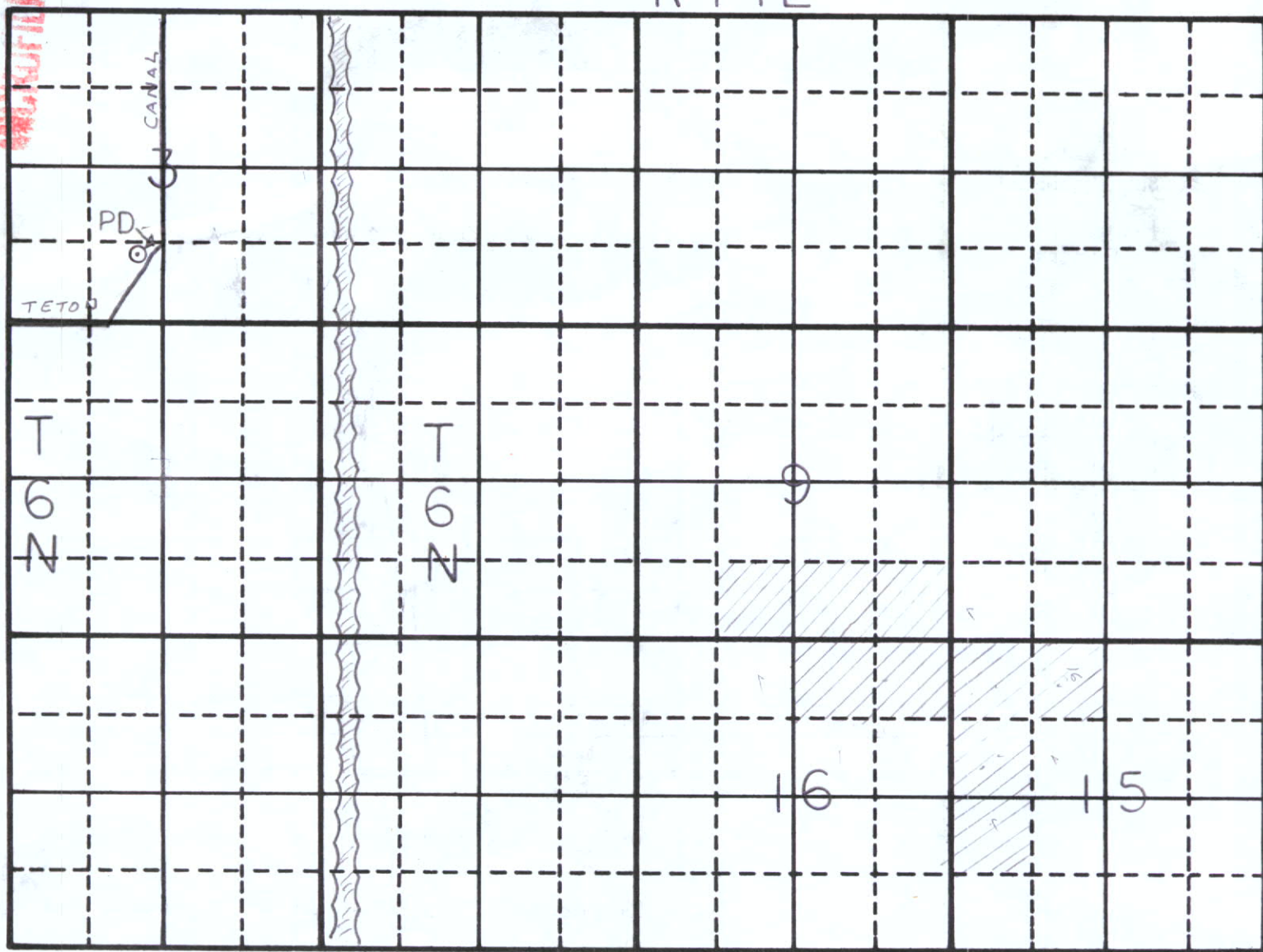


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R44E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, Id, this 21st day of July, 1983.

Jay C. Gierke Pres.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00

Received by BP Date 7/21/83 #29353

Publication prepared by BP Date 8/31/83

Published in Standard Journal

Publication dates 9/8 & 9/15/83

Re-ad- 8-2 & 9-1984 CR

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

APPROVE this application for amendment in connection with Permit No. 22-7188 and Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision and Order. Condition No. 8 of said Memorandum Decision and Order is modified as follows: The exchange well must inject water into the Teton Island Canal whenever water is being diverted from the river under this permit, and the injection must continue after the diversion from the river ceases until the water not diverted reaches the point of injection.

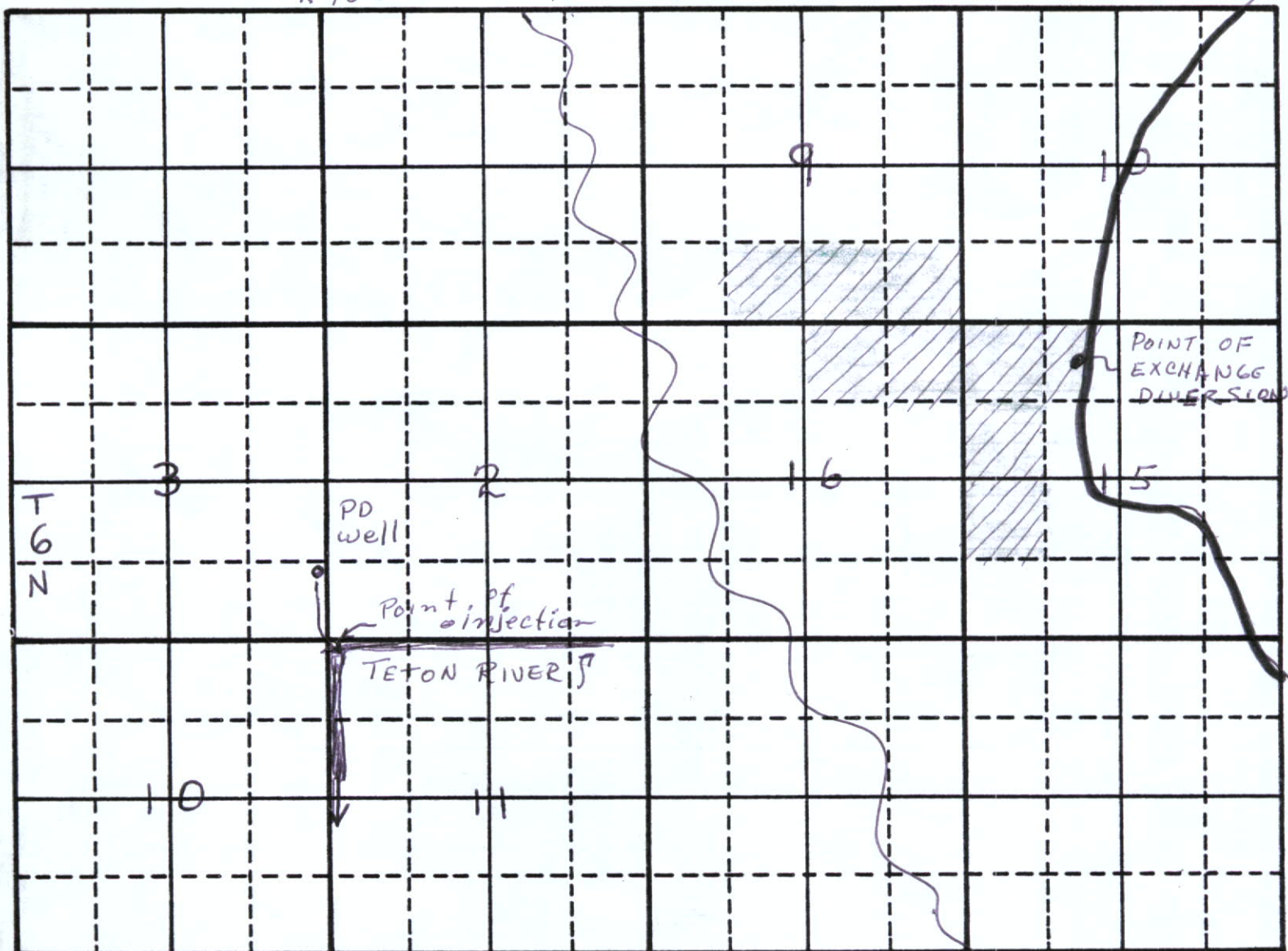
Witness my hand this 22nd day of October, 19 84.

L. Glen Saxton
Chief, Operations Bureau

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R 40 E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Jay C. Gidley, this 15 day of JANUARY, 19 81.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RDC Fee = \$20.00

Received by kw Date 1/15/81 #16170

Publication prepared by kw Date 1/23/81

Published in Standard Journal

Publication dates 1/29 & 2/05/81

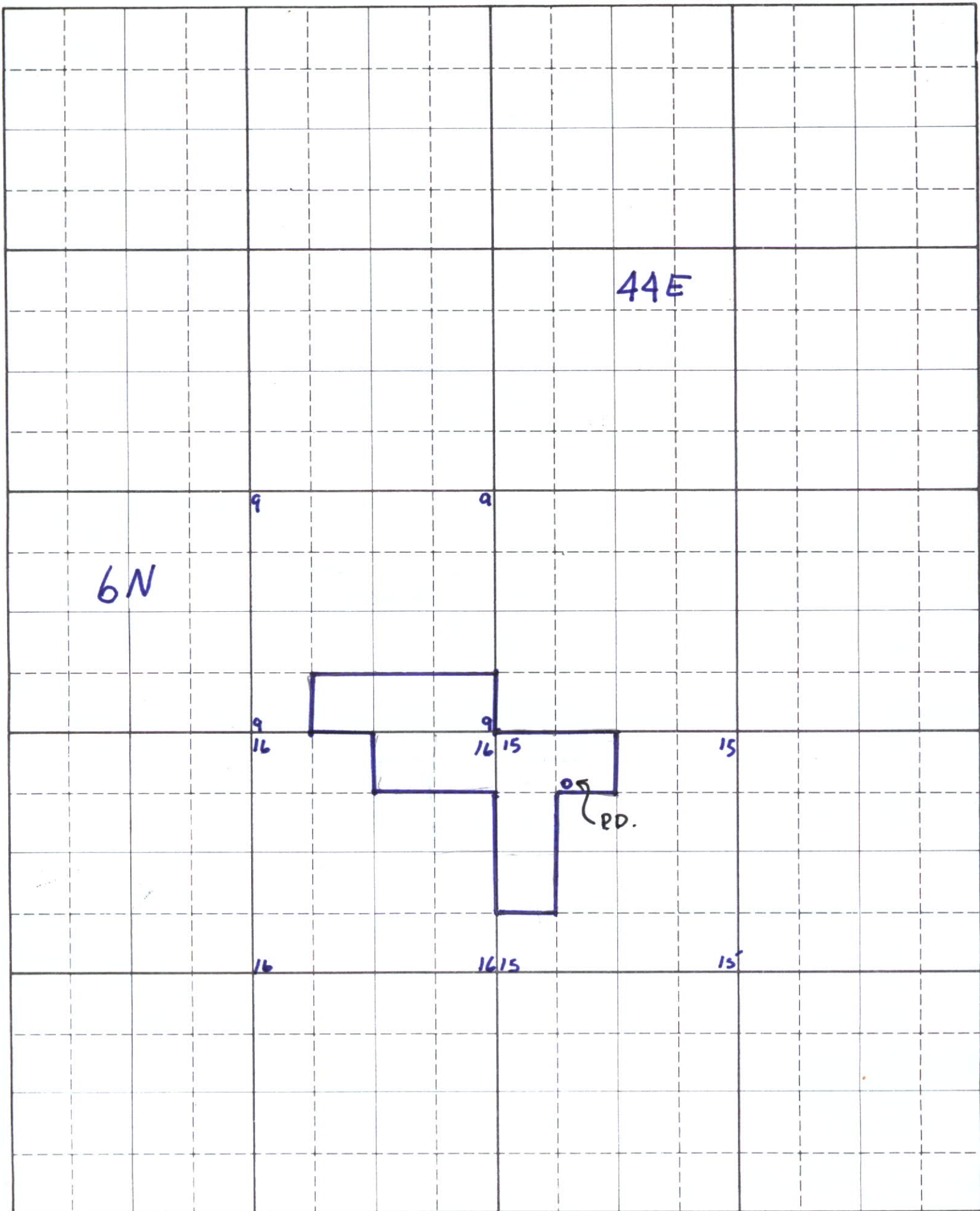
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby
APPROVE this application for amendment in connection with Permit No. 22-7188 and
Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision
and Order.

Witness my hand this 3rd day of September, 19 82.

Director

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



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.

Mark R. Ricks
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 31 1994
Department of Water Resources

A. GENERAL INFORMATION

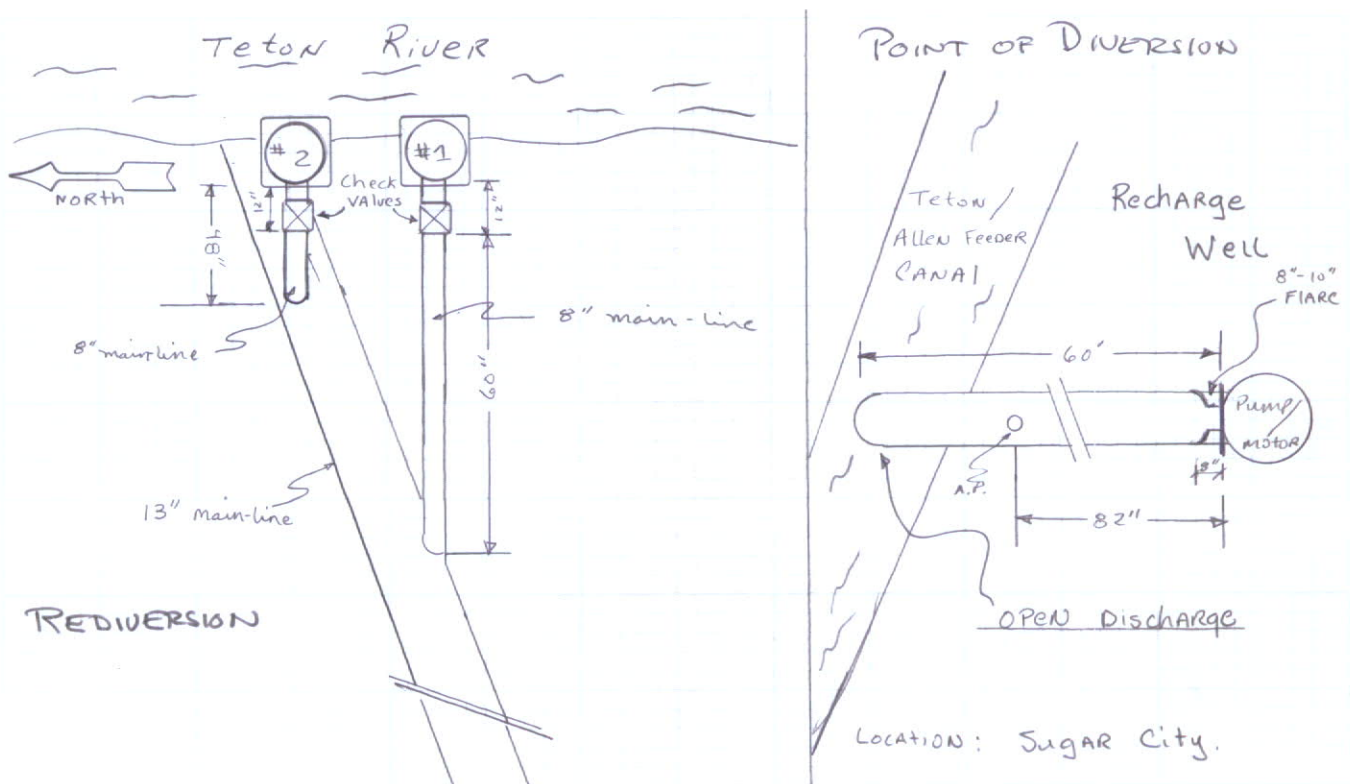
Permit No. 22-7188
1. Owner: MARK R. & JAY C. RICKS Phone No. (208) 356-5028
Current Address: 259 So. 3rd E Rexburg Idaho 83440
2. Accompanied by: J.C. Ricks EXAM. DATE: 6-9-88
Address: SAME AS ABOVE Phone No. (SAME AS ABOVE)
Relationship to Permit Holder: OWNER
3. Source: Teton River tributary to HENRY'S FORK
GROUNDWATER

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Permit 22-07470)
☐ Copies Attached
2. Other water rights with same point of diversion: NO
☐ Copies Attached ☐ Copies of Field Exam's Attached

