

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	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.



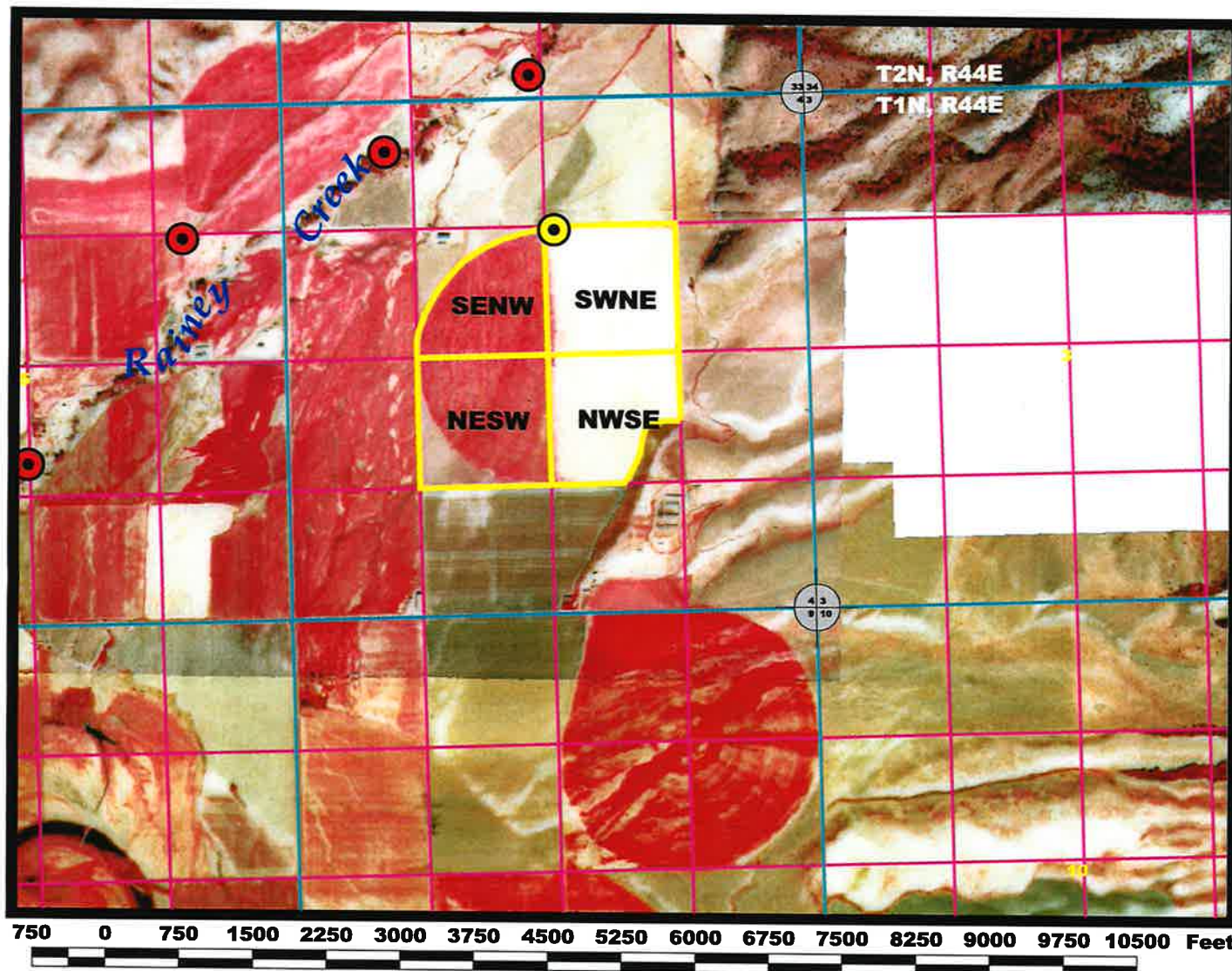
JUL 26 2004

SCANNED

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 Place of Use
- Section
- Quarter-Quarter



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

SEE PARENT 23 - 2000
FOR EXAM NOTES AND PHOTOS

Sold BY Lic 4/1 TO 10/15

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 AF

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

SCANNED

JUL 26 2004

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
FULL

Water Right Split History Analysis

RENELL WEEKS
23-11267

1.98 cfs ON 140° AC

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

SPLITS BY C/O
FILED 2/04.

IVAN WEEKS
23-11268

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NENW, NWNW 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 NWNW, N²NW, SENW

331° AC

993° AFA

APRIL 1 TO OCT. 15

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$\Sigma = 4.67 \text{ cfs } 331^\circ \text{ AC}$ 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>23-1000</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

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

Section 5, .26 acres NE1/4 SE1/4 *Home stand*

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
5-19-92
326
297446
61.00
Quitclaim
Hepkins

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. 23-7000 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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1 N	44 E	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

Pump #1
 Motor: US Elect Motors
 Hp: 150 1800rpm
 SN: 1406558
 Pump: Perseus Pump
 10" Discn.

Pump #2
 Motor: US Elect Motors
 Hp: 100 1800rpm
 SN: 1274318
 10" Discn. Pump

GPS Tag # A009519



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,

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 n/Revised
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			

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: