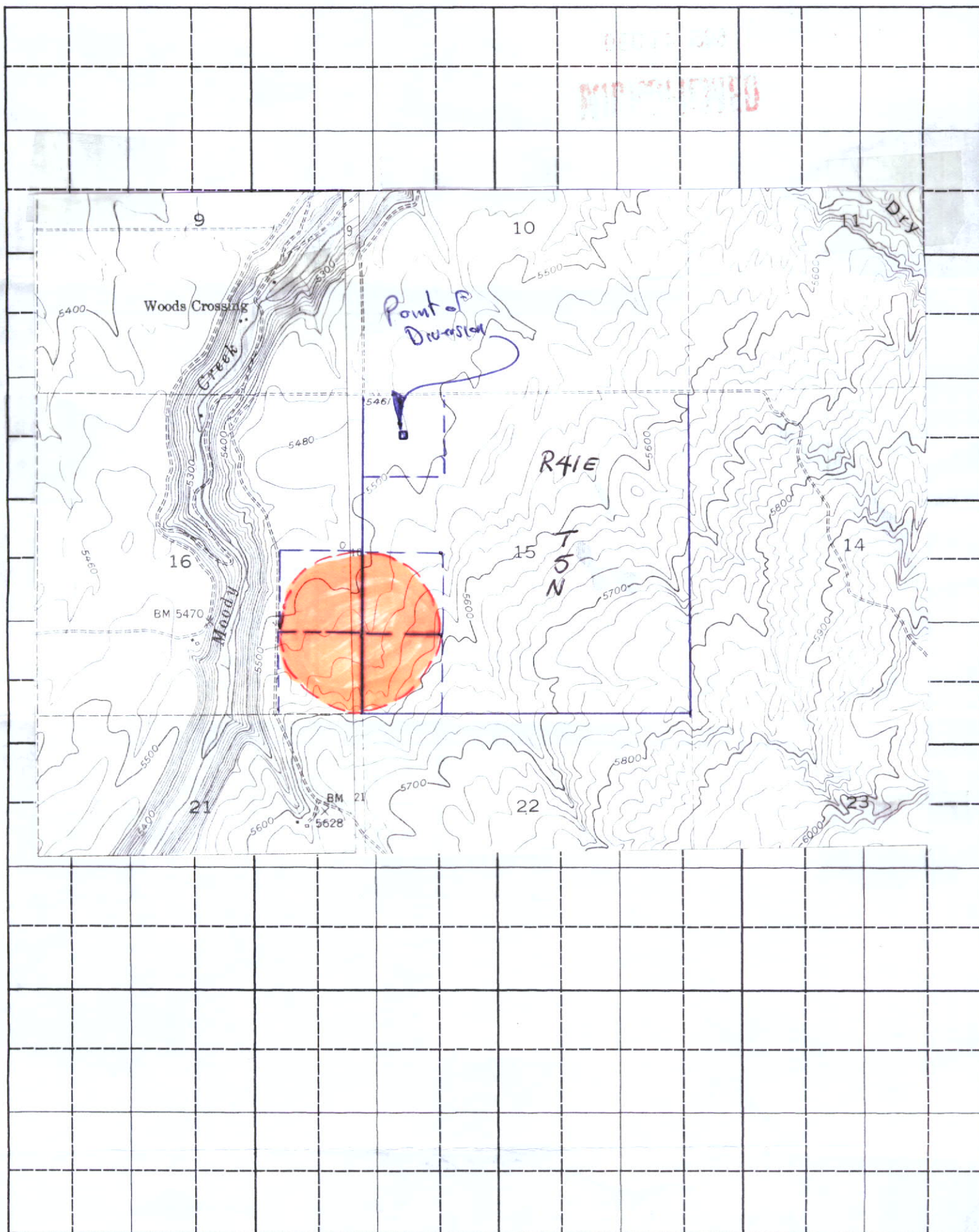


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

DEC 12 1989

Randy [Signature]
(Applicant)

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NE1/4	NW1/4	SW1/4	SE1/4	NESE	NWSE	SWSE	SESE	Total
Claim	22 7300	DANNY SUMMERS,	GROUND WATER	05N41E15			40	40		40	40						240
Permit	22 7300	EASTERN IDAHO AGRICULTURAL CREDIT ASSN,	GROUND WATER	05N41E15			40	40		40	40						240
Permit	22 7481	DANNY SUMMERS,	GROUND WATER	05N41E15			40	40		40	40						80
Permit	22 7300	EASTERN IDAHO AGRICULTURAL CREDIT ASSN,	GROUND WATER	05N41E15			34	36		40	40	11		6			242
Right	22 7481	DANNY SUMMERS,	GROUND WATER	05N41E15						40	35	40					68

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 5 - 1997
Department of Water Resources

A. GENERAL INFORMATION

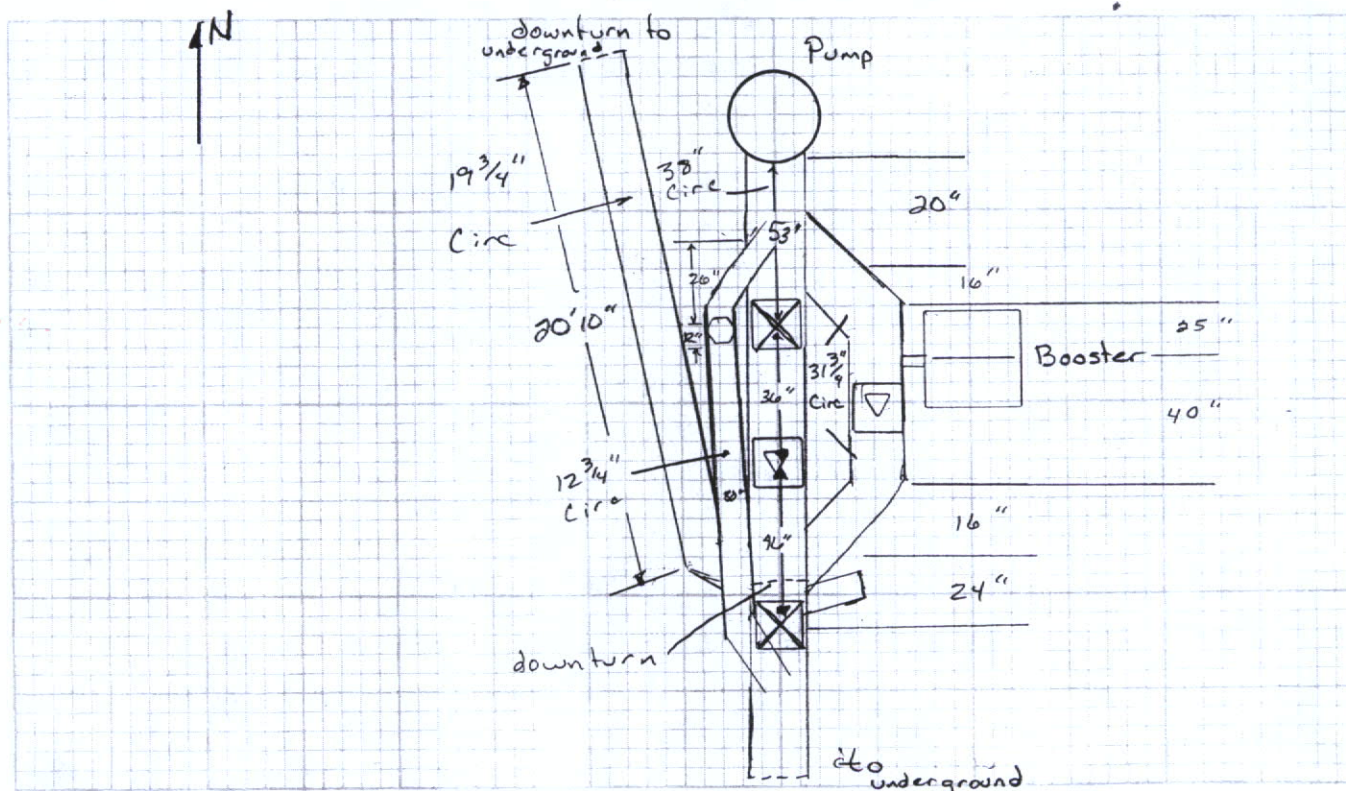
1. Owner: DANNY SUMMER Permit No. 22-7481
Current Address: 3500 E 1496 S Sugar City Ia 83448 Phone No. 350-3465
2. Accompanied by: Danny Summer EXAM. DATE: 6-27-95
Address: Same Phone No. Same
Relationship to Permit Holder: —
3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: — ☐ Copies Attached
2. Other water rights with same point of diversion: 22-7300 & 22-7481
— ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

