

12/09/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-2220B

NAME AND ADDRESS: MGR FARMS LLC
3366 S 1400 W
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.770 CFS
693.000 AFY

Right Nos. 22-4184E and 22-2220B are limited to a total combined diversion rate of 3.77 cfs and to a total combined annual diversion volume of 756.0 AF.

PRIORITY DATE: 03/02/1962

POINT OF DIVERSION:

T05N R40E S8 NWNWSW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.770 CFS 693.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S07	SESE	17.0	T05N R40E S08	SWNW	39.0
T05N R40E S08	SENW	40.0	T05N R40E S08	NESW	41.0
T05N R40E S08	NWSW	39.0	T05N R40E S08	SWSW	20.0
T05N R40E S08	SESW	20.0			

216 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 216.0 acres in a single irrigation season. Combined Right Nos.: 22-4184E and 22-2220B.

This right is limited to the irrigation of 198.0 acres within the place of use described above in a single irrigation season.

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

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

Right No. 22-4184E is also diverted through point of diversion described above.

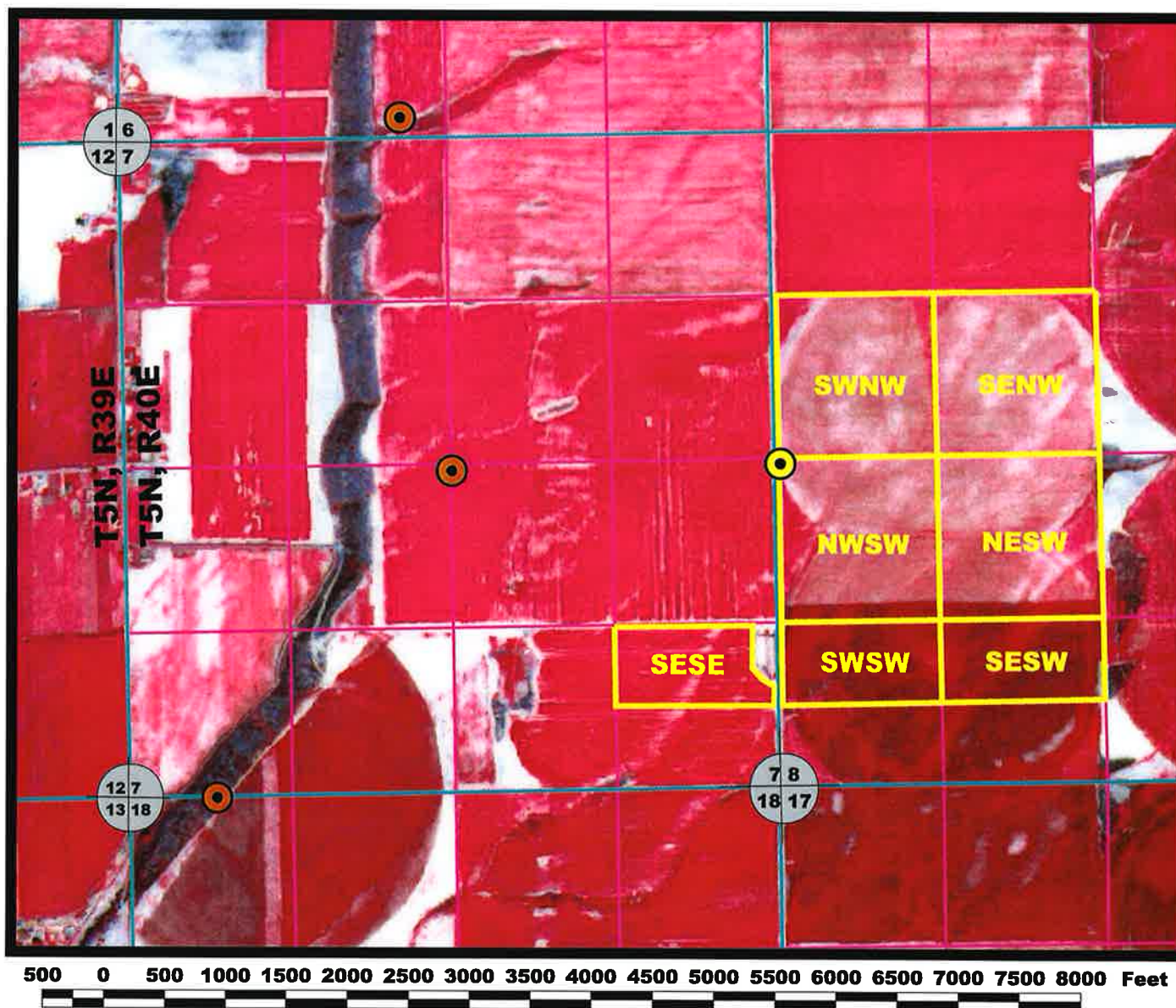
Right No. 22-4184E is an enlargement of this right pursuant to Section 42-1426, Idaho Code.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-4184E,
22-2220B

