

02/24/2004

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

RIGHT NUMBER: 23-98D
NAME AND ADDRESS: RENELL WEEKS FARMS INC
PO BOX 98
SWAN VALLEY ID 83449
SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 1.270 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:
T01N R44E S7 SWNE NE Within BONNEVILLE County
PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.270 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R43E S01	NESE	25.0	T01N R43E S01	SESE	29.0
T01N R44E S06 Lot 6 NWSW		19.0	T01N R44E S06 Lot 7 SWSW		38.0
T01N R44E S06	SESW	0.7			

111.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 23-16A, 23-48D, 23-98D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 111.7 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 23-16A, 23-48D, 23-98D ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

1

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-00098D
Date Received: 8/25/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEEKS BROTHERS
Address: C/O STEVE WEEKS
PO BOX 25
SWAN VALLEY ID 83449
208-483-3361
2. Date of Priority: JAN 22, 1916
3. Source: RAINEY CREEK, LOWER Trib. to: SNAKE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	7	SW	NE	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.270		

7. Total Quantity Appropriated is:
1.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	43E	1	NE	SE		IRR	24.0
			SE	SE		IRR	30.5



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	54.5
	44E	6	NW	SW	IRR	17.4
			SW	SW	IRR	36.0
					Section Acres	53.4
					Total Acres	107.9

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A23-00048A, PALISADES CANAL (FROM PALISADES CREEK), STORAGE

14. Remarks:

RIGHT CANNOT BE TRANSFERRED. SEE DECREE.

* THIS RIGHT PAID FOR UNDER RECEIPT #E009979. CHANGE IN OWNERSHIP

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/12/1951

PALISADE IRR. CO., ET AL.

Decree Plaintiff

LYNN CRANDALL.

vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

RECEIVED

APR 09 2004

Department of Water Resources
Eastern Region

02/24/2004

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 23-98D

RENELL WEEKS FARMS INC

PO BOX 98

SWAN VALLEY ID 83449

Telephone Number: (208)483-3344

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

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

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

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

DATE: 3-20-04

SIGNATURE:

Renell Weeks

Please print your name:

Renell Weeks

IDWR Regional Office,

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 23-98

WATER RIGHT NUMBER: 23-98

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEEKS BROTHERS
	, ZZ

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	2.700 CFS	
	<u>Total Diversion:</u>	2.700 CFS	

Location of Point(s) of Diversion
RAINEY CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
01N	43E	1																	X	X	X	X	

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General P/D NOT GIVEN IN DECREE.
 P/U INCOMPLETE.
 RIGHT CANNOT BE TRANSFERRED. SEE DECREE.

Comments:Dates and Other Information:

SEE 23-16A for Exam notes

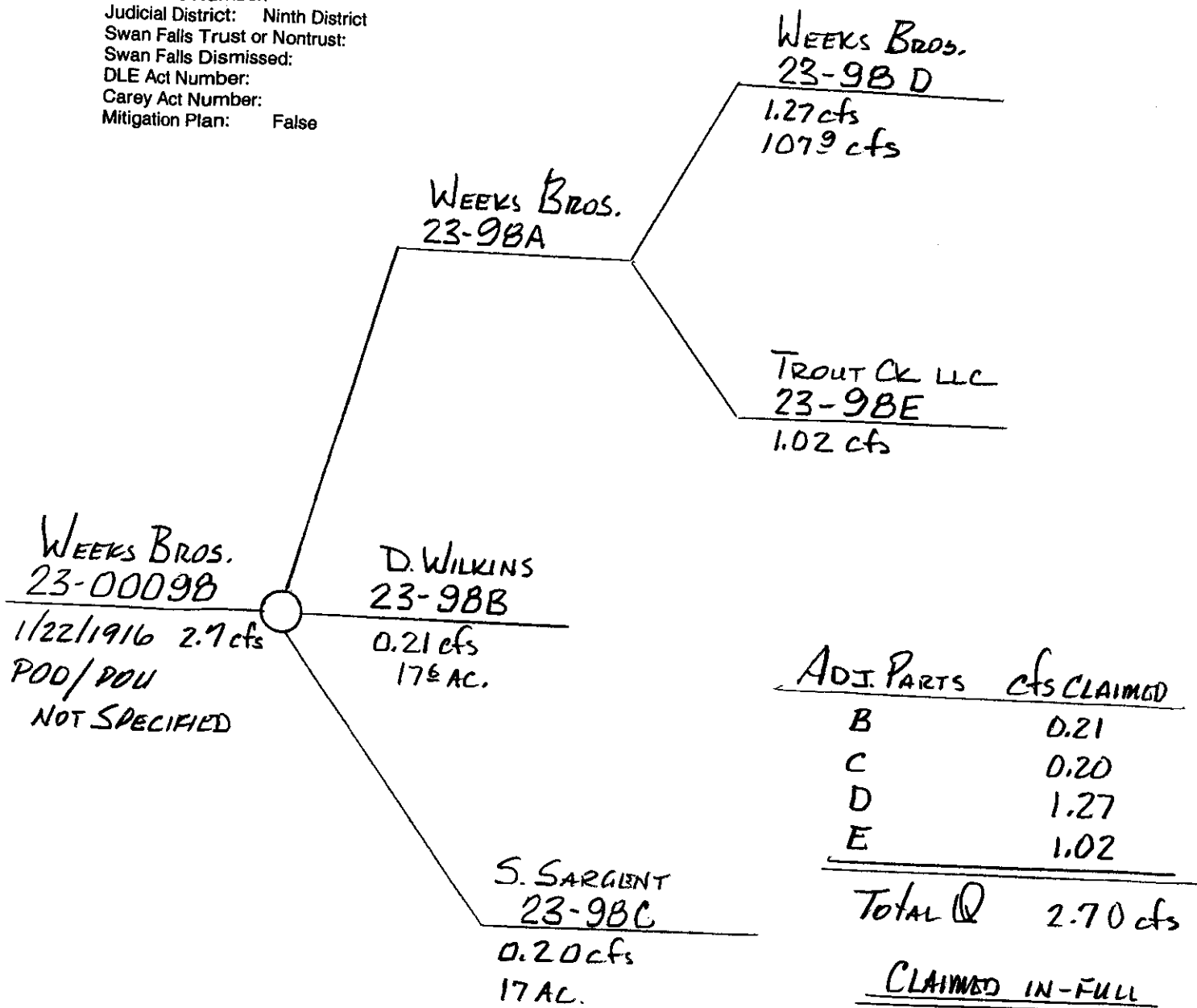
 $1.27 \div 0.02 = 63.5 \text{ ac Limit}$

PPU 16A.48D,98D

06/24/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 23-98Dates and Other Information:

Licensed Date:
 Decreed Date: 1/16/1951
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: Lynn Crandall
 Decree Plaintiff: Hal Rasmussen, et al
 Civil Case Number:
 Judicial District: Ninth District
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1998

WEEKS BROTHERS
C/O STEVE WEEKS
PO BOX 25
SWAN VALLEY ID 83449

RE: CHANGE IN OWNERSHIP FOR A23-00016, A23-00048A,
A23-00098A

Dear Mr. Weeks:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A23-00048D, 1.51 cfs on 107.9 acres, Weeks
A23-00048E, 1.21 cfs on 86.5 acres, Trout Creek

A23-00098D, 1.27 cfs on 107.9 acres, Weeks
A23-00098E, 1.02 cfs on 86.5 acres, Trout Creek

A23-00016A, 1.75 cfs on 91 acres, Weeks
A23-00016B, 1.25 cfs on 65 acres, Trout Creek

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

IDAHO DEPARTMENT OF WATER RESOURCES

CES

DC 8/13/98

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Department of Water Resources
Eastern Region

AUG 13 1998

1. Water Right Number(s) A23-00048^A AND A23-00098^A A23-00016
Adjudication Claim Number(s) 39576
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Renell Weeks Farms Inc
Box 98, Swan Valley Idaho 83449
4. New Owner/Claimant(s) TROUT CREEK, L.L.C. -- SPENCER WARNER
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address P.O. BOX 45
City, State and ZIP Code SWAN VALLEY, IDAHO 83449
New Telephone Number ()
5. Date you acquired the property 8/7/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated X 87.21 Number and type of stock X
Diversion rate in CFS X Number of homes X Other uses X
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Spencer Warner Date 8-11-98
Trout Creek, LLC Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Log for claim 23-00098D