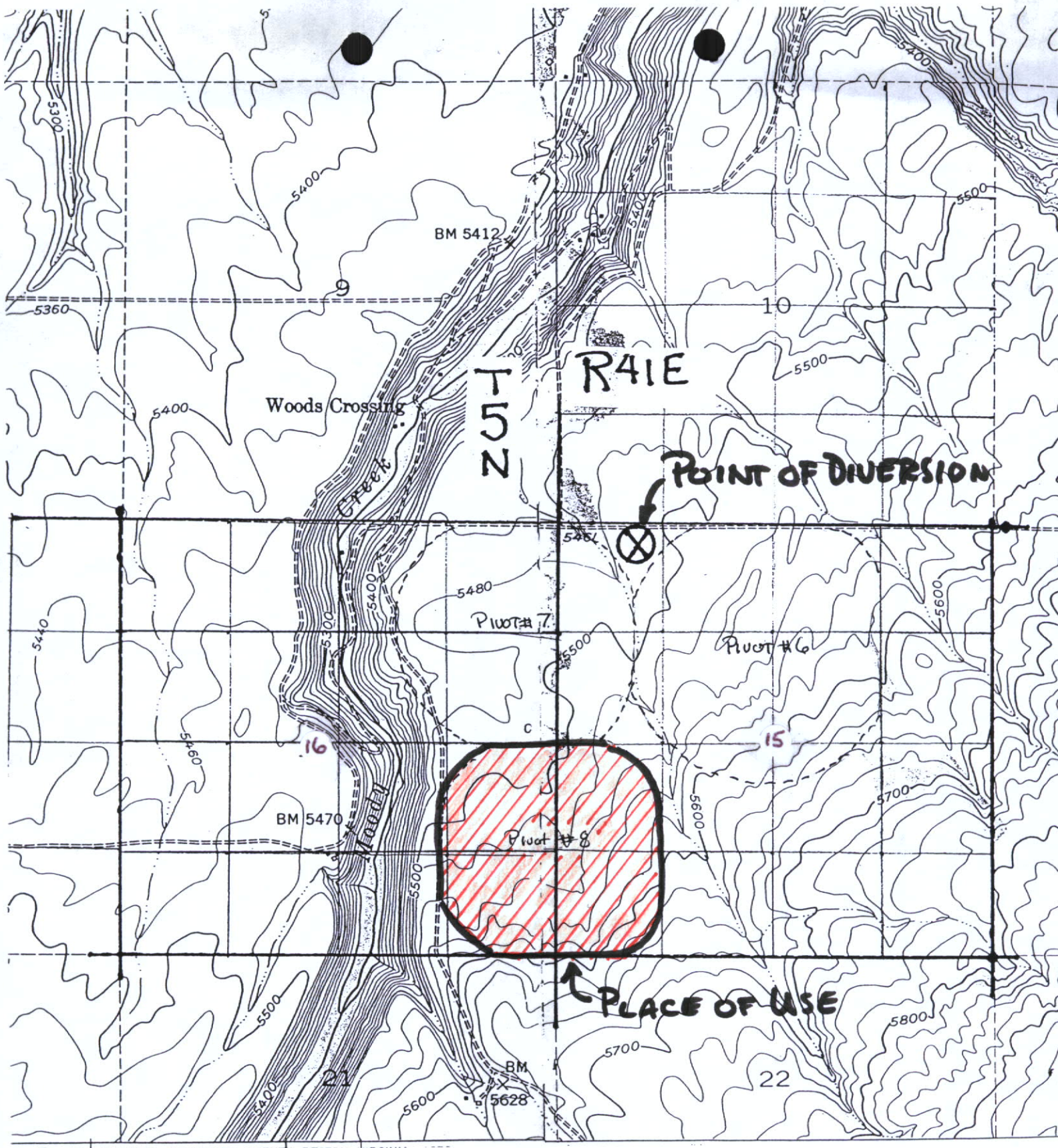
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = —

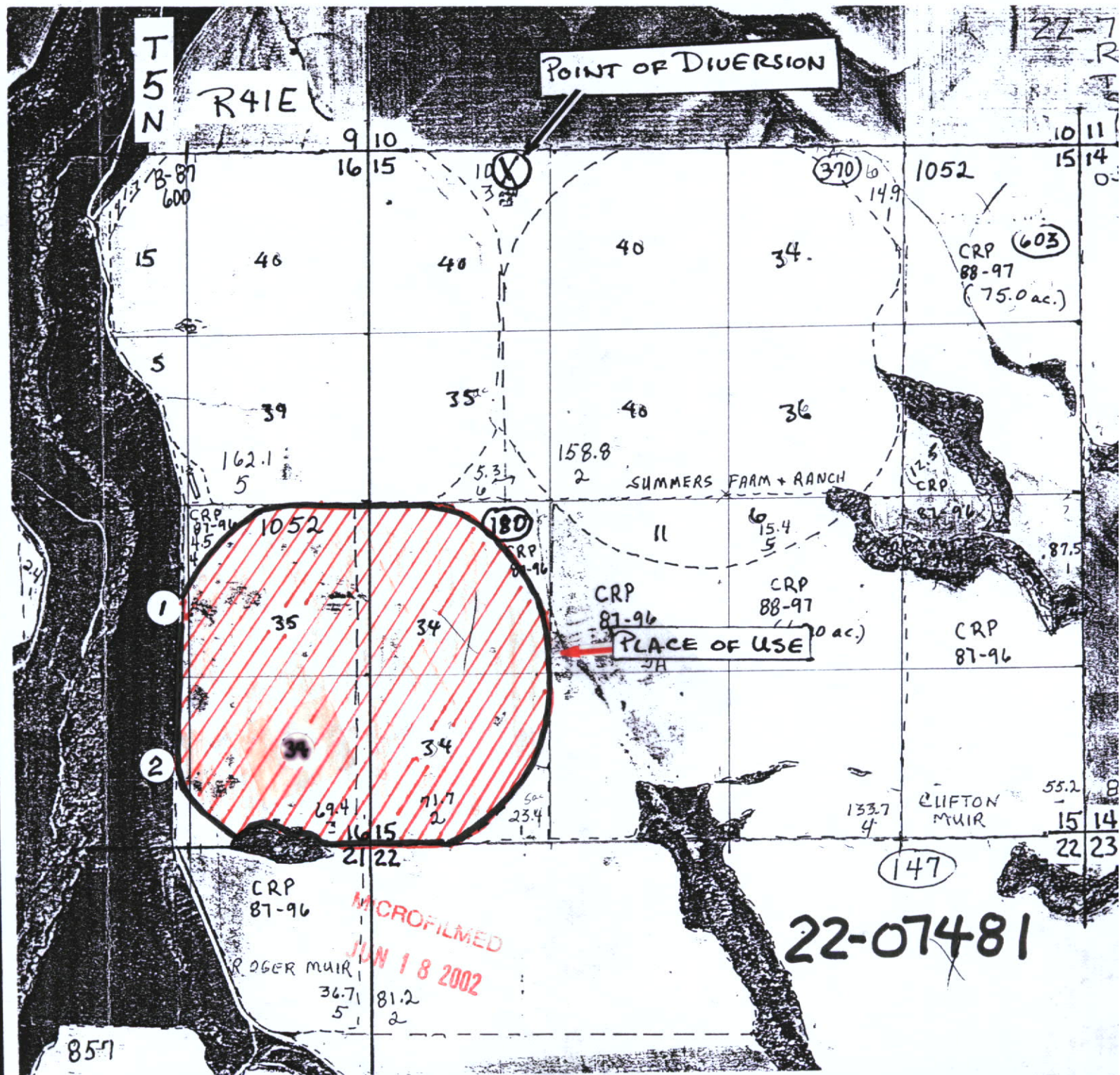
2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached SEE FILE FOR 22-7300 (required for all but single household domestic groundwater, and stockwater).

MICROFILMED
JUN 18 2002



22-07481

MICROFILMED
JUN 18 2002



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07481

Priority: September 25, 1984

Maximum Diversion Rate: 1.52 CFS
Maximum Diversion Volume: 490.0 AF

It is hereby certified that DANNY SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 25, 1984; and has
submitted Proof of Beneficial Use on November 02, 1992. An examination indicates that the works have
a diversion capacity of 5.23 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.52 CFS	490.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp 05N, Rge 41E, 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	
05N 41E 15										34.0	34.0						68.0
05N 41E 16													35.0	1.5	1.5	34.0	72.0

Total Acres: 140

CONDITIONS OF APPROVAL

1. Right 22-07300 is also diverted through the point of diversion described above.
2. 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.
3. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 16th day of MAY, 2002.

Acting for

KARL J. DREHER
Director

MICROFILMED

JUN 18 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 22-07481

RECEIVED

MAY - 9 2002

Department of Water Resources

Date of Priority: September 25, 1984

Maximum Diversion Rate: 1.52 CFS
Maximum Diversion Volume: 490.0 AF

Comes now DANNY SUMMERS
3500 E 1496 S

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. 22-07481, 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>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.52 CFS	490.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 15, Twp 05N, Rge 41E, 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	
05N 41E 15										34.0	34.0						68.0
05N 41E 16													35.0	1.5	1.5	34.0	72.0

Total Acres: 140

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 7th day of May, 2002.


(Signature)

MICROFILMED
JUN 18 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07481

FOR DEPARTMENT USE ONLY
Preliminary check by kw Fee \$50.00 Received by JW # 2061936 Date 5/9/02

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. 22-07481 with the following:

CONDITIONS OF APPROVAL

1. Right 22-07300 is also diverted through the point of diversion described above.
2. 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.
3. 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.

Witness my hand this 16TH day of MAY, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

JUN 18 2002

RECEIVED
DEC 2 1992

OFFICE USE ONLY
Amt. of Fee \$ 175
Date 10-29-92
Receipt No. E018044
Receipt by Jo

RECEIVED
NOV 02 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07481 Telephone No. 208 356 3465
2. Name(s) of Permit Holder(s): ~~Summers Farm + Ranch Inc~~ Danny Summers
3. Mailing Address: 3500 E 1496 S Sugar City Id 83448
4. Source of Water: Ground
- If GROUNDWATER, Well Driller's Name: Marcus Fransen (Date Drilled: 10-2781)
- OPTIONAL: This point of diversion is shared by 22-7300
- Pump horsepower: 500 Pressure (psi): 100 Dynamic pumping level (ft.): 720

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 8/60 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 3.20 cfs OR _____ 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: \$ 175⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Danny Summers Telephone No. 208 356-3465

Address 3500 E 1496 S Sugar City Id 83448

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.

10/28/92
Date

[Signature] Pres
Signature (and title, if on behalf of a company or organization)

RECORDED
DEC 09 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07481

Proposed Priority: September 25, 1984 Maximum Diversion Rate: 3.20 CFS

This is to certify, that **DANNY SUMMERS**
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	3.20 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 15, Township 05N, Range 41E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	41E	15	NWSW 40	SWSW 40		80
		16	NESE 40	SESE 40		80

Total number of acres irrigated: 160

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1992**.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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 issuance of this permit in no way grants any right-of-way or easement across the land of another.
8. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

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DEC 12 1989

Permit To Appropriate Water

NO. 22-07481

CONDITIONS/REMARKS:

9. 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

21st day of November, 1989.

