

02/05/2004

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

RIGHT NUMBER: 23-11269

NAME AND ADDRESS: JO ANN WEEKS  
45785 COUNTY RD #16  
COPE ID 80812

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.040 CFS  
222.000 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 23-00028, 23-00029,  
23-07017 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/16/1967

POINT OF DIVERSION:

T01N R44E S4 NWSWNE Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

1.040 CFS  
222.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T01N R44E S09 | NWNW | 34.0 | T01N R44E S09 | SENW | 40.0 |
|---------------|------|------|---------------|------|------|

74 ACRES TOTAL

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:

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-7000.

02/05/2004

**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: 23-11269

JO ANN WEEKS

45785 COUNTY RD #16

COPE ID 80812

Telephone Number: (970) 357-4399

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:

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

DATE: 3-4-04

SIGNATURE: Steve Weeks P.O.A. Jo Ann Weeks

Please print your name: STEVE WEEKS

IDWR Regional Office,

RECEIVED

APR 30 2004

Department of Water Resources  
Eastern Region

## Water Right Split History Analysis

RENELL WEEKS  
23-11267

1.98 cts ON 140° AC

POU: SENW, SWNE, NWSE, NESW SEC. 4

SPLITS BY %  
FILED 2/04.

IVAN WEEKS  
23-11268

1.65 cts ON 117° AC.

POU: SESW. SEC. 4  
NENW, NWNE SEC. 9

WEEKS BROS.  
23-07000

4.67 cts 06/16/1967

POD: SWNE SEC. 4 TIN R44E

POU: TIN R44E

SEC. 4 SWNE, SENW, E<sup>2</sup>SW, NWSE

SEC. 9 NWNE, N<sup>2</sup>NW, SENW

331° AC

993° AFA

APRIL 1 TO OCT. 15

$\frac{4.67 \text{ cts}}{331^\circ} = 0.014 \text{ cts/AC.}$

JO ANN WEEKS (STEVE, SON - REPRESENT.)  
23-11269

1.04 cts ON 74° AC.

POU: NWNW, SENW SEC. 9

$\frac{117^\circ}{74^\circ}$  AC

3° AF

222° AFA

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

NOTES: 1. NO CHANGE TO POD  
2. NO CHANGE TO PRIORITY

| #        | Q    | AC   |
|----------|------|------|
| 23-11267 | 1.98 | 140° |
| 11268    | 1.65 | 117° |
| 11269    | 1.04 | 74°  |

$\Sigma = 4.67 \text{ cts } 331^\circ \text{ AC}$

SPLIT IN  
FULL

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>23-7000</u>        |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former  
Owner/Claimant(s)

Weeks Bros

4. New Owner/Claimant(s)

JO ANN WEEKS, STEVE WEEKS - REPRESENTATIVE

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

45785 COUNTY RD #16

City, State and ZIP Code

Pepe Colo 80812

New Telephone Number

(970) 357-4399

5. Date you acquired the property

\_\_\_\_\_

**SEE PARENT 23 - 7000**  
**FOR EXAM NOTES AND PHOTOS**

## WARRANTY DEED

THIS INDENTURE, Made this 14th day of November  
 in the year of our Lord One Thousand Nine Hundred and Thirty-two, by and between  
Charles S. Dixon, a single man  
 of the County of Bonneville, State of Idaho  
 the party of the first part, and  
Samuel J. Weeks  
 of the County of Bonneville, State of Idaho  
 the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of  
Twelve Thousand DOLLARS  
 lawful money of the United States of America, to him in hand paid by the party of the sec-  
 ond part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by  
 these presents do grant, bargain, sell, convey and confirm unto the said party of the second  
 part and to his heirs and assigns forever all the following described real estate, situated  
 in Bonneville County, State of Idaho, to-wit:  
West Half of the Northwest Quarter, the Southeast Quarter of the  
Northwest Quarter and the Northwest Quarter of the Southwest  
Quarter of Section Nine, in Township One North of Range Forty-four  
East of Boise Meridian in Idaho, containing 160 acres.  
Together with all ditch and water rights thereunto belonging,  
particularly 200 shares of the Capital Stock of the Palisade  
Irrigation Company, Inc.



TOGETHER, With all and singular, the tenements, hereditaments and appurtenances thereunto  
 belonging or in any wise appertaining, and the reversion or reversions, remainder and remainders,  
 rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as  
 well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-  
 gether with the appurtenances, unto the party of the second part, and to his heirs and assigns  
 forever. And the said party of the first part, and his heirs, the said premises in the quiet  
 and peaceable possession of the said party of the second part, and his heirs and assigns  
 against the said party of the first part and his heirs and against all and every person and  
 persons, whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these  
 presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand  
 and seal the day and year first above written.

