

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

RIGHT NUMBER: 22-7188

NAME AND ADDRESS:

TETON PIPELINE ASSN INC
C/O HOLDEN KIDWELL HAHN & CRAPO,
PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

MWH
9/25/12

SOURCE: Source:
GROUND WATER

Tributary:

QUANTITY: 3.370 CFS
1,225.000 AFY

Right Nos. 22-7188 and 22-7470 are limited to a total combined annual diversion volume of 1500.0 AF.

~~The rights listed below are limited to a total combined diversion rate of 66.80 cfs and to a total combined annual diversion volume of 45716 AF. Combined Right Nos.: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.~~

~~The rights listed below are limited to a total combined diversion rate of 66.80 cfs and to a total combined annual diversion volume of 26,500 AF. Combined Right Nos.: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.~~

PRIORITY DATE: 07/06/1976

POINT OF DIVERSION:

T06N R40E S3 SENESW
Within MADISON County

T06N R40E S3 SENESW Injection
Within MADISON County

T06N R44E S3 NWSE Rediversion
Within TETON County

T06N R44E S3 SWNWSE Rediversion
Within TETON County

T06N R44E S10 NWSNENW Rediversion
Within TETON County

T06N R44E S15 SWNENW Rediversion
Within TETON County

T06N R44E S15 NWSESE Rediversion
Within TETON County

found 714301

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

Water diverted under this right is exchanged by injecting water diverted under this right into Teton Island Feeder Canal and diverting an equal amount from Teton River at the points of redirection described above.

Water diverted under this right is exchanged by injecting water diverted under this right into Teton Island Canal at the point of injection described above, and diverting an equal amount from Teton River at the points of redirection described above.

**PURPOSE AND
PERIOD OF USE:**

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/15	3.370 CFS 1,225.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

The use of water for irrigation under this right may begin as early as April 1 and continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

13062 ACRES TOTAL

Right Nos. 22-7188 and 22-7470 are limited to the irrigation of a combined total of 429.0 acres in a single irrigation season.

Place of use does not include federal public lands

This right is limited to the irrigation of 350.0 acres within the place of use described above in a single irrigation season.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of use is within the area served by Teton Pipeline Association.

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.

The exchange well must inject water into the Teton Island Feeder Canal under this right, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the head of the Teton Island Feeder Canal.

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

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton Island Feeder Canal.

~~No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton Island Canal.~~

~~The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton Island Canal from the exchange well.~~

~~The exchange well must inject water into the Teton Island Canal under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.~~

~~This right is subject to regulation by the watermaster of Water District 01.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is subject to regulation by the watermaster of Water District 01.

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

The right holder shall maintain a totalizing measuring device at each point of diversion and point of rediversion of a type approved by the Department as a part of the diverting works.

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

The following rights are also diverted through points of rediversion/diversion described above: 22-145B, 22-221B, 22-245B, 22-435B, 22-7044A, 22-7044B, 22-7100, 22-7108, 22-7110A, 22-7110B, 22-7111, 22-7116, 22-7119, 22-7120, 22-7121, 22-7122, 22-7148, 22-7157, 22-7159, 22-7180, 22-7181, 22-7186, 22-7392, 22-7470, 22-7188, 22-7208, 22-7209, 22-7211, 22-7216, 22-7223, 22-7235, 22-7295, 22-7360, 22-7375A, 22-7375B, 22-7505, 22-13271, 22-13288.

Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.

~~Right No. 22-13288 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.~~



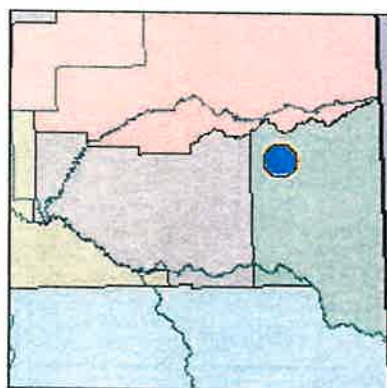
Idaho Department of Water Resources

SRBA Recommendations:

22-7188, 22-7208,
22-7209, 22-7211,
22-7216, 22-7223,
22-7235, 22-7295,
22-7360, 22-7375A,
22-7375B, and
22-13288

Legend

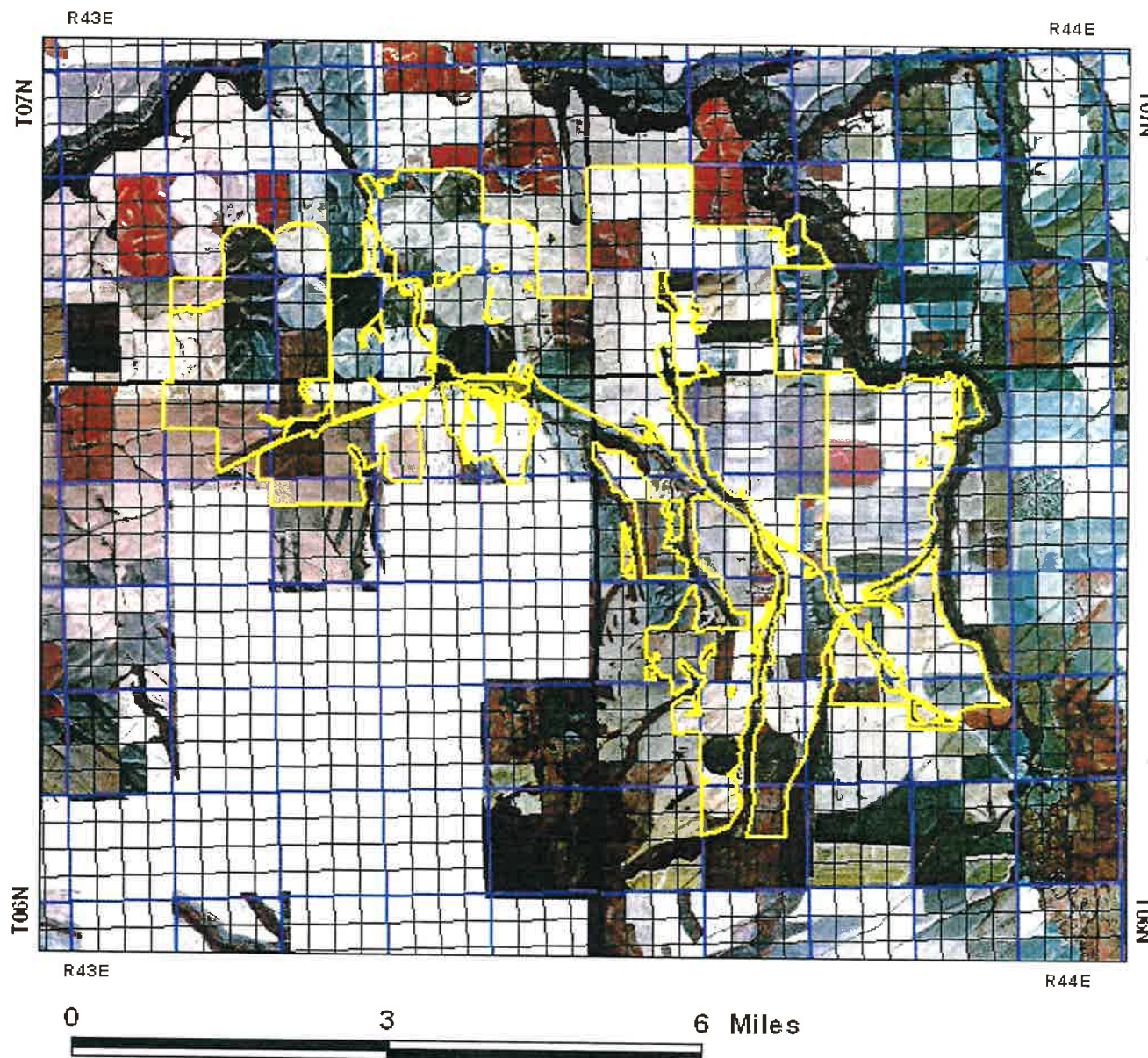
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22