R. Keith Higginson
R. Keith Higginson, Director
for

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DEC 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant DANNY SUMMERS Phone 356-3465

Post office address Route 1, Sugar City, ID 83448

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 5N

Range 41E B.M. Madison County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2 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. 3.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump to one center pivot

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 24 inches; proposed depth of well is 600 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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DEC 12 1989

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

[illegible]

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. None

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

b. Who owns the land to be irrigated or place of use Roger Muir, Rt. 2, Rexburg

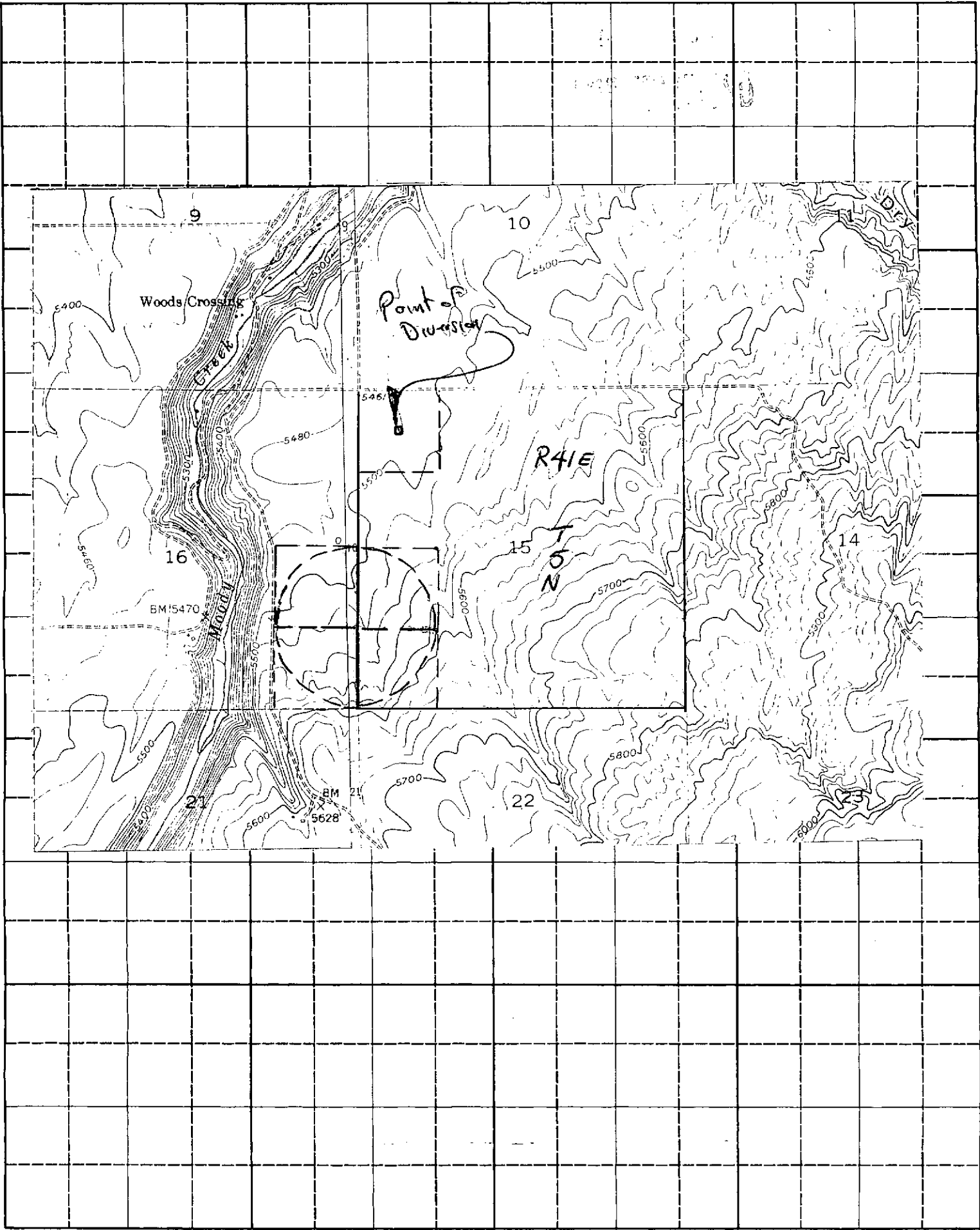
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Written contract exists between parties for
this use.

10. Remarks The point of diversion is also shared by permit 22-7300

100-111111

DEC 12 1989

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.

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DEC 12 1989

Rory [Signature]
(Applicant)

Received by CW Date 9-25-84 Time 1:10P
Preliminary check by KCW Fee \$ 105⁰⁰
Receipted by CW Date 9-25-84 # 34294
Publication prepared by RB Date _____
Published in Rexburg Standard-Journal
Publication dates 9-7-14-89
Publication approved RB Date 10-5-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by HWS

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:

WILSON & LAMAR

DEC 12 1989

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECORDED

SEP - 2 1989

Department of Water Resources
Eastern District Office

STATE OF IDAHO
County of Madison

Terry Weatherston being
first duly sworn, depose and say, that I
the printer of THE STANDARD-JOURNAL,
semi-weekly newspaper printed and
published semi-weekly at Rexburg,
Madison County, Idaho; and I do solemnly
swear that the
Notice Of Water Rights a copy
which notice appears attached hereto,
published in the regular and entire
issue of said newspaper, and not in any
supplement issue thereof for
two consecutive issues, the
first publication having been made on
September 7, 1989 and the last
publication having been made on
September 14, 1989.

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under the Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy eight
consecutive weeks prior to the first
publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

this 15th day of September in
the year of 1989, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me
to be the person whose name subscribed
the within instrument, and being by
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Keith R. Higginson
Notary Public for Idaho

Residing at Rexburg, Idaho
Notary commission expires: June 8, 1993.

NOTICE OF APPLICATION
FOR WATER RIGHT

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

22-07472

GARTH SUTTON FARMS INC.
RT. 3 BOX 216
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt. SESW Sec 31 T 05N R
41E
Use: IRRIGATION (2.800 CFS)
Date Filed: 11/30/1983
In: T04N R41E S06 NESW NWSE,
T05N R41E S32 NWSW SWSW SESW
SWSE 140.0 ACRES TOTAL

22-07476

ARLENCO INC.
RT. 4 BOX 139
REXBURG, ID 83440
Source: GROUNDWATER
Diversion Pt. SENE Sec 17 T 05N R
40E
Use: IRRIGATION (3.140 CFS)
Date Filed: 2/10/1984
In: T05N R40E S20 NENE NWNE
NENW NWNW 157.0 ACRES TOTAL

22-07481

SUMMERS, DANNY
ROUTE 1
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversion Pt. NWNW Sec 15 T 05N R
41E
Use: IRRIGATION (3.200 CFS)
Date Filed: 9/25/1984
In: T05N R41E S15 NWSW SWSW,
S16 NESE SESE 160.0 ACRES TOTAL

22-07485

SETH WOODS FARMS
262 EAST 1ST SOUTH
REXBURG, IDAHO 83440
Source: GROUNDWATER
Diversion Pt. SENE Sec 12 T 05N R
40E
Use: IRRIGATION (7.800 CFS)
Date Filed: 1/11/1985
In: T05N R40E S01 SWSE SESE, S12
NENE NWNE SWNE SENE NENW
SENEW, T06N R40E S36 NESE NWSE
SWSE SESE 390.0 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 to Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before SEPTEMBER 25, 1989.