Point(s) of Diversion:
T5N, R40E
Sec. 8 NWNWSW

Place of Use: (parts of)
T5N, R40E
Sec. 7 N2SESE,
Sec. 8 S2NW, SW

LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: December 2005

01/09/2006

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: 22-2220B

MGR FARMS LLC

3366 S 1400 W

REXBURG ID 83440

Telephone Number: (208) ~~312-1101~~

681-2860

COMPLETED

Kuo
11/04

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: 10-24-06

SIGNATURE: 

Please print your name:

Grant Rocks

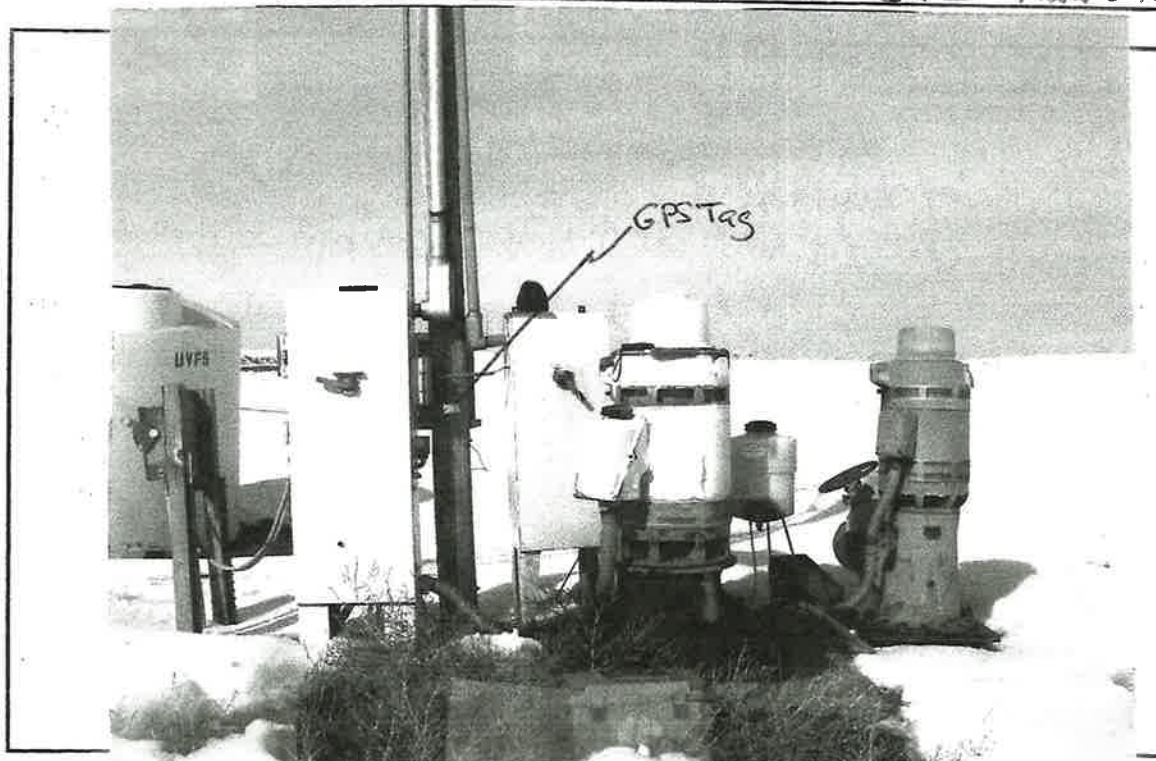
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

JUN 06 2007

Kuo
11/04

A22-2220A + A22-2220B + A22-4184F
Water Right No(s). A22-04184D + A22-04184E + A22-04184A



GPS DATA:

Photo Looking North

Tag # A0000261 Location: Power Pole - GPS Data 2678281
13 99912

Diversion Data:

GPS File # - 224184

Source: Groundwater Trib to: _____

MOTOR / Rooster

Make: G.E. / G.E. Model: _____ Hp: 250 / 100
SN: ANJ119115 / KAJ1027142

PUMP

Make: Vertiline / Vertiline Model: _____ Disch: _____
SN: D00054 / D11812

NOTES:

Well & pump to pivots. Place of use is N $\frac{1}{2}$ SESE Sec 7 T5N
R40E. For A22-04184E. Claims A22-04184E + A22-04184D share
Common P.O.D. Claimants Breckin Glass + Mark Rida (MGR Forms)
are brother + sister. P.O.U For A22-04184D IS SENE + E $\frac{1}{2}$ SWNE
Sec 7 T5N R40E.

Field Exam Date: 3-2-05 Agent: AW Jones

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JUN 22 2007

A22-2220B - Shape ok, name is now MGR Farms.