SCANNED
AUG 13 2007



Prepared by M. Holliday
On Tuesday, March 13, 2007
1987/88 Aerial Photography



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

August 15, 2008

FIRST BANK OF THE TETONS
C/O EDWARD PACKER
PO BOX 12860
JACKSON WY 83002

RECEIVED

SEP 11 2008

DEPARTMENT OF
WATER RESOURCES

RE: Notice of Security Interest in a Water Right

Dear First Bank of the Tetons:

The Department of Water Resources acknowledges receipt of your "Notice of Security Interest in a Water Right." We are returning your notices to you as additional items are needed to process the Security Interest on these Water Rights. Additionally, we are returning your check No. 5510419 in the amount of \$75.00.

During our research of these Water Rights we have found that Hoopes Green, LLC is not the current owner of these Water Rights. In your letter dated August 11, 2008 you had indicated Hoopes Green, LLC purchased a portion of Rick's Ranch, which indicates a possible split in Water Rights. In order for us to add your Security Interest to the correct Water Right Numbers, we would need a completed "Notice of Change in Water Rights" form along with required information and fees necessary to process a Change in Ownership.

Also, the Department requires a \$25.00 filing fee per WATER RIGHT NUMBER to add a Security Interest.

If you have any questions please contact Jonie Barg or myself at (208)525-7161.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO OUR IDAHO FALLS OFFICE AT THE ADDRESS BELOW:

ID DEPT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402-1718

Respectfully submitted,

Bobby Kern
Office Specialist II

Enclosure

Teton pipeline

TPA Surface Water Filings at Adjudication

	right	cts	AFY	acres
A 22- 7044A		2.65	420	140
A 22- 7044B		1.38	210	70
A 22- 7100		6.98	1883	581
A 22- 7108		9	2244.9	641
A 22- 7110A		2.52	900	300
A 22- 7110B		2.6	924	308
A 22- 7111		10	2292	655
A 22- 7116		10	2576	736
A 22- 7119		6	1631	406
A 22- 7120		5	1652	472
A 22- 7121		8	2786.5	799
A 22- 7122		12	4189.5	1197
A 22- 7148		7	2554.7	800
A 22- 7157		4.5	1642.3	640
A 22- 7158		1.9	285	95
A 22- 7180		12.06	2198	628
A 22- 7181		3.2	480	180
A 22- 7186 7186		11.16	1853	558
A 22- 7392		7.18	1140	380
A 22- 7470		3	1190	411
A 22- 7506 7505		6.3	1102.5	315
A 22- 145B		9.866		
A 22- 221B		0.7		35
A 22- 246B		0.7		35
A 22- 435B 435B		0.54		27
Tot cts				10429 tot ac
Tot gpm				64747.54
A 22- 13271		1.7	44825	2732.6 enlargement

page 1 of 2

TPA groundwater Filings at adjudication

	right	cts	AFY	acres
A 22- 7188		3.37	1225	429 ricks
A 22- 7208		9	3284.7	1912.4 ehco/hoopes
A 22- 7208		9	3284.7	2089 ehco/hoopes
A 22- 7211		6	2189.8	800 bolt
A 22- 7216		4	1459.9	883 ricks
A 22- 7223		7	2520	720 ehco/hoopes
A 22- 7235		6	2189.8	736 ricks
A 22- 7295		3.36	2380.2	bolt
A 22- 7360		2	728.9	883 ehco/hoopes
A 22- 7375B		6.72	1450.05	414.3 ehco/hoopes
A 22- 7375B		5.72	1234.45	352.7 ehco/hoopes
62.17				
A 22- 13288		11.826		4492.6 enlargement
			21948.5	13712 acres

*=combined acre limit

page 2 of 2

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SEP 08 2009

Water Right No(s). 7188
A22-7022

See Attached photo

$$\begin{aligned}\text{Theoretical cfs} &= \text{Hp} \times 8.81 \times .7 \\ &\quad \frac{80' \text{ depth} + 2.31 (\text{psi})}{25 \times 8.81 \times .7} \\ &\quad \frac{80' + 2.31 (0)}{154.7} = 1.93 \text{ cfs}\end{aligned}$$

SCANNED

JUN 29 2006

PROFILED

GPS DATA:

Tag # A0015929 Location: on air vent
GPS data - 2682531 GPS File # - 227022
1410483 ⁷¹⁸⁸

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Electric Model: _____ Hp: 25
SN: 3522008

PUMP

Make: Aurora Model: _____ Disch: _____
SN: N.A.

NOTES:

Teflon Pump
Well pumps open discharge into Independent Canal. (12" mainline)
Well is 503' deep & static water level is 57'. Info
provided by Fremont-Madison Irrig district.
Ryan Madison collected data for other wells included.
(W0015). Copy given to Keith Wilson, IDWR for field exam.

Field Exam Date: 8-2-2005 Agent: H. C. Jones

AUG 03 2007

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7188
A22-7022 - well pumps into North Branch
of the Independent Canal. Photo Looking North



GIS Place of Use Illustration
1992 Orthophotography
Prepared by: E. Carlsen
Date: February 2006

07N43E

07N44E

06N43E

06N44E

Teton Pipeline Assn Inc
Service Area Boundary

Water Right No.: 22-7188, 22-7208
22-7209, 22-7211, 22-7216, 22-7223,
22-7235, 22-7295, 22-7360, 22-7375A
22-7375B

-  Service Boundary
-  Township/Range
-  Sections



RECEIVED

FEB 19 2004

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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.

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
	22-7188				

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 rights(s) or claims(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 your water rights(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 Mark R. Ricks and Chris P. Ricks
4. New Owner/Claimant(s) Teton Pipeline Association, Inc.
 Name connector (check one): ☐ and ☐ or, ☐ and/or
 New Mailing Address P.O. Box 272
 City, State and ZIP Code Tetonia, ID 83452
 New Telephone Number 456-2567 or 456-2801
5. Date you acquired the property December 2, 2003

SCANNED

AUG 03 2007

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) Or Claimant(s) Mark R Ricks Pres.
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attached 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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date _____ WR _____ Date _____

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AUG 03 2007

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DEC 18 2003

TETON CO. ID
CLERK RECORDER

159044

**QUITCLAIM DEED
FOR
WATER RIGHTS**

THIS INDENTURE is made this 2 day of ^{Dec.}~~November~~, 2003, between Mark R. Ricks and Chris P. Ricks, husband and wife, referred to herein as the "GRANTOR" and Teton Pipeline Association, Inc., whose mailing business is P.O. Box 272, Tetonia, Idaho 83452, referred to herein as the "GRANTEE",

WITNESSETH, that the GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the Counties of Madison and Teton, State of Idaho, to-wit:

<u>Water Right No.</u>	<u>Amount</u>	<u>Source</u>	<u>Priority Date</u>
22-7188	7.0 cfs	Groundwater	July 6, 1976

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

Instrument # 309218

REXBURG, MADISON, IDAHO

2004-01-06 09:38:00 No. of Pages: 2

Recorded for: HOLDEN KIDWELL HAHN CRAPO

MARILYN R. RASMUSSEN Fee: 6.00

Ex-Officio Recorder Deputy

159044

Instrument # 159044

DRIGGS, TETON, IDAHO

2003-12-18 12:21:58 No. of Pages: 2

Recorded for: HOLDEN, KIDWELL, HAHN, CRAPO,

NOLAN G. BOYLE Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED. QUIT-CLAIM

SCANNED

AUG 03 2007

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

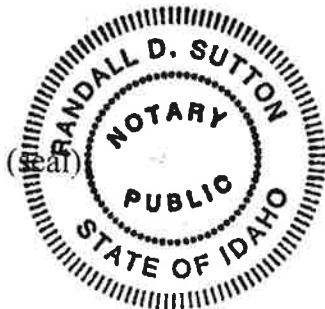
Mark R. Ricks
Mark R. Ricks

Chris P. Ricks
Chris P. Ricks

STATE OF IDAHO)
)ss.
County of MADISON)

On this 2nd day of ~~November~~ DECEMBER, 2003, before me a notary public in and for said State, personally appeared Mark R. Ricks and Chris P. Ricks, husband and wife, known or identified to me (or proved to me on the oath of Mark R. Ricks and Chris P. Ricks) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Randall D. Sutton
Notary Public for Idaho
Residing at: REXBURG, ID
My commission expires: 11/24/09

G:\WPDATA\KWF\8527 SMITH, BOYD\11069.001 Hoopes-Ehco Ranch\ Teton Pipeline Assoc\Quitclaim Deeds\Ricks Quitclaim Deed.wpd:cdv

SCANNED
AUG 03 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2003

MARK R RICKS
391 W 1200 N
FELT ID 83424

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-7188

Dear Mr. Ricks:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) 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 listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

SCANNED

AUG 03 2007

OK JC
9/17/03

**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
22-7188					
22-7470	825				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 825
- 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)

22-7188 J & C. Ricks & Mark R. Ricks
22-7470 RIKO Inc. & Mark R. Ricks

4. New Owner/Claimant(s)

Mark R. Ricks

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

391 W. 1200 N.

City, State and ZIP Code

Felt, Idaho 83424

New Telephone Number

208 456-2850

5. Date you acquired the property

4/2002 (portion was owned previously)

Department of Water Resources
Eastern Region

NOV 25 2002

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SCANNED
AUG 03 2007

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Mark R. Ruks
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <u>JC</u>	Date <u>12-3-02</u>	Fee <u>\$25</u>	
Received by <u>JC</u>	Date <u>12-3-02</u>	Receipt No. <u>E028355</u>	
Processed by <u>AJ</u>	Date _____	WR _____	Date _____

SCANNED
AUG 03 2007

First American Title Company

T-9609

RECEIVED

MAY 09 2002

TETON CO. ID
CLERK RECORDER**WARRANTY DEED****148051**

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS P. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 6 North, Range 44 East, of the Boise Meridian, Teton County, Idaho.

Section 9: S $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15: N $\frac{1}{2}$ NW $\frac{1}{4}$

SUBJECT only to the following matters:

1. 2002 taxes are an accruing lien, not yet due and payable.
2. Reservations in United States Patent.
3. Exceptions and Reservations contained in the Deed from the State of Idaho to Willard Casper, recorded December 11, 1948 and January 31, 1946 in Book 77 of Deeds at Page 271 and in Book 77 at Page 119, wherein mineral rights are reserved to the State.
4. Amended Resolution Declaring County Roads, recorded May 14, 1991, Recording No. 107957, records of Teton County, Idaho.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

Instrument # 148051

DRIGGS, TETON, IDAHO
2002-05-09 12:45:24 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 8.00
Ex-Officio Recorder Deputy E. Smith
Index to: DEED, WARRANTY

SCANNED

AUG 03 2007

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

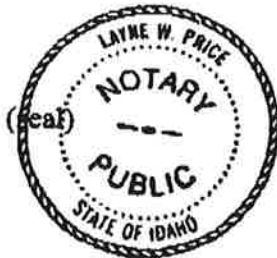
Beverly W. Ricks

Beverly W. Ricks

STATE OF IDAHO)
)ss.
County of Idaho)

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Layne W. Price
Notary Public for Idaho
Residing at DEER
My Commission Expires: 12-31-06

STATE OF IDAHO)
)ss.
County of Teton

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Layne W. Price
Notary Public for Idaho
Residing at DRiggs
My Commission Expires: 12-01-04

First American Title Company

R297163

WARRANTY DEED

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS P. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Madison, State of Idaho, to-wit:

Township 6 North, Range 40 East, of the Boise Meridian, Madison County, Idaho.

Section 3: An undivided 50% interest in the following described real property: Commencing at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 6 North, Range 40 East, of the Boise Meridian, Madison County, Idaho, and running thence North 200 feet, more or less, to the center of the Teton Island Canal; thence following the centerline of the canal West 24 feet; thence South 09°20'05" West 76.02 feet; thence South 36°08'25" West to the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence East 150 feet, more or less, to the point of beginning; together with an easement for egress and ingress along the East boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3.

SUBJECT only to the following matters:

1. 2002 taxes are an accruing lien, not yet due and payable.
2. Levies and assessments of the Fremont-Madison Irrigation District.
3. Right of Way for Teton Island Canal.
4. Right of Way Easement for pole line granted to Idaho Power and Transportation Company, recorded April 3, 1913 in Book 6 of Deeds, Page 292.

Instrument # 285774

REXBURG, MADISON, IDAHO

2002-05-09 04:22:00 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

MARILYN R. FARMUSSEN

Ex-Office Recorder's Office Fee: \$0.00

(3pp)
Grant

SCANNED

NO. 6319 P. 1/3

FIRST AMERICAN TITLE ISL. PRK

2002 SEP 16 2003 4:38PM

5. Provisions in deed to Mark R. Ricks and Jay C. Ricks recorded January 18, 1995 as Instrument No. 254883, substantially as follows: "Subject to the right of the Grantors, their heirs and assigns to use the well on said premises when the same is not in use."

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues and profits therefrom; and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD the property and the appurtenances unto the Grantee, and to the Grantee's successors and assigns forever. The Grantor and the Grantor's successors shall warrant and defend the property in the quiet and peaceable possession of the Grantee and the Grantee's successors and assigns, against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the property as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

Beverly W. Ricks

Beverly W. Ricks

2 Warranty Deed

SCANNED
AUG 03 2007

STATE OF IDAHO)

County of Teton)ss.

On the this 04th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Layne W. Price
 Notary Public for Idaho
 Residing at 12605
 My Commission Expires: 12-01-06

STATE OF IDAHO)

County of Teton)ss.

