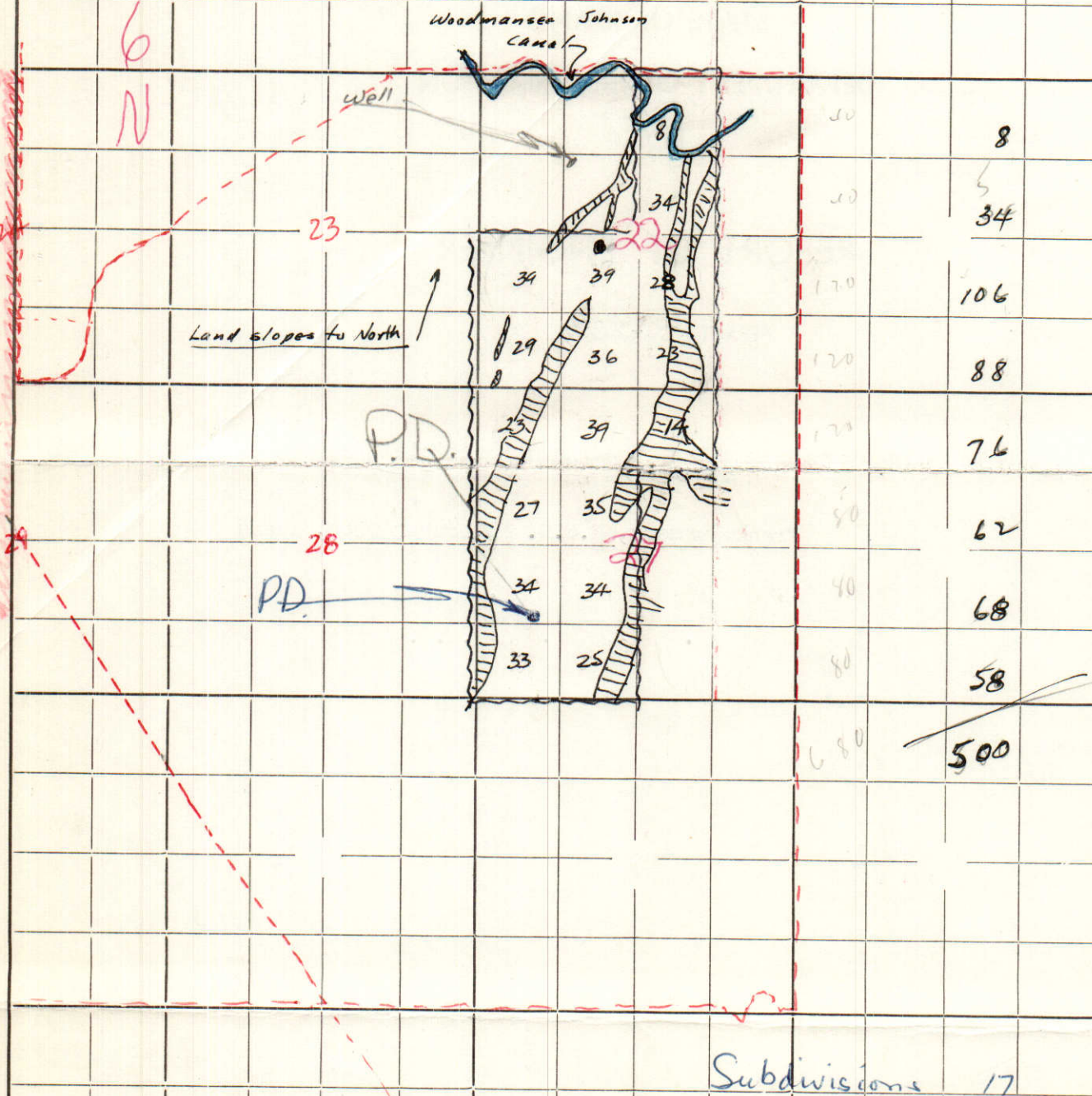


R 40E

T
6
N



SEE PHOTO
D.R.
9-20-67

ARE A.

5.57 cfs.

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 August 20, 1963
and the last publication having been made

on September 10, 1963.

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 11th Day of September, 1963

John C. Porter

Notary Public.

