

09/18/2006

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

RIGHT NUMBER: 22-2245A
NAME AND ADDRESS: MGR FARMS LLC
3366 S 1400 W
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
413.000 AFY

PRIORITY DATE: 03/11/1965

POINT OF DIVERSION:

T05N R40E S5 NESESW 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	1.400 CFS 413.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S05 Lot 2 NWNE	39.00	T05N R40E S05	SWSW	40.00
T05N R40E S05	SES	SW		40.00

119 ACRES TOTAL

This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.

119 The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-2245A and 22-7089A.

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 point of diversion pursuant to Section 42-1425, Idaho Code.

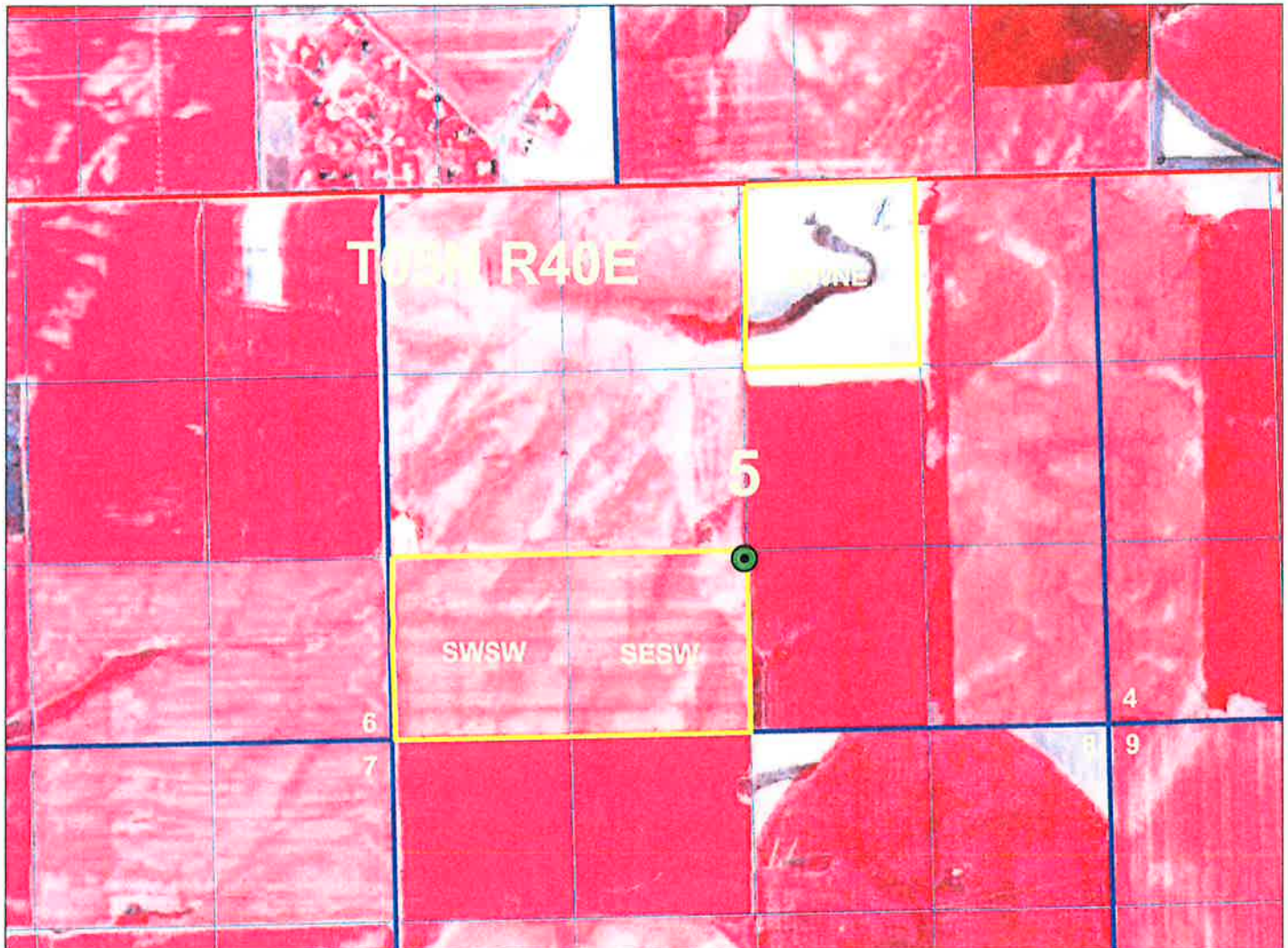
Rights No. 22-7089A and 22-7089B are also diverted through point of diversion described above.

Department of Water Resources

Eastern Region



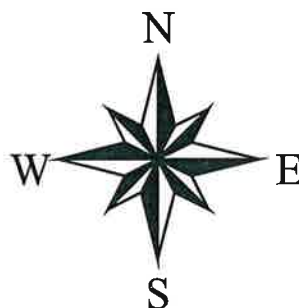
Claim No.: 22-2245A & 22-7089A



0 660 1320 1980 2640 Feet



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

10/25/2005

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: 22-2245A

MGR FARMS LLC

3366 S 1400 W

REXBURG ID 83440

Telephone Number: (208) ~~359-4191~~

COMPLETED

KMJ
11/04

681-2860

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:

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

DATE: 10-24-06 SIGNATURE: [Signature]

Please print your name: Grant Ricks

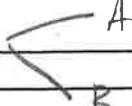
IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KMJ
11/04

NOTES
Claimant Contact Log

Claim no. 22-2245A

Date **Remarks** **Agent initials**

22-2245  A 1.4 dfs
5.15 dfs 118 ac.
433 ac. B 3.75 dfs
315 ac.

6 5
7 8

22-7087A
22-2245A

22-2245B

Kauai
22-7087B
only

22-2245A
22-7087A

Water Right No(s). A22-7089A, A22-7089B + A22-2245A

See Attached

GPS DATA:

Tag # A0000275 Location: on power panel post
GPS data - 2679039 GPS File - 227089
1401133

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 100
SN: R-9981-00-799

PUMP

Make: Verti-Line Model: _____ Disch: _____
SN: 37670290

NOTES:

Well & pump to 8" mainline & pivots. Ownership of claims
A22-7089A + A22-2245A is now MGR Farms. See updated
profile. Name & address for A22-7089B is good. Places
of use are good.

Field Exam Date: 5-3-2005 Agent: R.W. Jones



GPS
tag

A22-7089A, -7089B & A22-22454, Looking South

Water Right Claim Number 22-02245A
Township , 5N40E

06/28/2001



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals



*227089

227064

227132

Claim No. 22-2245 A

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

Change to MGR Farmer

Samr pad a 22-7089A

State of Idaho

License and Certificate of Water Right

Water License No. G-32273 Priority March 11, 1965 Amount 5.15 c.f.s.

THIS IS TO CERTIFY that

LaVERE A. RICKS

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 11, 1965; that Permit No. G-32273 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 5.15 second feet, was issued thereunder on April 2, 1968, showing that said works were completed on the 20th day of September, 1965; and that on the 20th day of September, 1965, LaVERE A. 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-32273 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~~ ~~Volume~~ ~~of Licenses~~ ~~at Page~~ ~~xxx~~ on the 2nd day of April, 1968.

The right hereby confirmed dates from March 11th, 1965.

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 5, 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 5.15 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	5	SW 1/4 NE 1/4 (Lot 4)	40	38
			SW 1/4 NW 1/4 (Lot 2)	40	39
			SE 1/4 NW 1/4 (Lot 3)	40	39
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			S 1/2 SW 1/4	80	80
			NW 1/4 SE 1/4	40	39
			SW 1/4 SE 1/4	40	39
		6	SE 1/4 NE 1/4 (Lot 1)	40	39
			NE 1/4 SE 1/4	40	40
			Total acres to be irrigated:		433

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 2nd day of April, 1968.

