

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Top 5N.

Well

5

Page 40E

JAN 06 1983

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Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Philip Ricks
General Partner (Applicant)

1714-1715



4

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

Photo of Diversion and System Attached

N/A

pond

ASU

N/A

Measurements: _____

10-11-68

JAN 21 1993

14. MED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07557

Priority: August 24, 1988

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that RICKS BROTHERS

2958 S 1400 W

REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 24, 1988; and has submitted Proof of Beneficial Use on January 2, 1990. An examination indicates that the works have a diversion capacity of .020 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>
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 5, Township 05N, Range 40E
MADISON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

05N 40E 5 NWSW

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 which 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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Commercial use is for a potato cellar.

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 15TH day of DECEMBER, 1992.

RECEIVED

Acting for R. Keith Higginson, Director

JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-7557

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Ricks Bros Phone 356-6604
Post office address 3246 S 1400 West Rexburg, ID 83440.
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 5 Township 5N Range 40E B.M. Madison County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 for Commercial purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, connecting water lines
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. ~~Proposed~~ Existing well diameter is 6 inches; ~~proposed~~ Existing depth of well is 310 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the _____ is
_____ years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. cellar humidity

JAN 06 1989

WICKOLI MED

9. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	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	
5N	40E	5										C							

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? Lucille Ricks

b. Who owns the land to be irrigated or place of use? " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. leasing ground from mother

12. Remarks: Well was drilled in August 1984 to provide water for humidifier. It has been used each year since then. Partners are Philip, Paul & Sherwood Cas per tele-con 9-8-88 HWT)

WICKOLI MED

JAN 06 1989

Proposed Priority 8/24/88

Received by EMC Date 24 Aug 88 Time 11:50 Preliminary check by T.O.

Fee \$ 30.00 Received by EMC # E001674 Date 24 Aug 1988

Publication prepared by DG Date 9-28-88 Published in 10-26-88 10-23-88 Rexburg Standard-Jrn 1

Publication approved OK Date 11-09-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 22-7557, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 19th day of December, 1988.

J. Allen Saxton

MICROFILMED
JAN 06 1989

RECEIVED

THE STANDARD-JOURNAL NOV 4 1988
Rexburg, Idaho Department of Water Resources
AFFIDAVIT OF PUBLICATION Eastern District Office

STATE OF IDAHO
County of Madison

I, Terry Weatherston being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison county, Idaho; and I do solemnly swear that the

Notice Of Application a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for Two consecutive issues, the first publication having been made on October 6, 1988 and the last publication having been made on October 13, 1988

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

Subscribed to and sworn to before me

This October 14, 1988

[Signature]
(SEAL) Notary Public.

My commission expires June 8, 1993

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

22-07551
T.R. WEBSTER & SONS, INC.
309 YALE AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: NENW Sec. 26 T 05N R 40E
Use: COMMERCIAL (.040 CFS), DOMESTIC (.040 CFS)
Date Filed: 8/25/1988
In: T05N R40E S26 NENW

22-07552
TANNER, NYLE
2245 S. 2000 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: LOT 4 (SWSWNW) Sec 1 T 05N R 39E
Use: IRRIGATION (.110 CFS), COMMERCIAL (.110 CFS), DOMESTIC (.040 CFS)
Date Filed: 9/13/1988
In: T05N R39E S01 SWNW 5.5 ACRES TOTAL

22-07553
HUSKINSON, ROBERT D.
HUSKINSON, SUE R.
1082 N. HILL ROAD
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: SESW Sec 13 T 06N R 40E
Use: IRRIGATION (3.000 CFS)
Date Filed: 8/25/1988
In: T06N R40E S13 NESW NWSW SWSW SESW NESE NWSE SWSE SESE 253.0 ACRES TOTAL

22-07554
SMITH, BLAINE
SMITH, GARRY
2082 W. 5200 S.
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: NENW Sec 24 T 05N R 39E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/08/1988
In: T05N R39E S24 NENW

22-07555
WHITE, ROBERT L.
WHITE, LINDA
Rt. 13 Box 10
SUGAR CITY, ID 83448
Source: GROUNDWATER
Diversions Pt: SENE Sec 8 T 06N R 40E
Use: COMMERCIAL (.020 CFS), DOMESTIC (.020 CFS)
Date Filed: 8/24/1988
In: T06N R40E S08 SENE

