

02/24/2004

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

RIGHT NUMBER: 23-16A
NAME AND ADDRESS: RENELL WEEKS FARMS INC
PO BOX 98
SWAN VALLEY ID 83449
SOURCE: RAINY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 1.750 CFS

USE OF THIS RIGHT WITH RIGHT NO. 23-48D IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.23 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO.23-48D SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T01N R44E S7 SWNE 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	1.750 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.



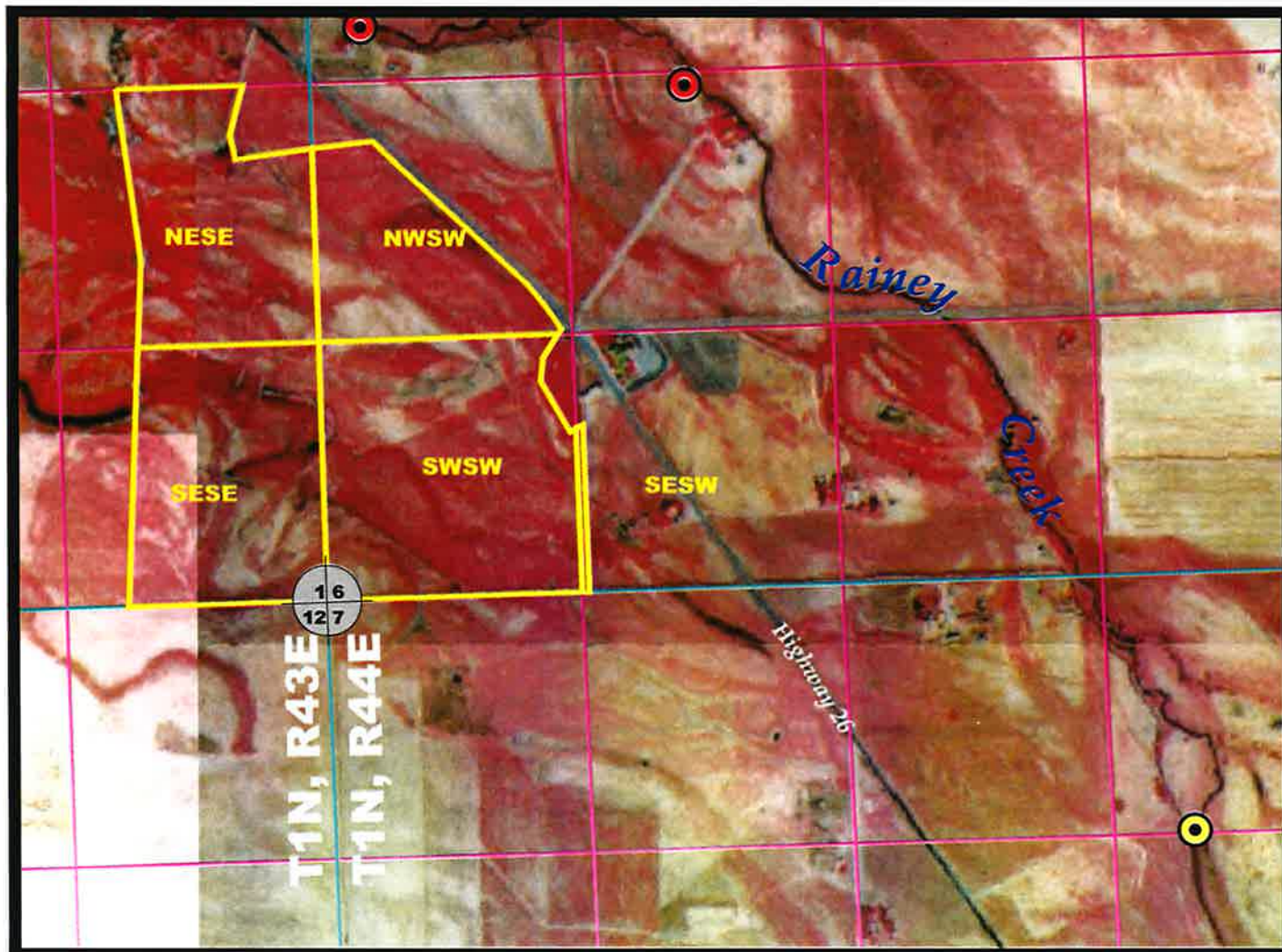
JUL 02 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



