

RIGHT NUMBER: 22-4184D

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

SOURCE: GROUND WATER

QUANTITY: 1.110 CFS
203.000 AFY

TRIBUTARY:

PRIORITY DATE: 06/01/1962

Right Nos. 22-4184D and 22-2220B are limited to a total combined diversion rate of 1.11 cfs and to a total combined annual diversion volume of 203.0 AF.

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	1.110 CFS 203.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T05N R40E S07	SWNE	19.0	T05N R40E S07	SENE	39.0
---------------	------	------	---------------	------	------

58 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 58 acres in a single irrigation season. Combined Right Nos.: 22-4184D and 22-2220B.

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

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

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 - Beneficial Use

This right is for an enlargement of 58.0 acres within the place of use described for this right.

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

Right No. 22-2220B is also diverted through point of diversion described above.

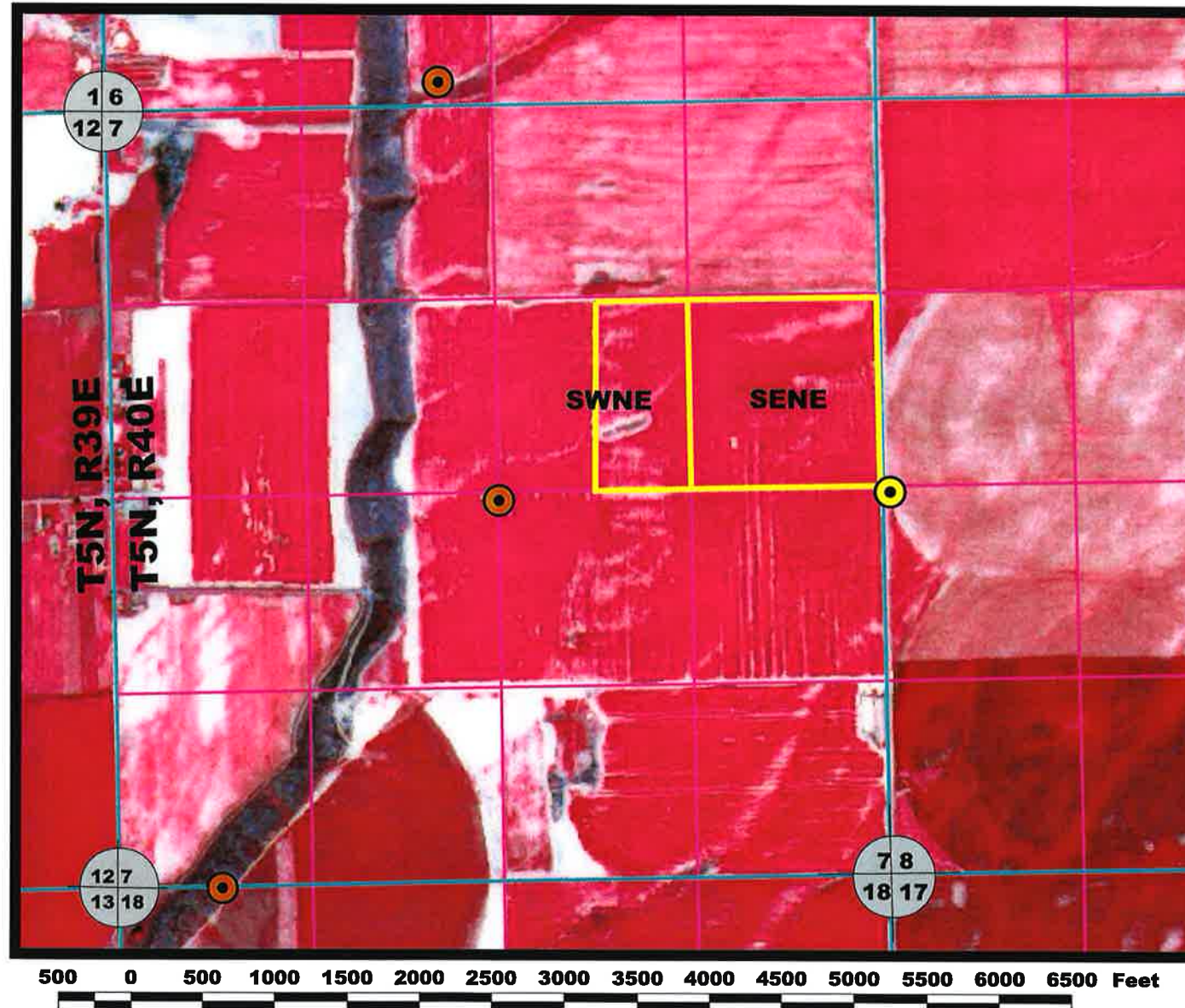


SCANNED
JUN 05 2007

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-4184D

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

Place of Use: (parts of)
T5N, R40E
Sec. 7 S2NE

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	22-4184D				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Beulah Ricks Blaser
2075 N Stadium Ln Provo UT 84604
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) 356 4191
5. Date you acquired the property _____

