

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 10, 2009

Andrew J. Waldera
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, ID 83701-0829

*RE: SRBA Subcase Nos. 22-2236B, 22-13746, 22-13747, 22-13797,
22-13958, 22-13959 & 22-13960*

Dear Andy:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. Please review the documents, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me. I will circulate for the remaining signatures and file the SF5s with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

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

In Re SRBA	)	Subcase No. 22-13747
	)	<i>Uncontested Overlap to 22-2236B</i>
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

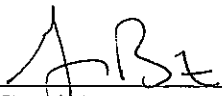
CLAIMANT:
Grant H. Ricks

Andrew J. Waldera
Attorney for Claimant

Date

DWR Concurrence:

Ernest Carlsen Date
Water Resource Program Manager

 7/10/09

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13747
NAME AND ADDRESS: GRANT H RICKS
3366 S 1400 W
REXBURG ID 83440

SOURCE: GROUND WATER
QUANTITY: 0.360 CFS
153.50 AFY

TRIBUTARY:

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Right Nos. 22-2236B and 22-13747 are limited to a total combined annual diversion volume of 273 AF.

PRIORITY DATE: 03/04/1974

POINT OF
DIVERSION:

T05N R40E S4 NWNESW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.360 CFS 153.50 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S04	NESW	39.00	T05N R40E S04	SESW	39.00
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78 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 78.0 acres in a single irrigation season. Combined Right Nos.: 22-2236B and 22-13747.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are diverted through point(s) of diversion described above: 22-2236B, 22-13747, 22-13959 and 22-13960.

This right is a split from former right 22-7088.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

~~Right No. 22-2236B is also diverted through point of diversion described above.~~

CERTIFICATE OF MAILING

I certify that on _____, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

GRANT H. RICKS
Represented by:
ANDREW J. WALDERA
SCOTT L. CAMPBELL
101 S. CAPITOL BLVD. 10TH FLOOR
P.O. BOX 829
BOISE, ID 83701-0829

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney