

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.

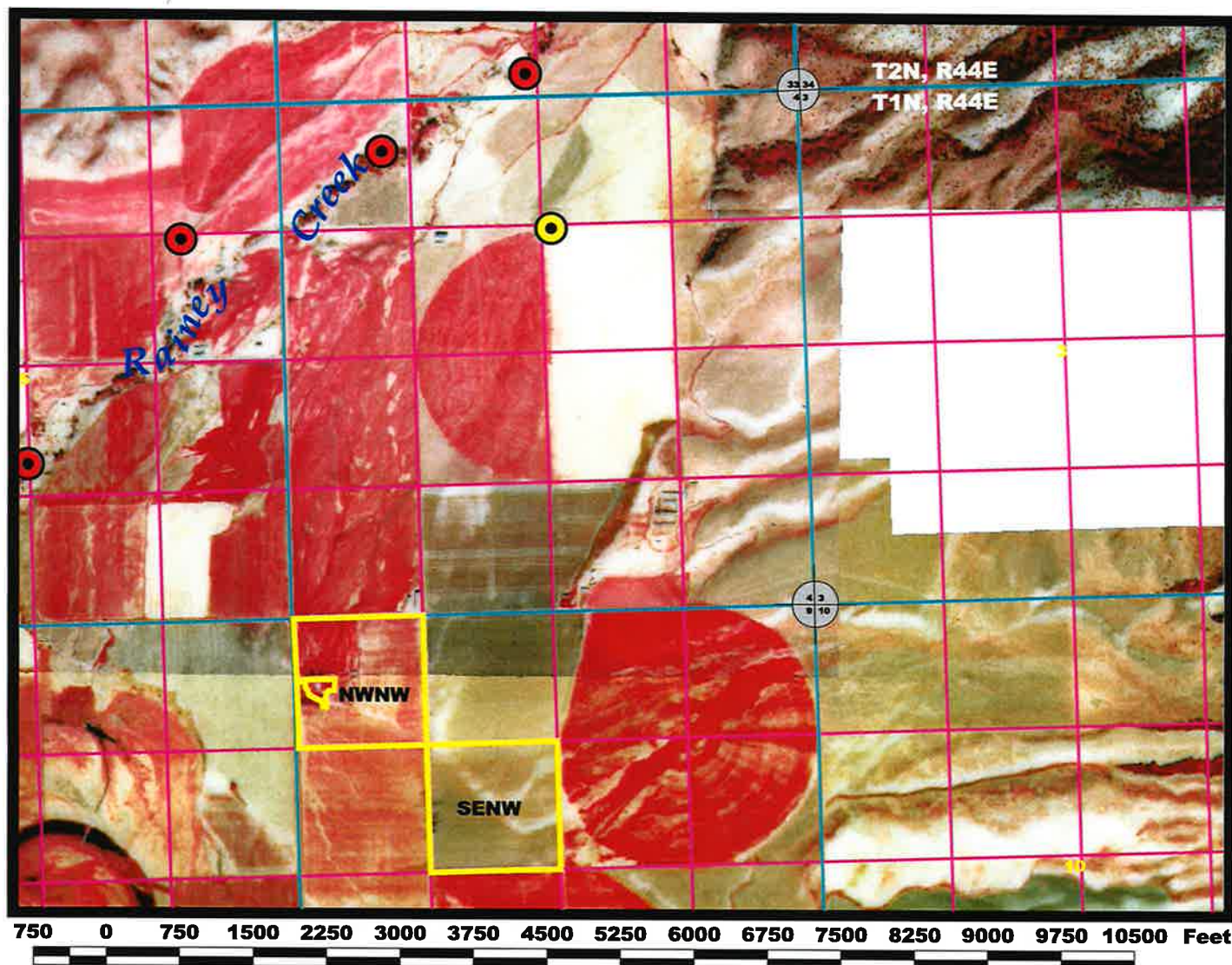
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-7000.



State of Idaho

Department of Water Resources

Eastern Region



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

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. JoAnn 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 cfs ON 140° AC

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

SPLITS BY %
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

$\frac{1.04}{74^\circ}$ AC

3° AF

222° AFA

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

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>23-7000</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

CAPA COLO 80812

New Telephone Number

(970) 357-4399

5. Date you acquired the property

Form 02-248/42-1409(6) July, 2000

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) _____
(include title if applicable)

Steve Woods

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 _____

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 second 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, together 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

Reyle E. Hunsley

Charles S. Dixon, (SEAL)

(SEAL)

(SEAL)

(SEAL)

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 Boise 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. 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. 35 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



GPS TAG# A0ΦΦ9519

Pump #1

Motor: US ELECT Motors

Hpi: 150 1800rpm

SN:

Pump: Powerloss Pump

SN: 1406558

10" DISCH.

Pump #2

Motor: US ELECT Motors

Hpi: 100 1800rpm

SN: 1274318

7" DISCH. Farm Pump