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

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

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: December 2003

Contacts Data Entry Form

Water Right No. 23-16A

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>Weeks Bros.</u>					
Name connector: and	<u>or</u>					
Current Owner	<u>Co to Roubidoux Weeks Farms Inc.</u>					
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

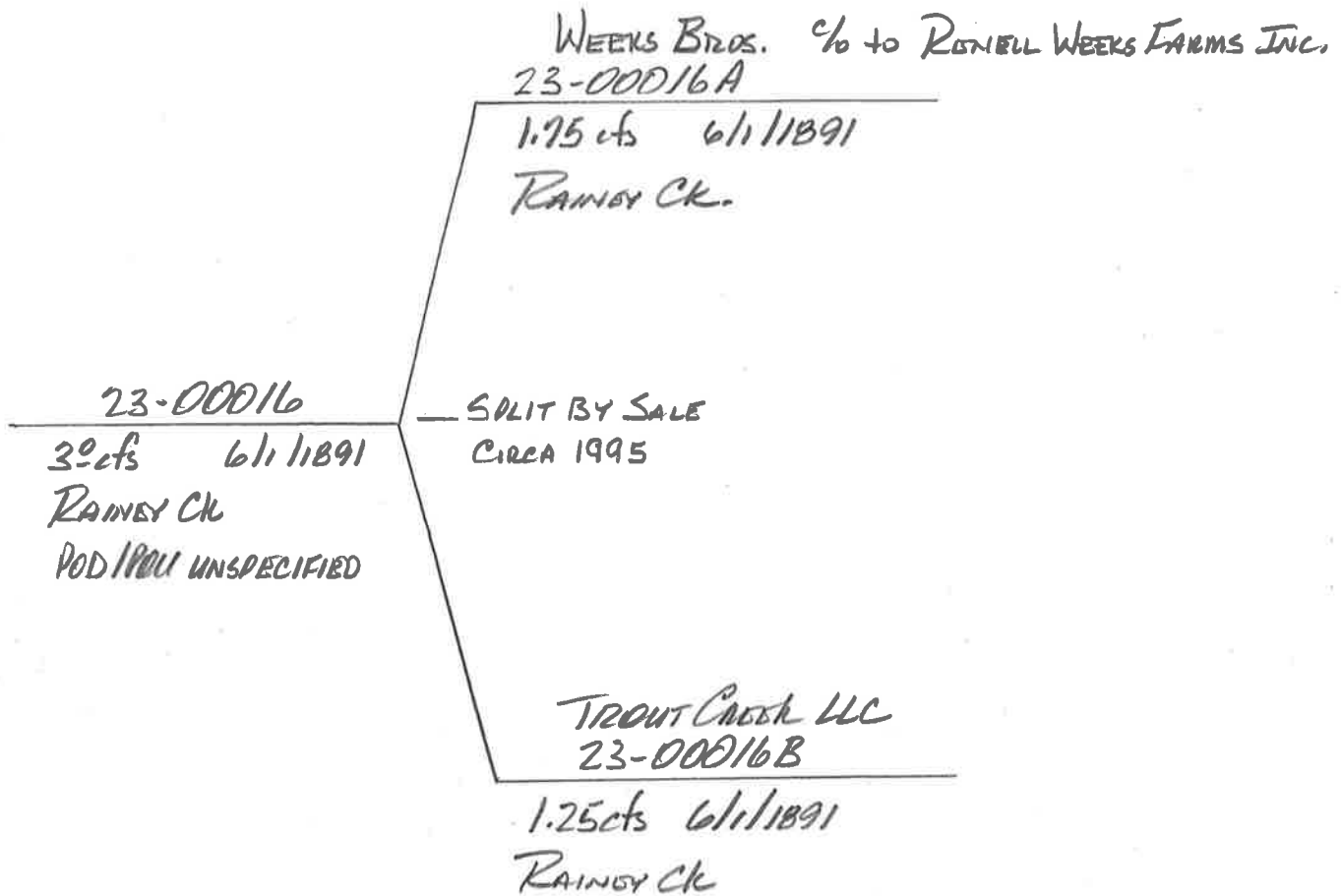
Directions to Property (if different from above) and/or update owner information:

↓ DISCREPANCY UNDER ROUBIDOUX FARM vs TETON FARM, 1910,As: #98, TO H.L. BEAN, JAN 1, 1891, FARMING CO @ 150"SPLIT BY TX #4123, 2/8/1995.SPLIT AS:23-16-3.00cts23-16A - 1.75cts Weeks Bros.23-16B - 1.25cts Trout Creek LLC (S. Whanor)5.00 CLAIMED IN-FULL -CLAIMS OVERLAP & COMBINED USE w/ 23-16A, 98D & 48DFE: 8/11/03 P.O.D. Mill. Open DITCH TO FLOODFE: P.O.D. Mill. Conveyance / System -

Reviewer: _____

Date: _____ **SCANNED****JUL 02 2004**

Water Right Split History Analysis



Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: June 1, 1891 Claimed Basis: DIGRESSRecommended Priority Date: 6/1/1891 Recommended Basis: DIGRESS☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

MATCHES DIGRESS

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

X Claimed Point of Diversion: T IN, R 44E, Sec. 7,____, NW, NW. County: BONN.Source: RAINDY CR Tributary: So. R. Snake River

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	OOQ of Q	Q of Q	County	Source
<u>IN</u>	<u>44E</u>	<u>7</u>		<u>SWNE</u>		<u>BONN</u>	<u>RAINDY CR</u>
GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

GPS Coordinates: _____							

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

X CLAIMED IN WRONG QQ - Actual POD is Sec. 7 SWNE
RAINDY CR DOES NOT FLOW THROUGH NWNW Sec. 7 T. 1N, R. 44E,
SAME POD FOR 23-16A.48D.98D

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1			Benn		39	
		6			"		52	

Total Acres 91

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 111.7 BY GRS

Document how the POU was verified:

POU split by TX 4123 AND ANOTHER SALE TO S. SARGENT
PPH w/ 48D AND 98D AC & Q Limits Apply

Remarks

Ac Limits by Q $16A - 1.75 \div 0.02 = 87.5 AC$
 $48D - 1.51 \div 0.02 = 75.5$
 $98D - 1.27 \div 0.02 = 63.5$

EAC = 226.5

GRS POU 111.7 AC

Q/AC Limits

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Prairie</i>	<i>4/1</i>	<i>11/01</i>	<i>1.75</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Prairie</i>	<i>4/15</i>	<i>10/31</i>	<i>1.75</i>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOIL TO DAPT STD AS 4/15 TO 10/31 - NOT SO SPECIFIC
BY DOUGLAS
Q15 AS SPLIT - OK

