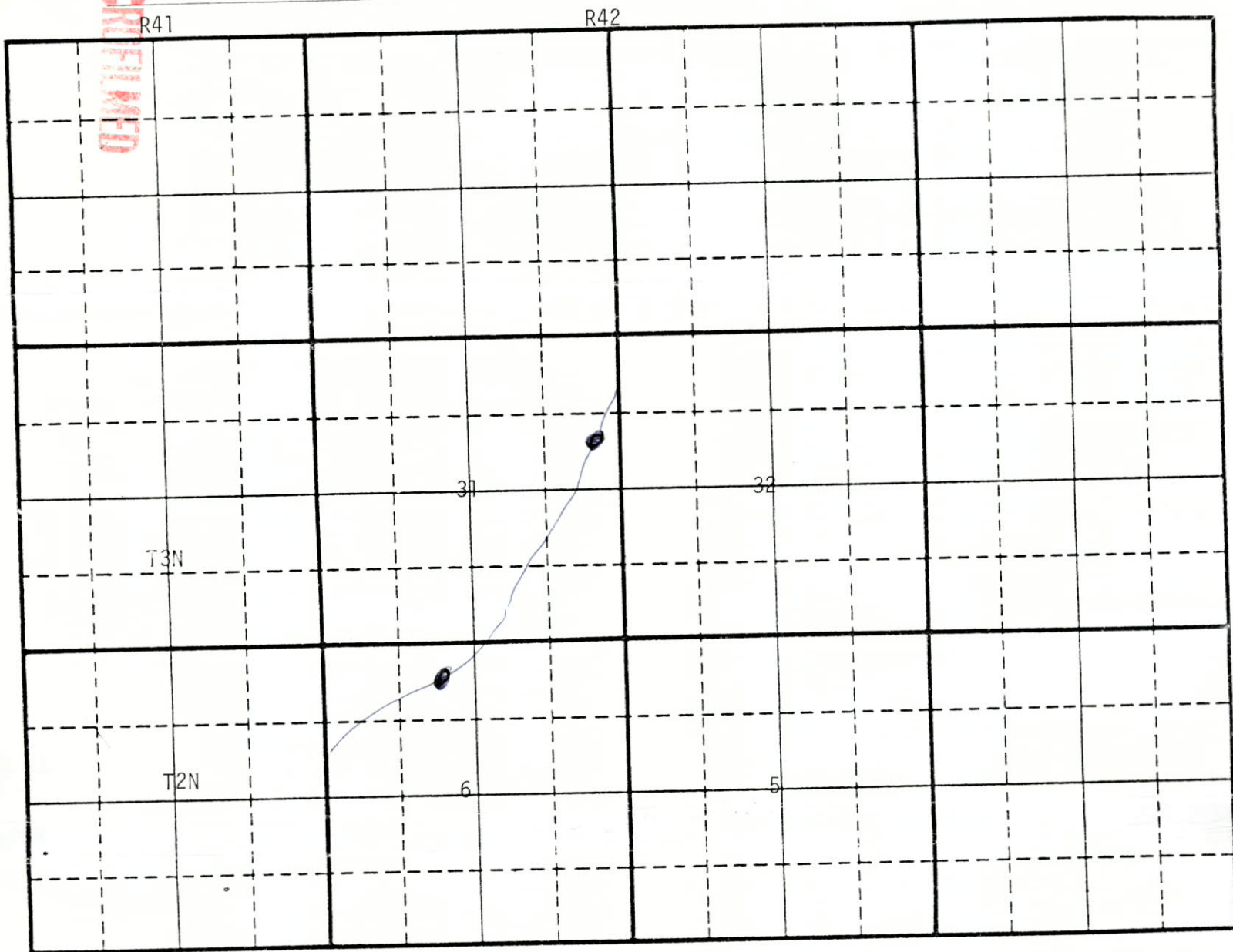


(8) Remarks Water has been used from this stream to water stock by my family since J.L. Summers homesteaded here in about 1915.



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.

Burt J. Summers
(Claimant)

Sworn to before me this 6 day of JANUARY, 19 81.

Brad A. Vancara
Notary Public
Residing at BLACK FOOT, IDA

My commission expires 6-11-81

Received by KW Date 2/24/81 Exception filed by: _____ Date _____
Prelim. check by KCW Date 1/7/81 Forwarded to claimant by: _____
\$30.00 fee received by KW Date 2/24/81 #17058
Published in The Post Register
Dates 3/5 & 3/12/81

Proof of Publication

The Post-Register

State of Idaho, }
County of Bonneville } ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman 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 5th day of March, 1981, last publication having been made on the 12th day of March, 1981, 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 20th day of March, 1981.

Ted Delezene

Deon R. Napier

Notary Public

My commission expires September 30, 1984.