Spatial Dynamics BTD

6/1/01

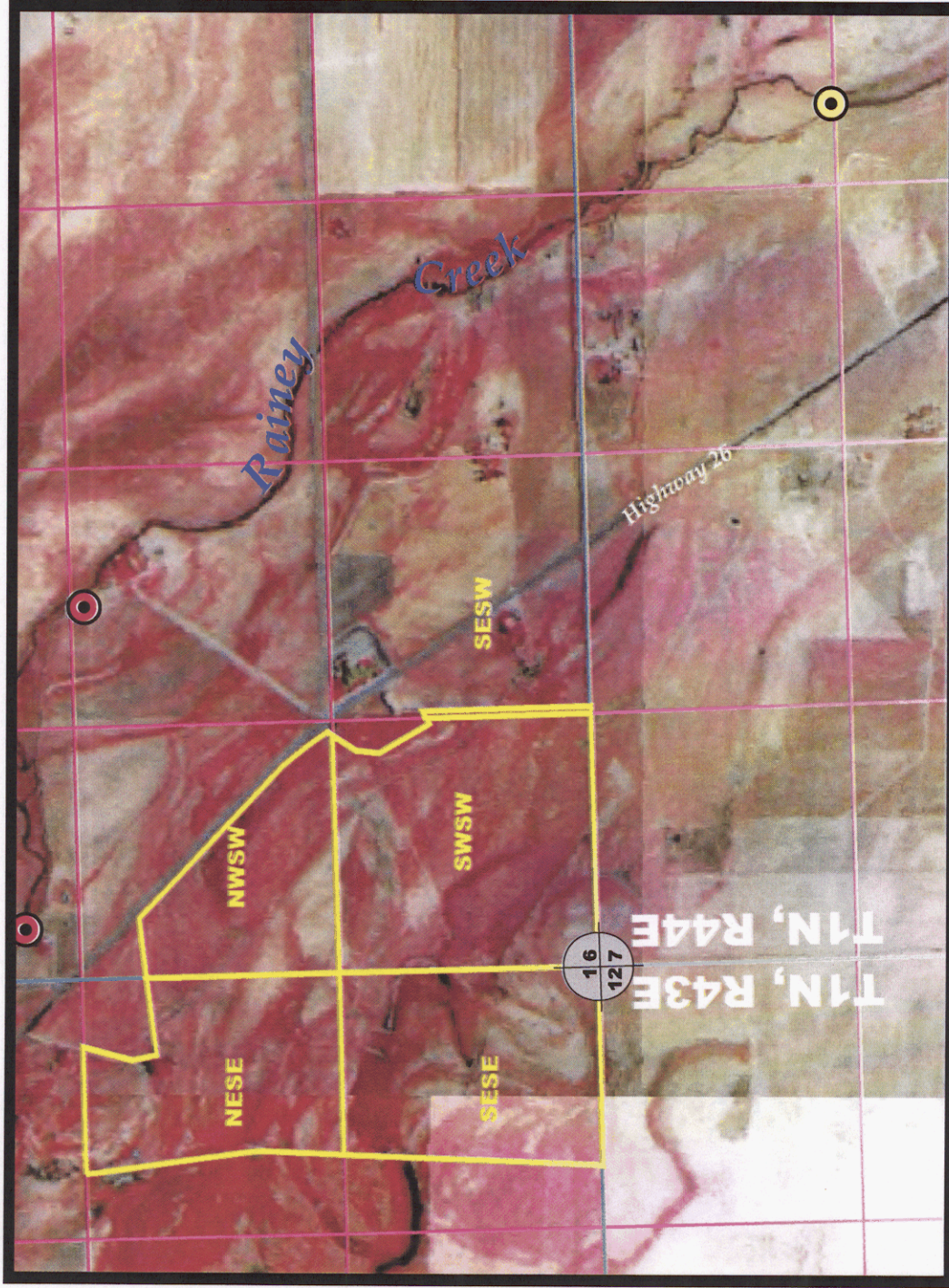
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	NESE	24	40	Indiscernible
01n43e	1	SESE	30.5	40	Indiscernible
01n44e	6	NWSW	17.4	37	Indiscernible
01n44e	6	SWSW	36	39	
Totals:			107.9	156	



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-00016A,

23-00048D,

23-00098D

Place of Use: (parts of)

T1N, R43E Sec. 1 E2SE,

T1N, R44E Sec. 6 W2SW, SESW

Point(s) of Diversion:

T1N, R44E Sec. 7 SWNENE



LEGEND



Point of Diversion



SESE Place of Use



Section

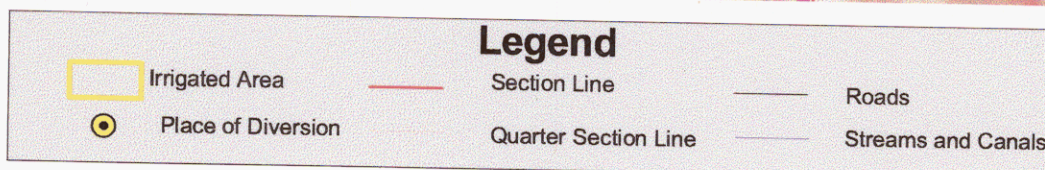
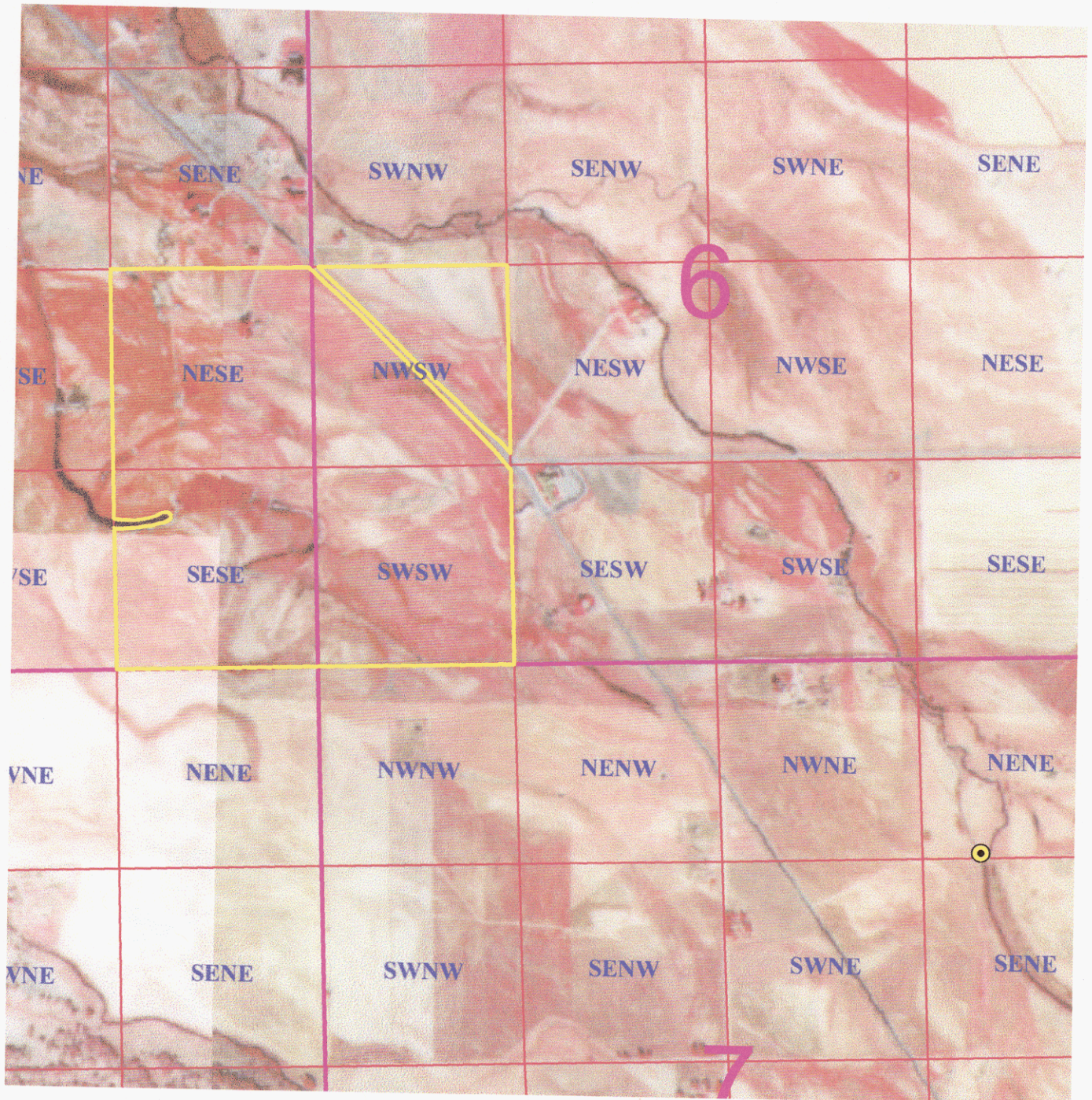


Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 Feet

Water Right Claim Number 23-00098D
Townships , 1N44E, 1N43E

06/01/2001



SPATIAL
DYNAMICS