On the this 04th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Layne W. Price
 Notary Public for Idaho
 Residing at 12605
 My Commission Expires: 12-01-06

3 Warranty Deed

SCANNED

AUG 03 2007

SEP. 16. 2003 4:38PM

FIRST AMERICAN TITLE ISL. PRK

NO. 6319

P. 3/3



First American Title Company of East Idaho
81 North Main Street/P.O. Box 42
Driggs, Idaho 83422
(208)354-2771 Fax (208)354-8825

FAX TRANSMITTAL SHEET

No. of Pages Including Cover Sheet: 7DATE: 9/17/03TIME: 9:20 AMPLEASE DELIVER TO: JenniferCOMPANY: State of ID Dept. of Agr. Res.FROM: GrantFAX NO.: 525-7177RE: Mark RicksMESSAGE: Two Deeds from Jay Ricks to Mark Ricks
Requested
The Title Commitment (you have T9941)
Covers Property that Mark already owned
at the time of that Commitment.
If you have any further questions please call
Thank You! Grant

If you have any problems receiving this message or have any questions regarding our transmittal please contact us at (208)354-2771.

CONFIDENTIALITY NOTE: The information transmitted in the fax message is intended to be confidential and for the use of only the individual or entity named above, and may be privileged. If the reader of this message is not the intended recipient, you are hereby notified that any retention, dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone. Thank you!

SCANNED

AUG 03 2007

354-
9771**SCHEDULE A****1ST REVISED COMMITMENT**

Order No.: T9941

Reference No.: Teton T9941/Madison RX29763

1. Commitment Date: **August 23, 2002**at **08:00 AM**

2. Policy (or Policies) to be issued:

Policy Amount Premium Amount(a) **Owner's Policy** (

Form 1402-92)

Proposed Insured:

No credits applicable

Endorsements:

(b) **Loan Policy** (Std Loan Policy (10/17/92) Form 1056-92)**\$ 350,000.00****\$ 1,317.50**

Proposed Insured:

No credits applicable**Idaho AgCredit, FLCA, its successors and/or assigns as their respective interests may appear.**

Endorsements:

(c)

Proposed Insured:

Endorsements:

3. A fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

TETON COUNTY**Tract I:****Mark R. Ricks and Chris P. Ricks, husband and wife****Tract II:****Mark Ricks and Chris Ricks, husband and wife****Tract III:****Mark R. Ricks, presumptively subject to the community interest of his spouse, Chris P. Ricks.****MADISON COUNTY****Parcel 1 and 2:****Mark R. Ricks and Chris P. Ricks, husband and wife**

4. The Land referred to in this Commitment is described as follows:

SEE ATTACHED LEGAL DESCRIPTION**1 PAGE TOTAL**

According to the County Assessor's office, the above described property is commonly known as:

Farm Ground, Tetonia, Idaho 83452**VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED****ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(T9941.PFD/T9941/10)****SCANNED****AUG 03 2007**

1ST REVISED COMMITMENT**ATTACHED LEGAL DESCRIPTION**

Order No.: T9941

TETON COUNTY**Tract I:**

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 9: N1/2SE1/4SW1/4; S1/2SE1/4SW1/4; S1/2SE1/4

Section 15: N1/2NW1/4; SW1/4NW1/4; NW1/4SW1/4

Section 16: N1/2NE1/4

Tract II:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 16: SE1/4NE1/4; NE1/4SE1/4

Tract III:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Those portions of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), the East-half of the Northwest Quarter (E1/2NW1/4), West-half of the Southeast Quarter (W1/2SE1/4), and Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) Section 16 Township Six (6) North, Range 44 East, B.M., located northeasterly of the center line of State Highway No. 33 as described in State of Idaho Eastment No. 490. Subject to State of Idaho Easement No's, 49C, 5283-B and 5283-C to Idaho Transportation Department for a highway.

MADISON COUNTY**Parcel 1:**

Commencing at the SE corner of the NE1/4SW1/4 of Section 3, Township 6 North, Range 40 E.B.M., Madison County, Idaho, and running thence North 200 feet, more or less, to the center of the Teton Island Canal; thence following the centerline of the canal West 24 feet; thence S. 09°20'05" W. 76.02 feet; thence S. 36°08'25" W. to the South line of the NE1/4SW1/4; thence East 150 feet, more or less, to the Point of Beginning.

Parcel 2:

Together with an easement for egress and ingress along the East boundary line of the SE1/4SW1/4 of said Section 3.

ALTA Plain Language Commitment Legal Description
(T9941.PFD/T9841/10)

SCANNED

AUG 03 2007

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

DELOG AR 4/4/05
RECEIVED
SEP 23 2003
 Department of Water Resources

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
22-7188	- ~~825~~ AJ				
22-7470	- 825 AJ				

RECEIVED
 from W. A.
MAR 31 2005
 Department of Water Resources

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

\$25

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)

22-7188 Jay C. Ricks & Mark R. Ricks

22-7470 RIKO Inc. & Mark R. Ricks

4. New Owner/Claimant(s)

Mark R. Ricks

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

391 W. 1200 N.

City, State and ZIP Code

Felt, Idaho 83424

New Telephone Number

208 456-2850

5. Date you acquired the property

4/2002 (portion was owned previously)

RECEIVED

APR 04 2005

Department of Water Resources
 Eastern Region

Department of Water Resources
 Eastern Region

NOV 26 2002

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SCANNED

AUG 03 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Mark R. Ruks
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JC Date 12-3-02 Fee \$25
 Receipted by JC Date 12-3-02 Receipt No. E028355
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
AUG 03 2007

First American Title Company

T-9609

RECEIVED

MAY 09 2002

TETON CO. ID
CLERK RECORDER**WARRANTY DEED**

148051

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS P. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, and to the Grantee's successors and assigns forever, all of the following described real property in the County of Teton, State of Idaho, to-wit:

Township 6 North, Range 44 East, of the Boise Meridian, Teton County, Idaho.

Section 9: S½SE¼; N½SE¼SW¼

Section 15: N½NW¼

SUBJECT only to the following matters:

1. 2002 taxes are an accruing lien, not yet due and payable.
2. Reservations in United States Patent.
3. Exceptions and Reservations contained in the Deed from the State of Idaho to Willard Casper, recorded December 11, 1948 and January 31, 1946 in Book 77 of Deeds at Page 271 and in Book 77 at Page 119, wherein mineral rights are reserved to the State.
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Instrument # 148051

DRIGGS, TETON, IDAHO

2002-05-09

12:45:24 No. of Pages: 3

Recorded for: FIRST AMERICAN TITLE

NOLAN G. BOYLE

Fee: 8.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

SCANNED

AUG 03 2007

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In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

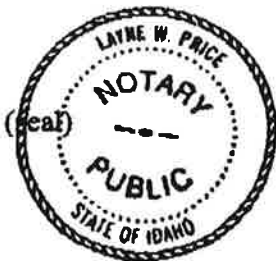
Beverly W. Ricks

Beverly W. Ricks

STATE OF IDAHO)
)ss.
County of Teton)

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Layne W. Price
Notary Public for Idaho
Residing at DOUGLAS
My Commission Expires: 12-31-06

STATE OF IDAHO)

County of Teton)ss.

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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Layne W. Price
Notary Public for Idaho
Residing at DEER
My Commission Expires: 12-01-04

148051

SCANNED
AUG 03 2007

First American Title Company

21297623

WARRANTY DEED

THIS INDENTURE is made this 9th day of May, 2002, by JAY C. RICKS and BEVERLY W. RICKS, husband and wife, the "Grantor", to MARK R. RICKS and CHRIS F. RICKS, husband and wife, whose mailing address is 391 West 1200 North, Felt, Idaho 83424, the "Grantee".