R. Keith Higgins
State Reclamation Engineer.

22 224

432273



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 A22-02245A,
A22-07089A

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

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 03 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A 22-02245A^{G. Ricks} A 22-07089A^{G. Ricks}
Adjudication Claim No(s): B-L. Ricks B-L. Kauer
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 Grant Ricks
3366 S. 1400 W Rexburg ID 83440
4. New Owner/Claimant(s) MGR Farms LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 3366 S. 1400 W
City, State and ZIP Code Rexburg ID 83440
New Telephone Number (208) 359 4191
5. Date you acquired the property 17 Nov 1997
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 200 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.
7. Signature of New Owner MGR Farms Date 12-2-98
or Claimant(s) [Signature] Date _____
(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..

State of Idaho } ss 269319
County of Madison
I hereby certify that the within instrument was
filed DEC 02 1997
19 1015 M., and
Recorded on Film
269319 Fee 2.00
by BETH B. REESE, Recorder
Beth B. Reese Deputy
At the request of
Grant H. Ricks

MICROFILMED

GRANT DEED

FOR VALUE RECEIVED, **Grant H. Ricks and Camille B. Ricks**, husband and wife,
of 3366 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. 5: Lot 2, less the East 1 rod thereof; 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.

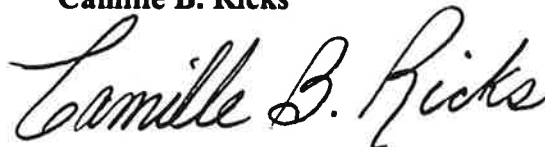
THIS IS a non-taxable transfer of property by Grantors who receive LLC Units in
Grantee in consideration of the transfer.

DATED This 17th day of November, 1997.

Grant H. Ricks



Camille B. 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: ✓ *Grant H. Ricks*

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:

