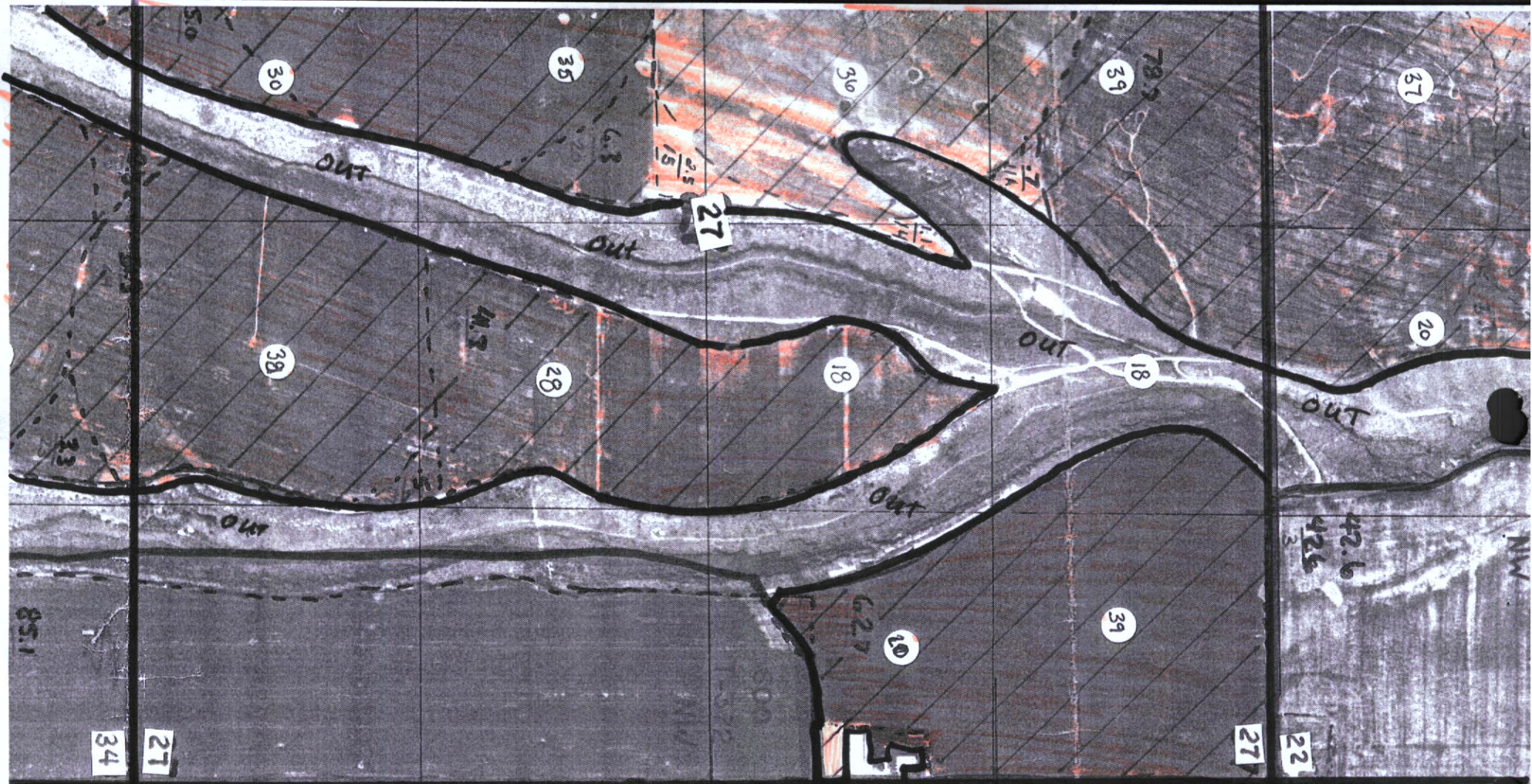
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-  S06n40e.shp
-  T06n40e.shp

22-07491

4-92

22

JUL/29/1997

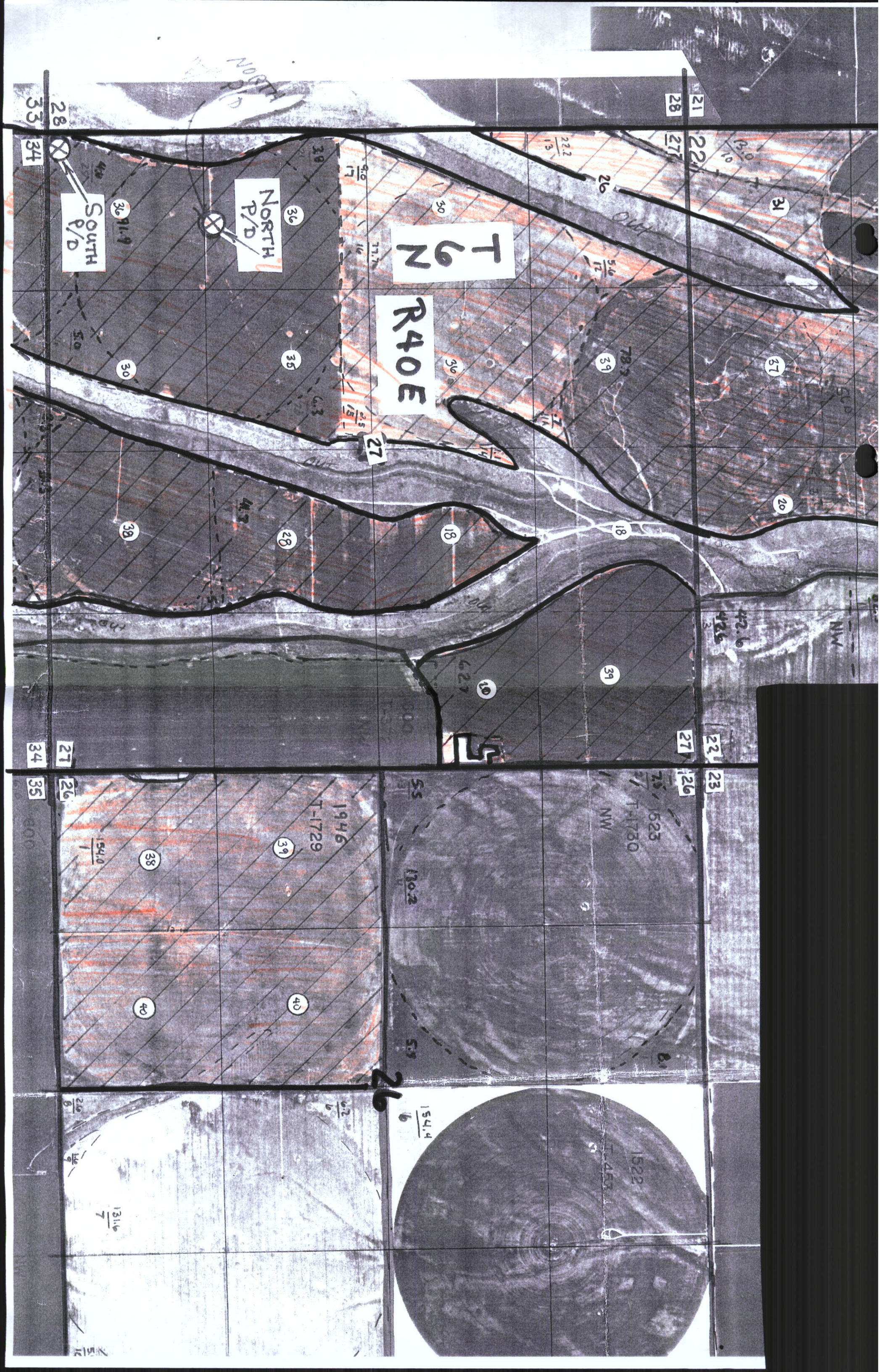


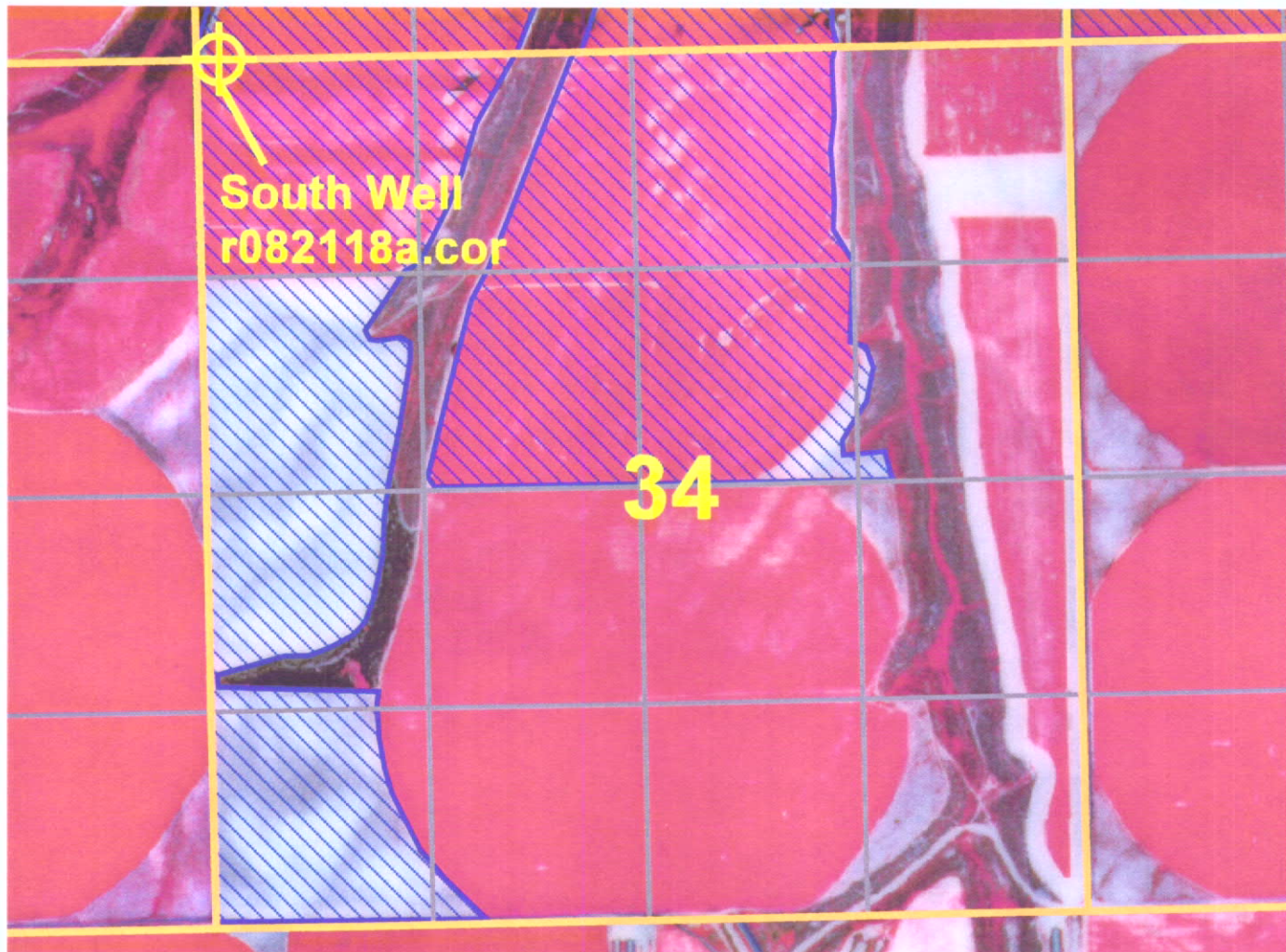


-  Posnpnt.shp
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-  T06n40e.shp
-  22-7491pu.shp