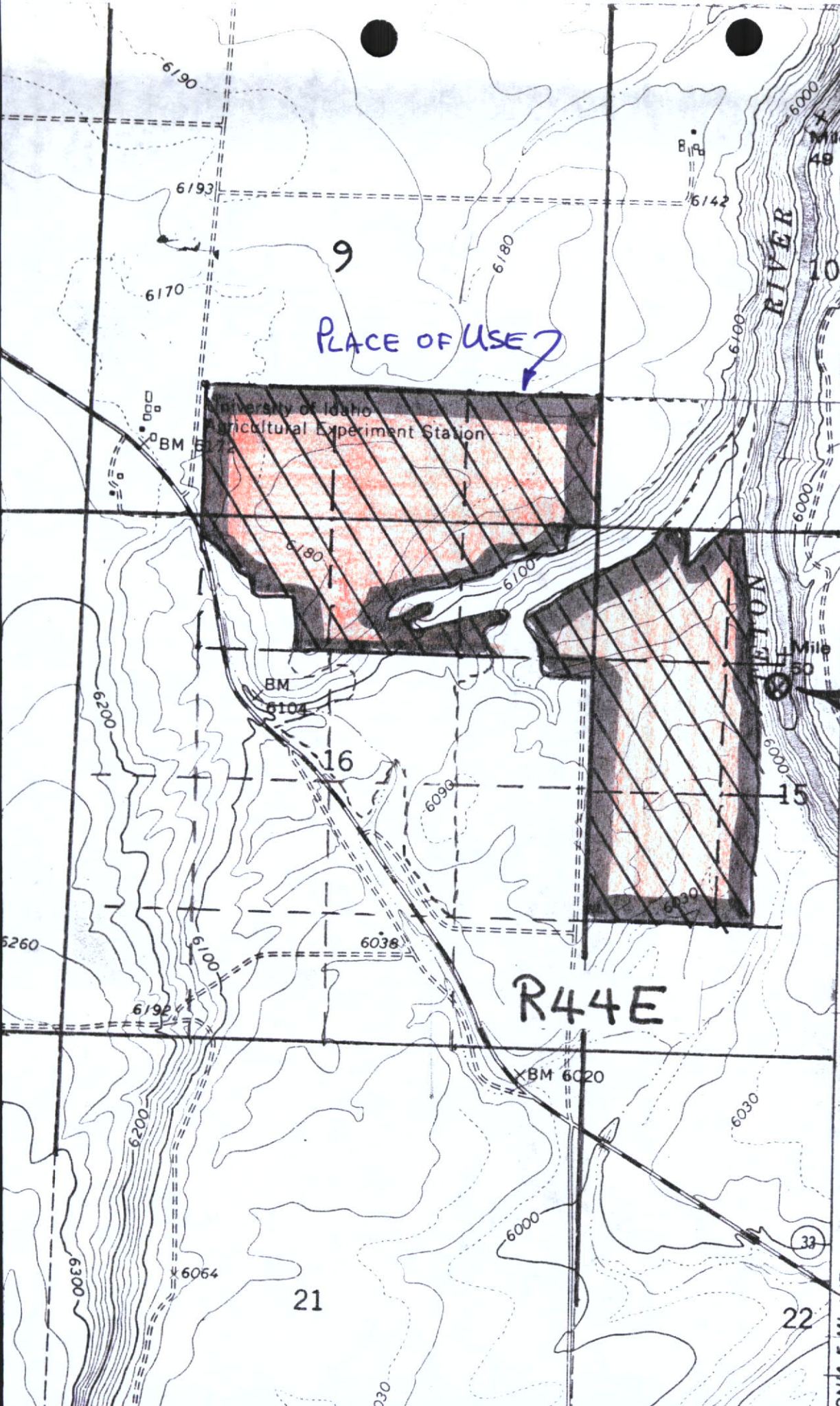
C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: $\frac{1}{4}$ " = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)
☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).



4857

4856

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FEET

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26
N

REDIVERSION

4854

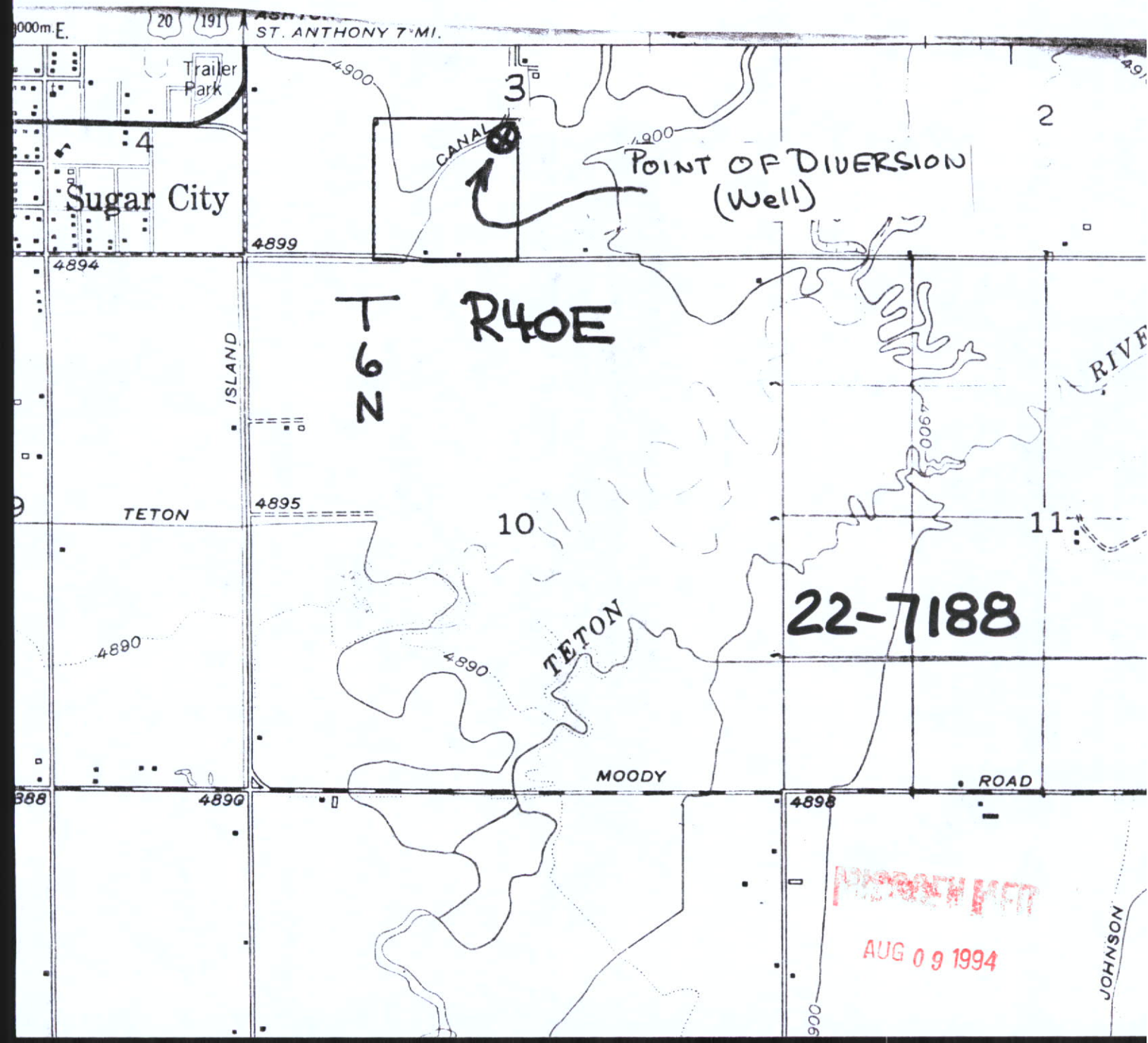
22-7188

PROCESSED

AUG 09 1994

50'
TONIA 5 MI.
GGG 14 MI.

22-7188



22-7188

Pictures taken
By Eric Verwer
1987



3.60
3.87

POINT OF
DIVERSION



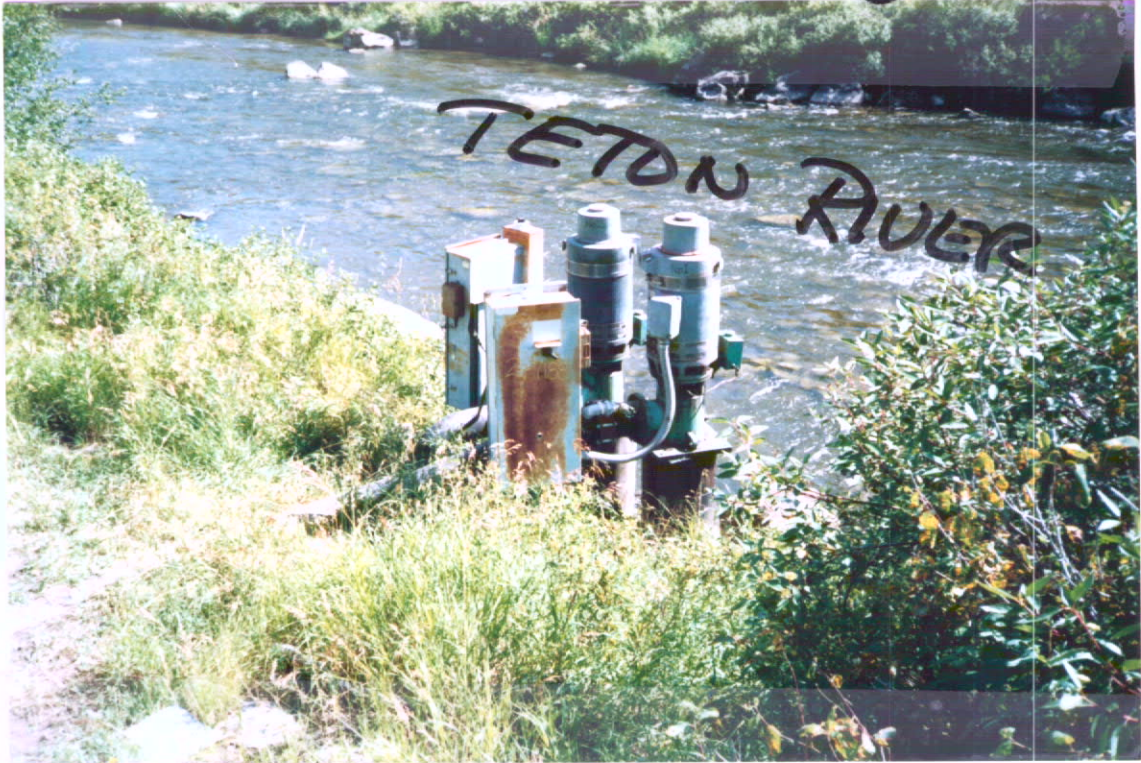
22-7188

22-7188

Aug 09 1987

22-7188

Pictures taken
by ERIC VERNON
1987



RE-
DIVERSION



22-7188



AUG 19 1987

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Correction

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 . 2.
consecutive issues, the first publication hav-

ing been made on August 2, 1984
and the last publication having been made

on August 9, 1984

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry Weatherston

Subscribed to and sworn to before me
this August 10, 1984

Jerri Garner
(SEAL)

Notary Public.

My commission expires life

RECEIVED

AUG 14 1984

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application for
amendment No. 22-7188 in the name of
Mark R. Ricks &/or Riko Inc. was advertised
incorrectly on September 8 and 15, 1983.
The correct legal notice should have read as
follows:

Notice is hereby given that Permit No. 22-
7188 in the name of Mark R. Ricks &/or Riko
Inc. was issued for the diversion of 7.0 c.f.s.
of water from a ground water source with the
point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
15, T. 6N, R. 44E, B.M., Madison County; to
be used for the irrigation of 350 acres from
4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 9, N $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 6N, R. 44E,
B.M.

The permit holder now proposes to amend
Permit No. 22-7188, changing the point of
diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 6N, R.
40E, and the water will be pumped into the
Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 3, T. 6N, R. 40E, in exchange for an
equal amount to be pumped from the Teton
River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
15, T. 6N, R. 44E, B.M., Madison County.

Any protest to the proposed amending of
the permit must be filed with the Dept. of
Water Resources, 150 Shoup, Suite 15,
Idaho Falls, ID, 83402, on or before August
20, 1984.

A. KENNETH DUNN
Director

Publ. Aug. 2 and 9, 1984J

MICROFILMED

POOR QUALITY ORIGINAL

May 31, 1984

RE: Application for Amendment No. 22-7188 RICKS &/OR RIKO

Fred A. Shirley, President
Teton Island Feeder Canal Co.
Rt. #2
Rexburg, ID 83440

Dear Mr. Shirley:

The Department of Water Resources is proceeding with the processing of application for amendment No. 22-7188 (Mark R. Ricks and/or Riko Inc.), with the understanding that the Teton Island Feeder has agreed to this proposed exchange of water.

If approved by the Director, Water District No. 1 will commence recognizing water used through this exchange. To accomplish this we will add the amount pumped by Ricks to the amount of water being diverted by the Teton Island Feeder. Thus, if the Teton Island Feeder is diverting 350.0 cfs and Ricks is pumping 7.00 cfs, the feeder will be charged 357 cfs. It will be up to the canal company to assure that the 7.00 cfs is replaced from the Ricks' exchange well.

If you have any questions about this matter or how the accounting will work, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Watermaster

RDC:cw

cc: Bob Sutton

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

OCT 13 1983

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal
, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

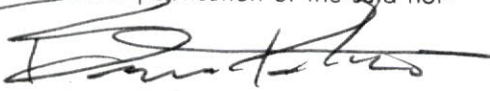
Notice Of Proposed Amending Of Water Rêrmit

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 hav-

ing been made on Sept. 8, 1983
and the last publication having been made

on Sept. 15, 1983
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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.



~~~~~

Subscribed to and sworn to before me  
this Sept. 16, 1983

Jeri Garner  
Notary Public.  
(SEAL)

My commission expires Life.

NOTICE OF PROPOSED  
AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks &/or Riko Inc. was issued for the diversion of 7.00 cfs of water from a groundwater source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 15, T. 6N, R. 44E, B.M. Madison County; to be used for the irrigation of 350 acres from 4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$  Sec. 16, T. 6N, R. 44E, B.M.

The permit holder now proposes to amend Permit No. 22-7188, changing the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, T. 6N, R. 40E, and the water will be pumped into the Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 3, T. 6N, R. 40E, B.M. Madison County.

Any protest to the proposed amending of the permit must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before Sept. 26, 1983.

A. KENNETH DUNN  
Director  
Publ. Sept. 8 and 15, 1983J

MICROFILMED

February 14, 1981

Idaho Department of Water Resources  
150 Shoup Ave.  
Idaho Falls, Idaho 83401

Dear Sirs:

We the Board Members of the Woodmansee Johnson Canal Co., oppose the Amendment to Permit 22-7188 in the name of Mark R. Ricks and/or Riko Inc. which proposes to change the point of diversion as described in the Amendment in the Rexburg Standard-Journal dated January 29, 1981 and February 5 and 12, 1981. (Notice of Proposed Amending of Water Permit.) because it is downstream of the point of diversion of the Woodmansee Johnson Canal Co.'s point of diversion.

RECEIVED

FEB 17 1981

Department of Water Resources  
Eastern District Office

P.O. Box 129  
Idaho Falls, Idaho 83401  
(208) 523-0620

Publ. Jan. 29, Feb. 5 and 12, 1981J

NOTICE OF PROPOSED AMENDING  
OF WATER PERMIT

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks and/or Riko Inc. was issued for the diversion of 7.0 cfs of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 15, Twp. 6N, Rge. 44E, Teton County; to be used for the irrigation of 350 acres from April 1 to November 1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 9; N $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 15; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 18; Twp. 6N, Rge. 44E.

The permit holder now proposes to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 3, Twp. 6N, Rge. 40E, Madison County; the water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 11, Twp. 6N, Rge. 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 15, Twp. 6N, Rge. 44E.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before February 16, 1981.

C. STEPHEN ALLRED  
Director

Publ. Jan. 29 and Feb. 5, 1981J

Dell Palmer  
Chairman

Russell Wilding  
Director

Brent R. Rame  
Director

Royle S. Thomson  
Director

Harry Parkman  
Director

Mailing to

Woodmansee Johnson Canal Co.  
% Dell Palmer, Chairman.  
Route #4 Box #1  
Rexburg, Idaho

83440

The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

**Affidavit of Publication**

STATE OF IDAHO }  
County of Madison } ss.

Bruce Porter

I,  
being first duly sworn, depose and say,  
that I am the printer of THE REXBURG

Journal, a newspaper printed and  
published weekly at Rexburg, Madison  
County, Idaho; and I do solemnly swear  
that the

Water Permit No. 22-7188

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 hav-

ing been made on Jan. 29, 1981  
and the last publication having been made

on Feb. 5, 1981

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 sub-  
scribers living within the county of publica-  
tion; and that it has been continuously and  
uninterruptedly published in said county dur-  
a period of seventy-eight consecutive weeks  
prior to the first publication of the said not-  
ice.



~~~~~

Subscribed to and sworn to before me
this Feb. 6, 1981



(SEAL)

Notary Public.

My commission expires life.

**NOTICE OF PROPOSED AMENDING
OF WATER PERMIT**

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks and/or Riko Inc. was issued for the diversion of 7.0 cfs of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E, Teton County; to be used for the irrigation of 350 acres from April 1 to November 1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16; Twp. 6N, Rge. 44E.

The permit holder now proposes to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 6N, Rge. 40E, Madison County; the water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Twp. 6N, Rge. 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before February 16, 1981.

