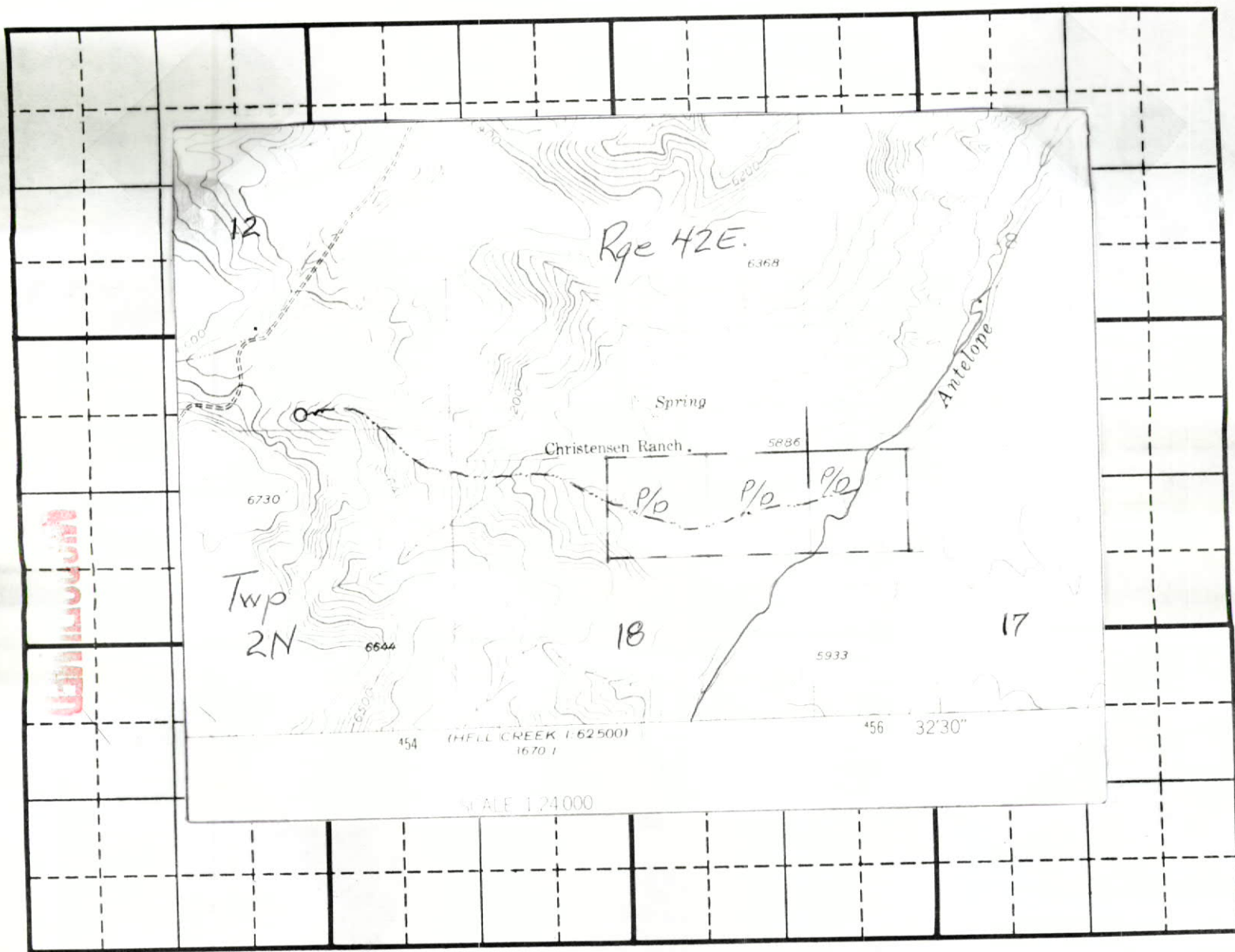


(8) Remarks Stream originates from a spring in the SWSE Sec. 12
T. 2N, R. 41E.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Bonneville) ss.