T R40E
6
N

22-07491





-  Posnpnt.shp
-  S06n40e.shp
-  T06n40e.shp
-  22-7491pu.shp

T **R40E**
6
N

22-07491

NOT TO SCALE

JUL/29/1997

33

34

36.5

35

1.2

$\frac{163.7}{4}$

T 9 N

R 40 E

34

34

35

$\frac{110.2}{12 \text{ INCH}}$

33

34

28

South
P/D

36.9

40

35

53.9

26

OUT

OUT

29

36

$\frac{104.0}{29}$

39

37

30

38

OUT

OUT

85.1

27

34

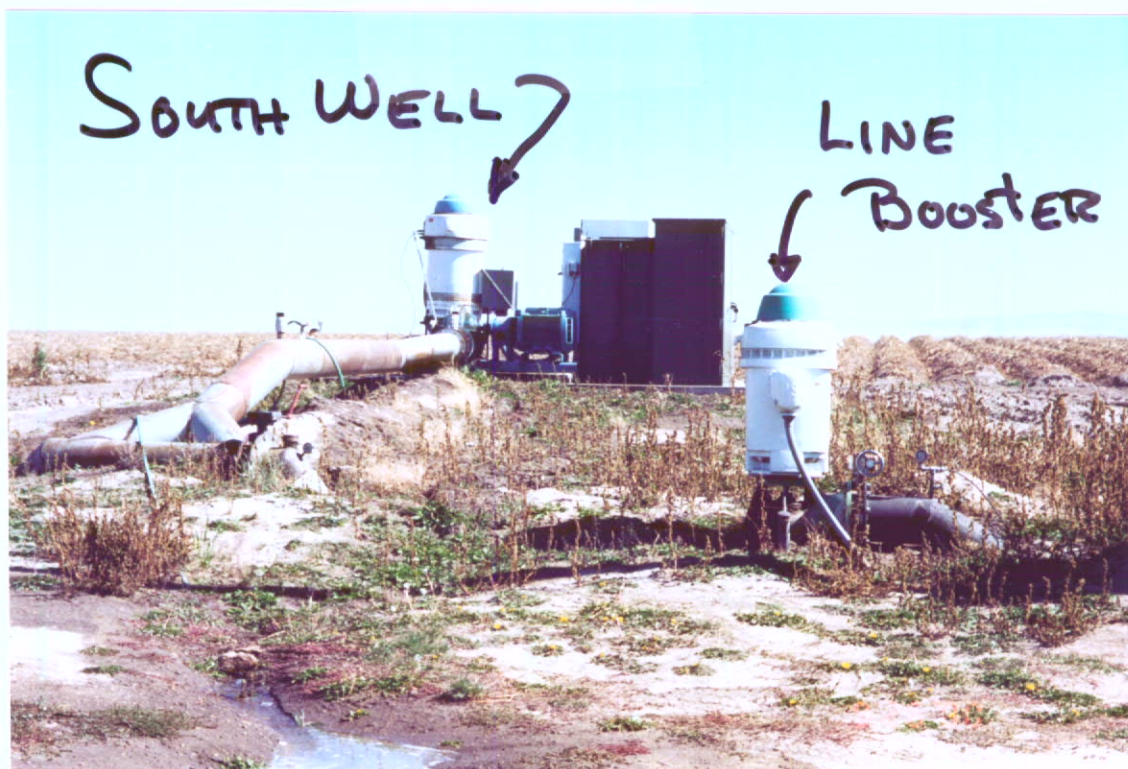
26

35

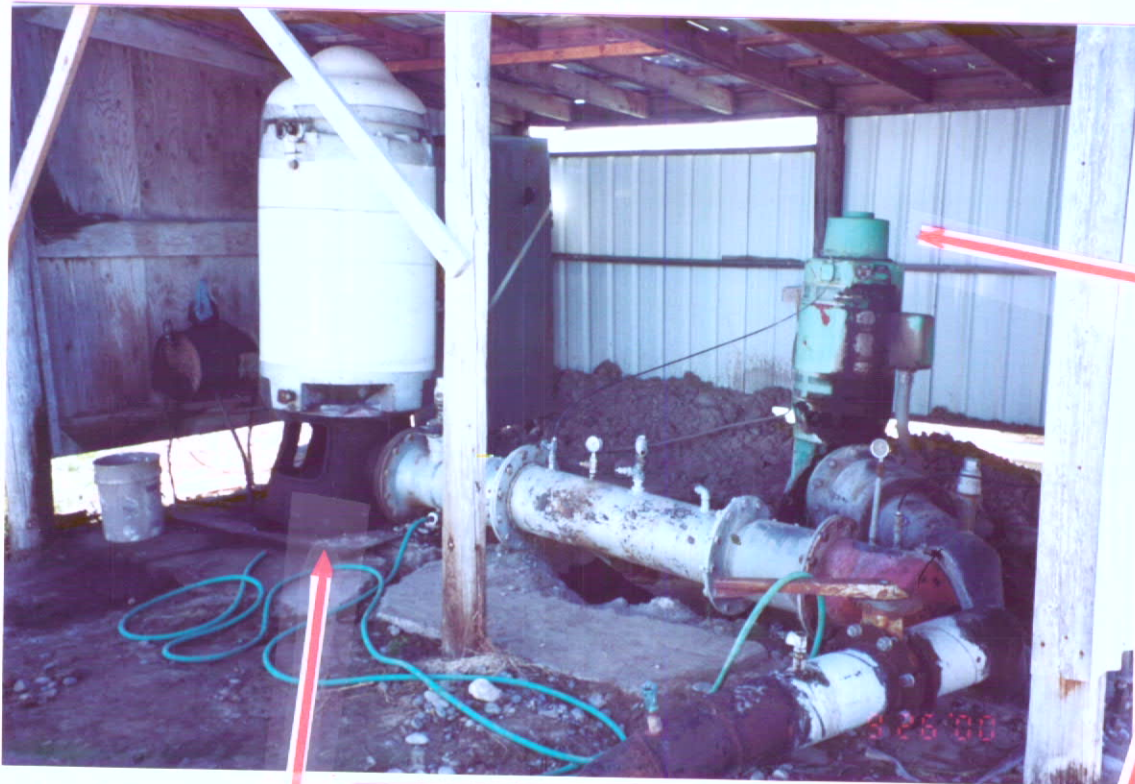
$\frac{26}{6}$

$\frac{14}{5}$

$\frac{5.9}{10}$



22-07491



NORTH WELL
BOOSTER

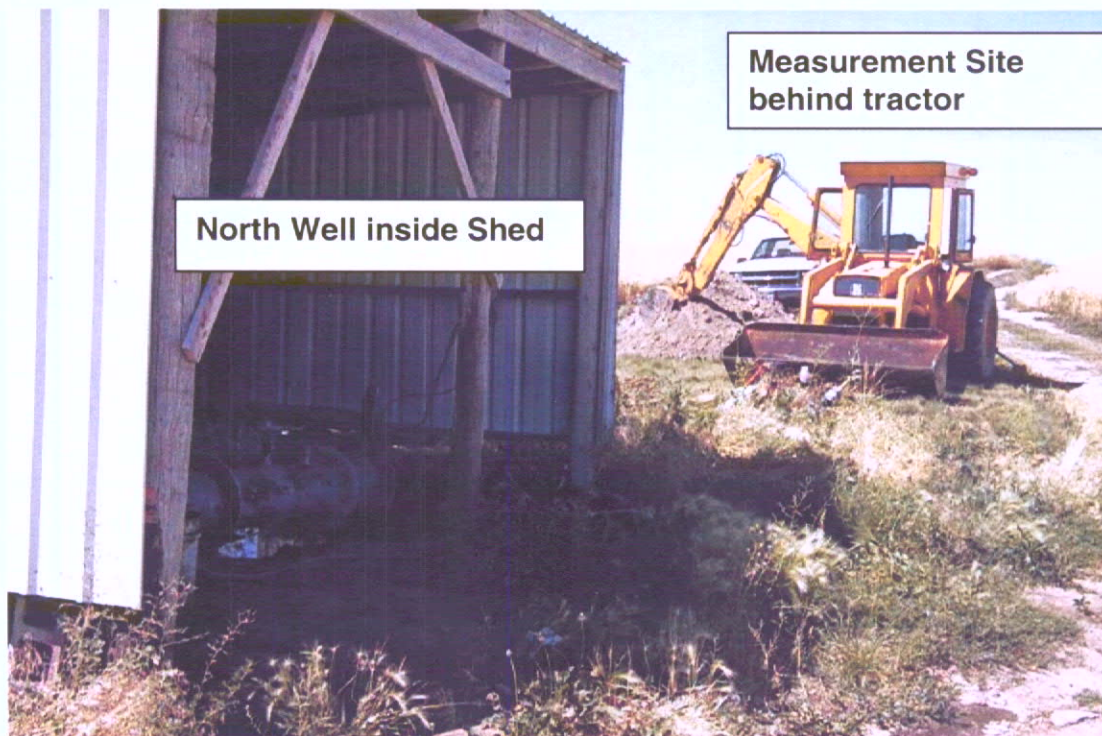


NORTH
Well

22-07491

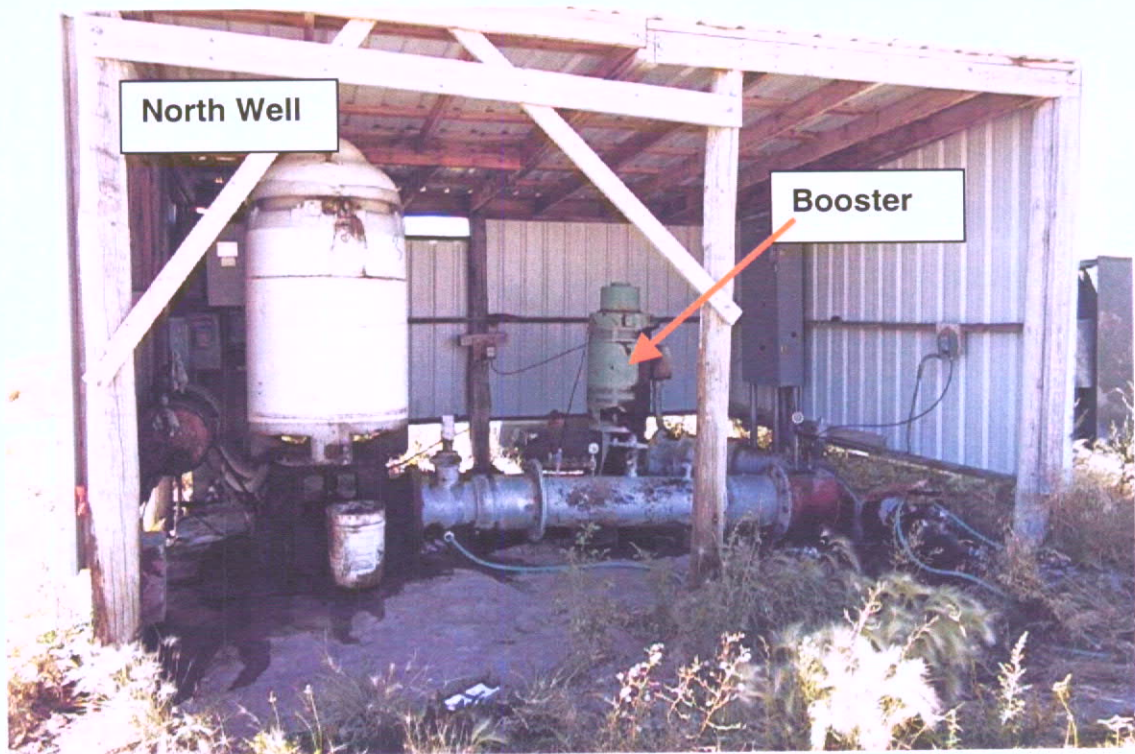


22-07491



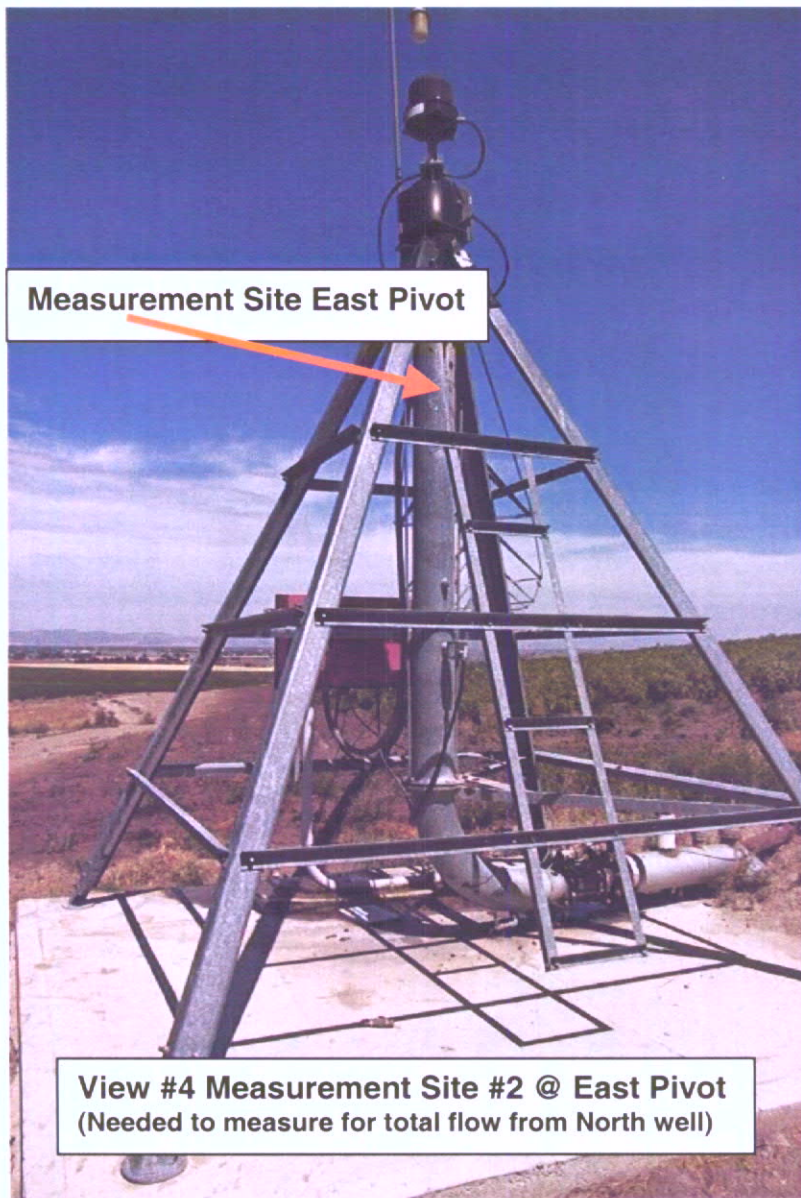
View #2 Measurement Site @ North Well

22-07491

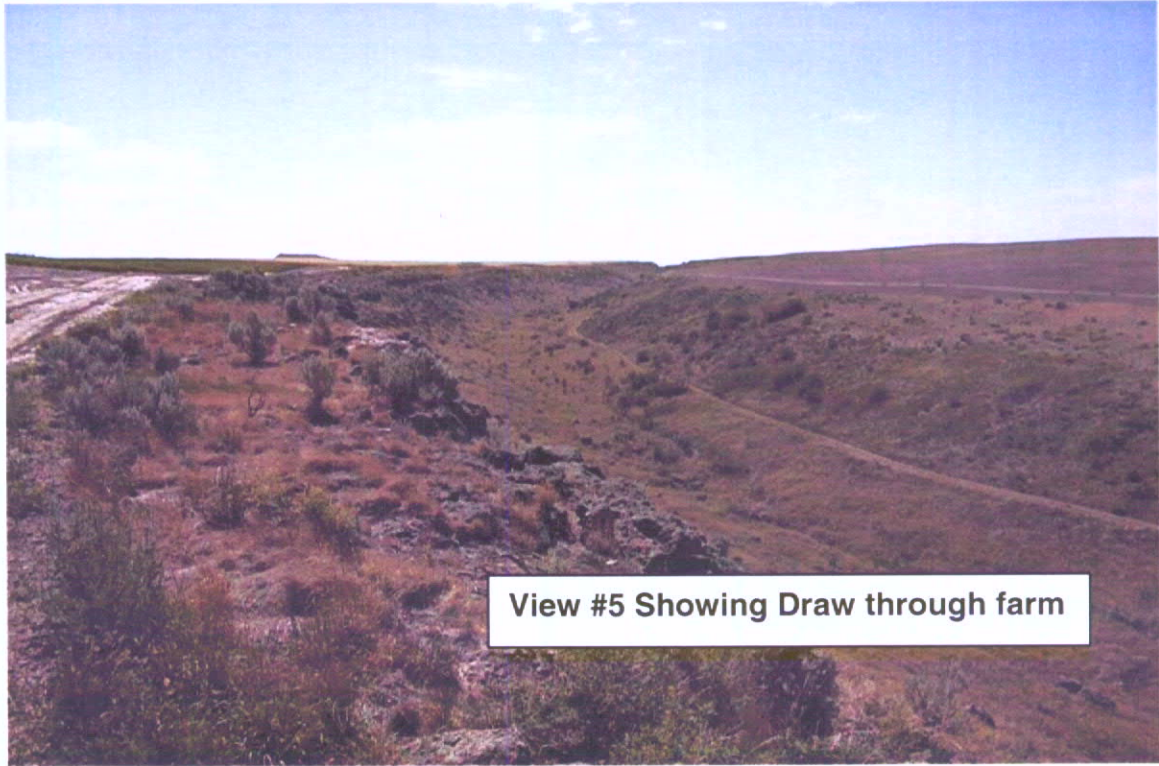


View #3 North Well & Booster

22-07491



22-07491



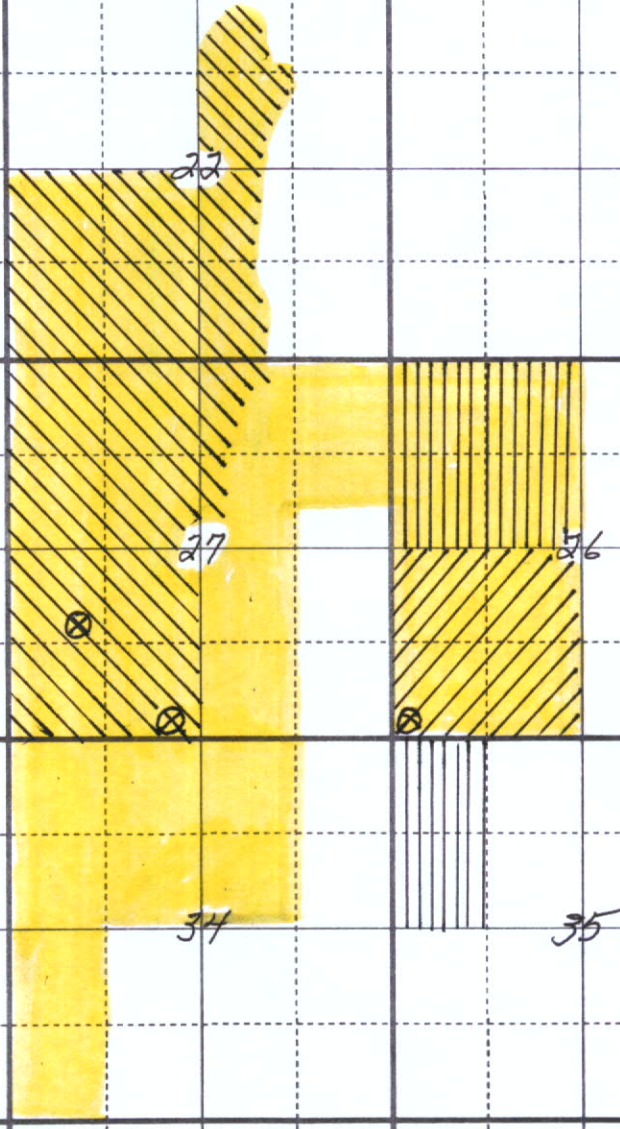
View #5 Showing Draw through farm

View #5 Needed to show that the draw through the farm was not irrigated.

22-07491

NAME OF APPLICANT Frank Summers 22-7491

Form No. 0

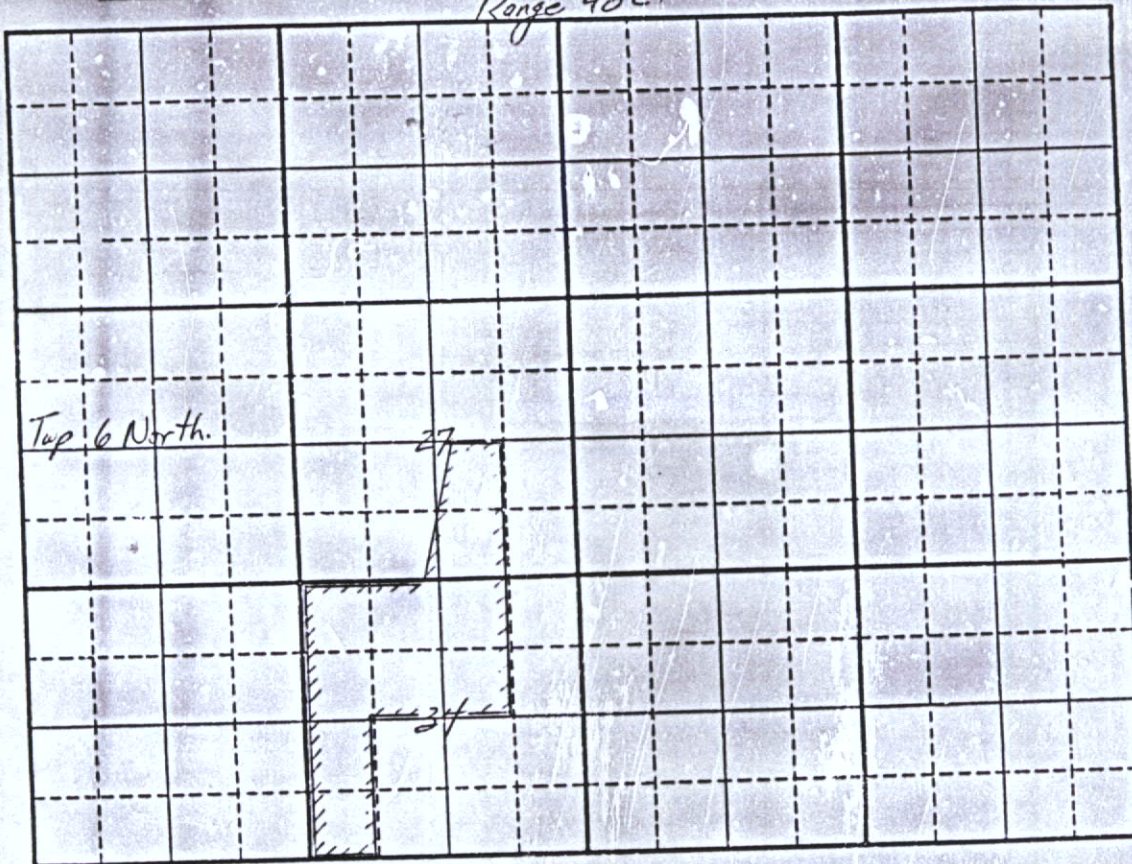


Application 22-7491
|||| License 22-2183 @ 0.013 cfs/acre
|||| License 22-2219 @ 0.012 cfs/acre
|||| License 22-2258 @ 0.02 cfs/acre

MICROFILMED
JUL 19 1990

(8) Remarks

Range 40c



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Malison

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge; affiant is President of Frank Summers, Inc.

Sworn to before me this 8th day of April, 1983

Notary Public
Residing at Rexburg

My commission expires 4-15-83

Received by AW Date 4-12-83 FOR DEPARTMENT USE ONLY
Prelim. check by HWS Date 4-19-83 Exception filed by:
\$30.00 fee received by AW Date 4-19-83 #28068
Published in Starline Journal
Dates 4/26 & 5/5/83

Forwarded to
claimant by

Date

MICROFILME

JUL 19 1990

RECEIVED
OCT 19 1990

STATE OF IDAHO

APPROVED

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now FRANK SUMMERS, INC.Phone 356-5375of (address) 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. 22-7491, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 34, Township 06N, Range 40E, B.M.,
County of Madison. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 7.00 for irrigation purposes from 4/1 to 11/1 (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)

3. Place of use or land to be irrigated:

NO CHANGE

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated = 1313

4. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or the place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

DEC 07 1990

Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

Signed at _____, this 19 day of Sept., 19 90.

F. Kelly Summers
(Signature)
Pres. Frank Summers, Inc.

Preliminary check by Jim Fee = \$20.00

Received by EMC Date SEPT. 19, 1990

Publication prepared by N/A Date

Published in

Publication dates

MICROFILMED

DEC 6 7 1990

I, L. GLEN SAXTON, of the Department of Water Resources hereby
approve the above referenced application for amendment provided the conditions as
set forth in permit No. 22-07491 are met.