(SEAL)

My commission expires 5/24/64

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

Notice is hereby given that at,
4:00 p.m., on the 27th day of
September, 1963, at Rexburg,
County of Madison, State of Ida-
ho, before W. B. Kennedy, Not-
ary Public, at 8 Carlson Avenue,
proof will be submitted of the
completion of works for the div-
ersion of 9.5 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-30376
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is
Frank Summers, R.F.D. No. 1,
Sugar City, 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 9.5 cubic
feet per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 9.5 cu-
bic feet per second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ of the SW $\frac{1}{4}$
Section 27, Twp. 6 North, Range
40 East, Boise Meridian, Madi-
son County.

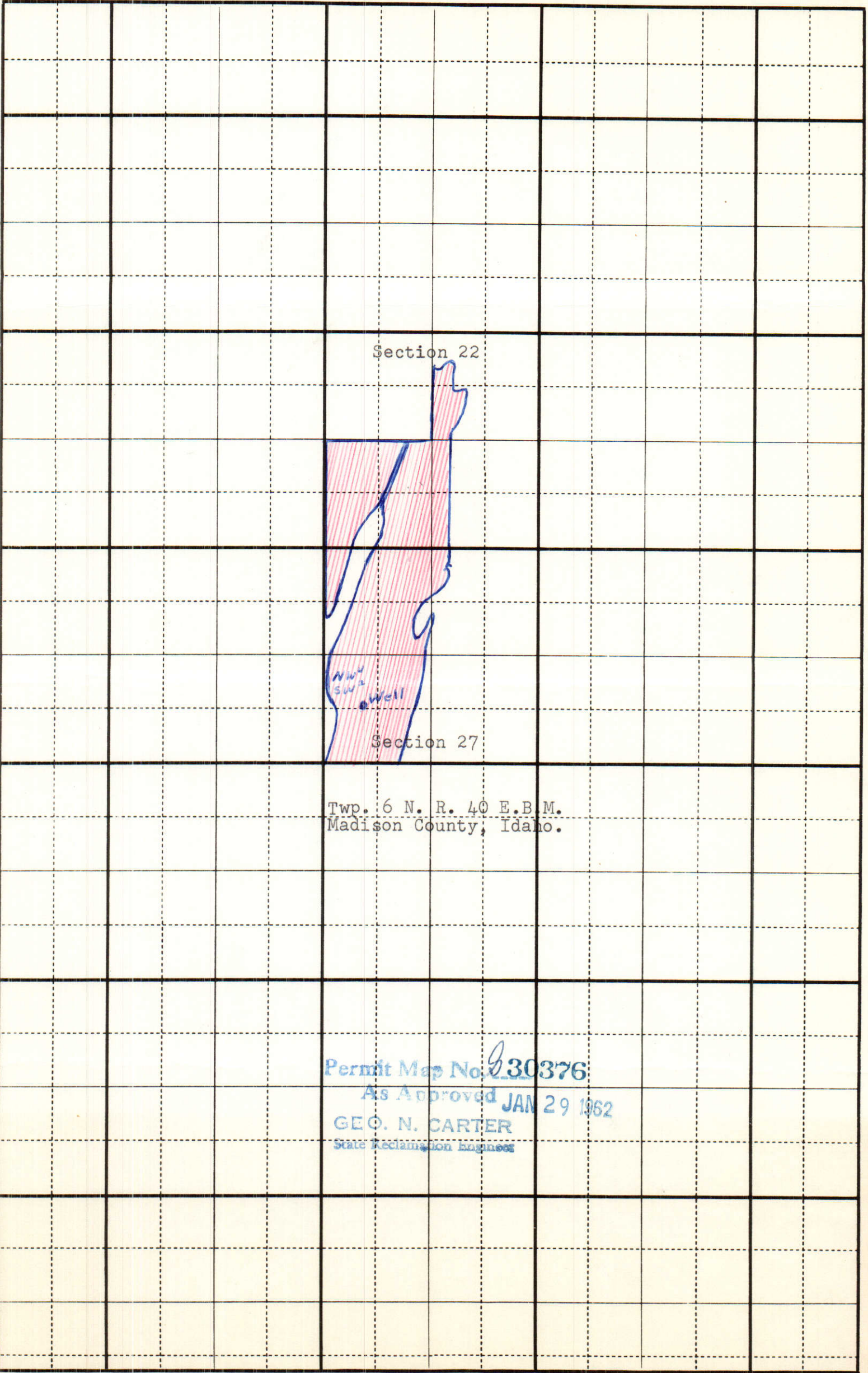
5. The place where said water
is used is W $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$;
W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$;
W $\frac{1}{2}$ of Section 27, all in Twp.
6 N. R. 40 EBM, Madison Coun-
ty, Idaho.