Claim No. 22-222013

Document Checklist

☒ Copy License/Decree

☐ Copy Transfer

☒ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

Shape is OK - Name should be changed to
MGR Farms
3766 S. 1400 W
Rexburg, ID 83440

Scmt PoD as 22-4184A

SCANNED

JUN 05 2007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-30399This proof is for Comp. of Works & Bene. Use

In Water District No. _____

1. Name of applicant: Mark G. Ricks
2. Source of water supply: Subterranean from well
3. Location of point of diversion: Is in the NW 1/4 of Section 8
T. 5N R. 40E County of Madison

4. Describe works as they exist, giving dimensions and capacities of same:

200 HP GE MOTOR # 012123
LAYNE & BOWLER VERTICAL PUMP # 000059
2250 gpm 320' 100 HP GE # KAT1037142
LEB VERTICAL PUMP # D11812 2050 gpm 162'
10" THICK UNDEGROUND MAN STEEL LINE

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S1/4, S2/4, Section 8, 5N-40E making a total of 240 acres to be irrigated

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

8 LAT - $\frac{1}{64}$ Rainfall 200 @ 58 lbs average
 $Q = \frac{(264 \text{ noz}) (6.4 \text{ gpm})}{498.8} = \frac{3.75 \text{ cfs}}{3.77}$

2 LAT - $\frac{5}{32}$ Rainfall 200 @ 55 lbs average
 $Q = \frac{(5.23 \text{ gpm}) (66 \text{ noz})}{498.8} = \frac{3.6 \text{ cfs}}{4.51 \text{ cfs}} = 4.54$

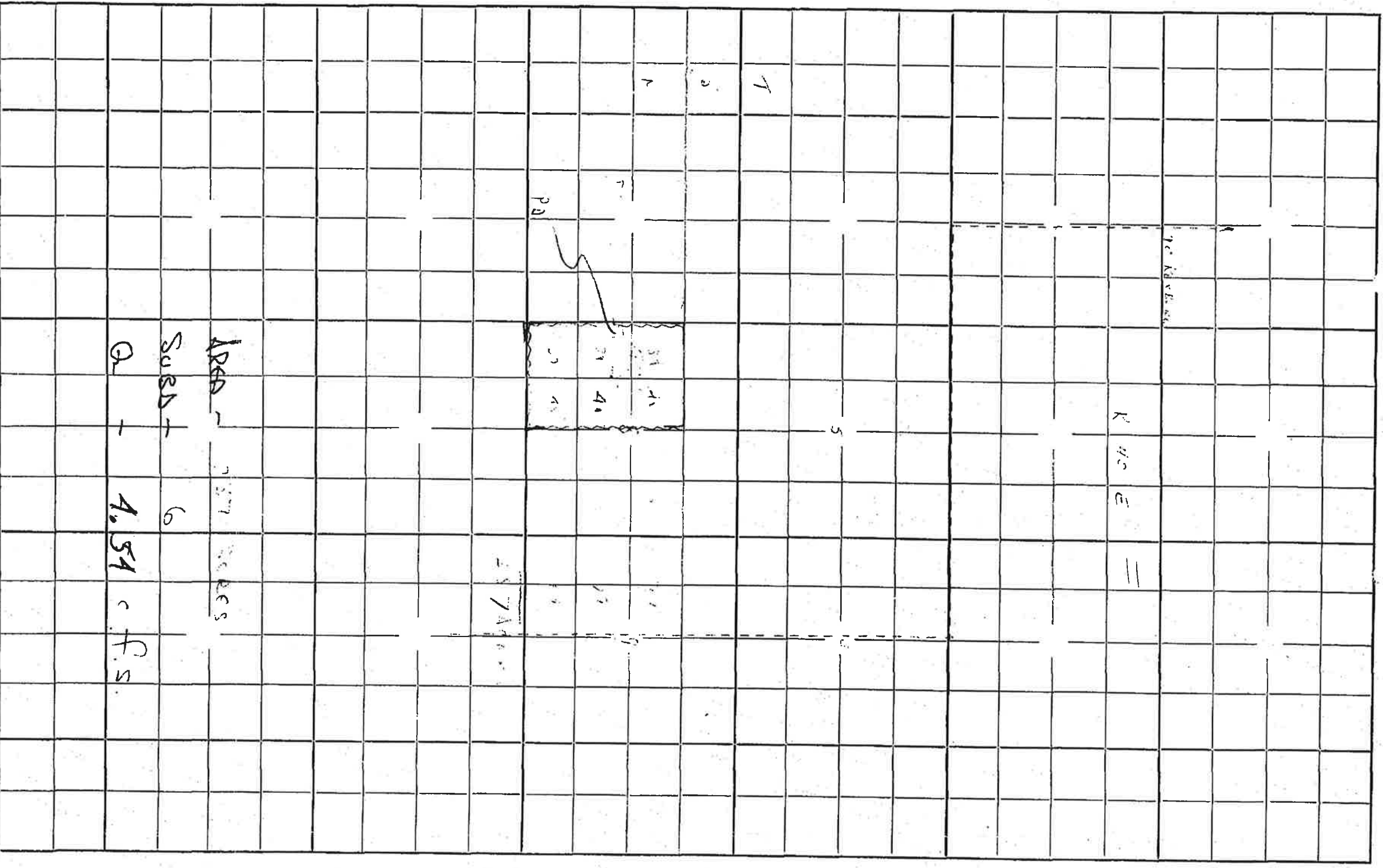
This examination was made on the 13th day of Sept, 1967.(Signed) DR Examiner.

