

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

21-2116
22-2295

Application No. G- 36467
Permit No. G- 28492
District No.

Assigned to Roy Summers
Rexburg - Idaho

1. Name of Applicant: Roy & Bert Summers
Postoffice address: Sugar City, Rt. #1, County: Madison State: Idaho

2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 8.4 or Idaho
Miners' inches 420 or gallons per minute 3780
(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 26
Twp. 6 N , Rge. 40 E , B.M., County of Madison

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works:

8. Estimated cost of works: \$ 38,000

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:

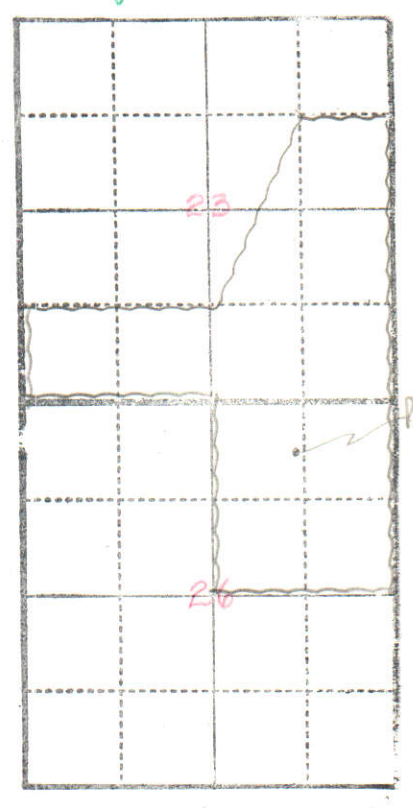
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 8.4 (cubic feet per second, inches or gallons per minute) is for new lands.