22-07556
WEBSTER, KEVIN
P.O. BOX 321
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: NWNWSE Sec 16 T 05N R 40E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/24/1988
In: T05N R40E S16 NWSE

22-07557
RICKS BROS.
3248 S. 1400 W.
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: SWNWSW Sec 5T 05N R40E
Use: COMMERCIAL (.020 CFS)
Date Filed: 8/24/1988
In: T05N R40E S05 NWSW

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JAN 06 1989

Diversion Pt: NWSWSW Sec 17 T06N
R 40E
Use: COMMERCIAL (.040 CFS)
Date Filed: 8/30/1988
In: T06N R40E S17 SWSW

22-07560

DAVIES, DEAN
KING, RICKY
ZOLLINGER, TOM
1800 W. 5500 S.
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: SWSWNE Sec 24 T 05N

R 39E

Use: DOMESTIC (.030 CFS)

Date Filed: 8/25/1988

In: T05N R39E S24 SWNE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 24, 1988.

R. KEITH HIGGINSON
Director

Publ. Oct. 6 and 13, 1988.

22-07558
LEISHMAN ELECTRIC
442 S. 4th E.
REXBURG, ID. 83440
Source: GROUNDWATER

RECEIVED
OCT 10 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 16, 1992

RICKS BROTHERS
2958 S 1400 W
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07557

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED

JAN 21 1993

LICENSE REVIEW CHECKLIST

Permit # 22-07557

Date 11-27-92
AS

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance _____
	☐	☒	Order to Reinstate Needed? _____
TOTAL CFS	☐	☒	No Fee Paid
	☒	☒	Incorrect Fee for rate recommended?
	☒	☒	Disagree with Actual Measurement?
	☒	☒	<u>.02 cfs (COMM)</u>
	☒	☒	Disagree with Theoretical? <u>No Info</u>
	☒	☒	Limited by Capacity? <u>.02 cfs (Assumed)</u>
TOTAL VOLUME			Rate/ac _____ AFA Irr. Season _____
			Standard Irr. Season _____
			Season Recommended _____
	☒	☒	Disagree with Examiner's Calculations?
	☒	☒	<u>.6 afa (COMM)</u>
	☒	☒	Limited by Flow? _____
SOURCE	☒	☒	Changes? Clarification of <u>Originally</u>
	☒	☒	<u>Intended</u> source _____
	☒	☒	Notice of Intent to Void.
P/D	☒	☒	Verify with Map
	☒	☒	Amendment Needed? _____
	☒	☒	Is Overlap Analysis a Consideration?
P/U	☒	☒	Verify with Map
	☒	☒	Amendment Needed? _____
	☒	☒	Is Overlap Analysis a Consideration?
USES	☒	☒	Change(s) in Nature of Use? _____
	☒	☒	Amendment Needed? _____
REMARKS	☒	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☒	Non-Irr. Uses <u>COMM/Potato Cellar</u>
	☒	☒	Special Overlap Condition _____
	☒	☒	Other _____
CONDITIONS	☒	☒	Measuring Device
	☒	☒	W/Master Control
	☒	☒	Overlap
	☒	☒	Water Quality
			DATES/MISC
			Water Dist. _____
			App Rec'd _____
			Exam Made _____
COMMENTS/MEMOS NEEDED: _____			

License ☒ 10-Day _____ 15-Day _____ Special Correspondence _____			

DATE: 11/27/92
PAGE: 1

Audit: 11/27/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☒ SRBA Attachment A Submitted to Adjudication Section
- ☒ SRBA Claim Check Received _____ (initial & date)
☐ N/A ☐ Applicable, See Attachment A _____
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index _____ (initial & date)
- ☒ Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
- ☒ Check of P/U index _____ (initial & date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
- ☐ Scheduling Letter Sent? _____ (initial & date)
- ☐ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Copy of SRBA Claim Verification Sheet / ☐ Original Returned to
Adjudication Section

C. Review and Processing:

- Exam Completed 12/10/92 (signature of examiner & date)
- Exam Reviewed by Senior Water Resource Agent Kaw 11/17/92 (initial & date)
- Exam Reviewed by Manager of Regional Office _____ (initial & date)
- Exam Sent to State Office _____ (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 20 1992

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-07557

1. Owner: Ricks Bros. Phone No. 356-6604

Current Address: 3246 S. 1400 W., Rexburg, ID 83440

2. Accompanied by: - EXAM DATE: 8-26-92

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

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
		SW	NW	SW	5	5N	40E	MADISON	USGS, NAPP