October 25, 2005

Idaho Dept. of Water Resources
900 North Skyline Dr. Suite A
Idaho Falls ID. 83402-1718

Dear Mr. Ruberry

I give my permission to MGR Farms LLC, Rexburg Idaho To own and transfer there water and license of water right to my property. Place of use is T05N R40E S07 SWNE 20 acres and SENE 40 acres. I withdraw my claim to water right # 22-4184D. I understand that MGR Farms will have the right to license and delivery of water on my farm.

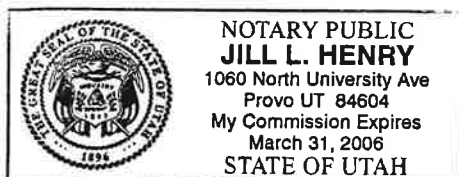
Sincerely,

Beulah Ricks Blaser

Beulah Ricks Blaser
2075 N. Stadium Ln
Provo, UT 84604

Subscribed and sworn to before me this

1st day of November 10 2005
Jill L. Henry
Notary Public



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NOTES

16-13-05

Evidence of priority supports date claimed. Splits of original water right do not exceed quantity or acreage of 22-4184.

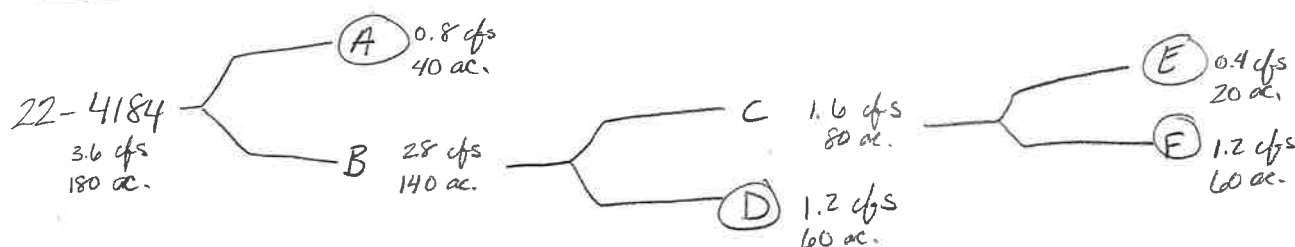
Recommend as claimed. May be farmed as one unit, but not combined rights.

KM

Probably going to have to do a combined use because theoretical does not produce enough water to satisfy 22-2220 and 4184 claims.

Call Grant Ricks

Find out when the upgrade of well system occurred. from 200 Hp to 750 Hp
Did they make any other changes made to system?

Splits

Total : 3.6 cfs
180 ac.