SCANNED

JUN 06 2007

30399

DW plat ✓



Scale: 2 Inches Equals 1 Mile. Draw Map In Int.

SCANNED

30399

JUN 16 2007

T. 596 40L

30.24
30.34
32

29.13
32.33

34.90

41.50

49.50

107.50

32

32.33

114.60

40.00

37.00

27.33

31.60

1.4

7.25

20099

SCANNED

MM 06 2007

State of Idaho

License and Certificate of Water Right

Water License No. G-30399 Priority March 2, 1962 Amount 4.54 c.f.s.

THIS IS TO CERTIFY that

MARK G. RICKS

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 2, 1962; that Permit No. G-30399 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 4.54 second feet, was issued thereunder on March 29, 1965, showing that said works were completed on the 28 day of July, 1964; and that on the 28 day of July, 1964 MARK G. RICKS

of Rexburg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation under Use Permit No. G-30399 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ on the 29 day of March, 1968.

The right hereby confirmed dates from March 2, 1962.

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 8, Twp. 5 N, R. 40 E, B.M. Madison County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.54 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract		No. Acres Described in Permit	No. Acres Actually Irrigated
5 N	40 E	8	SW $\frac{1}{4}$	NW $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$	NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$	SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$	SW $\frac{1}{4}$	40	39
			SW $\frac{1}{4}$	SW $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$	SW $\frac{1}{4}$	40	40
			Total number of acres irrigated:			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29 day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

SCANNED

JUN 08 2007

30399



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 1998

MGR FARMS LLC
3366 S 1400 W
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A22-02220B,
A22-04184E, A22-07064C, A22-07132

Dear Mr. Ricks:

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. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

SCANNED

JUN 8 6 2007

DELOG AR 12-4-98

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 03 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

B-Split
C-
D-Jenkins
A-V. Ricks
E-M. RicksA-Ricks → C
B-BLASER
D-JenkinsA-V. Ricks
B-M. Ricks

- Water Right No(s): ADJUDICATION #A22-7132, 22-04184, A22-07064, 22-02220
Adjudication Claim No(s): _____
- The following REQUIRED information must be submitted with this form:
 - 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
 - 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

 - 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.
- Name and Address of Former Owner/Claimant
Mark G Ricks
3348 S. 1400W Rexburg ID 83440
- New Owner/Claimant(s)
MGR Farm LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
3366 S. 1400 W Rexburg ID 83
City, State and ZIP Code
Rexburg ID 83440
New Telephone Number
(208) 359 4191
- Date you acquired the property
17 Nov 1997
- 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 _____ Number and type of stock _____

Diversion rate in CFS _____ 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.

- Signature of New Owner MGR Farm Date 12-2-98
or Claimant(s) Mark Ricks Date _____

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

- 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..

SCANNED

JUN 06 2007

State of Idaho } ss 269320
County of Madison

I hereby certify that the within instrument was
filed DEC. 02 1997

19 at 10 17 M., and

269320

by BETH B. REESE, Recorder

At the request of

GRANT DEED

FOR VALUE RECEIVED, Mark G. Ricks and Evelyn T. Ricks, husband and wife, of 3348 S. 1400 West, Rexburg, Idaho 83440 ("Grantors"), do hereby grant, bargain, sell, and convey unto MGR Farms LLC, an Idaho Limited Liability Company, c/o Grant H. Ricks, "registered agent", at 3366 S. 1400 West, Rexburg, Idaho 83440 "registered office" ("Grantee"), the following described real property in Madison County, State of Idaho, to-wit:

Township 5 North, Range 40 East, Boise Mer.:

Sec. 7: Lot 2, less the West 200 feet thereof; Lot 3, less a parcel commencing at the Northwest corner of S $\frac{1}{2}$ of Lot 3, and running thence South 300 feet, thence East 400 feet, thence North 300 feet, thence West 400 feet, to the point of beginning; Lot 4; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 8: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER With any and all water rights and improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

THIS IS a non-taxable transfer of property by Grantors who receive LLC Units in Grantee in consideration of the transfer.

DATED This 17th day of November, 1997.