B10, 1M,

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

23-4035
SUMMERS, BURL L.
3939 SANDPIPER, POCATELLO, ID
83201
Source: LITTLE PINE CREEK tributary to SNAKE RIVER
Priority Date: 05/01/1911
Amount: 0.02 CFS
Diversion Point: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E, BONNEVILLE Co.
Use: STOCKWATER (0.02 CFS) from 05/01 to 11/01
Place of Use: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E
Diversion Means: PONDS.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published: March 5, 12, 1981

RECEIVED

MAR 24 1981

Department of Water Resources
Eastern District Office

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 Burl L. Summers
(Name of Claimant)

3939 Sandpiper, Pocatello, Idaho 83201 Telephone No. 237-4739
(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) MAY 1911

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)
Little Pine Creek tributary to Snake River

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>10,000 GPD</u>	Use	<u>Stock</u>	Period of Use From <u>May 1</u>	To <u>Nov 1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 02 10,000 GPD TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 6 Twp. 2N Rge. 42E B.M., County of Bonneville
Additional points of diversion: SW 1/4 NE 1/4, Section 31, Twp 3N RGE 42 E, BM
County of Bonneville

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. No diversion, only ponding

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
2N	42E	6					X												
3N	42E	31			X														

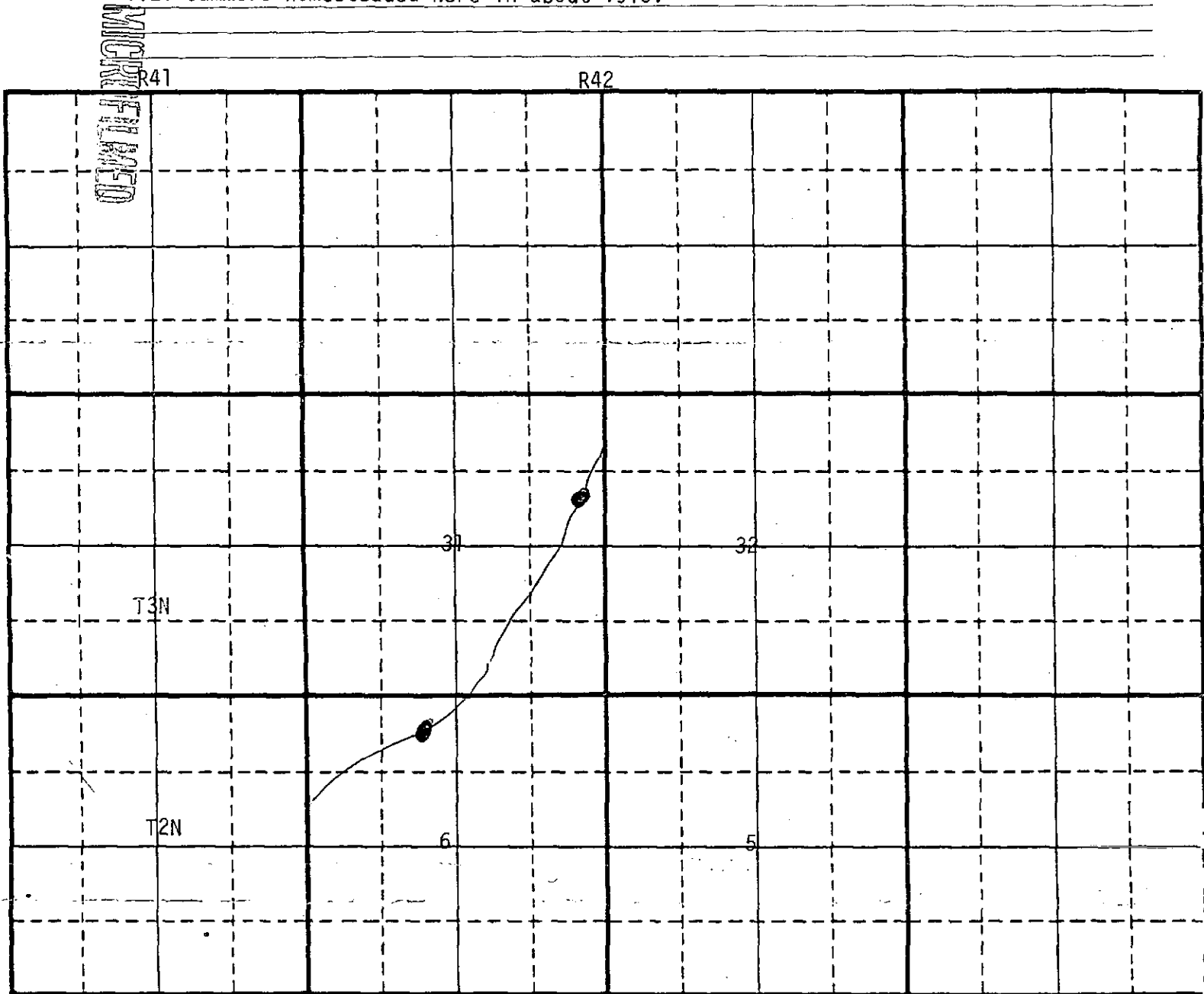
No. of acres

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

NOTE Include here the type and number of stock watered: Cattle 75, Horses 5

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

(8) Remarks Water has been used from this stream to water stock by my family since J.L. Summers homesteaded here in about 1915.