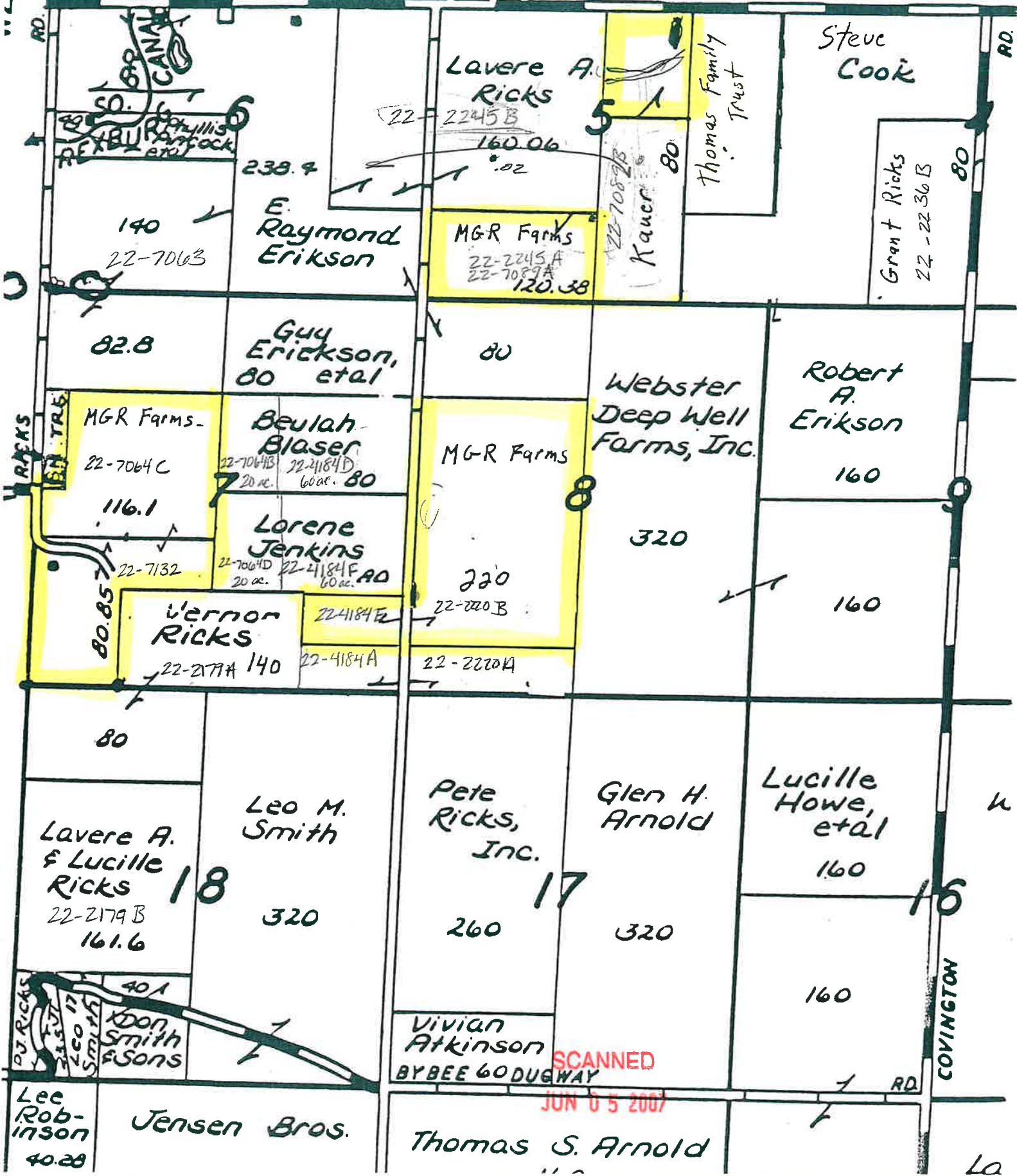
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T. 5 N. → R. 40 E.

SEE
PAGE, 1911

ERICKSON DUGWAY



Claim no. A22-041840 HE

Claimant Contact Log

Date 3-2-05 Remarks Agent initials

HWf

I met with Mark Ricks at his home about the above claims. He + his sister Beulah Bleser had been sent Proof of Priority letters but no proof was in either file.

I outlined for Mr. Ricks what he would need to do to provide proof + gave him my address + a copy of Al Ruberry's letter.

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**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)

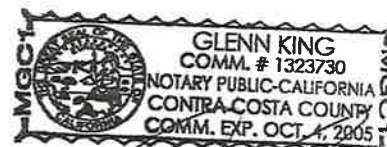
RP 05N40E076601 A (irrigated AG)

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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JUN 05 2007

* Copy added to
file 22-4184D

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA

On June 29, 2004 before me, Glenn King

DATE

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

SCANNED

JUN 05 2007

June 2, 2004

**BEULAH RICKS BLASER
2075 N STADIUM LN
PROVO UT 84604**

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

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.

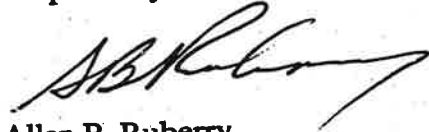
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.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

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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JUN 05 2007



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

OCTOBER 29, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BEULAH RICKS BLASER
2075 N STADIUM LN
PROVO UT 84604

RE: CHANGE IN OWNERSHIP FOR A22-07064 AND A22-04184B

Dear Ms. Blaser:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the rights were split as follows:

A22-07064A, Ricks, 2.36 cfs; 118 acres
A22-07064B, Blaser, .40 cfs; 20 acres

A22-04184C, Ricks, 1.60 cfs; 80 acres
A22-04184D, Blaser, 1.20 cfs; 60 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Mark Ricks/copy letter/copy claim

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JUN 05 2007

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

Greg 10-22-96

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Incomplete forms will be returned.