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

Sworn to before me this 27th day of June, 1983.

Ben Summers
(Claimant)
Calvin Wray
Notary Public
Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by Emc
Prelim. check by Em
\$20.00 fee received by Em
Published in Post Register
Dates 8/18-8/25/83

Date 6-27-83
Date 6-28-83
Date 6-27-83
#30752

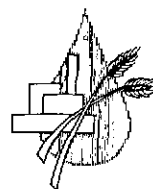
Exception filed by:

Forwarded to
claimant by:

Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ben Summers
(Name of Claimant)
Box 23, Ririe, Idaho 83443 Telephone No. 538-7150
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 4-1-1910

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed Stream tributary to Antelope Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.05</u>	<u>cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>	
Quantity _____	_____	Use _____	Period of Use From _____	To _____	
Quantity _____	_____	Use _____	Period of Use From _____	To _____	
Quantity _____	_____	Use _____	Period of Use From _____	To _____	
Quantity <u>0.05</u>	<u>cfs</u>	TOTAL QUANTITY USED.			

- (4) (cfs, gpd, AFA)
(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 17 Twp. 2N Rge. 42E B.M., County of Bonneville
Additional points of diversion: NENE, NWNE, Sec. 18, T. 2N, R. 42E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Direct diversion from stream.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	42E	17						X											
		18	X	X															

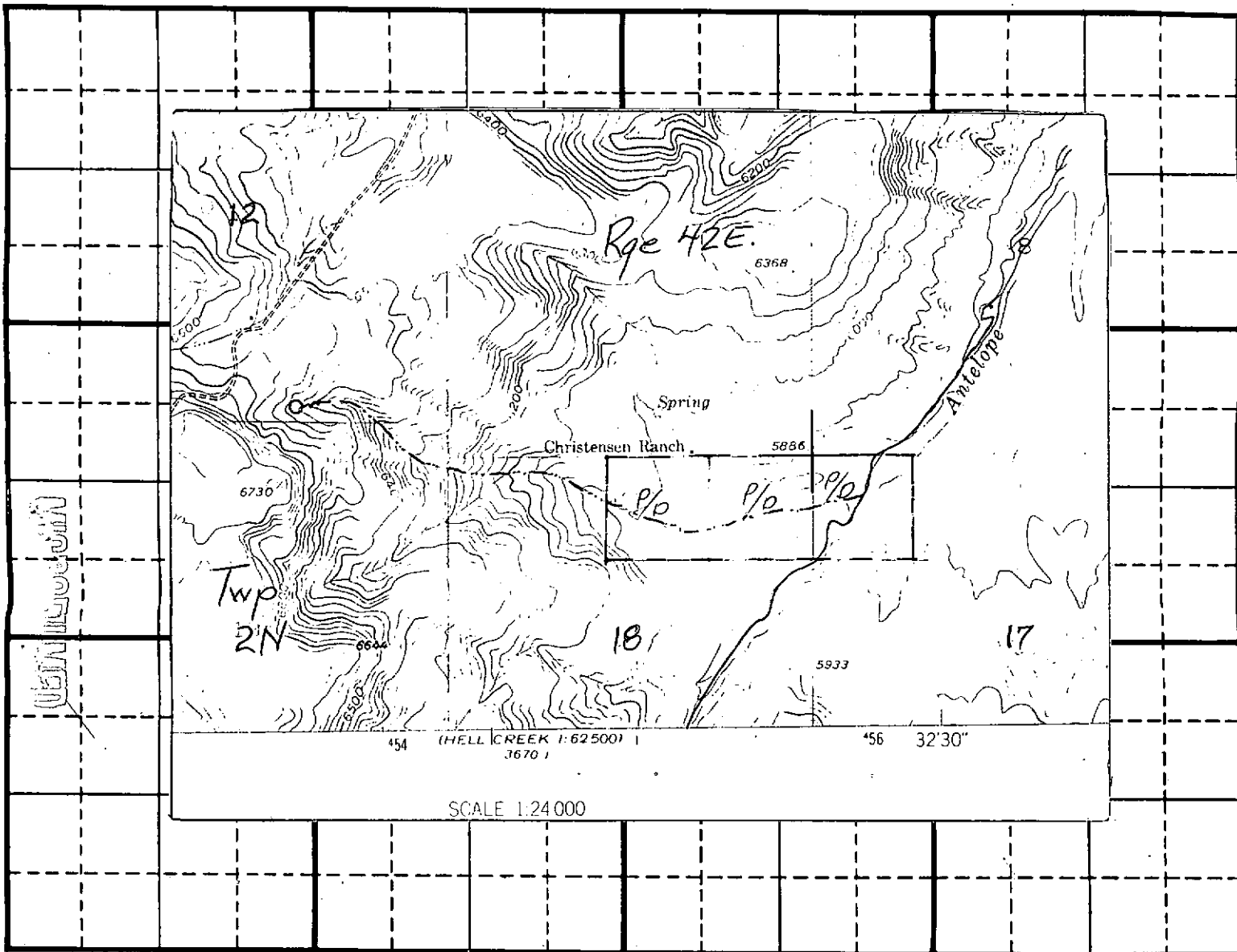
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Drinking water for stock

