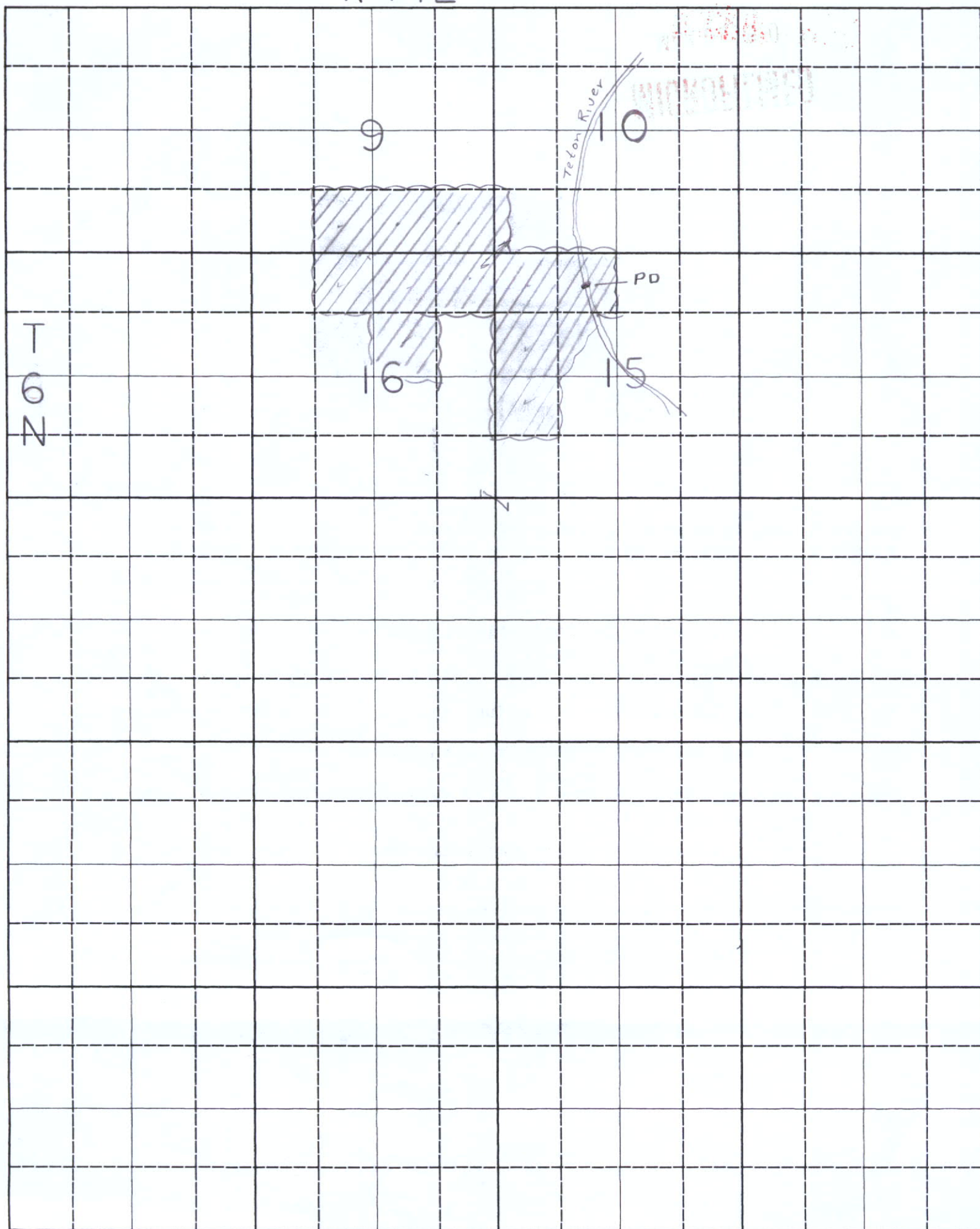


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R44E



Scale: 2 inches equal 1 mile.

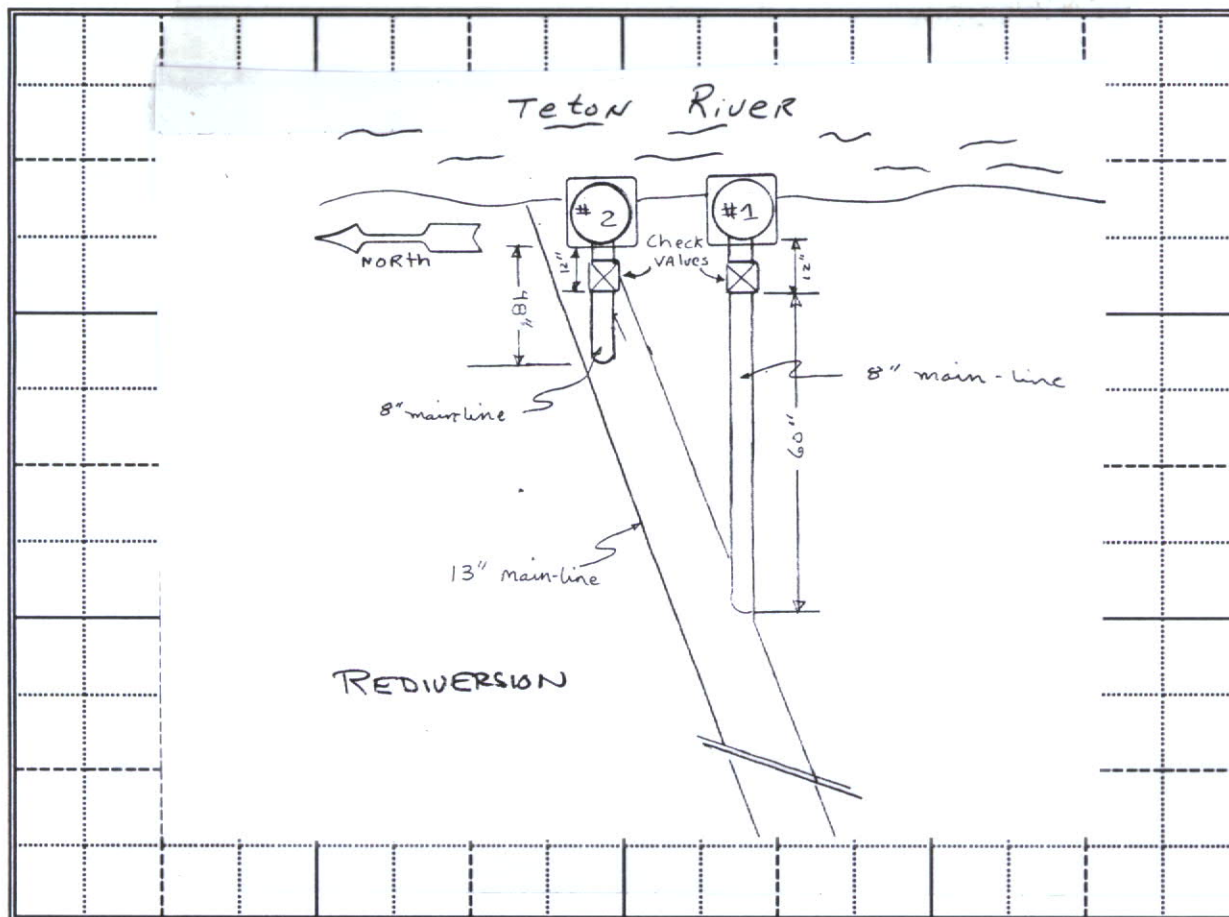
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

MAR 09 1990

Jay C. Glicks Pres.
(Applicant)

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
#1	GE	125	ENJ525149	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

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SEP 03 2003

22-7470

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



POINT OF DIVERSION



PLACE OF USE

MICROFILMED
SEP 03 2003





22-7470 Pod// 2 pumps DEARLSON
in Teton River 5/17/2002

MICROFILMED
SEP 03 2003

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.

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SEP 03 2003

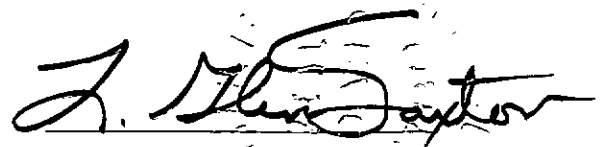
State of Idaho
Department of Water Resources
Water Right License

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

11/99

RECEIVED

FEB 6 2003

For Office Use Only
\$25 filing fee 25
Receipt # E028355
Date 12-3-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, RIKO, Inc., hereby assign to Teton Pipeline Association, Inc.
of, Post Office Box 272, Tetonia, Idaho 83452
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 22-7470 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 14th day of June, 2002

Jay C. Riker

Permit Holder(s)

State of Idaho)

)ss

County of Teton)

On this 14th day of June, 2002, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Tetonia, Idaho

SEAL

My commission expires: 02-12-06



MICROFILMED
SEP 03 2003

11/99

RECEIVED

FEB 26 2003

For Office Use Only
\$25 filing fee _____
Receipt # _____
Date _____

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Mark R. Ricks, hereby assign to Teton Pipeline Association, Inc.
of, Post Office Box 272, Teton, Idaho 83452
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 22-7470 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 14th day of June, 2002.

Mark R. Ricks
Permit Holder(s)

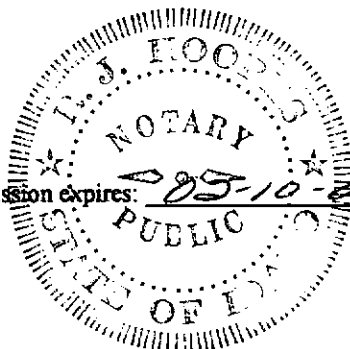
State of Idaho)
)ss
County of Teton)

On this 14th day of June, 2002, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at

SEAL

My commission expires: 05-10-04



NOTARY PUBLIC

SEP 03 2003

RECEIVED

JAN 25 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only
Amt. of Fee \$ 150.00
Date 1/25/90
Receipt No. CW004
Received by CD14210
NO. 2-7-90

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. P22-07470 Telephone No. (208) 356-5028Name(s) of Permit Holder(s): MARK R. RICKS JAY C. RICKSPost Office Address: 259 So. 3rd E. Rexburg, ID 83440Source of Water: Teton River

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 460 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 3.00 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: July 21, 1983

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 ___ NoFee Enclosed: \$ 150. (See License Examination Fee Schedule)

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

JAY C. RICKS
Name(208) 356-5028
Telephone No.259 So. 3rd E. 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.

MAR 09 1990

1/23/90
DateJay C. Ricks
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 22-07470

Proposed Priority: July 21, 1983

Maximum Diversion Rate:

3.00 CFS

This is to certify, that **MARK R. RICKS**
RIKO INC.
259 S. 3RD E.
REXBURG, ID 83440

has applied for a permit to appropriate water from:

TETON RIVER

tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW Sec. 15, Township 06N, Range 44E
TETON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	44E	9	SESW 40	SWSE 40	SESE 40	120
		10	SWSW 20			20
		15	NENW 40	NWNW 40	SWNW 40	
			SENW 10	NWSW 40		170
		16	NENE 35	NWNE 35	SWNE 40	
			NENW 40			150

Total number of acres irrigated: 460

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1992**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
5. No water may be diverted under this permit until adequate supplemental water is obtained for the irrigation season when the natural flow is not available.
6. Use of water under this permit is subject to control by the watermaster of State Water District No. 01.

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MAR 09 1990

Permit To Appropriate Water

NO. 22-07470

CONDITIONS/REMARKS:

7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this

3rd day of January, 1990

for *R. Keith Higginson*
R. Keith Higginson, Director

MICROFILMED

MAR 09 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mark R. Ricks &/or Riko, Inc. Phone 356-5028

Post office address 259 South Third East, Rexburg, ID 83440

2. Source of water supply Teton River which is a tributary of SNAKE RIVER

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 6N

Range 44E B.M. Teton County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.00 cfs for irrigation purposes from 4/1 to 11/1 (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:

a. 3.00 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two 125 hp pumps, mainline
and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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MAR 09 1990

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	44E	9												40			40	40	120
		10											20						20
		15					40	40	40	EH 10		40							170
		16	35	35	State 40	State 40													150

Total number of acres to be irrigated 460

c. Describe any other water rights used for the same purposes as described above. Permit No. 22-7188 exhchange well, transfer

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant, Echo Ranch, State of Idaho
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing 10 acres of land is leased from Earl Hoopes and State of Idaho

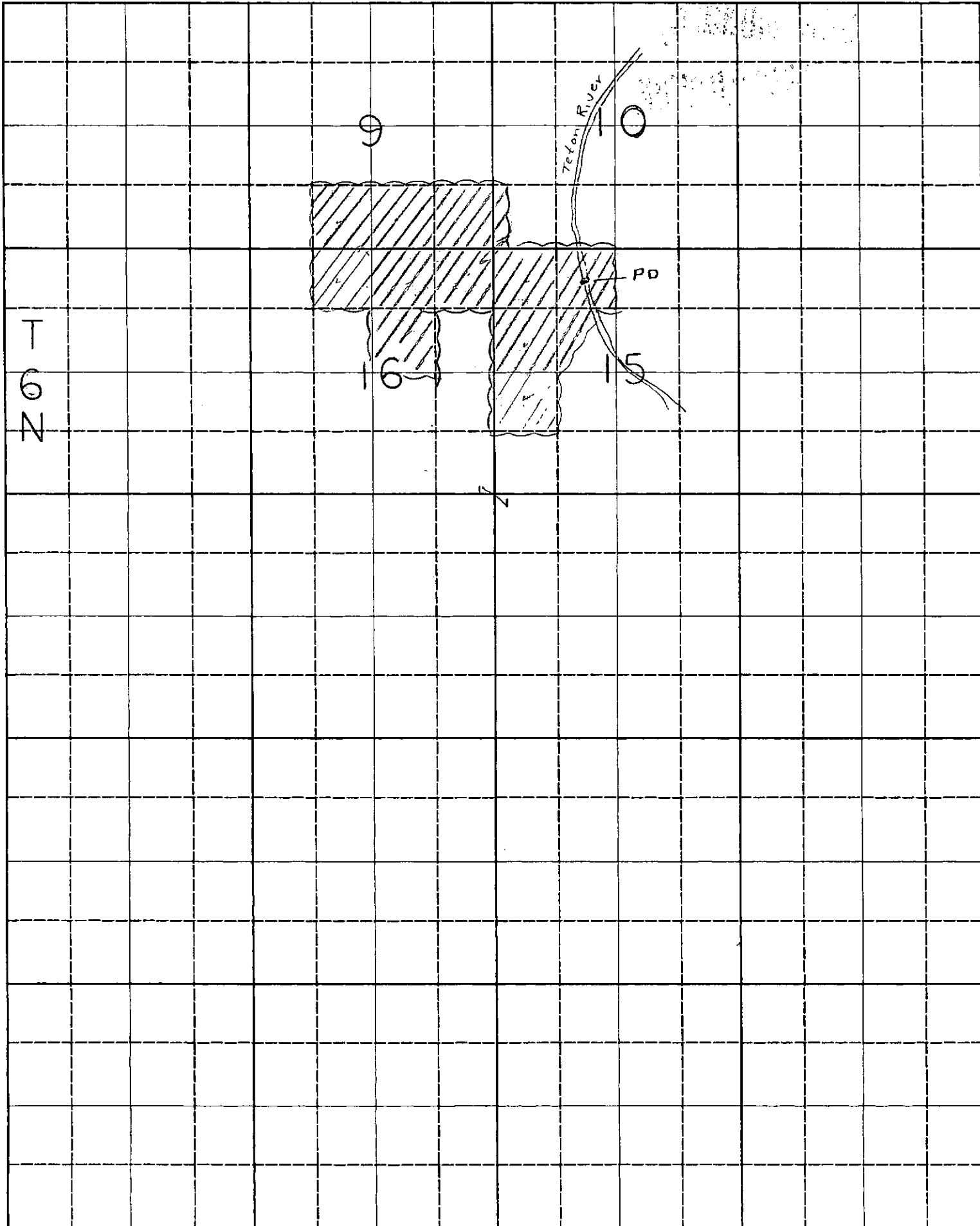
10. Remarks Applicants wish to use unappropriated water from the Teton River during times it is available.

RECORDED

MAR 09 1990

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

R44E



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.