C. STEPHEN ALLRED
Director

Publ. Jan. 29 and Feb. 5, 1981J

Handwritten: OK KW 2/23/81

RECEIVED

FEB 17 1981

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Louise L. Norton
 being first duly sworn depose and say

that I am the publisher
 of the Teton Valley News, a news-
 paper as defined by Idaho Codes Anno-
 tated, Section 58-106, as amended, and
 that said newspaper is a weekly news-
 paper printed and published at Driggs,
 in Teton County, Idaho, having a gen-
 eral circulation in said county, and that
 said newspaper has been printed in
 said county for more than 78 consecu-
 tive weeks prior to the first publication
 of the attached notice, advertisement
 or publication of

Water permit #22-7188

Mark R. Ricks

And affiant further says that said
 attached notice, advertisement or pub-
 lication, as per clipping attached, was
 published in said newspaper, in the
 regular and entire issue thereof, and
 not in any supplement issue thereof,

for 2 consecutive issues thereof;
 first publication having been made on

the 15 day of July

1976.

and last publication on the 22

day of July, 1976.

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
 and one-half inches deep.

Louise L. Norton

Subscribed in my presence and sworn

to before me this 26 day of

July, 1976

(SEAL) Notary Public for the State of
 Idaho, residence and postoffice
 address, Driggs, Idaho.

My Commission expires

9-26, 1976

RECEIVED

JUL 27 1976

Department of Water Resources
 Eastern District Office

**NOTICE OF APPLICATION
 FOR WATER PERMIT**

Notice is hereby given that
 Mark R. Ricks &/or Riko,
 Inc., Rexburg, Idaho have on
 7-06-76 submitted Application
 No. 22-7188 for a permit to ap-
 propriate 7.00 cubic feet per
 second of water from a
 ground-water source by means
 of well and pump within the
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R.
 44E, B.M., Teton County; to
 be used from Apr. 1 to Nov. 1
 for the irrigation of 350 acres
 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 Sec. 16, T. 6N, R. 44E, B.M.

If issued, this permit will be
 subject to all prior water
 rights. Protests against the
 granting of the permit must
 be filed with the Idaho De-
 partment of Water Resources,
 1515 Lincoln Road, Idaho
 Falls, Idaho, 83401 on or be-
 fore August 2, 1976.

R. KEITH HIGGINSON
 Director

Published in the Teton Valley
 News, Driggs, Idaho, on July
 15 and July 22, 1976.



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07188

Priority: July 6, 1976

Maximum Diversion Rate: 3.37 CFS
Maximum Diversion Volume: 1225.0 AF

This is to certify, that MARK R RICKS
JAY C RICKS

259 S 3RD E
REXBURG ID 83440

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 6, 1976; and has submitted Proof of Beneficial Use on June 19, 1985. An examination indicates that the works have a diversion capacity of 3.370 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>
IRRIGATION	04/15 to 10/15	3.37 CFS	1225.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

SESW , Sec. 3, Township 06N, Range 40E
MADISON County
SENW , 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
		15	NENW 10	NWNW 35	SWNW 35	
			SESW 15	NESW 15	NWSW 35	145
		16	NENE 22	NWNE 35	SENE 2	
			NENW 26			85

Total number of acres irrigated: 350

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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.

AUG 09 1984

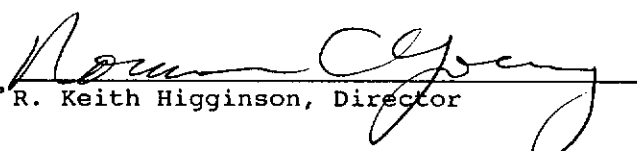
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 22-07188

CONDITIONS/REMARKS:

6. 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 the lands above.
7. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
8. Totalizing measuring devices shall be maintained at the exchange well and redirection pumps from the Teton River.
9. 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.
10. 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.
11. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.
12. Unperforated well casing shall be retained above the first confining layer to prevent interference with shallow wells and recharge to the river.
13. The director retains jurisdiction of this right to adjust the terms of the exchange if necessary to prevent injury to prior rights.

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 27TH
day of July, 1994.

Acting for 
R. Keith Higginson, Director

RECEIVED

AUG 09 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
APR 08 1994
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07188

Date of Priority: July 6, 1976

Maximum Diversion Rate: 3.37 CFS
Maximum Diversion Volume: 1225.0 AF

Comes now

~~RIKO INC~~ *Jay C. Ricks*
MARK R RICKS

259 S 3RD E
REXBURG ID 83440

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-07188, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.37 CFS	1225.0 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SESW , Sec. 3, Township 06N, Range 40E
SENW , 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>ACRES</u>	<u>TOTAL</u>
06N	44E	9	SESW 40	SWSE 40	SESE 40		120
		15	NENW 10	NWNW 35	SWNW 35		
			SESW 15	NESW 15	NWSW 35		145
		16	NENE 22	NWNE 35	SENE 2		
			NENW 26				85

Total number of acres irrigated: 350

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at *Jay C. Ricks*, this 6 day of April, 1994.

Rexburg, Idaho

Jay C. Ricks
(Signature)

AUG 09 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07188

FOR DEPARTMENT USE ONLY

Preliminary check by BE Fee = 20⁰⁰ Received by dw # C020001 Date 4/8/94 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 22-07188 with the following;

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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
6. 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 the lands above.

[Handwritten signature]
AUG 09 1994

State of Idaho
Department of Water Resources

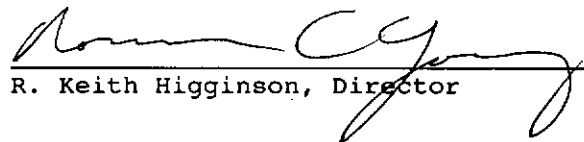
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07188

CONDITIONS/REMARKS:

7. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection pumps and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.
8. A measuring device and lockable controlling works of a type acceptable to the Department shall be installed and maintained as part of the diverting works at both the exchange well and the redirection pumps from the Teton River.
9. 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.
10. 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 applicant at least 24 hours prior to the time the power service is terminated.
11. The rate of redirection from the Teton River shall not exceed the rate of injection into the Teton River from the exchange well.

Witness my hand this 27TH day of July, 1994.

Acting for


R. Keith Higginson, Director

AUG 09 1994

4/86

RECEIVED
JAN 29 1987
Department of Water Resources
Eastern District Office

RECEIVED
FEB 26 1987

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 175.00
Date 1-29-87
Receipt # 41007
Receipt by EV
Sent to S.O. _____

1. Permit No. 22-7188

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: MARK R. RICKS & Son Ricks Inc

3. Post Office Address: 259 S 3rd East Rexburg Ida 83440
Telephone No. 356-5028

4. Source of Water: Ground Water recharge (Teton River)
EXCHANGE WELL

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 350 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 4 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1 JUNE 1985

8. Person to contact to accompany the department representative during the field examination:

JAY C. RICKS

(Name)

259 S 3rd East Rexburg, IDA. 83440 356-5028
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

30 Jan 87
Date

Jay C. Ricks owner operator
Signature of Permit Holder (and title, if appropriate)
copy retained for file

AUG 19 1994

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

RECEIVED
JUN 21 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
JUN 19 1985

Department of Water Resources

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 22-7188Name(s) of Permit Holder: Mark R. Ricks & / or
Jay C. Ricks (RIKO Inc.)Post Office Address: 259 So. 3rd E. Rexburg, ID
83440 Telephone No. 356-5028Source of Water: Teton River & Recharge Well (Sugar City, ID)

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 450 _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: June, July 1977
Recharge Well, June, 1985Measuring Device: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ NoFlow Measurement Port: Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

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

Jay C. Ricks or Mark R. Ricks
(Name)259 So. 3rd E. Rexburg, ID 83440 356-5028
(Address) (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

Date

6/19/85

Signature of Permit Holder (and Title, if appropriate)

Jay C. Ricks

MICROFILMED

kw

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Mark R. Ricks &/or Riko Inc. Phone 356-5028

of (address) 259 S. Third East, Rexburg, ID 83440, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 22-7188, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Section 3, Township 6N, Range 40E, B.M.,
County of Madison. Other points of diversion: _____

Water will be pumped into the Teton Island Canal within the
SE¼SW¼, Sec. 3, T. 6N, R. 40E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 7.00 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)

3. Place of use or land to be irrigated:

TWP	RGE	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
		15					40	40	40			40							160
		16	35	35															70

Total number of acres to be irrigated = 350

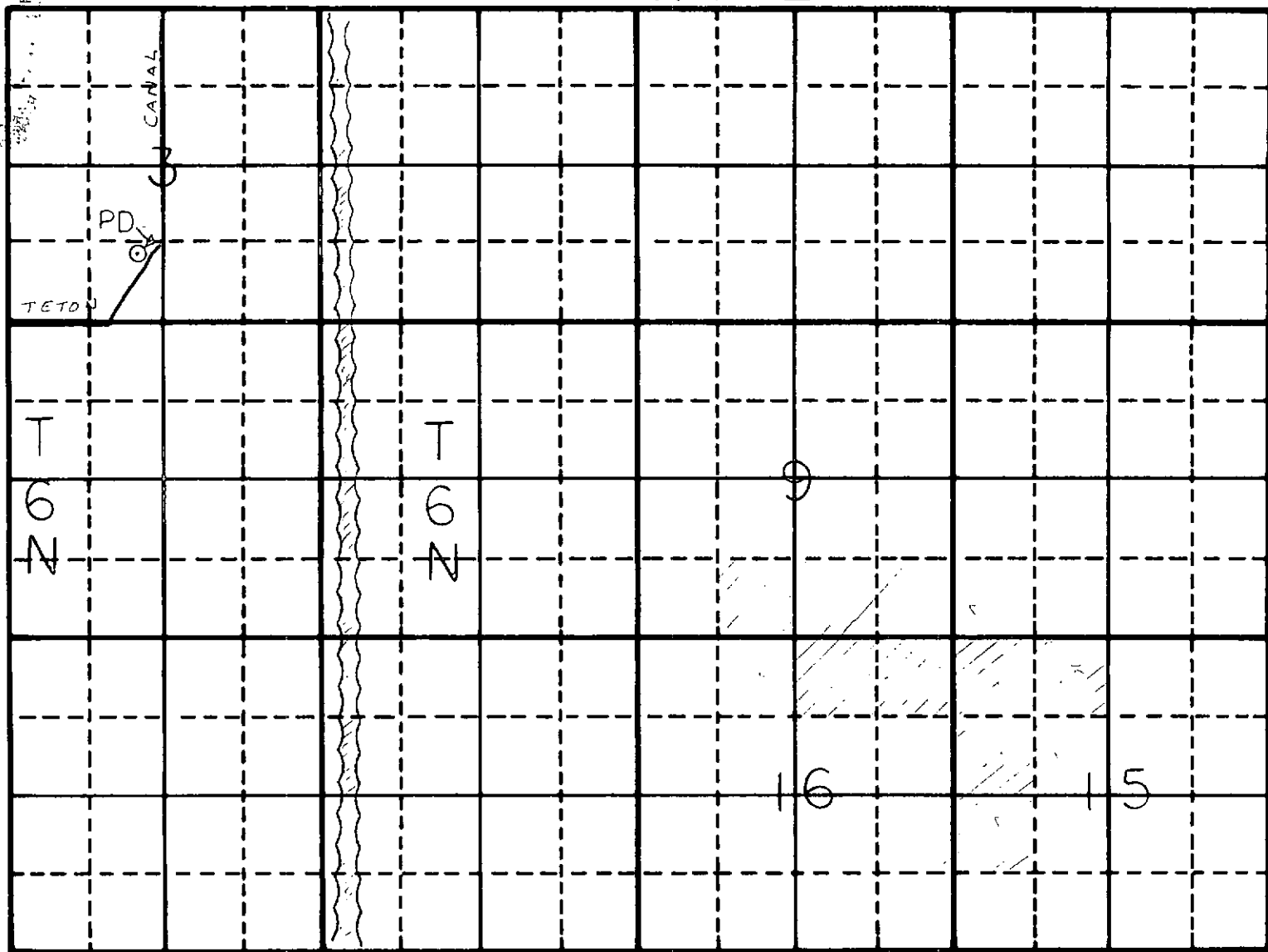
4. a. Who owns the property at the point of diversion? Ray Ricks
b. Who owns the land to be irrigated or the place of use? Riko, Inc. & Mark R. Ricks
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

RECORDED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R44E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls, Id, this 21st day of July, 1983.

Jay C. Rucker Pres.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWS Fee = \$20.00

Received by BP Date 7/21/83 #29353

Publication prepared by BP Date 8/31/83

Published in Standard Journal

Publication dates 9/8 & 9/15/83

Re-ad- 8-2 & 9-1984 CR

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

APPROVE this application for amendment in connection with Permit No. 22-7188 and Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision and Order. Condition No. 8 of said Memorandum Decision and Order is modified as follows: The exchange well must inject water into the Teton Island Canal whenever water is being diverted from the river under this permit, and the injection must continue after the diversion from the river ceases until the water not diverted reaches the point of injection.

Witness my hand this 22nd day of October, 19 84.

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF	)	
APPLICATION FOR AMENDMENT OF PERMIT NO. 22-7188	)	ORDER ADOPTING
IN THE NAME OF MARK R. RICKS AND/OR RIKO, INC.	)	PROPOSED MEMORANDUM
	)	DECISION AND ORDER

WHEREAS, A. Kenneth Dunn, Director of the Department of Water Resources having issued and served a copy on the parties on July 28, 1982, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Idaho Code, Section 67-5211; and,

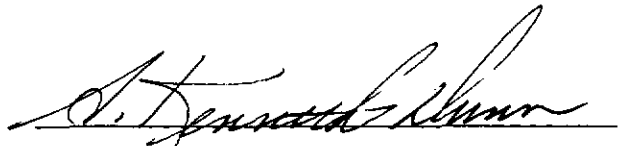
WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exceptions to that Proposed Memorandum Decision and Order have been received;

IT IS, THEREFORE, HEREBY ORDERED That said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order.

IT IS FURTHER ORDERED that the 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 completed and proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1986.

Dated this 3rd day of September, 1982.


A. KENNETH DUNN
Director

11/11/82

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF	)	PROPOSED
APPLICATION FOR AMENDMENT OF PERMIT NO. 22-7188	)	MEMORANDUM DECISION
IN THE NAME OF MARK R. RICKS &/OR RIKO INC.	)	AND ORDER

In August 1976, the Department of Water Resources issued to Mark R. Ricks and/or Riko Inc., Permit No. 22-7188 bearing a proposed priority date of July 6, 1976. The permit granted the diversion of 7.00 cubic feet per second of water from a groundwater source with the point of diversion within the NE1/4NW1/4, Sec. 15, Twp. 6N, Rge. 44E B.M., Teton County. The groundwater would be used from April 1 to November 1 for the irrigation of 350 acres within the SE1/4SW1/4, S1/2SE1/4, Sec. 9; N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4, Sec. 15; N1/2NE1/4, Sec. 16; all in Twp. 6N, Rge. 44E.

On January 15, 1981, the applicants filed with the Idaho Department of Water Resources an application to amend Permit No. 22-7188 changing the point of diversion to a site adjacent to the Teton River within the SE1/4SE1/4, Sec. 3 Twp. 6N, Rge. 40E, Madison County. Groundwater from this diversion would be injected into the Teton River in the NW corner, Sec. 11, Twp. 6N, Rge 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE1/4NW1/4, Sec. 15, Twp. 6N, Rge. 44E. The amendment would not change the permitted place of use.

Notice of the application to amend Permit No. 22-7188 was published in the Rexburg Journal on January 29 and February 5, 1981 and was subsequently protested on February 13, 1981 by the Fremont-Madison Irrigation District. Additional protests were received on February 17, 1981 from Teton Irrigation and Manufacturing Company and the Woodmansee-Johnson Canal Company. The protests addressed seven main issues:

1. The groundwater exchange will reduce the quantity of water available to satisfy existing water rights.
2. The supply of water in the Teton River is not sufficient to warrant such an exchange.
3. The application for amendment is made for speculative purposes.
4. The groundwater exchange will conflict with local public interest.
5. The exchange well will be downstream from the headworks of the

Teton Irrigation and Manufacturing Co. and the Woodmansee-Johnson Canal Company.

6. The additional manpower needed to adequately regulate the exchange diversions will result in the canal companies having to increase their assessments.

7. There should be a moratorium on all new wells until existing problems caused by the Teton Dam failure have been resolved.

In accordance with the adopted Rules of Practice and Procedure of the Idaho Department of Water Resources, a conference in the matter was conducted on April 24, 1981 in the Madison County Courthouse, Rexburg, Idaho. Present at the conference and representing the applicant was Mark R. Ricks. Also, in attendance and representing the protestants were Mary Smith, attorney at law and Norman Hillman for Fremont Madison Irrigation District, Royle S. Thomson for Woodmansee-Johnson Canal Company and James Siddoway for Teton Irrigation and Manufacturing Company. At the conclusion of the conference, it was agreed to allow the Department to reach a decision based on the information presented and relevant data contained in the official records of the Department. Based upon his review of the information provided by these sources and his understanding of the law, the hearing examiner hereby proposes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. The property at the amended point of diversion is owned by the applicant and is approximately a quarter of a mile north of the Teton River.

2. The exchange well would inject water into the Teton River downstream from the headworks for the Woodmansee-Johnson Canal Company and the Teton Irrigation and Manufacturing Company but upstream from the Rexburg Canal diversion.

3. The water rights of the Rexburg Canal are larger than the combined total output of all the exchange wells.

4. Records of the Department of Water Resources indicate wells already drilled in the vicinity of the amended point of diversion have encountered water in sand, gravel and cinder formations between 20 and 200 feet below ground surface with the first major imperious layer 113 to 135 feet below ground surface.

