

02/24/2004

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

RIGHT NUMBER: 23-48D
NAME AND ADDRESS: RENELL WEEKS FARMS INC
PO BOX 98
SWAN VALLEY ID 83449
SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 1.510 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 23-16A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.23 CFS.

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 23-00016A SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 06/01/1893

POINT OF DIVERSION:

T01N R44E S7 SWNE NE 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	1.510 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 75.5 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 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.

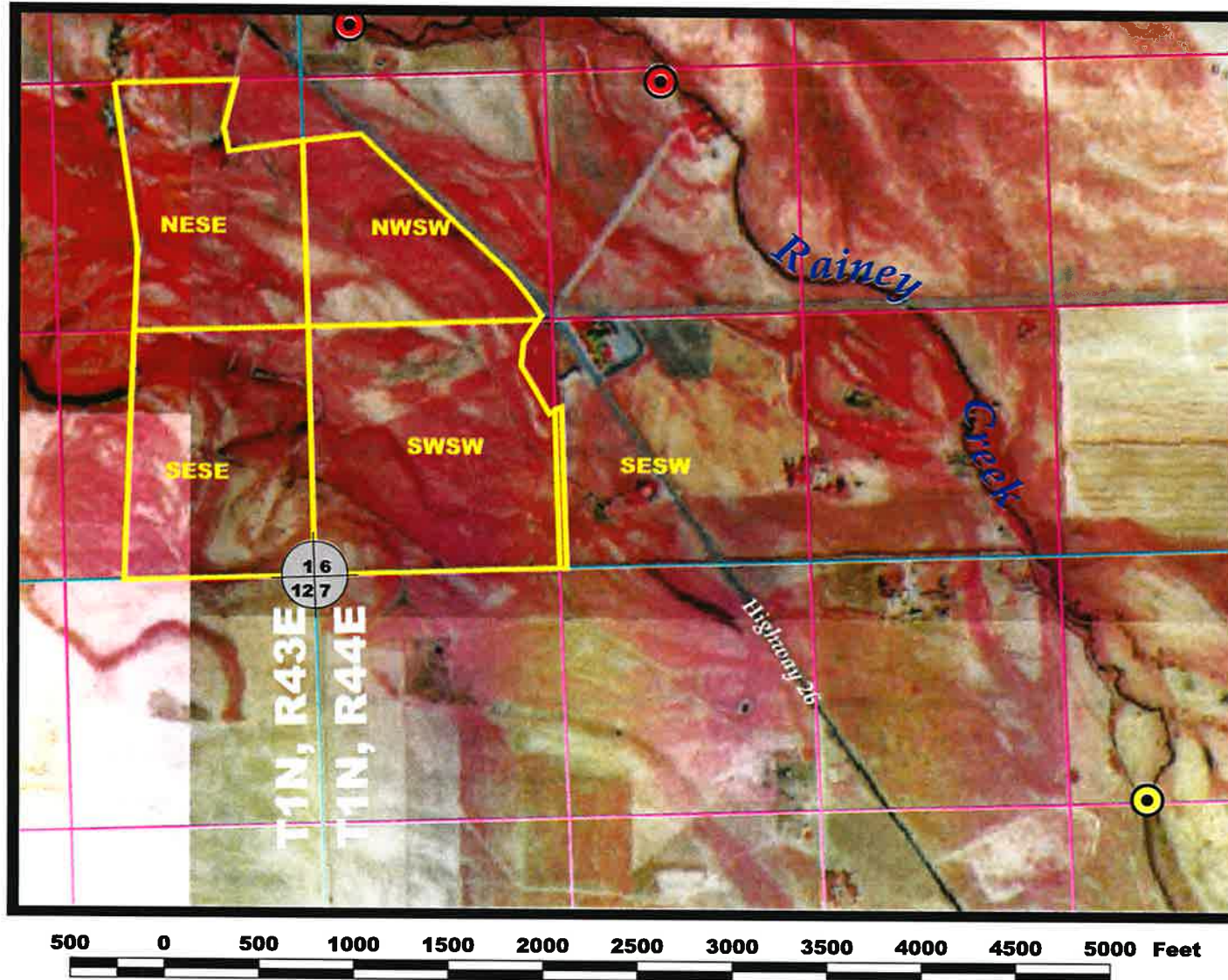


SCANNED
JUL 07 2004

State of Idaho

Department of Water Resources

Eastern Region



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

Log for claim 23-00048D

Spatial Dynamics BTD

6/19/01

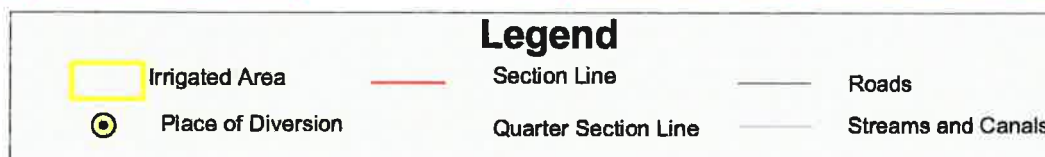
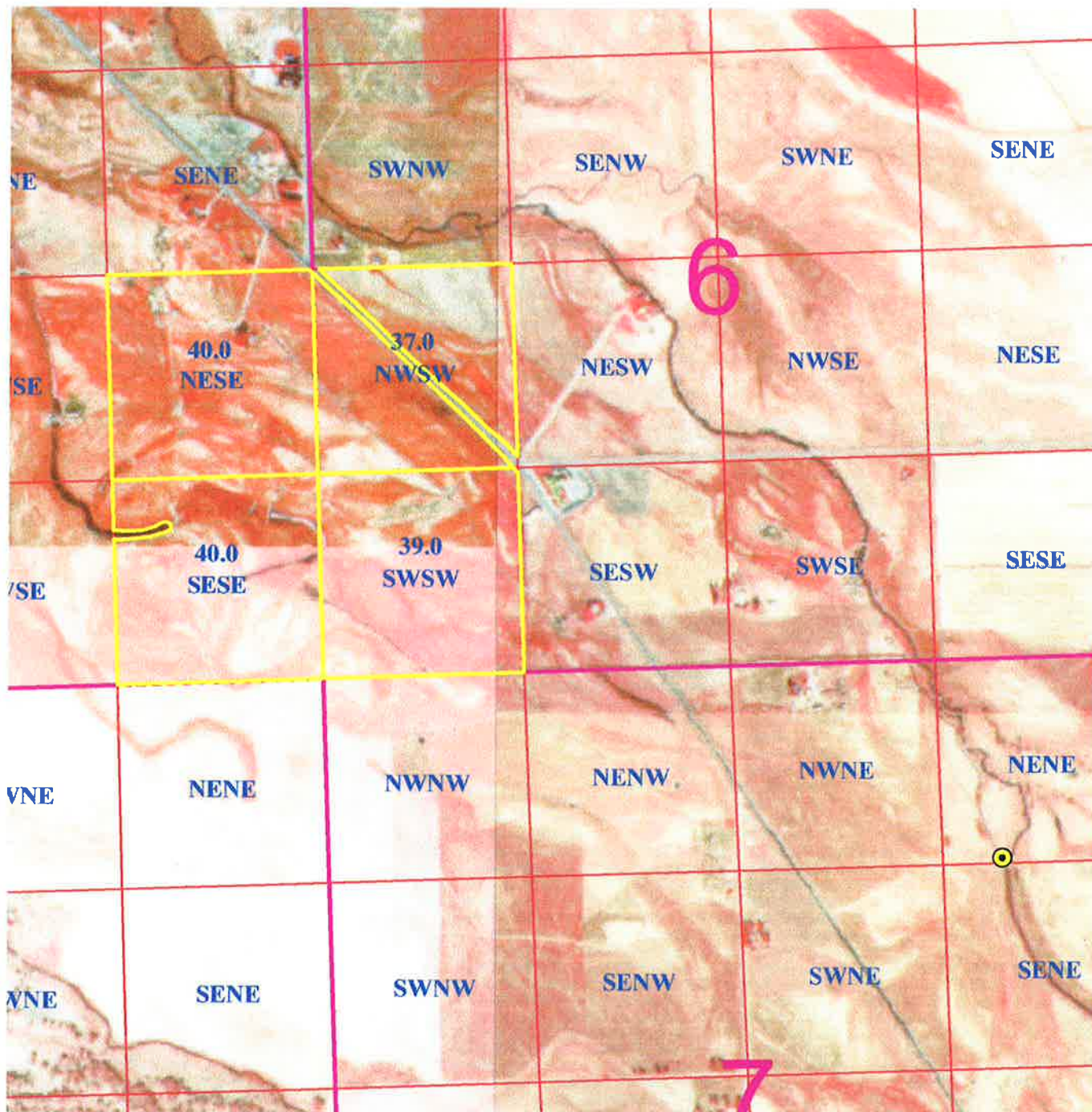
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	NESE	24	40	Indiscernible
01n43e	1	SESE	30.5	40	Indiscernible
01n44e	6	NWSW	17.4	37	Indiscernible
01n44e	6	SWSW	36	39	
Totals:			107.9	156	