MICROFILMED

MAR 09 1990

Jay C. Glicks Pres.
(Applicant)

Received by RBC Date 7/21/83 Time _____
Preliminary check by HWS Fee \$ 85.00
Receipted by BP Date 7/21/83 # 29353
Publication prepared by RB Date _____
Published in Teton Valley News
Publication dates 9-7 & 14-89
Publication approved WJ Date 9-22-89
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by HWS

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. Other:

MICROFILMED

MAR 09 1990

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Nadine Lorne,
 being first duly sworn depose and
 say that I am the Secretary
 of the Teton Valley News, a
 newspaper as defined by Idaho
 Codes Annotated, Section 58-106,
 as amended, and that said
 newspaper is a weekly newspaper
 printed and published at Driggs, in
 Teton County, Idaho, having a
 general circulation in said county,
 and that said newspaper has been
 printed in said county for more
 than 75 consecutive weeks prior to
 the first publication of the attached
 notice, advertisement or
 publication of

Notice of Application
for Water Right
 And affiant further says that
 said attached notice, adver-
 tisement, or publication, as per
 clipping attached, was published in
 said newspaper, in the regular and
 entire issue thereof, and not in any
 supplement issue thereof, for two
 consecutive issues thereof; first
 publication having been made on
 the 17 day of Sept., 1989.

And affiant further says that at
 the times herein mentioned said
 newspaper was made up of at least
 eight pages of at least five columns
 each, printed from type matter, of
 at least sixteen inches long.

Nadine Lorne

Subscribed in my presence and
 sworn to before me this 17 day of
September, 1989.
 I, Edith Notary Public for the state
 of Idaho, residence and postoffice
 address, Driggs, Idaho.

Edith
 My Commission expires
Life
19

NOTICE OF APPLICATION FOR WATER RIGHT

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

22-07420
 LYONS, ROBERT J.
 80 W. 550 S.
 VICTOR, ID 83455

Source: Groundwater
 Diversion Pt: SWNW Sec 26 T
 04N R 45E
 Use: IRRIGATION (.720 CFS)
 Date Filed: 10-11-1988
 In: T04N R45E S26 SWNW
 36.0 ACRES TOTAL

22-07443
 LITTLE, WALLACE
 NEWDALE, ID 83436
 Source: GROUSE CREEK
 Tributary: SINKS
 Diversion Pt: NESE Sec 19 T 06N
 R 46E
 Use: IRRIGATION (1.000 CFS)
 STOCKWATER (.040 CFS)
 Date Filed: 6-13-1983
 In: T06N R46E S19 NESE NWSE
 50.0 ACRES TOTAL

22-07459
 FINLEY, KAY A.
 HONSINGER, ROBERT R.
 RT. 1, BOX 1910
 TETONIA, ID 83452
 Source: GROUNDWATER

Diversion Pt: SESW Sec 35 T 07N
 R 45E
 Use: COMMERCIAL (.020 CFS)
 IRRIGATION (.020 CFS)
 DOMESTIC (.020 CFS)
 Date Filed: 6-23-1983
 In: T07N R45E S35 SESW
 15.0 ACRES TOTAL

22-07467
 THE ASPEN PROPERTY
 OWNERS ASSN.
 P.O. BOX 426
 DRIGGS, ID 83422
 Source: GROUNDWATER
 Diversion Pt: NESE Sec 25 T 05N
 R 45E
 Use: IRRIGATION (.840 CFS)
 DOMESTIC (.400 CFS)
 Date Filed: 7-6-1983
 In: T05N R45E S25 SENE NESE
 SWSE SESE
 42.0 ACRES TOTAL

22-07470
 RICKS, MARK R.
 RIKO, INC.
 259 SOUTH THIRD EAST
 REXBURG, ID 83440
 Source: TETON RIVER
 Tributary: SNAKE RIVER
 Diversion Pt: NENW Sec 15 T
 06N R 44E
 Use: IRRIGATION (3.000 CFS)
 Date Filed: 7-21-1983
 In: T06N R44E S09 SESW SWSE
 SESE
 S10 SWSW
 S15 NENW NWNW SWNW

SENW NWSW
 S16 NENE NWNE SWNE NENW
 460.0 ACRES TOTAL

22-07478
 KUNZ, HOMER
 PATTERSON CREEK
 VICTOR, ID 83455
 Source: GROUNDWATER
 Diversion Pt: NESE Sec 36 T 04N
 R 44E
 Use: IRRIGATION (.150 cfs)
 STOCKWATER (.020 CFS)
 DOMESTIC (.040 CFS)
 Date Filed: 6-6-1984
 In: T04N R44E S36 NESE
 5.0 ACRES TOTAL

22-07479
 BUXTON, JAY DELL
 ROUTE 2 BOX 38
 DRIGGS, ID 83422
 Source: GROUNDWATER
 Diversion Pt: SENE Sec 12 T 04N
 R 44E
 Use: IRRIGATION (.800 CFS)
 Date Filed: 6-26-1984
 In: T04N R45E S07 SESW
 40.0 ACRES TOTAL

22-07488
 ARNOLD, DENNIE K.
 BOX 43
 FELT, ID 83424
 Source: GROUNDWATER
 Diversion Pt: NWNE Sec 27 T
 07N R 44E
 Use: IRRIGATION (5.240 CFS)
 Date Filed: 3-8-1985
 In: T07N R44E S21 SENE
 S22 NENE NWNE SWNE SENE
 SWNW SENW NESW NWSW
 NESE
 262.0 ACRES TOTAL

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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director

Published in the Teton Valley
 News September 7 and 14, 1989.

RECEIVED
 MICROFILMED

SEP 10 1989

MAR 09 1990

Department of Water Resources
 Eastern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452

RE: License No. 22-7470 - Issuance of License

Dear Water Right Holder(s):

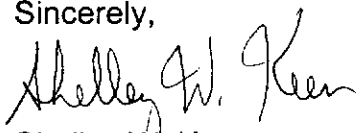
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
SEP 03 2003

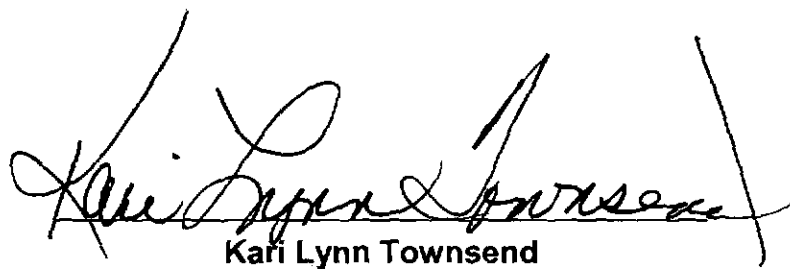
CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

22-7470

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452



Kari Lynn Townsend
Secretary

MICROFILMED
SEP 03 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
MAR 3 2003

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
SEP 8 1982

MEMORANDUM

TO: File 22-7470

FROM: KAY WALKER

RE: Licensing Amendment

Date: June 3, 2003

.....

We sent out a licensing amendment on March 26, 2003, with no response. We sent an amendment reminder letter on April 16, 2003, stating we would reduce the proposed license if we did not receive the licensing amendment. On May 20, May 29, and June 2, 2003, I called the number we have in our file for Mr. R.J. Hoopes (456-2931) but never received an answer at that number. I then went into our contact table to find a number for Teton Pipeline Association and found a number of 456-2567 and called that number but still there was no answer. I recommend we go ahead and issue license for the lands that can be licensed without an amendment. The lands to be removed are as follows:

SESW, S10, 6N, 44E – 7 acres
NESW, S15, 6N, 44E – 7 acres
SENW, S16, 6N, 44E – 6 acres

These total 20 acres of irrigation to be excluded from proposed license for failure to submit licensing amendment.

