

12/13/2006

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

RIGHT NUMBER: 22-13361

NAME AND ADDRESS: RAY G RICKS & JOE ANNE RICKS TRUST
2796 E 3000 N
SUGAR CITY ID 83448

JOE ANN RICKS
2796 E 3000 N
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.080 CFS
1,020.000 AFY

Right Nos. 22-13361 and 22-13365 are limited to a total combined diversion rate of 3.08 cfs and to a total combined annual diversion volume of 1,221.8 AF.

PRIORITY DATE: 12/20/1965

POINT OF DIVERSION:

T07N R44E S24 SWNWSE Within TETON County

T07N R44E S25 NESENW Within TETON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

3.080 CFS
1,020.00 AFY

PLACE OF USE:

IRRIGATION in TETON County

T07N R44E S13	NWSE	13.00	T07N R44E S13	SWSE	20.00
T07N R44E S24	NWNE	40.00	T07N R44E S24	SWNE	40.00
T07N R44E S24	NENW	40.00	T07N R44E S24	NWNW	40.00
T07N R44E S24	SWNW	35.00	T07N R44E S24	SENW	40.00
T07N R44E S24	NESW	40.00	T07N R44E S24	NWSW	32.00
T07N R44E S24	SWSW	33.00	T07N R44E S24	NESE	40.00
T07N R44E S24	NWSE	40.00			

453 ACRES TOTAL

Right Nos. 22-13361 and 22-13365 are limited to the irrigation of a combined total of 453 acres in a single irrigation season.

This right is limited to the irrigation of 340 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 22-13365 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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

This right is a split from former right 22-2266A.



Idaho Department of Water Resources

SRBA Recommendation:

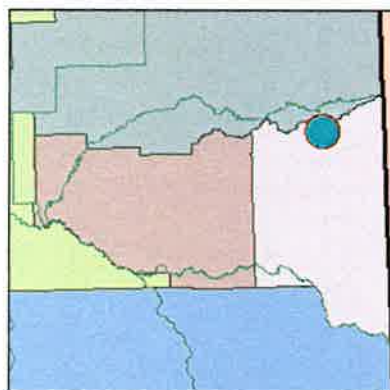
22-13361

22-13365

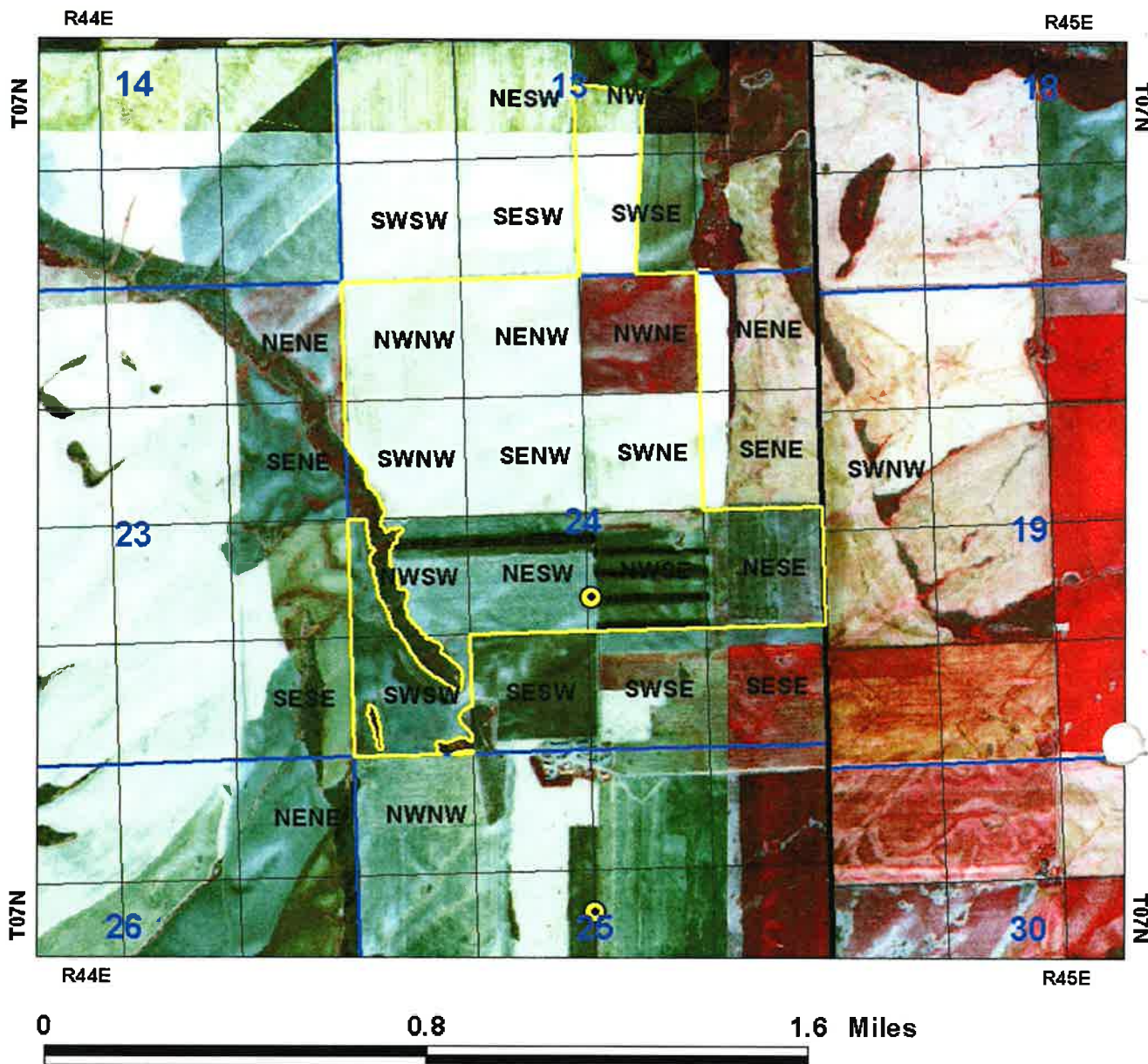
(Irrigation)