SCANNED

JUL 07 2004

Water Right Claim Number 23-00048D
Townships , 1N44E, 1N43E

06/19/2001



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: 23-48D

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:

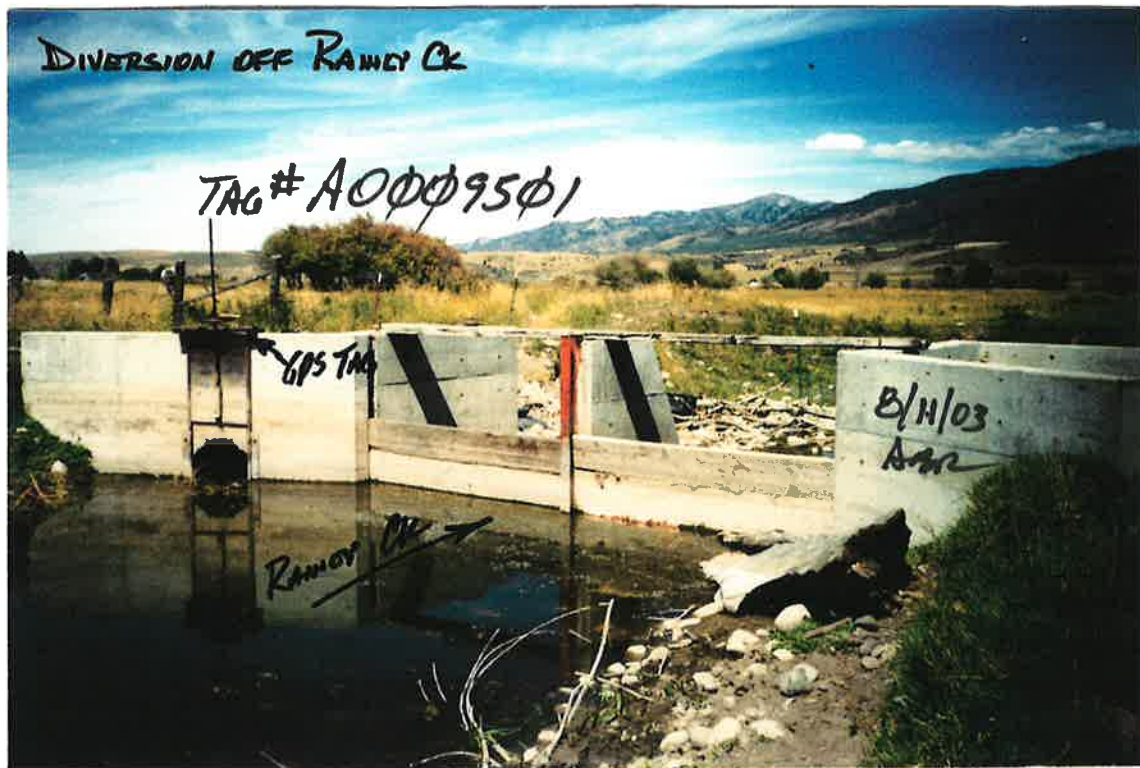
3. Give a brief explanation as to why you disagree with these portions:

R 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,



SEE FIELD EXAM NOTES IN 23-16A

$1.51 \text{ cfs} \div 0.02 = 75.5 \text{ AC Limit}$

PPH 16A, 48D, 98D



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

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.
 Incomplete forms will be returned.

 AUG 13 1998
 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 87.71 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 8-10-98
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.

IDWR EASTERN

05/13/1998 14:54 2065257177

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

WATER RIGHT NUMBER: 23-48

Owner Type Name and Address

Current Owner ROBERT OAKDEN

, ZZ

Priority Date: 06/01/1893

Basis: Decreed

Status: Active

Source

RAINEY CREEK

Tributary

SOUTH FORK SNAKE RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

3.200 CFS

Annual VolumeTotal Diversion:

3.200 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	43E	1									X	X	X	X					
01N	44E	6									X	X	X	X	X	X	X	X	ERROR

Conditions of Approval:Remarks:

- General P/D AND P/U INCOMPLETE.