Witness my hand this

14th day of November, 1990

Chief, Water Alloc. Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07491

Proposed Priority: May 20, 1985 Maximum Diversion Rate: 7.00 CFS
This is to certify, that **FRANK SUMMERS INC.**

RT. 1

SUGAR CITY, ID 83448

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	7.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SESW Sec. 27, Township 06N, Range 40E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 40E 22	NWNE 10	SWNE 35	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NWSE 30	SWSE 30		265
26	NENW 40	NWNW 40	SWNW 40	
	SENE 40	NESW 40	NWSW 40	
	SWSW 40	SESW 40		320
27	NENE 40	NWNE 15	SWNE 25	
	SENE 20	NENW 40	NWNW 25	
	SWNW 35	SENE 40	NESW 35	
	NWSW 40	SWSW 38	SESW 30	
	NWSE 35	SWSE 40		458
34	NWNE 40	SWNE 40	NENW 20	
	NWNW 40	SWNW 30	SENE 30	
	NWSW 35	SWSW 35		270

Total number of acres irrigated: 1313

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1995**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

RECEIVED
JUL 19 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

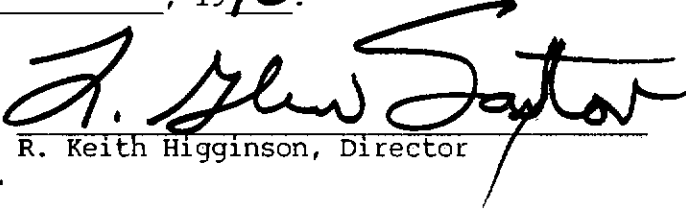
NO. 22-07491

CONDITIONS/REMARKS:

6. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

28th day of June, 1990.

for 
R. Keith Higginson, Director

MICROFILMED

JUL 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant FRANK SUMMERS INC. Phone 356-5375

Post office address Route 1, Sugar City, ID 83448

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 6N

Range 40E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 7.0 cfs for Irrigation purposes from 4-1 to 11-1 (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:

a. 7.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, mainline, handlines, pivots.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20 inches; proposed depth of well is 500 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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19 1990

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	40E	27	40	15	25	20	40	25	35	40	35	40	38	30	35	40			458
		26					40	40	40	40	40	40	40	40					320
		34		40	40		20	40	30	30		35	35						270
		22		10	35						40	40	40	40		30	30		265

Total number of acres to be irrigated 1313

c. Describe any other water rights used for the same purposes as described above. _____

22-2183/2258/2219/4091

9. a. Who owns the property at the point of diversion Applicant

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

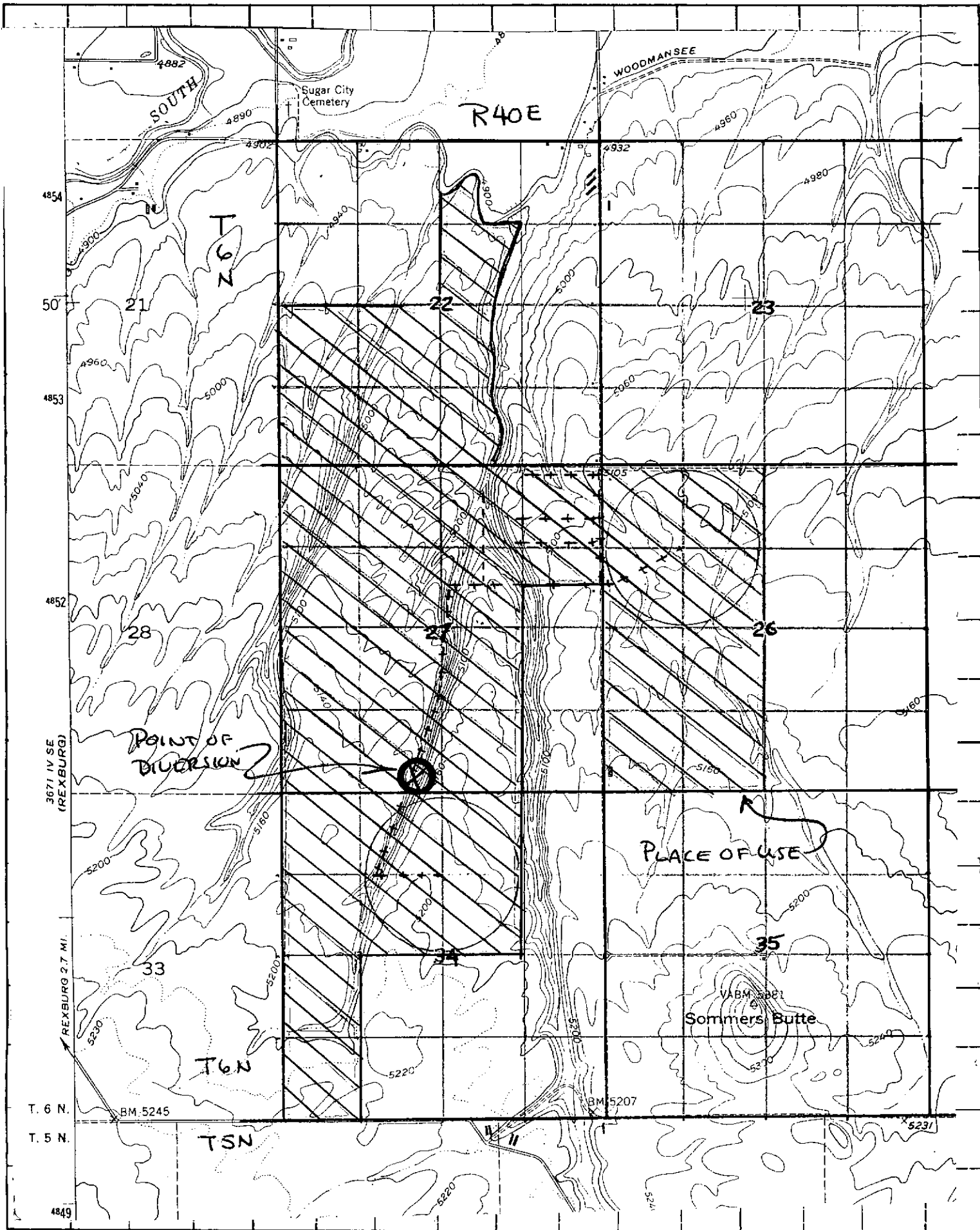
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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JUL 19 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

MICROFILMED

JUL 19 1990

F. Kelly Sumner
(Applicant)

Vice Pres. Frank Sumner, Inc.

ASSISTED BY KCCW 30 APRIL 1985

Received by EMC Date 5-20-85 Time 10:30

Preliminary check by fm Fee \$ 4165.00 33287

Receipted by CT Date 5-20-85

Publication prepared by RB Date _____

Published in Rexburg Standard-Journal

Publication dates 10-5-89 12-89

Publication approved RB Date 10-18-89

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by HWT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

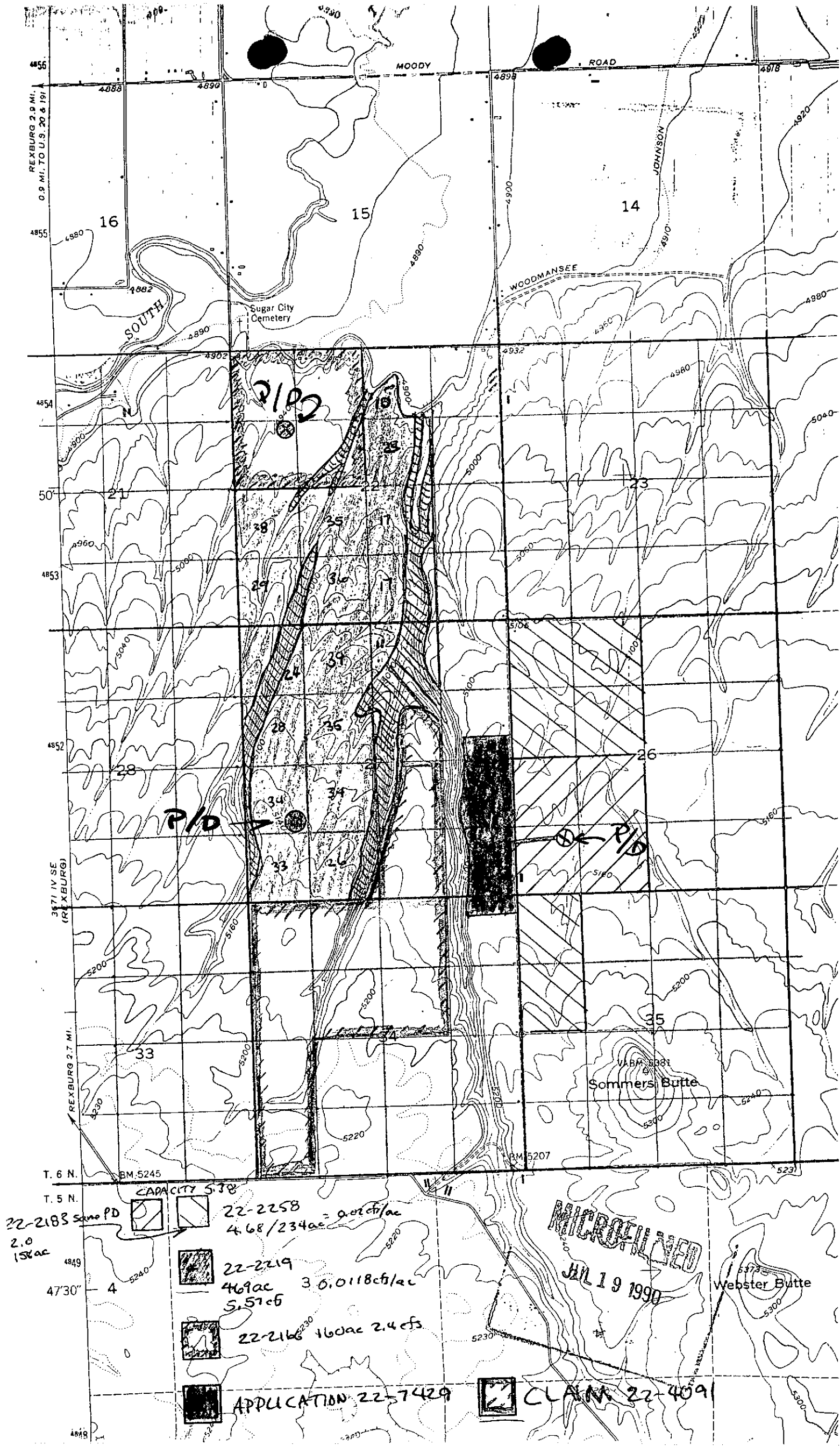
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

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PROOF OF PUBLICATION

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OCT 13 1989

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07491

FRANK SUMMERS INC.
ROUTE 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversión Pt:
SESW Sec 27 T 06N R 40E
Use: IRRIGATION (7,000 CFS)
Date Filed: 5-20-1985
In: T06N R40E S22 NWNE SWNE
NESW NWSW SWSW SESW NWSE
SWSE
S26 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
S27 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NWSW SWSW SESW NWSE SWSE
S34 NWNE SWNE NENW NWNW
SWNW SENW NWSW SWSW
1313.0 ACRES TOTAL

22-07498

HUSKINSON, RANDY
RT. 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversión Pt:
SESW Sec 24 T 06N R 40E
SWSW Sec 24 T 06N R 40E
Use: IRRIGATION (.940 CFS)
Date Filed: 6-17-1985
In: T06N R40E S13 SESE
S24 NWNE NENW NWNW
47.0 ACRES TOTAL

22-07500

RICKS, DOUGLAS T.
139 BIRCH AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt:
NESE Sec 31 T 06N R 40E
Use: IRRIGATION (1,100 CFS)
Date Filed: 6-24-1985
In: T06N R40E S32 SWSW SESW
80.0 ACRES TOTAL

22-07502

COOK, STEPHEN B.
THOMAS, HELEN
244 WEST FIRST SOUTH
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt:
LOT 3 (SESW) Sec 4 T 05N R 40E
SWSW Sec 32 T 06N R 40E
Use: IRRIGATION (.800 CFS)
Date Filed: 6-27-1985
In: T06N R40E S32 SWSE
40.0 ACRES TOTAL

22-07503

FRANK SUMMERS INC.
RT. 1
SKGAR CITY, ID 83448
Source: GROUNDWATER
Diversión Pt:
NWNE Sec 26 T 06N R 40E
SWSW Sec 27 T 06N R 40E
Use: IRRIGATION (1,260 CFS)
Date Filed: 6-26-1985
In: T06N R40E S27 NENE NWNE
SENE
63.0 ACRES TOTAL

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

5 October	19 89	19
12 October	19 89	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 12th day of October in the year of 1989, before me,
Sandra K. Wann

SMITH, CRAIG J.
RT. 4 BOX 11
REXBURG, ID 83440
Source: GROUNDWATER
Diversión Pt:
SWSW Sec 16 T 05N R 40E
Use: IRRIGATION (2,200 CFS)
Date Filed: 7-01-1985
In: T05N R40E S16 NESW NWSW
SWSW SESW
S21 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW NWSE
SWSE
S28 NENW NWNW
577.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 23, 1989.
S/R. Keith Higginson, Director
October 5, 12, 1989
No. 611

person whose name subscribed to the within instrument, declared that the statements therein are true, and the same.

John L. Hansen
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

MICROFILMED

JUL 19 1990

PROOF OF PUBLICATION

SEIVER

OCT 13 1989

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Sandra K. Wann

NOTICE OF APPLICATION FOR WATER RIGHT

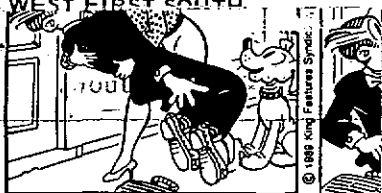
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07491
FRANK SUMMERS INC.
ROUTE 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt:
SESW Sec 27 T 06N R 40E
Use: IRRIGATION (7.000 CFS)
Date Filed: 5-20-1985
In: T06N R40E S22 NWNE SWNE
NESW NWSW SWSW SESW NWSE
SWSE
S26 NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
S27 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW NESW
NWSW SWSW SESW NWSE SWSE
S34 NWNE SWNE NENW NWNW
SWNW SENW NWSW SWSW
1313.0 ACRES TOTAL

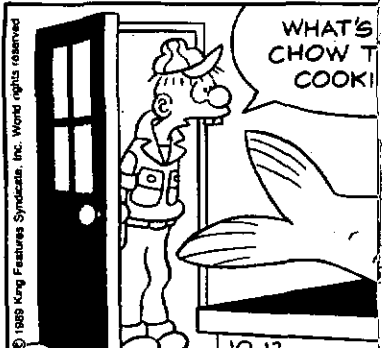
22-07498
HUSKINSON, RANDY
RT. 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt:
SESW Sec 24 T 06N R 40E
SWSW Sec 24 T 06N R 40E
Use: IRRIGATION (.940 CFS)
Date Filed: 6-17-1985
In: T06N R40E S13 SESE
S24 NWNE NENW NWNW
47.0 ACRES TOTAL

22-07500
RICKS, DOUGLAS T.
139 BIRCH AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt:
NESE Sec 31 T 06N R 40E
Use: IRRIGATION (1.100 CFS)
Date Filed: 6-24-1985
In: T06N R40E S32 SWSW SESW
80.0 ACRES TOTAL

22-07502
COOK, STEPHEN B.
THOMAS, HELEN
244 WEST FIRST SOUTH



Beetle Bailey®



being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

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12 October	19 89	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Wann

STATE OF IDAHO

COUNTY OF Bannock

On this 12th day of October in the year of 1989, before me, a Notary Public, personally appeared Sandra K. Wann, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

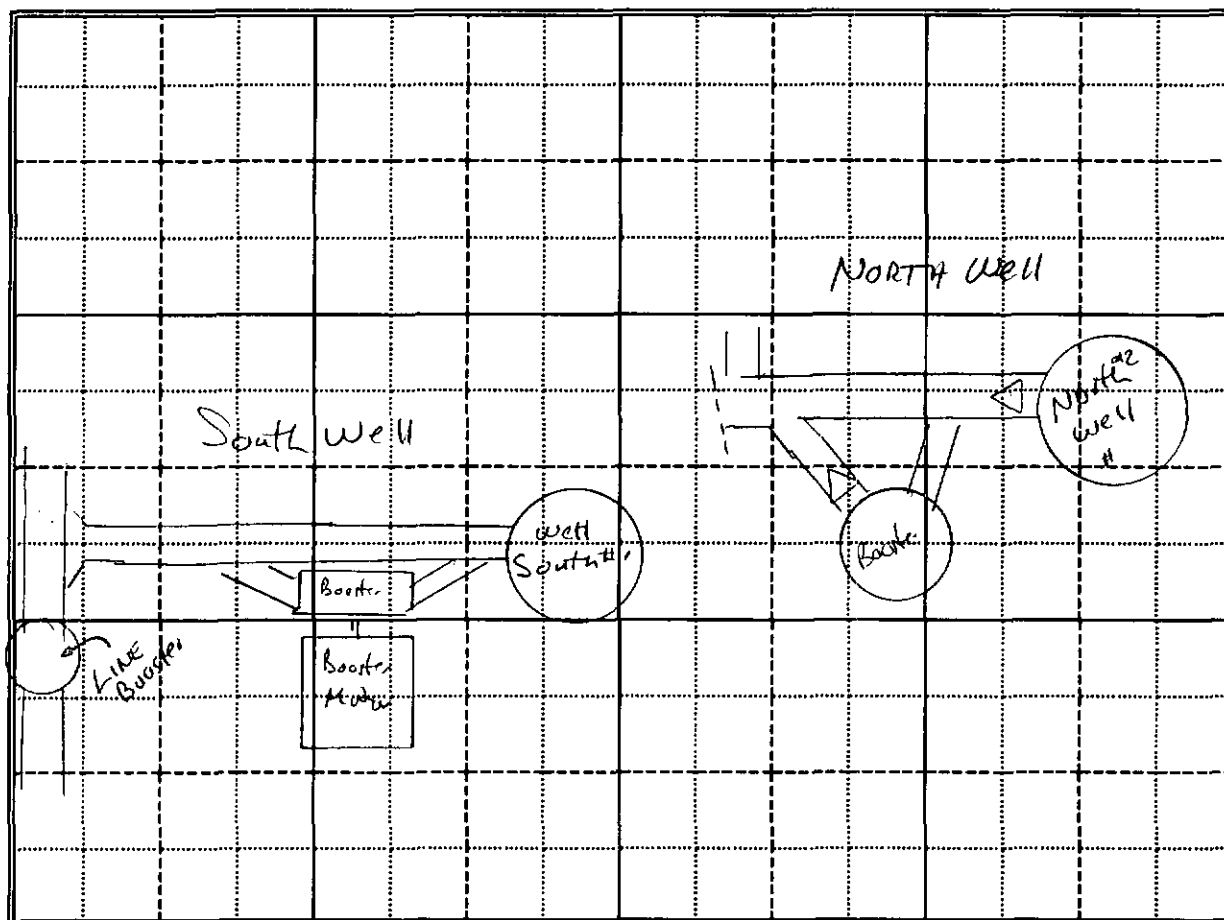
Jim L. Linsen
Notary Public for Idaho
Residing at Pocatello
My commission expires: July, 1991

