

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-95

WATER RIGHT NUMBER: 23-95

Owner Type Name and Address
 Current Owner ELIZABETH BEAM

NO SRBA CLAIM? WHY?

, ZZ

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

Source Tributary
 RAINEY CREEK SNAKE RIVER

*Put in Penell's
11267*

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	3.000 CFS	
<u>Total Diversion:</u>		3.000 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	44E	4			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:

Claim for 23-00095

Priority 1916

*NOOOS F100, if you
want total right.*

02/05/2004

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

RIGHT NUMBER: 23-11267

NAME AND ADDRESS: RENELL WEEKS FARMS INC
PO BOX 98
SWAN VALLEY ID 83449

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.980 CFS
420.000 AFY

PRIORITY DATE: 06/16/1967

POINT OF DIVERSION:

T01N R44E S4 NWSWNE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/15

QUANTITY
1.980 CFS
420.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S04	SWNE	38.0	T01N R44E S04	SENW	29.0
T01N R44E S04	NESW	40.0	T01N R44E S04	NWSE	33.0

140 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.

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: 23-11267

RENELL WEEKS FARMS INC

PO BOX 98

SWAN VALLEY ID 83449

Telephone Number: (208)483-3344

RECEIVED

APR 09 2004

Department of Water Resources
Eastern Region

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: 3-20-04 SIGNATURE: Renell Weeks

Please print your name: Renell Weeks

IDWR Regional Office,

Water Right Split History Analysis

RENELL WEEKS
23-11267

1.98 cfs ON 140° AC

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

140°

3° AC

420 AC

SPLITS BY C/O
FILED 2/04.

IVAN WEEKS
23-11268

1.65 cfs ON 117° AC.

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

WEEKS BROS.
23-07000

4.67 cfs 06/16/1967

PDD: SWNE SEC. 4 TIN R44E

POU: TIN R44E

SEC. 4 SWNE, SENW, E²SW, NWSE

SEC. 9 NWNE, N²NW, SENW

331° AC

993° AFA

APRIL 1 TO OCT. 15

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

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

1.04 cfs ON 74° AC.

POU: NWNW, SENW SEC. 9

Reviewer: _____

Date: _____

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

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

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

SPLIT IN
FALL

SEE PARENT 23 - 7000
FOR EXAM NOTES AND PHOTOS

Soll BY Lic 4/1 to 10/15

Water Right Split History Analysis

RENELL WEEKS
23-11267

1.98 cts on 140° AC
POL: SENW, SWNE, NWSB, NESW SEC. 4

SPLITS BY C/O
FILED 2/04.

WEEKS BROS.
23-07000

4.67 cts 06/16/1967
POD: SWNE SEC. 4 TIN R44E
POL: TIN R44E
SEC. 4 SWNE, SENW, E²SW, NWSE
SEC. 9 NWNE, N²NW, SENW

331° AC

993° AFA

APRIL 1 TO OCT. 15

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

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

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

1.04 cts on 74° AC.
POL: NWNW, SENW SEC. 9

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

Attn: A. Ruberry

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>23-7002</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 INC.

4. New Owner/Claimant(s)

Renell Weeks FARMS INC.

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

BOX 28

City, State and ZIP Code

SWAN VALLEY ID 83449

New Telephone Number

(208) 4183-3341

5. Date you acquired the property

MARCH 25 1992

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

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

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

7. Signature of New Owner(s) or Claimant(s) Donell M. Jones, Pres
(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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter the number(s) at Item 1. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at Item 3.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at Item 6. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). If the water right(s) will not be split, skip Item 6 and go to Item 7.
7. The new owner(s) must sign the form in the space(s) provided at Item 7. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

828174

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION RECEIVED, Weeks Bros., Inc., an Idaho corporation, the Grantor, does hereby remise, release and forever quitclaim, unto Renell Weeks Farms, Inc., an Idaho corporation, whose address is: P. O. Box 98, Swan Valley, Idaho 83449 the following described real estate situated in Bonneville County, State of Idaho, to-wit:

Township 1 N., Range 43, E., B.M.

Section 1, SE 1/4 less 6.45 acres. *Pasture w/ Sec. 6*

Township 1 N., Range 44, E., B.M.

Section 4, SW1/4 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4, NW1/4 SE1/4 *Pivot*

Section 5, .26 acres NE1/4 SE1/4 *Homestead*

Section 6, Lots 6 and 7 less 6.31 acres. *Pasture w/ Sec. 1*

828174

TOGETHER, with all tenements, hereditaments and appurtenances thereunto belonging.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

Dated this 18th day of May, 1992.

WEEKS BROS., INC.