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SEP 03 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7188

WATER RIGHT NUMBER: 22-7188

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAY C RICKS 259 S 3RD E REXBURG, ID 83440 (208)356-5028
Original Owner	RIKO INC 259 S 3RD E REXBURG, ID 83440 (208)356-5028
Current Owner	MARK R RICKS 259 S 3RD E REXBURG, ID 83440 (208)356-5028

Priority Date: 07/06/1976

Basis: License

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>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.370 CFS	1,225.00 AF
	<u>Total Diversion:</u>	3.370 CFS	1,225.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 3, Twp 06N, Rge 40E, B.M.
MADISON County		
GROUND WATER	SE1/4NW1/4	Sec. 15, Twp 06N, Rge 44E, B.M.
TETON County	(Rediversion)	

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	120.0
06N	44E	15					10.0	35.0	35.0	15.0	15.0	35.0							145.0
							+2			+6	+8								
06N	44E	16	22.0	35.0			2.0	26.0											85.0
							+2												

Total Acres: 350

+18 ac (40+ under 22-7470)
 411
 429 total under both rights

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 22-7188

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Remarks:

1. General No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
Totalizing measuring devices shall be maintained at the exchange well and rediversion pumps from the Teton River.
The exchange well must inject water into the Teton Island Canal whenever water is being diverted from the Teton River under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection. The power supply to the exchange well cannot be contracted under the power company's interruptable rules unless the power company agrees to notify the right holder at least 24 hours prior to the time the power service is terminated.
The rate of rediversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

Comments:Dates and Other Information:

Licensed Date: 7/27/1994
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 16, 2003

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452

RE: Water Right Permit 22-07470

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received the amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you have been misplaced, a new one is enclosed. Please note that the filing fee is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 26, 2003

TETON PIPELINE ASSN INC
PO BOX 272
TETONIA ID 83452

RE: Water Right Permit No. 22-07470

Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. We received an Assignment of this permit from the Ricks, to you, on February 26, 2003. Enclosed for your records is a copy of the permit as it is recorded in our files. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Place of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days. If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

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SEP 03 2003

LICENSE REVIEW CHECKLIST

Permit No. 22-7470 Date: 4-27-02 Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 22-07188, 22-203
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3.0 cfs
Fee Limit 3.0 cfs
Measured 3.6 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 3.0

Water Uses

ok Change (P46)

Season of Use per new Standards

4-15 10-31

Irrigation 3.0 cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 3.0 cfs _____ af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
_____ <1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Rayette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

3.0 cfs x 1.9835 x 200 days = 1190.1 af (vs) 431 acres x 3.5 (FHR) = 1508.5 af

Remarks:

R04 1190.0 429 x 3.5 = 1501.5 ~ 1500.0

Additional Conditions

YES Watermaster Control 01
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

Not req'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P44 S06

the city water
ceased water
to Teton Pipeline
Assoc. - began
leasing in 1997
and have used
since then
in 1999 rec'd
another 25
year lease
per con. w/
Roger Hoops

11A inactive - use W22



ATTORNEY
AT LAW

RECEIVED

FEB 26 2003

Department of Water Resources

R.J. HOOPES LAW OFFICE CHARTERED

760 North Hoopes Road
P.O. Box 240
Tetonia, Idaho 83452-0240

R.J. HOOPES, ESQ.

456-2931

February 24, 2003

Kay Walker
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Assignment of Permit No. 22-7470

Dear Ms. Walker:

For the above referenced matter, enclose please find two original Assignments of Permit, one signed by Jay C. Ricks and the other by Mark R. Ricks. I apologize for not getting these sent to you in June when they should have been.

If you have any questions or need any additional information, please do not hesitate to give me a call. We appreciate your help and assistance in the matter.

Thank you very much.

Sincerely yours,



R.J. Hoopes

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SEP 03 2003

Enclosures
78.104



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2003

MARK R RICKS
391 W 1200 N
FELT ID 83424

R J HOOPES
PO BOX 120
TETONIA ID 83452

RE: Permit No. 22-07470

Gentlemen:

Pursuant to our telephone conversation, enclosed you will find a copy of the map showing the place of use Keith found when he made his examination of the above referenced permit. I have also copied and enclosed his field report for your information. If you have any questions regarding the place of use Keith has recommended, you can either contact him in Idaho Falls or me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

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SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 31, 2003

MARK R RICKS
391 W 1200 N
FELT ID 83424

RE: Water Right Permit No. 22-07470

Dear Mr. Ricks:

I have just reviewed the Notice of Change in Water Right Ownership form that you submitted in connection with the above referenced permit and Water Right No. 22-07188. In regard to the permit, I found that the legal descriptions on the 1st Revised Commitment do not cover all the lands listed on the permit. It is our policy not to change ownership on water rights unless we have a copy of a deed, or tax notices, that include all of the lands that are to be changed. The 1st Revised Commitment is not a deed and cannot be used in this process, even if it contained all of the lands under the permit. I am enclosing an "Assignment of Permit" form that should be signed by you, or an officer of Riko Inc., in the presence of a notary public, so we can change the ownership of this permit. The \$25.00 filing fee was submitted along with the "Notice of Change of Water Right Ownership" form so we do not need any more money at this time.

I have done a preliminary review of the field examination that was conducted and have prepared a draft license, but would like to get the assignment processed so the license reflects the current owner of the property. I found the permit would need to be amended, before we can license it so you will be receiving a request for licensing amendment once we resolve the ownership issue.

If you want to pursue the assignment of permit, please submit the signed and notarized form within the next two weeks. If I do not receive the assignment form, or an actual deed containing all the permitted land descriptions within this time period, I will prepare correspondence regarding the proposed license to the current permit holders (which are Riko Inc. and you at this time). If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

2-18-03 Ricks
Mark Ricks
called - right
has been conveyed
to another party -
I will get info
together & call me
about how to
change ownership
KW

phone →
313-2850 MICROFILMED
or 456-2850
SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

DEC - 9 2002

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					
22-7470	\$25				

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 J & C. Ricks & Mark R. Ricks

22-7470 RIKO Inc. & Mark R. Ricks

4. New Owner/Claimant(s)

Mark R. Ricks

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)

Department of Water Resources
 Eastern Region

NOV 26 2002

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SEP 03 2003

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 JCReceipted by JC

Processed by _____

Date 12-3-02Date 12-3-02

Date _____

Fee \$25Receipt No. E028355

WR _____ Date _____

file
applied
to assign-
ments
rec'd
2/26/03.
KW

MICROFILMED

SEP 03 2003

SCHEDULE A

1ST REVISED COMMITMENT

Order No.: T9941

Reference No.: Teton T9941/Madison RX29763

1. Commitment Date: **August 23, 2002**

at **08:00 AM**

2. Policy (or Policies) to be issued:

Policy Amount

Premium Amount

(a) **Owner's Policy** (

Form 1402-92)

Proposed Insured:

No credits applicable

Endorsements:

(b) **Loan Policy**

(Std Loan Policy (10/17/92) Form 1058-92)

\$ 350,000.00

\$ 1,317.50

Proposed Insured:

No credits applicable

Idaho AgCredit, FLCA, its successors and/or assigns as their respective interests may appear.

Endorsements:

(c)

Proposed Insured:

Endorsements:

3. A fee simple interest in the land described in this Commitment is owned, at the Commitment Date, by:

TETON COUNTY

Tract I:

Mark R. Ricks and Chris P. Ricks, husband and wife

Tract II:

Mark Ricks and Chris Ricks, husband and wife

Tract III:

Mark R. Ricks, presumptively subject to the community interest of his spouse, Chris P. Ricks.

MADISON COUNTY

Parcel 1 and 2:

Mark R. Ricks and Chris P. Ricks, husband and wife

4. The Land referred to in this Commitment is described as follows:

SEE ATTACHED LEGAL DESCRIPTION

1 PAGE TOTAL

According to the County Assessor's office, the above described property is commonly known as:

Farm Ground, Tetonia, Idaho 83452

**VALID ONLY IF SCHEDULE B AND
COVER ARE ATTACHED**

**ALTA Plain Language Commitment
Form No.: 1344-A (1982)
(T9941.PFD/T9941/10)**

**MICROFILMED
SEP 03 2003**

1ST REVISED COMMITMENT

ATTACHED LEGAL DESCRIPTION

Order No.: T9941

TETON COUNTY

Tract I:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 9: N1/2SE1/4SW1/4; S1/2SE1/4SW1/4; S1/2SE1/4

Section 15: N1/2NW1/4; SW1/4NW1/4; NW1/4SW1/4

Section 16: N1/2NE1/4

Tract II:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Section 16: SE1/4NE1/4; NE1/4SE1/4

Tract III:

TOWNSHIP 6 NORTH, RANGE 44 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO

Those portions of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4), the East-half of the Northwest Quarter (E1/2NW1/4), West-half of the Southeast Quarter (W1/2SE1/4), and Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) Section 16 Township Six (6) North, Range 44 East, B.M., located northeasterly of the center line of State Highway No. 33 as described in State of Idaho Eastment No. 490. Subject to State of Idaho Easement No's, 49C, 5283-B and 5283-C to Idaho Transportation Department for a highway.