Reviewer: _____

Date: _____

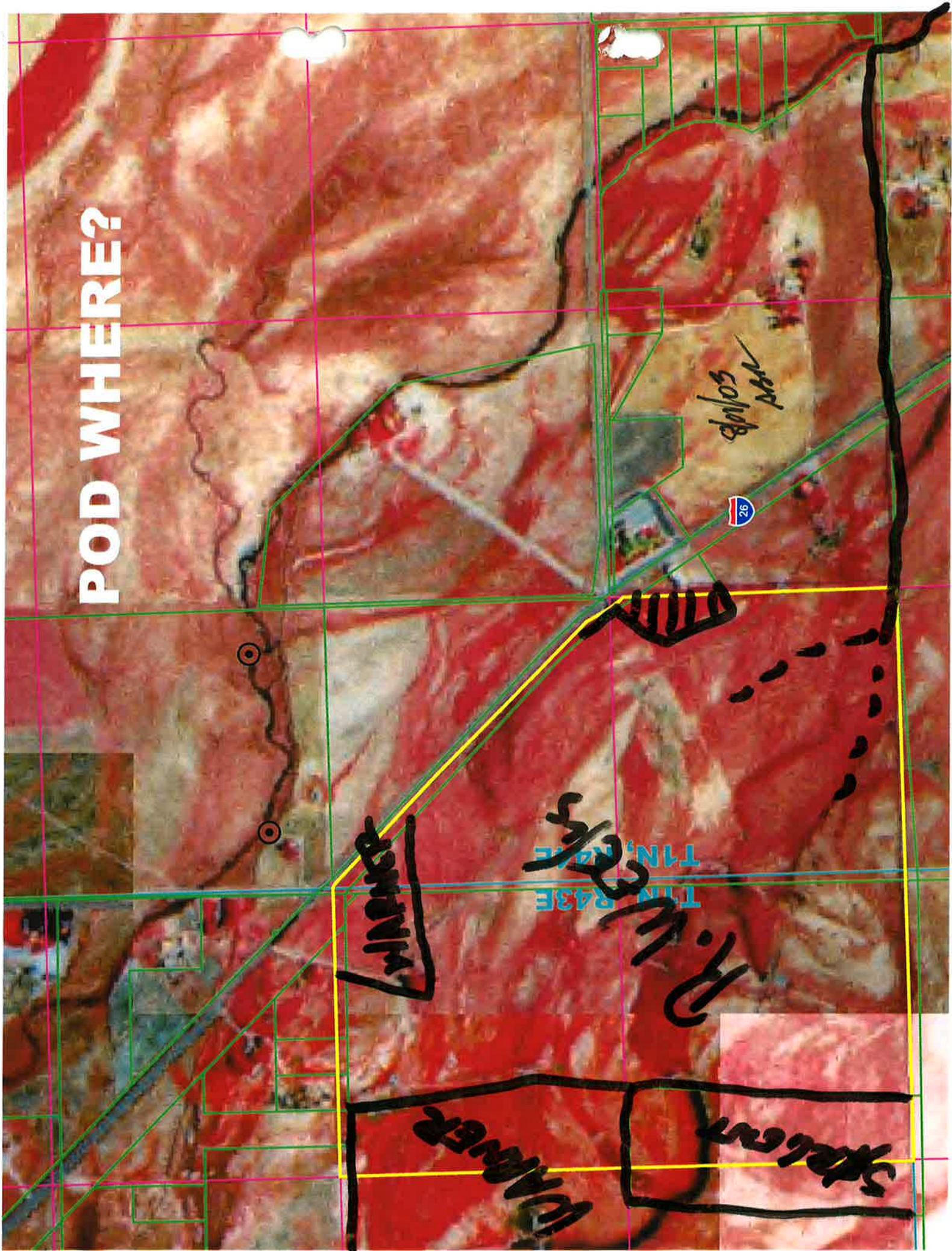
Log for claim 23-00016A

Spatial Dynamics CAT

1/17/01

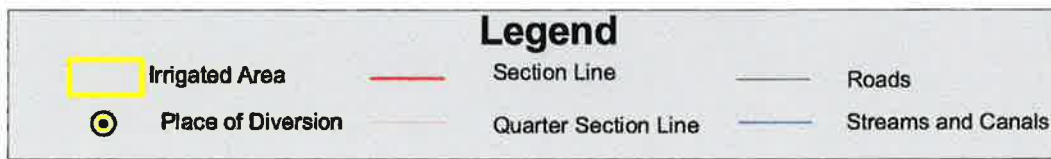
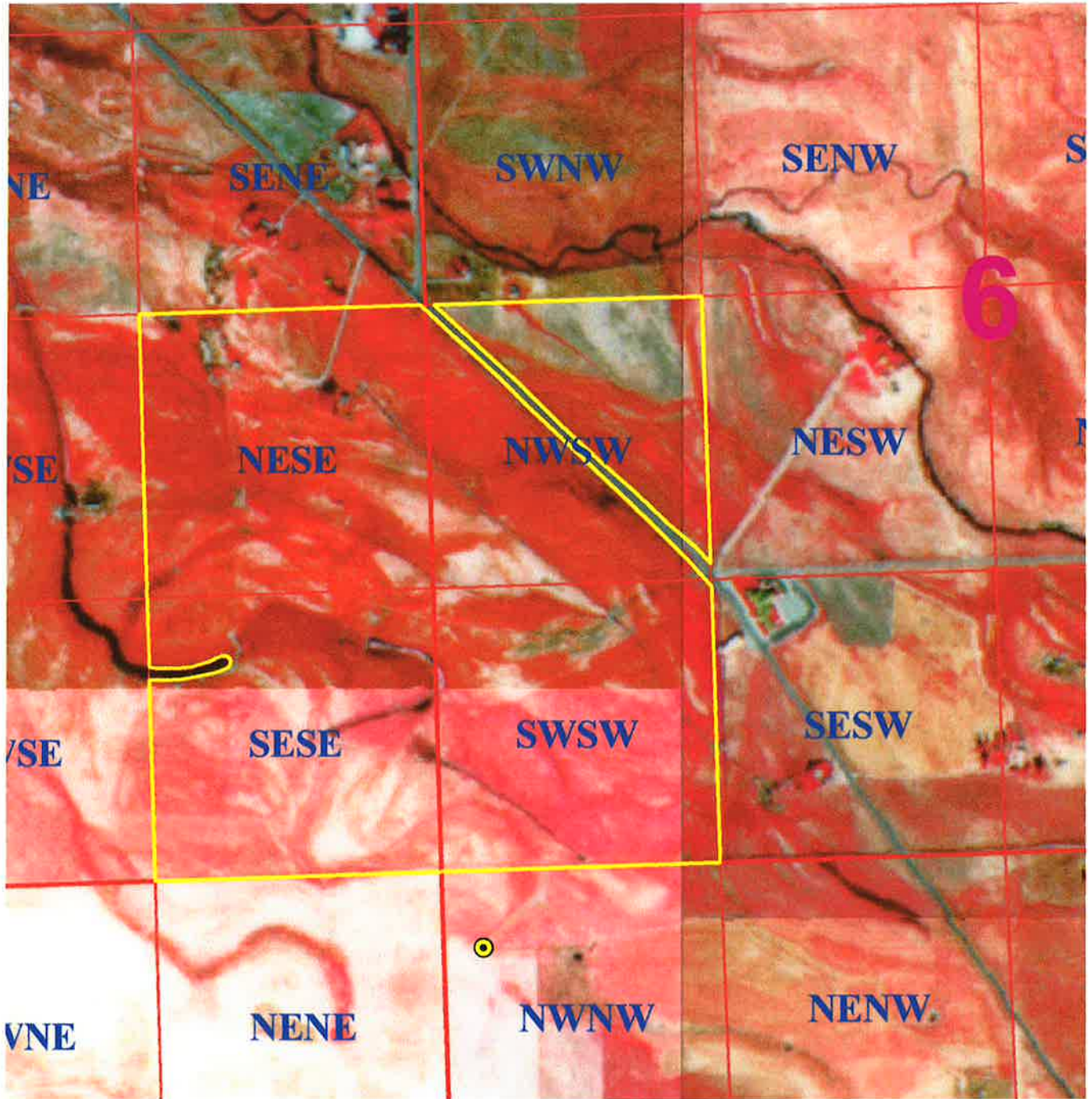
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	NESE	13	40	Indiscernible
01n43e	1	SESE	26	40	Indiscernible
01n44e	6	NWSW	24	37	Indiscernible
01n44e	6	SWSW	28	39	Indiscernible
Totals:			91	156	

POD WHERE?