MICROFILMED

JUL 19 1990

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NORTH well #2	US Electric	350	1246109	Layne/Bowler	44813
North Booster	GE	100	# JKJ918148	Johnston	771287
South well #1	US Electric	350	4084233043907	Vertiline	12"
South Booster	GE	75	VD351703	Quora	91-10393

*Code to correspond with No. on map and aerial photo

LINE BOILER US Motor

60 P4298992

Johnston

10"

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic meter @ South well	Sonic	Fuji	FLC-S1011	7K0089TB st# 240333		
Sonic meter for North well	Sonic	Polysonic	TFP	145743 26863		

2. Measurements: Southwell Max 5.46 cfs

$$\text{North Well} = \left(\frac{\text{Observed East Point}}{1657 \text{ gpm}} \right) + (2800 \text{ gpm}) = 3457 \text{ gpm} = 7.70 \text{ cfs}$$

$$Q_{\text{Total}} = 13.16 \text{ cfs}$$

08-09 11:2400 *R
+ 2.355E 3GPM

08-09 11:2400 *R
+ 2.394E 3GPM

08-09 11:2400 *R
+ 2.416E 3GPM

MODE SELECT
INPUT

OUTER DIAMETER
12.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1331 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.040 IN U

ZERO MODE
CLEAR

ZERO MODE
ZERO OPR

08-09 11:3000 *R
+ 2.491E 3GPM

08-09 11:3000 *R
+ 2.444E 3GPM

08-09 11:3000 *R
+ 2.403E 3GPM

MODE SELECT
T0 CHECK

0444.2 MMSEC
099.63 % T0

08-09 11:3100 *R
+002.70 % AI2

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.040 IN U

ZERO MODE
CLEAR

ZERO MODE
ZERO OPR

08-09 11:3000 *R
+ 2.491E 3GPM

08-09 11:3000 *R
+ 2.444E 3GPM

08-09 11:3000 *R
+ 2.403E 3GPM

MODE SELECT
T0 CHECK

0444.2 MMSEC
099.63 % T0

08-09 11:3100 *R
+002.70 % AI2

08-09 11:3200 *R
+ 2.766E 3GPM

08-09 11:3300 *R
+ 2.800E 3GPM

08-09 11:3300 *R
+ 2.685E 3GPM

08-09 11:3600 *R
+ 2.707E 3GPM

08-09 11:3600 *R
+ 2.728E 3GPM

08-09 11:3600 *R
+ 2.703E 3GPM

END CURV
turned off

Date 8-09-2001

Measurement
@ North well

22-07491

1000-40-1-10

1000-40-1-10
1000-40-1-10

MEASUREMNT TAPE

22-7491

1000-40-1-10

MODE SELECT
INPUT

OUTER DIAMETER
12.7500 IN

OUTER DIAMETER
8.00000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1080 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.798 IN U

ZERO MODE
CLEAR

MODE SELECT
DATA SET

DATA SET MODE
? FACTOR

SCALE FACTOR
100.00 %

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

08-09 10:2200 *R
+500.606E 06GPM

08-09 10:2300 *R
+515.663E 06GPM

08-09 10:2400 *R
+584.877E 06GPM

08-09 10:2400 *R
+570.083E 06GPM

08-09 10:2400 *R
+574.045E 06GPM

08-09 10:2400 *R
+624.238E 06GPM

08-09 10:2400 *R
+617.370E 06GPM

+574.045E 06GPM

08-09 10:2400 *R
+570.083E 06GPM

08-09 10:2400 *R
+574.045E 06GPM

08-09 10:2400 *R
+624.238E 06GPM

08-09 10:2400 *R
+617.370E 06GPM

08-09 10:2400 *R
+611.030E 06GPM

08-09 10:2500 *R
+572.725E 06GPM

08-09 10:2500 *R
+610.501E 06GPM

08-09 10:2500 *R
+589.632E 06GPM

08-09 10:2500 *R
+584.348E 06GPM

08-09 10:2500 *R
+597.557E 06GPM

08-09 10:2500 *R
+594.123E 06GPM

08-09 10:2500 *R
+579.065E 06GPM

08-09 10:2600 *R
+576.159E 06GPM

08-09 10:2600 *R
+600.463E 06GPM

08-09 10:2600 *R
+583.291E 06GPM

08-09 10:2600 *R
+605.746E 06GPM

08-09 10:2600 *R
+607.067E 06GPM

08-09 10:2600 *R
+611.030E 06GPM

08-09 10:2600 *R
+586.726E 06GPM

08-09 10:2700 *R
+576.159E 06GPM

08-09 10:2700 *R
+633.484E 06GPM

08-09 10:2700 *R
+633.484E 06GPM

MODE SELECT
INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1079 IN

INNER LINING
? NO LING.

08-09 10:2600 *R
+584.348E 06GPM

08-09 10:2700 *R
+576.159E 06GPM

08-09 10:2700 *R
+633.484E 06GPM

MODE SELECT
INPUT

OUTER DIAMETER
8.0000 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1079 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
5.798 IN U

08-09 10:2900 *R
+569.290E 06GPM

MODE SELECT
TO CHECK

0294.9 MMSEC
101.39 % TO

0294.7 MMSEC
100.78 % TO

0293.8 MMSEC
099.33 % TO

08-09 10:3700 *R
+003.00 % AI2

08-09 10:3800 *R
+598.078E 06GPM

Measurement of North well
@ EAST PIVOT
Recommend observed flow
Q = 657gpm

22-07491

8-9-2001
Sun. Piv. East Side Behind house
OBSERVED 657gpm
END Gun would NOT STAY ON

Date
8-09-2001

2.000
10.000

Handwritten to the
TODAY

MEASUREMENT TAPE

22-7491

PHOTOS

LOG NAME: 22-7491#1
START: 09-26-2000 12:17
END: 09-26-2000 12:22
INTERVAL:00:01:00

09-26-2000 12:17:00
+7.208E+0 ft/s
+2.449E+3 gal/m
+5.457E+0 ft3/s
+TOTAL 0000000 gal
-TOTAL 0000000 gal
NORMAL

09-26-2000 12:18:00
+7.057E+0 ft/s
+2.398E+3 gal/m
+5.343E+0 ft3/s
+TOTAL 0002382 gal
-TOTAL 0000000 gal
NORMAL

09-26-2000 12:19:00
+7.187E+0 ft/s
+2.442E+3 gal/m
+5.441E+0 ft3/s
+TOTAL 0004818 gal
-TOTAL 0000000 gal
NORMAL

09-26-2000 12:20:00
+7.166E+0 ft/s
+2.435E+3 gal/m
+5.425E+0 ft3/s
+TOTAL 0007246 gal
-TOTAL 0000000 gal
NORMAL

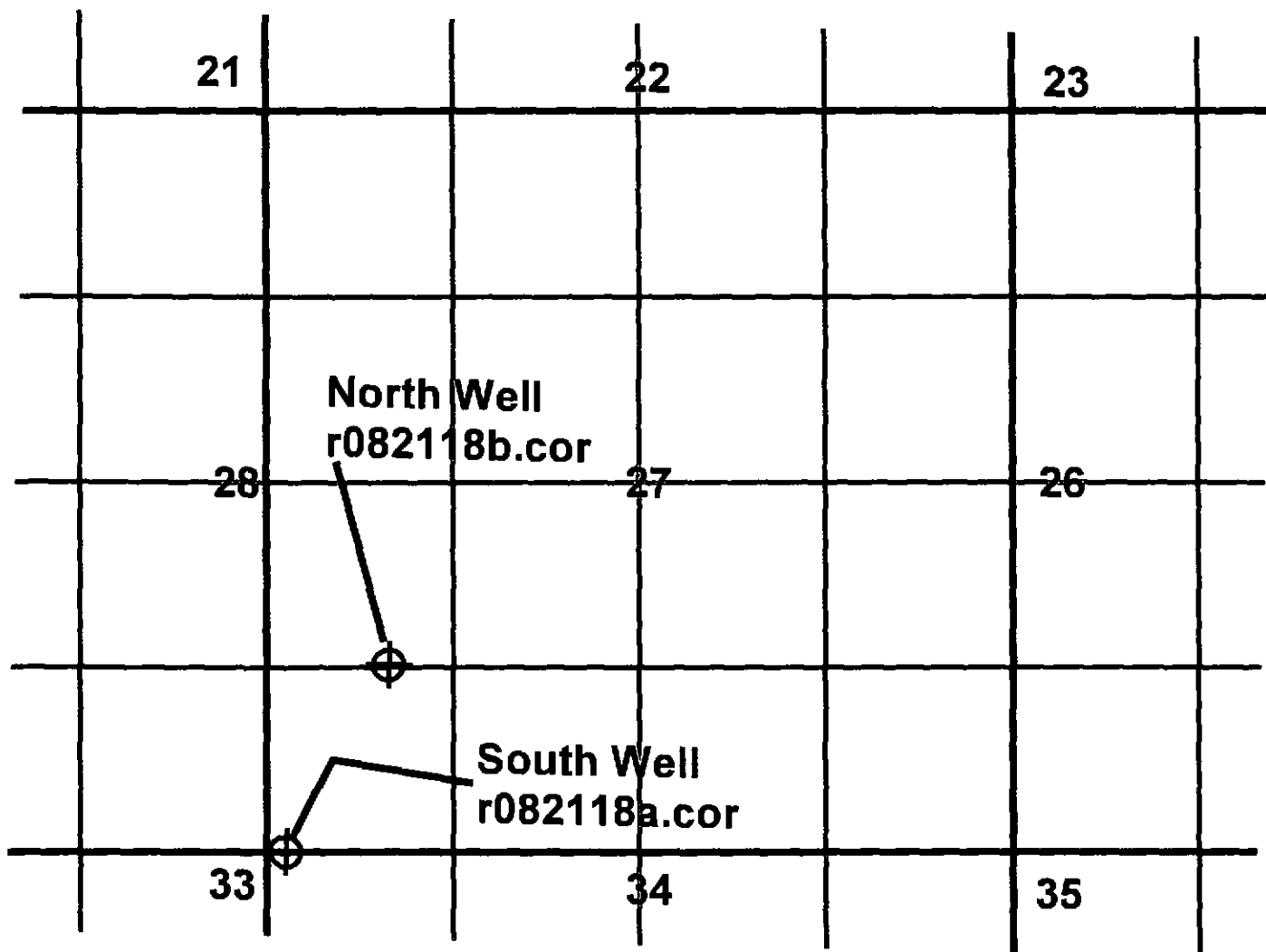
09-26-2000 12:21:00
+7.067E+0 ft/s
+2.401E+3 gal/m
+5.351E+0 ft3/s
+TOTAL 0009683 gal
-TOTAL 0000000 gal
NORMAL

09-26-2000 12:22:00
+7.113E+0 ft/s
+2.417E+3 gal/m
+5.385E+0 ft3/s
+TOTAL 0012107 gal
-TOTAL 0000000 gal
NORMAL

Site #1 (South Well)
MAXIMUM FLOW =

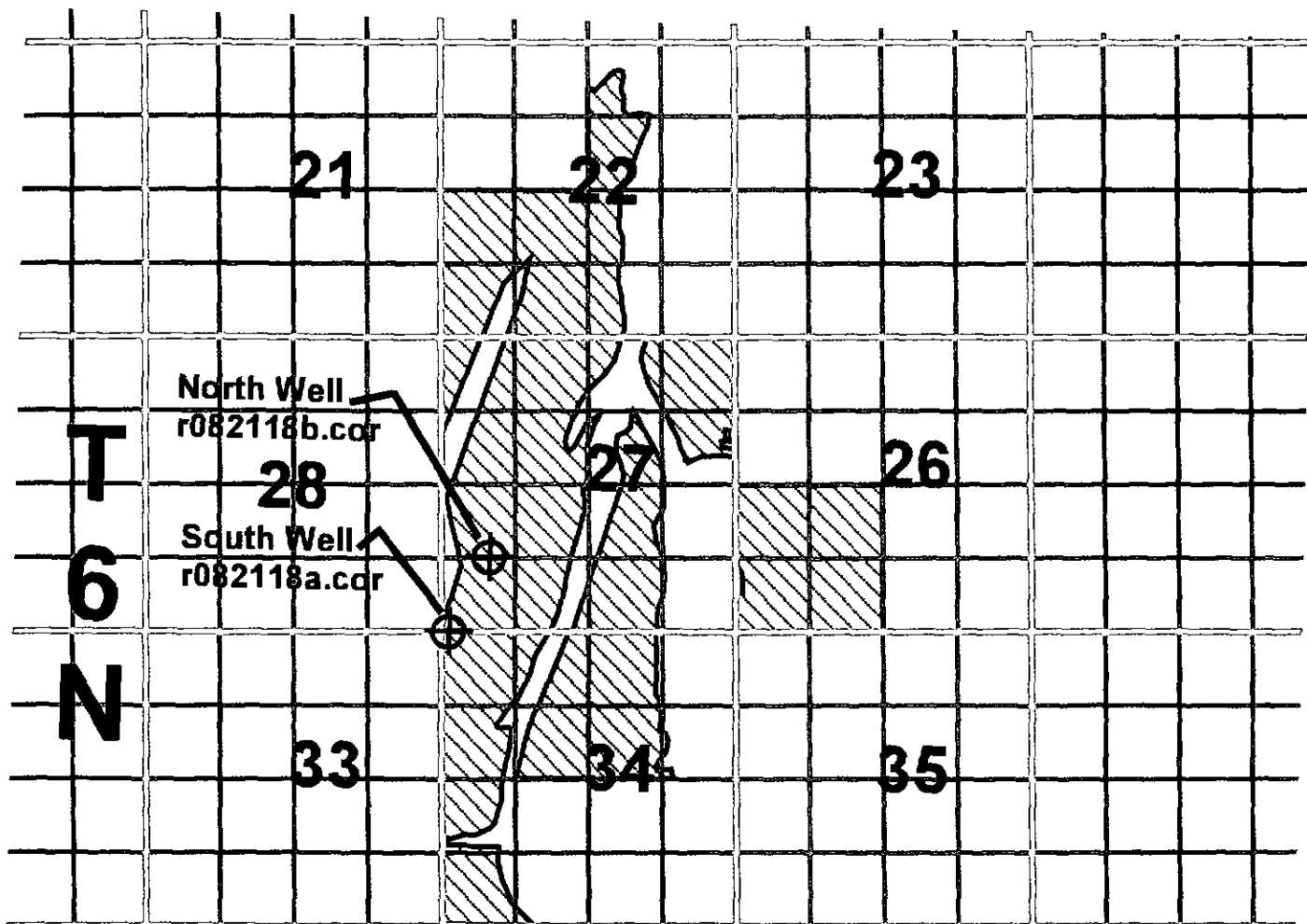
2449 Gpm
5.46 Cfs

22-07491



 S06n40e.shp
 T06n40e.shp
 Posnpnt.shp

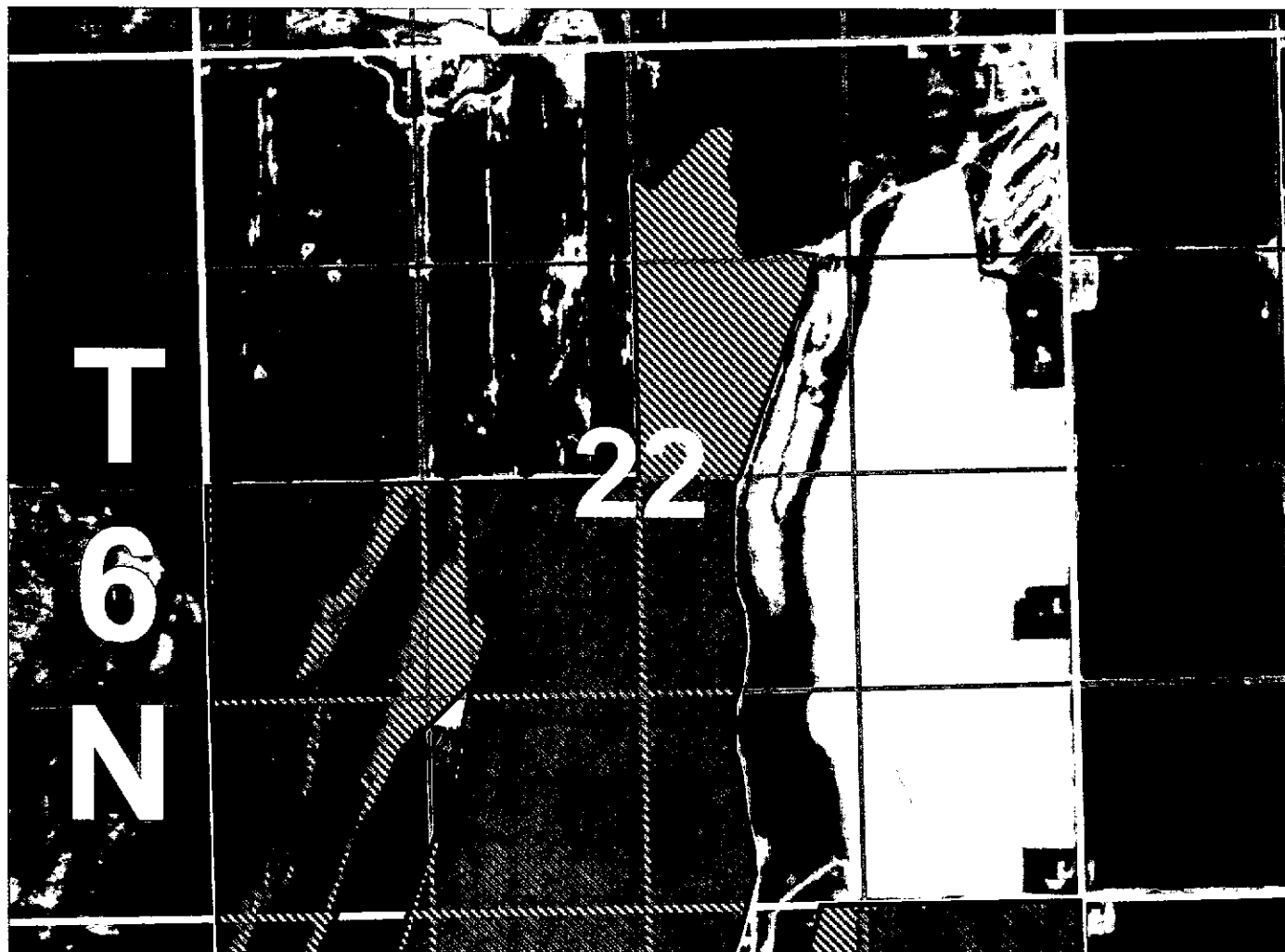
22-07491



- ⊕ Posnpnt.shp
- S06n40e.shp
- T06n40e.shp
- ▨ 22-7491pu.shp

R40E

22-07491



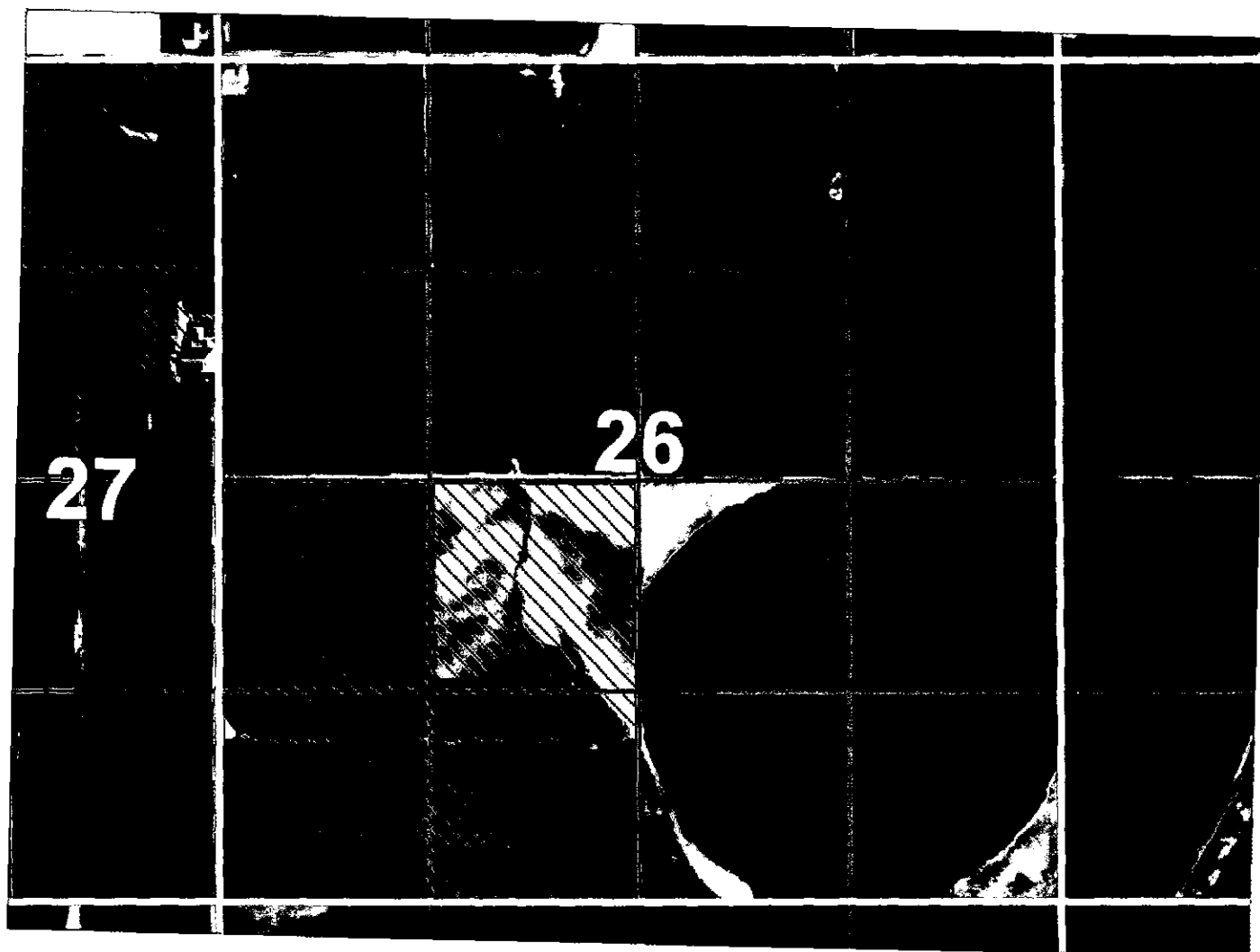
R40E

-  **Posnpnt.shp**
-  **22-7491pu.shp**
-  **S06n40e.shp**
-  **T06n40e.shp**

22-07491

1-92

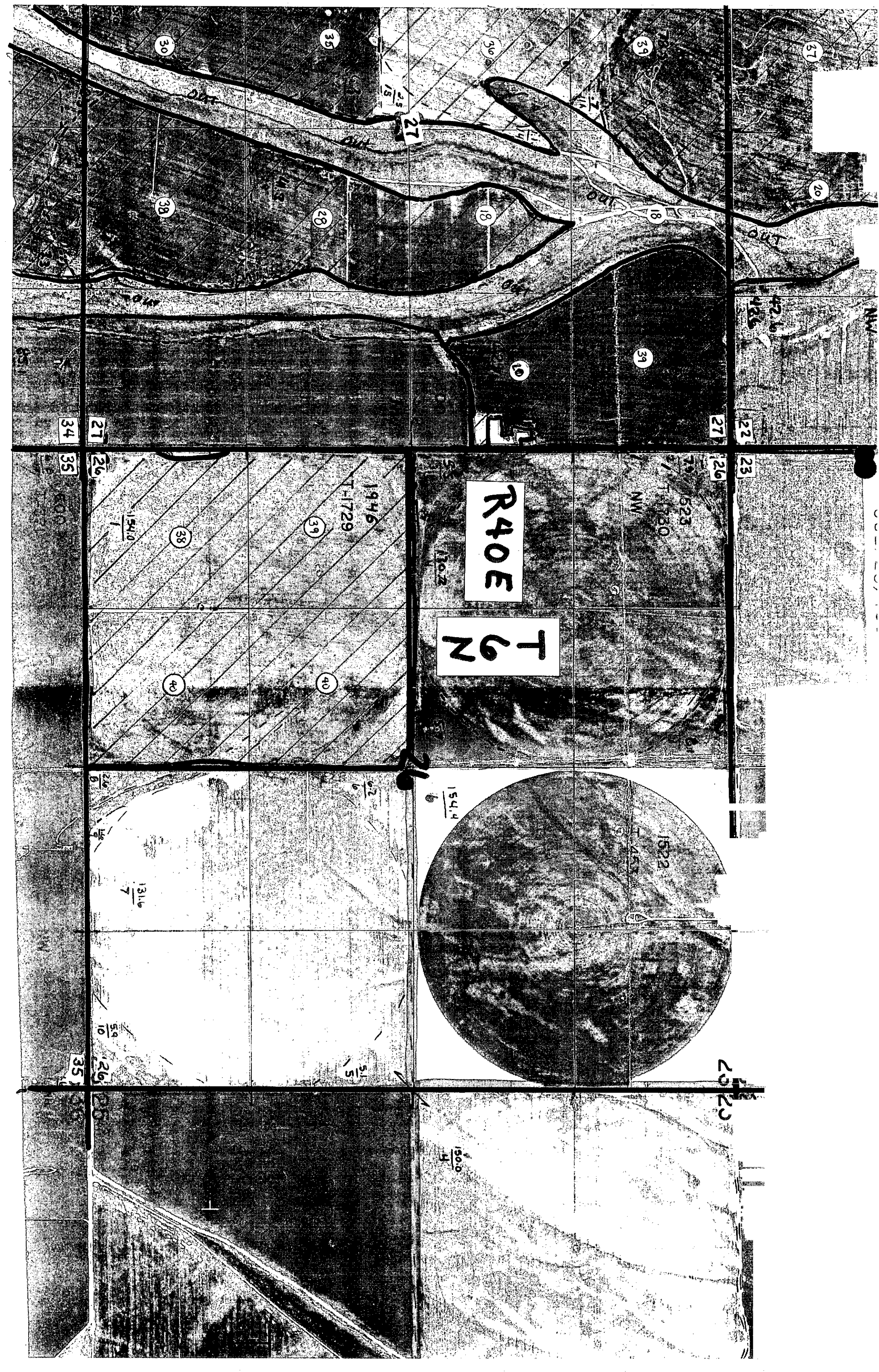
JUL 29 1997



 S06n40e.shp
 T06n40e.shp
 22-7491pu.shp

T R40E
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N

22-07491



37

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42.6

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R40E

T 2 N

2020

150.0

131.6

7

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2.6

35

1946

T-1729

154.0

1

6.2

6

154.4

6

5.1

5

150.0

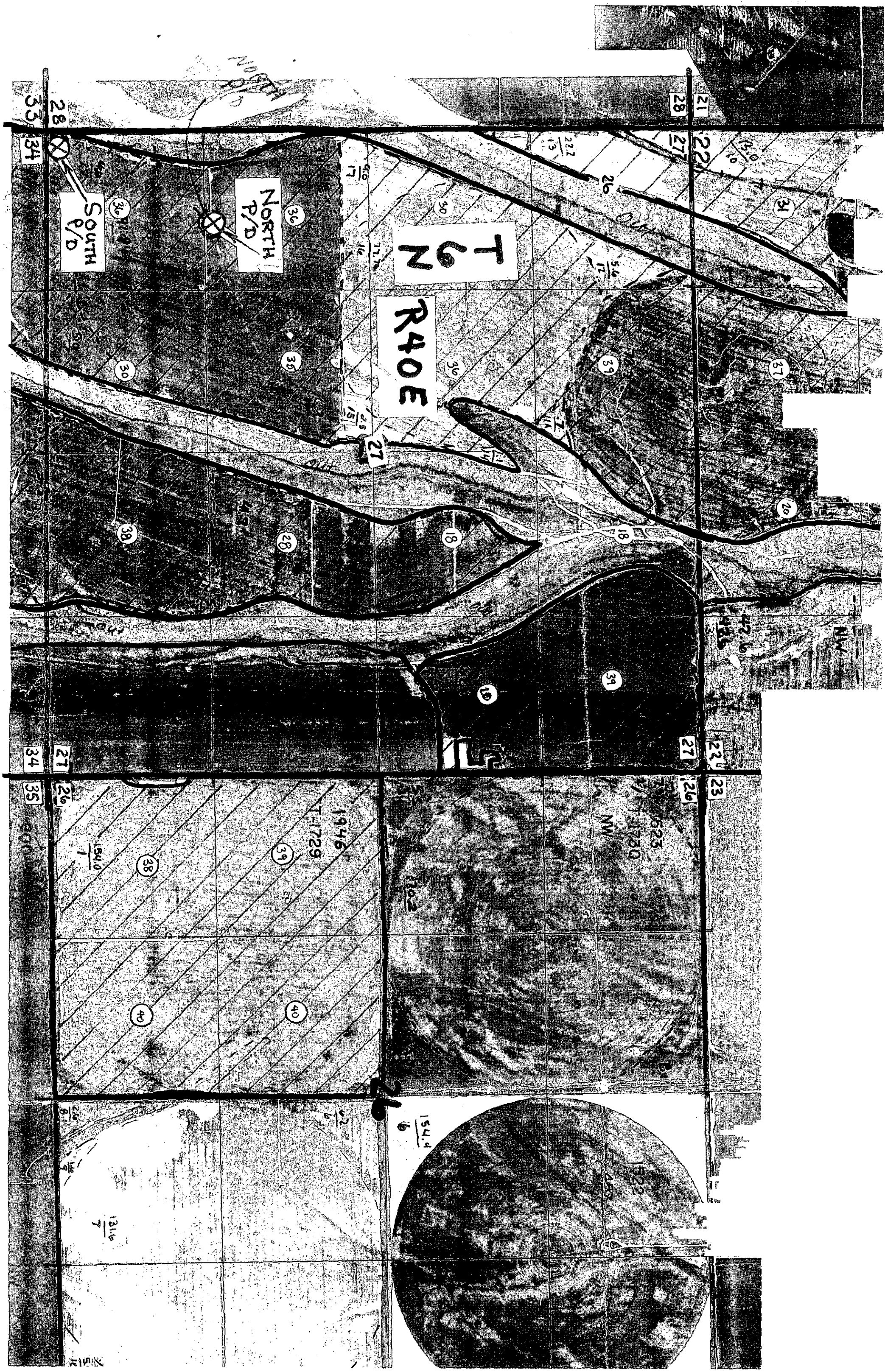
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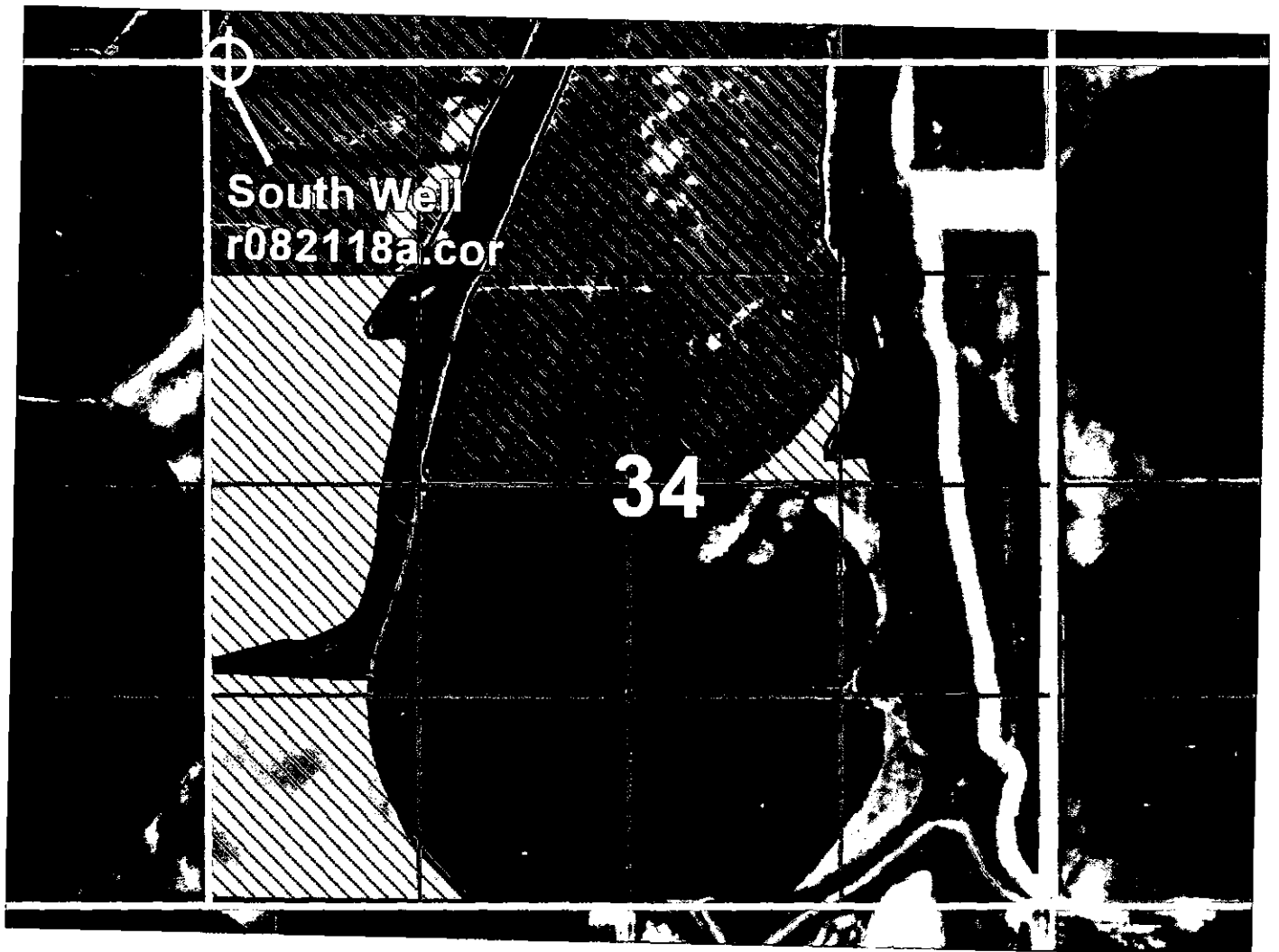


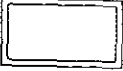
Posnpnt.shp
S06n40e.shp
T06n40e.shp
22-7491pu.shp

