

02/02/2006

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

RIGHT NUMBER: 22-7247

NAME AND ADDRESS: SUE RICKS
13289 E HWY 33
NEWDALE ID 83436

R BRENT RICKS
13289 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

Point of injection into Teton River. Point of redirection from Teton River.

QUANTITY: 5.600 CFS
980.000 AFY

Right Nos. 22-7247 and 22-7286 are limited to a total combined annual diversion volume of 1,050 AF.

PRIORITY DATE: 06/10/1977

POINT OF DIVERSION:

T06N R40E S11 NWNENE Within MADISON County

T06N R40E S11 NWNENE Injection Within MADISON County

T07N R42E S21 NWSWNW Rediversion Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/15

QUANTITY
5.600 CFS
980.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may 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: IRRIGATION Within MADISON County

T07N R42E S20	SESE	40.00	T07N R42E S21	SWSW	40.00
T07N R42E S21	SESW	40.00	T07N R42E S21	NWSE	20.00
T07N R42E S21	SWSE	40.00	T07N R42E S28	NWNE	40.00
T07N R42E S28	NENW	40.00	T07N R42E S28	NWNW	40.00

300 ACRES TOTAL

Right Nos. 22-7247 and 22-7286 are limited to the irrigation of a combined total of 300.0 acres in a single irrigation season.

This right is limited to the irrigation of 280 acres within the place of use described above in a single irrigation season.

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

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

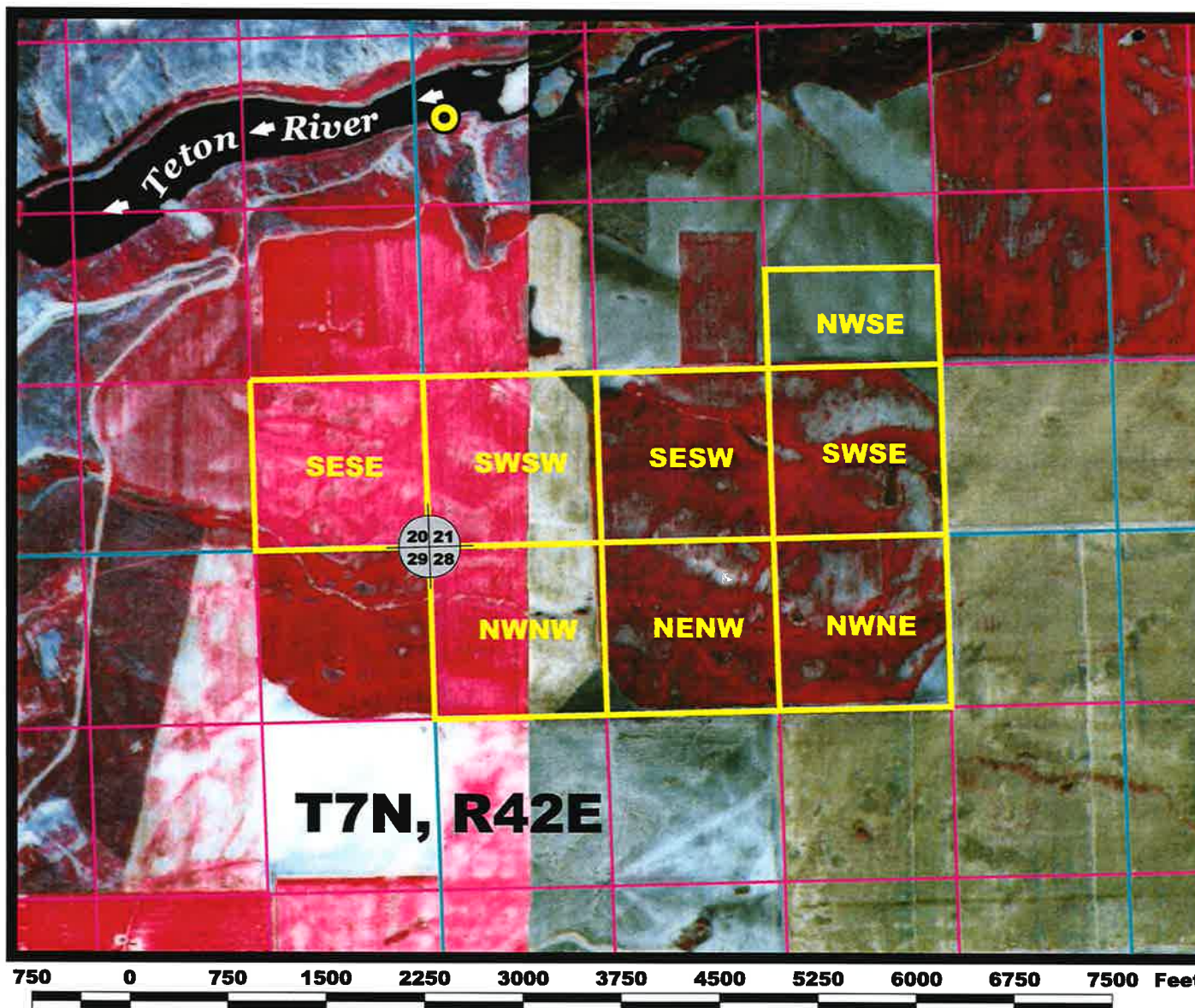
The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-7247,
22-7286