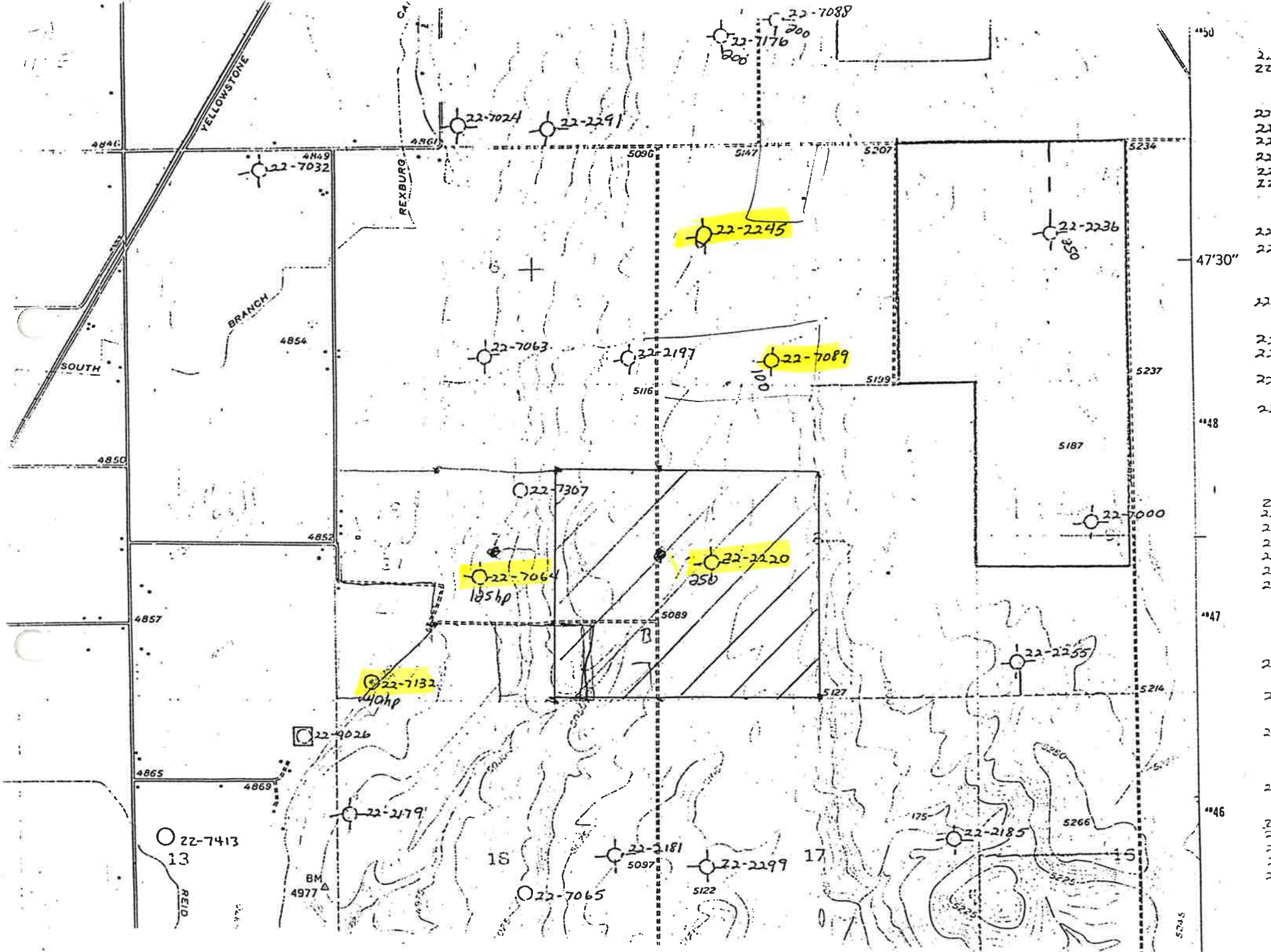
Grant H. Ricks
Mark G. Ricks

IDAHO SECRETARY OF STATE
Secretary of State use only

11/17/1997 09:00
CK: 8427 CT: 2552 BH: 55789

1 @ 100.00 = 100.00 ORGAN LLC

W4981

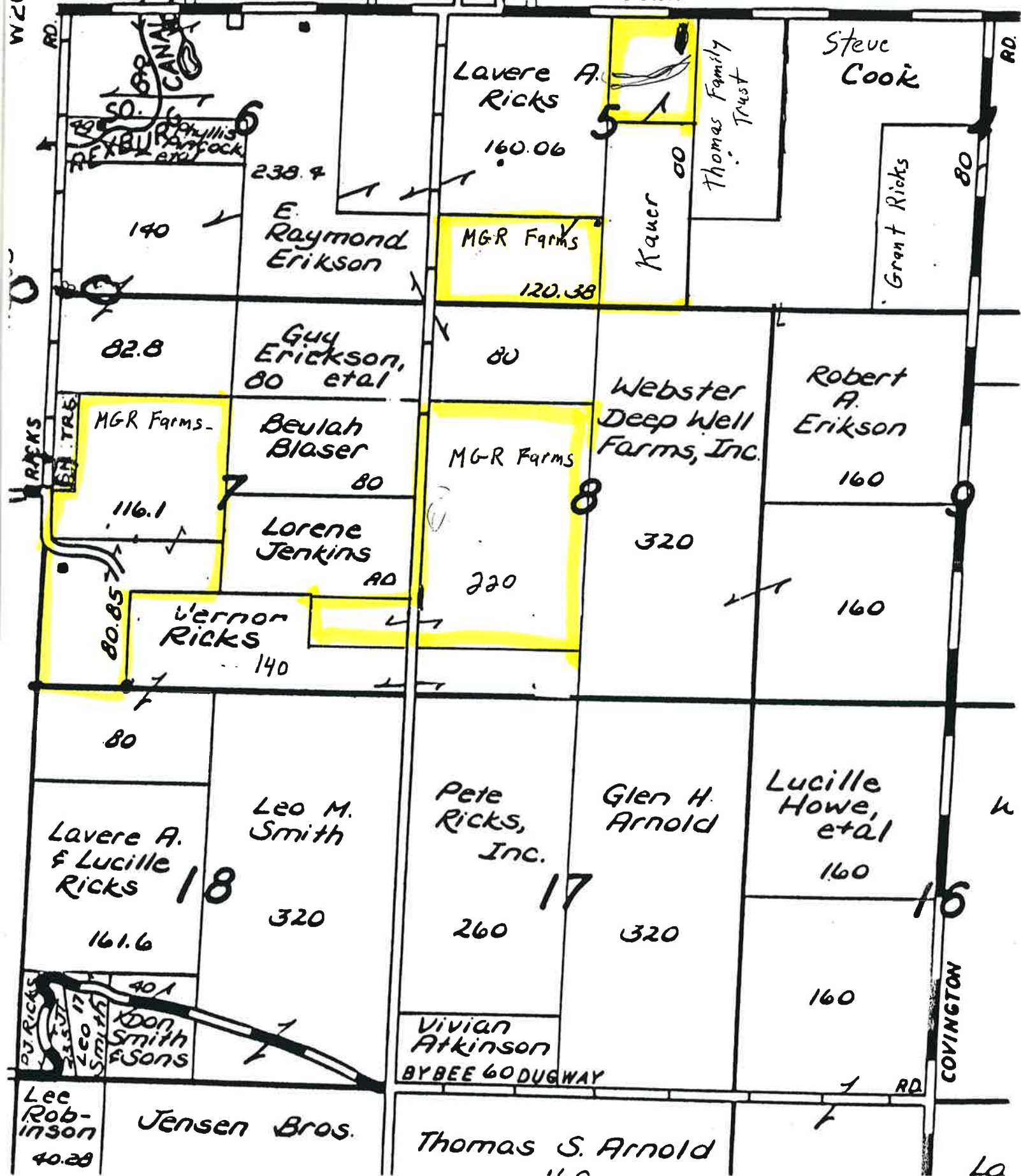


T. 5 N. → R. 40 E.

SEE
PAGE, 1911

ERICKSON DUGWAY

W200S



AJ0749NP
No. A22-02245A

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 LLC 3366 S 1400 W REXBURG ID 83440 (208) 359-4191	03/11/1965	IRRIGATION	04-01 11-01	1.40 CFS	
TOTAL DIVERSION:					1.40 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05N R40E S05

NESESW

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	5	:			04-38	:							40	40	:				:	118.0
TOTAL ACRES																				118.0	

POU County: MADISON

Non-Irrigation Uses: N/A

Other Rights: A22-07089A

Remarks: GEN THIS NOTICE OF CLAIM IS FOR A PORTION OF 22-02245.

CHANGE OF OWNERSHIP FILED 12/98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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: A22-02245A
Date Received: 11/ 3/1998
Receipt No: E024652
Received By: PEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GRANT H RICKS 208-356-4191
Address: 3366 S 1400 W
REXBURG ID 83440
2. Date of Priority: MAR 11, 1965
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 05N | 40E | 5 | NE | SE | SW | | MADISON |
5. Description of diverting works:
WELL, PUMP AND PIPELINES TO SPRINKLER SYSTEM FOR IRRIGATION
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 1.400 | | |
7. Total Quantity Appropriated is:
1.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
N/A
10. Place of Use:

A2202245A



Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	5	SW	NE	4	IRR	38.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

10. Place of Use: Continued

Section Acres 118.0

Total Acres 118.0

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:
A22-07089A

14. Remarks:
THIS NOTICE OF CLAIM IS FOR A PORTION OF 22-02245.

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: _____

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): *John H. Paul* Date: 11-25-98

