

09/25/2006

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

RIGHT NUMBER: 22-7470

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

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 3.000 CFS
1,190.10 AFY

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 45717.0 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.

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

PRIORITY DATE: 07/21/1983

POINT OF DIVERSION:

T06N R44E S3 SWNWSE Within TETON County
T06N R44E S10 NWSENE Within TETON County
T06N R44E S15 SWNENW Within TETON County
T06N R44E S15 NWSESE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.000 CFS 1,190.10 AFY

The use of water for irrigation under this right may begin as early as April 1, provided other elements of the right are not exceeded. The use of water before April 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

Place of use does not include federal public lands

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.

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.

This right is limited to the irrigation of 411 acres within the place of use described above in a single irrigation season.

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

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

Right No. 22-13271 is an enlargement of the following rights pursuant to Section 42-1426, Idaho Code: 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, and 22-7505.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07470

Priority: July 21, 1983

Maximum Diversion Rate: 3.00 CFS

It is hereby certified that TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 21, 1983; and has
submitted Proof of Beneficial Use on January 25, 1990. An examination indicates that the works have a
diversion capacity of 3.6 cfs of water from:

SOURCE

TETON RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/15 to 10/31

DIVERSION RATE

3.00 CFS

LOCATION OF POINT OF DIVERSION:

TETON RIVER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp 06N, Rge 44E, B.M., TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 44E 9												40.0			40.0	40.0	120.0
06N 44E 10											24.0						24.0
06N 44E 15					8.0	38.0	40.0	9.0	38.0								133.0
06N 44E 16	22.0	35.0	37.0		29.0								11.0				134.0

Total Acres: 411

CONDITIONS OF APPROVAL

- ☒ 1. Right 22-07188 is re-diverted through the point of diversion described above.
- ☒ 2. Rights 22-07188 and 22-07470 when combined shall not exceed a total annual maximum diversion volume of 1500.0 af at the field headgate, and the irrigation of 429 acres.
- ☒ 3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

SEP 03 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07470

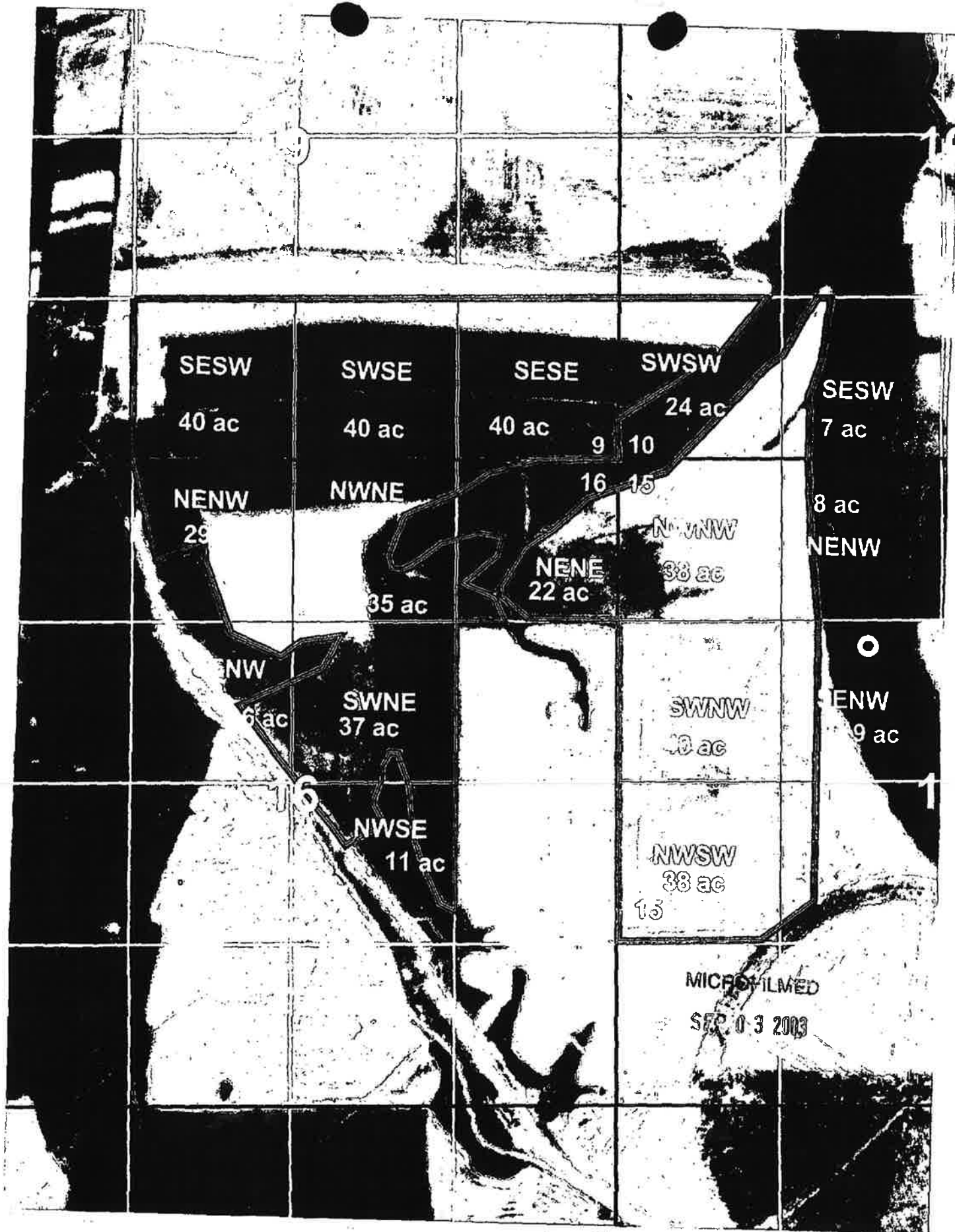
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6th day of June, 2003.