5. Irrigators have had difficulty for short periods of time in the past getting enough water through the Crosscut Canal to meet their storage requirements and make up for existing exchanges.

6. Exchange pumps cannot assure replacement of water during a power outage on Utah Power and Light Company's grid or when pumps are under Utah Power and Light Company's interruptable rules.

7. Exchange pumps improperly located or constructed can interfere with flows in the Teton River.

CONCLUSIONS OF LAW

1. Exchange wells do increase the administrative requirements and costs on the Teton River but there appears to normally be water available through the Crosscut Canal and natural flow in the Teton River to sustain existing exchanges without adversely affecting prior water rights.

2. There are no data to indicate groundwater or surface water supplies are being adversely affected by present exchange pumping.

3. To avoid injury to other water rights, the exchange well must inject water into the river whenever water is being diverted from the river under this permit and the injection must continue after the diversion from the river ceases until the water not diverted reaches the point of injection.

4. The applicant is entitled to a permit from the Idaho Department of Water Resources with certain limitations and conditions.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Amendment of Permit No. 22-7188 be and is APPROVED subject to the following conditions:

1. Subject to all prior water rights.

2. No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange well will be allowed even if the exchange well is pumping water into the Teton River.

3. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date indicated on the Final Decision and Order.

4. Any well drilled under this permit shall be constructed with unperforated solid casing extending to a depth of 150 feet.

5. The well casing shall be sealed to the required unperforated depth. The seal shall be installed according to Rules 3.3.1 and 3.3.2 of the Well Construction Standards Rules and Regulations of the Department of Water Resources dated February 1981. The well driller shall be required by the applicant to submit to the Department for review and approval his plan for sealing

the well casing at least five days prior to the drilling of the well.

6. A measuring device and lockable controlling works of a type acceptable to the Department shall be installed and maintained as part of the diverting works at both the exchange well and the redirection pumps from the Teton River.

7. Use of water under this permit is subject to control by the water-master of State Water District 01, Snake River.

8. The exchange well must inject water into the river whenever water is being diverted from the river under this permit and the injection must continue after the diversion from the river ceases until the water not diverted reaches the point of injection.

9. 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 applicant at least 24 hours prior to the time the power service is terminated.

Dated this 28 day of July, 1982.



BOBBY D. FLEENOR

HEARING OFFICER

RECEIVED
JUL 29 1982
WATER DIVISION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Mark R. Ricks &/or Riko Inc.

of (address) 259 S. 3rd E. Rexburg, Idaho 83440, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 22-7188, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 3, Township 6N, Range 40E, B.M., County of Madison. Other points of diversion: Water will be pumped into the Teton River within NW¼NW¼ Sec. 11, T. 6N, R. 40E in exchange for an equal amount to be pumped from the Teton River at a point within NE¼NW¼, Sec. 15, T. 6N, R. 44E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

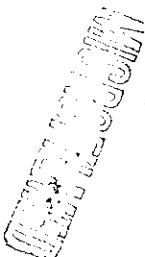
Amount 7.0 cfs for Irrigation purposes from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No change

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

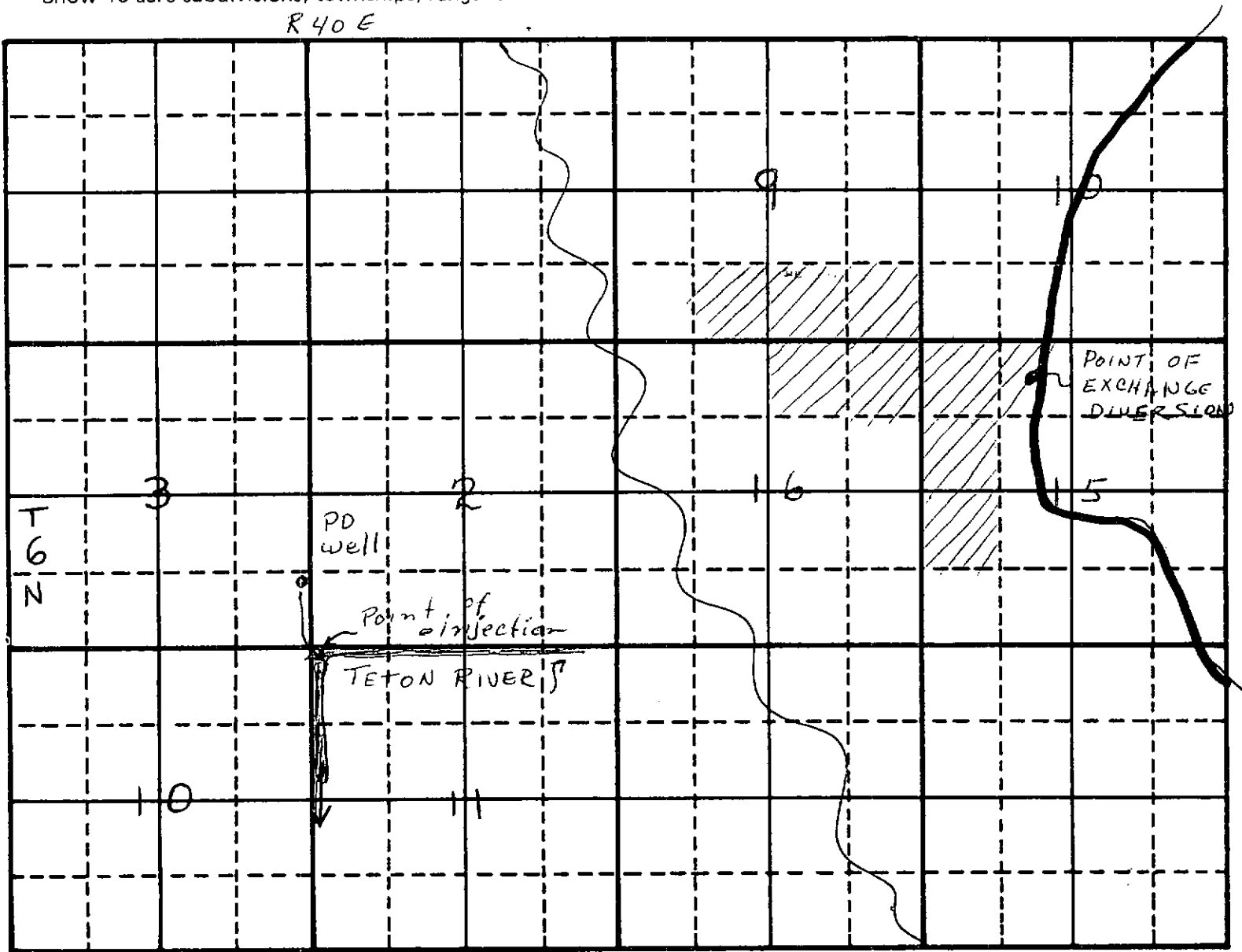
4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____



Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R 40 E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at

Gay C. Rich, this 15 day of JANUARY, 1981.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RDC Fee = \$20.00

Received by KW Date 1/15/81 #16170

Publication prepared by KW Date 1/23/81

Published in Standard Journal

Publication dates 1/29 & 2/05/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE this application for amendment in connection with Permit No. 22-7188 and

Proposed Memorandum Decision and Order and Order Adopting Proposed Memorandum Decision

and Order.

Witness my hand this 3rd day of September, 19 82.

A. Kenneth Dunn
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF
APPLICATION FOR AMENDMENT OF PERMIT NO. 22-7188
IN THE NAME OF MARK R. RICKS &/OR RIKO INC.

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 7th day of September, 1982, a true and correct copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER, was mailed postage prepaid to:

Mark R. Ricks
and Riko Inc.
259 S. 3rd E.
Rexburg, ID 83440

Mary Smith
SMITH, HANCOCK & MOSS
30 South 2nd West
Rexburg, ID 83440

James Max Mortensen, Chairman
Fremont-Madison Irrigation District
P. O. Box 5
St. Anthony, ID 83445

Diana S. Richman, Secretary
and Ralph L. Pocock, President
Teton Irrigation and Manufacturing Co.
Route 1
Sugar City, ID 83448

Woodmansee Johnson Canal Co.
c/o Dell Palmer, Chairman
Route 4 Box 1
Rexburg, ID 83440



RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

RECEIVED
SEP 10 1982
IDaho DEPT. OF WATER RESOURCES

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)	
OF APPLICATION FOR AMENDMENT OF WATER RIGHT)	
PERMIT NO. 22-7188 IN THE NAME OF MARK R.)	ORDER ISSUING
RICKS AND/OR RIKO, INC.)	PROPOSED DECISION

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposal for decision pursuant to Idaho Code, § 67-5211 and orders that said proposed decision and a copy of this order be served upon each of the parties to these proceedings who appeared at the hearing on April 24, 1981, of this matter or upon their attorneys in accordance with Rule 7.3 of the Rules of Practice and Procedure of this Department.

Each party to these proceedings who appeared at the hearing is hereby afforded the opportunity, pursuant to Idaho Code §§ 42-1701A and 67-5211, to file exceptions to the attached proposed decision and to present briefs and oral arguments in accordance with the provisions of this order. Exceptions may not be filed and briefs and oral arguments may not be presented by parties who did not appear at the hearing of this case. If no timely and proper exceptions are received, an order by the Director will be entered adopting and issuing the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision, and
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions.

B. Exceptions not in compliance with the above stated requirements will not be considered and will be deemed an acceptance of the proposed decision.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. Any party desiring to file a brief in response to any exceptions filed by any other party may do so by filing such brief with the Director on or before the 15th day following the last day any exceptions by any other party were served upon that party desiring to respond.

III.
ORAL ARGUMENTS

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exceptions.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral arguments in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposal for decision shall be heard at the discretion of the Director, pursuant to Idaho Code § 42-1701A. After all exceptions, briefs and requests for oral arguments have been received, the Director will decide whether to hear oral arguments. If oral arguments are to be heard, the Director will, within a reasonable time, set the case for oral arguments and notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

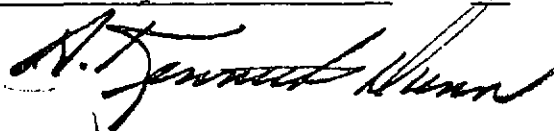
IV.
CERTIFICATION OF SERVICE

A. All exceptions, briefs, requests for oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

A. Following the submission of all exceptions and briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

DATED this 28th day of July, 1982.



A. KENNETH DUNN
Director
Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF
APPLICATION FOR AMENDMENT OF PERMIT NO. 22-7188 IN
THE NAME OF MARK R. RICKS AND/OR RIKO INC.

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this 28th day of July, 1982, true and correct
copies of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM
DECISION AND ORDER, were mailed postage prepaid to:

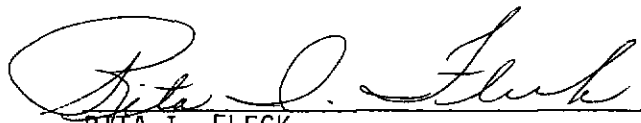
Mark R. Ricks
and Riko Inc.
259 S. 3rd E.
Rexburg, ID 83440

Mary Smith
SMITH, HANCOCK & MOSS
30 South 2nd West
Rexburg, ID 83440

James Max Mortensen, Chairman
Fremont-Madison Irrigation District
P. O. Box 5
St. Anthony, ID 83445

Diana S. Richman, Secretary
and Ralph L. Pocock, President
Teton Irrigation and Manufacturing Co.
Route 1
Sugar City, ID 83448

Woodmansee Johnson Canal Co.
c/o Dell Palmer, Chairman
Route 4 Box 1
Rexburg, ID 83440


RITA I. FLECK
Sr. Secretary
Idaho Department of Water Resources

RECEIVED
JUL 29 1982
DEPT. OF WATER RESOURCES

22-7188

RECEIVED

JUL 22 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

Department of Water Resources

To provide additional time in which to submit
proof of beneficial use on a water right permit

Mark R. Ricks & RIKO, Inc. of 259 So. 3rd E. Rexburg, ID 83444
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 22-7188.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 01, 1981.

That he has heretofore performed the following work described under said permit: We have Completed An Irrigation System on this farm. We proposed that the site for well drilling be changed to another location. Following Advertis. & a hearing, protests were entered against this change. We are pursuing this matter and plan to resolve it. Costing \$ 69,000.00.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Until we are able to resolve the location of drilling, we cannot complete development.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Aug 1, 1983, 1983.

Mark R Ricks
Jay C. Ricks (Signature)* RIKO, Inc.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to August 1, 1986. allow Syn Jim

Signed this 31st day of July, 1981.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

Received 7-30-81 15.00 #19724

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 22-7188

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

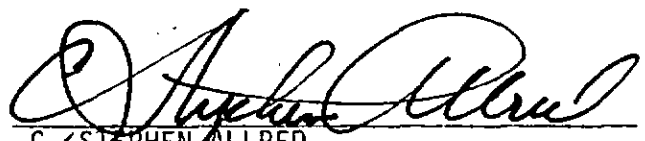
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

RECEIVED
AUG 21 1978

Identification No. 22 7188

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant MARK R. RICKS &/or RIKO INC. Phone: 356-5028 or 456-6591
post office address 259 So. 3rd St., Rexburg, Idaho 83440
2. Source of water supply Ground Water which is a tributary of _____
3. a. 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: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 7.0 for Irrigation purpose from April 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 7.0 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 650 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 100,000.00.
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: _____ hp 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: _____

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
		15					40	40	40			40							160
		16	35	35															70

Total number of acres to be irrigated. 350

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

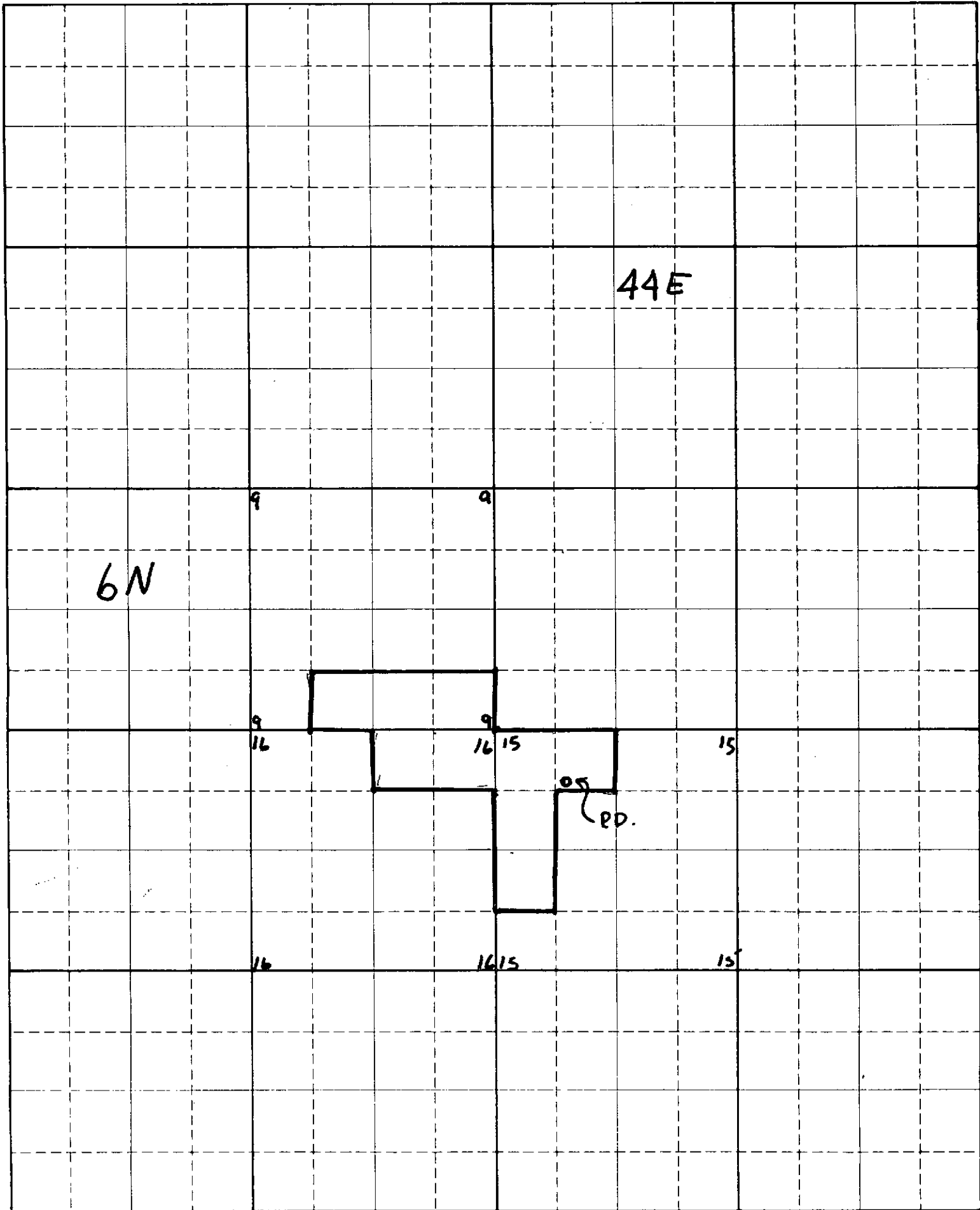
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



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.

Mark R. Ricks
(Applicant)

Proposed Priority 7-6-76

Received by me Date 7-06-76 Time 3:45 p.