NOTE: Include here the type and number of stock watered: 250 head range cattle

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Stream originates from a spring in the SWSE Sec. 12
T. 2N, R. 41E.

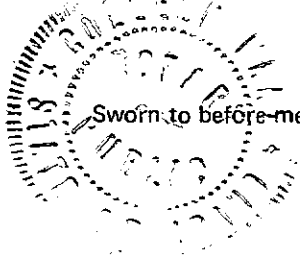


Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Bonneville) ss.

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



Sworn to before me this 27th day of June, 1983.

Ben Summers

(Claimant)

Calvin Wray

Notary Public

Residing at Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by EPC Date 6-27-83
Prelim. check by DEM Date 6-28-83
\$30.00 fee received by CW Date 6-27-83
Published in Post Register # 30752
Dates 8/18-8/29/83

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

State of Idaho,

County of Bonneville

I, J. Robb Brady, first being duly sworn, depose and say: That I am the Principal Clerk of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers having been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eighty (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 18th day of August, 1983, last publication having been made on the 25th day of August, 1983, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 30th day of August, 1983.

Notary Public

My commission expires September 30, 1984.

B10, 1M,

27-4120
CARLSON, MAURINE
RT. 4, BOX 274, IDAHO FALLS, ID. 83402
Source: GROUNDWATER
Date Filed: 06/01/1910
Diversion Pt.: NWNW Sec 32 T 02N R 37E
Use: STOCKWATER (0.03 CFS); DOMESTIC (0.04 CFS)
In: NWNW Sec 32 T 02N R 37E
35-4210
HANSEN, LAMAR J. &/or MARIE W.
RT. 4, BOX 378, IDAHO FALLS, ID. 83401
Source: GROUNDWATER
Priority Date: 03/01/1960
Diversion Pt.: SESW Sec 07 T 01N R 37E
Use: IRRIGATION (0.08 CFS); STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)
In: SWSW SESW Sec 07 T 01N R 37E FOR 4 ACRES
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.
KEN DUNN
DIRECTOR
Published: August 18 & 25, 1983.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

23-4063

SUMMERS, BEN
BOX 23, RIRIE, ID. 83443
Source: UNNAMED STREAM trib. to ANTELOPE CREEK
Priority Date: 04/01/1910
Diversion Pt.: NWNW Sec 17 T 02N R 42E NENE
NWNE Sec 18 T 02N R 42E
Use: STOCKWATER (0.05 CFS)
In: NWNW Sec 17 T 02N R 42E NENE NWNE
Sec 18 T 02N R 42E