for **KARL J. DREHER**
Director

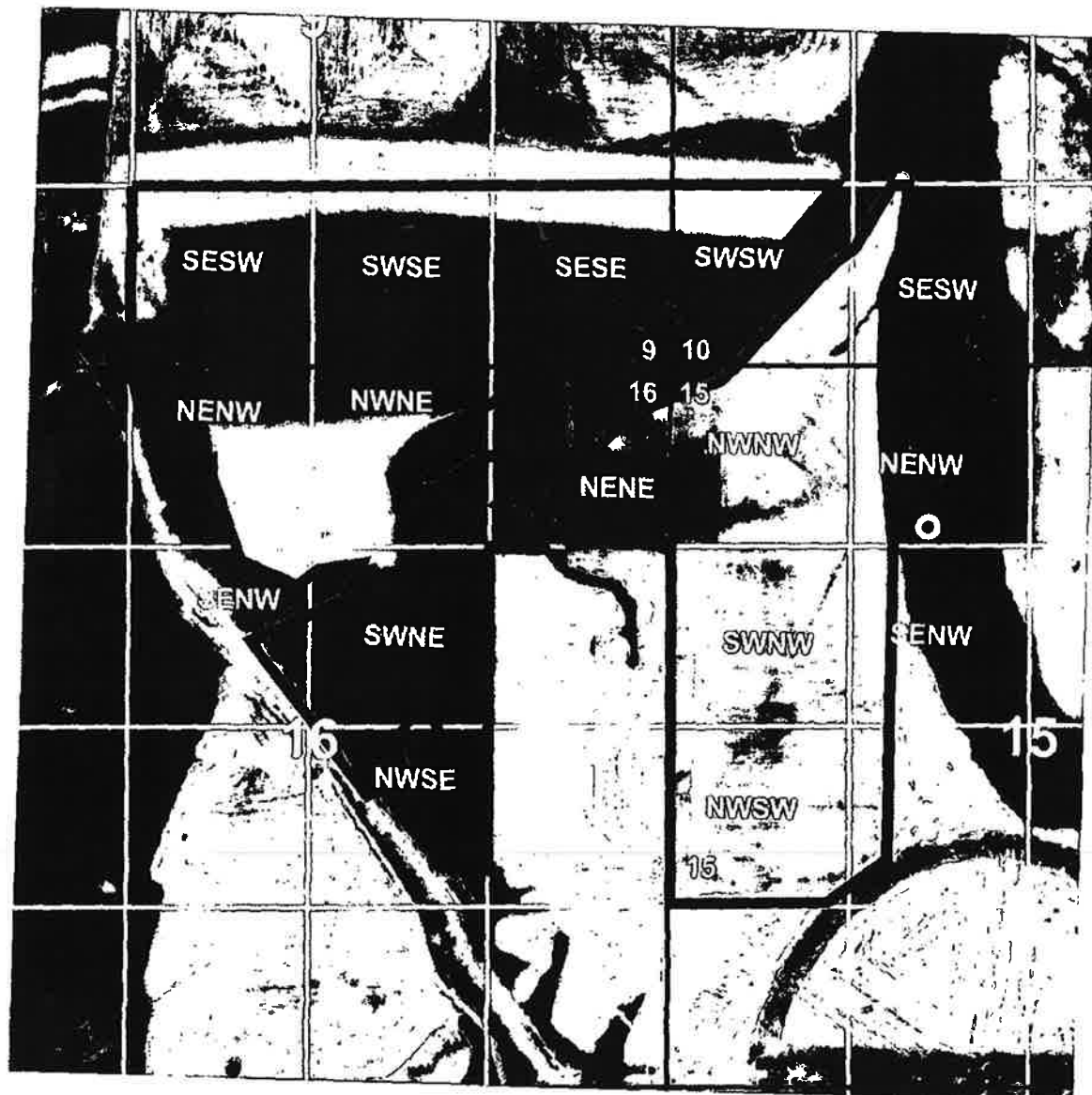
MICROFILMED
SEP 03 2003



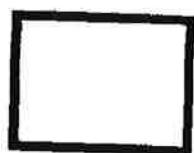
22-7470

22-7470

06N, 44E, SEC. 9,15,16,22



⊙ POINT OF DIVERSION



PLACE OF USE

MICROFILMED
SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 24 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07470

1. Owner: Mark R. Ricks

Phone No. _____

Current Address: 391 W 1200N Teton Id 83452

2. Accompanied by: _____

EXAM DATE: 8-26-1999

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: Teton River

tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 22-7188, 22-203, 22-204C

2. Other water rights with the same point of diversion: 22-7188 REDIVERSION

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NW	15	6N	44E	Teton	Field Exam/Ascs/GPS

2. Place(s) of Use:

Indicate Method of Determination

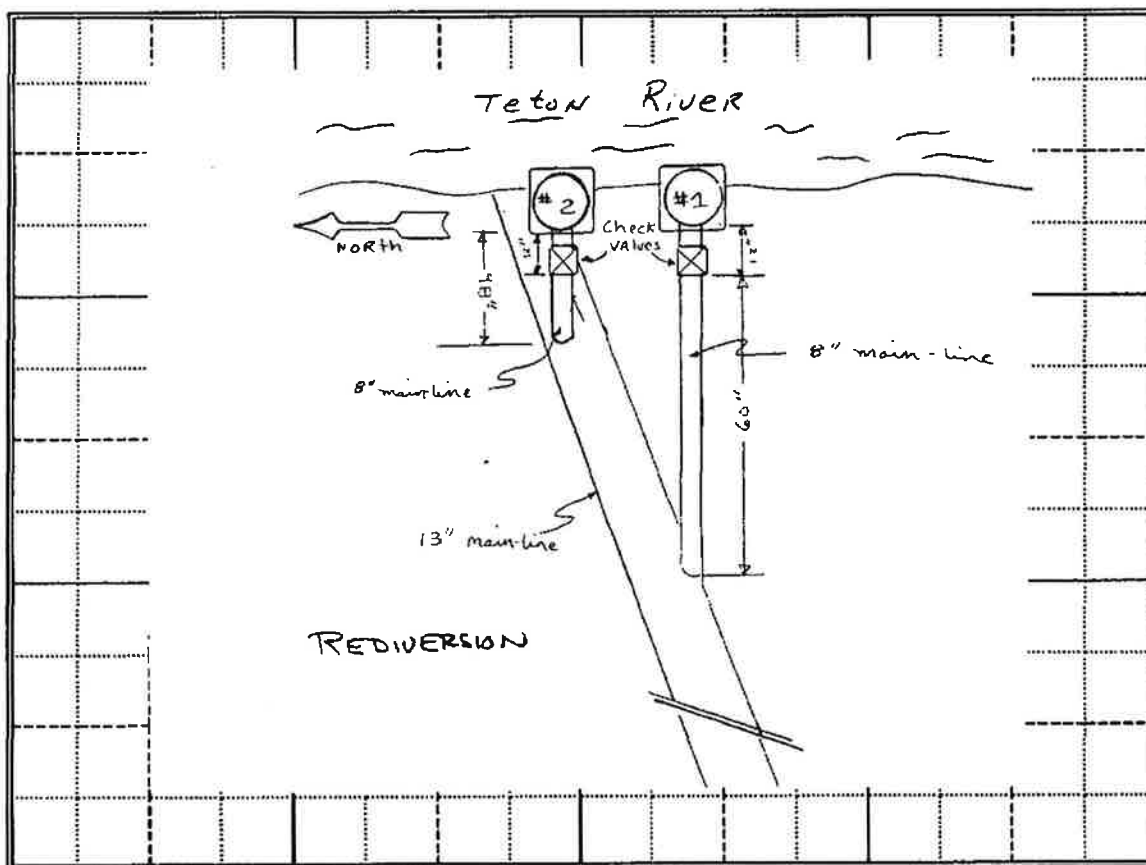
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	44E	9												40			40	40	120
		10											24	7					31
		15					8	38	40	9	7	38							140
		16	22	35	37		29			6					11				140