6. The date of priority which
said user is prepared to estab-
lish is January 26, 1962.

CARL E. TAPPAN,
Acting State Reclamation
Engineer

Publ. Aug. 20, 27, Sept 3,-
10, 1963.

30376



well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-30376 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 Frank Summers, R.F.D. No. 1, Sugar City, 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 9.5 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 9.5 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 27, Twp. 6 North, Range 40 East, Boise Meridian, Madison County.

5. The place where said water is used is W $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ of Section 27, all in Twp. 6 N. R. 40 EBM, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is January 26, 1962.

CARL E. TAPPAN,
Acting State Reclamation
Engineer

Publ. Aug. 20, 27, Sept 3,
10, 1963.

30376

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

Notice is hereby given that at 4:00 p.m., on the 27th day of September, 1963, at Rexburg, County of Madison, State of Idaho, before W. B. Kennedy, Notary Public, at 8 Carlson Avenue, proof will be submitted of the completion of works for the diversion of 9.5 cubic feet per second of underground water from a

State of Idaho

License and Certificate of Water Right

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

THIS IS TO CERTIFY that

FRANK SUMMERS

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

of Sugar City, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-30376 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record ~~in~~ ~~the~~ ~~State~~ ~~of~~ ~~Idaho~~ ~~on~~ ~~the~~ ~~5~~ ~~day~~ ~~of~~ ~~April~~ ~~, 1968~~.

The right hereby confirmed dates from January 26, 1962.

The Point of Diversion is located

in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 6 N, R. 40 E, B.M. Madison County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.57 cubic feet per second.

Description and location of use:

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

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 5 day of April, 1968.

R. Keith Higgins
State Reclamation Engineer.

22 2519

30376

Application No. G-38416
Permit No. G- 30376
District No.

1. Name of Applicant: Frank. Summers
Postoffice address: Rt. #1, Sugar City County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 9.5 or Idaho
Miners' inches 475 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27
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: Electric pump and sprinkling system - one well
8. Estimated cost of works: \$60,000.00
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) 9.5 (cubic feet per second, inches or gallons per minute) is for new lands.

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 E	22			10	25							40	40	30	35		15	15	210
6 N	40 E	27			8				38	25	30	35	34	35	35	25				265
																		TOTAL		475

PERMIT NO. G-30376

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Frank Summers of Sugar City, County of Madison, and State of Idaho, the holder of Permit No. G-30376, issued upon Application No. G-38416 bearing date of priority of January 26, 1962, authorizing the diversion of 9.5 second feet of waters of a well County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.57 second feet of the waters of a well from subterranean flow, that the point of diversion of said waters is in the NW¹/₄SW¹/₄ Section 27, Township 6 North, Range 40 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

W¹/₂NE¹/₄, SW¹/₄, W¹/₂SE¹/₄ Section 22; NW¹/₄NE¹/₄, W¹/₂ Section 27, Twp. 6 North, Rge. 40 East, B.M.

Proof of completion of works made: September 27, 1963

Witness my hand this 5 day of April, A. D. 1968

/S/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 5.57 SEC. FT.
LICENSE PAGE NO. 30376 -

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 30376 122-2219
Old No. New No.

Record

1. Original Owner: Frank Summers

Present Owner: _____

2. Address:

3. City: Sugar City State: ID Zip: _____4. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 1-26-1962D. County: LSE. Total Diversion Rate: 5.57

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW1/4</u>	<u>27</u>	<u>6N</u>	<u>40E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 5.57
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

9. A. Decree Name:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 30376

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

Spanling Meter in Main
Line at Pump registered .311 AF
for 1st August 1963

This = 3.76 cfs. $\times 188$

1/17/64
Aug.
$$\begin{array}{r} .311 \times 24 = 7.464 \\ \underline{1.9835} \end{array} = 3.764$$

30376

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANK SUMMERS.....
 of Sugar City....., County of Madison....., and State of
 Idaho....., the holder..... of Permit No. G-30376..., issued upon
 Application No. G-38416 bearing date of priority of ... January 26, 1962., authorizing the
 diversion of 9.5..... second feet of waters of a well.....