1. Water Right Number(s) A2207064 A2204184B
Adjudication Claim Number(s) A2207064 A2204184B
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) MARK G. RICKS
3348 South 1400 West Rexburg, Idaho 83440
4. New Owner/Claimant(s) Beulah Ricks Blaser
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 2075 North Stadium Ln. Provo, Utah 84604
City, State and ZIP Code Provo, Utah 84604
New Telephone Number (801) 375-2377
5. Date you acquired the property 12 of June 1962
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 actually irrigated 2.800 CFS ⁸⁰⁷⁹ Number and type of stock _____
Diversion rate in CFS 2.760 _{cubic feet per second} 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/Claimant(s) Beulah Ricks Blaser Date Oct 21/96

Date _____
8. (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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JUN 05 2007

MADISON COUNTY ASSESSOR
MADISON COUNTY COURTHOUSE
159 E. MAIN
REXBURG, ID 83440

IMPORTANT NOTICE PLEASE READ

PARCEL NO. RM 05N40E071801 A
PAGE 1 OF 1

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
REXBURG, ID 83440
PERMIT NO. 50

CATEGORY DESCRIPTION
1 IRRGTD AG
19 WASTE

TAX CODE
7-00
79.000 AC
1.000 AC
80.000

49,131

49,131*

1996
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 24, 1996

See the reverse side for further references.
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER

S2 NE4
07-05-40

Mail To:

BLASER BEULAH RICKS TRUSTEE
BLASER BEULAH RICKS FAMILY TR
2075 N STADIUM LN
PROVO UT 84604

SCANNED

JUN 05 2007

WARRANTY DEED

THIS INDENTURE, Made the 12th day of June,
in the year of our Lord One Thousand Nine Hundred and sixty-two, between

PETER J. RICKS, a widower,
of the County of Madison, State of Idaho,
the party of the first part and BEULAH BLASER, a married woman,

of the County of Franklin, State of Idaho,
the party of the second part.

WITNESSETH That the said party of the first part, for and in consideration of the sum of
LOVE AND AFFECTION DOLLARS
lawful money of the United States of America, to her in hand paid by the said party
of the second part, the receipt whereof is hereby acknowledged.

do es by these presents, Grant, Bargain, Sell and Convey and Confirm unto said
party of the second part, and to her heirs and assigns forever: All the certain
lot, piece, or parcel of land situate, lying and being in the County of Madison
State of Idaho, bounded and more particularly described as follows, to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 7, Twp. 5 N., R. 40, E.B.M.

This deed is given without money consideration, and,
therefore, no revenue stamps are attached.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging
or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and
privileges thereunto incident unto the said party of the second part, and to her heirs
and assigns forever: And the said party of the first part, and his heirs, the said prem-
ises in the quiet and peaceable possession of the said party of the second part, her heirs
and assigns against the said party of the first part, and his heirs and against all and
every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant
and by these presents forever defend.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his
hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

_____	<u>Peter J. Ricks</u> (SEAL)
_____	(SEAL)
_____	(SEAL)
_____	(SEAL)

STATE OF IDAHO
County of Madlson.

} ss.

On this 12th

day of June

in the year 19 62.