Legend

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



Teton County
IDWR Basin 22



0 0.8 1.6 Miles

Prepared by C. Moore
On Wednesday, December 13, 2006
1987/88 Aerial Photography

Owner: Bruce R Ricks

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

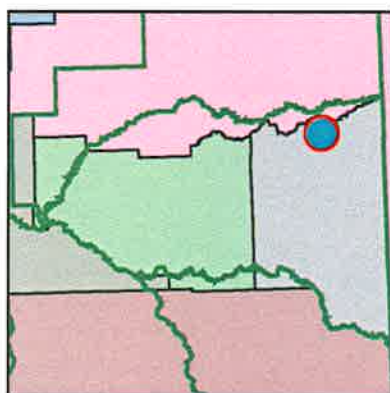
SRBA Recommendation:

22-13361

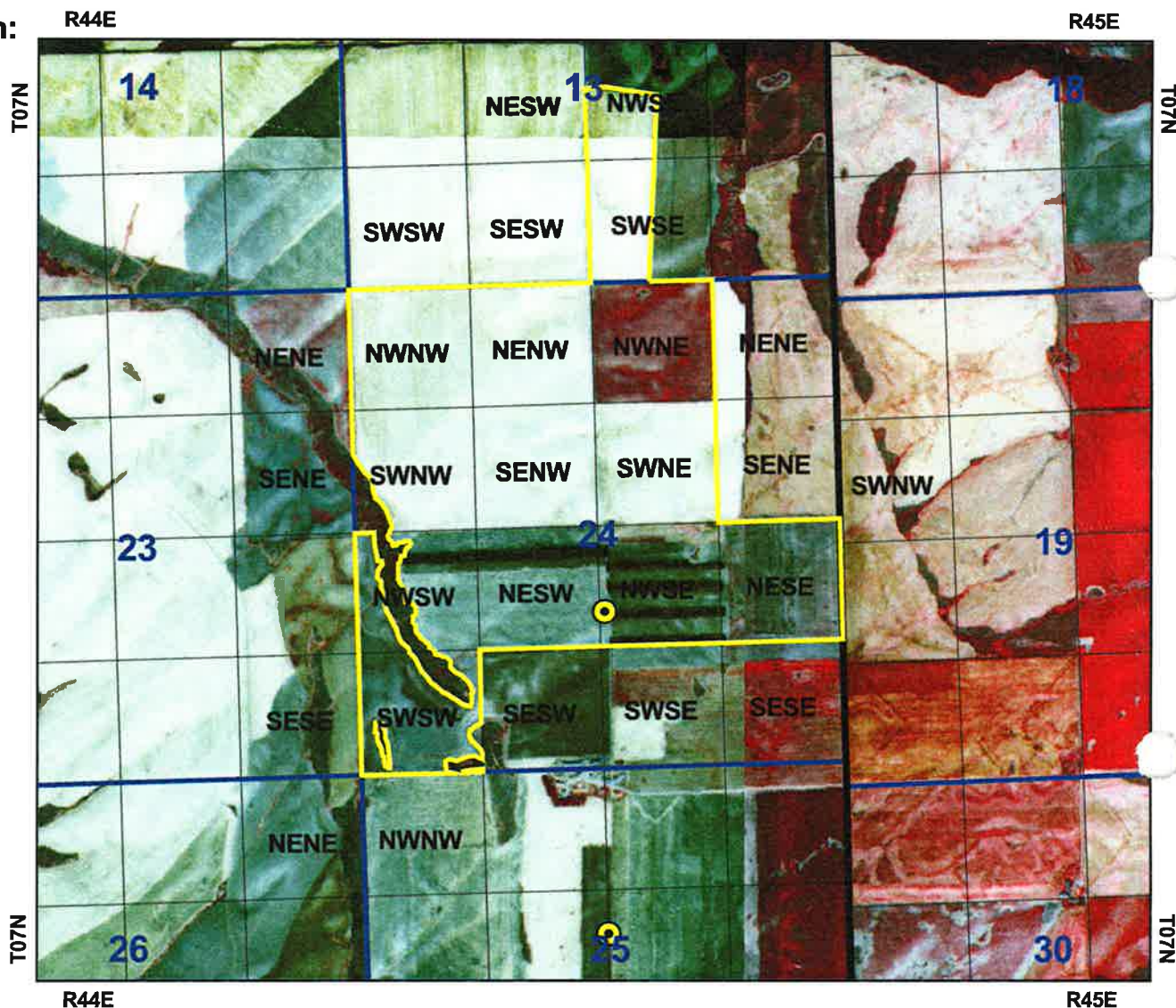
22-13365

Legend

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



Teton County
IDWR Basin 22



0 0.8 1.6 Miles

Prepared by T. Galbraith
On Friday, May 5, 2006
1987/88 Aerial Photography

5-5-06

- I called Illa Neeley and asked her about the lease of Neeley land by the Ricks. I asked her if she had any interest in the water once the lease is dissolved. She said it is their water, there has never been water rights apurtinant to that land and they have been using their own water to irrigate it. She said she has stated in the sales agreement of the land that no water rights go with the land.

TG

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13361

RAY G RICKS & JOE ANNE RICKS TRUST
2796 E 3000 N
SUGAR CITY ID 83448

JOE ANN RICKS
2796 E 3000 N
SUGAR CITY ID 83448
Telephone Number: (208) 356-6374

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

There are errors on the CFS Please review.

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-23-05

SIGNATURE: *Joe Ann Ricks*

Please print your name: Joe Ann Ricks

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*Claim 2.83 fs - Recommend 2.83 fs