County of Madison....., State of Idaho, for irrigation.....
 purposes, has..... fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 5.57..... second feet of the waters of . a well from subterranean flow

that the point of diversion of said waters .. is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, Township 6....
 .. North, Range 40 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ Section
 .. 27, Township 6 North, Range 40 East, Boise Meridian.

Proof of completion of works made: September 27, 1963

Witness my hand this 5..... day of April....., A. D. 19 .. 68...

R. Keith Higgins
 State Reclamation Engineer

30376

April 5, 1968

Re: Permit No. G-30376

Frank Summers
Route # 1
Sugar City, Idaho 83448

Dear Mr. Summers:

Enclosed are your Certificate of Completion of Works and License and Certificate of Water Right on the above numbered permit.

Also enclosed is departmental receipt No. 564 in the amount of \$39.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Certificates
Receipt

30376

February 21, 1968

Re: Permit No. G-30376

Frank 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-30376 and has found the following:

Quantity of water diverted: 5.57 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 5.57 c.f.s.

Purpose of use: irrigation of 469 acres
in the W¹/₄NE¹/₄, SW¹/₄, W¹/₄SE¹/₄, sec. 22, NW¹/₄NE¹/₄, W¹/₄
sec. 27, T. 6 N, R. 40 E, B.M.

The priority date established is: January 26, 1962.

A fee totaling \$ 39.00 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,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

[Handwritten signature]

[Handwritten mark]

30376

February 21, 1968

Re: Permit No. G-30376

Frank Summers
Route #1
Sugar City, Idaho

30376

Dear Mr. Summers:

A representative of this department has made an examination of the works covered by your permit G-30376 and has found the following:

Quantity of water diverted: 5.57 c.f.s.
Amount of water that can be recognized as beneficially used under Idaho Law: 5.57 c.f.s.
Purpose of use: irrigation of 469 acres
in the W1/4, SW1/4, W1/2, sec. 22, NW 1/4, W1/2,
sec. 27, T. 6 N. R. 40 E. E.M.

The priority date established is: January 26, 1962.

A fee totaling \$ 39.00 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,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

30376

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NOG-30376

REPORT ON PROOF OF Completion of Works & Beneficial Use

Frank Summers, R.F.D. #1, Sugar City, Idaho

June 1 to 23 = 127.261 AT pump. to 230 A. in 432 Hr. pump time = .2945856 ⁴ A.

July 2 to 24 105.982 ... 330 A. in 360 Hr. pump, L = .2943944

July 22 to Aug 22 163.056
396.299

532
1324

= .3064962
⁴24 = $\frac{7.36}{1.9835} = 3.71$
 = .2993194 ⁴24

~~7.1837056~~
1.9835 = 3.62

30376

Table No. 1 - Cont

1	
10 - 26	36da1 36dc2
10 - 27	2ab2 2cb1 19da1 24cb1 26da1 30cc1 31da1 32db1 35ac1
10 - 28	6ac1 6ba1 6da1 6dc1 6dc2 15ad1 18ca1 19aa1 19bb1 19cc1 19db1 30bd1 30dc1
11 - 26	1cb1 1da1 2dc1 3cc1 10bb1 10ca1 10db1 11db1

Frank Summer ²¹¹⁸
NWSW 27 6N, 40E.

Drilled April 62

Apr 24.

See Harry Kamm.

475' de X 20" 445'.

Open Hole.

Lava ch.

314.62" Apr 24, 62

Tested by 314.82 Apr 25 ^{Red top cap 41}
Whitcomb 4/27/62 2125' LSD

3
Lign. Pump.

Test. 4/27/62 on 2 pm 8' 10" ore

hd - 8' 1015 GPM - 2120 r

12' " 2120

16' 1280 2140

21' 1490 2150
30376

32' 1820 255

37' 1840 310 R

May 15

314.62 - 41 / 62

30376

Borneo & Thimphu

31 da1	GN 40E	20" x 351
June 1 60	317.07	LSD
Sept 25 61	321.02	
Oct 13	313.42	
Nov 16	313.84	
62		
Feb 17	318.05	
Mar 14	341.57	
May 27	345.62	
Oct 21	338.43	Rece.

