

PLACE OF USE R44E L20



OCT 29 1992

MICROFILMED

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 22-7188
Date Received: 6/17/1988
Receipt No: E000429
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARK R RICKS Phone: (208)456-2850
391 W 1200 N
FELT ID USA 83424

2. Date of Priority: 07/06/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	44E	15	NE SE NW	TETON	

5. Description of diverting works:

TWO 125 HP PUMP IN TETON RIVER TO MAINLINE/SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	7	

7. Total Quantity Appropriated is:
7 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	44E	9	SE SW	IRRIGATION	40
			SW SE	IRRIGATION	40
			SE SE	IRRIGATION	40

					Section Acres	120
06N	44E	15	NW	SW	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
					Section Acres	160
06N	44E	16	NE	NE	IRRIGATION	35
			NW	NE	IRRIGATION	35
					Section Acres	70
					Total Acres	350

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

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: A22-07188
Date Received: 6/17/1988
Receipt No: M000429
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK R. RICKS 208-456-2850
Address: BOX 55
FELT, ID 83424
AND/OR
Name: JAY C. RICKS 208-356-5028
Address: 259 S. 3 E.
REXBURG, ID 83440

A2207188

2. Date of Priority: JUL 06, 1976
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	15	NE	SE	NW		TETON

5. Description of diverting works:
TWO 125 HP PUMP IN TETON RIVER TO MAINLINE/SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.000		

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

8. Total consumptive use is 700.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

RECORDED

OCT 29 1988

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	44E	9	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				120.0
		15	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			Section Acres				160.0
		16	NE	NE		IRR	35.0
			NW	NE		IRR	35.0
			Section Acres				70.0
			Total Acres				350.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
22-0425A/22-0424B

14. Remarks:

NO DEMAND ON UPSTREAM PRIOR RTS. OR EXISTING PRIOR EXCHANGES CAN BE MADE & NO INTERFERENCE WITH PRIOR RTS. LOCATED BETWEEN THE REDIVERSION PUMP & THE EXCHANGE WELL WILL BE ALLOWED EVEN IF THE EXCH. WELL IS PUMPING WATER INTO THE TETON R. ANY WELL DRILLED UNDER THIS PERMIT SHALL BE CONSTRUCTED WITH UNPERFORATED SOLID CASING EXTENDING TO A DEPTH OF 150 FT. THE WELL CASING SHALL BE SEALED TO THE REQUIRED UNPERFORATED DEPTH. THE SEAL SHALL BE INSTALLED ACCORDING TO RULES 3.3.1 & 3.3.2 OF THE WELL CONSTR. STANDARDS RULES & REGULATIONS OF THE IDWR. DATED 2/81. THE WELL DRILLER SHALL BE REQUIRED BY THE APPLICANT TO SUBMIT TO THE DEPT. FOR REVIEW & APPROVAL HIS PLAN FOR SEALING THE WELL CASING AT LEAST 5 DAYS PRIOR TO THE DRILLING OF THE WELL. A MEAS. DEVICE & LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPT. SHALL BE INSTALLED & MAINTAINED AS PART OF THE DIVERTING WORKS AT BOTH THE EXCHANGE WELL & THE REDIVERSION PUMPS FROM THE TETON R. THE POWER SUPPLY TO THE EXCHANGE WELL CANNOT BE CONTRACTED UNDER THE POWER CO.'S INTERRUPTABLE RULES UNLESS THE POWER CO. AGREES TO NOTIFY THE APPLICANT AT LEAST 24 HRS. PRIOR TO THE TIME THE POWER SERVICE IS TERMINATED. THIS APPLICATION FOR AMENDMENT IS APPROVED IN CONNECTION WITH THE PROPOSED MEMORANDUM DECISION & ORDER & ORDER ADOPTING PROPOSED MEMO.

OCT 29 1982

DECISION & ORDER. CONDITION NO. 8 OF SAID ORDER IS MODIFIED AS FOLLOWS: THE EXCHANGE WELL MUST INJECT WATER INTO THE TETON ISLAND CANAL WHENEVER WATER IS BEING DIVERTED FROM THE RIVER UNDER THIS PERMIT, & THE INJECTION MUST CONTINUE AFTER THE DIVERSION FROM THE RIVER CEASES UNTIL THE WATER NOT DIVERTED REACHES THE PT. OF INJECTION.

15. Basis of Claim: PERMIT
Water Right Number:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jay C. Rich Date: 17 June 88
Date: _____

State of Idaho)
County of Bonneville) SS.

