



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 22, 2015

Dustin Ricks
Rochelle Ricks
546 E 2500 N
Montevieu ID 83435

RE: Notice of Change in Water Right Ownership
Water Rights: 32-13241

Dear Sir/Madam:

On May 29, 2015, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, according to the notes on file we talked to you, we discussed that according to the information received a split would be required, according to our conversation you did not think that was the case and you were going to work on getting an updated Quit Claim Deed. On September 18, 2015, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, October 22, 2015 9:11 AM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E041079.pdf

Rhea,

Good morning!!

I have a refund request as follows:

Receipt number: E041079
Amount: \$25.00
Payable to: Dustin Ricks Farms LLC
546 E 2500 N
Montevieu ID 83435

Reason: Total filing fee received \$25.00 for ownership change for 1 water right. Additional evidence of ownership is required in order for the department to complete the application. Because the application cannot be complete a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 29 2015

Notice of Change in Water Right Ownership

Department of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
32-13241	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: North Land Ranch, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Dustin Ricks and Rochelle Ricks
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 546 East 2500 North Montevue ID 83435
Mailing address City State ZIP
- (208) 657-2580 Dustyroch@live.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: May 29, 2015
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 ☐ \$25 per *undivided* water right.
 ☐ \$100 per *split* water right.
 ☐ No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.
8. Signature: Dustin Ricks member 5/29/2015
Signature of new owner/claimant Title, if applicable Date
- Signature: Rochelle Ricks member 5/29/2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Refund Request Submitted 10/22/2015

Received by [Signature] Date 5-29-2015 Receipt No. EO41079 Receipt Amt. 25.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

QUITCLAIM DEED

For Value Received, North Land Ranch, Inc., an Idaho corporation, Grantor, does hereby quitclaim and convey unto Dustin Ricks and Rochelle Ricks, husband and wife, Grantee, of 546 East 2500 North, Montevue, Idaho 83435, and to Grantee's successors, and assigns forever, all of the following Water Right:

<u>Water Right No.</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Tract</u>	<u>Acres</u>	<u>County</u>
32-13241	09N	33E	23	SWSW	39.5	Clark
				SESW	40	Clark
				SWSE	40	Clark
			26	NENW	40	Clark
				NWNW	38.5	Clark
				SWNW	40	Clark
			27	NESE	39.6	Clark

29th IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this day of May, 2015.

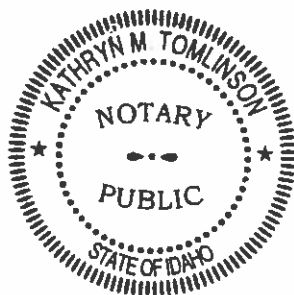
NORTH LAND RANCH, INC.

By: George S. Hansen
George Hansen, President

STATE OF IDAHO)
 Jefferson: ss
County of Madison)

On this 29 day of May, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared George Hansen, President of North Land Ranch, Inc., an Idaho corporation, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same on behalf of said corporation.

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



Kathryn M. Tomlinson
Notary Public for Idaho
Residing at: Terreton, ID
My Commission Expires: 9-4-15

QUITCLAIM DEED

For Value Received, North Land Ranch, Inc., an Idaho corporation, Grantor, does hereby quitclaim and convey unto Dustin Ricks and Rochelle Ricks, husband and wife, Grantee, of 546 East 2500 North, Montevue, Idaho 83435, and to Grantee's successors, and assigns forever, all of the following Water Right:

<u>Water Right No.</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Tract</u>	<u>Acres</u>	<u>County</u>
32-13241	09N	33E	23	SWSW	7.5	Clark
				SESW	8	Clark
				SWSE	8	Clark
			26	NENW	8	Clark
				NWNW	6.6	Clark
				SWNW	8	Clark
			27	NESE	7.5	Clark

29th IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this day of May, 2015.

NORTH LAND RANCH, INC.