Preliminary check by BR Fee \$ 85.00

Receipted by me Date 7-06-76 # 2445

Publication prepared by ew Date 7-08-76

Published in Idaho Valley News

Publication dates July 15 & 22, 1976

Publication approved me Date 7/27/76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBT

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. 22-7188, and said application is hereby APPROVED.

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

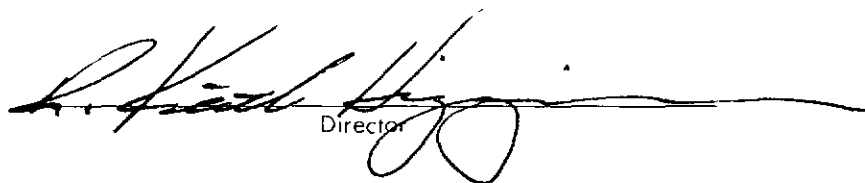
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 81.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 7 day of August, 19 76.


Director



*Quality Agricultural Products
Since 1917*

52 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!



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

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 Neville
Daryl Neville, President
Party of the First Part

Approved by:

Roy Jeppesen
Director

Ken Muckey
Director

Harold Jensen
Director

Robert Quinn
Director

Robert Quinn
Director

Deane Jensen
Director

Director

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

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

WATER TRANSFER AGREEMENT
0411K

MEMORANDUM

DATE: June 26, 2002

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

FROM: Shelley W. Keen *SWK*

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.



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

July 29, 1994

MARK R RICKS
JAY C RICKS
259 S 3RD E
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07188

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the typed name.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED

AUG 09 1994

DATE: 04/27/94
PAGE: 1

Stage: LICENSE

Remarks: No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the redirection 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 redirection 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.

WR0749NP
No. L22-07188

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 2

Remarks: The rate of redirection 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.

Dates: App. Received: 07/06/1976 Priority Date: 07/06/1976
Proof Due Date: 08/01/1986 Proof Made Date: 06/19/1985
Exam Made Date: 06/09/1988 Exam Sent to S.O.: 01/27/1994
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Audit: 03/23/94 CHAPMAN 03/24/94 CHAPMAN 04/14/94 CHAPMAN 04/25/94 CURTIS
04/27/94 CURTIS



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

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APR 08 1994

Department of Water Resources

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 28, 1994

~~RIKO INC~~ JAY C. RICKS
MARK R RICKS
259 S 3RD E
REXBURG ID 83440

RE: WATER RIGHT NO. 22-07188

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

AUG 09 1994

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

Att. Jim Johnson
Please note the change in Name on this water right Application. Our original application was made in 1976, the year the Teton Dam broke. Jay & I were then in the process of incorporating our farms. This incorporation (which was to be called RIKO Inc.) was never completed due to the many changes that followed the Flood. We would appreciate it very much (over)

IF the Correct Name: JAY C. RICKS

Could replace RIKO Inc. on all papers
henceforth. We should have done this
sooner, but it was something we just
let slide.

Thank you very much.

Mrs Jay C. Ricks

P.S. I am enclosing an additional
check for 7.50 for our subscription
to the "Docket sheet" you plan to
publish. Please have it sent to;

This info was
copied & sent
on to adjud.

aw.

JAY C. RICKS

259 So. 3rd E.

Rexburg, ID 83440-2205

AUG 09 1994



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

March 28, 1994

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

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Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

A faint, rectangular stamp, possibly a date or processing stamp, located in the bottom right area of the page.

AUG 09 1994

DATE: 03/24/94
PAGE: 1

Stage: LICENSE

MODIFIED
COND # 8
from
amendment
9

WR0749NP
No. L22-07188

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/24/94
PAGE: 2

Remarks: { agrees to notify the applicant at least 24 hours prior to the
time the power service is terminated.
The rate of rediversion from the Teton River shall not exceed
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well.

Dates: App. Received: 07/06/1976 Priority Date: 07/06/1976
Proof Due Date: 08/01/1986 Proof Made Date: 06/19/1985
Exam Made Date: 06/09/1988 Exam Sent to S.O.: 01/27/1994
Licensed Date:

Misc: Water District Number: 01 Field Exam Fee: R (Received)

Audit: 03/23/94 CHAPMAN 03/24/94 CHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

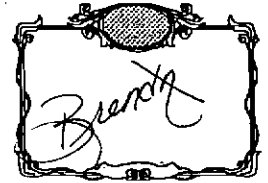
WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L2207188	T06N R44E S 9 GROUNDWATER													40			40	40 : 120
2207470	TETON RIVE : (PERMIT)													40			40	40 : 120
L2207188	T06N R44E S15 GROUNDWATER																	145
2207470	TETON RIVE : (PERMIT)																	170
L2207188	T06N R44E S16 GROUNDWATER																	85
L2207108Z	HENRYS FOR :																	75
2207180	TETON RIVE :																	345
L2207180	TETON RIVE :																	75
2207209	GROUNDWATE : PERMIT																	80
2207470	TETON RIVE :																	150

↑ PERMIT

WATER-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
L2207188	T06N R44E S 9 GROUNDWATER																		
	:																		
	:																		
2207044A	TETON RIVE :					35 :													70
L2207108Z	HENRYS FOR :	40	40	40	40 :	32	34			34 :	33					35			359
2207110	TETON RIVE :	40	40	40		32				34 :	33					33			252
2207181	TETON RIVE :				40 :											33			73
2207188	GROUNDWATE :																		
A2207188	GROUNDWATE :																		
2207209	GROUNDWATE :	40	40	40	40 :	40				40 :	40					40	40		360
A2207209	GROUNDWATE :	40	40	40	40 :	40				40 :	40					40	40		360
2207240	GROUNDWATE :							39		02 :		37	14						92
A2207240	GROUNDWATE :							32				31	15						78
2207375	GROUNDWATE :						40												40
A2207375A	GROUNDWATE :						31												31
2207392	TETON RIVE :						34												34
2207470	TETON RIVE :													40 :			40	40 :	120
L2207188	T06N R44E S15 GROUNDWATER																		
	:						10	35	35	15 :	15	35							145
2207044B	TETON RIVE :																40		40
L2207108Z	HENRYS FOR :																16	39	55
2207180	TETON RIVE :												15						15
2207188	GROUNDWATE :						40	40	40			40							160
A2207188	GROUNDWATE :						40	40	40			40							160
2207209	GROUNDWATE :																40		40
A2207209	GROUNDWATE :												15				40		55
2207470	TETON RIVE :						40	40	40	10 :		40							170
L2207188	T06N R44E S16 GROUNDWATER																		
	:	22	35			02 :	26												85
L2207108Z	HENRYS FOR :																		

LICENSE REVIEW CHECKLIST

PERMIT NO 22-7188 DATE 3-23-94



	Yes	No	
NAME	<u> </u>	<u> ✓ </u>	Or Address Change?
PRIORITY DATE	<u> </u>	<u> ✓ </u>	Advance? <u> </u> Advanced to: <u> </u> Order to reinstate needed? <u> </u> Incorrect fee for rate recommended? <u> </u>
SOURCE	<u> </u>	<u> ✓ </u>	Changes or just clarification of originally intended source? <u> </u> Notice of Intent to Void necessary? <u> </u>
POINT OF DIV	<u> </u>	<u> ✓ </u>	Amendment needed? <u>list redirection point</u> Overlaps? <u>22-7470 (PERMIT)</u>
PLACE OF USE	<u> ✓ </u>	<u> </u>	Amendment needed? <u> </u> Overlaps? <u> </u>
DIV RATE	<u> ✓ </u>	<u> </u>	Measurement done? <u>YES</u> Theoretical only? <u> </u> <u>WELL Q (annular) = 3.37</u> <u>HALLMETER ON EXCHANGE PUMPS = 3.60</u> Capacity: <u>3.37</u> Combined rates exceed capacity <u> </u> Allowable amount: <u>CAPACITY of 3.37</u>
ANNUAL VOLUME	<u> </u>	<u> ✓ </u>	Season of use: <u>8/3.5 4-15 to 10-15</u> Calculations: <u>350 x 3.5 = 1225</u> Flow limit: <u>184</u> x 3.37 cfs x 1.9835 = <u>1229</u> Combined volumes exceed capacity/allowable <u> </u>
USES	<u> </u>	<u> ✓ </u>	Change(s) in Nature of Use? <u> </u> Amendment necessary? <u> </u>
REMARKS	<u> </u>	<u> ✓ </u>	Multiple p/d(s) in 1/4 1/4? <u> </u> <u>Other EXCHANGE WELL / REDIRECTION RATE NOT TO EXCEED</u>
CONDITIONS	<u> </u>	<u> ✓ </u>	<u>MEMO DEC 4 ORDER</u> Measuring/Locking Devices <u>R04</u> Watermaster control - District <u> </u> <u>R30</u> Irrigation Overlap <u> </u> Water Quality <u> ✓ </u> Other <u>FROM MEMORANDUM DEC 4 ORDER 1982</u> <u>also amendment in 1984</u>
COMMENTS:	<u>GCRES shown EXCEED PERMIT</u> <u>LIMITED TO 350</u> <u>Amend p/u</u>		

RECOMMENDED	CFS	VOLUME
<u>Irrigation</u>	<u>3.37</u>	<u>1225</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

LICENSE

1ST AMENDMENT LETTER P41 + P38
2ND AMENDMENT NOTICE P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 31 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7188

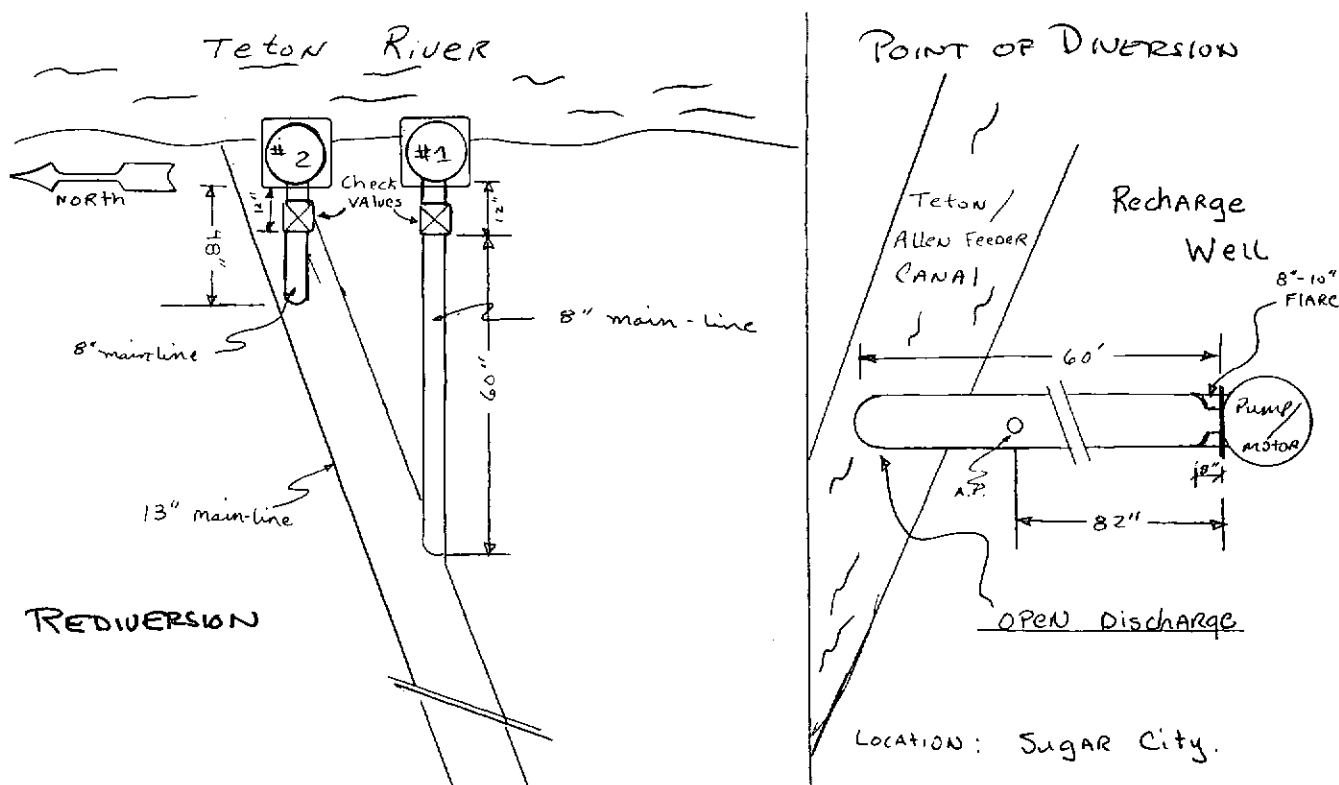
1. Owner: MARK R. & JAY C. RICKS Phone No. (208) 356-5028
Current Address: 259 SO. 3RD E Rexburg Idaho 83440
2. Accompanied by: J.C. Ricks EXAM. DATE: 6-9-88
Address: SAME AS ABOVE Phone No. (SAME AS ABOVE)
Relationship to Permit Holder: OWNER
3. Source: Teton River tributary to HENRY'S FORK
GROUNDWATER

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Permit 22-07470)
☐ Copies Attached
2. Other water rights with same point of diversion: NO
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1\"/>

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

- Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

2 - Pumps / motors to 13" main line to 10 - 1/4 mile hand lines with "1/64", and Flow control (5gpm : 4.5gpm) nozzles.

* Pumps ARE DRAWING WATER FROM Teton River

☒ See Remarks on page 4 for continuation

-

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
# 1 Pump	G.E.	125	ENJ525149	Johnston	TK 14493
# 2 (Pump)	G.E.	125	ALJ129104	Johnston	TK 14493
Exchange well	U.S. Motors	20	3522008	ARORA	8"

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

- Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
E.W.			SE	SW	3	6N	40E	Madison	map
			NE	NW	15	6N	44E	Teton	map & onsite inspection
* DOE, NOT MATCH MAP									

- Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	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	
6N	44E	9																	120
6N	44E	15					15	35	35	15	35								145
6N	44E	16	22	35		2	26	35											105
6N	44E	9												40			40	40	120
		15					10	35	35	15	15	35							145
		16	22	35		2	26												105

350
Hwy

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	IN-line	M ⁸ Crometer		76-12-2043		
manometer					57"	
Halls meter				120385	12"	
ANNUBAR					10"	

2. Measurements:

MEASUREMENT ON pumps #1 & #2 exchange well { main line I.d. = 12.125" , 1/4" WALL thickness , 13" main line
main line pressure = 116 psi
manometer READING = 28.5" - 20" = 8.5" ← (Halls meter)
main line I.d. = 9.75" O.d. = 10" main line pressure =
manometer READING = 22" - 5.7" = 16.3" ← (ANNUBAR)

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: E.W. = Exchange Well.

$$Q_{E.W.} = 3.37 \text{ c.f.s.}$$

2. Alternate Method for Checking Purposes: THEORETICAL

$$Q_T = 2 \left(\frac{(1.25)(9.84)(0.80)}{0 + 2.31(116 \text{ psi})} \right) = 6.56 \text{ c.f.s.}$$

F. PUMP EFFICIENCY DATA (Optional)* Done on exchange well. only!

Discharge Pressure: 10 psi x 2.31 = 23.1 ft (1); Dynamic pumping level: 26 ft (2)

Total Head: (1) + (2) = 49.1 (3)

; Flow rate: 3.37 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 165.44 (5)

Meter Input KW: 3.6 x 57.6 KH x CTR or 48 MULT x 1 PTR x 5 N/ 54.58T = 253.28 (6)

Meter Input HP: (6) x 1.34 = 339.39 (7)

Panel Input KW: Ave PF x Ave Volts x Ave Amps x .001732 = (6)

Panel Input HP: (6) x 1.34 = 339.39 (7) Efficiency: (5)/(7) x 100 = 49 %

Form 125 , Westinghouse 71 456 188 , m30R7015

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (350)(3.5) = 1225$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.37)(183)(1.9835) = 1,223.24$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1223.2$$

X Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The mcrometer reading on pumps #1 & #2 was fluctuating back and forth between the 1500 gpm - 1600 gpm mark, at the same time I was taking Hall meter readings.

* It looks like a new mcrometer had been installed since Eric was out during 1997.

It appears there are additional acres under irrigation shown in cross section the ASGS air photo. These are beyond the 350 acres allowed by the permit.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs) R.L.	Annual Volume V (afa)
	From	To		
Irrigations	4/15	10/15	3.37	1223.2
Totals:			3.37 R.L.	1223.2

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

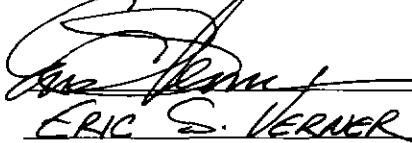
J. AUTHENTICATION

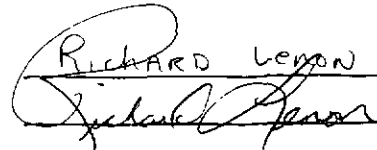
Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date


ERIC S. VERNER


RICHARD L. VERNER

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Conditions - See Mem Dec. & Order dated July 28th, 1982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE
LICENSING REPORT22-7188
Permit No.