R. KEITH HIGGINSON
Director

Publ. Sept. 7 and 14, 1989SJ.

RECORDED

DEC 12 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2002

DANNY SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448

RE: License No. 22-7481 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

MICROFILMED

JUN 13 2002

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 22-7481

**DANNY SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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JUN 18 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
JUN 18 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JUN 12 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 29, 2002

DANNY SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448

RE: Water Right Permit No. 22-07481

Dear Permit Holder:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Place of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

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JUN 18 2002

LICENSE REVIEW CHECKLIST

Permit No. 22-7481 Date: 4-22-02 Reviewer: Kay Walker

Change/OK

Name/Address ✓

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

Place of Use add

W32 (multiple in 1/4/1/4) 22-7300
W36 (overlap)
W59 (subdivision description)

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 22-7300

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.20 cfs
Fee Limit 4.0 cfs
Measured 5.23 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 1.52

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.52 cfs 490. af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 1.52 cfs 490. af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

1.52 cfs x 1.9835 x 214 days = 645.2 af (vs) 140 acres x 3.5 (FHR) = 490. af
2.5 (con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? NO - not reg'd

Adjust memo _____

Amend Letters _____

P87, S06

Second Amendment Notice P44

S06

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	22 7300	DANNY SUMMERS,	GROUND WATER	05N41E15			40	40	40	40	40	40	40								240
Permit	22 7300	EASTERN IDAHO AGRICULTURAL CREDIT ASSN,	GROUND WATER	05N41E15			40	40	40	40	40	40	40								240
Permit	22 7481	DANNY SUMMERS,	GROUND WATER	05N41E15			40	40													80
Right	22 7300	EASTERN IDAHO AGRICULTURAL CREDIT ASSN,	GROUND WATER	05N41E15			34	36	40	40	35	40	11	40	40			6			242
Right	22 7481	DANNY SUMMERS,	GROUND WATER	05N41E15										34	34						68

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 5 - 1997
Department of Water Resources

A. GENERAL INFORMATION

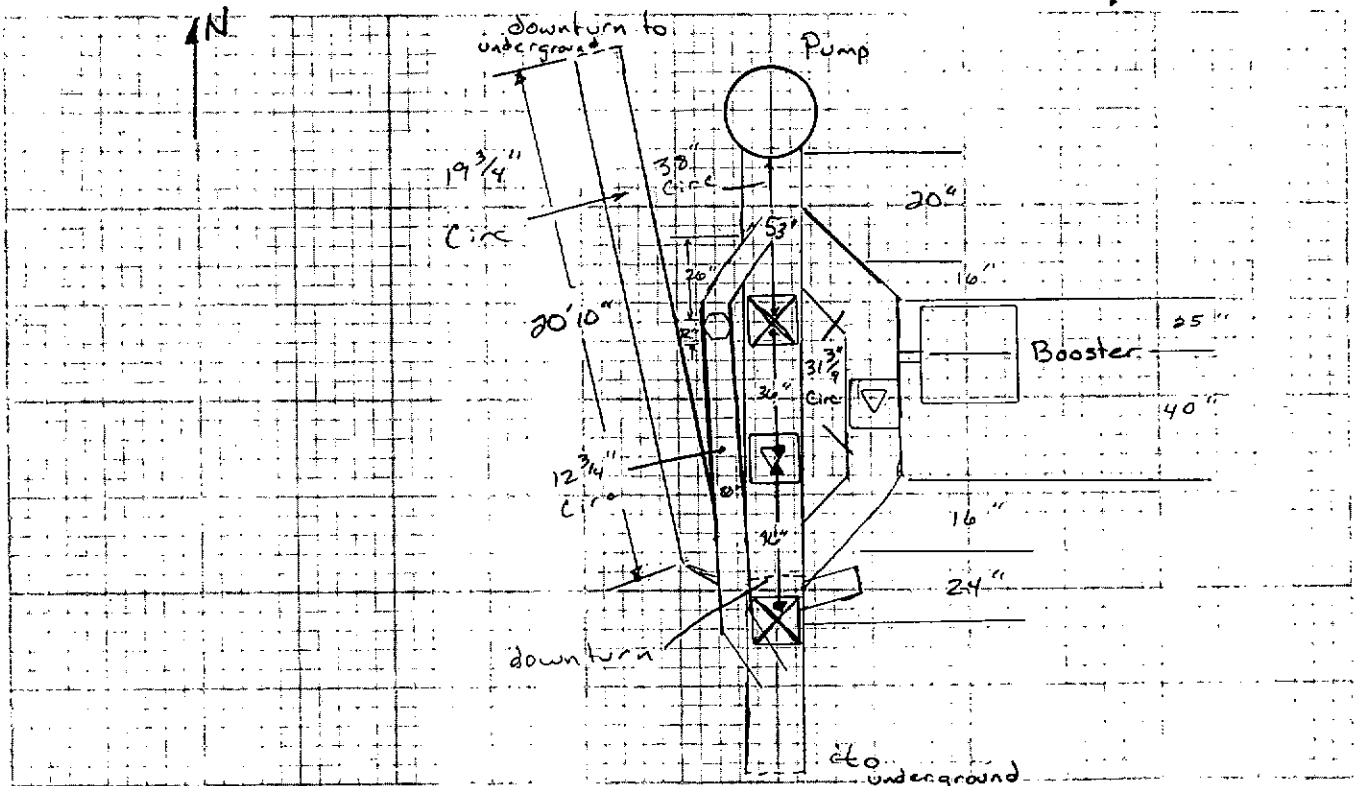
1. Owner: DANNY SUMMER Permit No. 22-7481
Current Address: 3500 E 1496 S Sugar City, Ia 83448 Phone No. 350-3465
2. Accompanied by: Danny Summer EXAM. DATE: 6-27-95
Address: Same Phone No. Same
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: 22-7300 & 22-7481
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. 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 or more)
☒ Photo of Diversion and System Attached SEE FILE FOR 22-7300 (required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well pump, mainline to booster to mainline to three pivots
one to east^{#6}, one to west^{#7}, and one to south^{#8}
(of the pump).

