

04/05/2005

NOTICE OF ERROR
REPLY

574A

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-662A

ALFRED T RICKS JR
4379 W 6800 S
REXBURG ID 83440
Telephone Number: (208)356-8296

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Along with water right 22-662A + 22-2172A we have a claim # A22-12365

2. Describe the changes you wish to make in the proposed recommendation:

Add Claim # A22-12365 along with Springs as shown on map. Add Stock Water Pond.

3. Give a brief explanation as to why you disagree with these portions:

We believe the water rights recommendation for this property is incomplete!

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 19 July 2005

SIGNATURE:

Garvin S. Ricks

Please print your name:

Garvin S. Ricks

IDWR Regional Office,

C/O Garvin S. Ricks
530 W. 1300 N.
Felt, ID. 83424
208-456-2397

11-30-06
Talked to Garvin
he said as long as
right is still
on land all
is ok.
TB

RECEIVED
JUL 27 2005
Department of Water Resources
Eastern Region

KWD
7/27

04/19/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-2172A

ALFRED T RICKS JR
4379 W 6800 S
REXBURG ID 83440
Telephone Number: (208)356-8296

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

RECEIVED
JUL 27 2005
Department of Water Resources
Eastern Region

Pasture w/springs

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: A22-12365
Date Received: 12/20/1988
Receipt No: 600545297
Received By: EDV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALFRED T. RICKS, JR. 208-356-7519
Address: 396 W. WELLS
FELT, ID 83424

OR
Name: RAE RICKS 208-356-7519
Address: 396 W. WELLS
FELT, ID 83424

2. Date of Priority: MAY 01, 1905

3. Source: BADGER CREEK Trib. to: TETON RIVER
UNNAMED STREAM BADGER CREEK
SPRINGS BADGER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	45E	7	NE	NE	NW		TETON
07N	44E	36	SE	SW	SW		TETON

5. Description of diverting works:
WATER FROM FIELD, SPRING RUNOFF FILLS 3 STOCK PONDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	04/15	10/15	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 100 HEAD OF CATTLE

A22-12365

Page 1

Date: 12/20/88

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	44E	36	SW	SW	IRR	30.0
Section Acres						30.0
Total Acres						30.0

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:
NONE

14. Remarks:
SEE ATTACHED AGREEMENT MADE W/ NEIGHBOR IN 1963.

15. Basis of Claim: BENEFICIAL USE

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 x 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): Alfred J. Ricks Jr Date: Dec 30, 1988

Date: _____

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of December 1988

[Signature]
Notary Public

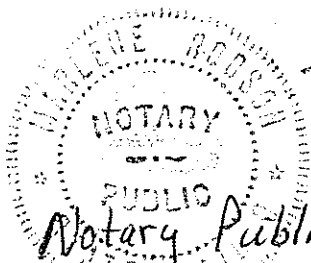
Residing at Idaho Falls, ID

My Commission Expires 22 Aug 1994

~~is~~, Alfred T. Ricks, Jr., am presenting the following affidavit to assist in proving my water rights, as follows:

I, Merrell Brower, testify that water on SW 4 Sec 36 T 7 N R 44 E has been in continual use for livestock watering purposes since 1930.

Signed Merrell Brower



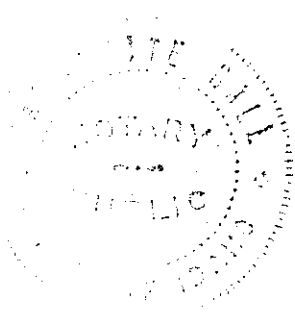
Notary Public Marlene Robson
Residing at Felt, ID
My Comm. expires 6-28-91

I, Alfred T. Ricks, Jr. am presenting
the following affidavit to assist in
proving my water rights, as follows;

I, Clendon Gee, testify that
water on SW Sec 36 T7N R44E,
with its spring & watering hole also,
has been in continual use for
livestock watering purposes since
1920

Signed Clendon Gee

Clendon Gee personally appeared before
me 30th day of November 1988



Margaret Ball, Notary
Sugar City, Ida 8344.