MADISON COUNTY

Parcel 1:

Commencing at the SE corner of the NE1/4SW1/4 of Section 3, Township 6 North, Range 40 E.B.M., 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 S. 09°20'05" W. 76.02 feet; thence S. 36°08'25" W. to the South line of the NE1/4SW1/4; thence East 150 feet, more or less, to the Point of Beginning.

Parcel 2:

Together with an easement for egress and ingress along the East boundary line of the SE1/4SW1/4 of said Section 3.

ALTA Plain Language Commitment Legal Description
(T9941.PFD/T9941/10)

MICROFILMED
SEP 03 2003

MEMORANDUM

TO: File 22-7470

FROM: KAY WALKER *KW*

RE: Licensing of Permit No. 22-07470

Date: August 2, 2002

.....

I called Roger Hoopes this morning to find out if they intended to submit the assignment of permit that would change ownership from Rick's to Teton Pipeline Assn. Mr. Hoopes has the assignment in his possession and will be putting it in the mail to my attention this afternoon so we can license the permit to Teton Pipeline Assn.

While I had Mr. Hoopes on the telephone I asked him if they used water from the City of Rexburg's Right 22-203. I had noticed that there were acreage overlaps when I had prepared a place of use overlap comparison report. Mr. Hoopes stated that they had leased water from the City of Rexburg since 1979 and have used it continuously since then. In 1999 they obtained a 25-year lease to the use of that water. He had been in to talk with Ron Carlson and Harold Jones yesterday in regard to the water they had been leasing. Apparently there was some question regarding the credit they should be receiving for the groundwater that they discharge into the Teton River under Rt. 22-7188. Mr. Hoopes was going to contact Norm Young sometime today to discuss the matter further.

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SEP 03 2003



Quality Agricultural Products
Since 1917

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AUG - 1 2002

Department of Water Resources

762 North Hoopes Road
Post Office Box 120
Tetonia, Idaho 83452-0120
Telephone (208) 456-2567
Fax (208) 456-2013

EHCO RANCH, Inc.
RoDaHo, Inc.
Breta, Inc.

R. J. Hoopes
E. Brent Hoopes

July 30, 2002

Shelley Keen
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Permit No: 22-7470

Dear Mr. Keen:

Enclosed herewith, please find a copy of a WATER TRANSFER AGREEMENT. As you may recall, we have discussed this matter over the telephone a couple of times. I understand as you were preparing the above referenced permit for licensing you became aware of the need for some water to be transferred from the Teton Island Canal Company. On the telephone I assured you there was such an agreement and that I would locate one for you. This is that agreement.

From our telephone conversations I believe this is the information you needed. If you need any additional information or if I can be of any further assistance, please do not hesitate to give me a call.

Thank you very much.

Sincerely yours,

R. J. Hoopes

Enclosure
78.104.01.Ltr

MICROFILMED
SEP 03 2003

WATER TRANSFER AGREEMENT

COPY

THIS AGREEMENT entered into by TETON ISLAND CANAL COMPANY, hereinafter sometimes referred to as "Party in the First Part" and JAY C. RICKS, of 259 South Second East, Rexburg, Idaho, and MARK R. RICKS, of Felt, Idaho, hereinafter sometimes jointly referred to as "Party of the Second Part". Party of the first Part is a canal company which delivers irrigation water to its members in Madison County, Idaho. Parties of the second Part own, maintain, and operate an exchange well which has the capability of pumping underground water into the facilities owned by party of the first part. Parties of the second part operate a farm in Teton County, Idaho, wherein they divert irrigation water from Teton River which is, in part, the source of the water of the party of the first part. The party of the first part also owns storage space in the Island Park Reservoir, which stored water they distribute to their members.

For valuable consideration, the parties agree as follows:

1. For the 1992 irrigation season and all irrigation seasons thereafter until this agreement is modified in writing by the parties hereto, the party of the first part shall transfer to the party of the second part an amount of irrigation water not to exceed 600 acre feet, per season.
2. For each acre foot of storage water transferred by party of the first part to party of the second part, and used by party of the second part, party of the second part shall replace that amount of water as it is being used by the party of the

WATER TRANSFER AGREEMENT
0411k

second part by pumping the water from the well owned by party of
the second part into the canal owned by party of the first part.

DATED this 20th day of May, 1992.

TETON ISLAND CANAL COMPANY

Daryl C. Neville
Daryl Neville, President
Party of the First Part

Approved by:

Ray Johnson
Director

Ken Mackay
Director

Harold J. Jensen
Director

Robert W. Quinn
Director

Scott L. Johnson
Director

Deann K. Gower
Director

Director

Jay C. Ricks
Jay C. Ricks
Party of the Second Part

Mark R. Ricks
Mark R. Ricks
Party of the Second Part

WATER TRANSFER AGREEMENT
0411k



Quality Agricultural Products
Since 1917

62 North Hoopes Road

Post Office Box 120

Tetonia, Idaho 83452-0120

Telephone (208) 456-2567

Fax (208) 456-2013

RECEIVED

JUL 30 2002

EHCO RANCH, Inc.
RoDaHo, Inc.
Breta, Inc.

Department of Water Resources

R. J. Hoopes
E. Brent Hoopes

facsimile **t**ransmission

from the desk of:

R. J. Hoopes

To: Shelley Keen
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Date: July 30, 2002
Number: (208) 327-7866
Number of Pages: Four
(Including this Page)

Regarding: Permit No.: 22-7470

Hard Copy to Follow: ☒ Yes
☐ No

Transmitted by:

Confidentiality Notice

THIS FACSIMILE CONTAINS IMPORTANT INFORMATION WHICH MAY NOT ONLY BE CONFIDENTIAL BUT MAY CONTAIN ATTORNEY-CLIENT PRIVILEGED INFORMATION. IF YOU HAVE RECEIVED THIS FACSIMILE TRANSMISSION BY MISTAKE PLEASE RESPECT THE CONFIDENTIAL NATURE OF THE INFORMATION AND NOTIFY SENDER OF THE ERROR. THANK YOU!

MICROFILMED

SEP 03 2003



Quality Agricultural Products
Since 1917

762 North Hoopes Road
Post Office Box 120
Tetonia, Idaho 83452-0120
Telephone (208) 456-2567
Fax (208) 456-2013

EHCO RANCH, Inc.
RoDaHo, Inc.
Breta, Inc.

R. J. Hoopes
E. Brent Hoopes

July 30, 2002

Shelley Keen
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Permit No: 22-7470

Dear Mr. Keen:

Enclosed herewith, please find a copy of a WATER TRANSFER AGREEMENT. As you may recall, we have discussed this matter over the telephone a couple of times. I understand as you were preparing the above referenced permit for licensing you became aware of the need for some water to be transferred from the Teton Island Canal Company. On the telephone I assured you there was such an agreement and that I would locate one for you. This is that agreement.

From our telephone conversations I believe this is the information you needed. If you need any additional information or if I can be of any further assistance, please do not hesitate to give me a call.

Thank you very much.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "R. J. Hoopes", is written over a horizontal line.

R. J. Hoopes

Enclosure
78.104.01.Ltr

MICROFILMED

SEP 03 2003

WATER TRANSFER AGREEMENT

COPY

THIS AGREEMENT entered into by TETON ISLAND CANAL COMPANY, hereinafter sometimes referred to as "Party in the First Part" and JAY C. RICKS, of 259 South Second East, Rexburg, Idaho, and MARK R. RICKS, of Felt, Idaho, hereinafter sometimes jointly referred to as "Party of the Second Part". Party of the first Part is a canal company which delivers irrigation water to its members in Madison County, Idaho. Parties of the second Part own, maintain, and operate an exchange well which has the capability of pumping underground water into the facilities owned by party of the first part. Parties of the second part operate a farm in Teton County, Idaho, wherein they divert irrigation water from Teton River which is, in part, the source of the water of the party of the first part. The party of the first part also owns storage space in the Island Park Reservoir, which stored water they distribute to their members.

For valuable consideration, the parties agree as follows:

1. For the 1992 irrigation season and all irrigation seasons thereafter until this agreement is modified in writing by the parties hereto, the party of the first part shall transfer to the party of the second part an amount of irrigation water not to exceed 600 acre feet, per season.

2. For each acre foot of storage water transferred by party of the first part to party of the second part, and used by party of the second part, party of the second part shall replace that amount of water as it is being used by the party of the

WATER TRANSFER AGREEMENT
0411k

-1-

MICROFILMED

SEP 03 2003

DATED this 20th day of May, 1992.