MICROFILMED

SEP 03 2003

431

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	GE	125	EUJ525149	Johnston	
#2	GE	125	ALJ129104	Johnston	

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: From WDOI Records 3.60 cfs = Q pump cards 1995

MICROFILMED

1995 10 20

E. NARRATIVE/REMARKS/COMMENTS

Teton River diversion w/ two pumps to 13" mainline to laterals with sprinklers

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

SEP 03 2003

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Measurement from 22-7188 - 3.60
 WDOI - pump canals 1995 - 3.60 cfs
 3.00 cfs max on this permit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 431 \times 3.5 = 1508.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.00(1.9835)(200) = 1190.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1190.1$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR.	4/15	10/31	3.00	1190.1 AF
Totals:			3.00	1190.1 AF

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

I. AUTHENTICATION

Field Examiner's Name DAVE CARLSON Date 5/20/2002

Reviewer [Signature] Date 5-20-02

SEAL

MICROFILMED

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
KARL R. DECKER
THEL W. CASPER*
SHAN B. PERRY
AMELIA A. SHEETS
DeANNE CASPERSON**

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

*Also Licensed in Utah and Arizona
**Also Licensed in Missouri & Kansas

March 10, 2004

Ernie Carlsen
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RECEIVED

MAR 11 2004

Department of Water Resources
Eastern Region

RE: Teton Pipeline Association - Claim to Water Right No. 22-7470

Dear Ernie:

We finally got Mark Ricks' signature on the SRBA Claim for water right number 22-7470 and are enclosing it with this letter.

Yours very truly,



Kent W. Foster

Enclosure

RECEIVED

159045

DEC 18 2003

TETON
CLEARING ORDER

QUITCLAIM DEED
FOR
WATER RIGHTS

THIS INDENTURE is made this 2 day of ^{Dec.}~~November~~, 2003, between Riko, Inc. by Jay C. Ricks, its President and 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 County of Teton, State of Idaho, to-wit:

<u>Water Right No.</u>	<u>Amount</u>	<u>Source</u>	<u>Priority Date</u>
22-7470	3.0 cfs	Teton River	July 21, 1983

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 # 159045

DRIGGS, TETON, IDAHO
2003-12-18 12:21:58 No. of Pages: 3
Recorded for : HOLDEN, KIDWELL, HAHN, CRAPO,
NOLAN G. BOYLE Fee: 9.00
Ex-Officio Recorder Deputy RB
Index to: DEED, QUIT-CLAIM

159045

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

Riko, Inc.

By: Jay C. Ricks
Jay C. Ricks
Its: President

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 Jay C. Ricks, known or identified to me (or proved to me on the oath of Jay C. Ricks) to be the president of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation 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: PEXBURG, ID
My commission expires: 11/24/09

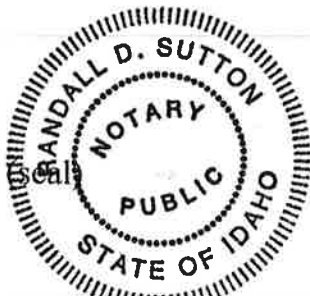
Mark R. Ricks
Mark R. Ricks

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: PEXBURG, ID
My commission expires: 11/24/09

G:\WPDATA\KYLE SMITH, BOYD\11069.001 Hoopes-Ehco Ranch\ Teton Pipeline Assoc\Quitclaim Deeds\Riko Quitclaim Deed wpd:cdv