INSTRUMENT NO. 60758 ✓

AGREEMENT

THIS AGREEMENT MADE this 12th day of January, 1963, by and between RULAND E. WARD and ESTELLE WARD, his wife of Rexburg, Idaho, first parties, and ALFRED T. RICKS, JR., of Sugar City, Idaho, second party, WITNESSETH:

WHEREAS first parties are the owners of the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 1, Township 6 North, Range 44 East, Boise Meridian in Teton County, Idaho, and second party is the owner of the SW $\frac{1}{4}$ of Section 36, Township 7 North, Range 44 East, Boise Meridian, in Teton County, Idaho, which immediately adjoins the ward property on the north across the road, and

WHEREAS, first parties have made application to the Department of Reclamation of the State of Idaho to divert 3.0 cfs of the waters of an unnamed slough, tributary to Badger Creek, in accordance with the terms and conditions of Permit No. 30364, and

WHEREAS, Proof of Completion of Works by first parties is to be made January 15, 1963, and

WHEREAS, the water from said slough flows through a culvert underneath the road dividing the above described property, and forms a pond on the property of the second party; that the waters of said pond have been used by second party and his predecessors in interest for more than fifty years for the purpose of stock watering, and it is necessary that such waters continue to be used for that purpose,

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained, the parties hereto agree that at all times when water is available in said slough for said pond the second party shall have the prior right thereto for the purpose of watering livestock. First parties agree that they will not at any time pump the water from such slough and pond or drain the same so that there will not be sufficient water for that purpose.

However, in the event of an emergency and in order to save the crops of the first parties, it becomes necessary to use such water not to exceed the period of one week, the first parties may pump from said slough and drain said pond. In that event second party agrees to move his livestock to another pasture where water is available and if he is unable to find another pasture where water is available, first parties agree to provide a place on their property where water is available for such livestock, at no cost to second party.

Second party agrees that in the event it becomes necessary he will lower the culvert between the two properties as above described.

The parties hereto agree that they will at all times cooperate with each other in the most advantageous use and distribution of said water for the benefit of each other.

Second party agrees that he will not contest the application of first parties for the beneficial use of said water as above described.

This agreement is binding upon the parties hereto as well as their respective heirs, administrators and assigns.

/s/ Rueland Ward

/s/ Estelle Ward
First Parties

/s/ Alfred T. Ricks, Jr.
Second Party

/s/ Alice Rae S. Ricks
Second Party

STATE OF IDAHO)
)ss
COUNTY OF MADISON)