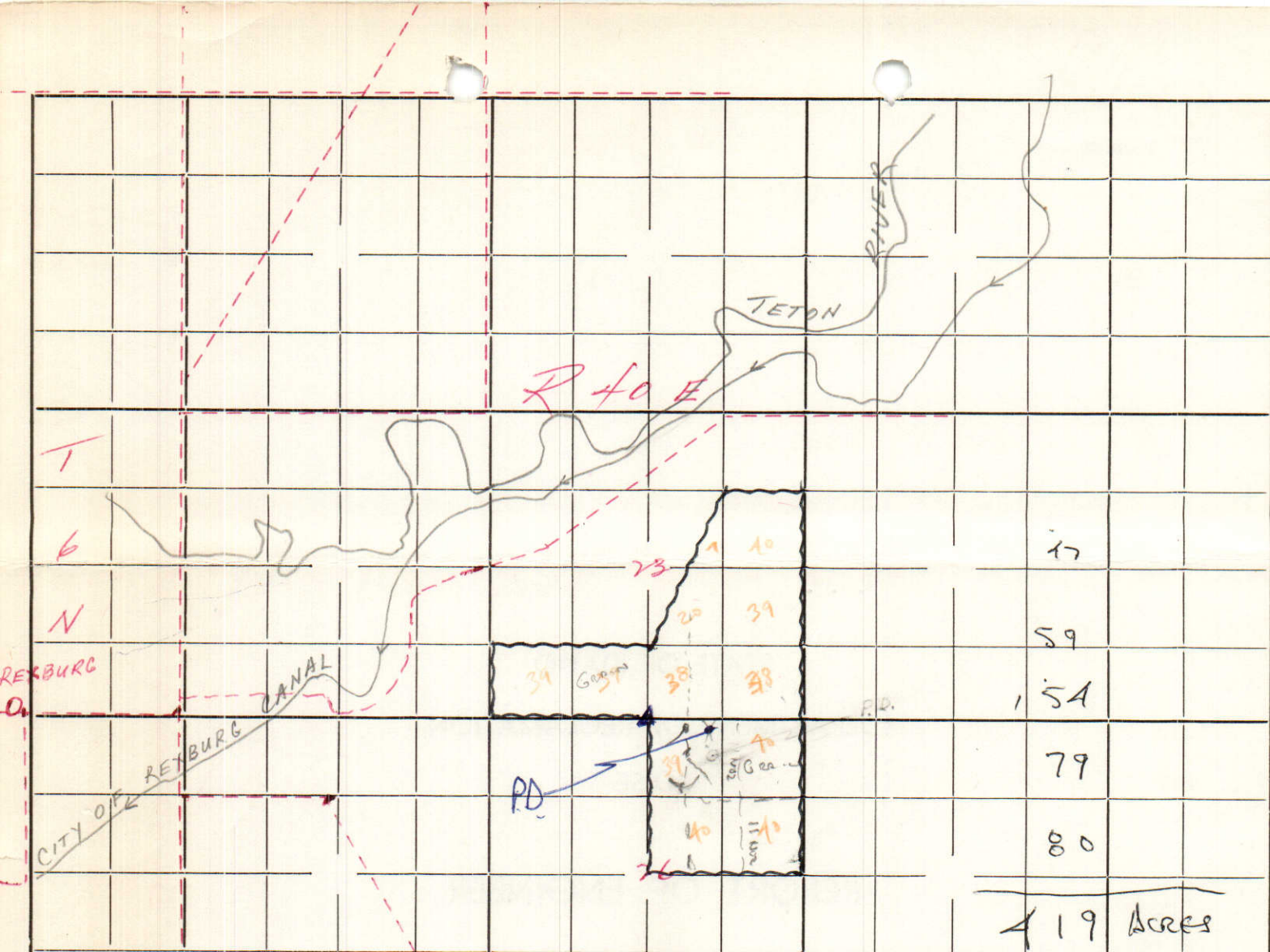


PHOTO WITH Permit No. G-28563

AREA - 419

SUBD - 12

Q - 7.21 c.f.s.

Max. (no map)

Priority - Feb 9, 60

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

VOL = 1408 AC-FT / SEASON

28492

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, ANNETTE PORTER,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

STANDARD, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

NOTICE OF PROOF

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for FOUR
consecutive issues, the first publication hav-

ing been made on APRIL 7, 1964
and the last publication having been made

on APRIL 28, 1964

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter



Subscribed to and sworn to before me

this 29TH DAY OF APRIL, 1964

John C. Porter
Notary Public.
(SEAL)

My commission expires 5/24/64

RECEIVED
MAY 28 1964

cation to beneficial use of said
water, in accordance with the
terms and conditions of Permit
No. G 28492, heretofore issued
by the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice ad-
dress of the person or corpora-
tion holding said permit is Roy
Summers, Rexburg, Idaho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 8.4 cubic
feet per second.

3. The use to which said wa-
ter has been applied is irrigation,
purposes, and the amount ap-
plied to beneficial use is 8.4 cu-
bic feet per second.

4. The point of diversion of
said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Sec. 26, Twp. 6 N., R. 40,
E.B.M., Madison County, Idaho.

5. The place where said water
is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$
NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$
NE $\frac{1}{4}$ of Sec. 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$
SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$
SE $\frac{1}{4}$ of Sec. 23, all in Twp. 6 N.,
R. 40, E. B. M.

6. The date of priority which
said water user is prepared to
establish is February 9, 1960.

CARL E. TAPPAN

State Reclamation Engineer

(Publ. April 7, 14, 21, 28, 1964)

**NOTICE OF PROOF OF COM-
PLETION OF WORKS and AP-
PLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at
10 A.M., on the 1st day of May
1964, at Rexburg, County of Ma-
dison, State of Idaho, before
RAY W. RIGBY, Notary Public,
at (address) 25 North 2nd East
Street, proof will be submitted
of the completion of works for
the diversion of 8.4 cubic feet
per second of underground wa-
ter from a well, and of the appli-

28492

NAME OF APPLICANT Roy Bert Summers

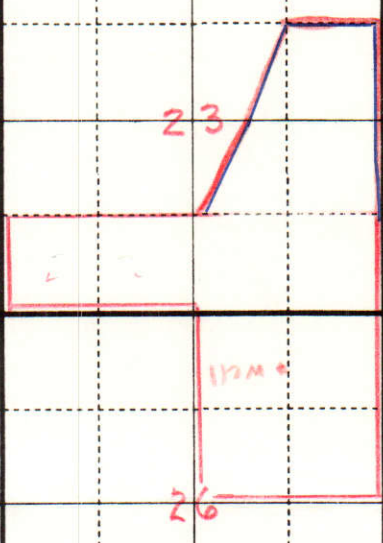
Form No. 0

RECEIVED
FEB 23 1960

Department of Reclamation

R 40 E

T
6
N



Permit Map No. 9-28492
As Approved MAR 8 1960
GEO. N. CARTER
State Reclamation Engineer

The Rexburg Standard, Rexburg,

cation to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28492, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 8.4 cubic feet per second.

4. The point of diversion of said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Twp. 6 N., R. 40, E.B.M., Madison County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of Sec. 23, all in Twp. 6 N., R. 40, E. B. M.

6. The date of priority which said water user is prepared to establish is February 9, 1960.

CARL E. TAPPAN

State Reclamation Engineer
(Publ. April 7, 14, 21, 28, 1964)

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

Notice is hereby given that at 10 A.M., on the 1st day of May 1964, at Rexburg, County of Madison, State of Idaho, before RAY W. RIGBY, Notary Public, at (address) 25 North 2nd East Street, proof will be submitted of the completion of works for the diversion of 8.4 cubic feet per second of underground water from a well, and of the appli-

WATER LICENSE

Water License No. G-28492 Priority February 9, 1960 Amount 7.21 c.f.s.