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 -	22-7188 AJ	___	___	___	___
22-7470 -	22-7470 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
Mark R. Ricks

4. New Owner/Claimant(s)

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

RECEIVED

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)
(include title if applicable)

Mark R. Ruks

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
 Received by JC Date 12-3-02 Receipt No. E028355
 Processed by _____ AJ Date _____ WR _____ Date _____

First American Title Company

T-9609

RECEIVED

MAY 09 2002

TETON CO., ID
CLERK RECORDER

148051

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 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.
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

Index to: DEED, WARRANTY

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

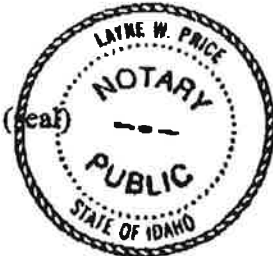
Beverly W. Ricks

Beverly W. Ricks

STATE OF IDAHO)
)ss.
County of 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 DEER
My Commission Expires: 12-31-04

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.



Layne W. Price
Notary Public for Idaho
Residing at DEER
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, Pelt, 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. RASMUSSEN
Recorded Recorder Deed Fee: \$8.00

(3pp)
Grant

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

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.



Larry W. 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.



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

3 Warranty Deed

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 22-7470
Date Received: 3/29/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

TETON PIPELINE ASSN INC Phone: (208)456-2567
PO BOX 272
TETONIA ID USA 83452

2. Date of Priority: 07/21/1983

3. Source: TETON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	44E	9	SE SW	IRRIGATION	40
			SW SE	IRRIGATION	40
			SE SE	IRRIGATION	40
				Section Acres	120

06N	44E	10	SW	SW	IRRIGATION	24
					Section Acres	24
06N	44E	15	NE	NW	IRRIGATION	8
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	9
			NW	SW	IRRIGATION	38
					Section Acres	133
06N	44E	16	NE	NE	IRRIGATION	22
			NW	NE	IRRIGATION	35
			SW	NE	IRRIGATION	37
			NE	NW	IRRIGATION	29
			NW	SE	IRRIGATION	11
					Section Acres	134
					Total Acres	411

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:

14. Remarks:

15. Basis of Claim: License

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 22-7470

Date Received _____

Receipt Number _____

R E C E I V E D

MAR 11 2004

**NOTICE OF CLAIM
TO A**

Department of Water Resources
Eastern Region

**WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s) Teton Pipeline Association, Inc. Phone (208) 456-2567

Mailing Address PO Box 272, Teton, ID Zip 83452

2. Date of Priority (Only (1) per claim) July 21, 1983

3. Source of water supply (a) Teton River

which is tributary to (b) Snake River

4.a. Location of existing point of diversion is:
Township 6N Range 44E Section 15, 1/4 of NE 1/4 of NW 1/4, Govt. Lot ,
County of Teton

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/31 amount 3 cfs or _____

7. Total quantity claimed (a) 3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe full (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	44E	9												40			40	40	120
		10											24						24
		15					8	38	40	9		38							133
		16	22	35	37		29									11			134

Total number of acres irrigated 411

11. In which county(ies) are lands listed above as place of use located? TETON

12. Do you own the property listed above as place of use? Yes No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree License X
If applicable provide IDWR Water Right Number 22-7470
Court Case Number Decree Date
Plaintiff vs Defendant

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Mark R Riips Date 3/5/04

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am PRES of _____ (Title)

Teton Pipeline Ass. (Organization), that I have signed the foregoing document in the space below as
PRES (Title) of Teton Pipeline Ass. (Organization) and that the statements contained in the foregoing document are true and correct.

Last Name _____ Ident. Number _____

Signature of Authorized Agent

Mark R. Ricks

Title and Organization

Teton Pipeline Ass

Date

3/5/04

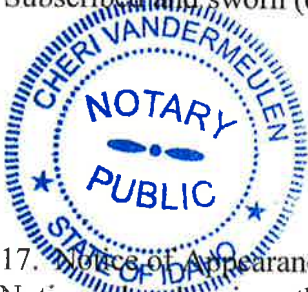
State of Idaho)

) SS.

County of

Bonneville

Subscribed and sworn (or affirmed) before me this 5th day of March, 2004.



Notary Public

Cheri Vandermeulen

Residing at

Idaho Falls

My Commission Expires

July 09

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____

Ident. Number _____