Correct combined use & language - App Ac Limits*

Contacts Data Entry Form

Water Right No. 22-13361

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

See file 22-2266A for field exam.

Reviewer: _____

Date: _____

PROFILED

SCANNED

MAY 06 2005

Point of Diversion and Source Data Entry Form

Claim Number: 22-13361

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
7N	44E	24		SWNWSE	Teton	Groundwater

GPS Coordinates: _____

GPS Coordinates: _____

7N	44E	25		NESENE	Teton	Groundwater
----	-----	----	--	--------	-------	-------------

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? 22-2266B, 22-13362, 22-11578

Document how the POD and Source were verified and/or Pump and Motor data:

Field exam + 6 IS

Transfers Changing POD _____

Reviewer: _____

Date: _____

SCANNED

MAY 06 2005

Place Of Use Data Entry Form

Claim Number: 22-13361☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7N	44E	25	SE	NW	Teton		9.1	Irrigation
"	"	"	SE	NE	Teton		39	Irrigation
"	"	"	NW	SW	Teton		27	Irrigation
"	"	"	SE	SE	Teton		39	Irrigation
"	"	"	NE	SE	Teton		39	Irrigation
"	"	"	NW	SE	Teton		39	Irrigation
"	"	"	SW	SE	Teton		35	Irrigation
Total Acres							400.5	

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7N	44E	24	NW	NE	Teton		40.0	Irrigation
7N	44E	24	SW	NW	Teton		35.0	Irrigation
7N	44E	24	NE	SW	Teton		40.0	Irrigation
7N	44E	24	SW	SW	Teton		33.0	Irrigation
7N	44E	24	NW	SE	Teton		40.0	Irrigation
7N	44E	24	SW	NE	Teton		40.0	Irrigation
Total Acres							340.0	

Document how the POU was verified:

Field exam, GRS, & owner's maps.