30376

311.62 static

May 1st, 62

39.38'	354'	MP.	2090	3:10
37.38'	352'	"	1970	3:17
35.38	350'	"	1875	3:20
31.38	346'		1775	3:25
27.38	342'		1670	3:30

May 2, 62

49.38 364' 2409

Close to Sec 36. 64160	
June 61 -	36 EB1 - unrec. 31.
Sept 78	307.39 - 16' 680'
	309.27
Oct 17	310.08
Mar	352.97
Apr	353.61
July 21	394.23 - Ranged Sec.
Nov 18	396.10 - Ranged LSD 30376

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

Permit No. G-30376This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Frank Summers2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NW 1/4 of Section 27T. 6 N R. 40 E.B.M. County of Madison4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor 350HP

Sec. # 1246109 - 1800 RPM Pump-Luxon # 44613 of Luxon & Bowler
12" Discharge To 12" Check Valve 6' to Hershey Sparking Meter 12" #
545-80 Dial Acre feet x .001 To 12" Sprinkler Main line

5. Water is used for: irrigation6. 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):

NW 1/4, SW 1/4, NE 1/4, SE 1/4 Sec. 22., NW 1/4, NE 1/4, SW 1/4 Sec. 27., all in

Twp. 6 N., Rge. 40 E.B.M.

This land is farmed with a fallow program

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

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

Remarks: _____

Measured by USBR 2500 GPM. (stop watch timing of meter rev)

2500 GPM = 5.57 cfs

See Report by USBR {Utilization of Ground Water for Irrigation} in Special Report file Ground Water Investigation

Bureau of Reclamation showed a discharge of .311 AF per hour in
August 1963 this is = to 3.76 cfs $\frac{1}{1963}$ (.311 x 24 = 7.464 = 3.76 cfs) (5.57 cfs)

This examination was made on the 21st day of January, 1966

(Signed) _____

Examiner. pw

30376

Plat

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.
-

Frank Summers
R.F.D. #1
Sugar City, Idaho
Permit No. G-30376

556-6645
Photo - West
2.2.62

476
480-82
65

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 27 T. 6N R. 40 EBM

Quantity: 9.5 c.f.s.

Source: Subterranean

P.D.: NW SW Sec. 27 T. 6N
R 40E.

Use: Irrigation

Filed: January 26, 1962

Due: January 29, 1967

Extension: —

Completion of Works: —

Other Rights: none

Made: Sept. 27, 1963
Priority: Jan. 26, 1962

July 23, 1965

Re: Permits No. G-30354; G-30376
Frank Summers

W. B. Kennedy
Attorney at Law
Rexburg, Idaho

Dear Mr. Kennedy:

We have not received the field report of
investigation of works under above noted permits.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30376

W. B. KENNEDY
ATTORNEY AT LAW
REXBURG, IDAHO

RECEIVED
JUL 22 1965

Department of Reclamation

July 20th, 1965

State Reclamation Engineer,
Boise, Idaho.

Permit No. G-30376 and
Re: Permit No. G-30354
Frank Summers.

Dear Sir:

The Final Proof was made in the above two matters
in September, 1963. Will you advise what the
status now is and when final approval was granted?

Yours very truly,

W B Kennedy
W. B. Kennedy

/j

30376

1M April 1962

~~XXXXXXXXXX~~

October 1, 1963

Re: Permit No.

S. C-30354 & C-30376

Mr. Frank 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 Post-Register and Rexburg Standard, all submitted in proof of completion of works and beneficial use on Permit No. S. C-30354 & C-30376.

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,

~~XXXXXXXXXXXXXX~~
GEO. N. CARTER

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

30376

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 3-30376

Proof of Application of Water to Beneficial Use and Completion of Works

Deposition of Holder

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

Ans. Frank Summers, Farmer, R.F.D. #1, Sugar City, Madison County,
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.

Ans. None

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 3-30376 - date of permit and priority January 26, 1962.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Ground water - pump located on NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 27,
Twp. 6 N. Rge. 40 E., B.M., Madison County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well depth - 476'; depth & size of casing - 200' of 21";
depth to water - 312'; discharge of pump - 3200 gallons per
minute; measured by the Bureau of Reclamation with regular
a regular metering device.
480 nozzles of 5/32" dia. 65 lbs. operating pressure.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. Place of use: Sec. 22 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$
15 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres. Sec. 27 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 acres; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38 acres;
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 acres; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34 acres; NW $\frac{1}{4}$ SW $\frac{1}{4}$
35 acres; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 35 acres; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres, all in Twp. 6 N. R. 40 E.B.M.
Madison County, Idaho. All cultivated dry farm.