2. Place(s) of Use:

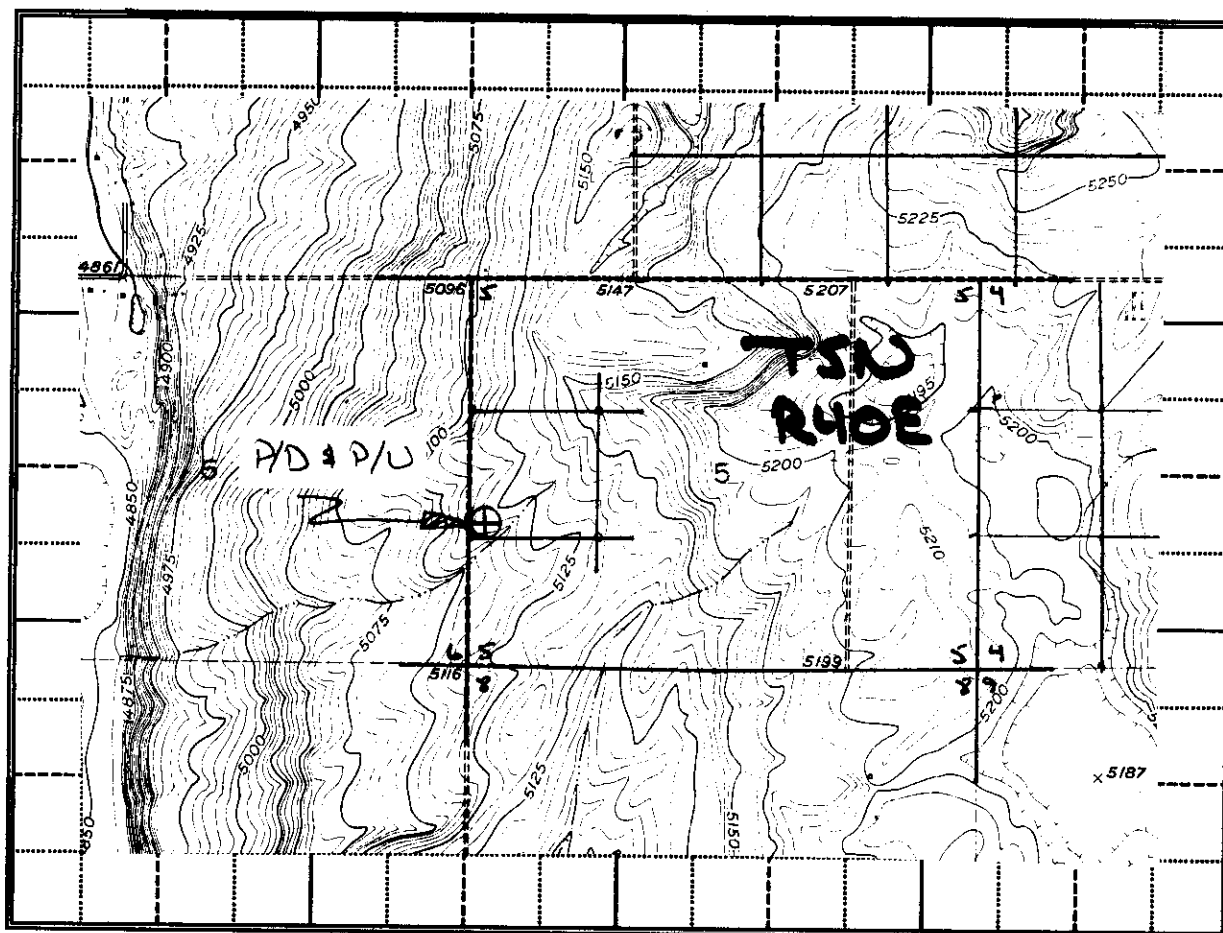
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	40E	5									C								

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JAN 21 1993

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 Quadrangle 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
N/A					

*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
N/A						

2. Measurements:

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JAN 21 1993

E. NARRATIVE/REMARKS/COMMENTS

WELL WITH SUBMERSIBLE PUMP TO ONE SPUD CELLAR FOR USE IN
HUMIDIFIERS.