THIS IS TO CERTIFY, that Roy & Bert Summers - Assignee - Roy Summers
of Rexburg, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 9, 1960; that Permit G-28492 was issued pursuant
to said application; that the proposed works were completed on or about 1960,
with a storage/or carrying capacity of 7.21 c.f.s., said works consisting of well,
pump, and motor; and that on May 1, 1964,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1468
acre feet per season, with a maximum rate of diversion of 7.21 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 6 N, R. 40 E, B.M., and
other additional points _____, in the County of
Madison; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 1468 acre feet per year.

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 $\frac{1}{4}$	
<u>6 N</u>	<u>40 E</u>	<u>23</u>			<u>7</u>	<u>40</u>							<u>39</u>	<u>39</u>	<u>39</u>	<u>20</u>	<u>38</u>	<u>38</u>	<u>260</u>
		<u>26</u>	<u>40</u>	<u>39</u>	<u>40</u>	<u>40</u>													<u>159</u>

Total number of acres irrigated 419

The right to the use of the water 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

30th day of January, 19 69.

E. Keith Higgins
State Reclamation Engineer

28492

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

Application No. G- 36467
Permit No. G- 28492
District No.

Assigned to

Roy Summers
Rushburg - Idaho

1. Name of Applicant: Roy & Bert Summers

Postoffice address: Sugar City, Rt. #1, County: Madison State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 8.4 or Idaho
Miners' inches 420 or gallons per minute 3780

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26
Twp. 6 N , Rge. 40 E , B.M., County of Madison

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works:

8. Estimated cost of works: \$ 38,000

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

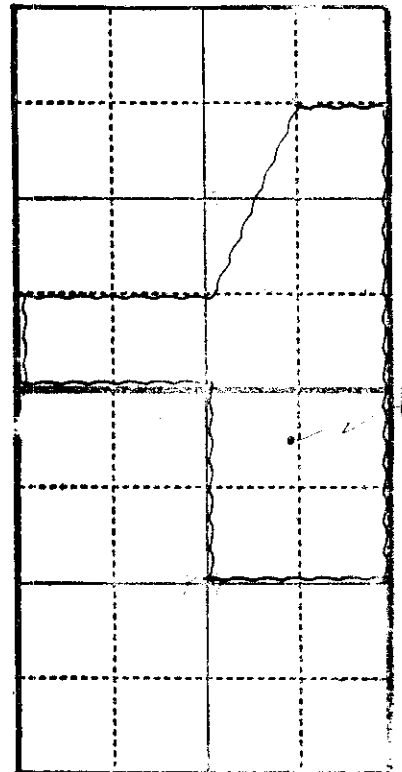
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 8.4 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Roy Summers
s/ Bert Summers

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. February 9, 1960

Returned to applicant for correction: February 9, 1960

Corrected application received: February 23, 1960

Approval of State Reclamation Engineer

The number of this permit is G— 28492

Recorded in Book 100 Page 28492 Approved March 8, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 8, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before March 8, 1965

Witness my hand this 8th day of March, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 8th day of March, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE

Governor

12.

Twp.	Range	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	
6 N	40 EBM	26	40	40	40	40												160	
		23			5	40					40	40			40	15	40	40	260
																			420
ASSIGNMENT																			
For value received, We hereby assign all of our right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-28492 to Roy Summers, Rexburg, Madison County, Idaho																			
																			s/ BERT SUMMERS Permit Holder
																			s/ BERNIECE SUMMERS Wife of Permit Holder
STATE OF IDAHO)																			
County of Madison)			ss																
On this 20th day of March, 1964, before me, a Notary Public for the State of Idaho, residing at Rexburg, personally appeared BERT SUMMERS and BERNIECE SUMMERS, known to me to be the persons whose names are subscribed to within instrument and duly acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set hand and affixed my Notarial Seal, the day and year in this certificate																			s/ RAY W. RIGBY Notary Public Residing at Rexburg, Idaho
first above written. (SEAL)																			
My commission expires 1-26-67																			
																			USE 1 SUD FOR 7.2/SEC. FI. LICENSE PAGE NO. 28492

January 30, 1969

Re: Permit No. G-28492

Mr. Roy Summers
Route 1
Sugar City, Idaho 83448

Dear Mr. Summers:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt no. 2587 in the
amount of \$29.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

28492

DON SAMUELSON
GOVERNOR



JAN 23 1969

R. KEITH HIGGINSON
State Reclamation Engineer

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 23, 1969

Re: Permit No. G-28492

Roy Summers
Route 1
Sugar City, Idaho

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-28492 and has found the following:

Quantity of water diverted: 7.21 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 7.21 c.f.s.*

Purpose of use: Irrigation of 419 acres in S¹/₄NE¹/₄, S¹/₄SW¹/₄, SE¹/₄, Sec. 23; NE¹/₄, Sec. 26, T. 6 N. R. 40 E. B.M.