David C. Smith

Approved by:

Director

Director

Director

Director

Director

Director

Director

Mack R. Ricks
Mack R. Ricks
Party of the Second Part

- 2 -

SEP 03 2003

MEMORANDUM

DATE: June 26, 2002

TO: Water Right Files 22-7188 and 22-7470

FROM: Shelley W. Keen *syk*

RE: Water District 01 Accounting

Yesterday and this morning I had several conversations with Skip Jones, Tony Olenichak, and Dave Carlson about how Water District 01 accounts for Water Right 22-7188 and Permit 22-7470. They told me that WD 01 does not give the right holder any credit for the exchange under 22-7188. Apparently WD 01 did not incorporate 22-7188 into its accounting because there is no method of ensuring that ground water diverted into the Teton Island Canal under the right is injected into the Teton River. WD 01 has been treating all diversions from the pump on the Teton River as diversions under Permit 22-7470. Natural flow is available under 22-7470 until some time in June during a normal year. After that, WD 01 charges the right holder for stored water. During some years storage water is available for lease from Fremont-Madison Irrigation District. During other years, storage water is obtained from Teton Island Canal in exchange for the water injected into the canal under 22-7188. Apparently the right holder has not been taking full advantage of the exchange under 22-7188 to get storage from Teton Island Canal every year.

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 1200 N 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~~	~~NE~~	15	6N	44E	Teton	Field Exam/Ascs/GPS
			NE	NW					

2. Place(s) of Use:

Indicate Method of Determination

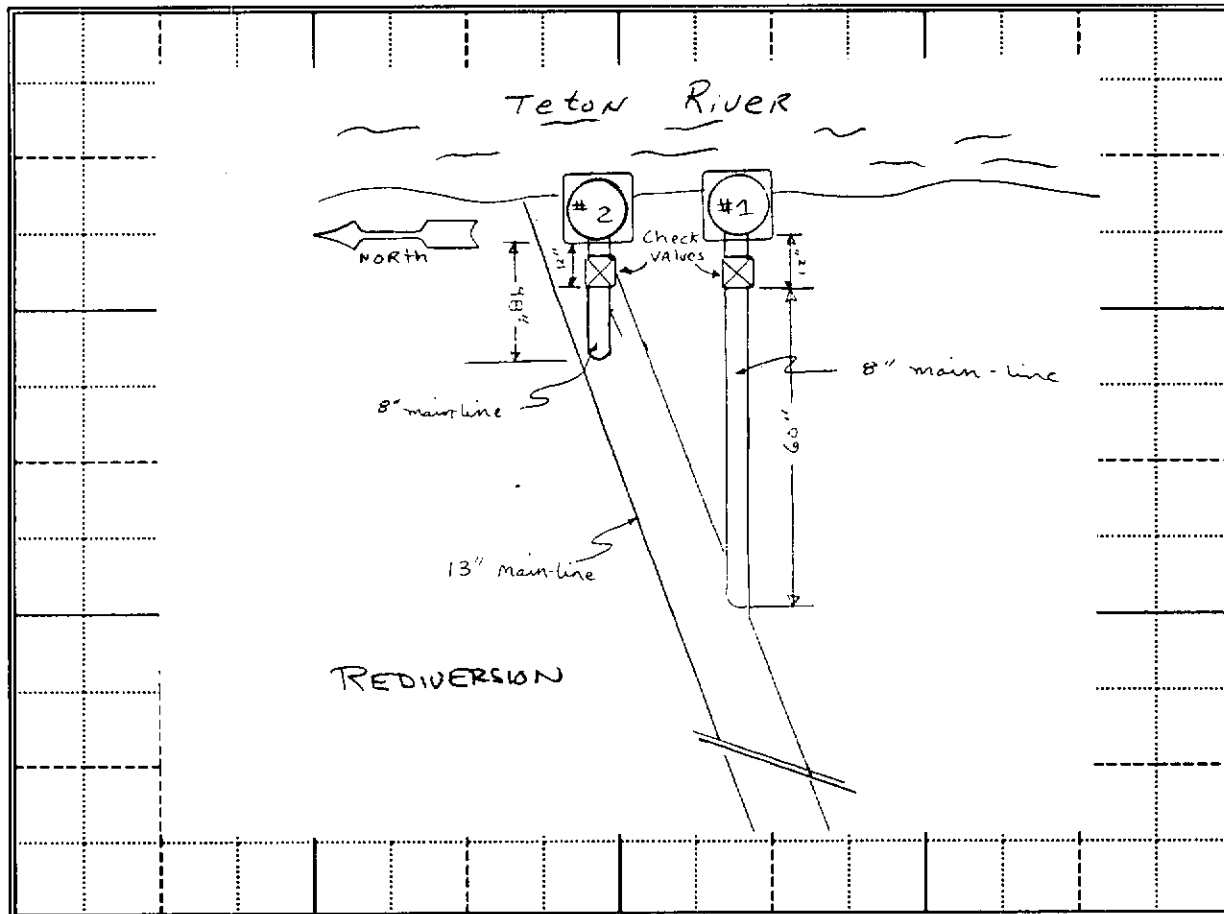
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	44E	9												40			40	40	120
		10											24	7					31
		15					8	38	40	9	7	38							140
		16	22	35	37		29			6					11				140

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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 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
#1	GE	125	EWJ 525149	Johnston	
#2	GE	125	ALJ 129104	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

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SEP 13 2017

E. NARRATIVE/REMARKS/COMMENTS

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

Have conditions of permit approval been met? X yes ___ no

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SEP 03 2003

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Measurement from 22-7188 - 3.60
WDDI - pump cards 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

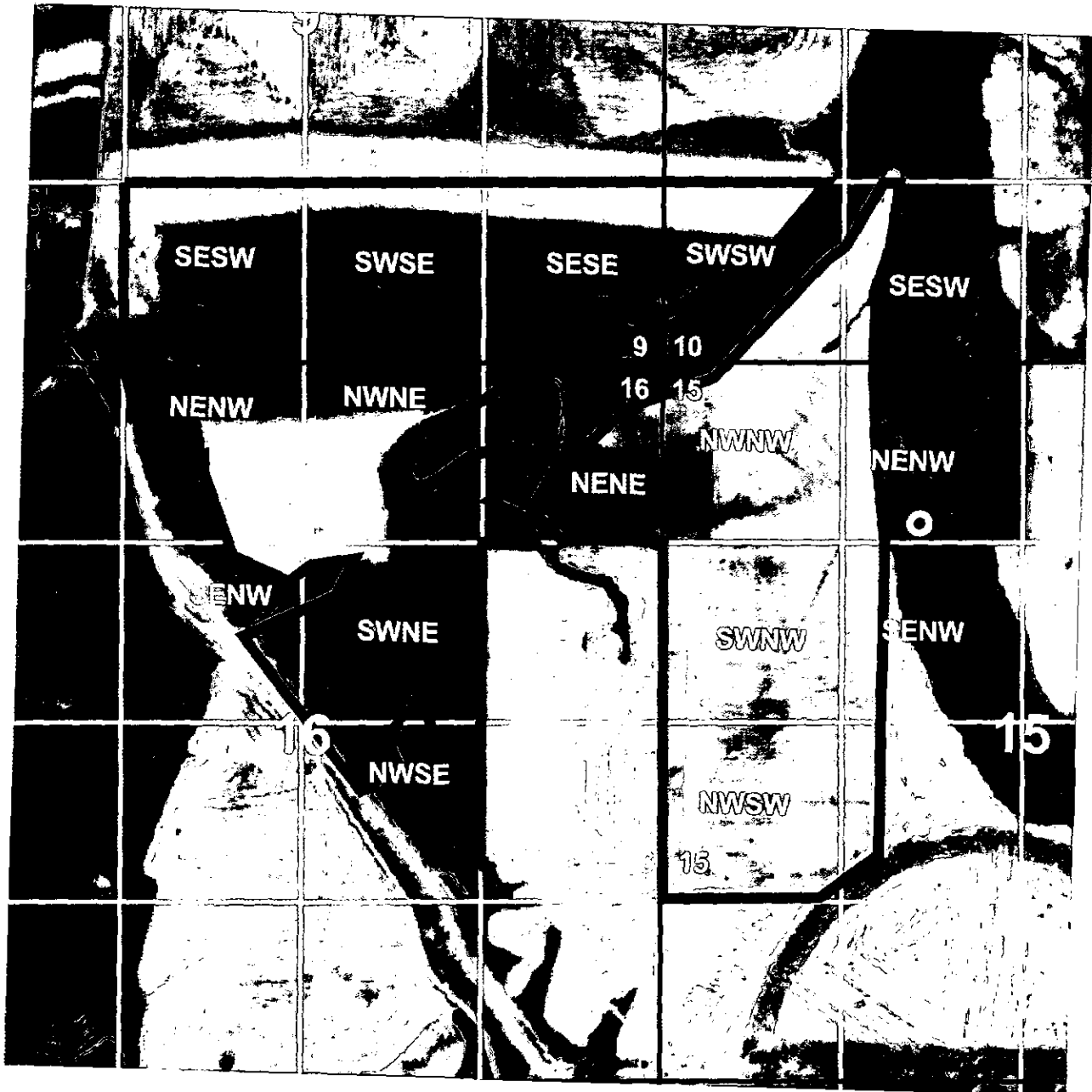
I. AUTHENTICATIONField Examiner's Name DAVE Carlson Date 5/20/2002Reviewer [Signature] Date 5-20-02