Signed, Sealed and delivered in the presence of

Ralph Edmunds

Charles S. Dixon, (SEAL)

(SEAL)

(SEAL)

(SEAL)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____ ✓                                                      |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other                                                                                                                   | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

**SIGN  
HERE**

7. Signature of New Owner(s) or Claimant(s) Steve Woods  
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

|                       |            |                     |
|-----------------------|------------|---------------------|
| Received by _____     | Date _____ | Fee _____           |
| Received by _____     | Date _____ | Receipt No. _____   |
| Processed by _____ AJ | Date _____ | WR _____ Date _____ |

DEED OF GIFT

This indenture made the 14th day of October in the year One Thousand Nine Hundred and Forty-one, between Samuel J. Weeks and Minnie A. Weeks, husband and wife, of the County of Bonneville, State of Idaho, the parties of the first part, and Arvey A. Weeks, their son, of said county and state, the party of the second part, witnesses:

That the said parties of the first part, for and in consideration of the love and affection which the said parties of the first part have and bear unto the said party of the second part, as also for the better maintenance, support, and livelihood of the said party of the second part, do by these presents give, grant, alien, and confirm unto the said party of the second part and to his heirs and assigns forever, the following described real property situated in Bonneville County, State of Idaho, to wit:

The West half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 9, in Township 1 North of Range 44 East of the Tenth Meridian, containing 160 acres, according to the official plat of the survey of the said land returned to the General Land Office by the Surveyor General.

Together with all ditch and water rights appurtenant thereto.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion or reversions, remainder and remainders, rents, issues, and profits thereof. To have and to hold, all and singular the said premises, tenements, hereditaments, and appurtenances, and the rents, issues and profits thereof, unto the said party of the second part, his heirs and assigns forever.

In Witness Whereof, the first parties have hereunto set their hands and seals the day and year first herein written.

Samuel J. Weeks  
Minnie A. Weeks

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. [REDACTED] Priority June 16, 1967 Amount 4.67 cfs

THIS IS TO CERTIFY, that WEEKS BROTHERS  
of Swan Valley, Idaho, has complied with the terms and conditions of Permit  
No. 23-7000 issued pursuant to Application for Permit dated June 16, 1967,  
and has submitted proof to the Department of Water Administration on July 9, 1968,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 4.67 cfs of water from a ground water source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use &  
established a right to use water as follows:

| Beneficial Use         | Period of Use                        | Rate of Diversion      | Annual Volume           |
|------------------------|--------------------------------------|------------------------|-------------------------|
| Irrigation             | from <u>April 1</u> to <u>Oct 15</u> | at <u>4.67</u> cfs and | <u>993</u> acre feet or |
|                        | from _____ to _____                  | at _____ cfs and       | <u>3.0</u> af per acre  |
|                        | from _____ to _____                  | at _____ cfs and       |                         |
| (both dates inclusive) |                                      |                        |                         |

Subject, however, to the condition that no more than 4.67 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
993 acre feet per year, said waters to be diverted within the SW 1/4 of Sec. 4,  
Twp. 1 N, Rge. 44 E, B.M. in the County of Bonneville

Description and location of place of use:

| Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1N   | 44E   | 4    |        |        | 40     |        |        |        |        | 40     | 35     |        |        | 39     |        | 20     |        | 174    |        |
|      |       | 9    |        |        | 39     |        | 39     | 39     |        | 40     |        |        |        |        |        |        |        | 157    |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 331

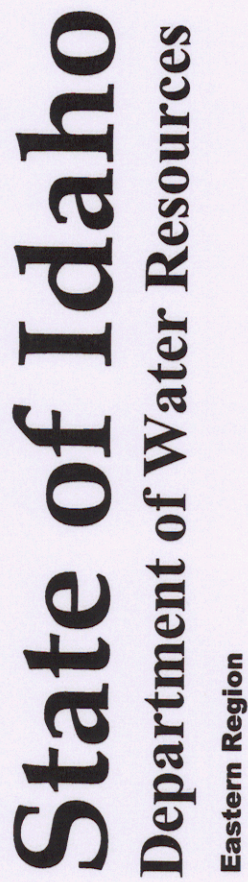
A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2 day of  
April, 19 74.