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well	Westinghouse	500	45-78	Wellline	T8115
Booster	Lincoln	150	2314263	Paco	1AOTBP94979

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	15	5N	41E	Madison	ON SITE / USGS QUAD / AERIAL PHOTO

6. Place(s) of Use:

Indicate Method of Determination

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	
5N	41E	15									34	34							68
		16													35	1	2	34	72
																			<u>140 ac</u>

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow Meter Station	non-contact	Polysonics	TF-P		Small	
Flow Meter Station		Polysonics	ISTT-P	26863	Small	

REMEASUREMENT

2. Measurements: SEE ATTACHED PAGE FOR REMEASUREMENT

Sonic meter measurements at pivots.

#6 East pivot: 655 GPM/Remeasured $Q = 820.04 \text{ gpm}$

#7 West pivot: 560 GPM (Corner machine and end gun off) $Q = 827.4$ REMEASURE

#8 South pivot: 619 GPM/Remeasured $Q = 701.4 \text{ gpm}$

1834 GPM = 4.09 cfs

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: $Q = 2348.9 \text{ gpm} = 5.23 \text{ cfs} / 481 \text{ ac} = 0.01087 \text{ cfs/ac}$
 $Q = 140 \times 0.01087 = 1.52 \text{ cfs}$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 140 \text{ ac} (3.5) = 490 \text{ afc}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.52 \text{ cfs} (183) 1.9835 = 551.7$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 490 \text{ afc}$

2. Volume Calculations for Other Uses:

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[illegible]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	1.52 cfs	490 afa
Totals:			1.52 cfs	490 afa

☐ 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

Field Examiner's Name KEITH C. WILSON
Signature Keith C. Wilson
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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JUN 18 2002

TOTAL CAPACITY WELL UNDER 22-07300 ; 22-07481

$$Q_{\text{gpm TOTAL}} = Q_{\#6} + Q_{\#7} + Q_{\#8} = 826.044 + 827.428 + 701.444 \text{ gpm} = 2348.9 \text{ gpm}$$

$$Q_{\text{cfs}} = 2348.9 \text{ gpm} \div 448.8 \text{ gpm/cfs} = 5.23 \text{ cfs}$$

$$5.23 \text{ cfs} / 481 \text{ ac} = 0.010873 \text{ cfs/ac}$$

$$22-7300 \text{ with } 341 \text{ ac} \times 0.010873 \text{ cfs/ac} = 3.71 \text{ cfs}$$

$$22-7481 \text{ with } 140 \text{ ac} \times 0.010873 \text{ cfs/ac} = 1.52 \text{ cfs}$$

$$5.23 \text{ cfs}$$

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APR 18 2002

PERMIT # 22-7481

Pivot
 SETUP NO. 1 #6

 PIPE O.D. 8.017 IN
 PIPE WALL THICKNESS 0.107 IN
 PIPE I.D. 7.803 IN
 PIPE MATERIAL CARBON STEEL
 PIPE SOUND VELOCITY 10597.129 F/S
 LINER MATERIAL NONE
 LINER SOUND VELOCITY 0.000 F/S
 LINER THICKNESS 0.000 IN
 INSIDE ABS ROUGHNESS 0.00015000
 FLUID MATERIAL WATER
 FLUID SOUND VELOCITY 4863.330 F/S
 FLUID VISCOSITY 1.132 Cst
 TRANSDUCER TYPE STANDARD
 TRANSDUCER MOUNTING U
 TRANSDUCER SPACING 6.060 IN

12:11:21 06-27-95
 SCALE FACTOR = 0.990
 OFFSET(GPM) = -11.517
 nsec OFFSET = 9.01
 usec OFFSET = -0.47
 XMT_DET.DLV. = 18.82
 AERATION FAC. = 1.00
 XDUCER: STANDARD/U
 UP DOWN
 WIN.DLV = 289.16 289.16
 SE>R = 1.63 1.73
 BIAS = 1.88 1.86
 AGC = 0.00 0.06
 SIG.STG = 9.92 9.88
 MISSED = 0 0
 TIME(us) = 291.9 291.6
 DEL TIME(ns) = 277.8
 DIFF COUNT = 1013
 P2X = 68
 SPS = 23.95
 AERATION = 0.000

FLUID (F/S) = 4863.33
 REYNOLDS NO. = 293211
 PROFILE FACTOR = 0.9452

FLOW: = 820.044 GPM
 5.62 F/S

ZERO METHOD
 = ZERO DURING FLOW

ZERO METHOD
 = ZERO DURING FLOW

 SETUP NO. 1 **Pivot # 7**

 PIPE O.D. 8.020 IN
 PIPE WALL THICKNESS 0.151 IN
 PIPE I.D. 7.718 IN
 PIPE MATERIAL CARBON STEEL
 PIPE SOUND VELOCITY 10597.129 F/S
 LINER MATERIAL NONE
 LINER SOUND VELOCITY 0.000 F/S
 LINER THICKNESS 0.000 IN
 INSIDE ABS ROUGHNESS 0.00015000
 FLUID MATERIAL WATER
 FLUID SOUND VELOCITY 4863.330 F/S
 FLUID VISCOSITY 1.132 Cst
 TRANSDUCER TYPE STANDARD
 TRANSDUCER MOUNTING U
 TRANSDUCER SPACING 6.141 IN

 INTERMITTENT SIGNAL
 5.716 F/S

FLOW 801.500 GPM
 5.496 F/S

 ADJUSTING GAIN +
 5.733 F/S

 FLOW 838.506 GPM
 5.750 F/S

11:21:51 06-27-95
 SCALE FACTOR = 0.990
 OFFSET(GPM) = -31.902
 nsec OFFSET = 9.01
 usec OFFSET = -0.47
 XMT_DET.DLV. = 19.23
 AERATION FAC. = 1.00
 XDUCER: STANDARD/U

UP DOWN
 WIN.DLV = 287.24 286.60
 SE>R = 2.02 2.10
 BIAS = 1.75 1.82
 AGC = 1.00 1.10
 SIG.STG = 7.88 7.84
 MISSED = 0 0
 TIME(us) = 288.4 289.5
 DEL TIME(ns) = 278.2
 DIFF COUNT = 1141
 P2X = 69
 SPS = 23.74
 AERATION = 0.000

FLUID (F/S) = 4863.33
 REYNOLDS NO. = 299639
 PROFILE FACTOR = 0.9452

FLOW: = 827.423 GPM
 5.674 F/S

 SETUP NO. 1 **Pivot # 8**

 PIPE O.D. 8.017 IN
 PIPE WALL THICKNESS 0.101 IN
 PIPE I.D. 7.815 IN
 PIPE MATERIAL CARBON STEEL
 PIPE SOUND VELOCITY 10597.129 F/S
 LINER MATERIAL NONE
 LINER SOUND VELOCITY 0.000 F/S
 LINER THICKNESS 0.000 IN
 INSIDE ABS ROUGHNESS 0.00015000
 FLUID MATERIAL WATER
 FLUID SOUND VELOCITY 4863.330 F/S
 FLUID VISCOSITY 1.132 Cst
 TRANSDUCER TYPE STANDARD
 TRANSDUCER MOUNTING U
 TRANSDUCER SPACING 6.049 IN