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Section 3: An undivided 50% interest in the following described real property: Commencing at the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 6 North, Range 40 East, of the Boise Meridian, Madison County, Idaho, and running thence North 200 feet, more or less, to the center of the Teton Island Canal; thence following the centerline of the canal West 24 feet; thence South 09°20'05" West 76.02 feet; thence South 36°08'25" West to the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence East 150 feet, more or less, to the point of beginning; together with an easement for egress and ingress along the East boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3.

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4. Right of Way Easement for pole line granted to Idaho Power and Transportation Company, recorded April 3, 1913 in Book 6 of Deeds, Page 292.

Instrument # 285774

RECEIVED, MADISON, IDAHO
2002-05-09 04:32:00 No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE
MARILYN R. RABAUER
Ex-Officio Recorder Deeds
Fee: \$9.00

(3pp)
Grant

NO. 6319 P. 1/3 FIRST AMERICAN TITLE ISL. PRK

SEP. 16. 2003 4:38PM CANNED

AUG 03 2007

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In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.

Jay C. Ricks

Jay C. Ricks

Beverly W. Ricks

Beverly W. Ricks

2 Warranty Deed

SEP 16 2003 4:38PM FIRST AMERICAN TITLE ISL. PRK NO. 6319 P. 2/3

SCANNED
AUG 03 2007

STATE OF IDAHO)

County of Teton)ss.

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Jay C. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Loret R. Price
 Notary Public for Idaho
 Residing at 121605
 My Commission Expires: 12-01-06

STATE OF IDAHO)

County of Teton)ss.

On the this 9th day of May, 2002, before me, the undersigned, a notary public, in and for said State, personally appeared Beverly W. Ricks, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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



Loret R. Price
 Notary Public for Idaho
 Residing at 121605
 My Commission Expires: 12-01-06

3 Warranty Deed

SCANNED

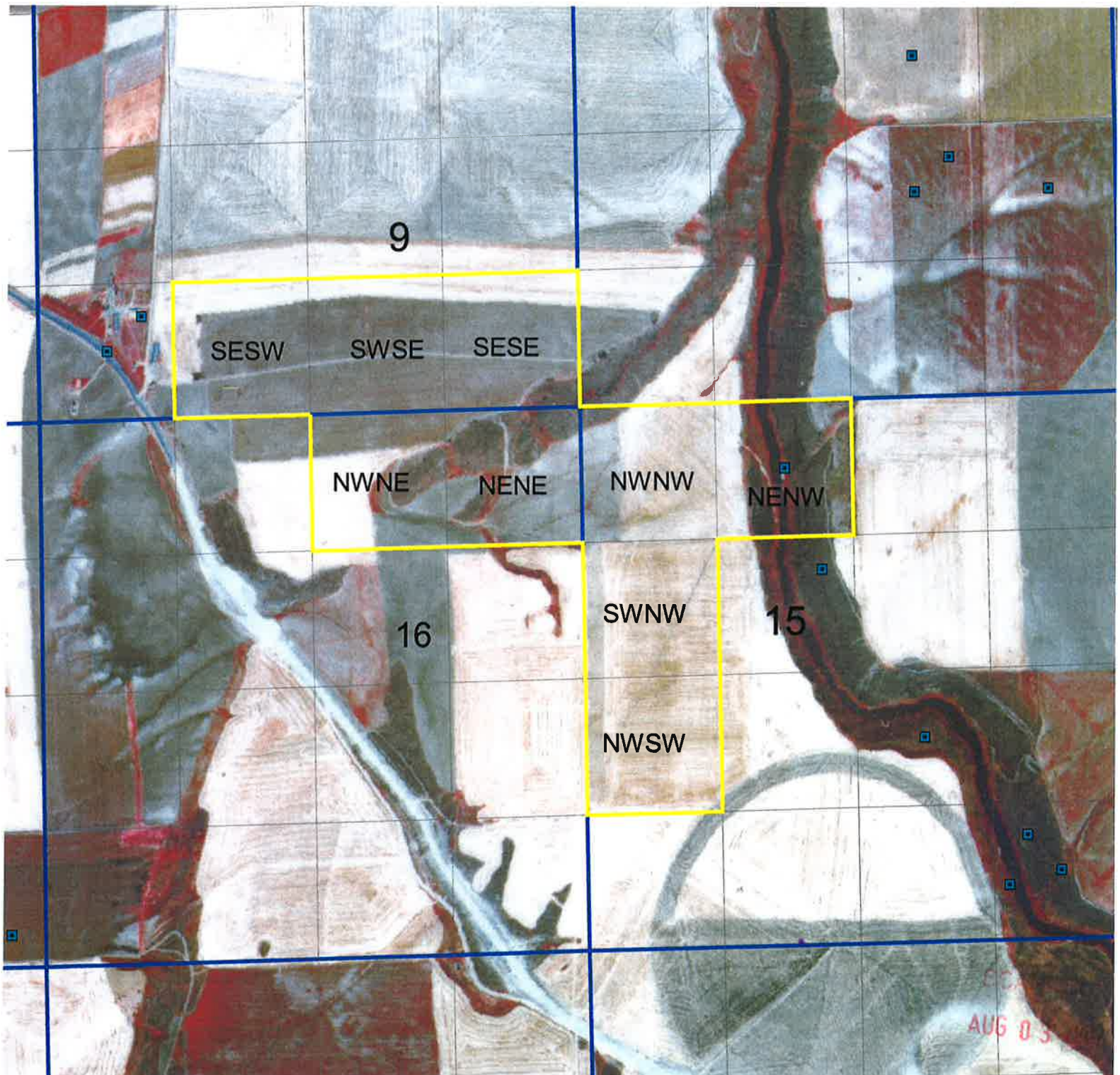
SEP 16 2003 4:38PM

2002 03 03

FIRST AMERICAN TITLE ISL. PRK

NO. 6319 P. 3/3

22-7188



06N40E3

~~227022~~

22-7188

SCANNED
10 2 2007

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07188

AUG 10 1985
Department of Water Resources
Eastern District Office

Priority: July 6, 1976

Maximum Diversion Rate:

3.37 CFS

Maximum Diversion Volume:

1225.0 AF

This is to certify, that MARK R RICKS
JAY C RICKS

259 S 3RD E
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 6, 1976; and has submitted Proof of Beneficial Use on June 19, 1985. An examination indicates that the works have a diversion capacity of 3.370 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.37 CFS	1225.0 AF

LOCATION OF POINT(S) OF DIVERSION:

	SESW , Sec. 3, Township 06N, Range 40E MADISON County
Rediversion	SENW , Sec. 15, Township 06N, Range 44E TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	44E	9	SESW 40	SWSE 40	SESE 40		120
		15	NENW 10	NWNW 35	SWNW 35		
			SESW 15	NESW 15	NWSW 35		145
		16	NENE 22	NWNE 35	SENE 2		
			NENW 26				85

Total number of acres irrigated: 350

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

MICROFILMED
NOV 06 1996

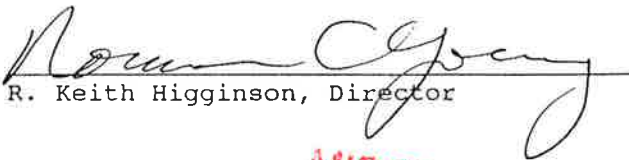
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07188

CONDITIONS/REMARKS:

- ~~6.~~ This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- GEN ~~7.~~ No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
- EXP ~~8.~~ Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.
- GEN ~~9.~~ The exchange well must inject water into the Teton Island Canal whenever water is being diverted from the Teton River under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.
- ~~10.~~ The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
- ADD ~~11.~~ The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
- EXP 12. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
13. The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27TH day of July, 19 94.