Date: _____

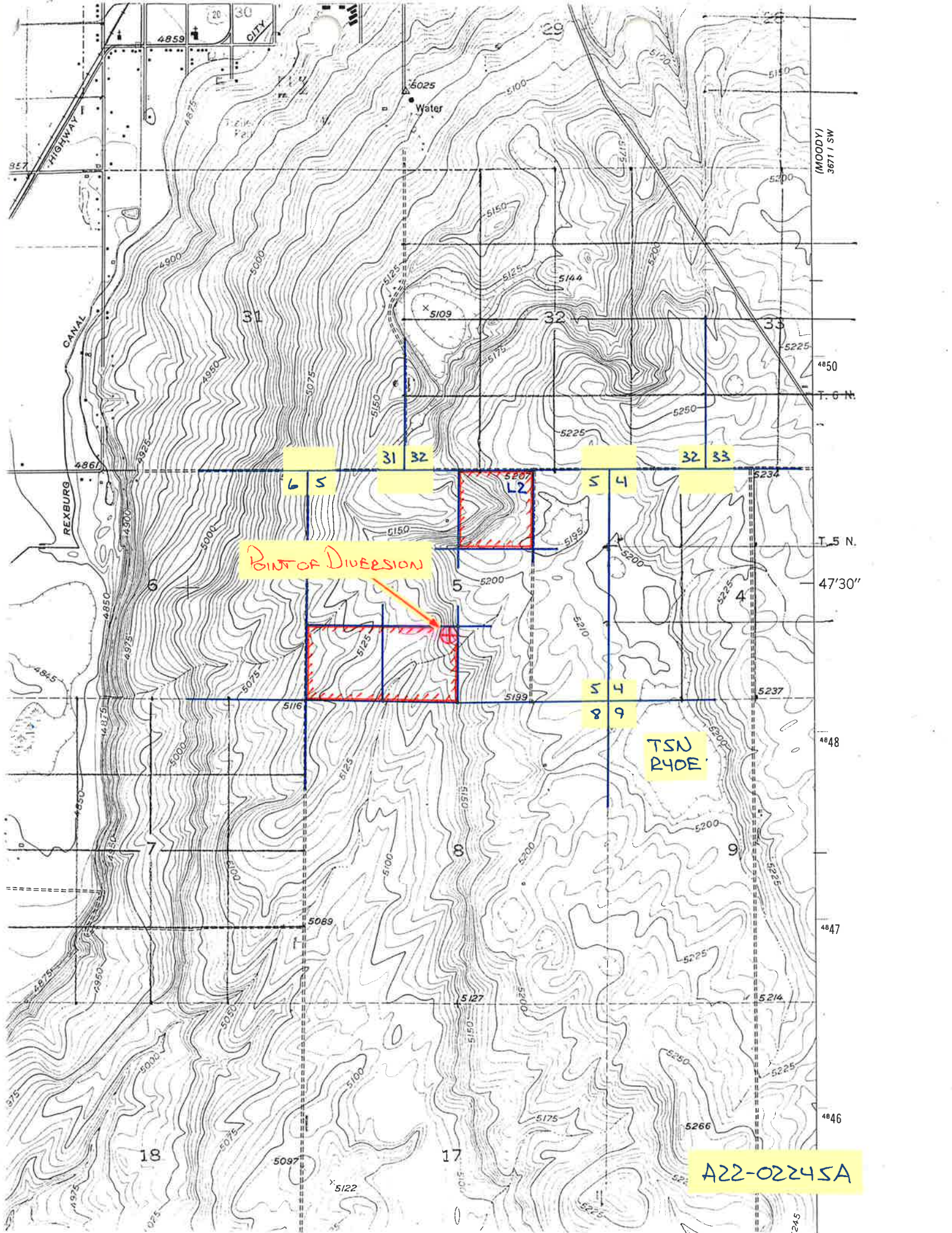
State of Idaho)
County of Fremont) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of November 19 98

Sandy Edwards
Notary Public

Seal

Residing at Newdale, Idaho
My Commission Expires Feb. 26, 2004



Point of Diversion

TSN
R40E

A22-02245A