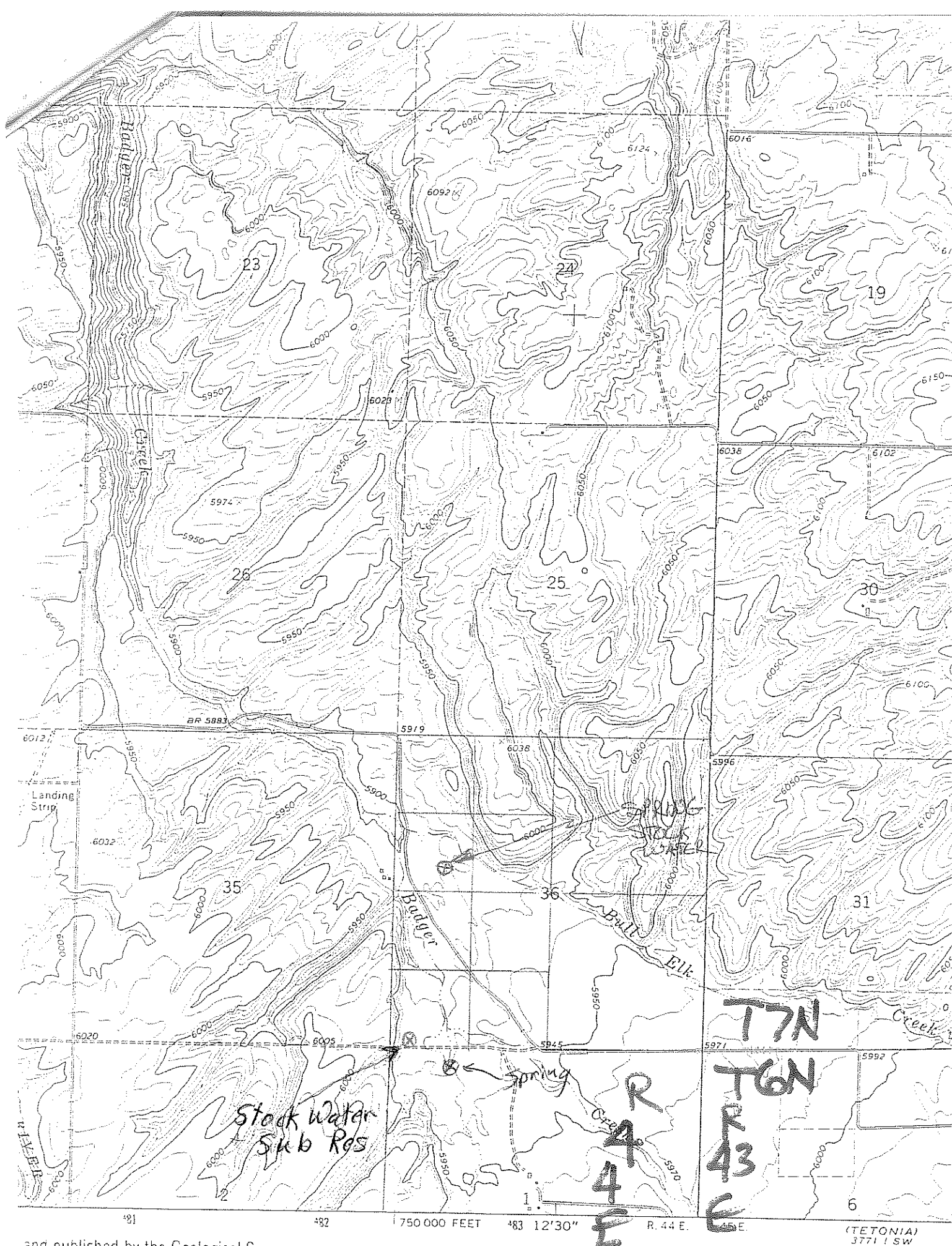
On this 12th day of January, 1963, before me, the undersigned, a Notary Public in and for said state, personally appeared Ruland E. Ward and Estelle Ward, his wife; and Alfred T. Ricks, Jr. and Alice Rae Ricks, his wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

(NOTARIAL SEAL)

/s/ Mary Smith
Notary Public, residing at
Rexburg, Idaho

STATE OF IDAHO)
)ss
COUNTY OF TETON)

Filed for record at the request of Alfred T. Ricks at 30 minutes past 11 o'clock A.M. this 21 st day of



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-662

WATER RIGHT NUMBER: 22-662

Owner Type Name and Address
 Current Owner ALFRED T RICKS
 136 S 1 E
 REXBURG, ID 83440

Priority Date: 04/01/1939

Basis: Decreed

Status: Active

Source Tributary
 BADGER CREEK TETON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	5.000 CFS	
	<u>Total Diversion:</u>	5.000 CFS	

Location of Point(s) of Diversion

BADGER CREEK SW1/4 Sec. 36, Twp 07N, Rge 44E, B.M.
 TETON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	44E	36					X	X	X	X	X	X	X	X					640 ac

Conditions of Approval:Remarks:Comments:

22- 662A Q = 2.47 cfs own 356 ac 3.9 CFS
 662B Q = 2.5 cfs own 360 ac 4.04

A small piece of 377 ac is owned by Douglas McCombore