 FLOW 699.614 GPM
 4.679 F/S

12:45:58 06-27-95
 SCALE FACTOR = 0.990
 OFFSET(GPM) = -13.490
 nsec OFFSET = 9.01
 usec OFFSET = -0.47
 XMT_DET.DLV. = 17.63
 AERATION FAC. = 1.00
 XDUCER: STANDARD/U

UP DOWN
 WIN.DLV = 288.51 288.51
 SE>R = 2.02 1.95
 BIAS = 1.14 1.48
 AGC = 0.33 0.37
 SIG.STG = 9.33 9.33
 MISSED = 0 0
 TIME(us) = 292.6 292.4
 DEL TIME(ns) = 236.4
 DIFF COUNT = 980
 P2X = 82
 SPS = 19.84
 AERATION = 0.000

FLUID (F/S) = 4863.33
 REYNOLDS NO. = 250445
 PROFILE FACTOR = 0.9452

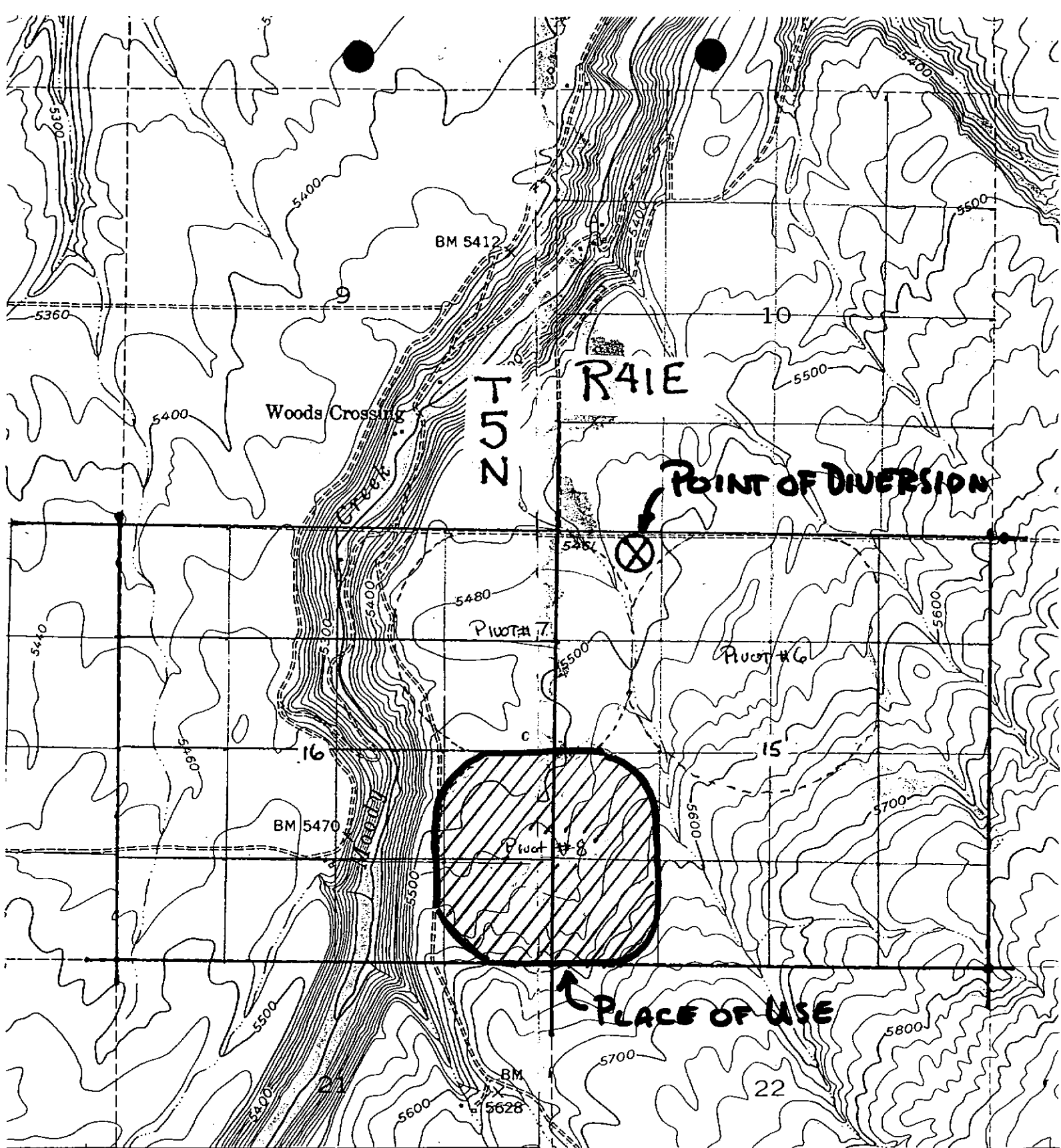
FLOW: = 701.441 GPM
 4.692 F/S

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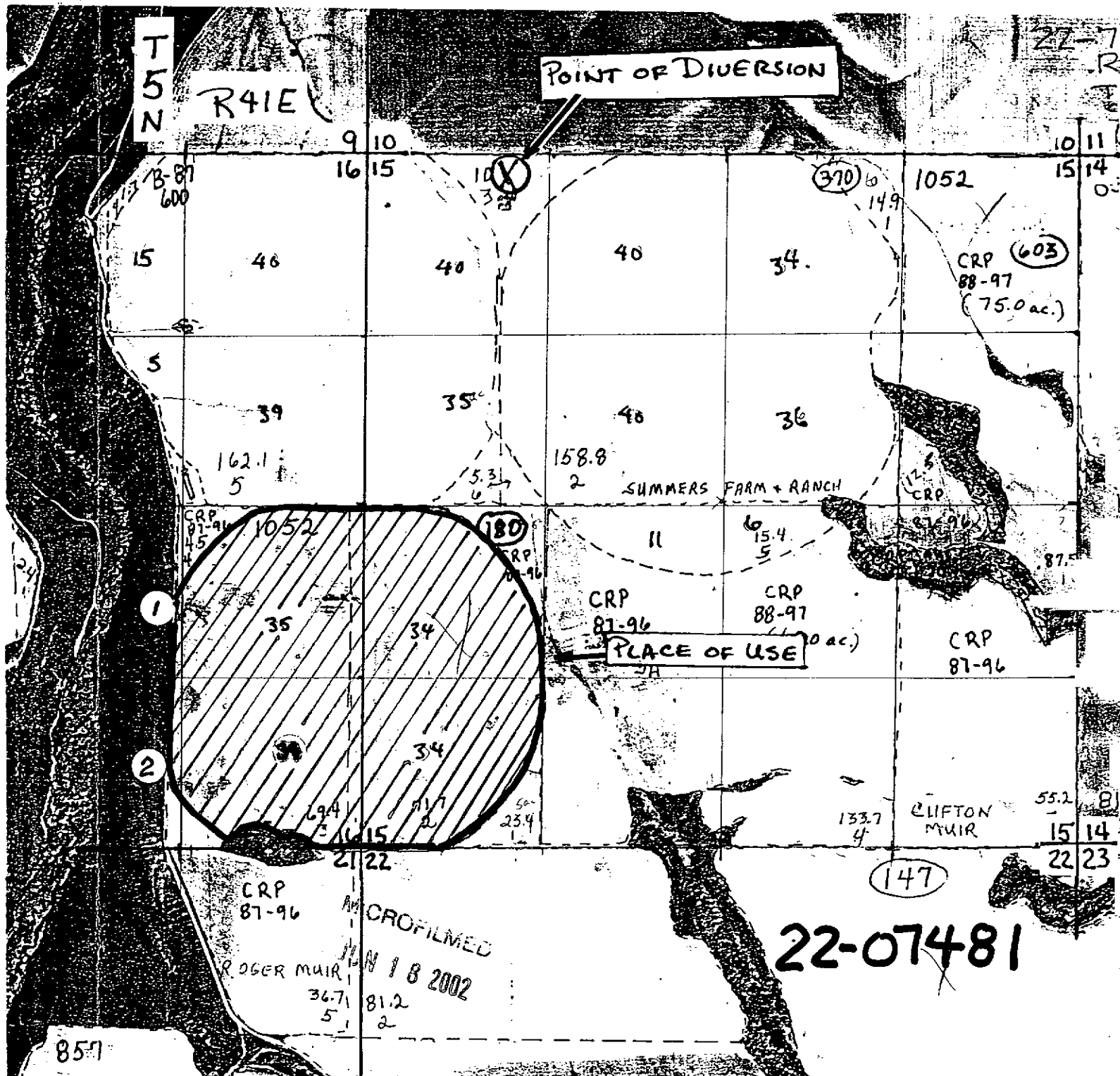
FOR ORIGINALS SEE FILE FOR 22-7300

22-7481



22-07481

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JUN 18 2002



SEE 22-7300 FOR PICTURES OF DIVERSION

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JUN 18 2002

22-7481

December 4, 1992

DANNY SUMMERS
3500 E 1496 S
SUGAR CITY ID 83448

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07481

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

DEC 09 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 3, 1992

Danny Summers
3500 E 1496 S
Sugar City, ID 83448

RE: Permit No. 22-07481

Returned is your Proof of Beneficial Use submitted in connection with the above referenced permit. Before we can complete processing, additional information is required.

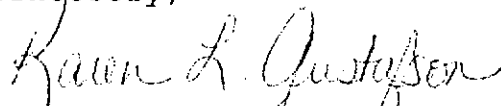
A drilling permit is required for all wells drilled, deepened or enlarged after July 1, 1987 (Section 42-235, Idaho Code). You have not indicated the date the well was drilled. If the well was drilled prior to July 1, 1987, simply indicate this on the form and return it to me.

If your well was drilled after July 1, 1987, please submit a copy of the drilling permit. The well log should have been submitted by the driller within 30 days of the completion of the well. If you have a copy of the well log, please submit that as well. If you do not, please contact your driller and ask that he submit a copy.

In order to meet all of the required dates, it will be necessary to return the proof of beneficial use and requested information on or before December, 1, 1992.

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

Sincerely,


Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
DEC 09 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-07481 Reviewed by Klg Date 11/3/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? irrigate -160
no Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
NA ~~yes~~ Drilling permit required?
10-27-80 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
✓ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required? yes Required?
175 Amount Submitted no Installed?
yes Correct? no Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs a flow

DATA ENTRY

New Address 3500 E 149th S 12/1/92 Klg

Proof Made 11/2/92
12/4/92 Klg

September 30, 1992