Transfers Changing POU _____

Reviewer: _____

Date: SCANNED

MAY 06 2005

PROFILED

Period of Use and Quantity Data Entry Form

Claim Number: 22-13361☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	05/01	11/01	2.83	

Overall Diversion Rate 2.83 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	05/01	11/01	2.83	

Overall Diversion Rate 2.83 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	05/01	11/01	2.83	1122

Overall Diversion Rate 2.83 cfs Overall Diversion Volume 1122 AFA

Document how the Period of Use and/or Diversion Rate were verified:

License. 22-2266

Reviewer: _____

Date: SCANNED

PROFILED

MAY 06 2005

RECEIVED

NOV 04 1994

118113

PERSONAL REPRESENTATIVE'S DEED

TETON Co. Id.
Clark Recorder

FOR VALUE RECEIVED, the undersigned, JOE ANN RICKS, as Personal Representative of the Estate of Ray G. Ricks, deceased, the grantor, does hereby grant, bargain, sell and convey unto JOE ANN RICKS, MARK RANDALL RICKS and BRUCE RAY RICKS, Co-Trustees of the Ray G. Ricks and Joe Ann Ricks Trust, of Madison and Teton Counties, Idaho, grantees, c/o Joe Ann Ricks, 2796 East 3000 North, Sugar City, Idaho 83448, the following described premises, in Teton County, State of Idaho, to-wit:

Ray Ricks' undivided one-half interest in and to the following described property:

State of Idaho Deed No. 9778:

Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-Four (24), Township Seven (7) North, Range Forty-Four (44) East, Boise Meridian. Containing 40.0 acres, more or less.

State of Idaho Deed No. 6607:

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twenty-Four (24), Township Seven (7) North, Range Forty-Four (44) East of the Boise Meridian, containing One Hundred Twenty (120) acres, more or less.

State of Idaho Deed No. 6608:

The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Twenty-Four (24), Township Seven (7) North, Range Forty-Four (44) East of the Boise Meridian, containing Forty (40) acres, more or less.

State of Idaho Deed No. 6610:

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), the

SCANNED

MAY 06 2005

Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Section Twenty-Four (24), Township Seven (7) North, Range Forty-Four (44) East of the Boise Meridian, containing One Hundred Sixty (160) acres, more or less.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances unto the said grantees, their successors and assigns forever. The grantor does hereby represent that she is the duly appointed Personal Representative of the Estate of Ray G. Ricks, deceased, in the Magistrate's Division of the District Court of the Seventh Judicial District of the State of Idaho, in and for Madison County, Case No. SP-94-103, and makes this conveyance by virtue of the authority and power granted to her by the Uniform Probate Code of the State of Idaho, and grantor covenants to and with the grantees that the said estate is the owner in fee simple of said land, and that said land is free from encumbrances.

Dated this 2nd day of November, 1994.



Joe Ann Ricks, as Personal
Representative of the Estate of
Ray G. Ricks, deceased

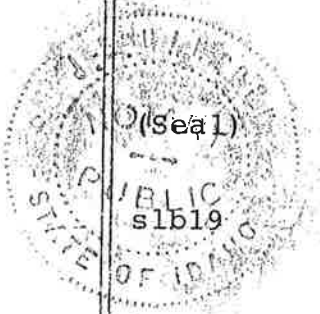
118113

STATE OF IDAHO)
 : ss.
County of Madison)

On this 2nd day of November, 1994, before me, the undersigned, a Notary Public in and for said state, personally appeared JOE ANN RICKS, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Ray G. Ricks, deceased, and acknowledged to me that she executed the same as such Personal Representative.



Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 11/25/98



118113

FILED

AT THE REQUEST OF

Smith & Hancock

AT 00 MINUTES PAST 2 M

DATE Nov 4, 1994

Asa J. Drake

CLERK OF RECORDER

BY Nora Rigby DEPUTY

Filed _____
Indexed _____
Recorded _____

SCANNED
MAY 06 2005

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 32652/22-2266 Priority Dec. 20, 1965 Amount 9.26 cfs

THIS IS TO CERTIFY, that Alfred T., Jay C., and Ray G. Ricks
of Rexburg, Idaho, have ~~not~~ complied with the terms and conditions of Permit
No. 32652/22-2266 issued pursuant to Application for Permit dated December 20, 1965,
and has submitted proof to the Department of Water Administration on November 12, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 9.26 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Sept 30</u>	at <u>9.26</u> cfs and	<u>3,374 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 9.26 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3,374 acre feet per year, said water to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 24 -and-
SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25, Twp. 7 N., R. 44 E., E. 1st Meridian in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 N	44 E	24	40	40					35	40	40	30	35	40	40	40	40	40	460
		25	40	40	40	40	36	40	40	38	38	40	40	40	40	40	37	40	618
		36							40	40	40	40							107

Total number of acres irrigated 1,185

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3rd day of January, 19 74.