The priority date established is: February 9, 1960.

A fee totaling \$29.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Dean R. Schnaible".

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 1468 acre feet per season.

28492

28492

January 23, 1969

File: Perfit Co. 3-23492

Ray Summers
Route 1
Sugar City, Idaho

cc: Mr. Zimmers:

A representative of this department has made an examination of the works covered by your permit 6-23402 and has found the following:

Quantity of water diverted: 7.21 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 7.21 c.f.s.

Purpose of use: Irrigation of 412 acres in 3rd, 5th, 6th

~~Dec. 23; 4, Dec. 26, 1, 6, 1, 1, 40, 5, 1.~~

The priority date established is: February 9, 1960

A fee totaling \$ 22.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean A. Schnaible
Reclamation Engineering Administrator

*The maximum quantity diverted shall not exceed 146 acre feet per season.

28492

January 23, 1969

Re: Permit No. G-28492

Roy Summers
Route 1
Sugar City, Idaho

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-28492 and has found the following:

Quantity of water diverted: 7.21 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 7.21 c.f.s.*

Purpose of use: Irrigation of 419 acres in S¹/₄NE¹/₄, S¹/₄SW¹/₄,
S¹/₄SE¹/₄, Sec. 23; NE¹/₄, Sec. 26, T. 6 N., R. 40 E., S. 1.

The priority date established is: February 9, 1960.

A fee totaling \$ 29.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean B. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 1460 acre feet per season.

28492

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

Permit No. G-28492

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

1. Name of applicant Roy Summers

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE¹/₄ NE¹/₄ of Section 26

T. 6 N R. 40 E.B.M. County of Madison

4. Describe works as they exist, giving dimensions and capacities of same: GE Motor Model 5K6325
XC98A 250HP #NTS 115008 Layer & Barker pump Ser #28403

No other information on plate Discharge 12" N. fork into Berkeley Pump
Model B 8GRM BM# 2361 Ser # 610788 w/ GE Motor

Model 5K444HA22 Ser # 04073013 - 100HP 8" pump discharge
into 12" Main line To 10" South & West underground main line with
gate valves & pressure gauges 0-100 PSI -

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE¹/₄ Sec. 26., S¹/₂NE¹/₄, S¹/₂SW¹/₄, SE¹/₄ Sec. 23., all in Twp. 6 N., Rge. 40 E.B.M.

4.9
Making a total of 4.9 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: NOTES: 7-1/4 miles LAT. - 5/32 RAIN BIRD 30 B - 46 lbs

$$Q = \left(\frac{4.77}{450 \text{ gpm}} \right) (231) = 2.16 \text{ cfs}$$

NOTE: NO DATA FOR 70 B - 46 LB 70 E

$$Q = \left(\frac{20.8}{175} \right) (90 \text{ NO2}) = 4.17 \text{ cfs}$$

2 WHEEL PUMPS - 1/2" RAIN TUBE 200 @ 48 lbs

$$Q = \left(\frac{1.1}{450 \text{ gpm}} \right) (5.88 \text{ gpm}) = .58 \text{ cfs} = 7.21 \text{ cfs}$$

This examination was made on the 25th day of July, 1957

(Signed) John Reynolds

Examiner.

100' (25' x 4') 200' (25' x 8') = 3.5 ac ft (100' / 28.8)
28492

Roy Summers
Route #1
Sugar City, Idaho
Permit No. G-28492

ASC Plumbing

Examination for Completion of Works & Beneficial Use

County Madison

Quantity: 8.4 cfs

Sec 26 T.6N R.140 EBM 7 N. Rain Bird 30 B
ON LAT 5 1/2"

Source: Well

P.D.: NWNE, 26-6N-40E

11-1/2" Rain Tank 200
ON 2 WHEEL LINE MEASURED 18 1/2

Use: Irrigation

3 SELF PUMPED

Filed: 2-9-60

30 - RAINBOW 70 B 1/4

Due: 3-8-65

Extension:

Protest:

Completion of Works:

Other Rights: None

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

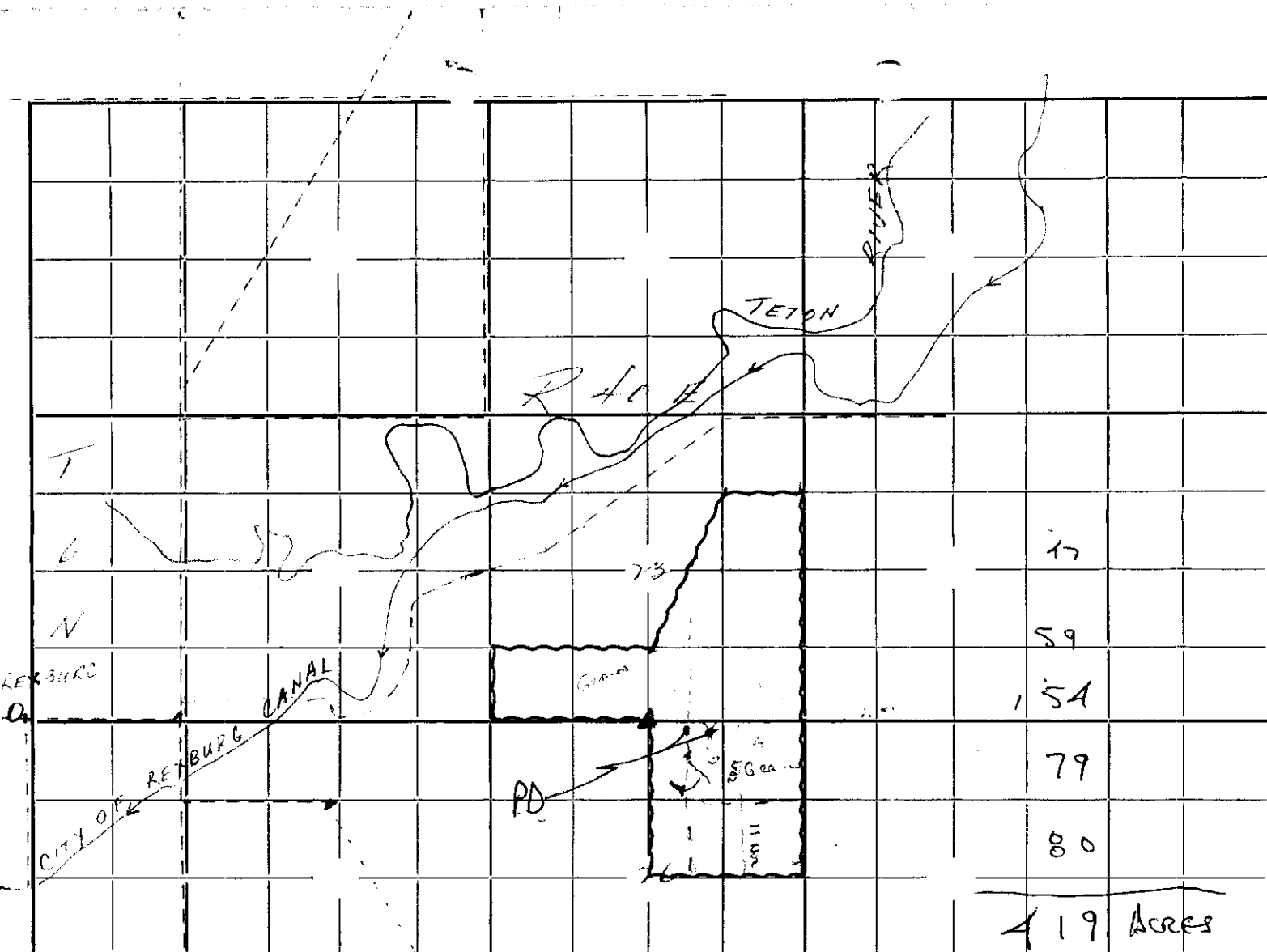


PHOTO WITH PERMIT NO. G-28563

AREA - 419

SUBD - 12

Q - 7.21

Max. ()

Priority - Feb 9, 60

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

VOL - 1468 10-FT SEASON

28492

1M April 1962

June 1, 1964

Re: Permit No. ~~C-28192~~²

Roy Summers
Route #1
Sugar City, Idaho

Dear Mr. Summers:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the REXBURG JOURNAL, all submitted in proof of completion of works and beneficial use on Permit No. ~~C-28192~~.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:
cc: Rigby & Thatcher
Attorneys at Law
P. O. Box 362
Rexburg, Idaho

28492

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

MAY 28 1964

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, ANNETTE PORTER,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

STANDARD, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

NOTICE OF PROOF

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for FOUR
consecutive issues, the first publication hav-

ing been made on APRIL 7, 1964
and the last publication having been made

on APRIL 28, 1964.

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Annette Porter



Subscribed to and sworn to before me

this 29TH DAY OF APRIL, 1964

John C. Porter
Notary Public.

(SEAL)

My commission expires 5/24/64

28492

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28492

* * * *

RECEIVED
MAY 28 1964

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

* * * * *

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address:
Roy Summers, Rt. 1, Sugar City, Idaho, farmer, Rt. 1, Sugar City, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; No. G-28492, approved March 8, 1960 - date of priority ^{FEB. 9} March 8, 1960.

Ques. 4. State source of water supply: subterranean
Give location of point of diversion, showing subdivision, section, township and range:
NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Twp. 6 N., R. 40, E.B.M., Madison County, Idaho.

