

11/09/2005

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

RIGHT NUMBER: 22-4184A
NAME AND ADDRESS: R VERNON RICKS
30 K ST
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
140.000 AFY

Right Nos. 22-2220A and 22-4184A are limited to a total combined diversion rate of 0.77 cfs and to a total combined annual diversion volume of 280 AF.

PRIORITY DATE: 06/01/1962

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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	0.770 CFS 140.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S07	SWSE	21.0	T05N R40E S07	SESE	19.0
T05N R40E S08	SWSW	20.0	T05N R40E S08	SESW	20.0

80 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season. Combined Right Nos.: 22-2220A and 22-4184A.

This right is limited to the irrigation of 40 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.

This right is based upon an enlargement of Right No. 22-2220A pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 40 acres within the place of use described for this right.

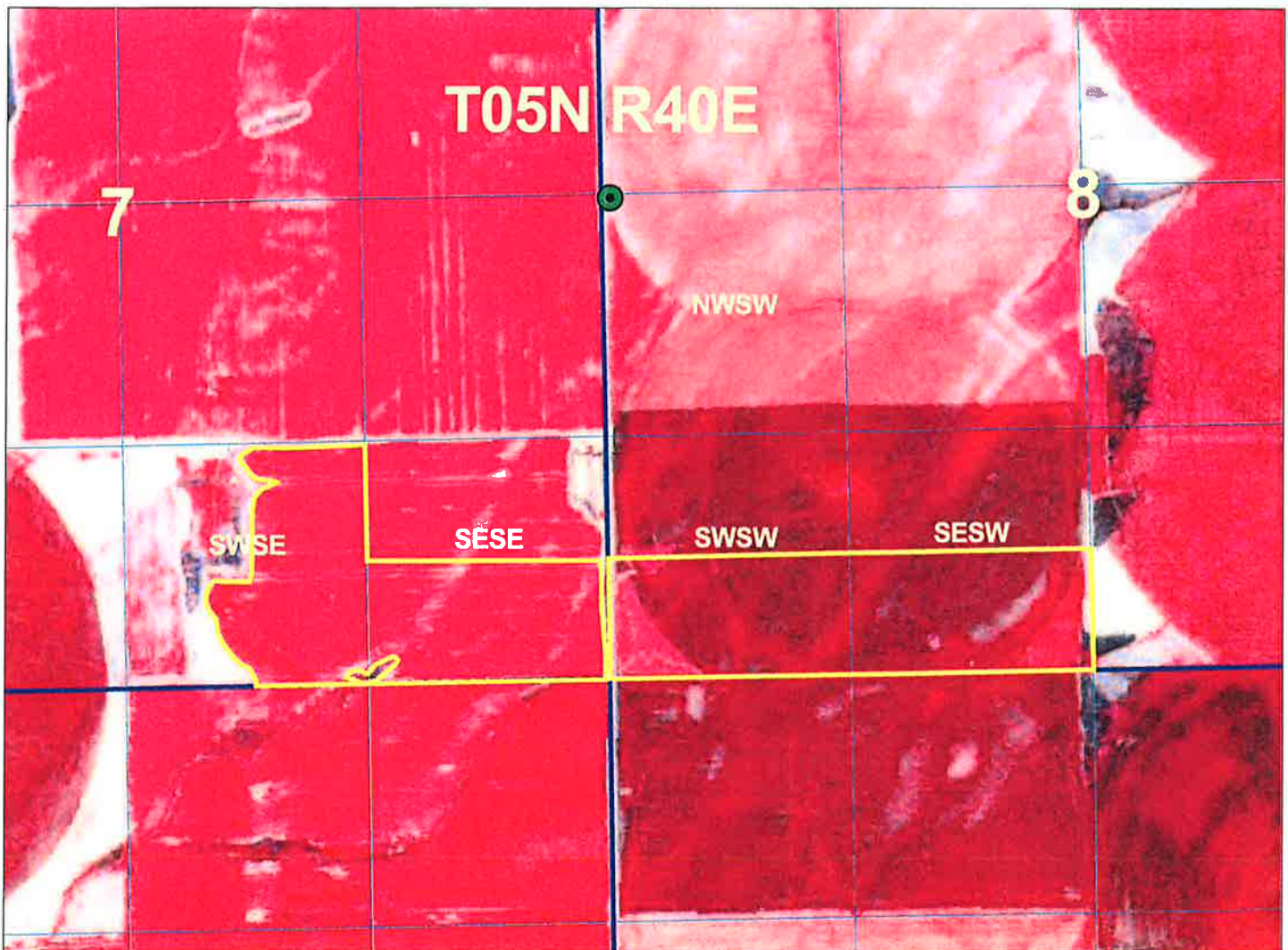
The following rights are also diverted through point of diversion described above: 22-2220A, 22-2220B, 22-4184D, 22-4184E, and 22-4184F.