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

Ans. Lee Harris, Rexburg, Idaho.

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. None

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

Ans. None

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.

Ans. None

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. When - May to September inclusive, 1962 and 1963. Applied by sprinkling system for irrigation. Amount used - at least 475 inches - several applications on 475 acres.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) *Frank Summer*

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 27th day of September, A. D. 19 63.

W B Kennedy
Notary Public for Idaho.
Rexburg, Idaho.

My commission expires 2/26/66.

30376

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-30376

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Levi Thomason - 46 years - Farmer.

Residence and P.O. Address: Thornton, Idaho.

Ques. 2. Are you acquainted with Frank Summers, the holder of
Permit No. G-30376 ? How long have you known him and where does he reside:

Yes - 40 years - Sugar City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30376 read, and are you familiar
with its provisions and conditions: Yes: X No:

Ques. 4. State source of water supply: Ground - Pump and sprinkling system

State place of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27. Twp. 6 N., R. 40 E.B.M., Madison County

Describe works for conveying water to place of use: Electric pump - Sprinkling
system with 15 main lines.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: at least 9.5 How much water have you seen being so
conveyed: at least 9.5 cubic feet per second.

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

Sec. 22 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 35;
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15; Sec. 27 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30;
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 25, all in Twp. 6 N. R. 40 E.B.M.,
Madison County, Idaho.

30376

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

None

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 - 9.5 cubic feet per second.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

Ques. 10. When did you first see this water used: About June 1st to 15th, 1962.

Other times you have seen such use: All during irrigation seasons in 1962 and 1963. I, together with Grant M. Bowen, leased some of this land for the last two years.

(Signed)

Levi E. Thompson

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 27th day of September,

A. D., ~~1962~~ 1963.

W B Kennedy
Notary Public for State of Idaho

Residing: Rexburg, Idaho

My commission expires: 2/26/66

30376

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-30376

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

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:

Grant Bowen - 45 years - farmer -

Residence and P.O. Address: Thornton, Idaho.

Ques. 2. Are you acquainted with Frank Summers, the holder of
Permit No. G-30376? How long have you known him and where does he reside:

40 years - Sugar City, Idaho.

Ques. 3. Have you read or heard said Permit No. G-30376 read, and are you familiar
with its provisions and conditions: Yes: X No:

Ques. 4. State source of water supply: Ground - Pump

State place of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, Twp. 6 N., R. 40 E.B.M.

Describe works for conveying water to place of use: 15 main lines with
sprinkling system - electric pump in well.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: at least 9.5 How much water have you seen being so
conveyed: 9.5 second feet

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

Sec. 22- NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10; SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 35;
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15. Sec. 27 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38; NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25; SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30;
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34; NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$ 35; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 25, all in Twp. 6 N. R.
40 E.B.M., Madison County, Idaho.

30376

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

None

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 - 9.5 cubic feet per second.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

Ques. 10. When did you first see this water used: About June 1st. to 15th. 1962.

Other times you have seen such use: All during irrigation seasons in 1962 and 1963.

(Signed)

Grant M. Bowen.

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 27th day of September,

A. D., 1962.1963

W B Kennedy
Notary Public for State of Idaho

Residing: Rexburg, Idaho.

My commission expires: 2/26/66.

30376

**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 August 20, 1963
and the last publication having been made

on September 10, 1963.

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.

Subscribed to and sworn to before me

this 11th Day of September, 1963

John C. Porter
Notary Public.

(SEAL)

My commission expires 5/24/64

30376

August 16, 1963

Re: Permit No. G-30376
Frank Summers

Mr. W. D. KENNEDY,
Attorney at Law,
Rexburg, Idaho.

Dear Mr. Kennedy:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-30376, in the name of Frank Summers. Final Proof is to be made before you, as Notary on the 27th day of September, 1963, at 4:00 o'clock P.M., at 8 Carlson Avenue, Rexburg, Idaho.