Mark G. Ricks

Mark G. Ricks

Evelyn T. Ricks

Evelyn T. Ricks

ARTICLES OF ORGANIZATION **FILED** LIMITED LIABILITY COMPANY

To the Secretary of State of Idaho
Corporations Division

700 West Jefferson Room 203
P.O. Box 83720 • Boise, ID 83720-0080

97 NOV 17 AM 8:26

SECRETARY OF STATE
STATE OF IDAHO



1. The name of the limited liability company is: MGR Farms LLC
2. The address of the initial registered office is: 3366 S. 1400 West, Rexburg, ID 83440
(not a PO Box) and the name of the initial registered agent at that address is: Grant H. Ricks
Signature of registered agent: 
3. The latest date certain on which the limited liability company will dissolve: 12/31/2022
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)
5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:

Address:

Mark G. Ricks

3348 S. 1400 West, Rexburg, ID 83440

Grant H. Ricks

3366 S. 1400 West, Rexburg, ID 83440

6. Signature of at least one person listed in #5 above:



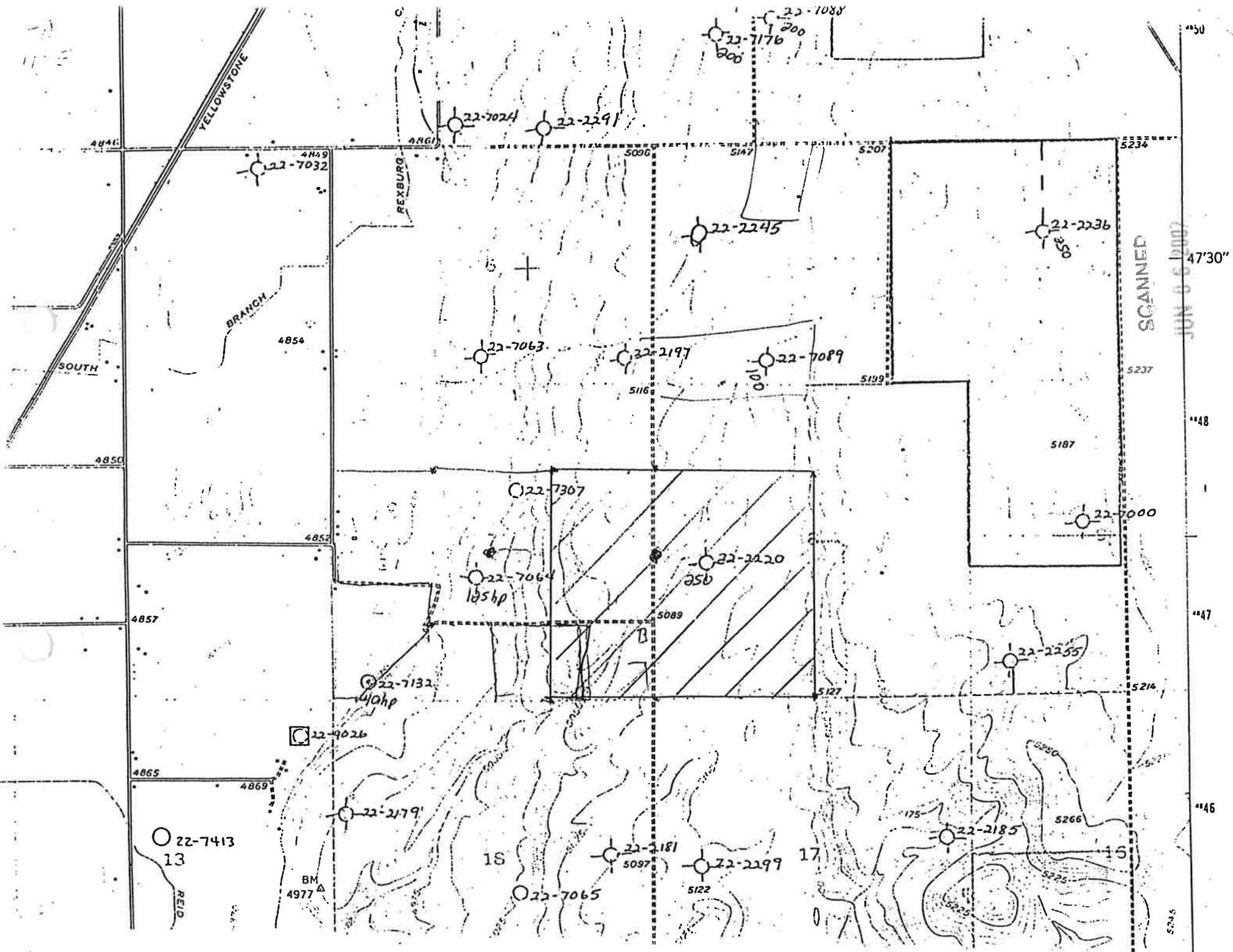

IDAHO SECRETARY OF STATE
Secretary of State use only

11/17/1997 09:00
CK: 8427 CT: 2552 RH: 55709

1 @ 100.00 = 100.00 ORGAN LLC

W4981
SCANNED

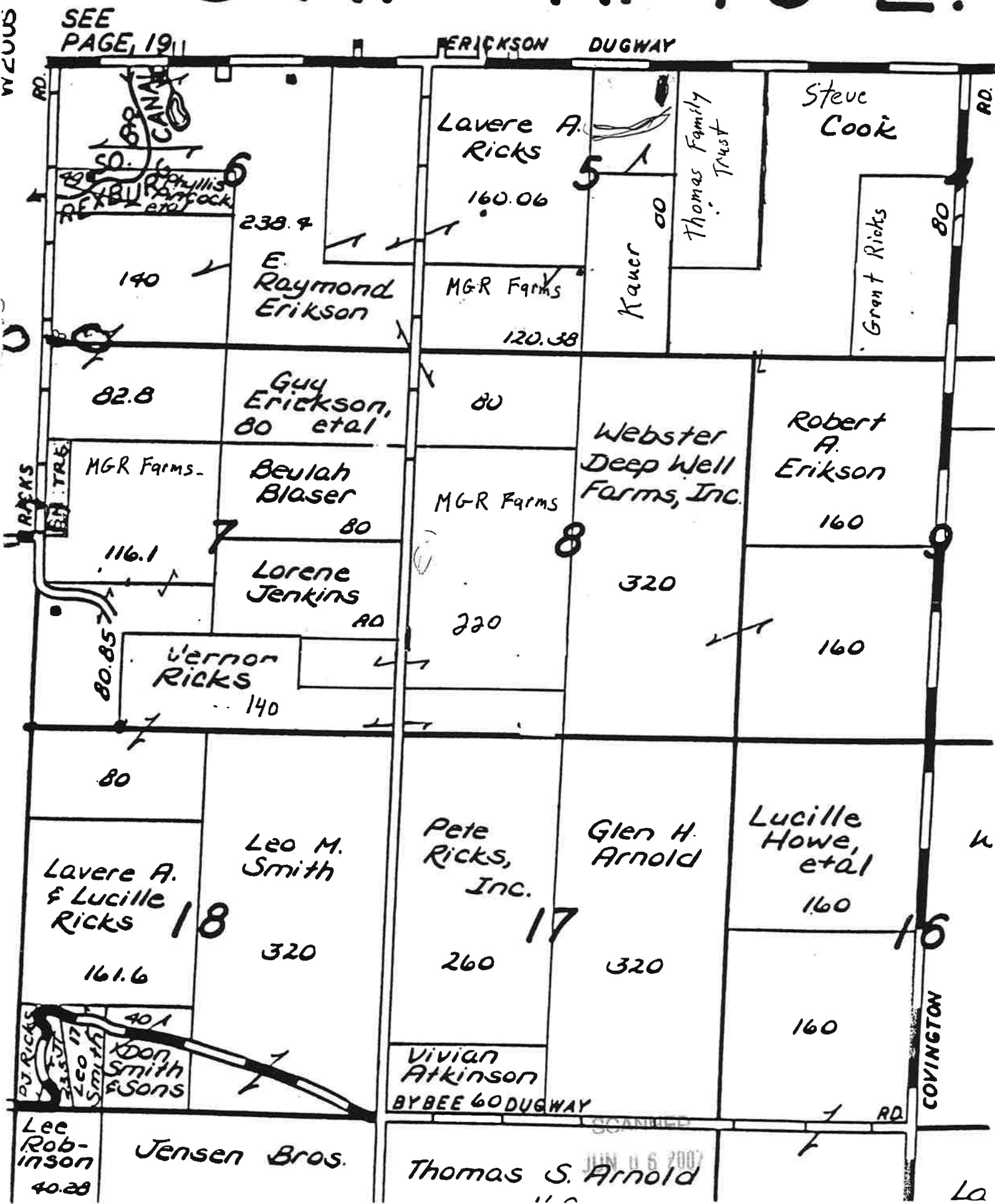
JUN 06 2007



T. 5 N. → R. 40 E.

SEE
PAGE, 19

ERICKSON DUGWAY





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

*Don't get mail on Rexburg
Data on Mission
will be home
in a year.
Please leave.*

PHILIP E. BATT
GOVERNOR

November 5, 1998

KARL J. DREHER
DIRECTOR

MARK G RICKS
201 E SOUTH TEMPLE APT 623
SALT LAKE CITY UT 84111-1265

Re: Snake River Basin Adjudication (SRBA)
Water Right #A22-02220B, A22-04184E, A22-07064C, A22-07132
& 22-10825
Change of Address

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by November 20, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman

Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Mark G. Ricks
Claimant Signature

801-366-4825
Telephone No.

