

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02299B
Date Received: 8/ 3/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: VIVIAN ATKINSON
Address: 1536 WILLOW LANE
TWIN FALLS ID

83301

208-733-4793

2. Date of Priority: DEC 12, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	40E	17	SE	SW	NW		MADISON

5. Description of diverting works:
WELL W/ PUMP TO CENTER PIVOTS/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.810		

7. Total Quantity Appropriated is:
0.810 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	17	SW	SW		IRR	30.0
			SE	SW		IRR	30.0

A2202299B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

P/D DESCRIBED AS ON QUARTER SECTION LINE OF SWNW AND NWSW.

RIGHT IS FROM SPLIT OF A22-02299, 3/15/99. RECEIPT NO. E001068.

15. Basis of Claim: LICENSE

Water Right Number: 29201

Log for claim 22-02299B

Spatial Dynamics LTD

6/29/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	17	SWSW	30	27	
05n40e	17	SESW	30	26	
Totals:			60	53	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 24, 1999

DALLAN JEPPESEN
434 MORGAN DR
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02299A

Dear Mr. Jeppesen:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed.

Our office did not change water right A22-02299B. We show it in the name of Vivian Atkinson. Please refer to the enclosed documents and pink highlighted areas.

If you have questions about these changes, please contact Senior Water Agent Allen Ruberry at (208) 525-7161.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 1999

VIVIAN ATKINSON
1536 WILLOW LN
TWIN FALLS ID 83301

RE: CHANGE IN OWNERSHIP FOR A22-02299

Dear Ms. Atkinson:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-02299A, 4.30 cfs on 260 acres, Ricks
A22-02299b, 0.81 cfs on 60 acres, Atkinson

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 1, 1999

John Coleman
PO Box 525
Twin Falls, ID
83303

RE: Claim A22-02299

Dear Mr. Coleman;

We have received the signed Change of Ownership form and supporting documents for the above-referenced claim. A date-stamped copy of the form is enclosed for your records. Since this Basin 22 is administered by our Idaho Falls office, we are forwarding these documents to them. If you have questions on this matter, please contact them directly.

Regards,

James E. Stanton
Sr. Water Resource Agent

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

DELOG JH 3-2-99
JH 3-4-99
AR 3-5-99
RECEIVED
MAR 02 1999
RECEIVED
FEB 23 1999
Department of Water Resources
Eastern Region
Department of Water Resources
Southern Region

1. Water Right No(s).: _____
Adjudication Claim No(s).: A22-02299 - Act

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant
Peter J. Ricks (deceased)
Rexburg, ID

4. New Owner/Claimant(s)
Vivian Atkinson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1536 Willow Lane
City, State and ZIP Code Twin Falls, ID 83301
New Telephone Number () 733-4793

5. Date you acquired the property 6-12-1962

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 60 Number and type of stock _____
Diversion rate in CFS 0.81 Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Vivian Atkinson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

CHECK PAYABLE TO:
N COUNTY TAX COLLECTOR
TX 65 356-6871
G ID 83440

TAX BILL/RECEIPT
TAX YEAR 1994

CODE AREA 00
BILL NO 5935

PARCEL NUMBER
RP05N40E176745A
32,043

TAX	249.77	2ND	TAX	249.77	FULL TAX	499.54	TOT MV	32,043
EN		HALF	PEN		PEN			
INT			INT		INT			
COST			COST		COST		WAC	3.000
TOT			TOT		TOT		TOT ACS	57.000

ATKINSON VIVIAN
1536 WILLOW LN
TWIN FALLS ID 83301

S 60 RODS S2 SW4
17-05-40

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
COUNTY	.006299131	201.84
SCH DIST 321	.007539801	241.60
SUTTON CEM	.000153190	4.92
LIBRARY	.000600000	19.24
MOSQ ABATE	.000036000	1.16
MADISON FIRE	.000960377	30.78
TOTALS	.015588499	499.54
NET TAX/SPECIALS DUE		499.54