Point(s) of Diversion:

T6N, R40E
Sec. 11 NWNENE (POD/POI)
T7N, R42E
Sec. 21 NWSWNW (POR)

Place of Use: (parts of)

T7N, R42E
Sec. 20 SESE,
Sec. 21 S2S2, S2NWSE
Sec. 28 N2NW, NWNE

LEGEND



Point of Diversion

SESE

Place of Use



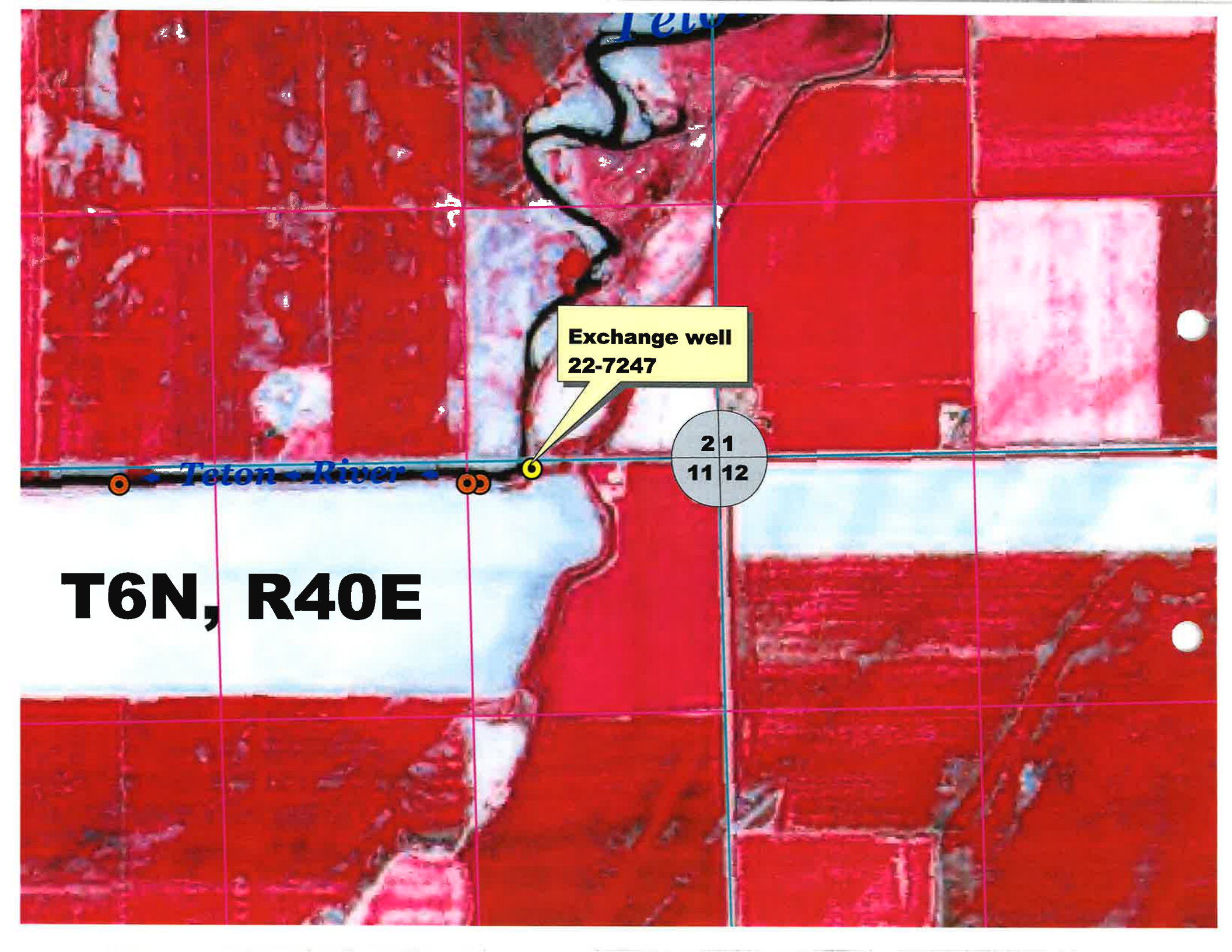
Section



Quarter-Quarter



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



Exchange well
22-7247

21
11 12

T6N, R40E

Water Right No(s). A22-7247 + A22-10805

See Attached Photos

"well"
GPS data - 2684665
1410107

"well"
GPS File 227247

GPS DATA:

Tag # A 0015944 Location: on Power Panel

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Electric Model: _____ Hp: 125
SN: ID 9982/P07P16OR081R-11

PUMP

Make: Aurora Model: _____ Disch: _____
SN: 3X4-71282

NOTES:

New mailing address for applicant is: 13289 E. Highway 33
Newdale ID 83436 P.O. confirmed by claimant
Brent Ricks Cell phone for Brent is 317-6541
System is well & pump into Teton River. Diversion is up-stream
near site of Teton Dam as is P.O.U.

Field Exam Date: 8-26-05 Agent: H. Wilson

Claims 20 ac (1988) in Sec. 28 NW15; Licent 1500 @ 40° ac (1994). Reclaim Lie
Therefore 22-10805 is NOT NEEDED AND DISALLOWED.

PPU w/ 22-7286 ac 10 limits only

Rate of Permitted 60 cfs - 22-7286 exceeds
Rate of 22-7247. But license com. #12 states
" ... Shall not exceed the Rate of Diversion ... "

Water Right No(s). A22-7247 + A22-10805

See Attached Photo
"Reduction Pumps" on Teton River

GPS data - 2699243
1416322

GPS File # 227286

GPS DATA:

Tag # A0015945 Location: on Power Panel

Diversion Data:

Source: Teton River Trib to: Henry's Fork

MOTOR - 2

Make: GE / GE Model: _____ Hp: 400 / 250
SN: BVJ21016 / AWJ126110

PUMP - 2

Make: Auvera / Auverca Model: _____ Disch: _____
SN: NA

NOTES:

2 pumps to common mainline (10") that goes uphill (South)
to places of use

Field Exam Date: 8-26-05 Agent: H. W. Jones

A22-7247 + A22-10805, Looking South





A22-7247 + A22-10805, Diversion pumps
on Teton River, Looking North

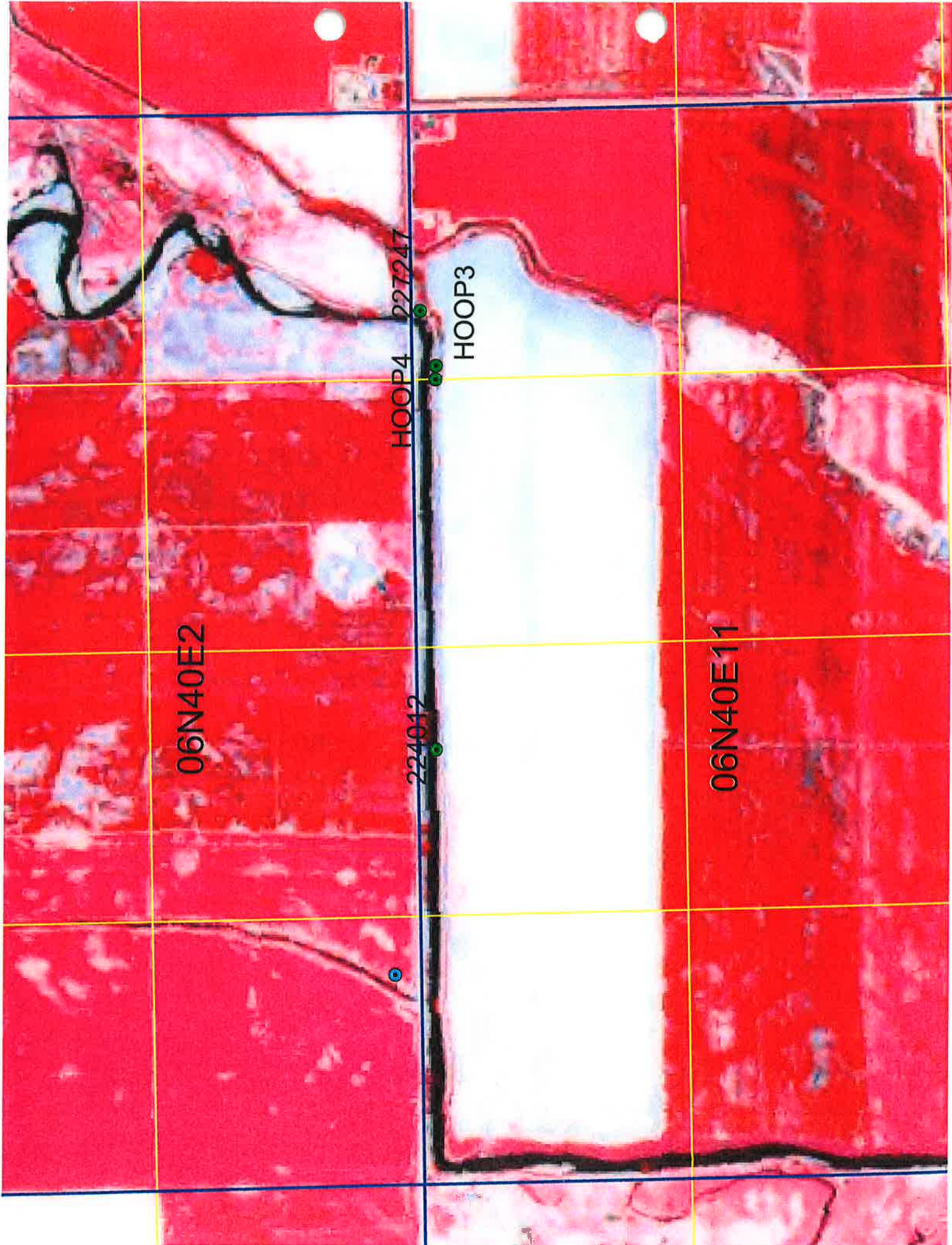
06N40E2

HOOP4 227247

HOOP3

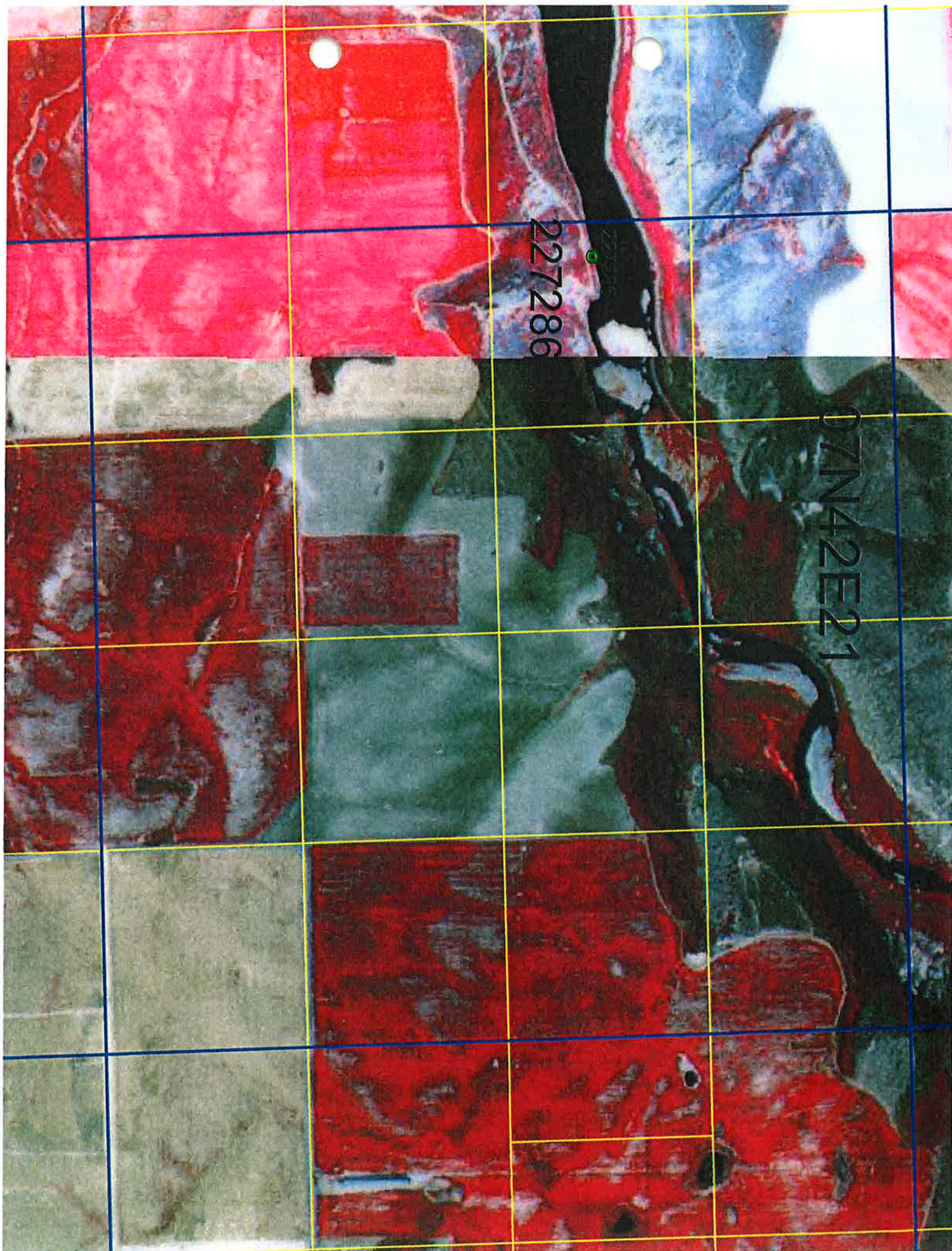