before me, the undersigned,

a Notary Public

in and for said County and State, personally appeared

PETER J. RICKS,

be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same known to me to

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written

Peter J. Ricks
Notary Public

Residence Rexburg, Idaho

My commission expires 1-26-63

WARRANTY DEED

Peter J. Ricks

TO

Beverly R. Brown

Dated

June 12, 1962

STATE OF IDAHO

County of

Madlson

I hereby certify that this instrument

was filed for record at the request of

Peter J. Ricks

at _____ minutes past _____

o'clock _____ M., this _____

day of _____

A.D. 1962

at my office and duly recorded in Book

206 of Deeds at page 99

Ex-Officio Recorder

By *Peter J. Ricks*

Deputy

Fee, \$ 1.50

INDEXED
RECORDED
119878

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

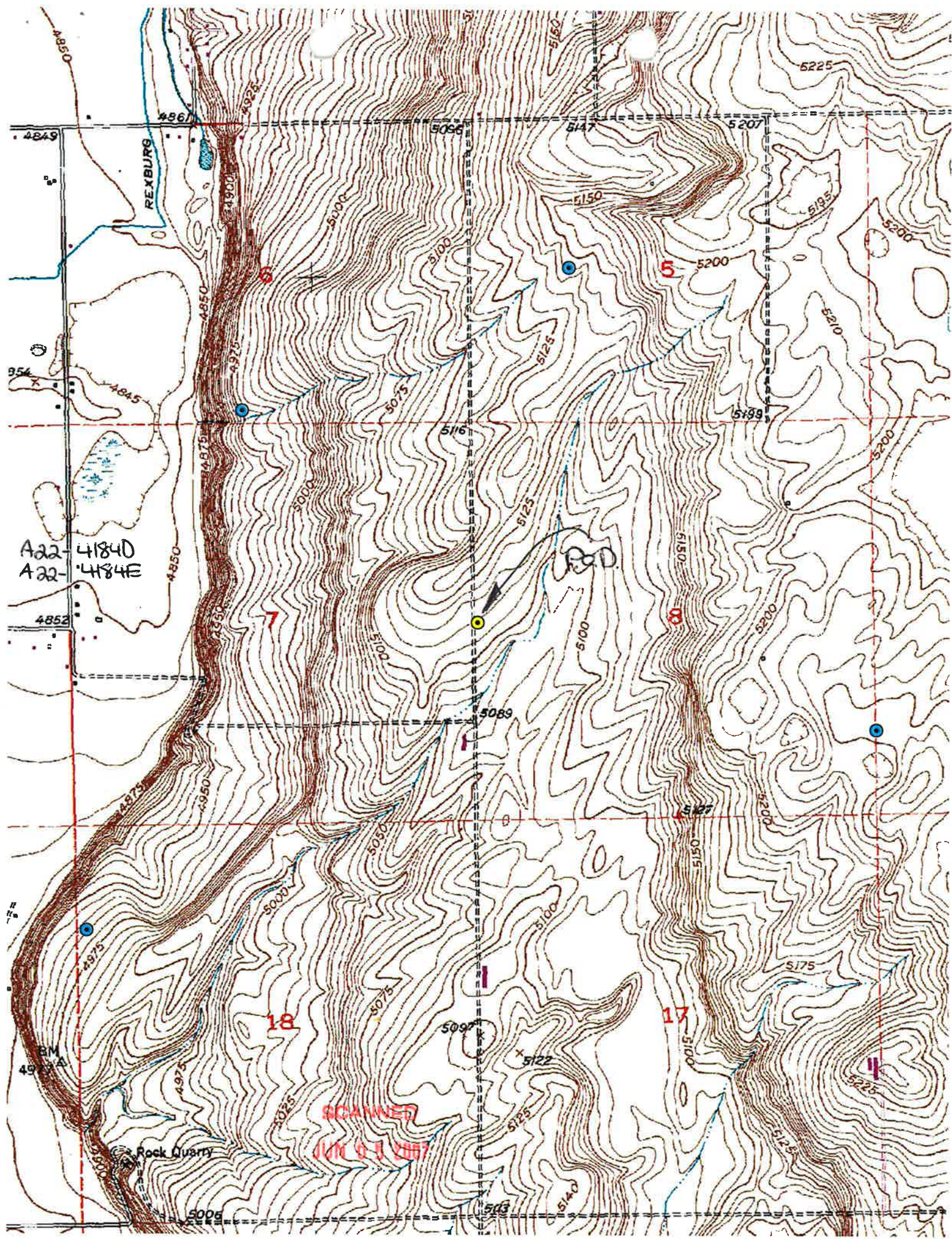
Make: Ventline / Ventline Model: _____ Disch: _____
SN: D00054 / D11812