Measurement Calculations

Field Measurement Calculations (Include theoretical capacities and system capacity)

Halls Meter: $Q = (A)(V_h)$ $A = \text{Area} = \frac{\pi d^2}{4}$ $V_h = \text{Halls Manometer Reading}$

CALCULATION FOR

Pumps #1 & #2 $Q_{\text{gpm}} = (A)(V_h) = \left[\frac{\pi d^2}{4} \right] (V_h) = \text{GPM} \div 448.8 \text{ gpm/cfs} = \text{CFS}$

$$Q_{\text{cfs}} = \left[\frac{(3.1416)(12.125')^2}{4} \right] \times \left[(.14") \right] \div 448.8 = \underline{3.60} \text{ cfs}$$

TABLE 1

CHART TO CONVERT LINEAR INCHES DIFFERENTIAL
IN THE MANOMETER TO MANOMETER READING

$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water	$V_h = \text{HALLS}$ Manometer Reading	Diff. Inches of Water
1	.140	17	12.435	33	43.950
1.5	.240	17.5	13.132	33.5	45.200
2	.350	18	13.648	34	46.500
2.5	.470	18.5	14.582	34.5	47.850
3	.600	19	15.336	35	49.200
3.5	.750	19.5	16.108	35.5	50.550
4	.903	20	16.898	36	51.900
4.5	1.080	20.5	17.707	36.5	53.250
5	1.283	21	18.534	37	54.600
5.5	1.540	21.5	19.380	37.5	56.000
6	1.803	22	20.246	38	57.35
6.5	2.094	22.5	21.129	38.5	58.7
7	2.397	23	22.031	39	60.05
7.5	2.722	23.5	22.951	39.5	61.4
8	3.066	24	23.891	40	62.75
8.5	3.428	24.5	24.849	40.5	64.1
9	3.810	25	25.825	41	65.45
9.5	4.210	25.5	26.820	41.5	66.8
10	4.627	26	27.834	42	68.15
10.5	5.063	26.5	28.866	42.5	69.5
11	5.520	27	29.917	43	70.85
11.5	5.994	27.5	30.987	43.5	72.2
12	6.486	28	32.075	44	73.55
12.5	6.997	28.5	33.181	44.5	74.9
13	7.526	29	34.307	45	76.25
13.5	8.074	29.5	35.681	45.5	77.6
14	8.642	30	36.980	46	78.95
14.5	9.228	30.5	37.750	46.5	80.3
15	9.832	31	38.960	47	81.65
15.5	10.454	31.5	40.200	47.5	83.00
16	11.096	32	41.450	48	84.35
16.5	11.756	32.5	42.800		

Annubar: Exchange well calculation.

B = Difference in inches of water

C = Annubar Factor: Model 75 = -3.85
Model 73 = 4.14K = Flow Correction Factor
= 1 for Manometer
= # From Calibration Chart

C=Correction Factor

$$Q_{\text{cfs}} = \left[\frac{(C)(id)^2 \sqrt{B}}{448.8} \right] K = \text{CFS}$$

$$Q_{\text{cfs}} = \left[\frac{(3.94)(9.75')^2 \sqrt{16.2''}}{448.8} \right] (1) =$$

$$Q_{\text{cfs}} = \underline{3.37} \text{ cfs}$$

6"	3.75
7.98"	3.87
10"	3.94
12"	3.99
14"/16"	4.01
18"/24"	4.02
30"	4.03

AUG 09 1994

1011
1514

17 R44E 20N

22-07188

P.O.D.
REDIVERSION

40

40

40

910
1615

22

35

26

10

35

5

15

15

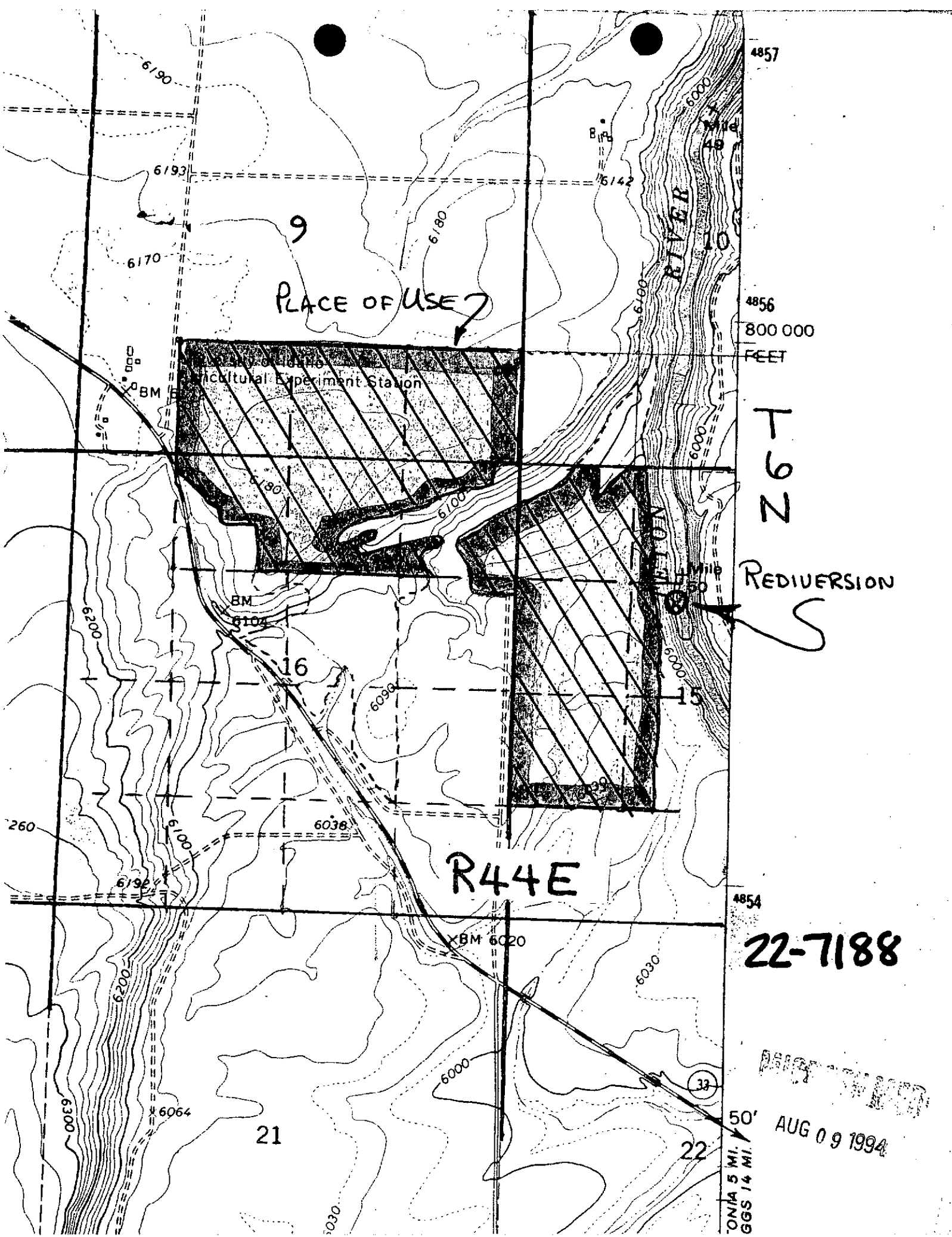
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35

22-7188

TON

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9
PLACE OF USE?

Agricultural Experiment Station

R44E

Z6T

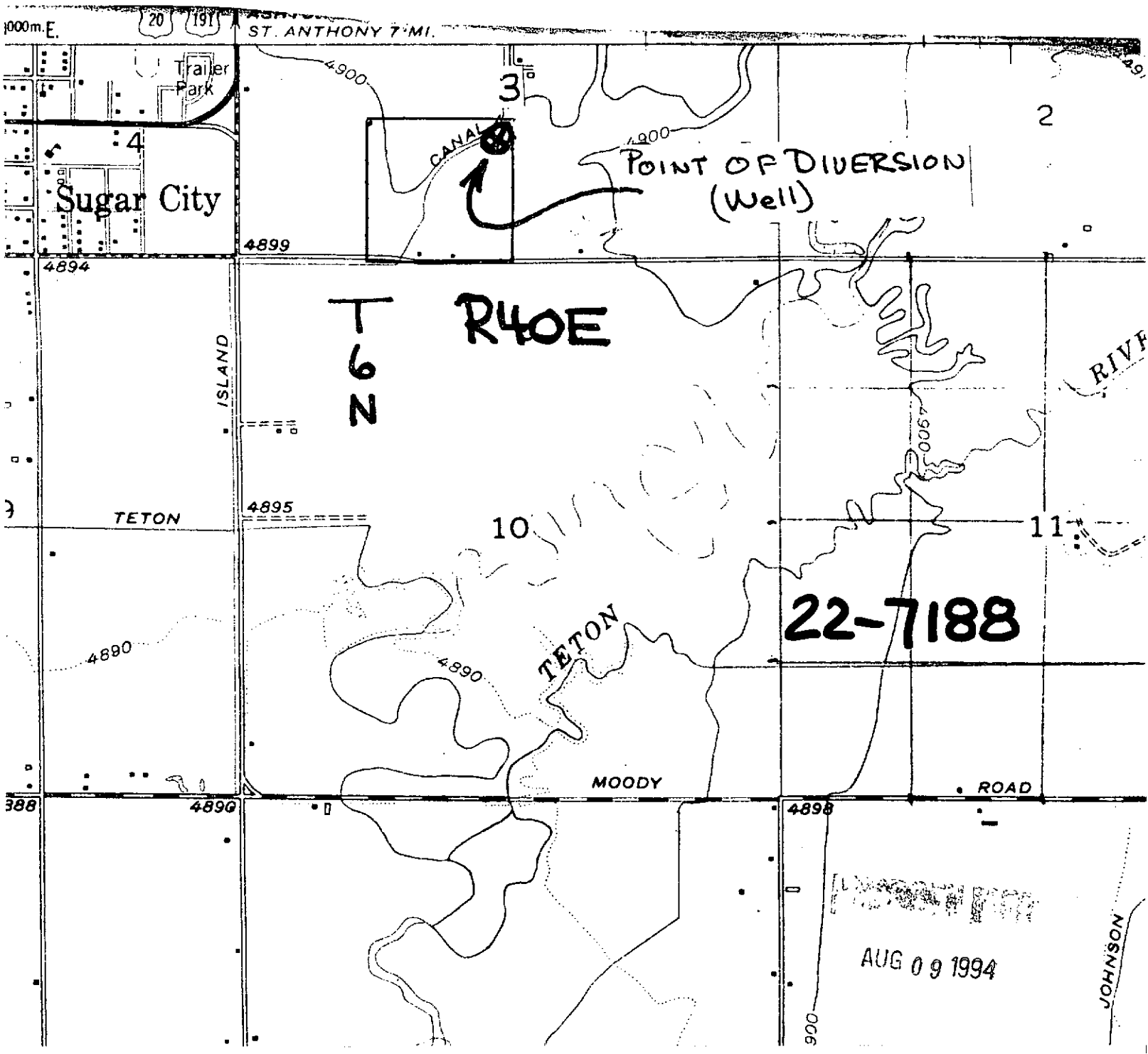
REDIVERSION

22-7188

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50' 14 MI. 5 MI.

22-7188



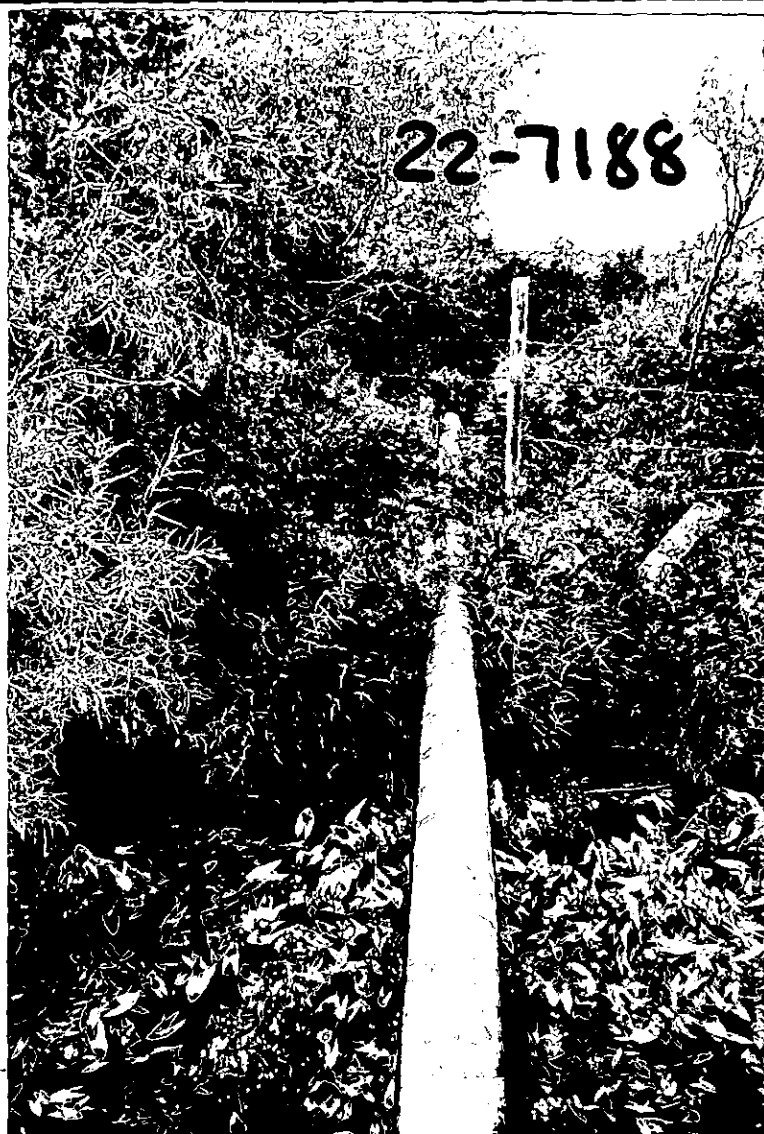
22-7188

Pictures taken
By ERIC Verwoerd
1987



3.60
3.37

POINT OF
DIVERSION

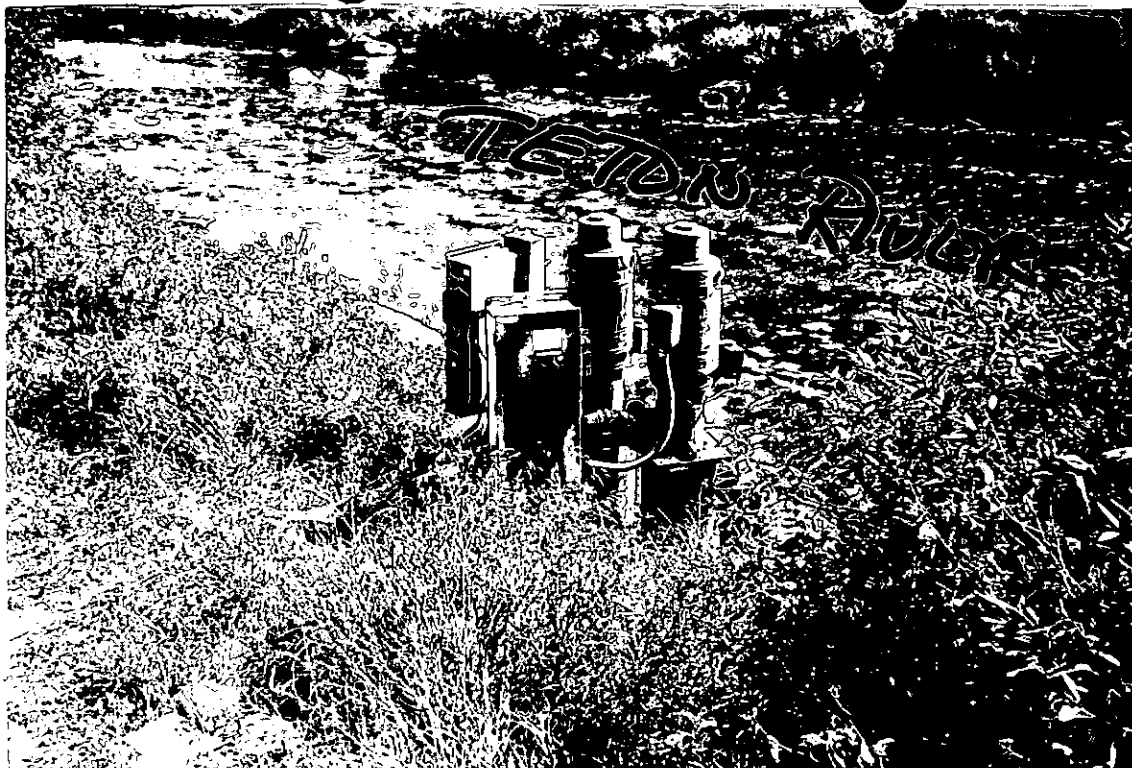


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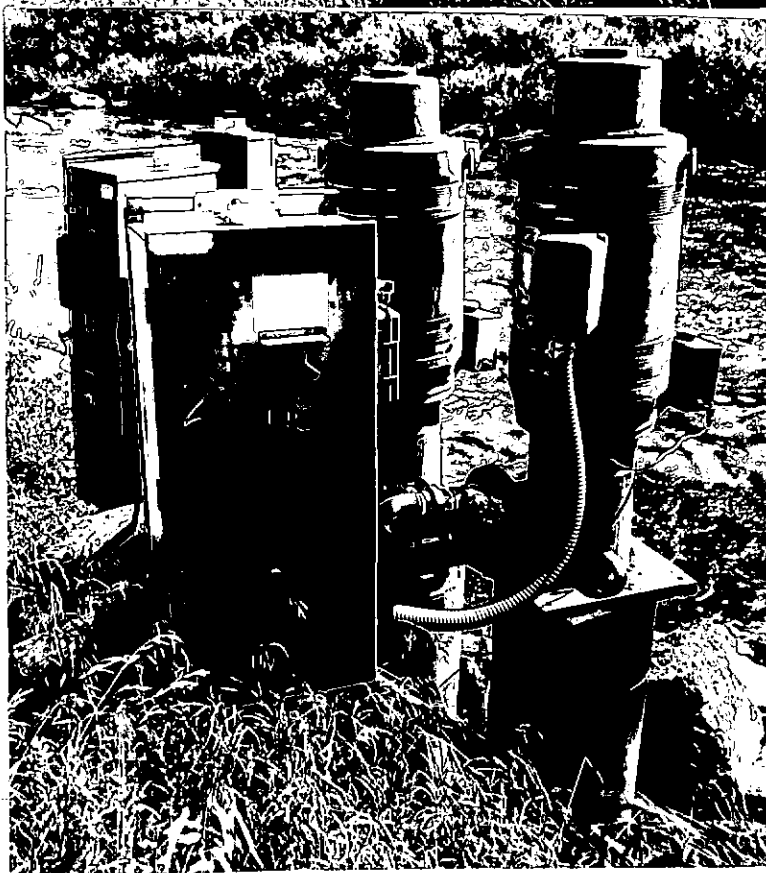
AUG 09 1984