Acting for  R. Keith Higginson, DirectorMICROFILMED
NOV 06 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

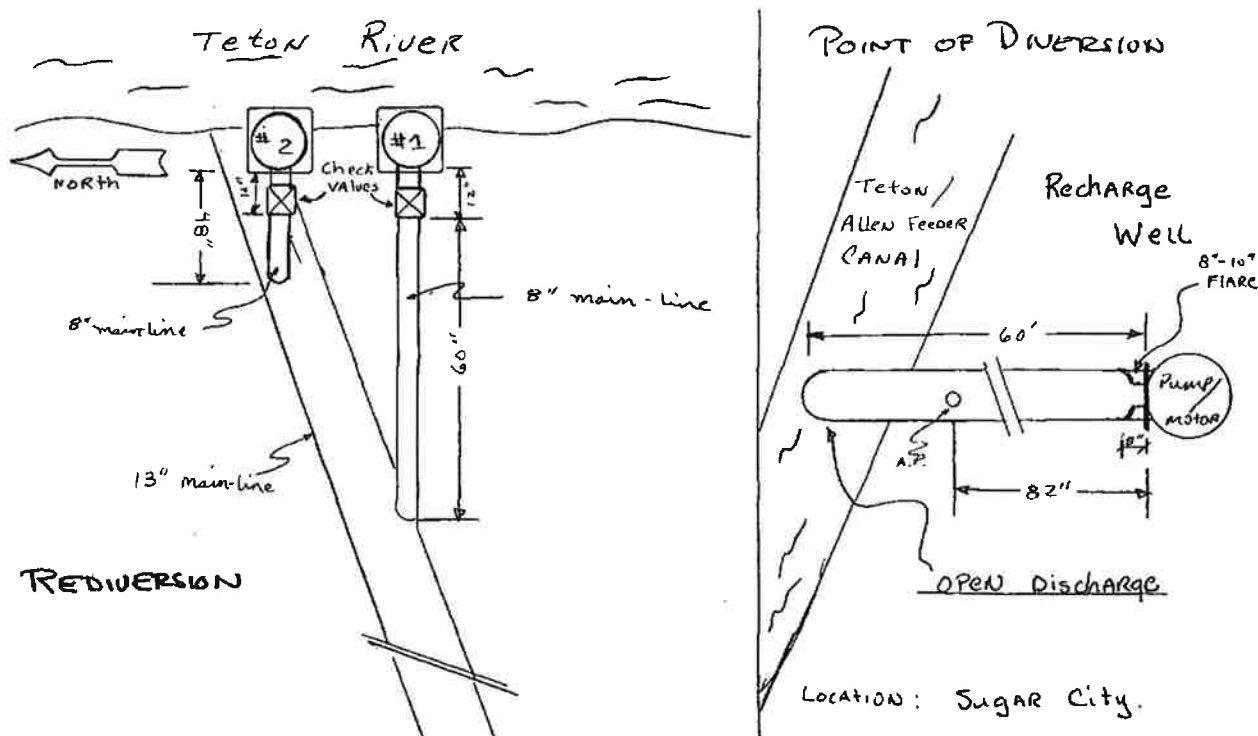
Permit No. 22-7188
Phone No. (208) 356-5028
1. Owner: MARK R. & JAY C. RICKS
Current Address: 259 SO. 3RD E Rexburg Idaho 83440
2. Accompanied by: J.C. Ricks EXAM. DATE: 6-9-88
Address: SAME AS ABOVE Phone No. (SAME AS ABOVE)
Relationship to Permit Holder: OWNER
3. Source: Teton River tributary to HENRY'S FORK
GROUNDWATER

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Permit 22-0747) over Well
☐ Copies Attached
2. Other water rights with same point of diversion: NO
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1\"/>

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)
☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

2 - Pumps / motors to 13" main line to 10 - 1/4 mile hand lines with "1/64", and Flow control (5gpm - 4.5gpm) nozzles.

* Pumps ARE DRAWING WATER FROM Teton River

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 1	G.E.	125	ENJ525149	Johnston	TK 14493
# 2 (Pump)	G.E.	125	ALJ129104	Johnston	TK 14493
Exchange well	U.S. Motors	20	3522008	ARORA	8"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
E.W.			SE	SW	3	6N	40E	Madison	map
			NE	NW	15	6N	44E	Teton	map & onsite inspection
* DOE	NET MATCH				NAR.				
	(SHOULD BE SENSITIVE)								

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	44E	9													40		40	40	120
6N	44E	15					15	35	35	15	15	35							145
6N	44E	16	22	35		2	26	35	26										308
6N	44E	9												40			40	40	120
		15					10	35	35	15	15	35							145
		16	22	35		2	26												308

350
HWT

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	IN-line	M ⁸ Crometer		76-12-2043		
manometer					57"	
Halls meter				120385	12"	
ANNUBAR					10"	

2. Measurements:

MEASUREMENT ON PUMPS #1 & 2	main line I.d. = 12.125" , 1/4" WALL thickness , 13" main line
	main line pressure = 116 psi
	manometer READING = 28.5" - 20" = 8.5" ← (HALLS meter)
exchange well	main line I.d. = 9.75" O.d. = 10" main line pressure =
	manometer READING = 22" - 5.7" = 16.3" ← (ANNUBAR)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: E.W. = Exchange Well.

$$Q_{E.W.} = 3.37 \text{ c.f.s.}$$

2. Alternate Method for Checking Purposes: Theoretical

$$Q_T = 2 \left(\frac{(125)(0.814)(0.80)}{0 + 2.31(116 \text{ psi})} \right) = 6.56 \text{ c.f.s.}$$

F. PUMP EFFICIENCY DATA (Optional) * Done on exchange well. only!

Discharge Pressure: 10 psi x 2.31 = 23.1 ft (1); Dynamic pumping level: 26 ft (2)

Total Head: (1) + (2) = 49.1 (3)

: Flow rate: 3.37 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 165.14 (5)

Meter Input KW: 3.6 x 57.6 KH x CTR or 48 MULT x 1 PTR x 5 N/ 54.58T = 253.28 (6)

Meter Input HP: (6) x 1.34 = 339.39 (7)

Panel Input KW: Ave PF x Ave Volts x Ave Amps x .001732 = (6)

Panel Input HP: (6) x 1.34 = 339.39 (7) Efficiency: (5)/(7) x 100 = 49 %

Form 125, Westinghouse 71 456 188, m30R7015

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (350)(3.5) = 1225$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.37)(183)(1.9835) = 1,223.24$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1223.24$$

X Volume Calculations for Other Uses:

60 = 353

1994

22-7188

180.5

POD.
REDIVERSION

76N

26

35

22

10

35

5

35

35

15

15

910
1415

40

40

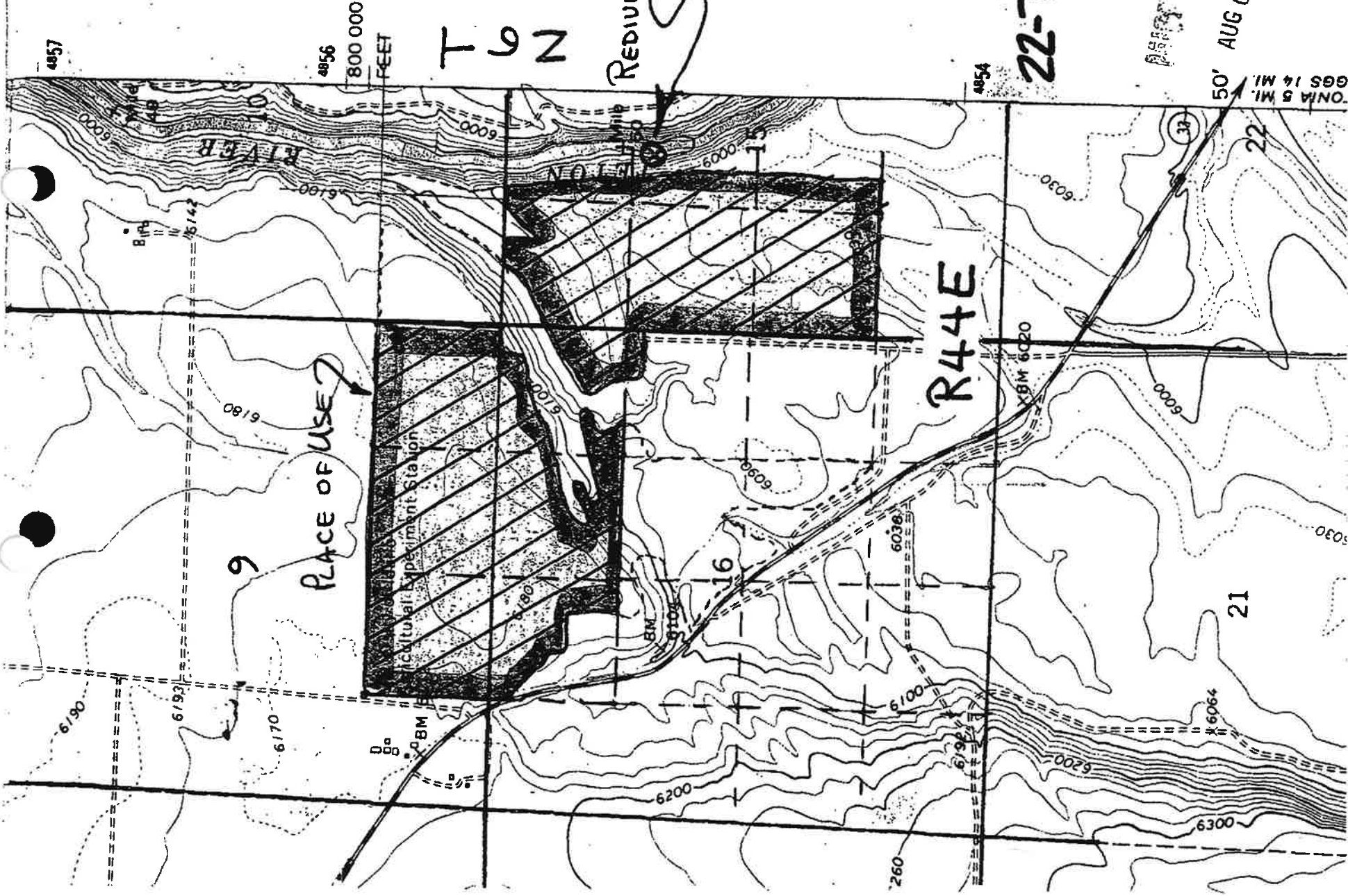
40

614
514

17
B49E

20

614



4857

4856

800 000

FEET

N 61

REDIVERSION

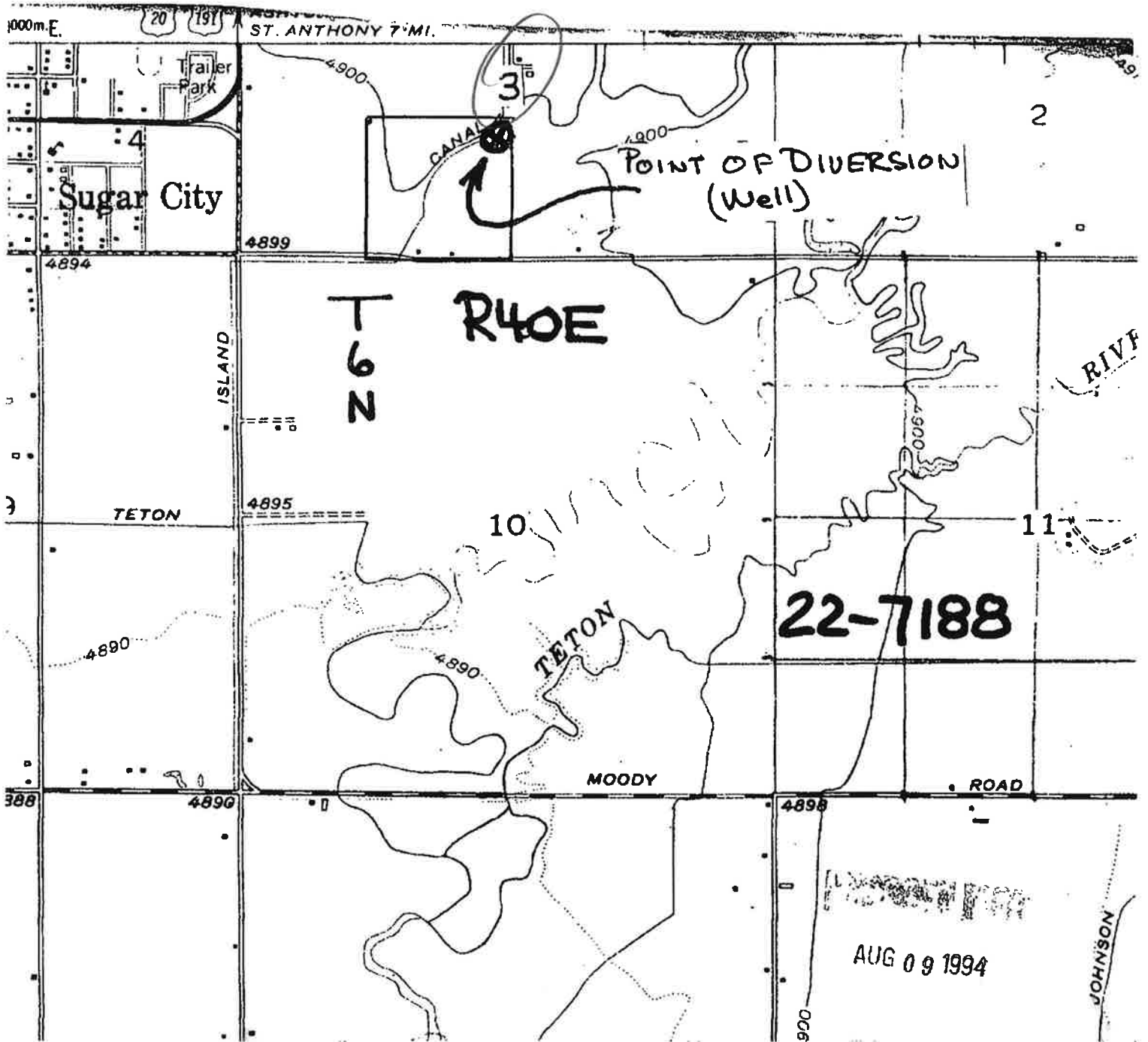
4854

22-7188

50' AUG 09 1994

ON A 5 MI. GGS 14 MI.