Ques. 5. Describe your works of diversion: Well and pump with mainline and laterals & wheel moves.; state amount of water they are capable of conveying from point of diversion to place of use 8.4 cubic ft. per second; Give name of canal or ditch or other works by which water is conducted to such place of use: mainline and laterals; if a well, state depth of well 330'; depth and size of casing:

no casing; depth to water 274'; if pump is used, state discharge of pump: 420 in./or 3780 gal. per minute.; tell how it was measured or determined: measured by installer and government officials

; if sprinkler irrigation, give number and size of nozzles and operating pressure: Have³ self-propelled sprinklers with graduated nozzles (about 140 nozzles). Hand moves with 250 nozzles, size 5/32. About 90 lbs. operating pressure. 2 Wheel moves with about 54 nozzles, size 6/32.

Ques. 6. State for what purpose water is used: irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26; (40 acres in each) SW $\frac{1}{4}$ NE $\frac{1}{4}$ (5 acres), SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, all 40 acres, except NW $\frac{1}{4}$ SE $\frac{1}{4}$, which has 15 acres irrigated. All in Twp. 6 N., R. 40, E.B.M.

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

Land has been converted from dry farm land to irrigated land.

Log in

28492

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

Ques. 8. What is the minimum amount of water required for the purpose specified above:

8.4 cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: About 1st of May, 1960. Time used since first use:

Used every irrigation since that date.

Ques. 11. Describe all other water rights appurtenant to same place of use:

None

(sign) Roy Summers

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Rexburg, County of Madison

State of Idaho, on this 1st day of May, A.D. 19 64.

Lay W. Lighty
Notary Public for Idaho
Residing at Rexburg, Idaho

My Commission expires: 1-26-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28492

RECEIVED
MAY 28 1964

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

AND CORROBORATING DEPOSITION

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Edward Parkinson, age 53, 126 W. 1st N., Rexburg, Idaho, farmer,

P. O. Address: 126 West 1st North, Rexburg, Idaho.

Ques. 2. Are you acquainted with Roy Summers, the holder of
Permit No. G-28492 ? How long have you known him and where does he reside:

I've known him about 30 years, and he resides at Rt. 1, Sugar City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28492 read, and are you familiar
with its provisions and conditions: Yes: x No: _____

Ques. 4. State source of water supply: subterranean

State place of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Twp. 6 N., R. 40, E.B.M.,
Madison County, Idaho.

Describe works for conveying water to place of use: Well and pump with mainline,
laterals, 3 self-propelled sprinklers and 2 wheel moves.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 8.4 cubic ft. per sec. How much water have you seen being so
conveyed: 8.4 cubic feet per second.

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26 (40 acres in each subdivision);
SW $\frac{1}{4}$ NE $\frac{1}{4}$ (5 acres), SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 23 (each 40 acres), and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23 (15 acres), all in Twp.
6 N., R. 40, E.B.M.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Land has been converted from dry farm land into irrigated land.

Requires about 8.4 cubic feet per second for profitable cultivation.

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

Ques. 10. When did you first see this water used: About the 1st of May, 1960.

Other times you have seen such use: During each irrigation season since its first use, as we are neighbors.

(Signed)

Edward Parkinson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg

 , County of Madison, State of Idaho, on this 1st day of May,
A. D., 1964.

Lay W. Ligby

Notary Public for State of Idaho

Residing: Rexburg, Idaho

My commission expires: 1-26-67

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28492

RECEIVED
MAY 28 1964

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Ross Harris, age 51, resides at Rexburg, Idaho, farmer, P. O.

Address - Rexburg, Idaho.

Ques. 2. Are you acquainted with Roy Summers, the holder of

Permit No. G-28492 ? How long have you known him and where does he reside:

Yes, I've known him about 30 years, and he resides at Rt. 1, Sugar City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-28492 read, and are you familiar with its provisions and conditions: Yes: x No:

Ques. 4. State source of water supply: subterranean

State place of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Twp. 6 N., R. 40, E.B.M., Madison County, Idaho.

Describe works for conveying water to place of use: Well and pump with mainline, laterals, 3 self-propelled sprinklers and 2 wheel moves.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 8.4 cubic ft. per sec. How much water have you seen being so conveyed: 8.4 cubic feet per second.

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26 (40 acres in each subdivision); SW $\frac{1}{4}$ NE $\frac{1}{4}$ (5 acres), SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23 (each 40 acres), and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23 (15 acres), all in Twp. 6 N., R. 40, E.B.M.

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Dry farm land has been changed into irrigated farm land, and it would require about 8.4 cubic feet per second for profitable cultivation.

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

Ques. 10. When did you first see this water used: About May 1st, 1960.

Other times you have seen such use: Occasionally during each irrigation season, since the spring of 1960.

(Signed)

Ross Harris

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg

 , County of Madison, State of Idaho, on this 1st day of May,
A. D., 1964.