22-7188

Pictures taken
by ERIC VERNON
1987



RE-
DIVERSION



22-7188



ALLO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

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

A. Kenneth Dunn
Director

22-7188
RICKS, MARK B.
259 S. 3RD E.
REXBURG, ID 83440

January 26, 1987

EXAMINATION FEE NOTICE



Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

MAILED 10
JAN 27 1987

AUG 09 1994

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

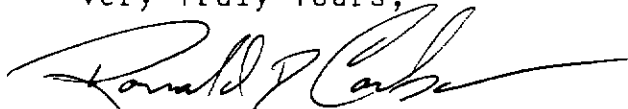
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401
Phone: 525-7161

Very Truly Yours,


Ronald D. Carlson
Eastern Regional Manager

Enclosures

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AUG 09 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 13, 1985

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

RE: Permit No. 22-7188

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

RECEIVED

AUG 09 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 7, 1984

RE: Permit No. 22-7188

Mark R. Ricks &/or
Riko Inc.
259 S. Third E.
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Correction

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 2
consecutive issues, the first publication hav-

ing been made on August 2, 1984
and the last publication having been made

on August 9, 1984

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Terry Weatherston

Subscribed to and sworn to before me

this August 10, 1984

Fere Garner
(SEAL)

Notary Public.

My commission expires life

RECEIVED

AUG 14 1984

Department of Water Resources
Eastern District Office

NOTICE OF CORRECTION

Notice is hereby given that application for
amendment No. 22-7188 in the name of
Mark R. Ricks &/or Riko Inc. was advertised
incorrectly on September 8 and 15, 1983.
The correct legal notice should have read as
follows:

Notice is hereby given that Permit No. 22-
7188 in the name of Mark R. Ricks &/or Riko
Inc. was issued for the diversion of 7.0 c.f.s.
of water from a ground water source with the
point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
15, T. 6N, R. 44E, B.M., Madison County; to
be used for the irrigation of 350 acres from
4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 5, N $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 6N, R. 44E,
B.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$
The permit holder now proposes to amend
Permit No. 22-7188, changing the point of
diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 6N, R.
40E, and the water will be pumped into the
Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 3, T. 6N, R. 40E, in exchange for an
equal amount to be pumped from the Teton
River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
15, T. 6N, R. 44E, B.M., Madison County.

Any protest to the proposed amending of
the permit must be filed with the Dept. of
Water Resources, 150 Shoup, Suite 15,
Idaho Falls, ID, 83402, on or before August
20, 1984.

A. KENNETH DUNN
Director

Publ. Aug. 2 and 9, 1984

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JULY 24, 1984

The Standard Journal
P. O. Box 10
Rexburg, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 AUGUST 20, 1984.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOC
8-20-84

RECEIVED

NOTICE OF CORRECTION

Notice is hereby given that application for amendment No. 22-7188 in the name of Mark R. Ricks &/or Riko Inc. was advertised incorrectly on September 8 and 15, 1983. The correct legal notice should have read as follows:

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks &/or Riko Inc. was issued for the diversion of 7.0 c.f.s. of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Madison County; to be used for the irrigation of 350 acres from 4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 6N, R. 44E, B.M.

The permit holder now proposes to amend Permit No. 22-7188, changing the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 6N, R. 40E, and the water will be pumped into the Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 6N, R. 40E, in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Madison County.

Any protest to the proposed amending of the permit must be filed with the Dept. of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before August 20, 1984.

A. KENNETH DUNN

Director

Published in the Rexburg Journal, Rexburg, ID, on August 2 and 9, 1984.

MICROFILMED

May 11, 1934

RE: Application for Amendment No. 22-7138 RICKS &/OR RICO

Fred A. Shirley, President
Teton Island Feeder Canal Co.
Rt. 12
Rexburg, ID 83440

Dear Mr. Shirley:

The Department of Water Resources is proceeding with the processing of application for amendment No. 22-7138 (Mark R. Ricks and/or Riko Inc.), with the understanding that the Teton Island Feeder has agreed to this proposed exchange of water.

If approved by the Director, Water District No. 1 will commence recognizing water used through this exchange. To accomplish this we will add the amount pumped by Ricks to the amount of water being diverted by the Teton Island Feeder. Thus, if the Teton Island Feeder is diverting 350.0 cfs and Ricks is pumping 7.00 cfs, the feeder will be charged 357 cfs. It will be up to the canal company to assure that the 7.00 cfs is replaced from the Ricks' exchange well.

If you have any questions about this matter or how the accounting will work, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Watermaster

RDC:cw

cc: Bob Sutton

State of Idaho
Department of Water Resources

Mr Ernest Carlson

We have agreed to exempt
recharge water in reference
to Permit No. 22-7188
and to make the exchange

Respectfully,
Fred A Shirley

Letter of consent
from president of
Teton Island Feeder
Canal.

MICROFILMED

RECEIVED

APR 11 1984

Department of Water Resources
Eastern District Office

CONVERSATION MEMORANDUM

DATE April 9, 1984

FILE _____

NAME OF PARTY Jay Ricks

EMPLOYEE Ernest Carlsen

RE: _____

Mr. Ricks has been advised that the Teton Island Feeder Canal approved his proposal to discharge his exchange well directly into the canal. He indicated a letter from the canal would be coming but probably not until their meeting in two weeks.

I told Mr. Ricks that action on his application would be delayed until we received the canal's response.

RECEIVED
APR 11 1984

March 26, 1984

Mark R. Ricks &/or REko Inc.
259 S. Third East
Rexburg, ID 83440

RE: Application for Amendment Permit No. 22-7188

Dear Mr. Ricks:

Our office continues to hold the above captioned application, pending receipt of documentation from Teton Island Feeder Canal agreeing to the amendment. Their consent is needed because of the effect your proposal will have on the delivery of their water rights from the Teton River.

To keep the file on your amendment application current, some direction is needed on how the Department should proceed. We can either extend the period for taking administrative action or make a decision based on information now available.

To continue delaying administrative action on the application we need a report on your effort to obtain permission from the canal company and a tentative date when this action will be concluded.

If a response has not been received by April 9, 1984, we will proceed with issuing a decision on the application.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:bp



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

January 18, 1984

Ray C. Ricks, Pres.
Rico Inc.
259 S. 3rd East
Rexburg, ID 83440

RE: Application for Amendment of Permit No. 22-7188

Dear Mr. Ricks:

In July of 1983 you filed the above captioned application for amendment, seeking to change the location of an exchange well. This change would move the well to a site adjacent to the Teton Island Canal. The groundwater would then be discharged into the canal rather than the Teton River as originally permitted.

Before the Department can recommend final action on this application, Teton Island Canal will have to agree to the change. Their consent is needed because of the affects this change will have on the regulation of water delivered to the canal from the Teton River by Water District 01. The enclosed letter addressed to Mr. Shirley, President of the Teton Island Feeder Canal, describes this affect.

Your application will be retained in our office until the canal company provides a document describing their position on the proposed change.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:bp

Enclosure

MAILED 1/20/84

November 15, 1983

RE: Application for Amendment No. 22-7188 MARK R. RICKS
&/OR RIKO INC.

Fred Shirley, President
Teton Island Feeder Canal
Rt. #2
Rexburg, ID 83440

Dear Mr. Shirley:

On July 6, 1976, Mark and Jay Ricks applied to the Department of Water Resources for a permit to appropriate 7.00 c.f.s. from ground water, to be injected into the Teton River and exchanged for a like amount to be diverted from the river several miles upstream. The Ricks ultimately received a permit from the Department of Water Resources. They are now seeking to amend this permit and propose to pump water into the Teton Island Canal instead of directly into the Teton River. For this amendment to be approved, the Teton Island Canal would have to agree to have their water right reduced at the head by the amount being injected into their canal from the proposed exchange well. Before the Department can take further action on this application, we need confirmation from the Teton Island Canal Company that they have agreed to the conditions cited above. We are, therefore, holding action on this application until we have an appropriate response from the Teton Island Company.

If you have additional questions or need further information in this matter, please feel free to contact me.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

RECEIVED

OCT 13 1983

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Bruce Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal
a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice Of Proposed Amending Of Water Permit
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 hav-
ing been made on Sept. 8, 1983
and the last publication having been made
on Sept. 15, 1983

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Subscribed to and sworn to before me
this Sept. 16, 1983

Jeri Garner
(SEAL) Notary Public.

My commission expires Life.

**NOTICE OF PROPOSED
AMENDING OF WATER PERMIT**

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks &/or Riko Inc. was issued for the diversion of 7.00 cfs of water from a groundwater source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 6N, R. 44E, B.M. Madison County; to be used for the Irrigation of 350 acres from 4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, N $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 16, T. 6N, R. 44E, B.M.

The permit holder now proposes to amend Permit No. 22-7188, changing the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 6N, R. 40E, and the water will be pumped into the Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 6N, R. 40E, B.M. Madison County.

Any protest to the proposed amending of the permit must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before Sept. 26, 1983.

A. KENNETH DUNN
Director

Publ. Sept. 8 and 15, 1983J

RECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

September 27, 1983

RE: Application for Amendment No. 22-7188 RICKS

Claim to a Water Right No.	31-4118	U.S. SHEEP EXPERIMENT STATION
	31-4119	"
	31-4120	"

Standard Journal
Box 10
Rexburg, ID 83440

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on September 8 and 15, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED
OCT 11 1983

Called
10-7-83

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks &/or Riko Inc. was issued for the diversion of 7.00 cfs of water from a groundwater source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, T. 6N, R. 44E, B.M. Madison County; to be used for the irrigation of 350 acres from 4-1 to 11-1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 16, T. 6N, R. 44E, B.M.

The permit holder now proposes to amend Permit No. 22-7188, changing the point of diversion to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 6N, R. 40E, and the water will be pumped into the Teton Island Canal within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 6N, R. 40E, B.M. Madison County.

Any protest to the proposed amending of the permit must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls Idaho, 83401, on or before Sept. 26, 1983.

A. KENNETH DUNN

Director

Published in the Standard Journal on 9/8 & 9/15/83.

RECEIVED

September 7, 1982

Mark R. Ricks and/or Riko Inc.
259 S 3rd E
Rexburg, ID 83440

Gentlemen:

Re: Application for Amendment of Permit No. 22-7188

Enclosed is a copy of the Order Adopting Proposed Memorandum Decision and Order together with a copy of the application.

Any person who does not agree with the decision of the department may request a rehearing before the Director within twenty (20) days, or may appeal directly to the district court within thirty (30) days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Mary Smith
James Max Mortensen
Diana S. Richman and Ralph L. Pocock
Woodmansee Johnson Canal Co.

August 11, 1981

Re: Permit No. 22-7188

Mark R. Ricks &/or Riko, Inc.
259 So. 3rd East
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of the approved request for extension of time for the above referenced permit. The time within which to submit the statement of beneficial use has been extended to August 1, 1986.

If you have any questions concerning this matter, please contact us.

Sincerely,

JAN GROVER
Sr. Water Resource Agent

JG:j
Enclosure

RECEIVED

July 25, 1981

JUL 28 1981

Department of Water Resources

22-7188

Dear Mr Johnson:

Our deepest apologies for failure
to include the 15.00 fee with our
request for extension of time on our
Water permit.

Also, thank you for your advice
to request a 5 yr. extension and this
We certainly do.

Please extend our permit to
Drill a well to Aug 1, 1986.

Mark R. Ricks

and

RIKO, Inc.

Jay E. Ricks

Thank you very much.

RECEIVED

July 24, 1981

Mr. M. R. Ricks
259 So. 3rd E.
Rexburg, Idaho 83440

Dear Mr. Ricks:

Thank you for returning the request for extension of time per our letter of May 31, 1981.

We did not find enclosed, however, the \$15.00 filing fee and therefore we will not be able to process your request until the fee has been received.

Since your Amendment to the permit has been protested and it is uncertain how long it will take to get it resolved may I recommend that you request an extension to the maximum of 5 years. This will make the proof of beneficial use due on August 1, 1986 rather than August 1, 1983, as you requested. If you complete your development before the 1986 date you can submit the proof to beneficial use upon the completion.

If my suggestion is satisfactory to you please make a written statement of that and enclose it with your \$15.00 filing fee.

Since the proof due date is now August 1, 1981 your prompt attention to this is required in order to avoid an advancing priority date on your permit.

If you have any questions on this please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:jg

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

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

138198

MAY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 22-7188 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

RECEIVED
MAY 31 1981

IN THE MATTER OF)
APPLICATION FOR) STIPULATION
AMENDMENT OF)
PERMIT 22-7188 IN) AGREEMENT
THE NAME OF)
MARK R. RICKS &/OR RIKO INC.)

We hereby agree to allow the Idaho Dept of Water Resources to make a decision in this matter based upon the information presented at the conference held in Rexburg Idaho and relevant data contained in the official files of the Department. We understand that the decision of the department can be appealed to the Dept or the District Court within the time frame specified in the statutes.

Signed at Rexburg, Idaho this 24th day of April 1981.

Roman Hillon

James Hillon

Royce S. Thomson

Mark R. Ricks

Teton Irrigation Project

W J R M D
Riko

April 24, 1981

Hearing 22-7188

Riko INC

Riko INC - Represented by Mark
Ricks Jr

Acad P1 down by Sugar City to
be exchanged for water from Teton.
Change of over 20 miles

Applicants have no storage for
ground shown in Application

1500 cfs Capacity from river

RECEIVED
APR 25 1981

22-7188 Amendment - Mark R. Ricks &/or Riko Inc.

Meeting Room, Madison County Courthouse, Rexburg, Idaho

Friday, April 24, 1981 (1:00 p.m.)

ROSTER OF ATTENDANCE

Hearing Officer _____

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Norma Hillen	Pekton	Fremont Madison
Dale T. Swensen	St. Anthony	" "
Larin B. Hauer	Rexburg	" "
L. Emery Davis	St. Anthony	Fremont Madison
Mary Smith	Rexburg	" "
Boyle S. Thomson	Sugar	W J M D
John Chantrell	Newdale	Fremont Mad.
James Siddoway	Teton	Teton, Irving & Mfg.
Mark R. Ricks	Feltola	PERSONAL

150 Shoup Ave. -----

525-7161

April 16, 1981

Madison County Courthouse
Rexburg,
Idaho 83440

Gentlemen:

This is to confirm the use of the Meeting Room for conference and/or hearing to be held by this office on Friday, April 24, 1981, at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

KAY WALKER
Secretary

KW:k

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one.) ☒ Show to whom and date delivered. ☐ Show to whom, date and address of delivery. ☐ RESTRICTED DELIVERY Show to whom and date delivered. ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____		
(CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: Woodmansee Johnson Canal Co. Route #4, Box 1 Rexburg, ID 83440		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	17158	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE ☐ Addressee ☐ Authorized agent		
<i>Bill Palmer</i> 4. DATE OF DELIVERY <i>4-11-81</i>		
5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



NO PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



RETURN
TO



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

RECEIVED

(Name of Sender)

APR 13 1981

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.		
1. The following service is requested (check one.) ☒ Show to whom and date delivered.....¢ ☐ Show to whom, date and address of delivery...¢ ☐ RESTRICTED DELIVERY Show to whom and date delivered.....¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery.\$____		
(CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO: Ralph Pocock, Teton Irr. & Man. Company Rt. 1, Sugar City, ID 83448		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	17159	
(Always obtain signature of addressee or agent)		
I have received the article described above. SIGNATURE ☐ Addressee ☒ Authorized agent		
4. <i>Beth Pocock</i> DATE OF DELIVERY 4-11-81		
5. ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS BP

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse
- Attach to front of article if space permits, otherwise affix to back of article
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401
(Name of Sender)

RECEIVED

APR 14 1981

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☒ Show to whom and date delivered..... \$ ☐ Show to whom, date and address of delivery..... \$ ☐ RESTRICTED DELIVERY Show to whom and date delivered..... \$ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$ ____								
(CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: Riko, Inc. c/o Mark Ricks 259 S. 3rd East Rexburg, ID 83440								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>17157</td> <td></td> </tr> </table>			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		17157	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	17157							
(Always obtain signature of addressee or agent)								
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Riko by Mrs. J. R. Ricks</i>								
4. DATE OF DELIVERY <i>4/11/51</i>		POSTMARK						
5. ADDRESS (Complete only if requested) <i>UNDELIVERED</i>								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS <i>KIR</i>						

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**

RECEIVED

APR 13 1981

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



RECEIVED

22-7188

me and
address
Sender

Report of value
1500 \$ Group

Indicate type of mail:
☐ REGISTERED ☐ C.O.D.
☒ CERTIFIED

Attach stamp here if issued as certificate of mailing or for additional
copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF PIECES	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R.R. FEE	REST. DEL. FEE	ACTUAL VALUE	HANDLING CHARGE	REMARKS
17153	Coot Electric, Inc. P.O. Box 1071, TE, ID	75	60					21-7211
17154	Paul River, P.O. Box 174, Muncie, Ind	75	60					21-7212
17155	Mary Smith, 30 S. 2nd St., Muncie, Ind	75	60					211
17156	Woodmont-Indiana, P.O. Box 5, Muncie, Ind	75	60					22-7182
17157	Piedmont, Inc., 209 S. 3rd St., Muncie, Ind	75	60					22-7183
17158	Woodmont-Indiana, P.O. Box 1, Muncie, Ind	75	60					22-7184
17159	Woodmont-Indiana, P.O. Box 1, Muncie, Ind	75	60					22-7185
8								
9								
10								
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20								

TOTAL NO. OF PIECES
LISTED BY SENDER

TOTAL NO. OF
PIECES RECD. AT P.O.