Comments:Dates and Other Information:

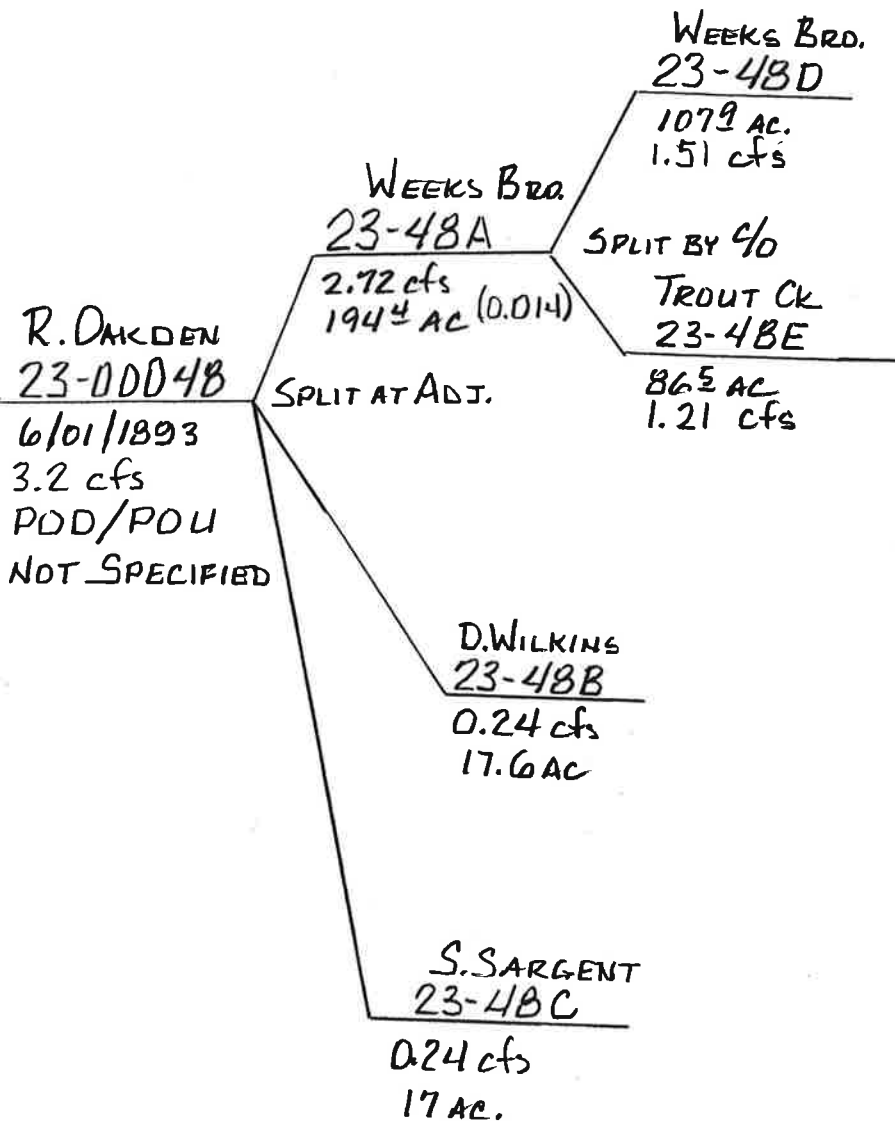
SEE SPLIT HISTORY ATTACHED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-48

Dates and Other Information:

Licensed Date:
 Decreed Date: 12/16/1910
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: Teton Irrigation Canal Co, et al
 Decree Plaintiff: Rexburg Irrigation Co
 Civil Case Number:
 Judicial District: Sixth District
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False



ADJ PARTS	cfs CLAIMED
B.	0.24
C.	0.24
D.	1.51
E.	1.21
TOTAL Q: 3.2 cfs	
<u>CLAIMED IN-FULL</u>	

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: **A23-00048D**
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, 1893
3. Source: RAINEY CREEK, LOWER Trib. to: SNAKE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	44E	7	SW	NE	NE		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES 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	1.510		

7. Total Quantity Appropriated is:
1.510 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 of	Lot	Use	Acres
01N	43E	1	NE	SE		IRR	24.0
			SE	SE		IRR	30.5



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	54.5
	44E	6	NW	SW	IRR	17.4
			SW	SW	IRR	36.0
					Section Acres	53.4
					Total Acres	107.9

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:

A23-00098A, PALISADES CANAL RTS, PALISADES STORAGE RTS.

14. Remarks:

P/D AND P/U INCOMPLETE IN DECREE.

APPEARS TO BE ERROR IN DESCRIPTION IN DECREE. SHOULD BE SE1/4
OF SECTION 1 RATHER THAN SW1/4 AS INDICATED.

* THIS RIGHT PAID FOR UNDER RECEIPT #E009979. CHANGE IN
OWNERSHIP

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRR. CO ET AL

Decree Plaintiff

TETON IRRIGATION CANAL CO. ET

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: _____