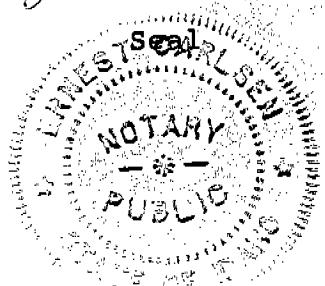
Subscribed and sworn (or affirmed) before me this 17 day

of June 19 88

Ernest Carlson
Notary Public

Residing at Auto Falls

My Commission Expires 14 June 1994



RECEIVED
OCT 20 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2003

MARK R RICKS
391 W 1200 N
FELT ID 83424

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-7188

Dear Mr. Ricks:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) 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 listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

OK JC
9/17/03

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-7188					
22-7470	825				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 825
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

22-7188 Jay C. Ricks & Mark R. Ricks
22-7470 RIKO Inc. & Mark R. Ricks

4. New Owner/Claimant(s)

Mark R. Ricks

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

391 W. 1200 N.

City, State and ZIP Code

Felt, Idaho 83424

New Telephone Number

208 456-2850

5. Date you acquired the property

4/2002 (portion was owned previously)

Department of Water Resources
Eastern Region

NOV 25 2002

RECEIVED

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Mark R. Ruks
(include title if applicable) _____

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

For Office Use Only			
Received by <u>JC</u>	Date <u>12-3-02</u>	Fee <u>\$25</u>	
Receipted by <u>JC</u>	Date <u>12-3-02</u>	Receipt No. <u>E028355</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

First American Title Company

T-4609

RECEIVED

MAY 09 2002

TETON CO. ID
CLERK RECORDER**WARRANTY DEED**

148051

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS P. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 6 North, Range 44 East, of the Boise Meridian, Teton County, Idaho.

Section 9: S $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT only to the following matters:

1. 2002 taxes are an accruing lien, not yet due and payable.
2. Reservations in United States Patent.
3. Exceptions and Reservations contained in the Deed from the State of Idaho to Willard Casper, recorded December 11, 1948 and January 31, 1946 in Book 77 of Deeds at Page 271 and in Book 77 at Page 119, wherein mineral rights are reserved to the State.
4. Amended Resolution Declaring County Roads, recorded May 14, 1991, Recording No. 107957, records of Teton County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

Instrument # 148051

DRIGGS, TETON, IDAHO

2002-05-09

12:45:24 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

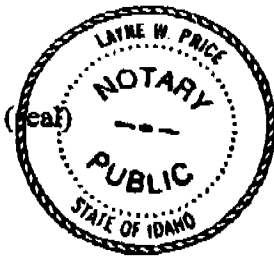
Beverly W. Ricks

Beverly W. Ricks

STATE OF IDAHO)
)ss.
County of Teton)

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified 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.

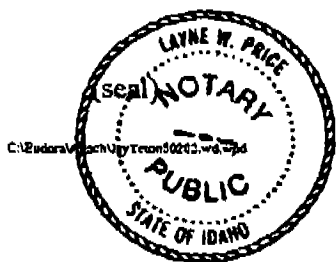


Layne W. Price
Notary Public for Idaho
Residing at DOCES
My Commission Expires: 12-31-06

STATE OF IDAHO)
)ss.
County of Teton)

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.



Layne W. Price
Notary Public for Idaho
Residing at DEER
My Commission Expires: 12-01-04

First American Title Company

RV2971603

WARRANTY DEED

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS P. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Madison, State of Idaho, to-wit:

Township 6 North, Range 40 East, of the Boise Meridian, Madison County, Idaho.

Section 3: An undivided 50% interest in the following described real property: Commencing at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 6 North, Range 40 East, of the Boise Meridian, Madison County, Idaho, and running thence North 200 feet, more or less, to the center of the Teton Island Canal; thence following the centerline of the canal West 24 feet; thence South 09°20'05" West 76.02 feet; thence South 36°08'25" West to the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence East 150 feet, more or less, to the point of beginning; together with an easement for egress and ingress along the East boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3.

SUBJECT only to the following matters:

1. 2002 taxes are an accruing lien, not yet due and payable.
2. Levies and assessments of the Fremont-Madison Irrigation District.
3. Right of Way for Teton Island Canal.
4. Right of Way Easement for pole line granted to Idaho Power and Transportation Company, recorded April 3, 1913 in Book 6 of Deeds, Page 292.

Instrument # 206774

RECEIVED, MADISON, IDAHO
2002-05-09 09:22:10
Recorded for: FIRST AMERICAN TITLE
MARILYN M. RABINUSCH
Ex-Officio Recorder County of Madison, IDAHO
Fee: \$0.00

(3pp)
Grant

5. Provisions in deed to Mark R. Ricks and Jay C. Ricks recorded January 18, 1995 as Instrument No. 254883, substantially as follows: "Subject to the right of the Grantors, their heirs and assigns to use the well on said premises when the same is not in use."

TOGETHER with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and any reversion, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

Beverly W. Ricks

Beverly W. Ricks

STATE OF IDAHO)

County of Teton)ss.

On the this 4th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified 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.



[Signature]
Notary Public for Idaho
Residing at 12100
My Commission Expires: 12-01-06

STATE OF IDAHO)

County of Teton)ss.

On the this 4th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she 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.



[Signature]
Notary Public for Idaho
Residing at 12100
My Commission Expires: 12-01-06

3 Warranty Deed



First American Title Company of East Idaho
81 North Main Street/P.O. Box 42
Driggs, Idaho 83422
(208)354-2771 Fax (208)354-8825

FAX TRANSMITTAL SHEET

No. of Pages Including Cover Sheet: 7DATE: 9/17/03TIME: 9:20 AM

PLEASE DELIVER TO:

Jennifer

COMPANY:

Stk of ID Dept. Hdr. Rec.