224012

06N40E11



07N42E21

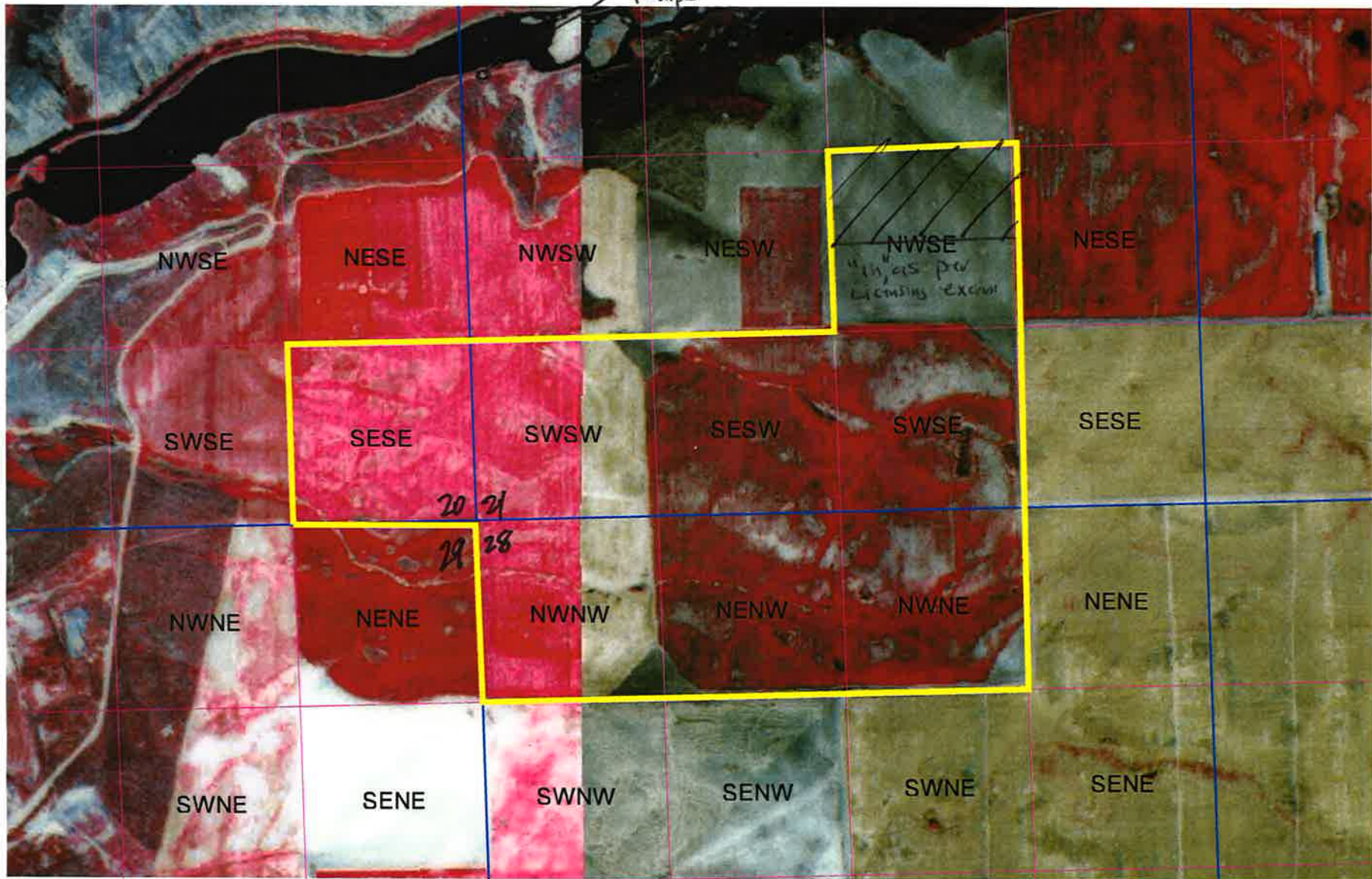
227286



Township
07N

Range
42E
Pumps

Section
20, 21, 28



Notes:



0.1 0 0.1 0.2 0.3 Miles

P.O.U.