Water Right Claim Number 23-00016A
Townships , 1N44E, 1N43E

01/17/2001



900 0 900 1800 Feet



SPATIAL
DYNAMICS

RECEIVED

APR 09 2004

02/24/2004

Department of Water Resources
Eastern Region

**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: 23-16A

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 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

900 North Skyline Dr. Suite A, Idaho Falls, Idaho 83402-1718

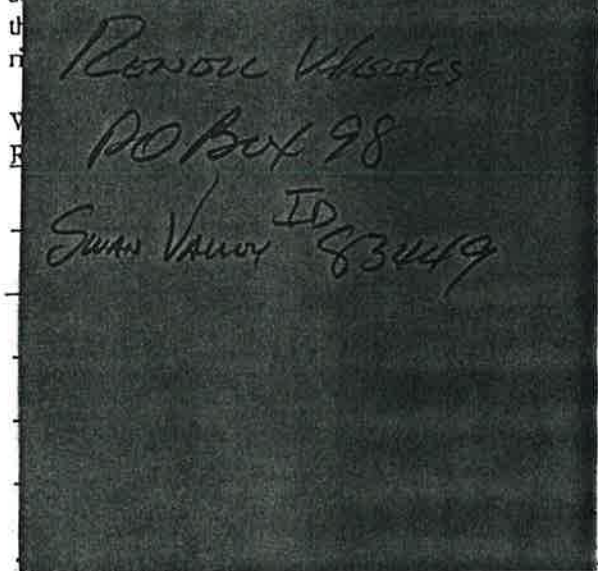
ALLEN B. RUBERRY
SR. WATER RESOURCE AGENT
ADJUDICATION BUREAU
PHONE (208) 525-7161
CELL (208) 589-4921
FAX (208) 525-7177
aruberry@idwr.state.id.us

OF IDAHO WATER RESOURCES WATER RIGHT OWNERSHIP

Information. Instructions are included at the end of this form.
Forms will be returned.

claim number(s) (if any) for each water right to be changed. List just the
water right record on file with the department. Indicate, by checking in
to a portion of a water right in which case division of the existing water

adjudication claim number if there is no corresponding



Water

Adjudication

MAILED 12/19/03
12/18/03

Remove
I HAVE OVERLOOKED THE
NEED FOR A CHANGE OF
WATER RIGHT OWNERSHIP FROM
WOODS BROS TO YOUR OPERATION.

- A. The appropriate FILING FEE. See instructions for
- B. A copy of the most recent DEED, TITLE POLICY
ownership of the property and water right(s) or claim
- C. Either of the following (if necessary to clarify division
PLAT OF PROPERTY or SURVEY MAP clearly showing
water right(s) and/or adjudication claim(s) (these are

If your water right(s) and/or adjudication claim(s)
Service Agency AERIAL PHOTO with the irrigation
AERIAL PHOTO should be submitted in place of

PLEASE complete the Attachment
Form AND RETURN TO me.
NO FEES -

Also, I need to talk w/ you
about the 23-7000 well placid
OR Use & Ownership

THX [Signature]

3. Name and Address of Former
Owner/Claimant(s) _____
4. New Owner/Claimant(s) _____
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property _____

16A
48D
98D

SIGN
HERE



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

DELOG

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.

AUG 13 1998

Incomplete forms will be returned.

Department of Water Resources
Eastern Region

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.

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: **A23-00016A**
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 208-483-3361
Address: C/O STEVE WEEKS
PO BOX 25
SWAN VALLEY ID 83449
2. Date of Priority: JUN 1, 1891
3. Source: RAINEY CREEK, UPPER 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	NW	NW			BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCH 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	1.750		

7. Total Quantity Appropriated is:
1.750 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	13.0
			SE	SE		IRR	26.0



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	39.0
	44E	6	NW	SW	IRR	24.0
			SW	SW	IRR	28.0
					Section Acres	52.0
					Total Acres	91.0

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:
23-00095, 07000

14. Remarks:
TRANS. 4123 2/8/95 SC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIGATION CO. ET AL
Decree Plaintiff

TETON IRR. CANAL CO. ET AL.
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: _____