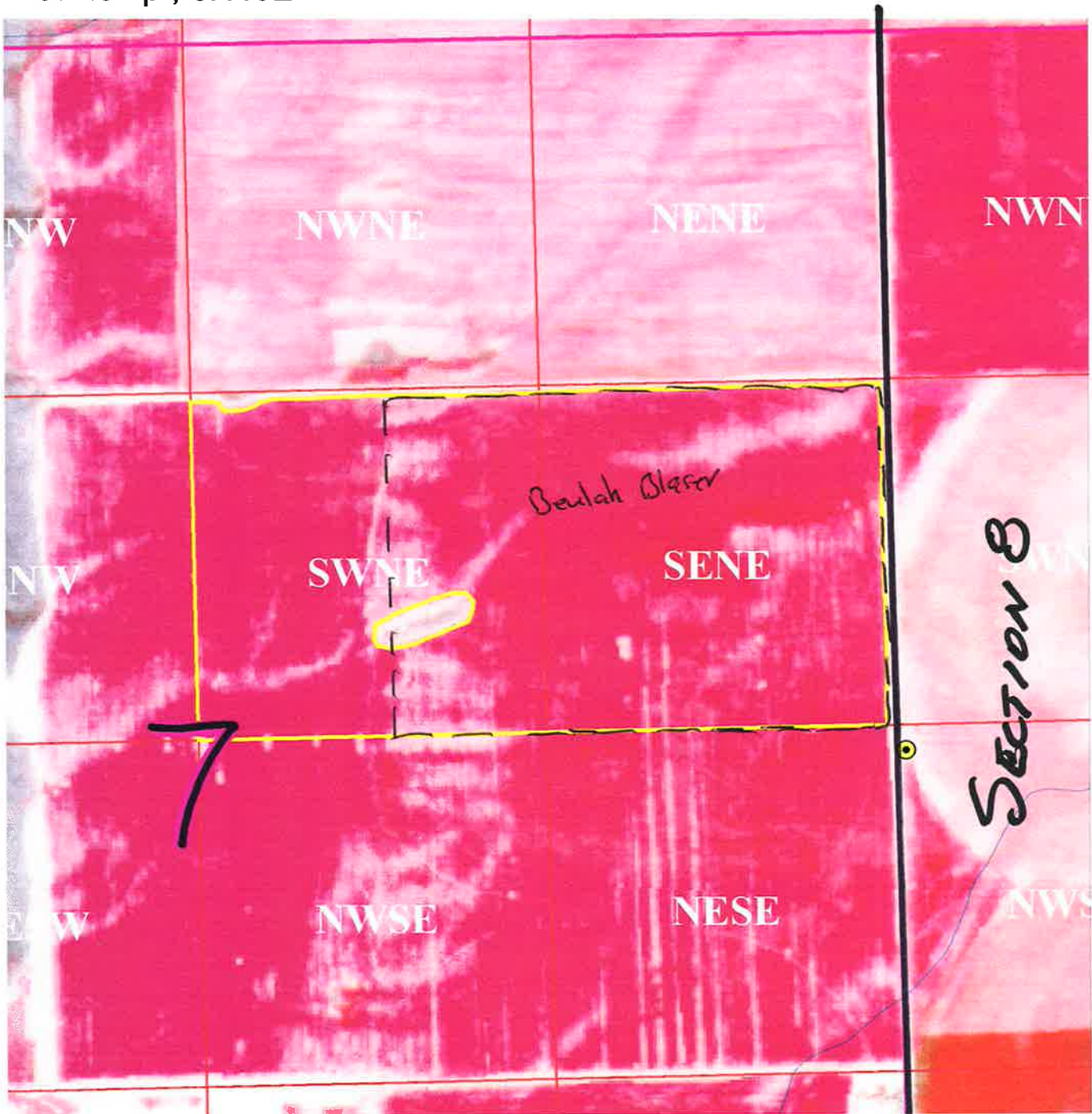
NOTES:

Well & pump to pivots. Place of use is N 1/2 SESE Sec 7 TSN
R40E. For A22-04184E. Claims A22-04184E + A22-04184D share
Common P.O.D. Claimants Breckin Glass & Mark Rick (MGR forms)
are brother & sister. P.O.U. For A22-04184D is SENE + E 1/2 SWNE
Sec 7 TSN R40E. P.O.D is in Sec 8, not Sec 7.

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

SCANNED
P.O.D is claimed in NWSW Sec. 7 => should be Sec. 8
JUN 05 2007





Legend

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



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JUN 05 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: A22-04184D
Date Received: 8/10/1988
Receipt No: X777777
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BEULAH RICKS BLASER
Address: 2075 N STADIUM LN
PROVO UT

801-375-2377

84604

2. Date of Priority: JUN 1, 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	7		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	1.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	7	SW	NE		IRR	20.0
			SE	NE		IRR	40.0
Section Acres							60.0

JUN 05 2007



10. Place of Use: Continued

Total Acres 60.0

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:
A22-07064B

14. Remarks:
CLAIM REPRESENTS PORTION OF 22-04184 APPURTENANT TO MY PROPERTY.
*CHANGE IN OWNERSHIP 10-22-96 GT.

15. Basis of Claim: BENEFICIAL USE

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: 22-4184D

MGR FARMS LLC

3366 S 1400 W

REXBURG ID 83440

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

681-2860

COMPLETED

KMS 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:

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

SCANNED

JUN 05 2007

KMS 11/04