Lay W. Sigby
Notary Public for State of Idaho

Residing: Rexburg, Idaho.

My commission expires: 1-26-67

Re: Permit No. G-28492
Roy Summers

April 3, 1964

Mr. Ray W. Rigby,
Attorney at Law,
P.O. Box 362,
Rexburg, Idaho.

Dear Mr. Rigby:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28492, in the name of Roy Summers. Final Proof is to be made before you, as Notary on the 1st day of May, 1964, at 10:00 o'clock A.M., at 25 North 2nd East Street, Rexburg, Idaho.

As of this date, we have mailed the Notice to the Rexburg Standard Rexburg, Idaho, with instructions to publish it once a week for two consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done hereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

28492

Department of Reclamation

A S S I G N M E N T

We
For value received, I hereby assign all of ~~my~~ ^{our} right, title and
interest in and to Permit to appropriate the Public Waters of the State of Idaho,
No. G-28492 to Roy Summers of
Rexburg, Madison County, Idaho.

4
Permit Folder

Bernice S. [unclear]
Wife of Permit Holder

STATE OF IDAHO)
) ss
County of **Madison.**)

On this 20th day of March, 1964, before me, a Notary Public
for the State of Idaho, residing at Rexburg, Idaho,
personally appeared BERT SUMMERS and BERNIECE SUMMERS.
are
known to me to be the person s whose name s is subscribed to the within instrument
and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

Notary Public
Residing at Rexburg, Idaho

My commission expires: 1-26-67

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

2849.2

April 3, 1964

Re: Permit No. G-28492
Roy Summers

Rigby and Thatcher
Attorneys at Law
Box 362
Rexburg, Idaho

Attn: Ray W. Rigby

Dear Mr. Rigby:

The legal notices will be sent to the paper.

The assignment of Permit No. G-28492 to Roy Summers will be recorded upon receipt of the \$0.50 fee. Enclosure of proper fees, as shown on attached sheet, would save both officer's labor and expense.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. fee list

28492

RECEIVED
APR 3 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 20, 1964

(P. O.) Rexburg, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Rexburg Standard of
Rexburg, Idaho, published in the
county in which the works are situated.

Roy Summers

(In case of canals or other works designed to divert and
carry more than 50 cubic feet of water per second, the following certificate
must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the
attached notice are true.

Engineer

28492

10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE Department of Reclamation

Notice is hereby given that at 10 A.M., on the 1st day of May 1964, at Rexburg, County of Madison, State of Idaho, before RAY W. RIGBY, Notary Public, at (address) 25 North 2nd East Street, proof will be submitted of the completion of works for the diversion of 8.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28492, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.4 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 8.4 cubic feet per second.

4. The point of diversion of said water is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, Twp. 6 N., R. 40, E.B.M., Madison County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 23, all in Twp. 6 N., R. 40, E.B.M.

6. The date of priority which said user is prepared to establish is March 8, 1960.

CARL E. TAPPAN

State Reclamation Engineer

AT
28492

Re: Permit No. G-28492
Roy Summers

Date: April 3, 1964

Rexburg Standard,
Rexburg, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to May 1, 1964 the date set for proof; the expense of the publication is to be paid by the applicant's attorney, Ray W. Rigby of Box 362, Rexburg, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

April 15, 1964

Re: Permit No. G-28492
Roy Summers

Rigby and Thatcher
Attorneys at Law
Rexburg, Idaho

Attn: Ray W. Rigby

Dear Mr. Rigby:

Enclosed is the Assignment of Permit No.
G-28492 to Roy Summers from Bert Summers, which has been
recorded in this office.

Also enclosed is departmental receipt No.
G-9650, in the amount of \$0.50 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. assignment

28-192

RIGBY & THATCHER
ATTORNEYS AT LAW
25 NORTH SECOND EAST
P. O. BOX 862
REXBURG, IDAHO

RECEIVED
APR 3 1964

Department of Reclamation

RAY W. RIGBY
GORDON S. THATCHER

April 1, 1964

TELEPHONE
856.6701
856.3238
AREA CODE 208

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed herewith is Assignment, authorization for publication, and two copies of Form 36 concerning the application for beneficial use for Permit No. G-28492, for Roy Summers of Rexburg, Idaho.

Also, enclosed is authorization for publication and two copies of Form 36 concerning the application for beneficial use for Permit No. G-30353 for Roy Summers, of Rexburg, Idaho.

Please send the forms for submission of proof to this office.

Very truly yours,


of RIGBY & THATCHER

SS
Enclosures

28492

February 4, 1964

RE: Permit No. G-28492
Roy & Bert Summers

Roy Summers
Rt 1
Sugar City, Idaho

Dear Mr. Summers:

Enclosed are the forms you requested by letter.

Bert Summers and wife can complete the enclosed assignment form to give you their share of the permit.