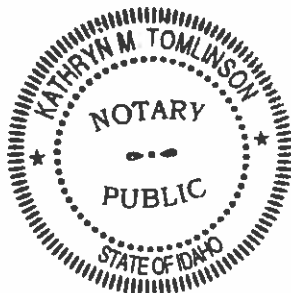
By: George Hansen Pres.
George Hansen, President

STATE OF IDAHO)

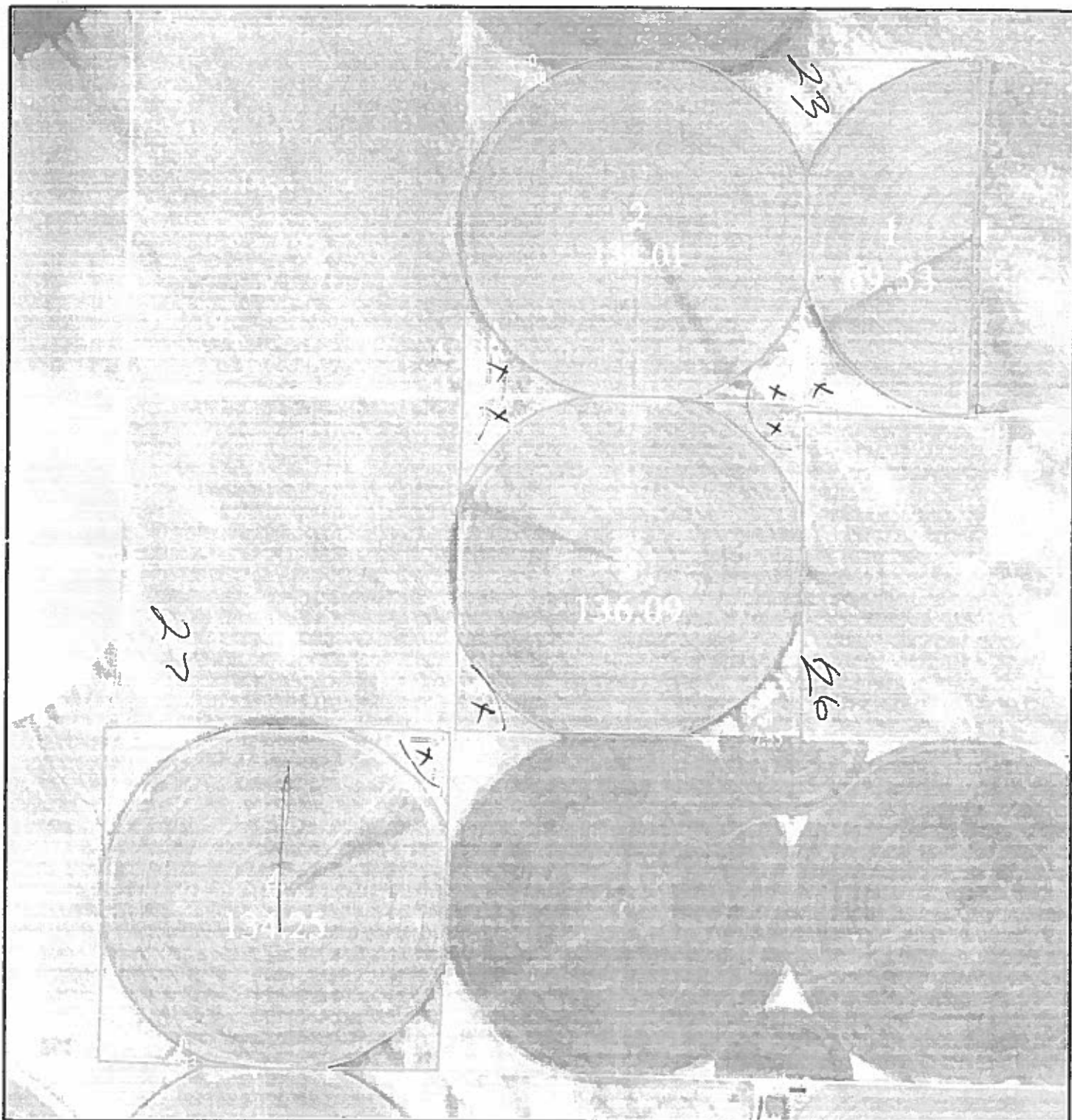
Jefferson SS
County of Madison)

On this 29 day of May, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared George Hansen, President of North Land Ranch, Inc., an Idaho corporation, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same on behalf of said corporation.

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



Kathryn M. Tomlinson
Notary Public for Idaho
Residing at: Teton, ID
My Commission Expires: 9-4-15



USDA United States Department of Agriculture
Farm Service Agency



FARM 734
TRACT 872
DUSTIN J RICKS
23,26,27-9-33

Digital Orthophotography
Not to Scale

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

5/26/2015

WATER RIGHT NO. 32-13241

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORTH LAND RANCH INC C/O GEORGE L HANSEN 626 E 2700 N MONTEVIEW, ID 83435
Original Owner	SNAFFLE BIT LAND & LIVESTOCK CO

Priority Date: 10/03/1988

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.83 CFS	187.6 AFA
Total Diversion			0.83 CFS	

Location of Point(s) of Diversion:

GROUND WATER | SENWNW | Sec. 26 | Township 09N | Range 33E | CLARK County

IRRIGATION Use:

Acre Limit: 53.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	33E	23		NESW	33		NWSW	33		SWSW	39.5		SESW	40
				NWSE	32		SWSE	40						
		26		NENW	40		NWNW	38.5		SWNW	40		SENW	32
		27		NESE	39.6		NWSE	31		SWSE	32		SESE	31

Total Acres: 501.6

Conditions of Approval:

1. X27 This right is limited to the irrigation of 53.6 acres within the place of use described above in a single irrigation season.
2. X35 Rights 32-13241 and 32-13242 when combined shall not exceed a total diversion rate of 7.75 cfs, a total annual maximum diversion volume of 1,755.6 af at the field headgate, and the irrigation of 501.6 acres.
3. C18 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.

Dates:

Licensed Date:

Decreed Date: 09/17/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 501.6

Combined Volume Limit: 1755.6

Combined Rate Limit: 7.75

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/26/2015

WATER RIGHT NO. 32-13242

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DUSTIN RICKS
Current Owner	ROCHELLE RICKS 546 E 2500 N MONTEVIEW, ID 83435 (208)657-2580
Original Owner	R REED RICKS
Original Owner	SNAFFLE BIT LAND & LIVESTOCK CO 8432 E MANGUN RD MESA, AZ 85207-1349 (208) 657-2502

Priority Date: 10/03/1988

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	6.92 CFS	1568 AFA
Total Diversion			6.92 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENWNW|Sec. 26|Township 09N|Range 33E|CLARK County

IRRIGATION Use:

Acre Limit: 448

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09N	33E	23		NESW	33		NWSW	33		SWSW	39.5		SESW	40
				NWSE	32		SWSE	40						
		26		NENW	40		NWNW	38.5		SWNW	40		SENW	32
		27		NESE	39.6		NWSE	31		SWSE	32		SESE	31

Total Acres: 501.6

Conditions of Approval:

1. X27 This right is limited to the irrigation of 448.0 acres within the place of use described above in a single irrigation season.
2. X35 Rights 32-13241 and 32-13242 when combined shall not exceed a total diversion rate of 7.75 cfs, a total annual maximum diversion volume of 1,755.6 af at the field headgate, and the irrigation of 501.6 acres.
3. C18 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.

Dates:

Licensed Date:

Decreed Date: 09/17/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 501.6

Combined Volume Limit: 1755.6

Combined Rate Limit: 7.75

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close