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.

Burt J. Summers
(Claimant)

Sworn to before me this 6 day of JANUARY, 1981.

B. J. L. L. L. L.
Notary Public
Residing at BLACK FOOT, IDA

My commission expires 6-11-81

Received by KW Date 2/24/81 Exception filed by: _____ Date _____
Prelim. check by KCW Date 12-24-81 Forwarded to claimant by: _____
\$30.00 fee received by KW Date 2/24/81 #17058
Published in The Post Register
Dates 3/5 & 3/12/81

Proof of Publication
The Post-Register

State of Idaho,
County of Bonneville } ss.

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman 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 5th day of March, 19 81, last publication having been made on the 12th day of March, 19 81, 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.

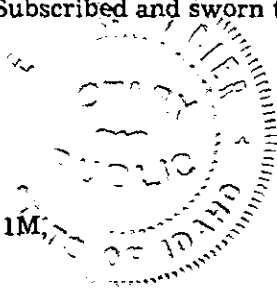
Subscribed and sworn to before me, this 20th day of March, 19 81

Ted Delezene

Deon R. Napier
Notary Public

My commission expires September 30, 19 84

B10, 1M



NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

23-4035
SUMMERS, BURL L.
3939 SANDPIPER, POCA TELLO, ID
83201
Source: LITTLE PINE CREEK tributary to SNAKE RIVER
Priority Date: 05/01/1911
Amount: 0.02 CFS
Diversion Point: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E, BON-NEVILLE Co.
Use: STOCKWATER (0.02 CFS) from 05/01 to 11/01
Place of Use: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E
Diversion Means: PONDS
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director
Published: March 5, 12, 1981

RECEIVED

MAR 24 1981

Department of Water Resources
Eastern District Office

OFFICE OF THE
DIRECTOR OF WATER RESOURCES

WATER RIGHT NUMBER 23-4035

OWNER LAST NAME - SUMMERS

FIRST NAME - BURL L.

ORIG OWNER -

ADDRESS LINE 1 - 3939 SANDPIPER

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - POCAHELLO

STATE - ID ZIP CODE - 83201

SOURCE - LITTLE PINE CREEK

TRIBUTARY OF - SNAKE RIVER

STAGE - STAIRY CLE

STATUS -

PRIORITY - 05-01-1911

COUNTY - BONNEVILLE

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRER/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 06 02N 42E LOT

REDIV -

SWNE 31 03N 42E LOT

REDIV -

FROM - 05-01 TO - 11-01 USE - STOCKWATER

USE DIV. RATE -

.0200 CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 02N RNG 42E SEC 06 TRACT NENW LOT

AC

USE - STOCKWATER

PLACE OF USE - TWN 03N RNG 42E SEC 31 TRACT SWNE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS - ACT. AMT. =10,000 GPD.

NON IRRIG USE - S/80 RANGE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - PONDS.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: K.C. Wilson

Right Number 23 4035 Applicant Burl L. Summers

NOTE: 23-4035 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 March 25, 81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 4/3/81

3/23

MAILED
APR 1 1981

23 4035

WATER RIGHT
DATA ENTRY LOG

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied

(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MARCH 25, 1981

BURL L. SUMMERS
3939 SANDPIPER
POCATELLO

ID 83201

RE: Claim No. 23-4035

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

150 Shoup Ave. -----

525-7161

February 27, 1981

RE: Claim to a Water Right No. 23-4035

Burl L. Summers
3939 Sandpiper
Pocatello, ID 83201

Dear Mr. Summers:

Attached herewith is Departmental Receipt No. 17058 in the amount of \$30.00 for the above referenced claim.

Sincerely,

KAY WALKER
Secretary

KW:K
Attachment

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 26, 1981

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 billings to this office before MARCH 23, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
FEB 27 1981

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 3/05 & 3/12/81.

23-4035-

SUMMERS, BURL L.

3939 SANDPIPER, POCA TELLO, ID 83201

Source: LITTLE PINE CREEK tributary to SNAKE RIVER

Priority Date: 05/01/1911

Amount: 0.02 CFS

Diversion Point: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E,
BONNEVILLE Co.

Use: STOCKWATER (0.02 CFS) from 05/01 to 11/01

Place of Use: NENW Sec 06 T 02N R 42E SWNE Sec 31 T 03N R 42E

Diversion Means: PONDS.

05/01/1911



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

525-7161

150 Shoup

Idaho Falls, ID 83401

January 12, 1981

Burl L. Summers
3939 Sandpiper
Pocatello, ID 83201

Dear Mr. Summers:

The staff review of your claim to a water right has revealed the document is in correct form with the exception of item 1 concerning the priority date. This date should specify the month and year when the water was first applied to a beneficial use. Once this information has been designated on the enclosed claim, simply return it to this office accompanied by a check for \$30.00 as payment of the statutory filing fee.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosure

RECEIVED
JAN 15 1981