22-7188



H. REMARKS AND OVERLAP REVIEW ANALYSIS

The meter reading on pumps #1 & #2 was fluctuating back and forth between the 1500 gpm - 1600 gpm mark, at the same time I was taking Hall meter readings. 256

* It looks like the new meter had been installed since the meter was out during 1997.

It appears there are additional acres under irrigation shown in cross-section the ASCS air photo. These are beyond the 350 acres allowed by the permit.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs) R.L.	Annual Volume V (afa)
	From	To		
irrigation	4/15	10/15	3.37	1223.2
Totals:			3.37 R.L.	1223.2

2. Recommended Amendments

- | | | |
|---|--|--------------------------------|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

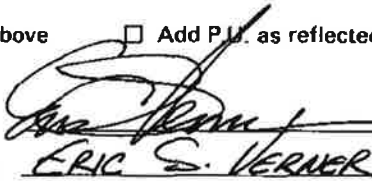
J. AUTHENTICATION

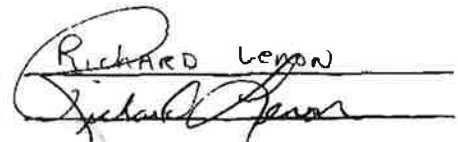
Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date


ERIC S. VERNER


Richard L. Lipp

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Conditions - See New Dec. & Order dated July 28th, 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

22-7188

Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\text{Halls Meter: } Q = (A)(V_h) \quad A = \text{Area} = \frac{\pi d^2}{4} \quad V_h = \text{Halls Manometer Reading}$$

Calculation for

$$\text{Pumps \#1 \& 2 } Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.1416)(12.125')^2}{4} \right] \times \left[(.14") \right] \div 448.8 = \underline{3.60} \text{ cfs}$$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

V_h = HALLS Manometer Reading	DIFF. Inches of Water	V_h = HALLS Manometer Reading	DIFF. Inches of Water	V_h = HALLS Manometer Reading	DIFF. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	12.132	33.5	45.200
2	.350	18	12.848	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.336	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.281	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.428	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.451	45.5	77.6
14	8.642	30	36.590	46	78.95
14.5	9.228	30.5	37.750	46.5	80.3
15	9.832	31	38.940	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

Annubar: Exchange well calculation.

B = Difference in inches of water

C = Annubar Factor: Model 75 = -3.85
Model 73 = 4.14

K = Flow Correction Factor

= 1 for Manometer

= # From Calibration Chart

C=Correction Factor

$$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.94)(9.75')^2 \sqrt{16.2'}}{448.8} \right] (1) =$$

$$Q_{\text{cfs}} = \underline{3.37} \text{ cfs}$$

6" -----3.75

7.98"-----3.87

10"-----3.94

12"-----3.99

14"/16"-----4.01

18"/24"-----4.02

30" -----4.03

AUG 09 1994

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: A22-07188
Date Received: 6/17/1988
Receipt No: M000429
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK R. RICKS 208-456-2850
Address: BOX 55
FELT, ID 83424
AND/OR
Name: JAY C. RICKS 208-356-5028
Address: 259 S. 3 E.
REXBURG, ID 83440

A2207188



2. Date of Priority: JUL 06, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	44E	15	NE	SE	NW		TETON

5. Description of diverting works:
TWO 125 HP PUMP IN TETON RIVER TO MAINLINE/SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.000		

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

8. Total consumptive use is 700.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

SCANNED
AUG 03 2007

A22-07188

Page 1

Date: 06/17/88

MICROFILMED

OCT 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06N	44E	9	SE	SW		IRR	40.0	
			SW	SE		IRR	40.0	
			SE	SE		IRR	40.0	
					Section Acres			120.0
		15	NE	NW		IRR	40.0	
			NW	NW		IRR	40.0	
			SW	NW		IRR	40.0	
			NW	SW		IRR	40.0	
					Section Acres			160.0
		16	NE	NE		IRR	35.0	
			NW	NE		IRR	35.0	
					Section Acres			70.0
			Total Acres			350.0		

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
22-0425A/22-0424B

14. Remarks:

NO DEMAND ON UPSTREAM PRIOR RTS. OR EXISTING PRIOR EXCHANGES CAN BE MADE & NO INTERFERENCE WITH PRIOR RTS. LOCATED BETWEEN THE REDIVERSION PUMP & THE EXCHANGE WELL WILL BE ALLOWED EVEN IF THE EXCH. WELL IS PUMPING WATER INTO THE TETON R. ANY WELL DRILLED UNDER THIS PERMIT SHALL BE CONSTRUCTED WITH UNPERFORATED SOLID CASING EXTENDING TO A DEPTH OF 150 FT. THE WELL CASING SHALL BE SEALED TO THE REQUIRED UNPERFORATED DEPTH. THE SEAL SHALL BE INSTALLED ACCORDING TO RULES 3.3.1 & 3.3.2 OF THE WELL CONSTR. STANDARDS RULES & REGULATIONS OF THE IDWR. DATED 2/81. THE WELL DRILLER SHALL BE REQUIRED BY THE APPLICANT TO SUBMIT TO THE DEPT. FOR REVIEW & APPROVAL HIS PLAN FOR SEALING THE WELL CASING AT LEAST 5 DAYS PRIOR TO THE DRILLING OF THE WELL.

A MEAS. DEVICE & LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPT. SHALL BE INSTALLED & MAINTAINED AS PART OF THE DIVERTING WORKS AT BOTH THE EXCHANGE WELL & THE REDIVERSION PUMPS FROM THE TETON R.

THE POWER SUPPLY TO THE EXCHANGE WELL CANNOT BE CONTRACTED UNDER THE POWER CO.'S INTERRUPTABLE RULES UNLESS THE POWER CO. AGREES TO NOTIFY THE APPLICANT AT LEAST 24 HRS. PRIOR TO THE TIME THE POWER SERVICE IS TERMINATED. THIS APPLICATION FOR AMENDMENT IS APPROVED IN CONNECTION WITH THE PROPOSED MEMORANDUM DECISION & ORDER & ORDER ADOPTING PROPOSED MEMO.

SCANNED
AUG 03 2007

MICROFILMED

OCT 29 1992

DECISION & ORDER. CONDITION NO. 8 OF SAID ORD. IS MODIFIED AS FOLLOWS: THE EXCHANGE WELL MUST INJECT WATER INTO THE TETON ISLAND CANAL WHENEVER WATER IS BEING DIVERTED FROM THE RIVER UNDER THIS PERMIT, & THE INJECTION MUST CONTINUE AFTER THE DIVERSION FROM THE RIVER CEASES UNTIL THE WATER NOT DIVERTED REACHES THE PT. OF INJECTION.

15. Basis of Claim: PERMIT
Water Right Number:

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): Joy C. Ricks Date: 17 June 88
Date:

State of Idaho)
County of Bonanza) ss.

Subscribed and sworn (or affirmed) before me this 17 day

of June 19 88

Ernest Carlson
Notary Public

Residing at Shabo Falls

My Commission Expires 14 June 1994



SCANNED
AUG 03 2007

MICROFILMED
OCT 29 1992

PLACE OF USE

17 R44E

20

1011 1511



RECORDED
OCT 29 1992