As of this date we have mailed the Notice to the Rexburg Standard-Journal Rexburg, Idaho, with instructions to publish it once a week for four 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 thereunder, 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,

~~W. D. KENNEDY~~

State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.
cc: Applicant

30376

August 16, 1963

Re: Permit No. G-30376
Frank Summers

Rexburg Standard Journal,
Rexburg, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to September 27, 1963, the date set for proof; the expense of the publication is to be paid by the applicant's attorney, Mr. W. B. Kennedy, 8 Carlson Avenue, 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, Acting
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.

Encl.
CET:pmk

30376

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

Notice is hereby given that at 4:00 P. M., on the 27th day of September 19 63, at Rexburg, County of Madison, State of Idaho, before W. B. Kennedy, Notary Public, at (address) 8 Carlson Avenue, proof will be submitted of the completion of works for the diversion of 9.5 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-30376, 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 Frank Summers, R.F.D. #1, Sugar City, 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 9.5 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 9.5 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 27, Twp. 6 North, Range 40 East, Boise Meridian, Madison County.

5. The place where said water is used is ~~Section 22, Twp. 6 N., Range 40 East, Boise Meridian, Madison County, Idaho.~~ W $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ of Section 27, all in Twp. 6 N. R. 40 EBM, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is January 26, 1962.

CARL E. TAPPAN, Acting

State Reclamation Engineer

B
30376

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 30th, 1963

(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 - Journal of
Rexburg, Idaho published in the
county in which the works are situated. *Madison Co.*

✓ Frank 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

30376

August 14, 1963

Re: Permit Nos. G-30376 and
G-30354

Frank Summers

Mr. W. B. Kennedy,
Attorney at Law,
Pardburg, Idaho.

Dear Mr. Kennedy:

Returned herewith are Forms 36 and 11, legal notice in regard to Permit G-30376.

The answer to 5 on Form 36 is necessary. The description shown in the permit is in pencil on the carbon copy of the form. If land not shown in the permit is being irrigated, an amendment to the land list will be necessary.

The lands irrigated must be known before a water license can be issued.

The amendment to the land list under Permit No. G-30354 can be recorded upon receipt of the \$1.00 fee.

Very truly yours,

CARL E. TAPPAN, Acting
State Reclamation Engineer
By

RALPH W. THOMAS, Deputy
State Reclamation Engineer

Encl. - Forms 36 and 11
RWT:pmk

30376

July 23, 1963

Re: Permit No. G-30376; G-30354
Frank Summers

W. L. Kennedy
Attorney at Law
Rexburg, Idaho

Dear Mr. Kennedy:

Enclosed are two sets of forms 36 and 11, with instructions. The deposition forms are sent at the time the legal notice is sent to the paper.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. forms 36 and 11

30376

January 31, 1962

Re: Permit No. G-30376
Frank Summers

Mr. W. B. Kennedy,
Attorney at Law,
Rexburg, Idaho.

Dear Mr. Kennedy:

We enclose Permit No. G-30376 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-6797 which was issued covering payment in the amount of \$7.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