POST OFFICE, P.O. (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first class
if international

PS Form 3877, Dec. 1973

APPLICATION FOR REGISTERED, REGISTERED C.O.D. AND CERTIFIED MAIL

(Declaration of value is required on international registered mail)

* U. S. GOVERNMENT PRINTING OFFICE: 1974-0-332-726

FORM MUST BE MADE OUT IN INK OR BALL POINT PEN

17153-17159

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
AMENDMENT NO. 22-7188 IN THE)
NAME OF MARK R. RICKS &/OR)
RIKO INC.)
_____)

NOTICE OF HEARING

On January 23, 1981, Mark R. Ricks filed with the Department of Water Resources an application to amend Permit No. 22-7188. On February 13, 1981, the Department received a protest against approval of said application from Attorney Mary Smith in behalf of Fremont Madison Irrigation District. On February 17, protests were received from Dell Palmer, Russell Wilding, Brent R. Bauman, Royle S. Thomson and Garry Parkinson of the Woodmansee Johnson Canal Company; and from Ralph R. Pocock and Diana S. Richman of the Teton Irrigation and Manufacturing Company.

The Department has set the matter of protest for hearing for 1:00 p.m., Friday, April 24, 1981, in the Meeting Room of the Madison County Courthouse, Rexburg, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

In accordance with Idaho Code, Section 42-211, the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed change result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely effected by the proposed change?

RECEIVED
APR 24 1981
WATER RESOURCES
DIVISION

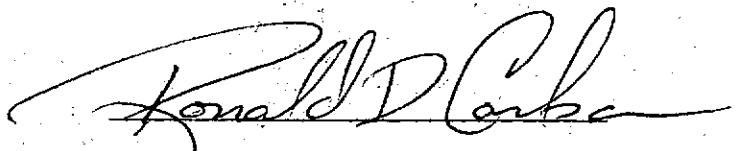
Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 10th day of April, 1981.


Hearing Officer

RECEIVED
APR 14 1981

150 Shoup Ave. _____

525-7161

February 24, 1981

RE: Application for Amendment of Permit No. 22-7188

Mark R. Ricks &/or Riko Inc.
259 S. 3rd E.
Rexburg, ID 83440

Gentlemen:

Enclosed herewith are copies of additional protests that we have received regarding the amendment of your permit.

Sincerely,

KAY WALKER
Secretary

KW:k
Enclosures

February 19, 1981

RE: Application for Amendment No. 22-7188 RICKS &/OR RIKO

Woodmansee Johnson Canal Company
c/o Dell Palmer, Chairman
Rt. #4, Box 1
Rexburg, Idaho 83440

Dear Mr. Palmer:

This is to acknowledge receipt of the protest to issuance of the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment:

1. Will the proposed change result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely effected by the proposed change?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matter of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

February 19, 1981

RE: Application for Amendment No. 22-7188 RICKS &/OR RIKO

Diana S. Richman, Secretary
Teton Irrigation & Manufacturing Company
Rt. #1
Sugar City, Idaho 83448

Dear Ms. Richman:

This is to acknowledge receipt of the protest to issuance of the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment:

1. Will the proposed change result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely effected by the proposed change?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matter of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office

February 17, 1981

RE: Application for Amendment No. 22-7188

Mark R. Ricks &/or
Riko Inc.
259 S. 3rd E.
Rexburg, Idaho 83440

Gentlemen:

Enclosed please find a copy of the protest filed against the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment:

1. Will the proposed change result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely effected by the proposed change?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matter of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

Enclosure

cc: IDWR - State Office

February 17, 1981

RE: Application for Amendment No. 22-7188 RICKS &/or RIKO

Jas Max Mortensen, Chairman
Fremont Madison Irrigation District
P.O. Box 5
St. Anthony, Idaho 83445

Gentlemen:

This is to acknowledge receipt of the protest to issuance of the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for amendment:

1. Will the proposed change result in the diversion and use of more water than originally permitted?
2. Will the rights of others be adversely effected by the proposed change?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matter of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw:kw

cc: IDWR - State Office
Mary Smith, Attorney

February 14, 1981

Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

Dear Sirs:

We the Board Members of the Woodmansee Johnson Canal Co., oppose the Amendment to Permit 22-7188 in the name of Mark R. Ricks and/or Riko Inc. which proposes to change the point of diversion as described in the Amendment in the Rexburg Standard-Journal dated January 29, 1981 and February 5 and 12, 1981. (Notice of Proposed Amending of Water Permit.) because it is downstream of the point of diversion of the Woodmansee Johnson Canal Co.'s point of diversion.

RECEIVED

FEB 17 1981

Department of Water Resources
Eastern District Office

P.O. Box 129
Idaho Falls, Idaho 83401
(208) 523-0820

Publ. Jan. 29, Feb. 5 and 12, 1981

NOTICE OF PROPOSED AMENDING
OF WATER PERMIT

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks and/or Riko Inc. was issued for the diversion of 7.0 cfs of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E, Teton County, to be used for the irrigation of 350 acres from April 1 to November 1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 6N, Rge. 44E.

The permit holder now proposes to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 6N, Rge. 40E, Madison County; the water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Twp. 6N, Rge. 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before February 18, 1981.

C. STEPHEN ALLRED
Director

Publ. Jan. 29 and Feb. 5, 1981

Dell Palmer
Chairman

Russell Wilding
Director

Brent R. Barman
Director

Boyle S. Thomson
Director

Harry Parkman
Director

Mailing to

Woodmansee Johnson Canal Co.
% Dell Palmer, Chairman.
Route #4 Box #1
Rexburg, Idaho

83440

February 14, 1981

Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401

Dear Sirs:

We the Board Members of the Woodmansee Johnson Canal Co., oppose the Amendment to Permit 22-7188 in the name of Mark R. Ricks and/or Riko Inc. which proposes to change the point of diversion as described in the Amendment in the Rexburg Standard-Journal dated January 29, 1981 and February 5 and 12, 1981. (Notice of Proposed Amending of Water Permit.) because it is downstream of the point of diversion of the Woodmansee Johnson Canal Co.'s point of diversion.

Oell Palmer
Chairman

Russell Wilding
Director

Brent R. Barnes
Director

Rock S. Thomson
Director

Harry Parkinson
Director

RECEIVED

FEB 18 1981

Department of Water Resources
Eastern District Office

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATION OF
MARK RICKS

PROTEST
APPLICATION NO. 227188

We, THE TETON IRRIGATION AND MANUFACTURING COMPANY, do hereby protest the application No. 227188 for the permits to drill and irrigation well and divert water from the Teton River, and in support thereof respectfully represent..

1. The Teton Irrigation and Manufacturing Company has rights in the Teton River and believe these applications, if, permitted, would interfere with their rights.
2. We are opposed to any permit that does not replace water above our headgates and believe that such a permit would be a detriment to our system.
3. We believe that it will require a great deal of manpower to police the Teton River with these added diversions and this burden is added to our stockholders assessments.
3. We believe that there are still problems to be solved with the canal company as a result of the Teton DAM failure and the wells added following that disaster and there should be a moratorium on all new wells and systems until an evaluation of these problems can be made.

Dated this 17 day of Feb 1981.

TETON IRRIGATION AND MANUFACTURING COMPANY

Ralph L. Pocock PRESIDENT
Ralph L. Pocock

Diana S. Richman Secretary
Diana S. Richman

RECEIVED

FEB 17 1981

Department of Water Resources
Eastern District Office

SMITH, HANCOCK & MOSS

Attorneys at Law

MARY SMITH

J. D. HANCOCK

BRENT J. MOSS

W. LLOYD ADAMS (1885-1969)

30 SOUTH 2nd WEST
REXBURG, IDAHO 83440
PHONE: 208 - 356-5493

February 12, 1981

Idaho Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

RE: Permit No. 22-7188

Gentlemen:

I am enclosing herewith Protest of the
Fremont-Madison Irrigation District in the above
matter.

Yours very truly,

Mary Smith

Mary Smith

rs
Enclosure

RECEIVED

FEB 13 1981

Department of Water Resources
Eastern District Office

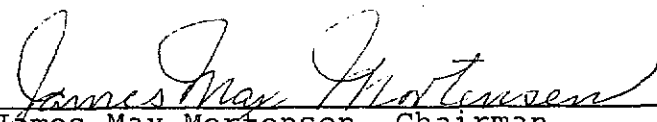
RECEIVED

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT
OF WATER ADMINISTRATION

IN THE MATTER OF THE APPLICATION :
OF MARK R. RICKS and/or RIKO INC., : PROTEST OF THE FREMONT-
TO AMEND PERMIT NO. 22-7188, TO : MADISON IRRIGATION DISTRICT.
CHANGE THE POINT OF DIVERSION. :

Comes now the Fremont-Madison Irrigation District, a quasi-municipal corporation of the State of Idaho, with its office and post office address at St. Anthony, Idaho, and in response to notice given that Mark R. Ricks and/or Riko Inc., made application to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, Township 6 North, Range 40 E.B.M., Madison County. The water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, Township 6 North, Range 40 E.B.M. in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 6 North, Range 44 E.B.M., and makes the following Protest against the approval of such application:

1. That the proposed change of point of diversion and exchange will reduce the quantity of water under existing water rights.
2. That the supply of water in the Teton River is not sufficient to warrant such amendment.
3. That the application for said amendment is made for speculative purposes.
4. That such diversion will conflict with local public interest.


James Max Mortensen, Chairman
Board of Directors of the Fremont-
Madison Irrigation District.

RECEIVED
FEB 13 1981

RECEIVED

FEB 13 1981
Department of Water Resources
Eastern District Office

STATE OF IDAHO,)
 (SS
County of Madison.)

JAMES MAX MORTENSEN, being first duly sworn, says that he is the Chairman of the Board of Directors of the Fremont-Madison Irrigation District and he makes this verification for and on behalf of said District; that affiant has read the foregoing Protest and knows the contents thereof and as to the matters and things therein alleged, affiant believes the same to be true.

James Max Mortensen

Subscribed and sworn to before me this 12th day of February, 1981.

Mary Smith

Notary Public, residing at
Rexburg, Idaho. My commission
expires: Life.

(Seal)

RECEIVED
FEB 12 1981
FREMONT-MADISON IRRIGATION DISTRICT

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

Bruce Porter

I, _____,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal _____, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Water Permit No. 22-7188

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 hav-

ing been made on Jan. 29, 1981
and the last publication having been made

on Feb. 5, 1981

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 sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

Subscribed to and sworn to before me

this Feb. 6, 1981

Jeri Garner

Notary Public

(SEAL)

My commission expires life.

**NOTICE OF PROPOSED AMENDING
OF WATER PERMIT**

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks and/or Riko Inc. was issued for the diversion of 7.0 cfs of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E, Teton County; to be used for the irrigation of 350 acres from April 1 to November 1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16; Twp. 6N, Rge. 44E.

The permit holder now proposes to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 6N, Rge. 40E, Madison County; the water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Twp. 6N, Rge. 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before February 16, 1981.

C. STEPHEN ALLRED
Director

Publ. Jan. 29 and Feb. 5, 1981J

RP KW
2/23/81

RECEIVED

FEB 17 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 23, 1981

The Standard Journal
P. O. Box 10
Rexburg, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 FEBRUARY 16, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
JAN 24 1981

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 22-7188 in the name of Mark R. Ricks and/or Riko Inc. was issued for the diversion of 7.0 cfs of water from a ground water source with the point of diversion within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E, Teton County; to be used for the irrigation of 350 acres from April 1 to November 1 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16; Twp. 6N, Rge. 44E.

The permit holder now proposes to amend Permit No. 22-7188 changing the point of diversion to within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 6N, Rge. 40E, Madison County; the water will then be pumped into the Teton River within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Twp. 6N, Rge. 40E in exchange for an equal amount to be pumped from the Teton River at a point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 6N, Rge. 44E.

Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before February 16, 1981.

C. STEPHEN ALLRED

Director

Published in the Standard Journal 1/29 and 2/05/81.

1/29/81



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 2, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

August 9, 1976

Re: Permit No. 22-7188

Mark R. Ricks &/or Riko Inc.
259 So. 3rd St.
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 22-7188 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
 County of Teton)

I, Louise L. Norton
 being first duly sworn depose and say

that I am the publisher
 of the Teton Valley News, a news-
 paper as defined by Idaho Codes Anno-
 tated, Section 58-106, as amended, and
 that said newspaper is a weekly news-
 paper printed and published at Driggs,
 in Teton County, Idaho, having a gen-
 eral circulation in said county, and that
 said newspaper has been printed in
 said county for more than 78 consecu-
 tive weeks prior to the first publication
 of the attached notice, advertisement
 or publication of

Water permit #22-7188

Mark R. Ricks

And affiant further says that said
 attached notice, advertisement or pub-
 lication, as per clipping attached, was
 published in said newspaper, in the
 regular and entire issue thereof, and
 not in any supplement issue thereof,

for 2 consecutive issues thereof;
 first publication having been made on

the 15 day of July
 1976.

and last publication on the 22
 day of July, 1976.

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
 and one-half inches deep.

Louise L. Norton

Subscribed in my presence and sworn

to before me this 26 day of

July, 1976
Kathy C. Daedman
 (SEAL) Notary Public for the State of
 Idaho, residence and postoffice
 address, Driggs, Idaho.

My Commission expires

7-20, 1976.

RECEIVED

JUL 27 1976

**NOTICE OF APPLICATION
 FOR WATER PERMIT**

Department of Water Resources
 Eastern District Office

Notice is hereby given that
 Mark R. Ricks &/or Riko,
 Inc., Rexburg, Idaho have on
 7-06-76 submitted Application
 No. 22-7188 for a permit to ap-
 propriate 7.00 cubic feet per
 second of water from a
 ground-water source by means
 of well and pump within the
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R.
 44E, B.M., Teton County; to
 be used from Apr. 1 to Nov. 1
 for the irrigation of 350 acres
 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 Sec. 16, T. 6N, R. 44E, B.M.

If issued, this permit will be
 subject to all prior water
 rights. Protests against the
 granting of the permit must
 be filed with the Idaho De-
 partment of Water Resources,
 6515 Lincoln Road, Idaho
 Falls, Idaho, 83401 on or be-
 fore August 2, 1976.

R. KEITH HIGGINSON
 Director

Published in the Teton Valley
 News, Driggs, Idaho, on July
 15 and July 22, 1976.



July 8, 1976

RE: Application for Permit No. 22-7188 RICKS &/Or RIKO INC.

Teton Valley News
Driggs,
Idaho 83422

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 7-27-76 by CW

RDC:CW

Enc: Legal Notice (1)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Mark R. Ricks &/or Riko, Inc., Rexburg, Idaho have on 7-06-76 submitted Application No. 22-7188 for a permit to appropriate 7.00 cubic feet per second of water from a ground-water source by means of well and pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County; to be used from Apr. 1 to Nov. 1 for the irrigation of 350 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 6N, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 2, 1976.

R. KEITH HIGGINSON
Director

Published in the Teton Valley
News, Driggs, Idaho, on July
15 and July 22, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Mark R. Ricks &/or Riko Inc.,

Rexburg, Idaho

have ~~XXXX~~ on 7-06-76 submitted Application No. 22-7188

for a permit to appropriate 7.00 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 6N, R. 44E, B.M., Teton County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 350 acres

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 6N, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before August 2, 1976

R. KEITH HIGGINSON

Director

Published in the Teton Valley News, Driggs, Idaho

on July 15 and July 22, 1976

RECEIVED
JUL 22 1976
IDAHO DEPT. OF WATER RESOURCES
IDAHO FALLS, IDAHO

me-J.
me-B.
me-A.