T R40E
6
N

22-07491





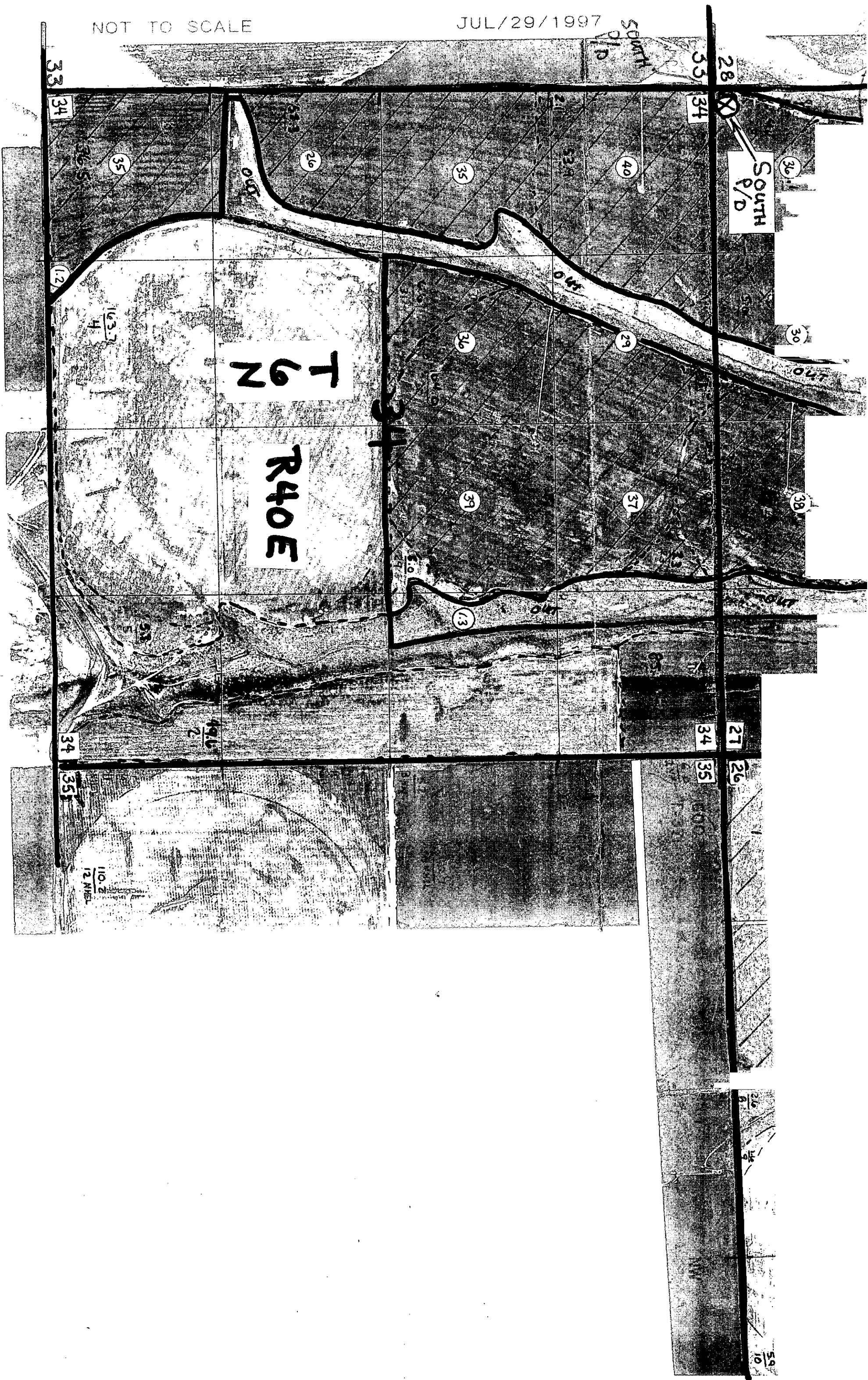
Posnpnt.shp
 S06n40e.shp
 T06n40e.shp
 22-7491pu.shp