SCANNED

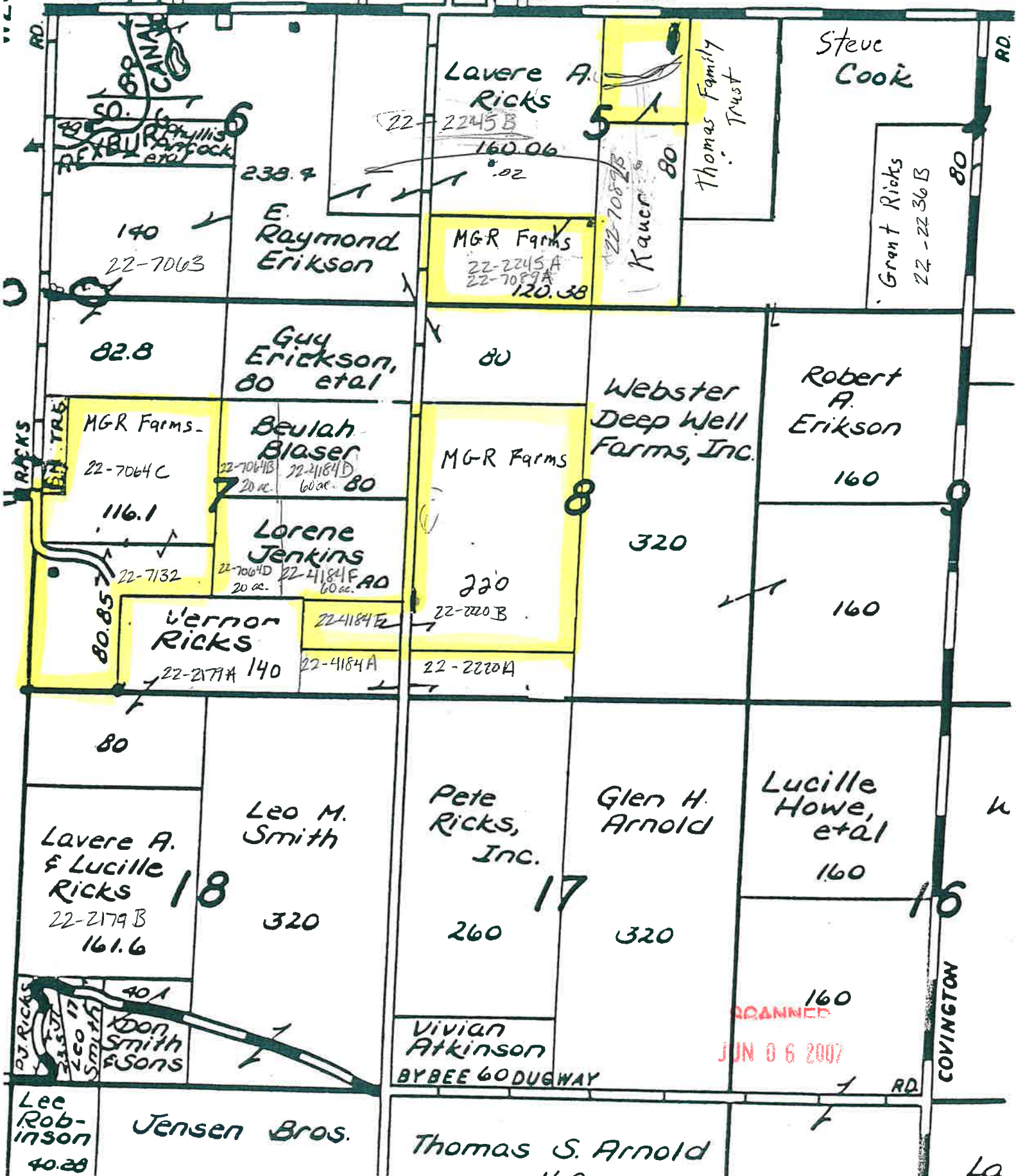
JUN 06 2007

*Claimant is
filing change of ownership
12-4-98*

T. 5 N. → R. 40 E.

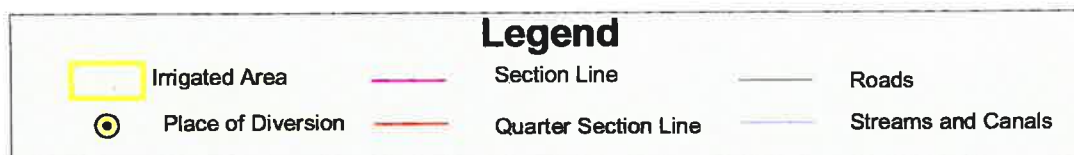
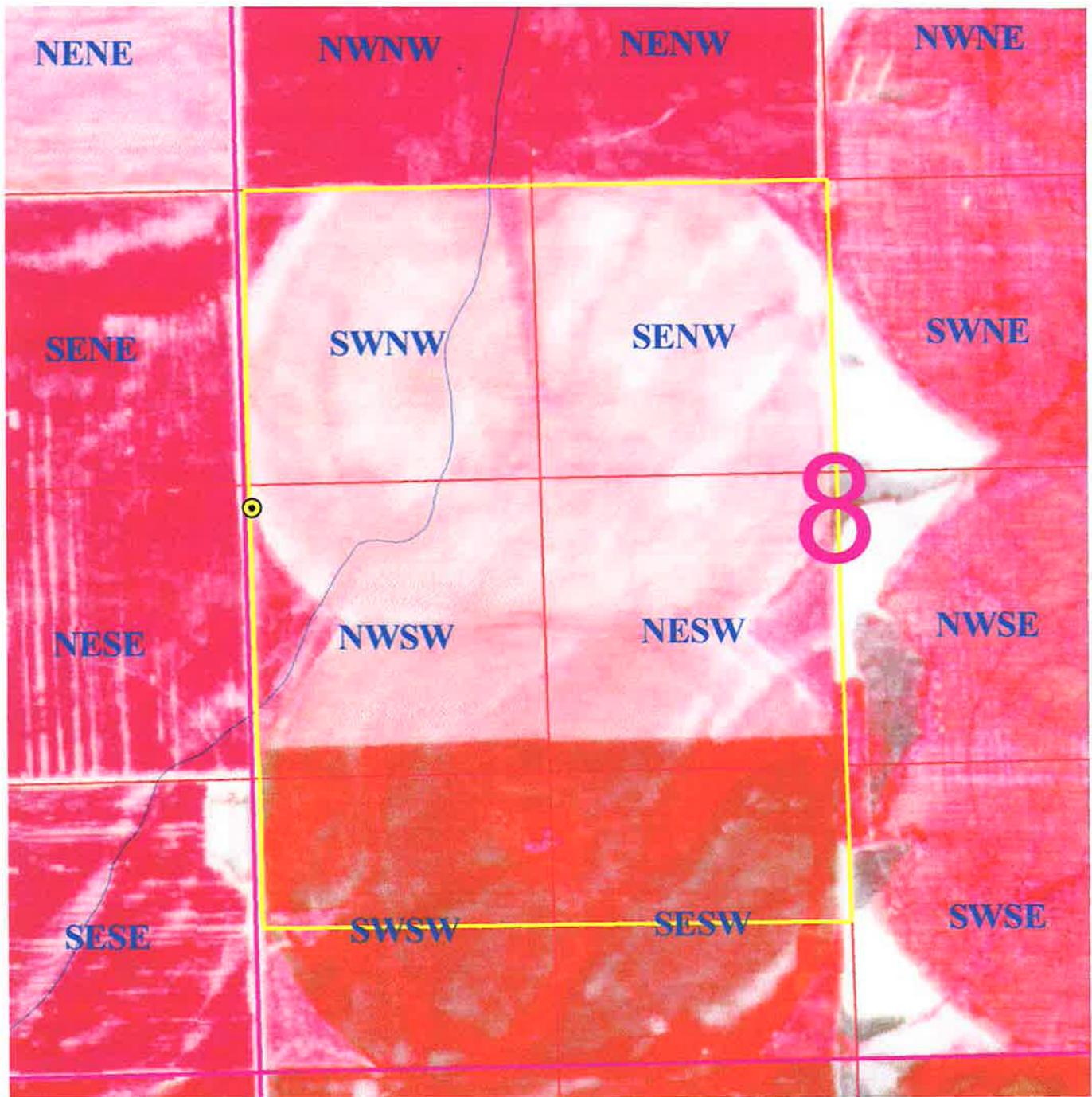
SEE
PAGE, 19

ERICKSON DUGWAY



Water Right Claim Number 22-02220B
Township , 5N40E

06/27/2001



500 0 500 1000 Feet



 SPATIAL
DYNAMICS

SCANNED
JUN 06 2007

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: A22-02220B

Date Received: 8/10/1988

Receipt No: 8001191

Received By: PMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK G. RICKS
Address: 3348 S. 1400 W.
REXBURG, ID 83440 208-356-6676

2. Date of Priority: MAR 02, 1962

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	8	NW	SW			MADISON

5. Description of diverting works:
WELL, PUMP AND SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.770		

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

A.F.A.

8. Total consumptive use is 492.5 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	8	SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	39.0

A22-02220B

Page

1

Date: 08/10/88

SCANNED

JUN 06 2007

MICROFILMED

OCT 29 1992

A2202220B



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	8	SW	SW		IRR	20.0
			SE	SW		IRR	20.0
						Section Acres	198.0