Send the completed assignment form with \$0.50 recording fee with the Forms 36 and 11.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:mr

Enc. Form 36
11
Assignment

28492

RECEIVED
FEB 4 1964

Department of Reclamation

January 31, 1964

George N. Carter
State Reclamation Engineer
Boise, Idaho

Dear Sir:

I would like to get the necessary papers to complete the work on these two permits. No:G--30353 and No. G--28492.

I would like to change the name on Permit No. G--28492 To read "Roy Summers", instead of "Roy & Bert Summers".

Yours Very Truly,

Roy J. Summers

Ref:Edna P. Rule

Roy Summers
RD #1, Summit

28492

March 22, 1960

RE: Permit No. G-28492

Roy Summers
Rt 1
Sugar City, Idaho

Dear Mr. Summers:

The application was approved and is one of 46 others now being recorded.

Permit No. G-28492 will be sent to you as soon as the recording and proofing has been completed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

28492-21

RECEIVED
MAR 2 21930
Department of Reclamation

March 21 1930
Reclamation
March 21 1930

Permit G-78492

Dear Mr. Carter

I am writing you in
regards to our application for
a permit for our well.

I sent the right amount
of money and filled out
the necessary information as
you requested, and mailed it
to you appropamatly two weeks
ago. I was wondering if you
got it. Please let me know
about this as soon as possible.

Respectfully

Roy & Bert Very Truly yours
Summers

Rt. #1

Sugar City Idaho

28492

March 17, 1960

Re: Permit No. G-28492
Roy & Bert Summers

Roy & Bert Summers,
Route #1,
Sugar City, Idaho.

Gentlemen:

We enclose Permit No. G-28492 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4666 which was issued covering payment in the amount of \$7.00 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:yak

P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

28492

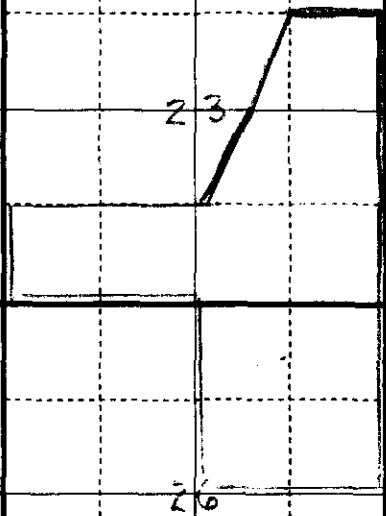
NAME OF APPLICANT Ray Bert Summers

Form No. 0

RECEIVED
FEB 23 1960
Department of Reclamation

R 40 E

T
6
N



Permit Map No. 9-28492
As Approved **MAR 8 1960**
GEO. N. CARTER
State Reclamation Engineer

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

28492

February 23, 1960

Re: Application for Permit

Roy and Bert Summers,
Route #1,
Sugar City, Idaho.

Dear Mr. Summers:

We return your check signed by Roy Summers in the amount of \$9.45, and request you submit a check in the amount of \$7.00, the filing fee for 8.4 cubic feet per second.

The fee is \$5.00 for the first cubic foot per second and \$0.25 for each additional cubic foot per second or fraction thereof.

Your application will be held pending receipt of the correct filing fee.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By

RALPH W. THOMAS
Office Engineer

Encl.
RT:pmk

28492

February 9, 1960

RE: Application for Permit

Roy & Bert Summers
Rt 1
Sugar City, Idaho

Gentlemen:

Enclosed is your application for permit with attached check for \$10.00, signed by Roy Summers, for further information.

Under 2, quantity of water claimed, you show 320 miner's inches or 1800 gallons per minute. The fee for 320 miner's inches, approximately 2880 gallons per minute, or 6.4 cubic feet per second is \$6.50. The fee for 1800 gallons per minute or approximately 200 miner's inches, or 4.0 cubic feet per second is \$5.75. Kindly change the amount to show the proper amount. The maximum amount is 6.4 cubic feet per second to irrigate the 320 acres shown on your land list.

Under 13, at the bottom of page 3, show the existing water rights on the land to be irrigated under this application; if no rights, show "none".

On the blank sketch maps enclosed, we show the land to be irrigated and you show the location of the well in the NW¹/₄NE¹/₄ of Section 26.

Kindly complete the application and return with the proper fee at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EFR:gr
Enc. application
check

28492

The Rexburg Standard, Rexburg

cation to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 28492, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Roy Summers, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 8.4 cubic feet per second.

4. The point of diversion said water is in the NW $\frac{1}{4}$ N of Sec. 26, Twp. 6 N., R. E.B.M., Madison County, Id.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 26; SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of Sec. 23, all in Twp. R. 40, E. B. M.

6. The date of priority said water user is pre establish is February 9,

CARL E. TA

State Reclamation

(Publ. April 7, 14, 21,