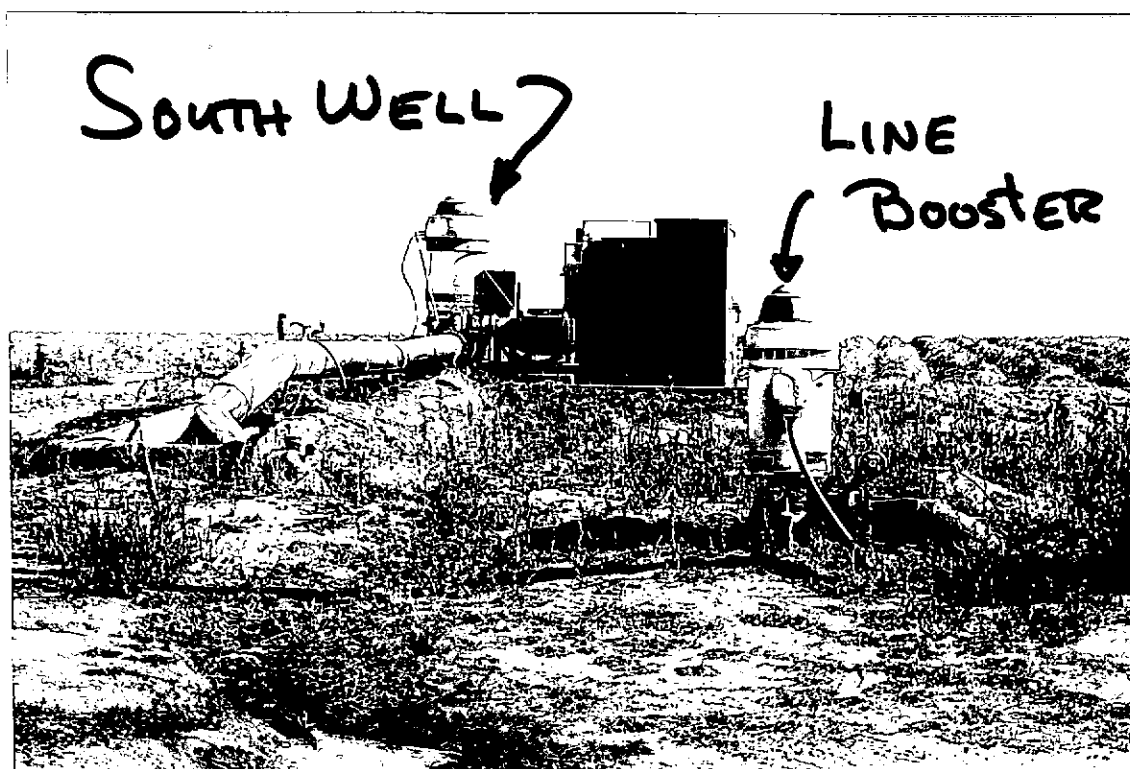
T R40E
6
N

22-07491

NOT TO SCALE

JUL/29/1997



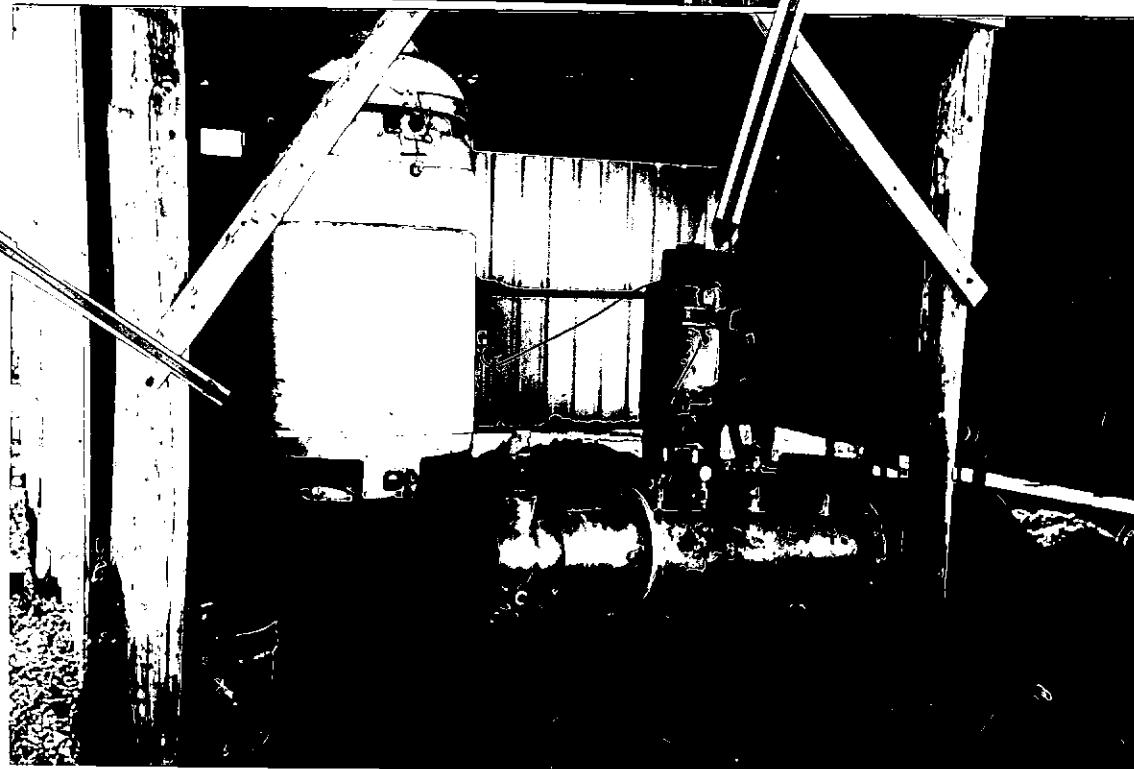


22-07491

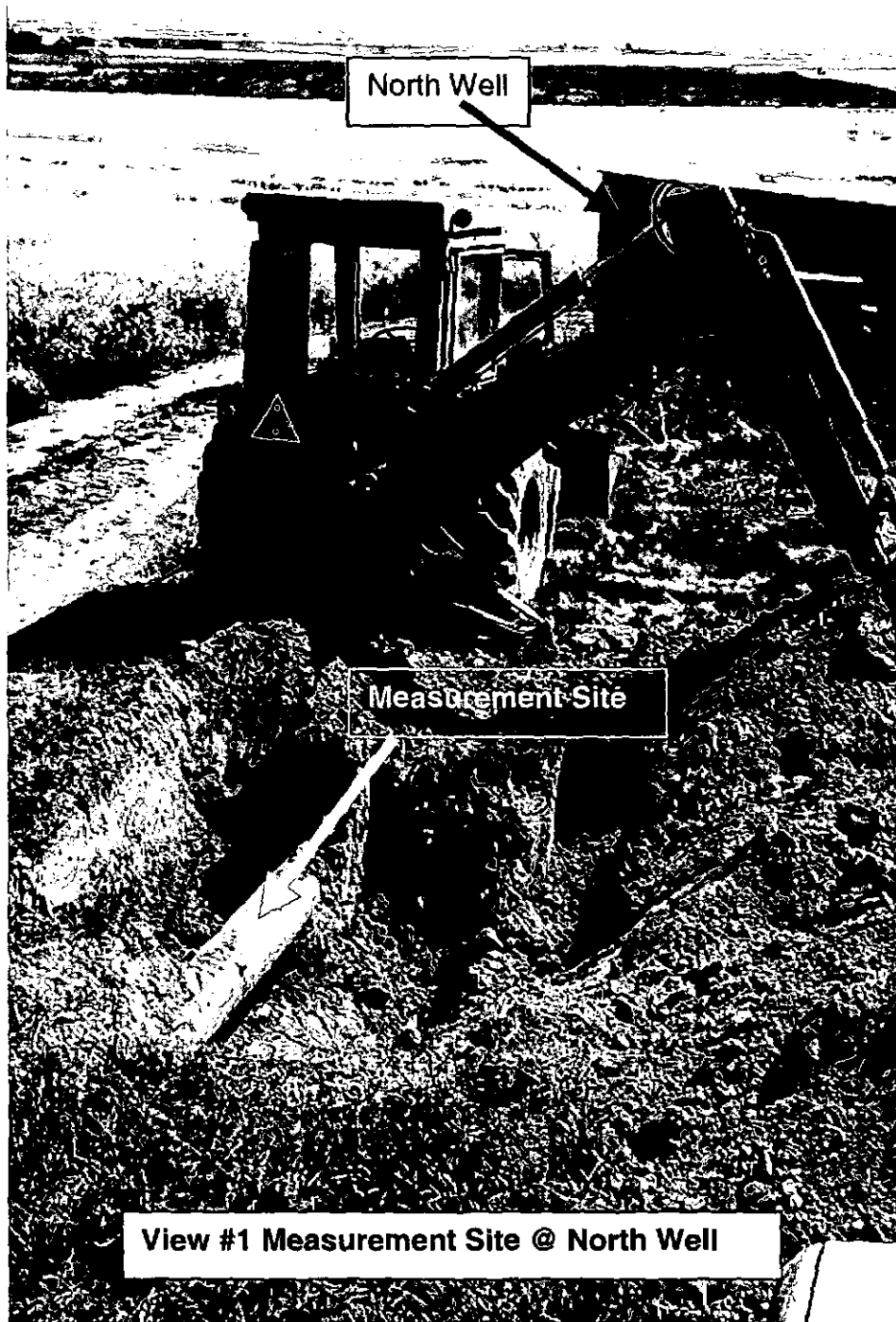


NORTH WELL
BOOSTER

NORTH
Well

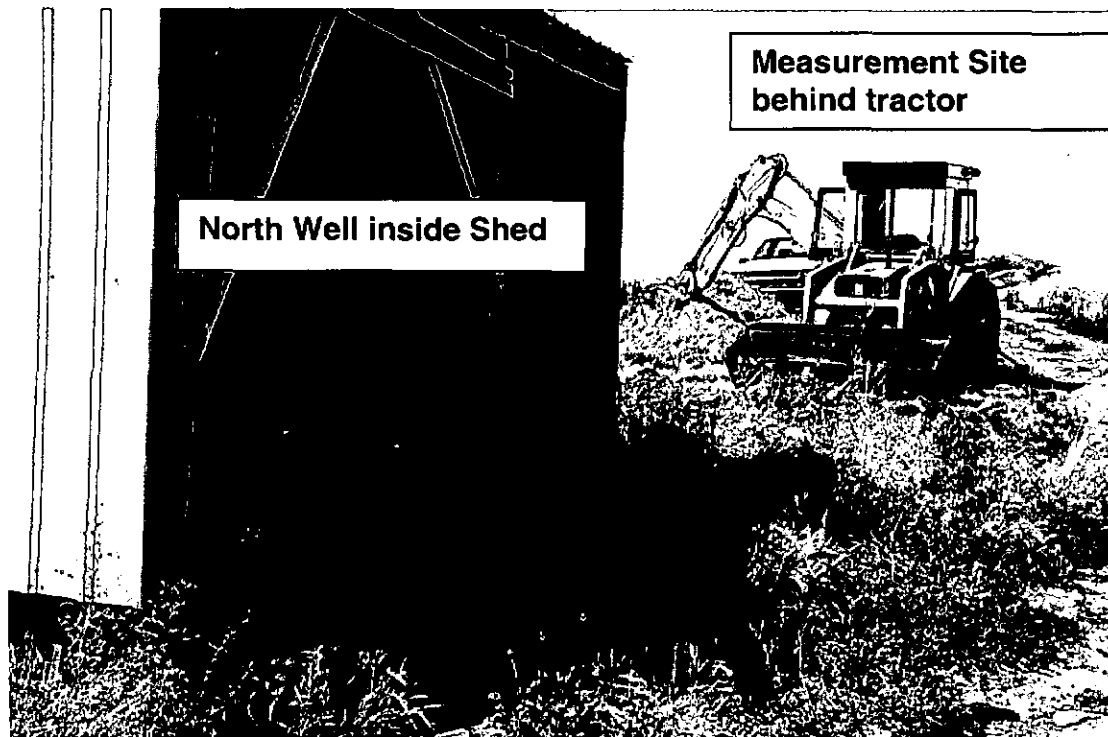


22-07491



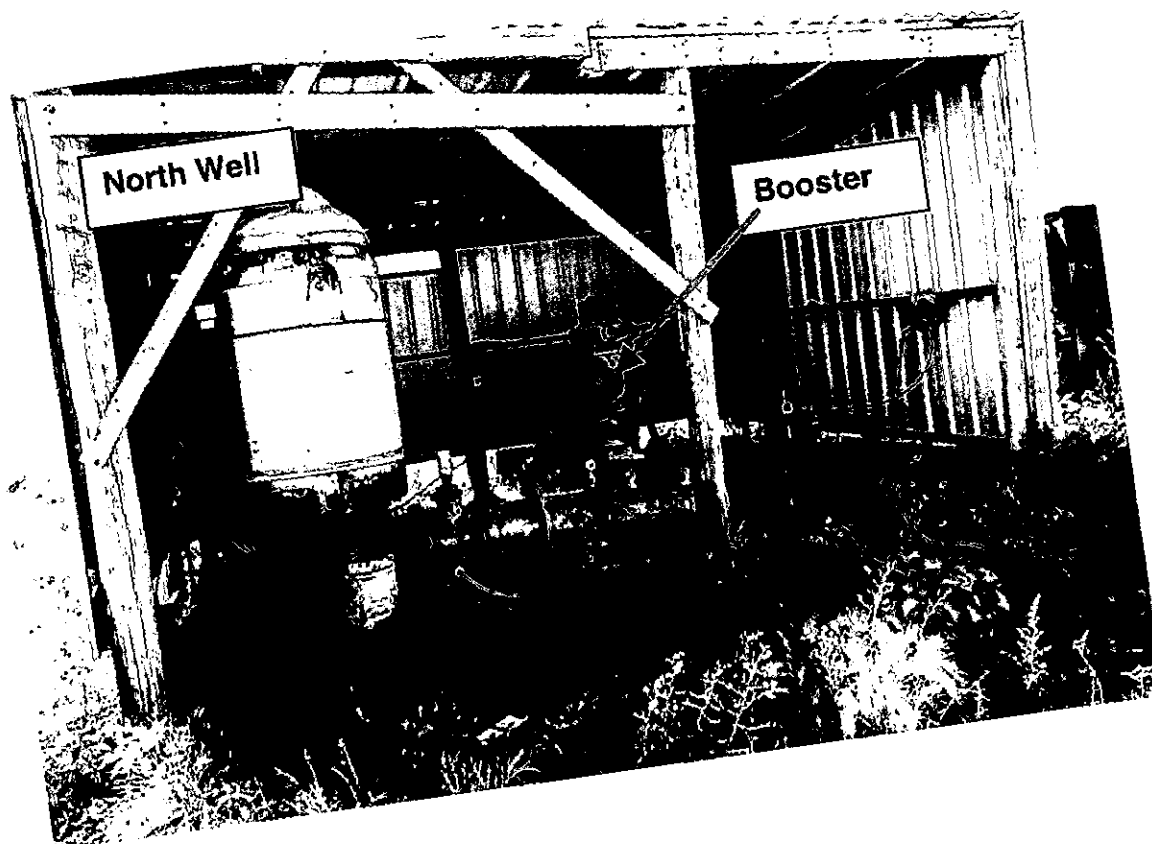
View #1 Measurement Site @ North Well

22-07491



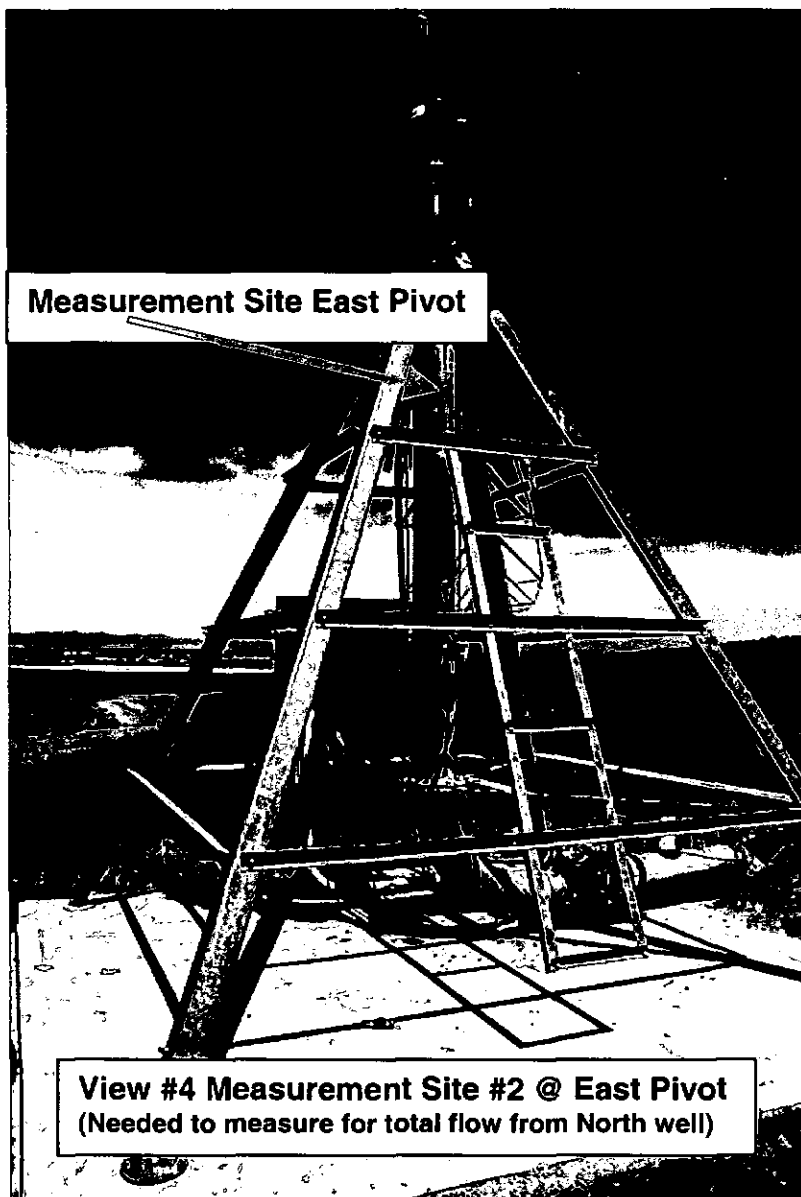
View #2 Measurement Site @ North Well

22-07491

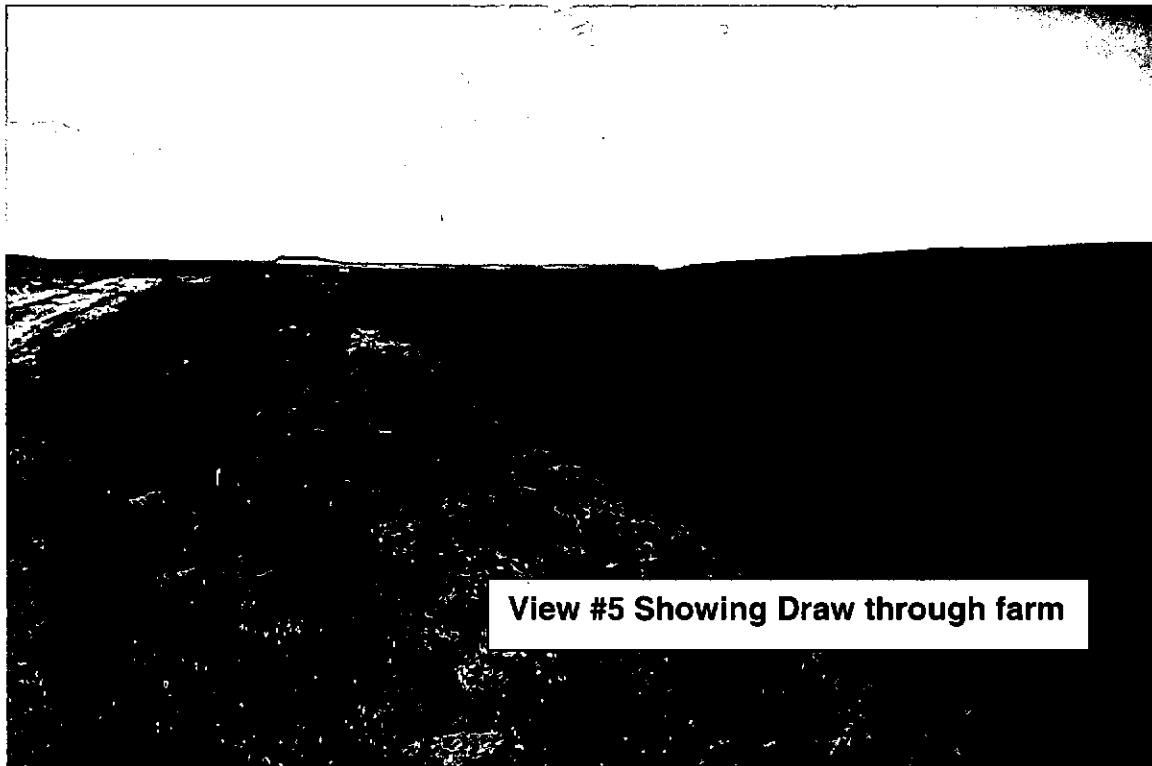


View #3 North Well & Booster

22-07491



22-07491



View #5 Showing Draw through farm

View #5 Needed to show that the draw through the farm was not irrigated.

22-07491

E. NARRATIVE/REMARKS/COMMENTS

Two wells with boosters to mainline to center pivots (~8) and hand lines with sprinkles

Both wells & boosters are interconnected

South well & line booster required only 1 measurement

North well & booster required two measurements for total flow

from North well (One @ North Well Second @

east pivot) EAST PIVOT END GUN WOULD NOT STAY ON

OBSERVED 657 gpm with end gun on.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{SOUTH WELL}} = 5.46 \text{ cfs}$$

$$Q_{\text{NORTH WELL}} = Q_{\text{EAST PIVOT}} + Q_{\text{NORTH WELL}} = 657 \text{ gpm} + 2800 \text{ gpm} = 3457 \text{ gpm} = 7.70 \text{ cfs}$$

$$\text{Total } Q = 13.16 \text{ cfs}$$

$$Q_{\text{LIMITED BY PERMIT}} = 7.00 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1087 \text{ ac} (3.5) = 3804.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 7(214)1.9835 = 2971.3$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2971.3$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	7.00 cfs	2971.3
Totals:			7.00 cfs	2971.3

2. Recommended Amendments

☒ Change P.D. as reflected above☒ Add P.D. as reflected above☐ None☐ Change P.U. as reflected above☒ Add P.U. as reflected above☐ Other**I. AUTHENTICATION**

Field Examiner's Name

Keith C. Wilson

Date

9/26/2000

Reviewer

Date

SEAL

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____		1/4 _____	
Lat: _____	Long: _____	_____	

1. DRILLING PERMIT NO. 22-93 E-0185-000
Other IDWR No. WR 22-07491

2. OWNER:

Name Summered Bro.
Address 327 S 3000 E
City Sugar City State ID Zip 83448

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>6</u>		North ☒	or	South ☐
E		Rge. <u>40</u>		East ☒	or	West ☐
S		Sec. <u>26</u>		1/4 <u>NW</u> 1/4 <u>SE</u> 1/4		
		Gov't Lot _____		County <u>Madison</u>		
		Lat: _____		Long: _____		
		Address of Well Site <u>1900 S. 2000 E</u>		City <u>Repuburg</u> <u>43-48</u>		

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEA/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or	Powder	
<u>bentonite</u>	<u>0</u>	<u>20</u>	<u>5</u>		<u>overbore</u>

Was drive shoe used? ☒ N ☐ Shoe Depth(s) 435
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8</u>	<u>0</u>	<u>40</u>	<u>250</u>	<u>steel</u>	☒	☐	☒	☐
<u>6</u>	<u>+2</u>	<u>435</u>	<u>250</u>	<u>steel</u>	☒	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

415 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: well cap

11. WELL TESTS:

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>25</u>	<u>0</u>	<u>415</u>	<u>6 hr.</u>

Water Temp. 49° Bottom hole temp. _____Water Quality test or comments: good Depth first Water Encountered 420'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>10</u>	<u>0</u>	<u>28</u>	<u>clay</u>		☒
<u>10</u>	<u>28</u>	<u>40</u>	<u>black solid lava</u>		☒
<u>8</u>	<u>40</u>	<u>110</u>	<u>black lava</u>	☒	☒
<u>8</u>	<u>110</u>	<u>165</u>	<u>brown siltite</u>		☒
<u>8</u>	<u>165</u>	<u>180</u>	<u>brown clay</u>		☒
<u>8</u>	<u>180</u>	<u>225</u>	<u>brown & red siltite</u>		☒
<u>8</u>	<u>225</u>	<u>280</u>	<u>black & gray lava</u>	☒	☒
<u>8</u>	<u>280</u>	<u>330</u>	<u>gray lava</u>		☒
<u>8</u>	<u>330</u>	<u>435</u>	<u>clay</u>		☒
<u>8</u>	<u>435</u>	<u>480</u>	<u>brown siltite</u>	☒	☒
<u>6</u>	<u>480</u>	<u>520</u>	<u>brown & siltite & clay</u>	☒	☒
<u>6</u>	<u>520</u>	<u>560</u>	<u>broken siltite</u>	☒	☒

7 inches

RECEIVED

FEB 09 1998

Department of Water Resources
Eastern Region

RECEIVED

FEB 13 1998

Department of Water Resources

Completed Depth 560 (Measurable)
Date: Started 5-10-91 Completed 5-11-91

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name High Plains Firm No. 299Firm Official Marcus J. Arner Date 1-30-98and
Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor then Agency
 GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

Date	2767
Code	04/20/92
	193003

VENDOR: If you require additional information
 regarding this payment, please contact
 the State agency listed below.

AGENCY
NAME:

DEPT. OF WATER RESOURCES
 TAX EXEMPT # Y-189030-E-920
 VALID THRU 1/94

CHECK ONE:

() MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: () PARTIAL () FINAL

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 30 121	1238	8831		REFUNDS PER KAREN GUSTAFSON WR #22-07491 RECEIPT #E017074 4/16/92 250.00	250.00	
TOTAL						250.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 16, 1992

Kelly Summers
327 South 3000 East
Sugar, ID 83448

Re: Permit No. 22-07491

Dear Mr. Summers:

Enclosed are copies of both of the proofs of beneficial use filed in connection with the above referenced permit. As I discussed with you in my letter of March 26, 1992, and as you can see from these copies, two proofs have been filed. It is only necessary to file a proof of beneficial use one time.

Since you properly filed and paid for a license exam in December of 1990, it is not necessary to file again. I have begun the process to refund the \$250 you submitted in connection with the second filing. The refund process takes between two and four weeks and will be mailed to you under separate cover.

I would, however, recommend that you check to make sure that you placed the correct water right number on this proof of beneficial use. It may be possible that you intended to file on a completely different water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

C: Fiscal

Enclosure

RECEIVED

MAR 25 1992

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 250.00
Date 3-25-92
Receipt No. E017074
Received by HWJ

NOT APPLICABLE
FILED IN 91

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-07491 Telephone No. 208-356-5375

Name(s) of Permit Holder(s): Kelly Summers (Pres.) Frank Summers, Inc.

Post Office Address: 327 So. 3000 E. Sugar, Id. 83448

Source of Water: groundwater

If ground water, well driller's name: Danny Frandsen Date drilled: 4-91 thru 6-91

Extent of Use: High Plains Drilling

Domestic _____ (No. of households) Irrigation 1313 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 7.00 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 10-3-91

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Fee Enclosed: \$ 250.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Kelly Summers 208-356-5375
Name Telephone No.

327 So. 3000 E. Sugar, Id. 83448
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3-21-92 J. Kelly Summers Pres. Frank Summers, Inc.
Date Signature (and title if on behalf of a company or organization)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single ownership
domestic use or stockwater use of
less than 13,000 gallons per day.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 26, 1992

Kelly Summers
327 South 3000 East
Sugar, ID 83448

Re: Permit No. 22-07491

Dear Permit Holder:

I am writing in reference to the proof of beneficial use you filed in connection with the above referenced permit. During my review of the file, I found that a proof was already filed on this particular permit in December of 1990.

Before I proceed any further, I would like to determine if you inadvertently put the incorrect number on this proof or if you thought you had not filed proof of beneficial use on this permit.

I did note that you had a well drilled in 1991. If you drilled a new well or deepened an existing well, it was necessary for you to obtain a drilling permit. If this is the case, it is not necessary for you to file an additional proof of beneficial use.

Please respond to this office within 20 days of the date of this mailing. If we determine that you have inadvertently filed an additional proof of beneficial use, I will begin the process to refund the \$250 submitted in connection with this proof.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

February 26, 1991

FRANK SUMMERS INC.
RT. 1
SUGAR CITY, ID 83448

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07491

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAR 15 1991

For Office Use Only
Amt. of Fee \$ 250.00
Date 12/24/90
Receipt No. 0019215
Received by J. Harrison

RECEIVED
DEC 24 1990

STATE OF IDAHO

RECEIVED
JAN 20 1991

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. P22-07491 Telephone No. 356-5375

2. Name(s) of Permit Holder(s): Frank Summers, Inc.

3. Post Office Address: 327 South 3000 East, Sugar City, Idaho 83448

4. Source of Water: Deep Well

a. If ground water, well driller's name: Lee/Harris Date drilled: 1-26-62

b. Pump horsepower: 350 Pressure (psi): 120 Dynamic pumping level (ft.): 314

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 1313 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 7.00 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

8. Fee Enclosed: \$ 250.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:
Kelly Summers 356-5375

Name Telephone No.
327 South 3000 East, Sugar City, Idaho 83448

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12-19-90

Date

F. Kelly Summers (Pres.)

Signature (and title if on behalf of a company or organization)

Frank Summers, Inc.

MAR 15 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 22-7491

Date 2-26-91

GENERAL CONSIDERATIONS

y Name same as permit?
y Address same as permit? If no, indicate below.
y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

y Surface water source
y Ground water source
y Drill permit req'd?
y Copy in file? Drill permit no. _____
y Amt paid for drilling permit? _____ Correct?
no Well log in file?

LICENSE EXAMINATION FEE

y Required?
250.00 Amount submitted?
y Correct amount?

MEASURING DEVICE

y Measuring device or access port required?
no Installed?
Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*Well drilled in 1962
Need flow meas. port*

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

LB

January 10, 1991

FRANK SUMMERS, INC.
327 S 3000 E
SUGAR CITY, ID 83448

Dear Mr. Summers:

Re: Permit Nos. 22-7503 and 22-7491

Returned is the proof of beneficial use form for Permit No. 22-7491. Before the proof is acceptable, a signature of an authorized agent of the corporation is required.

Also please address item #7. A condition of the permit is the installation of a flow measurement port. Has one been installed?

For Permit No. 22-7503, enclosed is the request for extension of time. It also needs a signature and the \$15 filing fee submittal.

If you have any questions concerning these matters, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

RECEIVED

MAR 15 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 26, 1990

RE: Permit No. 22-07491

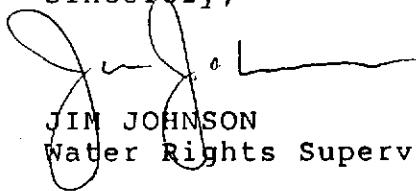
Frank Summers, Inc.
327 S. 3000 E.
Sugar City, ID 83448

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

DEC 07 1990

10-12-90

RECEIVED
OCT 19 1990

State of Idaho
Department of Water Resources

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HCJ

Right Number 22-7491 Applicant Frank Summers, Inc.

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☐ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☐ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions _____

By HCJ Date 10-15-90

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jim Date 10-20-90
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

FRANK SUMMERS INC.
RT. 1
SUGAR CITY, ID 83448

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07491

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

MICROFILMED

JUL 19 1990

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUL 19 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

G. F. RAMSEY

INITIAL REVIEW BY:

APPLICATION NUMBER: 22 7491

CHECK:

MAY 20 1985

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☐ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

NO RENTAL WATER

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____

Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. _____
22-7428, 22-2183, 22-2219, 22-4091
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10-23-89
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what district? 01-P05
5-20-85 Date of priority recommended.
Special conditions of approval or cover letter. <0167

Rule 45, 1 Date waived.

Allow 5 yrs. to develop as requested -
App in NON-TRUST area -

No-due to flow task force
memo

By: HGW

Date: 10-20-89

STATE OFFICE REVIEW:

P05, P23, P03, P17

46 48 49 26

RECEIVED

- ☐ See attached sheet for more information.