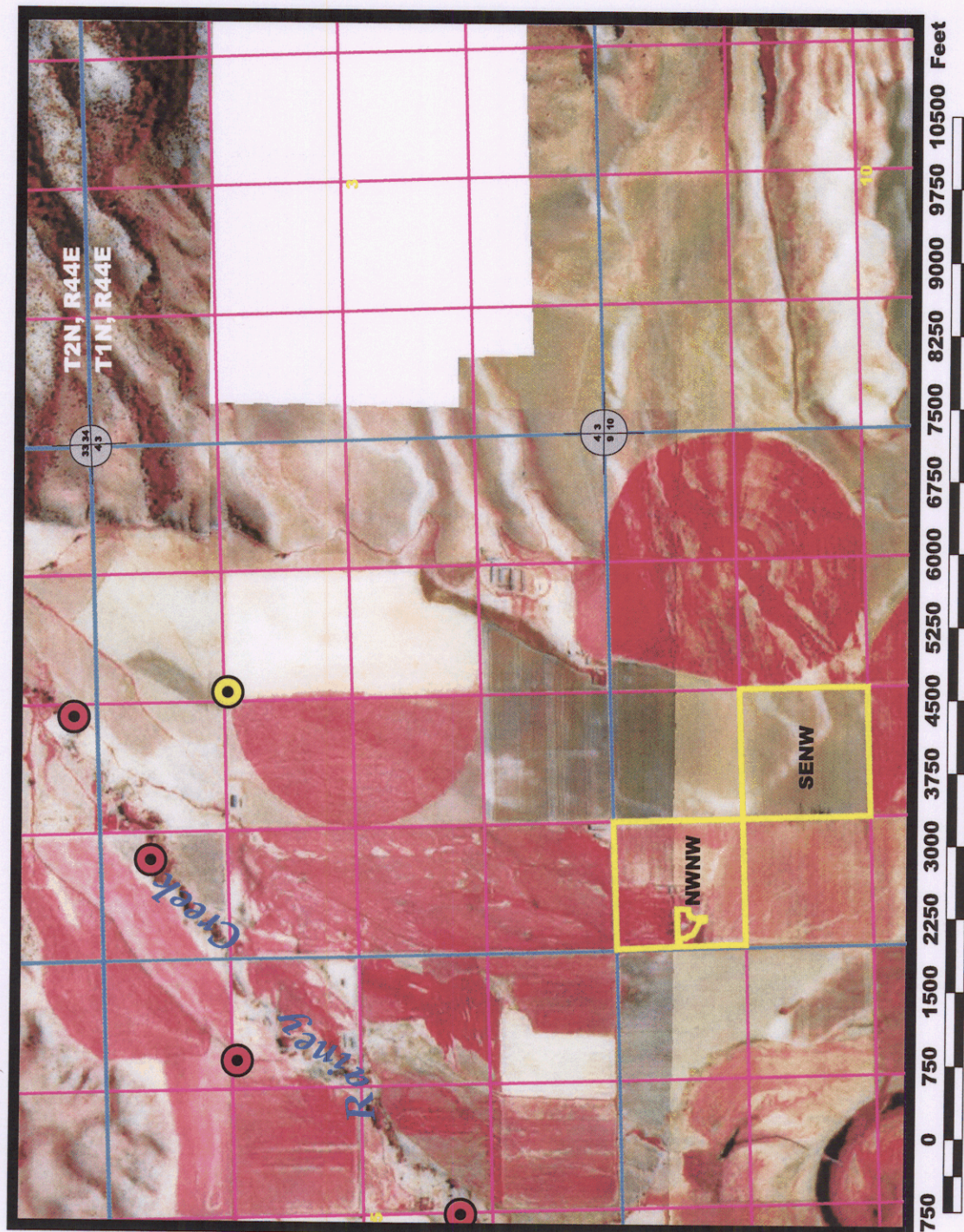
Director



**Water Right(s):**  
**23-11269**

**Place of Use: (parts of)**  
**T1N, R44E**  
**Sec. 9 NWNW, SENW**

**Point(s) of Diversion:**  
**T1N, R44E**  
**Sec. 4 NWSWNE**



## LEGEND



## Point of Diversion



### Place of Use



## Section



## Quarter-Quarter



**GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by: A. Ruberry  
Date: February 2004**



GPS TAG# A0ΦΦ9519

Pump #1

Motor: US ELECT Motors

Hp: 150 1800rpm

SN:

Pump: PETERLOES Pump

SN: 1406558

10" DISCH.

Pump #2

Motor: US ELECT Motors

Hp: 100 1800rpm

SN: 1274318

7" DISCH. PUMP Pump