Water Right #: 2207247

Examiner: 2210805

Date:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07247

Priority: June 10, 1977

Maximum Diversion Rate: 5.60 CFS
Maximum Diversion Volume: 980.0 AF

This is to certify, that ROBERT R RICKS
RT 1

SUGAR CITY ID 83448 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 10, 1977; and has submitted Proof of Beneficial Use on August 5, 1987. An examination indicates that the works have a diversion capacity of 5.780 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	5.60 CFS	980.0 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

NENE , Sec. 11, Township 06N, Range 40E
SWNW , Sec. 21, Township 07N, Range 42E
MADISON County

0.01866 ⇒ 0.01925/Ac

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	42E	20	SESE 40			40
		21	SWSW 40	SESW 40	NWSE 20	
			SWSE 40			140
		28	NWNE 40	NENW 40	NWNW 40	120
CLAIMED AS 20 AC RECOMM 40 AC						
Total number of acres irrigated:						300

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.
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.

AUG 09 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

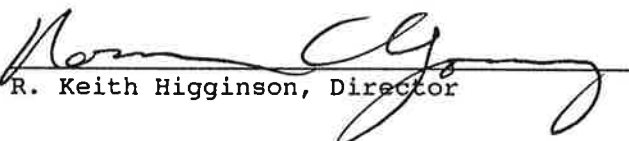
WATER RIGHT NO. 22-07247

CONDITIONS/REMARKS:

7. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
8. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
9. Totalizing measuring devices shall be maintained at the exchange well and redirection pump from the Teton River.
10. The exchange well must inject water into the Teton River whenever water is being diverted from the 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.
11. 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.
12. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
13. This right is limited to the irrigation of 280 acres in the place of use described above in a single irrigation season.
14. 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 22nd day of July, 1994.

Acting for


R. Keith Higginson, Director

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: A22-07247
Date Received: 8/09/1988
Receipt No: 8001159
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. BRENT RICKS 208-458-4969
Address: HC 60 BOX 1080
NEWDALE, ID 83436

OR

Name: SUE RICKS
Address: HC 60 BOX 1080
NEWDALE, ID 83436

2. Date of Priority: JUN 10, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	11	NW	NE	NE		MADISON
07N	42E	21	NW	SW	NW	R	MADISON

5. Description of diverting works:
EXCHANGE WELL OPEN DISCHARGES INTO TETON RIVER. (SEE REMARKS)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.600		

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A2207247



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	42E	20	SE	SE		IRR	40.0
						Section Acres	40.0
		21	SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	20.0
			SW	SE		IRR	40.0
						Section Acres	140.0
		28	NW	NE		IRR	20.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	100.0
						Total Acres	~~280.0~~

⇒ 400 As Lic.

300 As Lic.

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:
22-07286

14. Remarks:

WATER IS REDIVERTED FROM THE TETON RIVER IN EXCHANGE FOR THE
GROUNDWATER PRODUCED BY THE WELL.
THE QUANTITY OF WATER AND IRRIGATED ACREAGE CLAIMED ARE BASED
ON THE FINDINGS OF A LICENSING FIELD INSPECTION CONDUCTED
18 JULY, 1985.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): R. Brent Riches Date: Aug 9, 1988

Date: _____

State of Idaho)
County of Bonneville) SS.

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

Ernest Carlson
Notary Public

Seal

Residing at Blaho Falls, ID

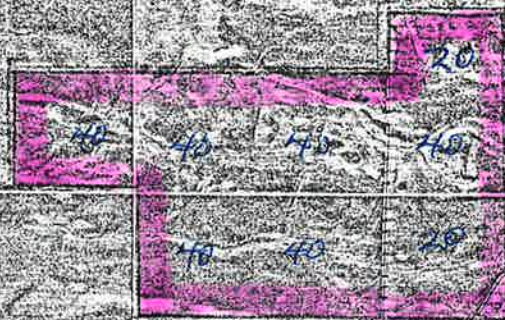
My Commission Expires 14 June 1994

TWP 7N
RGE 42E

Pump

Sec 20

Sec 21



Sec 28

A22-07286

A22-07247

MICROFILMED

OCT 29 1992

111° 45' 30"