By: KW

Date: 11/21/89

OCT 25 1989

Department of Water Resources

6/18/90

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

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TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

MEMORANDUM

TO: File No. 22-7491
FROM: Gary Spackman *Gary*
DATE: June 1, 1990

RE: Waiver of Rule 4,5. Additional Information Requirements

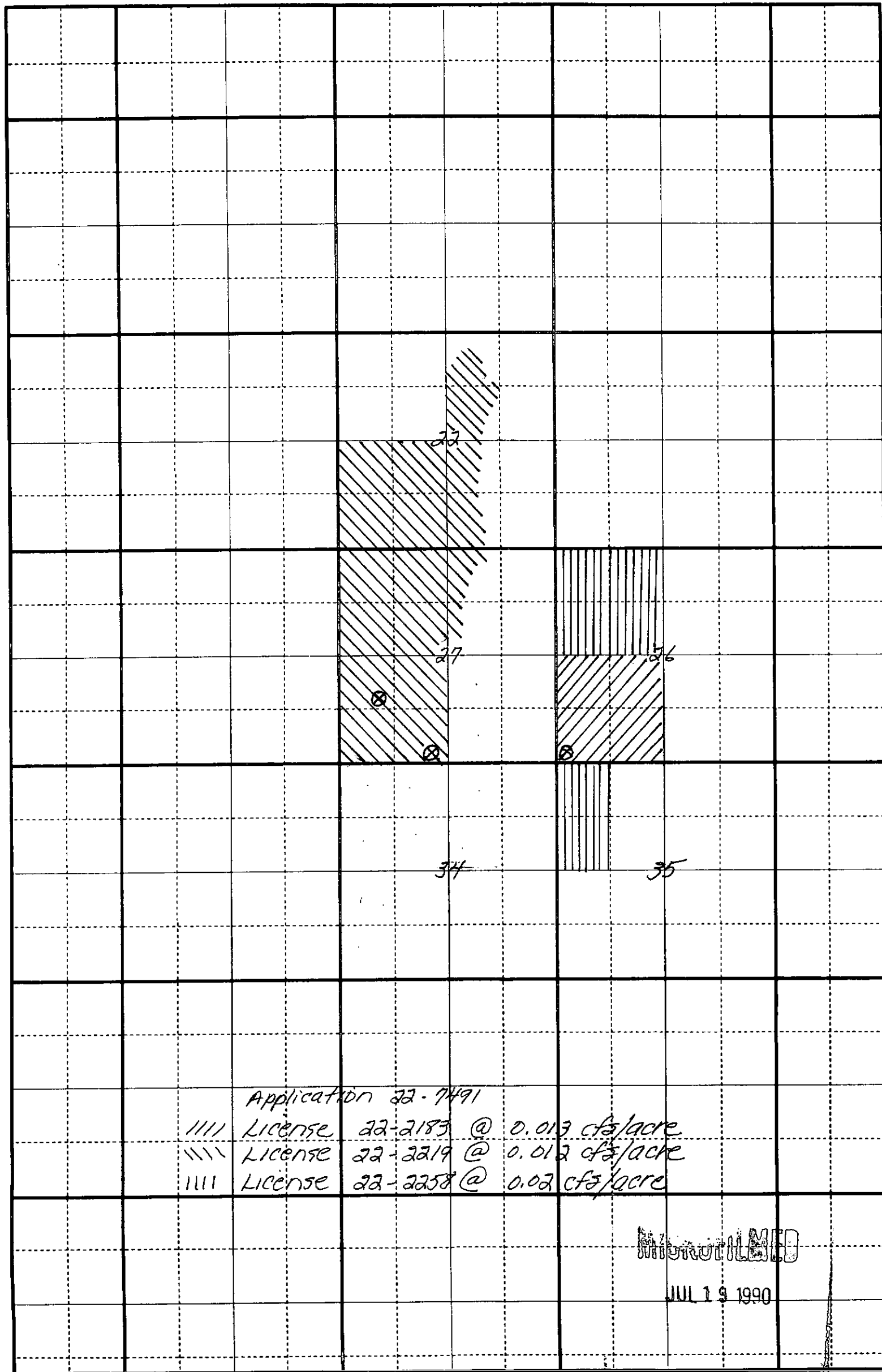
Application 22-7491 represents a pre-existing development. Normally, additional information would be required under Rule 4,5. of the Water Appropriation Rules and Regulations. Possible issues that the additional information should address have probably already been raised during development and operation, however. The Rule 4,5. informational requirements to the extent they have not been addressed, should be waived.

FILED

JUL 19 1990

NAME OF APPLICANT Fran Summers 22-7491

Form No. 0



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

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
2200235	EAMES	D	TETON RIVER	06N	40E	22	X	X	X	X	:	:	:	:	:
2200236	EAMES	D	TETON RIVER	06N	40E	22	X	X	X	X	:	:	:	:	:
2202166	HUSKINSON	L	GROUNDWATER	06N	40E	22	:	:	:	:	:	:	:	:	160
2202219	SUMMERS	L	GROUNDWATER	06N	40E	22	10	23	:	:	:	:	:	:	205
2207491	FRANK SUMMERS INC.	A	GROUNDWATER	06N	40E	22	10	35	:	:	:	:	:	:	265
2207515	SUMMERCO INC.	A	GROUNDWATER	06N	40E	22	6	2	9	40	:	:	:	:	146
	NO MAPPING INFO AVAILABLE														
2202183	HARRIS	L	GROUNDWATER	06N	40E	26	:	:	:	:	:	:	:	:	158
2202258	HARRIS	L	GROUNDWATER	06N	40E	26	:	:	:	:	:	:	:	:	155
2202295	SUMMERS	L	GROUNDWATER	06N	40E	26	40	39	40	40	:	:	:	:	159
2207082	HUSKINSON	L	GROUNDWATER	06N	40E	26	:	:	:	:	:	:	:	:	155
2207491	FRANK SUMMERS INC.	A	GROUNDWATER	06N	40E	26	:	:	:	:	:	:	:	:	320
2207515	SUMMERCO INC.	A	GROUNDWATER	06N	40E	26	:	:	:	:	:	:	:	:	160
	NO MAPPING INFO AVAILABLE														
2202219	SUMMERS	L	GROUNDWATER	06N	40E	27	11	:	:	:	:	:	:	:	264
2204091	FRANK SUMMERS INC.	S	GROUNDWATER	06N	40E	27	:	:	:	:	:	:	:	:	73
2207429	SUMMERS FARM & RANCH I P	P	GROUNDWATER	06N	40E	27	10	:	:	:	:	:	:	:	70
2207491	FRANK SUMMERS INC.	A	GROUNDWATER	06N	40E	27	40	15	25	20	:	:	:	:	458
2207503	FRANK SUMMERS INC.	P	GROUNDWATER	06N	40E	27	40	5	18	:	:	:	:	:	63
	NO MAPPING INFO AVAILABLE														
2204091	FRANK SUMMERS INC.	S	GROUNDWATER	06N	40E	34	40	40	:	:	:	:	:	:	287
2207428	SUMMERS FARM & RANCH I A	A	GROUNDWATER	06N	40E	34	15	20	:	:	:	:	:	:	225
2207429	SUMMERS FARM & RANCH I P	P	GROUNDWATER	06N	40E	34	10	:	:	:	:	:	:	:	10
2207491	FRANK SUMMERS INC.	A	GROUNDWATER	06N	40E	34	40	40	:	:	:	:	:	:	270
	NO MAPPING INFO AVAILABLE														

MICROFILMED

JUL 19 1990

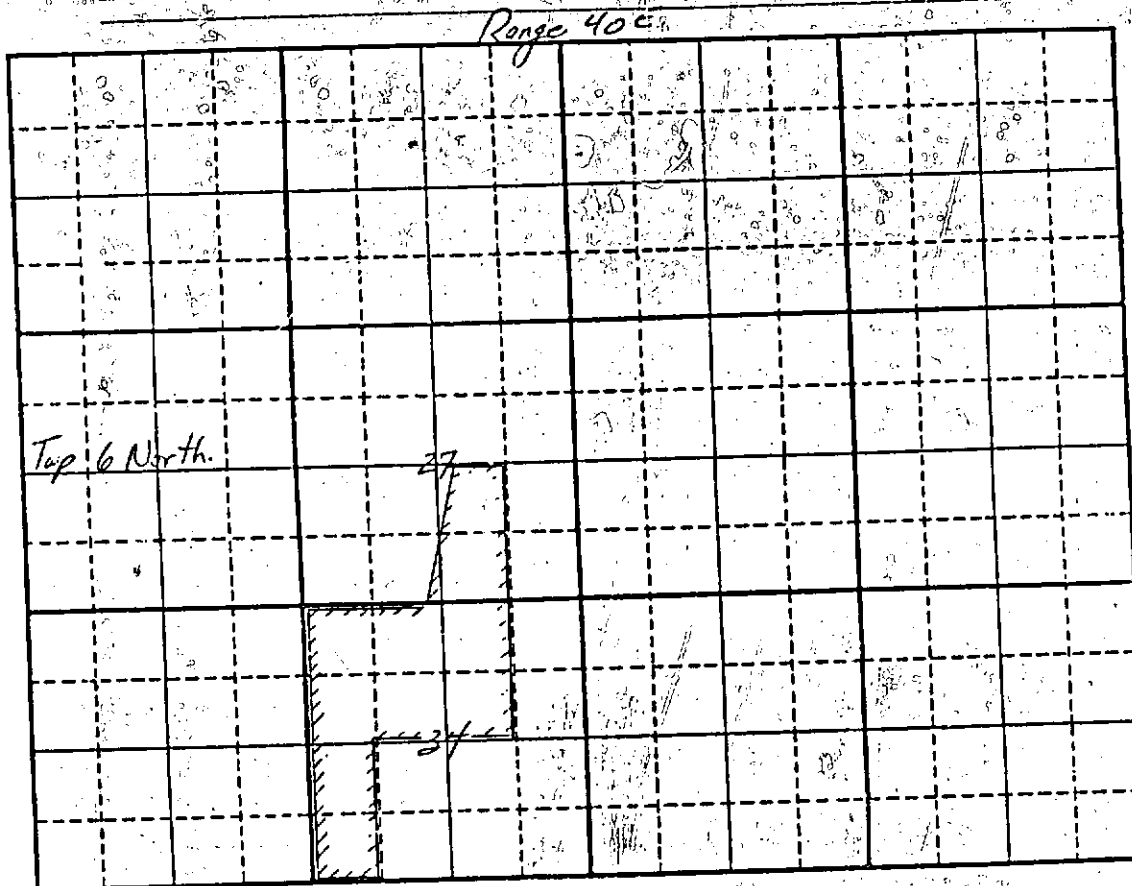
POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
2207491	06N	40E	27	SE SW		GROUNDWATER	FRANK SUMMERS INC.
				NO MATCHES FOR THIS POD			

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JUL 19 1990

(8) Remarks



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Malison

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge; affiant is President of Frank Summers, Inc.

Frank Summers
(Claimant)

Sworn to before me this 8th day of April, 1983

Ernest F. Fitch
Notary Public
Residing at Bend, Ore.

My commission expires 2000 Life

Received by AW Date 4-18-83 FOR DEPARTMENT USE ONLY
Prelim. check by HWJ Date 4-19-83 Exception filed by:
\$30.00 fee received by AW Date 4-19-83 #28068
Published in Starline Journal
Dates 4/25 & 5/5/83

Forwarded to
claimant by:

Date

MICROFILM

JUL 19 1990

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32500/22-2258 Priority August 26, 1965 Amount 4.68 cfs

THIS IS TO CERTIFY, that Ross C. Harris, Don C. Harris, Edward Byron Harris
of Rexburg, Idaho have, ~~xxx~~ complied with the terms and conditions of Permit
No. 32500/22-2258 issued pursuant to Application for Permit dated August 26, 1965,
and has submitted proof to the Department of Water Administration on June 11, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.38 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 4.68 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.68 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, Twp. 6 N, Rge. 40 E, B. M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 819 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	40 E	26					39	39	39	38									155
		35						39.5	39.5										79

Total number of acres irrigated 234

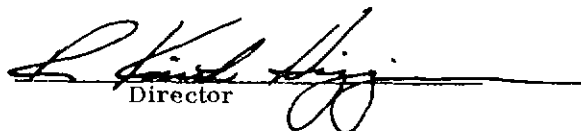
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of

June, 19 72

MICROFILMED

JUL 19 1990


Director

State of Idaho

License and Certificate of Water Right

Water License No. G-30376 Priority January 26, 1962 Amount 5.57 c. f. s.

THIS IS TO CERTIFY that FRANK SUMMERS

of Sugar City, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 26, 1962; that Permit No. G-30376 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 5.57 second feet, was issued thereunder on April 5, 1968, showing that said works were completed on the 27 day of September, 1963; and that on the 27 day of September, 1963 FRANK 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 a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-30376 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 on the 5 day of April, 1968.

The right hereby confirmed dates from January 26, 1962.

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 27, Twp. 6 N, R. 40 E, B.M. Madison 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 5.57 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	40 E	22	NW 1/4 NE 1/4	10	10
			SW 1/4 NE 1/4	25	23
			NE 1/4 SW 1/4	40	35
			NW 1/4 SW 1/4	40	38
			SW 1/4 SW 1/4	30	29
			SE 1/4 SW 1/4	35	36
			NW 1/4 SE 1/4	15	17
			SW 1/4 SE 1/4	15	17
		27	NW 1/4 NE 1/4	8	11
			NE 1/4 NW 1/4	38	39
			NW 1/4 NW 1/4	25	24
			SW 1/4 NW 1/4	30	28
			SE 1/4 NW 1/4	35	35
			NE 1/4 SW 1/4	34	34
			NW 1/4 SW 1/4	35	34
			SW 1/4 SW 1/4	35	33
			SE 1/4 SW 1/4	25	26
			Total number of acres irrigated:		469

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 5 day of April, 1968.

MICROFILMED

JUL 19 1990

R. Keith Higgins
State Reclamation Engineer.

22-2219

30376

State of Idaho

License and Certificate of Water Right

Water License No. G-28988 Priority August 29, 1960 Amount 2.0 c.f.s.

THIS IS TO CERTIFY that C. A. HARRIS - Assignees - ROSS C., DON C., & EDWARD BYRON HARRIS of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 29, 1960; that Permit No. G-28988 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.0 second feet, was issued thereunder on April 2, 1968, showing that said works were completed on the 3rd day of September, 1965; and that on the 3rd day of September, 1965 C. A. HARRIS - Assignees - ROSS C., DON C., & EDWARD BYRON HARRIS 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-28988 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~~ of Licenses, at Page, on the 2nd day of April, 1968.

The right hereby confirmed dates from August 29, 1960

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 26, Twp. 6 N, R. 40 E, B.M. Madison 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 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	40 E	26	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	39
			SW 1/4 SW 1/4	40	39
			SE 1/4 SW 1/4	40	40
			Total acres to be irrigated:		158

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 2nd day of April, 1968.

MICROFILMED

JUL 19 1990

R. Keith Higgins
State Reclamation Engineer.

27-Sep-1989

Frank Summers, Inc.
Rt. 1
Sugar City, ID 83448

RE: Applications for Permit No.'s 22-7491 & 22-7503

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permits. This office is currently in the process of advertising the applications in the Herald-Chronicle. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUL 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 22, 1989

IDAHO STATE JOURNAL
P.O. BOX 431
POCATELLO, ID 83204

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 23, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

JUL 19 1990

22-07491

FRANK SUMMERS INC.
ROUTE 1
SUGAR CITY, ID 83448

Source: GROUNDWATER

Diversion Pt: SESW Sec 27 T 06N R 40E

Use: IRRIGATION (7.000 CFS)

Date Filed: 5/20/1985

In: T06N R40E S22	NWNE	SWNE	NESW	NWSW
	SWSW	SESW	NWSE	SWSE
S26	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
S27	NENE	NWNE	SWNE	SENE
	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW
	NWSE	SWSE		
S34	NWNE	SWNE	NENW	NWNW
	SWNW	SENW	NWSW	SWSW

1313.0 ACRES TOTAL

MICROFILMED

JUL 19 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 23, 1989.

R. Keith Higginson, Director

Published 10/05/1989 & 10/12/1989

RECEIVED

JUL 19 1990

08/85

DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE SURVEY

RECEIVED

AUG 29 1985

Department of Water Resources
Forest District Office

22-7491

FRANK SUMMERS INC.

ROUTE 1, SUGAR CITY, ID 83448

Source: GROUNDWATER

Date Filed: 05/20/1985

Diversion Pt: SESW Sec 27 T 06N R 40E

Use: IRRIGATION (7.00 CFS)

In: NENE NWNE SWNE SENE NENW NNW SWNW SENW NESW NWSW SWSW SESW NWSE SWSE
Sec 27 T 06N R 40E NENW NNW SWNW SENW NESW NWSW SWSW SESW
Sec 26 T 06N R 40E NWNE SWNE NENW NNW SWNW SENW NWSW SWSW
Sec 34 T 06N R 40E NWNE SWNE NESW NWSW SWSW SESW NWSE SWSE
Sec 22 T 06N R 40E FOR 1313 ACRES

Check the box to the left of the paragraph which accurately describes the status of the project described by the application and then sign on the line at the bottom of the page.

A. ☒ Prior to October 1, 1984, the source of water listed on application for permit No. 22-7491 was not being diverted and put to beneficial use as represented by the application.

B. ☐ Prior to October 1, 1984, the source of water listed on application for permit No. _____ was being diverted and put to beneficial use as represented by the application.

If paragraph "B" was selected return the form with documentation confirming beneficial use occurred prior to October 1, 1984. This documentation should include a sworn statement from you as applicant, plus other evidence that will substantiate beneficial use.

Additional information is not required for paragraph "A".

JUL 19 1990

Frank Summers, Inc. by
(Signature) F. Kelly Summers



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

August 13, 1985

RE: Application for Permit No. 22-7491

Frank Summers Inc.
Rt. 1
Sugar City, Idaho 83448

Gentlemen:

In October of 1984, Idaho Power Company and the State of Idaho signed an agreement stating the Company's water rights would be subordinated to those persons who beneficially used water prior to October 1, 1984, and who filed an application or claim for said use by June 30, 1985.

To insure proper consideration of your application pursuant to the above agreement, follow the directions on the enclosed form and return it to this office when completed. For your benefit in identifying the point of diversion and place of use, included on the form is a description of the major items contained on the application.

Your cooperation in returning the completed form and supplemental documentation will expedite future administrative action on your application when processing of applications above Swan Falls resumes.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

ENCLOSURE

JUL 19 1990

22-7491

FRANK SUMMERS INC.

ROUTE 1, SUGAR CITY, ID 83448

Source: GROUNDWATER

Date Filed: 05/20/1985

Diversion Pt: SESW Sec 27 T 06N R 40E

Use: IRRIGATION (7.00 CFS)

In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NWSE SWSE
Sec 27 T 06N R 40E NENW NWNW SWNW SENW NESW NWSW SWSW SESW
Sec 26 T 06N R 40E NWNE SWNE NENW NWNW SWNW SENW NWSW SWSW
Sec 34 T 06N R 40E NWNE SWNE NESW NWSW SWSW SESW NWSE SWSE
Sec 22 T 06N R 40E FOR 1313 ACRES

MICROFILMED

JUL 19 1990



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

April 30, 1985

Frank Summers Inc.
Route 1
Sugar City, ID 83448

Dear Sir:

Enclosed is a typed Application for Permit, a copy of the original application with changes noted in red, the original application and check #453 for \$165.00 that was submitted to this office.

You could file for additional water (item 4, the amount), in excess of the 6.38 cfs, which would appear to be based on the system. If you want to maintain the same filing fee (\$165.00), you can apply for 7.0 cfs as noted on the typed application.

Other changes on the application deal with the period of use (item 4), source of water (item 2), other water rights (item 8c), and ownership of point of diversion and place of use (item 9a & c).

Please review the typed application, if you agree, sign and return it to this office with the appropriate filing fee (\$165.00 if you agree with the typed application).

Your prompt action will be appreciated.

Sincerely,


KEITH C. WILSON
Senior Resource Agent

KCW/cz

RECORDED

Enclosures

JUL 19 1985

Attachment