By Steve Weeks
Steve Weeks, President

828174
5-18-92
2914-46
6100
INSURANCE
DATE
TIME
FEE
RECEIVED
J. L. Lemer
Hopkins

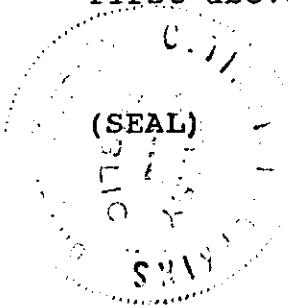
STATE OF IDAHO

County of Bonneville

)
) ss.
)

On this 18th day of May, 1992, before me, C. Timothy Hopkins, a Notary Public in and for said State, personally appeared Steve Weeks, known or identified to me to be the President of Weeks Bros., Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



C. Timothy Hopkins
Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: 4/1/97

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 acre feet or</u> <u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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

23-7000



GPS TAG# A0ΦΦ9519

Pump #1

Motor: US ELECT Motors

Hpi: 150 1800rpm

SN:

Pump: PETERLOES Pump

SN: 1406558

10" DISCH.

Pump #2

Motor: US ELECT Motors

Hpi: 100 1800rpm

SN: 1274318

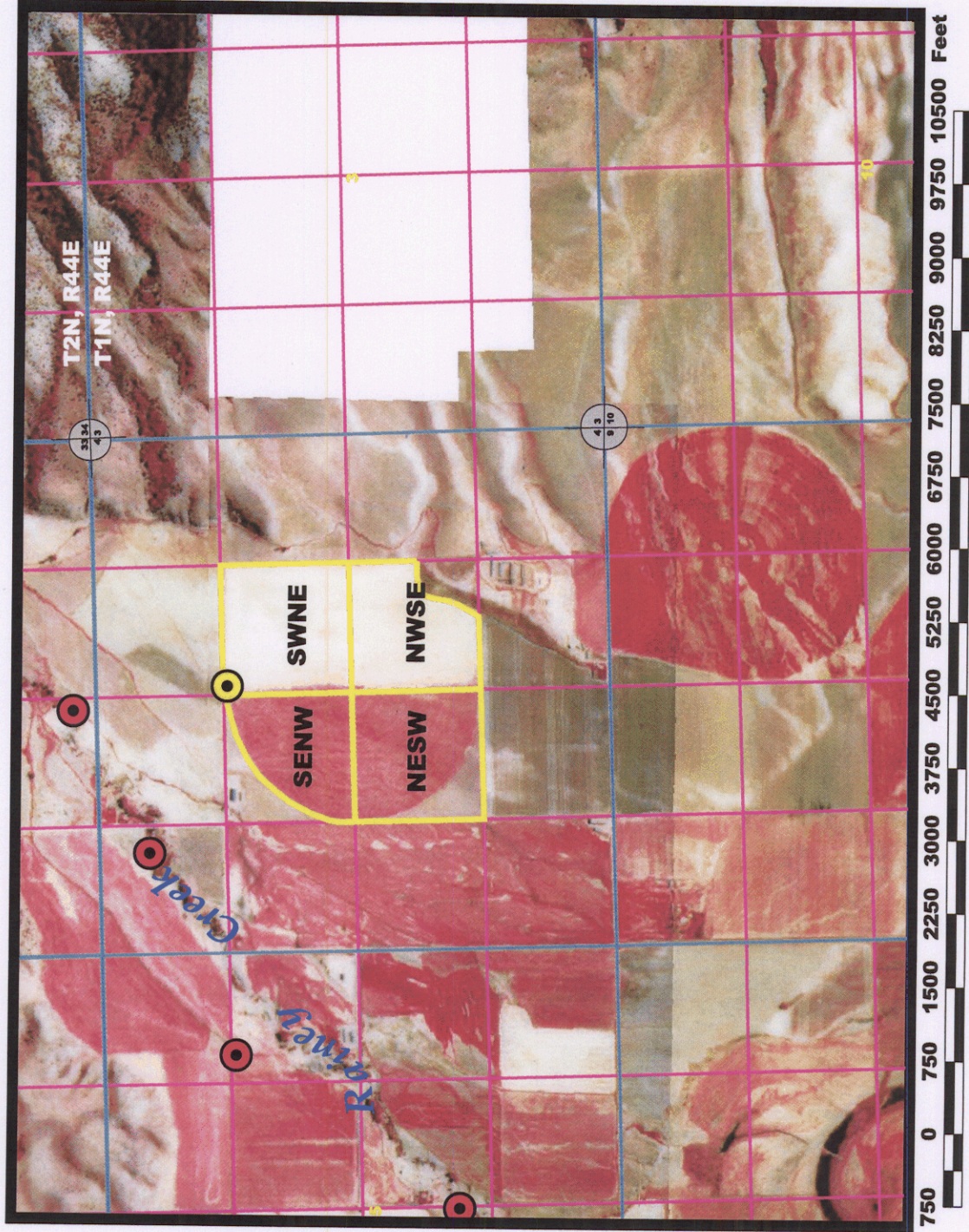
7" DISCH. FROM Pump



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-11267

Place of Use: (parts of)
T1N, R44E Sec. 4 SENW,
SWNE, NESW, NWSE
Point(s) of Diversion:
T1N, R44E
Sec. 4 NWSWNE

LEGEND



Point of Diversion



SESE



Section



Quarter-Quarter



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