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

SQN VIVIAN

1994
5935

ATKINSON VIVIAN

1994
5935



2ND HALF TAX

249.77



1ST HALF TAX

249.77



FULL TAX

499.54

40E176745A

RP05N40E176745A

00

4-00

1M

1M

PEN
INT
COST
TOT

PEN
INT
COST
TOT

PEN
INT
COST
TOT

IF NOT PAID ON OR BEFORE

JUNE 20, 1995

PAID
BY

CHECK #
CASH

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 1994

DATE PAID
PAID BY

CHECK #
CASH

GIFT WARRANTY DEED

DEED PLATED
By *[Signature]*
Madison County Assessor

THIS INDENTURE, Made this 12th day of June
in the year of our Lord One Thousand Nine Hundred and sixty-two, between

PETER J. RICKS, a widower,

of the , County of Madison, State of Idaho,
the party of the first part, and VIVIAN ATKINSON, a married woman,

of Twin Falls, County of Twin Falls, State of Idaho,
the party of the second part:

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of
----- LOVE AND AFFECTION ----- DOLLARS
~~lawful money of the United States of America, to ----- in hand paid by the said part~~
~~of the second part, the receipt whereof is hereby acknowledged~~

, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said
party of the second part, and to his heirs and assigns forever: All the certain
lot, piece, or parcel of land situate, lying and being in the County of Madison
State of Idaho, bounded and more particularly described as follows, to-wit:

The South 60 rods of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 17, Twp. 5
N., R. 40, E.B.M.

This deed is given without money consideration, and
therefore, no revenue stamps are attached.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and
privileges thereunto incident unto the said part y of the second part, and to her heirs
and assigns forever. And the said party of the first part, and his heirs the said prem-
ises in the quiet and peaceable possession of the said party of the second part, her heirs
and assigns against the said party of the first part, and his heirs and against all and
every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant
and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

_____	<i>Peter J. Ricks</i>	(SEAL)
_____		(SEAL)
_____		(SEAL)
_____		(SEAL)

STATE OF IDAHO
County of Madison.

ss.

On this 12th day of June in the year 1962,
before me, the undersigned, a Notary Public
in and for said County and State, personally appeared

PETER J. RICKS,

known to me to

be the person whose name is subscribed to the within instrument, and acknowledged to me
that he executed the same.

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

Lay & Leg by

Notary Public

Residence Rexburg, Idaho

My commission expires 1-26-63

WARRANTY DEED

Peter J. Ricks

TO

William A. Ricks

Dated June 12, 1962

STATE OF IDAHO

County of Madison } ss.

I hereby certify that this instrument
was filed for record at the request of
Peter J. Ricks