Department of Water Resources

Eastern Region



Claim No.: 22-2220A & 22-4184A



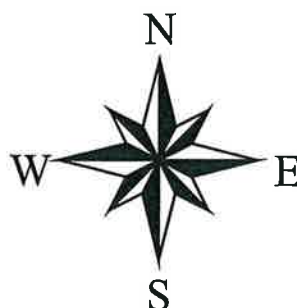
0 660 1320 1980 2640 Feet



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MAY 31 2007

- 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

05/11/2007

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

RIGHT NUMBER: 22-4184A

NAME AND ADDRESS: RV RICKS FARMS LLC
30 K ST
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
140.00 AFY

Right Nos. 22-2220A and 22-4184A are limited to a total combined diversion rate of 0.77 cfs and to a total combined annual diversion volume of 280 AF.

PRIORITY DATE: 06/01/1962

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

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	0.770 CFS 140.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S07	SWSE	21.00	T05N R40E S07	SESE	19.00
T05N R40E S08	SWSW	20.00	T05N R40E S08	SESW	20.00

80 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season. Combined Right Nos.: 22-2220A and 22-4184A.

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

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This right is based upon an enlargement of Right No. 22-2220A pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 40 acres within the place of use described for this right.

The following rights are also diverted through point of diversion described above: 22-2220A, 22-2220B, 22-4184D, 22-4184E, and 22-4184F.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 18, 2007

RV RICKS FARMS LLC
30 K ST
REXBURG ID 83440

RE: Notice of Change of Water Right Ownership (NCO) for 22-2220A, 22-4184A, 22-13514 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On March 13, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: R. Vernon Ricks

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MAY 31 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 SRBA)

Water Rights: 22-13514, 22-4184A,
22-2220A

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 14, 2007

Ernest Carlson

Signature of IDWR Representative

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MAY 31 2007

CERTIFICATE OF MAILING

I certify that on May 21, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
R Vernon Ricks
30 K St
Rexburg ID 83440

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RV Ricks Farms LLC
30 K St
Rexburg ID 83440

4. One copy to:

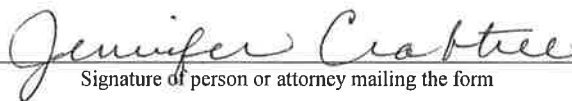
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

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MAY 31 2007

**BRASS
ENGINEERING
INTERNATIONAL**

12 Crow Canyon Court, Suite 100
San Ramon, CA 94583
USA

TEL: 001-925-552-0650
FAX: 001-925-552-0409
blricks@attglobal.net

June 29, 2004

Mr. Allen B. Ruberry
Sr. Water Resource Agent, Adjudication Bureau
Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED

JUL 02 2004

Department of Water Resources
Eastern Region

Subject: Evidence of Priority of SRBA Water Right Claim 22-4184A
Your 02 JUNE 2004 Letter to R. Vernon Ricks

5N40E

Dear Mr. Ruberry:

Per your letter and its enclosed pamphlet titled "Evidence of Priority", and having personal knowledge of the water's beneficial use I submit the following notarized affidavits:

My name is Brad Ricks with the following vital data:

Date of Birth: 21 July 1947 (refer to attached Passport photocopy showing birth date and Idaho as birth place.)

Born in Rexburg, Idaho and graduated from Madison High School in May of 1965.