DANNY SUMMERS
RT. 1
SUGAR CITY ID 83448

PROOF DUE NOTICE

RE: PERMIT NO. 22-07481

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

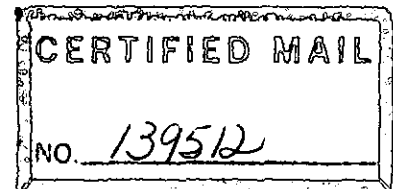
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



RECEIVED

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
November 22, 1989

DANNY SUMMERS
RT. 1
SUGAR CITY, ID 83448

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P22-07481

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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DEC 12 1989

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 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 SPACEMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosure

MICROFILMED

DEC 12 1989

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCW APPLICATION NUMBER: 22-7481

CHECK:

- ☒ 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: _____

NOTE PERMIT 22-7300 SAME
POINT OF DIVERSION

*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. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 9-25-89
☐ 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
9-25-84 Date of priority recommended.
Special conditions of approval or cover letter. LG167

App. in NON-TRUST area -
allow 3 yrs. for B/U development

By: HWS Date: 10-5-89

STATE OFFICE REVIEW:

P05, P23, P03, P17 4849 46 26 04 01G

- ☐ See attached sheet for more information.
By: KW

Date: 11/13/89

RECEIVED
OCT 10 1989

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)

IDAHO STREAM CODE INDEX

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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

30-Aug-1989

Danny Summers
Rt. 1
Sugar City,, ID 83448

RE: Application for Permit No. 22-7481

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Rexburg Standard-Journal. 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

DEC 12 1989

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

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 29, 1989

THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

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 SEPTEMBER 25, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED

DEC 14 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECEIVED

DEC 12 1989

22-07481

SUMMERS, DANNY
ROUTE 1
SUGAR CITY, ID 83448

Source: GROUNDWATER

Diversion Pt:

NWNW Sec 15 T 05N R 41E
(3.200 CFS)

Use: IRRIGATION

Date Filed: 9/25/1984

In: T05N R41E S15
S16

NWSW
NESE

SWSW
SESE

160.0 ACRES TOTAL

MICROFILMED

DEC 14 1989

22-7481

SUMMERS, DANNY

ROUTE 1, SUGAR CITY, ID 83448

Source: GROUNDWATER

Date Filed: 09/25/1984

Diversion Pt: NNNW Sec 15 T 05N R 41E

Use: IRRIGATION (3.20 CFS)

In: NNSW SWSW Sec 15 T 05N R 41E NESE SESE Sec 16 T 05N R 41E
FOR 160 ACRES

MICROFILMED

DEC 12 1989

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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director

Published 9/07/1989 & 9/14/1989

RECEIVED

DEC 12 1989