at 10 minutes past 2

o'clock P. M., this 11 day of

July A.D., 1962

at my office and duly recorded in Book

206 of Deeds at page 97

P. J. MacFarley
Ex-Officio Recorder

BY *Lowell Allen*
Deputy

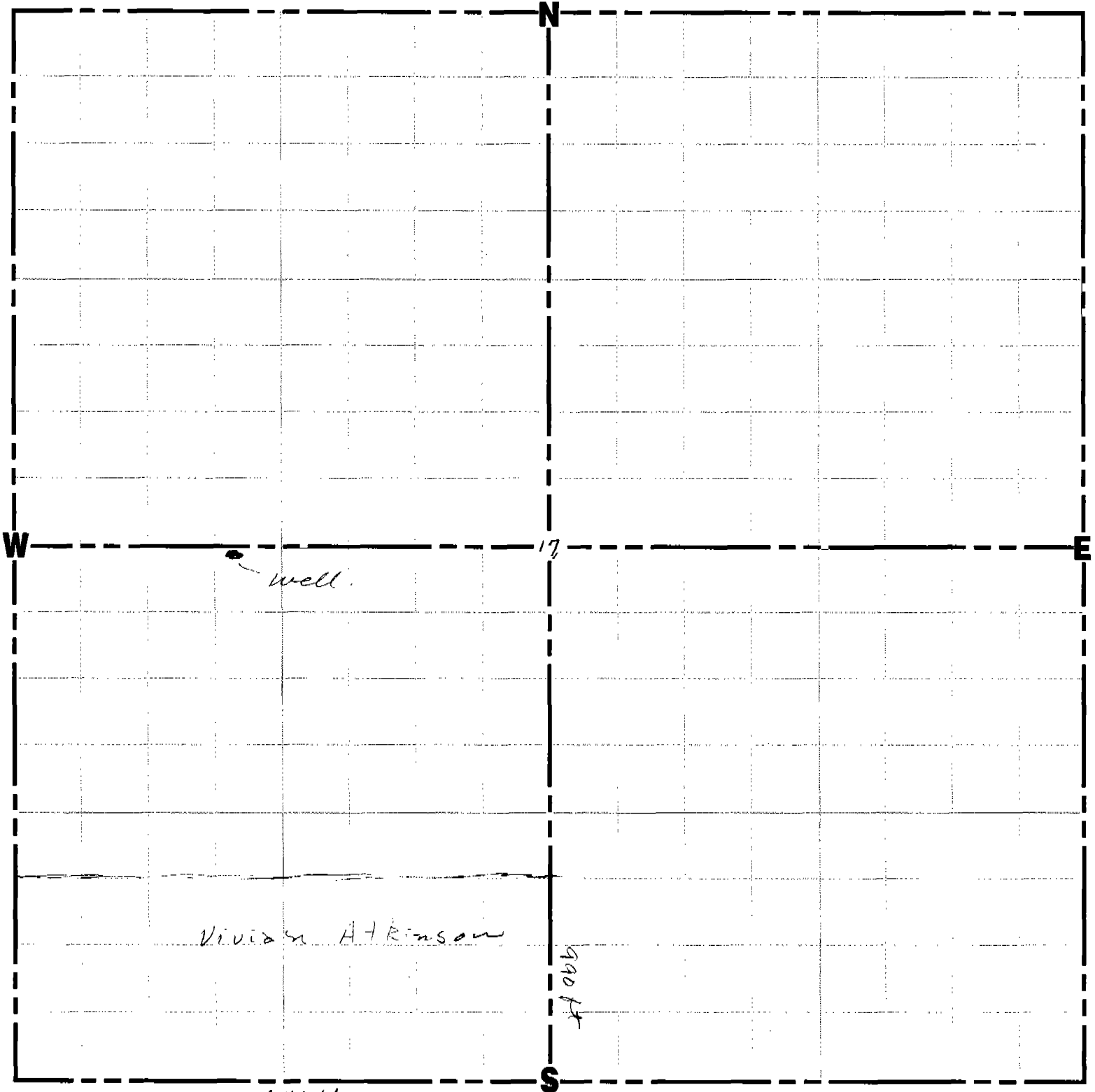
Fee, \$ 1.50

119876 RECORDED

Township 5 North R. 40 E B.M.

SCALE FOR SECTION,
660 Ft. = 1 inch

{ Each side large blue squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
Each side small red squares = 5 chains, 20 rods, 330 feet: area of square 2½ acres.



2640 ft
SCALE FOR QUARTER SECTION.
330 Ft. = 1 inch

{ Each side large blue squares = 10 chains, 40 rods, 660 feet: area of square 10 acres.
Each side small red squares = 2.5 chains, 10 rods, 165 feet: area of square .625 of 1 acre.

PRONTO LAND MEASURE 660-330 MAP SHEET

PRONTO LAND MEASURE
P.O. Box 3219, Flint, MI 48502
Phone (810) 233-7950

AJ0749NP
No. A22-02299

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/15/99
PAGE: 1

No R records

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETER J RICKS JR	12/12/1960	IRRIGATION	04-01 11-01	4.30 CFS	
C	JUNE RICKS JR 1266 W 2000 S REXBURG ID 83440 (208) 356-6566					
TOTAL DIVERSION: CONSUMPTIVE USE:					4.30 CFS	800.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05N R40E S17

SESWNW

MADISON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
05N	40E	17	:	40	40	40	40	:	40	40	40	40	:	320.0		
TOTAL ACRES													320.0			

POU County: MADISON

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN P/D DESCRIBED AS ON QUARTER SECTION LINE OF SWNW AND NWSW.