						Total Acres	198.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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): Mark L. Ricks Date: 10 Aug 1988
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Aug 19 88

Ernest Carlson
Notary Public

Seal

Residing at Lake Falls, ID
My Commission Expires 14 June 1994

T6N

T5N

R39E R40E

A22-07064

A22-04184B

A22-07132

A22-02220B

Well

Well

Well

Rock Quarry

ORIGINAL

JUN 20 1987

MICROFILMED

OCT 29 1992

4850

T 6

T 5

4849

47' 30"

4848

4847

4846

4845000r

43° 0'

AJ0749NP
No. A22-02220B

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

DATE: 12/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MGR FARMS 3366 S 1400 W REXBURG ID 83440 (208) 359-4191	03/02/1962	IRRIGATION	04-01 11-01	3.77 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.77 CFS	492.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05N R40E S08

NWSW

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	:	SUM
05N	40E	8	:							39	40	:	40	39	20	20	:			:	198.0
																				TOTAL ACRES	198.0

POU County: MADISON

Other Rights: NONE

Remarks: GEN CHANGE OF OWNERSHIP 12/98.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

22-2220
4.54 acs = 0.019 cfs/ac
237
237 ac

22-2220A - 0.019 cfs - 40 ac

22-2220B, 3.07 cfs, 198 ac

4.54 acs, 237 ac

GRS ac = 216 ac
x 3.5
756 ac
216 ac
- 198 ac
18 ac ENLARG ac
UNION 22-4184E

SCANNED
JUN 06 2007