SEAL

MICROFILMED

22-7470

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

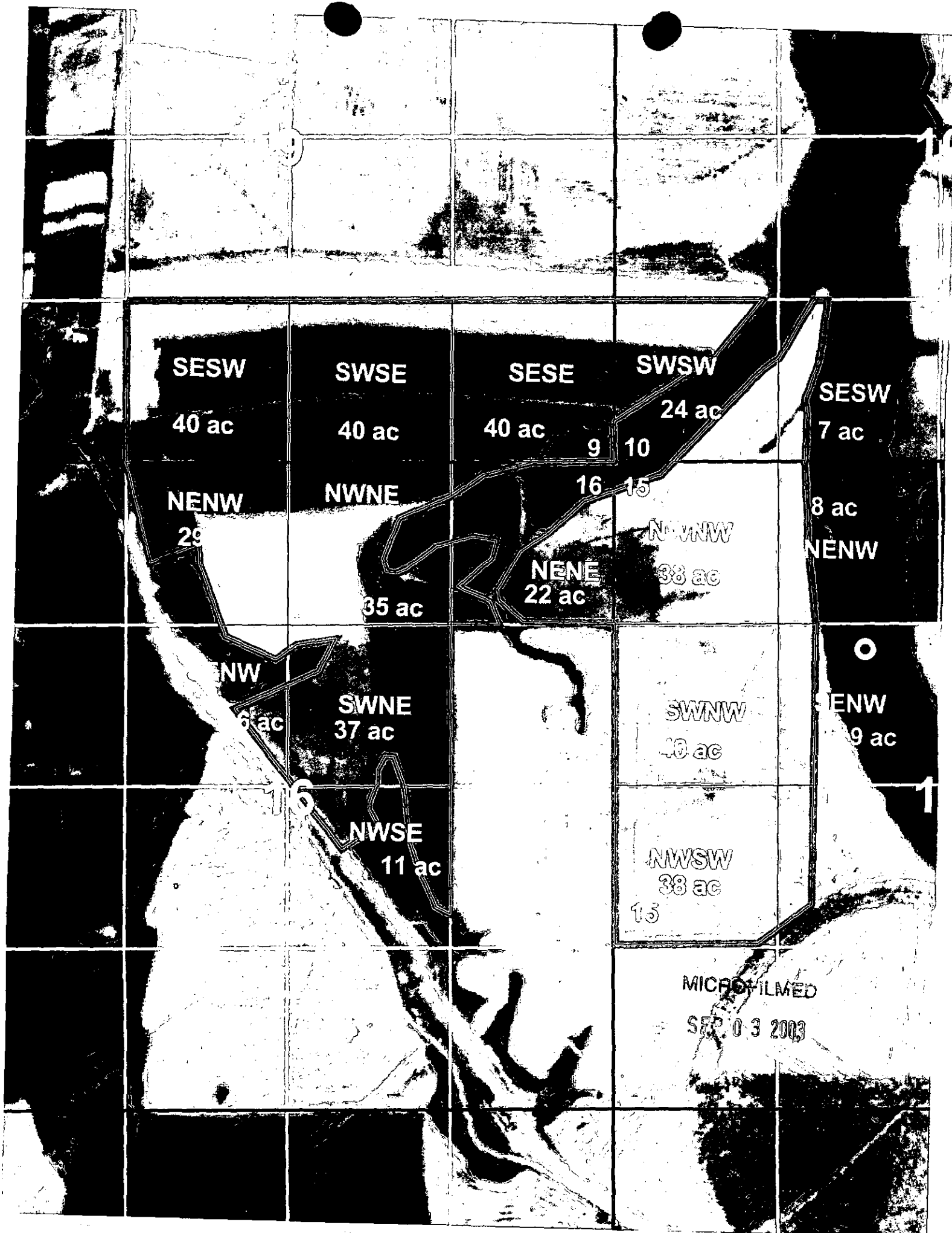


⊙ POINT OF DIVERSION



PLACE OF USE

MICROFILMED
SEP 03 2003



Pump # 130 53971

(USR)
YEAR: 1995

NAME: JAY C RICKS

(0720738)
(0309181)

DATE	APR ⁴	MAY ⁵	JUN ⁶	JUL ⁷	AUG ⁸	SEPT ⁹	OCT ¹⁰	Nov ¹¹	
1				2.7	3.6	0.8	OFF		1
2				3.6	↓	0.8	OFF		2
3				2.7	↓	OFF	0.9		3
4				3.6	3.4		OFF		4
5				2.2	3.4				5
6				3.6	3.0				6
7				↓	3.0				7
8				↓	3.1				8
9				2.4	1.9				9
10				2.5	1.8				10
11				3.6	OFF				11
12				↓	OFF				12
13					3.1				13
14					1.6				14
15					1.3				15
16					1.2				16
17					2.4				17
18				↓	0.6				18
19				2.8	OFF				19
20				3.6	↓				20
21				↓					21
22				↓					22
23				1.8					23
24				3.6					24
25				↓		↓			25
26			0.4			0.4			26
27			3.6			1.0			27
28			↓			1.0			28
29			↓	↓	↓	0.9			29
30			↓	3.0	0.7	OFF			30
31				3.0	0.7				31
			14.8	102.3	42.0	4.9	0.9		

Calculations/Notes

DATA FROM PUMP CARDS

Total 24-hr. sec.-ft = 164.9

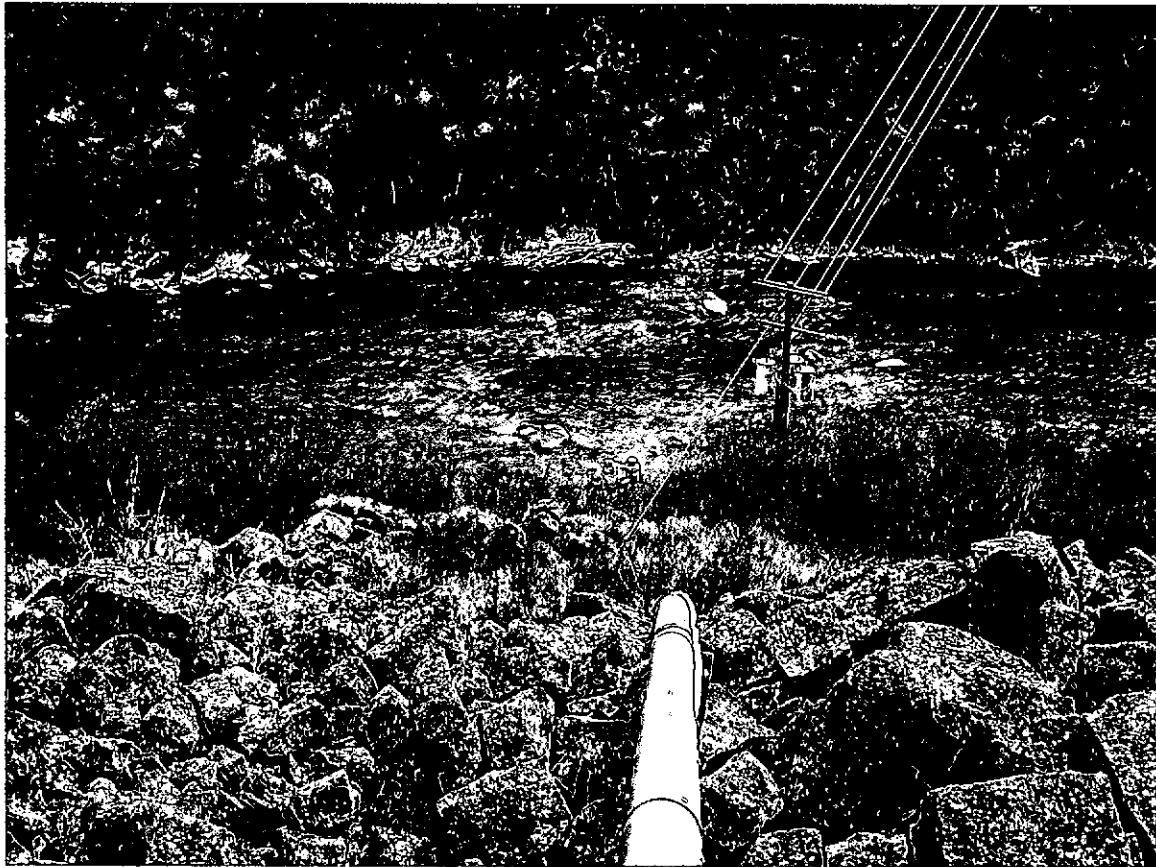
Hydrographer Notes:

Readings	Ac.-ft	Power Meter	Date
This Year			
Last Year			
Total			

327 ac.-ft

MICROFILMED

☐ PUMP POWER METER _____ to SEP 03 2003
☐ CARDS FLOW METER _____ to _____
☐ FLOW RATE ☐ HOURS PUMPED _____ hrs



22-7470 Pod// 2 pumps DCARLSON
in Teton River 5/17/2002

MICROFILMED
SEP 03 2003

February 12, 1990

MARK R. RICKS
RIKO INC.
259 S. 3RD E.
REXBURG, ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07470

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 09 1990

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 22-7470

Date: 2/7/90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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) 327-7900
January 4, 1990

MARK R. RICKS
RIKO INC.
259 S. 3RD E.
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. P22-07470

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.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAR 09 1990

MAR 09 1990

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: HWS APPLICATION NUMBER: 22 7170

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☐ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

☐ Idaho State Health Department.

Copies sent by: _____ Date: _____

☒ Idaho Fish and Game Department.

☐ Idaho Department of Lands.

☐ U.S. Bureau of Land Management.

☐ U.S. Forest Service.

☒ Other WD #01

PROCESSING:

☐ Yes ☒ No Platted by: _____ Map No. _____

☒ Yes ☒ No Other rights on same place of use. Permit 22-7188

☒ Yes ☐ No* In form for advertising.

☐ Yes ☐ No Final date for protests: 9-25-89

☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 9-20-89

☐ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☒ Yes ☐ No Measuring device required.

☐ Yes ☒ No Access port required.

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? WD01

7-21-83 Date of priority recommended.

Special conditions of approval or cover letter. Need Rule 4,5,1 data

Request 10-6-89

<015>, <057WD01, <11A>

App. in NON-TRUST area -
Allow 2 yrs. for development -

By: HWS Date: 11-28-89

STATE OFFICE REVIEW: P08, P17 05(01) 26 OKT 11A

☐ See attached sheet for more information.

By: KW Date: 12-22-89

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

MEMORANDUM

TO: FILE 22-7470

FROM: KAY WALKER

RE: WAIVER OF RULE 4,5. ADDITIONAL INFORMATION REQUIREMENT

DATE: 22-DEC-1989

=====

This application was filed prior to July 1, 1985, and represents development that occurred prior to 1984. The location of the point of diversion falls outside of the trustwater area. Normally, additional information would be required under Rule 4,5. of the Water Appropriation Rules and Regulations. Possible issues that the additional information should address have probably already been raised during development and operation. The Rule 4,5. informational requirement should be waived.

MICROFILMED

MAR 09 1990

November 20, 1989

To: State of Idaho Dept. of Water Resources
Idaho Falls, ID

Att: Harold Jones

RECEIVED

NOV 22 1989

Re your letter of October 13, 1989 , subject: Permit #22-07470

Department of Water Resources
Eastern District Office

4,5,3

4,5,3,1,3

We are currently irrigating from 2 125H.P. pumps, pumping 1605 gals. per minute, located just above the high water line on the Teton River. Water is pumped through 14" main line up the canyon wall for 300 ft. length and 100 ft. in elevation. At this point sprinkler lines take out water with 1/2 mile long laterals. This main line continues for 1 and 1/4 miles graduating down in size to 6" main line.

4,5,3,2,1

The use period is from May 1 to Oct. 15 each year. In 1989 our pumps were in operation for 48 days(2 pumps), and an additional 10 days(1 pump), pumping a total gallonage of 109,204,200 gallons. This would be an average year. One pump is turned off 3 hrs a day while pipe is being moved. These pumps are used 7 days a week, depending on crop requirements of water --or possible rainfall.

4,5,3,2,2

Quantity has never been a problem. The river never goes dry beyond our point of diversion.

4,5,3,5,1

Because the river runs considerably above the 106 cfs required by the Fish and Game Dept. at all times, we are unaware of any negative effects from our water usage during the past 13 years we have been pumping.

4,5,3,6,2

We normally grow 120 acres of potatoes, 50 acres of wheat, and 290 acres of Barley on a rotating basis.

4,5,3,6,7

This project is operated by Jay C. Ricks (Riko) and Mark R. Ricks, Jay's nephew. Our original application was made by Mark Ricks and Riko, Inc.; Jay C. Ricks was in the process of incorporating under the name Riko, but the failure of the Teton Dam made this inadvisable, and the corporation was never formed.

This farm has been in production since 1916---and irrigated for 13 years. We have a U.S. Soil Conservation Service soil plan on file with the Driggs, ID Soil Conservation office.

Sincerely,

Jay C. Ricks

WICKFILMED

MAR 09 1990

WATERMASTER COMMENTS

I have reviewed Application for Permit No. 22-7470 and have the following comments/objections to the approval of this application for permit:

There will probably be very few years when the applicants get any water under this right. However, those few years when water is available they should be entitled to use it. The approval of this permit should not injure the rights of any other water users.

9/29/89

Date



RONALD D. CARLSON, WATERMASTER
Water District No. 01

MICROFILMED

MAR 09 1990

30-Aug-1989

Department of Fish & Game
1515 Lincoln Rd.
Idaho Falls, ID 83401

RE: Application for Permit No. 22-7470

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MICROFILMED

MAR 09 1990

30-Aug-1989

Mark R. Ricks
259 S. Third East
Rexburg,, ID 83440

RE: Application for Permit No. 22-7470

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Teton Valley News. 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,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

MAR 09 1990

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

Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 29, 1989

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

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 SEPTEMBER 25, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

MAR 09 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

MAR 09 1990

22-07470

RICKS, MARK R.
RIKO, INC.
259 SOUTH THIRD EAST
REXBURG, ID 83440

Source: TETON RIVER

Tributary: SNAKE RIVER

Diversion Pt: NENW Sec 15 T 06N R 44E

Use: IRRIGATION (3.000 CFS)

Date Filed: 7/21/1983

In: T06N R44E S09	SESW	SWSE	SESE	
S10	SWSW			
S15	NENW	NWNW	SWNW	SENW
	NWSW			
S16	NENE	NWNE	SWNE	NENW

460.0 ACRES TOTAL

MICROFILMED

MAR 09 1990

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 SEPTEMBER 25, 1989.

R. Keith Higginson, Director

Published 9/07/1989 & 9/14/1989

MICROFILMED

MAR 09 1990

22-7470_

RICKS, MARK R.
RIKO, INC.

259 SOUTH THIRD EAST, REXBURG, ID 83440

Source: TETON RIVER trib. to SNAKE RIVER

Date Filed: 07/21/1983

Diversion Pt: NENW Sec 15 T 06N R 44E

Use: IRRIGATION (3.00 CFS)

In: SESW SWSE SESE Sec 09 T 06N R 44E SWSW Sec 10 T 06N R 44E NENW NWNW SWNW
SENN NWSW Sec 15 T 06N R 44E NENE NWNE SWNE NENW Sec 16 T 06N R 44E
FOR 460 ACRES

MICROFILMED

MAR 09 1990