Dates: Exam Made Date:

Verified Date:

03/26/1985

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

$$\textcircled{A} 4.3 \text{ cfs} \times \frac{2600}{320} = 3.49 \text{ cfs}$$

$$\textcircled{B} 4.3 \text{ cfs} \times \frac{60}{320} = 0.81 \text{ cfs}$$
$$\underline{4.30 \text{ cfs}}$$

60 rods
16.5' / rod
990'

$$\frac{1}{2} \text{ mi} = 2640'$$
$$\frac{990'}{2,613,600} = 60 \text{ AC}$$
$$\frac{43,560 \text{ ft}^2}{\text{AC}}$$

COLEMAN, RITCHIE & ROBERTSON

Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, Idaho 83303-0525

RECEIVED

FEB 23 1999

**Department of Water Resources
Southern Region**

JOHN R. COLEMAN, CHTD.
JOHN S. RITCHIE
THOMAS M. ROBERTSON
DAVID A. COLEMAN, CHTD.

TELEPHONE (208)734-1224

FAX (208)734-3983
E-MAIL: crr@micron.net

February 22, 1999

Mr. Jim Stanton
Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Dear Jim:

I am writing this letter to you regarding Adjudication Claim A22-02299, which I discussed with you in your office a few days ago. As you may recall, my client, Vivian Atkinson, was deeded 60 acres by her father in a gift deed in 1962. A few years prior to that her brother, who owned adjoining land, obtained a permit to appropriate and a license to appropriate ground water designated as Permit No. G-29201. The permit and license covered the property of our client, Mrs. Atkinson, as well as other land.

I have had a Notice of Change of Water Right Ownership signed by Mrs. Atkinson and am enclosing that signed Application with this letter, together with a copy of the Gift Deed of the property from her father to her in 1962, and also a copy of a map I have drawn showing the location of the well and the land now owned by Mrs. Atkinson. The enclosed map shows Mrs. Atkinson's property outlined in pink and the land of her brother outlined in yellow.

Also enclosed is a copy of the 1994 tax bill on the property of Mrs. Atkinson and a 1999 copy of the Madison County assessment notice, both to show that she still owns this property.

Would you please take the necessary steps to have the record ownership of this portion of the water right appurtenant to Mrs. Atkinson's land registered to her name. If you need any additional information, please feel free to call me. After this change has been recorded, would you please send to me a copy of the

COLEMAN, RITCHIE & ROBERTSON

Jim Stanton

Page 2

February 22, 1999

registration of this right so that I might have my file complete, showing that a portion this right is registered in the name of Vivian Atkinson.

If you have any questions, please feel free to call me.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "John R. Coleman".

JOHN R. COLEMAN

JRC/jlk

Encls.

cc: Mrs. Gay Davis

Print Key Output

5746331 U3R7M0 961108

MADISON

Page 1-
02/05/99 09:10:09Display Device : A1
User : ELAINE

2/05/99

PM0100 - PARCEL MASTER INQUIRY

9:10:03

PARCEL: RP 05N40E176745 A

F17=DD F23=AG

NAME/ADDRESS
ATKINSON VIVIANLEGAL DESCRIPTION
S 40 RODS S2 SW4
17-05-40

1536 WILLOW LN

CODE AREA 400 OWNER CODE
PARC TYPE LOC-CODE
EFFDATE EXPDATE
PREV PARCEL

TWIN FALLS ID 03301

CAT	RY	QUANTITY	UN	VALUE	NO MRKT	NO EXMP	OS MRKT	OTHER
1	1998	57000	AC	32453				
19	1998	3000	AC					

TOTALS 60000 32453

ENTER NEXT PARCEL NUMBER RP

 FKeys: F2=TX F3=Exit F5=SS F6=NY F7=LG
 F8=CT F13=TM F10=HS F20=3rch F22=EU