FIELD VERIFICATION

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

MISSOURI DEP

JAN 21 1993

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

De Minimus Commercial - 0.02 cfs**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

De Minimus Commercial - 0.60 afa**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Commercial</u>	<u>1/1</u>	<u>12/31</u>	<u>0.02</u>	<u>0.60</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.02</u>	<u>0.60</u>

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. AUTHENTICATIONField Examiner's Name Don R. Meyer Date 11-13-92Reviewer Keith C. Wilson Date 17 Nov 92

SEAL

RECORDED

JAN 21 1993

March 9, 1990

RICKS BROTHERS
3246 S. 1400 W.
REXBURG, ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07557

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

MAR 20 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7557

Date: 2-28-90

General Considerations:

4 Name same as permit
4 Signature the same as permit holder
4 Address change _____ If yes, prepare a data entry
4 Proof received timely _____
_____ Reinstated

Source of Water:

~~4~~ Surface water
4 Groundwater
_____ 1. well log in file - *well drilled in 1984*
N/A 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

4 Rate of diversion appropriate for uses
4 Is rate or volume and fee appropriate?
4 Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks: *Well drilled in 1984*
Proof acceptable

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

JAN 2 1990

no fee incl.
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 22-07557 Telephone No. 356-6168

Name(s) of Permit Holder(s): Ricks Brothers

Post Office Address: 2958 So. 1400 W. Rexburg, Idaho 83440

Source of Water: ground water

If ground water, well driller's name: HIGH PLAINS DRILLING Date drilled: summer of 1984
MARCUS FRANDSEN

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other cellar well for
running humidifier

Total rate and/or volume for which proof is submitted 0.02 cfs 0-4 acre/feet

Show date water was first diverted and beneficially used under this permit: summer of 1984

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

Fee Enclosed: \$ none (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Sherwood J. Ricks 356-6168
Name Telephone No.

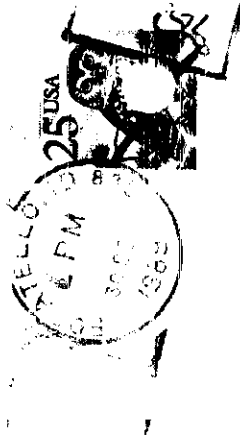
2958 So. 1400 West, Rexburg, Id. 83440
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED
MAR 20 1990

12/30/89
Date

Sherwood J. Ricks (Partner - Ricks Brothers)
Signature (and title if on behalf of a company or organization)



State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse mail
Boise, Idaho

83720

)

138764

October 31, 1989

RICKS BROTHERS
3246 S. 1400 W.
REXBURG, ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07557

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 20 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 21, 1988

RICKS BROS.
3246 S. 1400 W.
REXBURG, ID 83440

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 22-07557

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS:sc
Enclosures

RECEIVED

JAN 06 1989

Shawnee
Paul

TO

Dist. for staffing dy 7-1-88
submitted for adv. ALT 9-8-88

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DCMI EXEMPT

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY T. OLENICHAK DATE 9/2/88 APPLICATION NUMBER 22-7557

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE Director, officers, & other partners.
Date Requested NOV 21 1988

RECEIVED

Department of Water Resources

PROCESSING

☒ Yes ☒ No Form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 10-24-88
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 8-24-98
By HWJ Date 11-15-98

STATE OFFICE REVIEW

P05, P16 04

☐ See below for additional information
By KW Date 12/14/88

ADDITIONAL INFORMATION

App. describes an existing well -

October 31, 1988

The Rexburg Standard-Journal
P.O. Box 10
Rexburg, Idaho 83440

RE: Application No. 22-07557 Ricks Brothers

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on October 6, and October 13, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Rita Bodell
Office Secretary

MICROFILMED

JUN 14 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 30, 1988

Ricks Bros
32465 S 1400 W
Rexburg, ID 83440

RE: Application for Permit No. 22-07557

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 22-07557. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the REXBURG STANDARD-JOURNAL. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/rb

MICROFILMED

JAN 06 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 28, 1988

THE REXBURG STANDARD-JOURNAL
P.O. BOX 10
REXBURG, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 24, 1988.

Yours truly,

Deena Green
Secretary

Encl.

MICROFILMED

JAN 06 1989

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED

JAN 06 1989

22-07557

RICKS BROS
3246 S 1400 W
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: SWNWSW Sec 5 T 05N R 40E

Use: COMMERCIAL (.020 CFS)

Date Filed: 8/24/1988

In: T05N R40E S05 NWSW

MICROFILMED
JAN 06 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before OCTOBER 24, 1988.

R. Keith Higginson, Director

Published 10/06/1988 & 10/13/1988

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JAN 06 1989