FROM:

Grant

FAX NO.:

525-7177

RE:

Mark Ricks

MESSAGE:

Took Doc's from Jay Ricks to Mark Ricks
Requested
The Title Commitment you have T9941
Cover Property that Mark already owned
at the time of that Commitment.
If you have any further questions please call
Thank You! Grant

If you have any problems receiving this message or have any questions regarding our transmittal please contact us at (208)354-2771.

CONFIDENTIALITY NOTE: The information transmitted in the fax message is intended to be confidential and for the use of only the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone. Thank you!

354-
9991

SCHEDULE A**1ST REVISED COMMITMENT**

Order No.: T9941

Reference No.: Teton T9941/Madison RX29763

1. Commitment Date: **August 23, 2002**at **08:00 AM**

2. Policy (or Policies) to be issued:

Policy Amount**Premium Amount**(a) **Owner's Policy** (

Form 1402-92)

Proposed Insured:

No credits applicable

Endorsements:

(b) **Loan Policy**

(Std Loan Policy (10/17/92) Form 1058-92)

\$ 350,000.00**\$ 1,317.50**

Proposed Insured:

No credits applicable**Idaho AgCredit, FLCA, its successors and/or assigns as their respective interests may appear.**

Endorsements:

(c)

Proposed Insured:

Endorsements:

3. A fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

TETON COUNTY

Tract I:

Mark R. Ricks and Chris P. Ricks, husband and wife

Tract II:

Mark Ricks and Chris Ricks, husband and wife

Tract III:

Mark R. Ricks, presumptively subject to the community interest of his spouse, Chris P. Ricks.**MADISON COUNTY**

Parcel 1 and 2:

Mark R. Ricks and Chris P. Ricks, husband and wife

4. The Land referred to in this Commitment is described as follows:

SEE ATTACHED LEGAL DESCRIPTION**1 PAGE TOTAL**

According to the County Assessor's office, the above described property is commonly known as:
Farm Ground, Tetonia, Idaho 83452

**VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED**

**ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(T9941.PFD/T9941/10)**

1ST REVISED COMMITMENT**ATTACHED LEGAL DESCRIPTION**

Order No.: T9941

TETON COUNTY**Tract I:**

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 9: N1/2SE1/4SW1/4; S1/2SE1/4SW1/4; S1/2SE1/4

Section 15: N1/2NW1/4; SW1/4NW1/4; NW1/4SW1/4

Section 16: N1/2NE1/4

Tract II:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 16: SE1/4NE1/4; NE1/4SE1/4

Tract III:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Those portions of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), the East-half of the Northwest Quarter (E1/2NW1/4), West-half of the Southeast Quarter (W1/2SE1/4), and Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) Section 16 Township Six (6) North, Range 44 East, B.M., located northeasterly of the center line of State Highway No. 33 as described in State of Idaho Eastment No. 490. Subject to State of Idaho Easement No's, 49C, 5283-B and 5283-C to Idaho Transportation Department for a highway.

MADISON COUNTY**Parcel 1:**

Commencing at the SE corner of the NE1/4SW1/4 of Section 3, Township 6 North, Range 40 E.B.M., Madison County, Idaho, and running thence North 200 feet, more or less, to the center of the Teton Island Canal; thence following the centerline of the canal West 24 feet; thence S. 09°20'05" W. 76.02 feet; thence S. 36°08'25" W. to the South line of the NE1/4SW1/4; thence East 150 feet, more or less, to the Point of Beginning.

Parcel 2:

Together with an easement for egress and ingress along the East boundary line of the SE1/4SW1/4 of said Section 3.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07188

Priority: July 6, 1976

Maximum Diversion Rate:

Maximum Diversion Volume:

AUG 10 1976
Department of Water Resources
Eastern District Office
3.37 CFS
1225.0 AF

This is to certify, that MARK R RICKS
JAY C RICKS

259 S 3RD E
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 6, 1976; and has submitted Proof of Beneficial Use on June 19, 1985. An examination indicates that the works have a diversion capacity of 3.370 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.37 CFS	1225.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

SESW , Sec. 3, Township 06N, Range 40E
MADISON County
SENW , Sec. 15, Township 06N, Range 44E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	44E	9	SESW	40	SWSE	40	120
		15	NENW	10	NWNW	35	
			SENW	15	NESW	15	145
		16	NENE	22	NWNE	35	
			NENW	26	SENE	2	85

Total number of acres irrigated: 350

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

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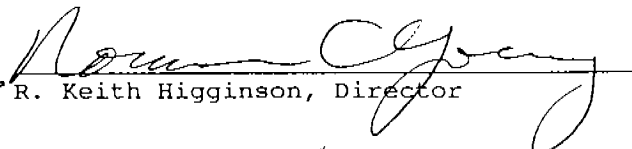
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07188

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
7. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
8. Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.
9. The exchange well must inject water into the Teton Island Canal whenever water is being diverted from the Teton River under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.
10. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
11. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
12. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
13. The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 27TH
day of July, 1994.

Acting for 
R. Keith Higginson, DirectorMICROFILMED
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