25-4240
HENDERSON, A.R.
1366 JOHN ADAMS PKWY., IDAHO FALLS, ID. 83401

Source: GROUNDWATER
Priority Date: 08/01/1959
Diversion Pt.: SWSE Sec 10 T 02N R 38E
Use: IRRIGATION (0.08 CFS); DOMESTIC (0.20 CFS)
In: SWSE Sec 10 T 02N R 38E FOR 4 ACRES

25-4241
BIGLER, EARL J.
P.O. BOX 974, BLACKFOOT, ID. 83221
Source: UNNAMED STREAM trib. to HOMER CREEK
Priority Date: 07/01/1923
Diversion Pt.: NWSE NESW Sec 20 T 03S R 42E
Use: STOCKWATER (0.03 CFS)
In: NESW NWSE Sec 20 T 03S R 42E

25-4242
TERRY, MARVIN E.
RT. 8, BOX 269, IDAHO FALLS, ID. 83401
Source: GROUNDWATER
Priority Date: 10/01/1953
Diversion Pt.: SWSW Sec 09 T 03N R 39E
Use: IRRIGATION (0.02 CFS); STOCKWATER (0.01 CFS); DOMESTIC (0.04 CFS)
In: SWSW Sec 09 T 03N R 39E FOR 2 ACRES

25-4243
MUEHLFEIT, ROY A. &/or CLEO J.
RT. 2, BOX 348, IDAHO FALLS, ID. 83401
Source: GROUNDWATER
Priority Date: 03/15/1916
Diversion Pt.: NENE Sec 08 T 03N R 38E
Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)
In: NENE Sec 08 T 03N R 38E

25-4244
MUEHLFEIT, ROY A. &/or CLEO J.
RT. 2, BOX 348, IDAHO FALLS, ID. 83401
Source: GROUNDWATER
Priority Date: 07/15/1939
Diversion Pt.: NWNE Sec 08 T 03N R 38E
Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)
In: NWNE Sec 08 T 03N R 38E

25-4245
GENTILE VALLEY LAND & CATTLE CO.
STAR ROUTE 340, GRACE, ID 83241
Source: SPRINGS trib. to LITTLE VALLEY RESERVOIR
Priority Date: 01/01/1905
Diversion Pt.: SWSW SESW Sec 03 T 04S R 42E
Use: STOCKWATER STORAGE (1000.0 AF)
In: NESW SWSW SESW NESE NWSE Sec 03 T 04S R 42E SWNW SENW NESW NWSW NESE NWSE SWSE SESE Sec 02 T 04S R 42E SWSW Sec 01 T 04S R 42E NENW NWNW SWNW SENW NESW SESW Sec 12 T 04S R 42E NWNE SWNE NENW SENW NESW SESW NWSE SWSE Sec 13 T 04S R 42E NWNE SWNE NENW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

SEPTEMBER 6, 1983

RECEIVED
SEP 19 1983

BEN SUMMERS
BOX 23
RIRIE

ID 83443

RE: Claim No. 23-4063

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
SEP 19 1983
Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JLM

Right Number

23 4063

Applicant

Ben Sumner

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

Sept. 8, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Jmi

Date

9-20-83

9-6-82
WATER DISTRICT 1
Reviewed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 10, 1983

The Post-Register
P. O. Box 1800
Idaho Falls, Idaho 83401

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 6, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

RECORDED

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KEN DUNN, Dir.

Published 8/18 & 8/25/83.

IDENT. NO. 23 4963

WATER RIGHT
DATA ENTRY LOG

[illegible]

23-4063

SUMMERS, BEN

BOX 23, RIRIE, ID 83443

Source: UNNAMED STREAM trib. to ANTELOPE CREEK

Priority Date: 04/01/1910

Diversion Pt: NW1/4 Sec 17 T 02N R 42E NENE NW1/4 Sec 18 T 02N R 42E

Use: STOCKWATER (0.05 CFS)

In: NW1/4 Sec 17 T 02N R 42E NENE NW1/4 Sec 18 T 02N R 42E

*Proved cu
8-17-83*