The subject's Priority Date is 01 JUNE 1962. At that time I was 15 years old and worked for my father and uncles as a "pipe mover." I believe the wells were used prior to the priority date but I can state with certainty that water was used for irrigation in 1962. The well water was used to irrigate spring grain, potatoes, and alfalfa. The irrigation period began in May and lasted through the summer. "Pipe moving" was a six day per week task with the "morning set" occurring around 05:00 AM and the "evening set" occurring at 5:00 PM. I suppose the claim refers to the land on the Rexburg bench, about 3 miles south of the city, and refers to one or more of the following land parcels:

RP 05N40E086610 A (irrigated AG)

RP 05N40E182401 A (irrigated AG)

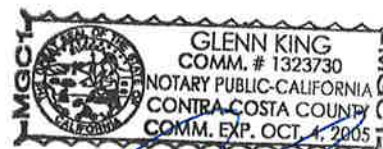
RP 05N40E076601 A (irrigated AG)

RP 05N40E079010 A (irrigated AG).

I trust the above is sufficient. If you have any questions please contact me.

Sincerely,

Brad Ricks



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MAY 31 2007

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA

On

June 29, 2004

DATE

before me,

Glenn King

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared,

Brian Hicks

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

NOTARY PUBLIC SIGNATURE

(SEAL)



OPTIONAL INFORMATION

TITLE OR TYPE OF DOCUMENT

Letter

DATE OF DOCUMENT

6/29/04

NUMBER OF PAGES

1

SIGNER(S) OTHER THAN NAMED ABOVE

None

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MAY 31 2007

June 2, 2004

**R VERNON RICKS
30 K STREET
REXBURG ID 83440**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-4184A

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 22, the Teton River drainage. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of JUNE 1 1962, from GROUNDWATER.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence which are acceptable and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**". **PLEASE READ THE ENCLOSED PAMPHLET.**

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

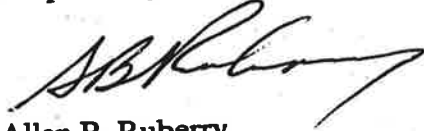
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MAY 31 2007

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,



Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"

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MAY 31 2007

Claim No. 22-4184A

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 ok - Address ok

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MAY 31 2007

A22-220A+B

A22-04184 F

Water Right No(s). A22-04184A, A22-04184D + A22-04184E



GPS DATA:

Photo Looking North

Tag # A0000261 Location: Power Pole - GPS data 2678281
GPS Rte # -224184 1399912

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR / Booster

Make: GE / G.E. Model: _____ Hp: 250 / 100
SN: ANJH9115 / KAJ1427142

PUMP / Booster Pump

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

NOTES:

Wells pump to pivots + sprinklers. All four claims above belong
to related family members. P.O.U. formed as a unit.

A22-4184A - Shape ok + address ok.

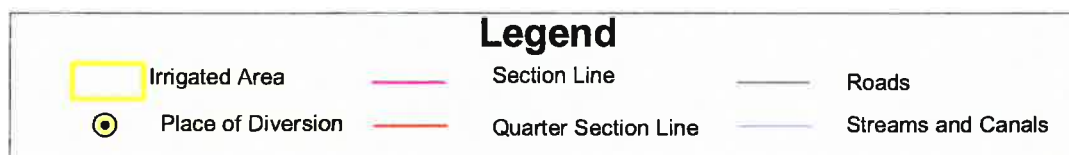
Field Exam Date: 3-2-05 Agent: Huf

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MAY 31 2007

Water Right Claim Number 22-04184A
Township , 5N40E

07/02/2001



SPATIAL
DYNAMICS

MAY 31 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: A22-04184A
Date Received: 8/09/1988
Receipt No: 8001151
Received By: 445

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. VERNON RICKS 208-356-3491
Address: 30 K STREET
REXBURG, ID 83440

2. Date of Priority: JUN 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	8	NW	SW			MADISON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	7	SW	SE		IRR	20.0
			SE	SE		IRR	20.0
Section Acres							40.0

A22-04184A

Page 1

Date: 08/09/88

SCANNED
MAY 31 2007

MICROFILMED
OCT 29 1992

A2204184A



10. Place of Use: Continued

Total Acres 40.0

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:
A22-02179A ON ADJACENT ACREAGE

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: _____

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): R. Vernon Ricks Date: 8/9/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of August 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

NAME OF APPLICANT.....

A22-04184A

Form No. 0

RYOE

TSN

7

① P.D.



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MAY 31 2007

MICROFILMED

OCT 29 1992