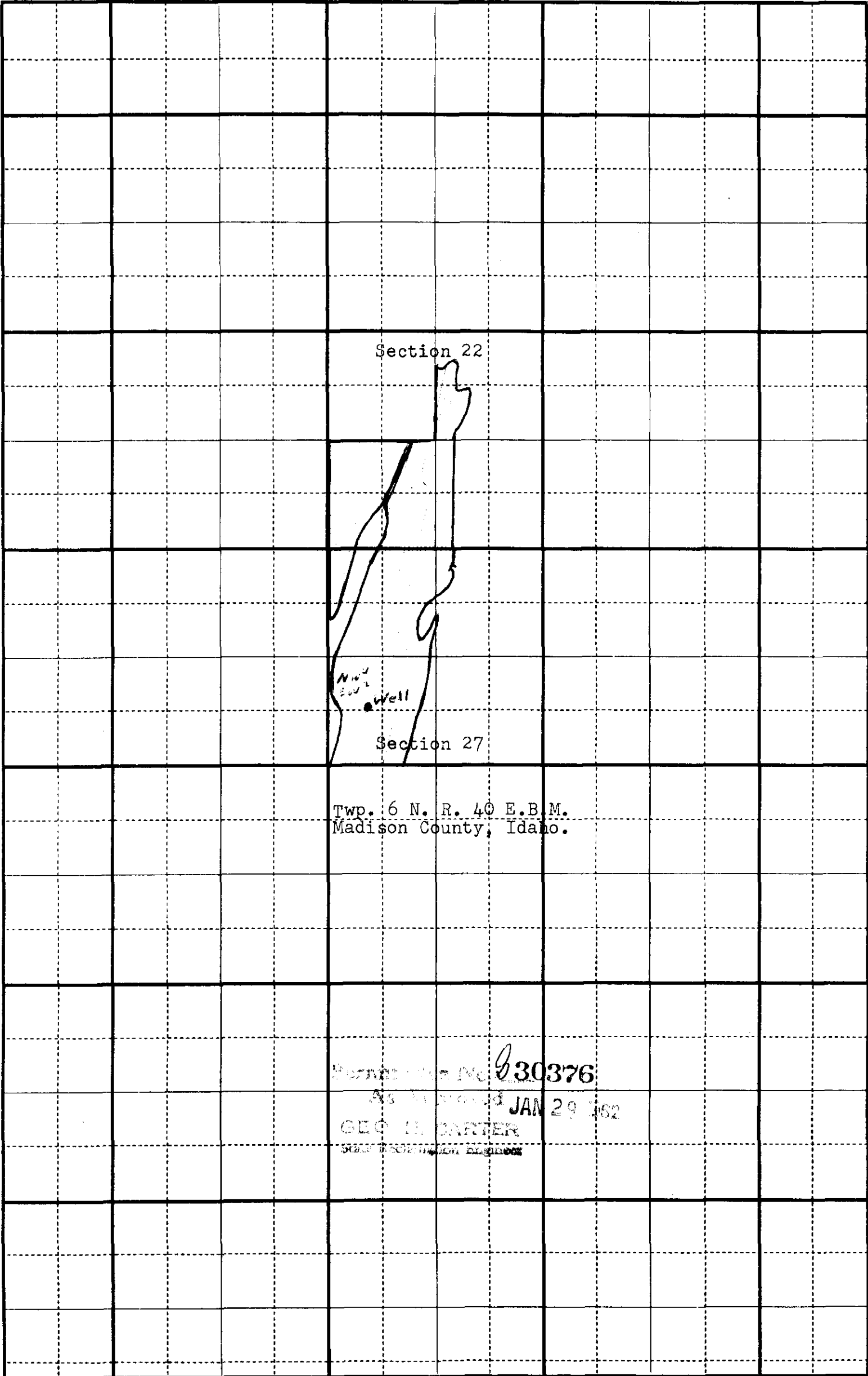
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk
cc: Frank Summers
Rt. #1,
Sugar City, Idaho

30376

NAME OF APPLICANT Frankl. G. Summers

Form No. 0



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

30376

January 23, 1962

Re: Application for Permit
Mr. Summers

W. B. Kennedy
Attorney at Law
Rexburg, Idaho

Dear Mr. Kennedy:

Returned herewith is the application for permit with attached check for \$7.25 filing fee. Also enclosed are a few amendment forms.

The application is in order except the surname of the applicant. On Page one you show "Franklin G." and he signs his name "Frank" on page 3.

The amendment forms are to change the place of use of the water or to change the point of diversion. Changes in place of use of water are approved in any case where there is no evident error in the new description. Approval of change in point of diversion depends upon whether the new point comes relatively close to a proposed well on a later priority permit. Changes for over a half mile are generally not approved except when the priority is advanced to the date of receipt of the amendment. There is a fee of \$1.00 for recording any amendment to a permit.

Kindly correct the surname of the applicant and return for processing.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application
with attached check
amendment forms

30376

W. B. KENNEDY
ATTORNEY AT LAW
REXBURG, IDAHO

RECEIVED
JAN 22 1962
Department of Reclamation

January 19, 1962

Geo. N. Carter, Engineer,
Department of Reclamation,
107 State House,
Boise, Idaho.

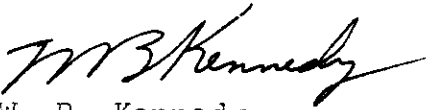
Re: Application for Permit
Franklin G. Summers.
Rt. #1, Sugar City, Idaho.

Dear Sir:

I enclose herewith the above described application
accompanied by the filing fee in the amount of
\$7.25.

Trusting this application is in order for action
by your office, I am,

Yours very truly,


W. B. Kennedy

WBK/mj

P. S. - Please advise me of the procedure to amend
the permit in the event the capacity of the well
allows appliaation to a greater number of acres.

30376

[illegible]