Director

22-2266

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

RECEIVED

DEC 12 2006

Department of Water Resources
Eastern Region

Ident. Number 22-13361
Date Received: 3/23/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOE ANN RICKS Phone: (208) 356-6374
2796 E 3000 N
SUGAR CITY ID USA 83448

RAY G RICKS & JOE ANNE RICKS TRUST Phone:
2796 E 3000 N
SUGAR CITY ID USA 83448

2. Date of Priority: 12/20/1965

3. Source: GROUND WATER , GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	44E	25	NE SE NW	TETON	
07N	44E	24	SW NW SE	TETON	

5. Description of diverting works:

TWO WELL/ 300 HP, 660'; 250HP, 680' TO MAINLINE-SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	11/01	3.08	

7. Total Quantity Appropriated is:
3.08 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
07N	44E	13	NW	SE	IRRIGATION	13
			SW	SE	IRRIGATION	20
					Section Acres	33
07N	44E	24	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	35
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	32
			SW	SW	IRRIGATION	33
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
					Section Acres	420
					Total Acres	453

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:

This right is a split from former right 22-2266A.

This right is limited to the irrigation of 340 acres within the place of use described above in a single irrigation season.

Right Nos. 22-13361 and 22-13365 are limited to a total combined diversion rate of 3.08 cfs.

Right Nos. 22-13361 and 22-13365 are limited to the irrigation of a combined total of 453 acres in a single irrigation season.

15. Basis of Claim: License

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: _____

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): Joe Anne Ricks Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title

RAY G RICKS & JOE ANNE RICKS TRUST, that I have signed the foregoing Organization document in the space below as _____ of

_____ Title
RAY G RICKS & JOE ANNE RICKS TRUST and that the statements contained in the Organization foregoing document are true and correct.

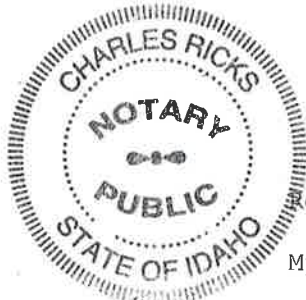
Joe Anne Ricks
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 11 of December 2006



Charles Ricks

Notary Public

Residing at SUGAR CITY

My commission Expires Oct 17 2009

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 22-13361
Date Received: 3/23/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

RAY G RICKS Phone: (208)356-6374

2796 E 3000 N
SUGAR CITY ID USA 83448

JAY C RICKS Phone: (208)356-8296

4379 W 6800 S
REXBURG ID USA 83440

ALFRED T RICKS JR Phone: (208)356-8296

4379 W 6800 S
REXBURG ID USA 83440

2. Date of Priority: 12/20/1965

3. Source: GROUND WATER Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	44E	25	NE SE NW	TETON	
07N	44E	24	SW NW SE	TETON	

5. Description of diverting works:

TWO WELL/ 300 HP,660';250HP,680' TO MAINLINE-SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	11/01	2.83	

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

8. Total consumptive use:

PROFILED

**SCANNED
MAY 06 2005**

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
07N	44E	25	SE	NW	IRRIGATION	9.1	
			SE	NE	IRRIGATION	39	
			NW	SW	IRRIGATION	27	
			SE	SE	IRRIGATION	39	
			NE	SE	IRRIGATION	39	
			NW	SE	IRRIGATION	39	
			SW	SE	IRRIGATION	35	
			NW	NE	IRRIGATION	30	
			NE	SW	IRRIGATION	34	
			NE	NE	IRRIGATION	31	
			NE	NW	IRRIGATION	6.3	
			SW	NE	IRRIGATION	39	
			SE	SW	IRRIGATION	33	
			Section Acres				
07N	45E	30	NW	SW	3	IRRIGATION	0.1
Section Acres						0.1	
Total Acres						400.5	

*Wrong Fee
Should see be
in Sec. 24*

*Not
BUNDLED*

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:

This right is a split from former right 22-2266A.

15. Basis of Claim: License

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.

PROFILED

SCANNED

MAY 06 2005

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

_____ Date: _____

State of Idaho)

County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____