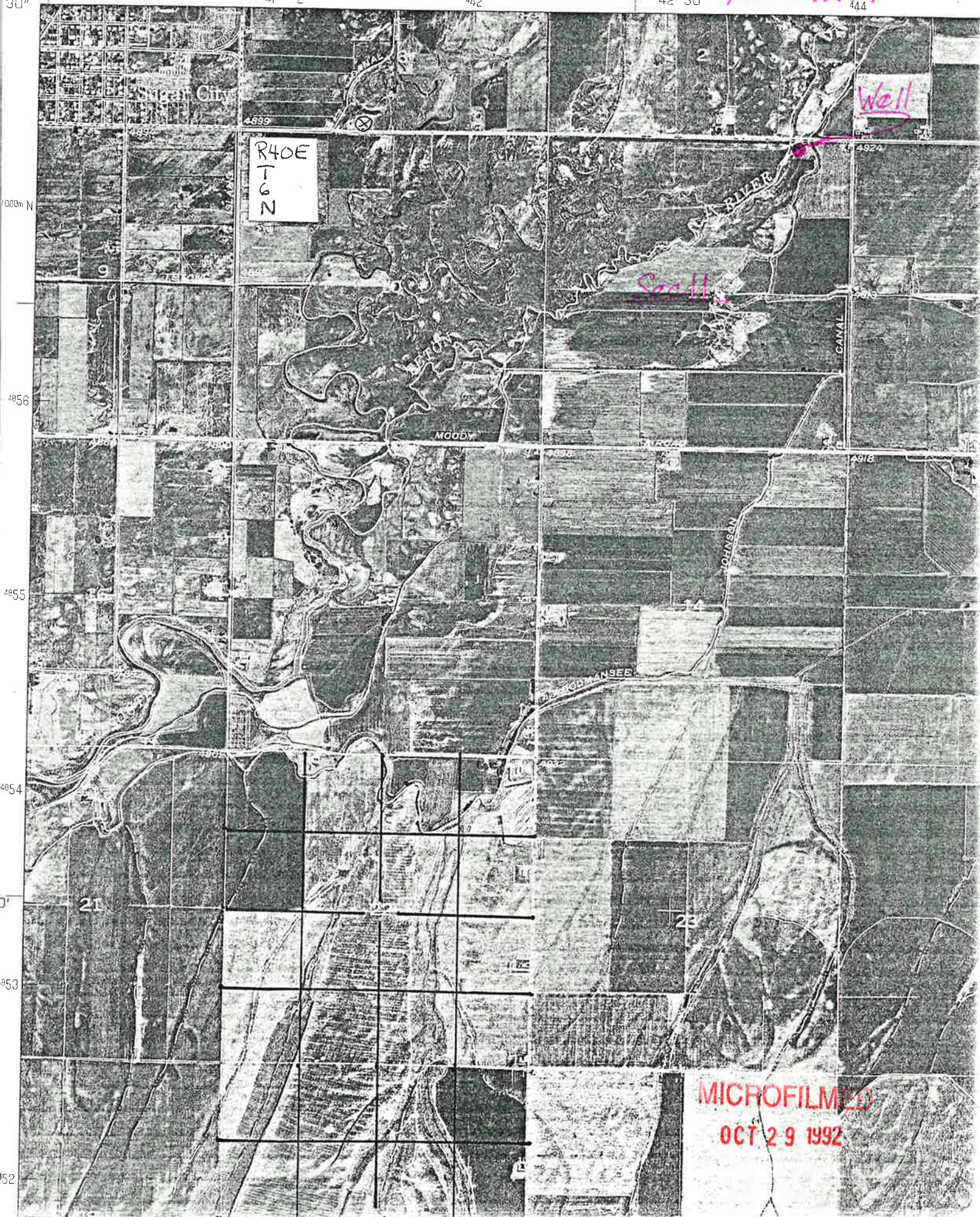
441000m E

442

42° 30"

A22-07247

444



MICROFILMED
OCT 29 1992