

01/13/2004

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

RIGHT NUMBER: 23-91
NAME AND ADDRESS: IVAN WEEKS
SWAN VALLEY ID 83449
SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 3.200 CFS
USE OF THIS RIGHT WITH RIGHT NO. 23-00045 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.2 CFS.
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION:

T02N R44E S34 NWNWSW 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	3.200 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S04	SESW	39.0	T01N R44E S04	SWSE	20.0
T01N R44E S09	NWNE	40.0	T01N R44E S09	NENW	40.0

139 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 23-00045 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 139.0 ACRES 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



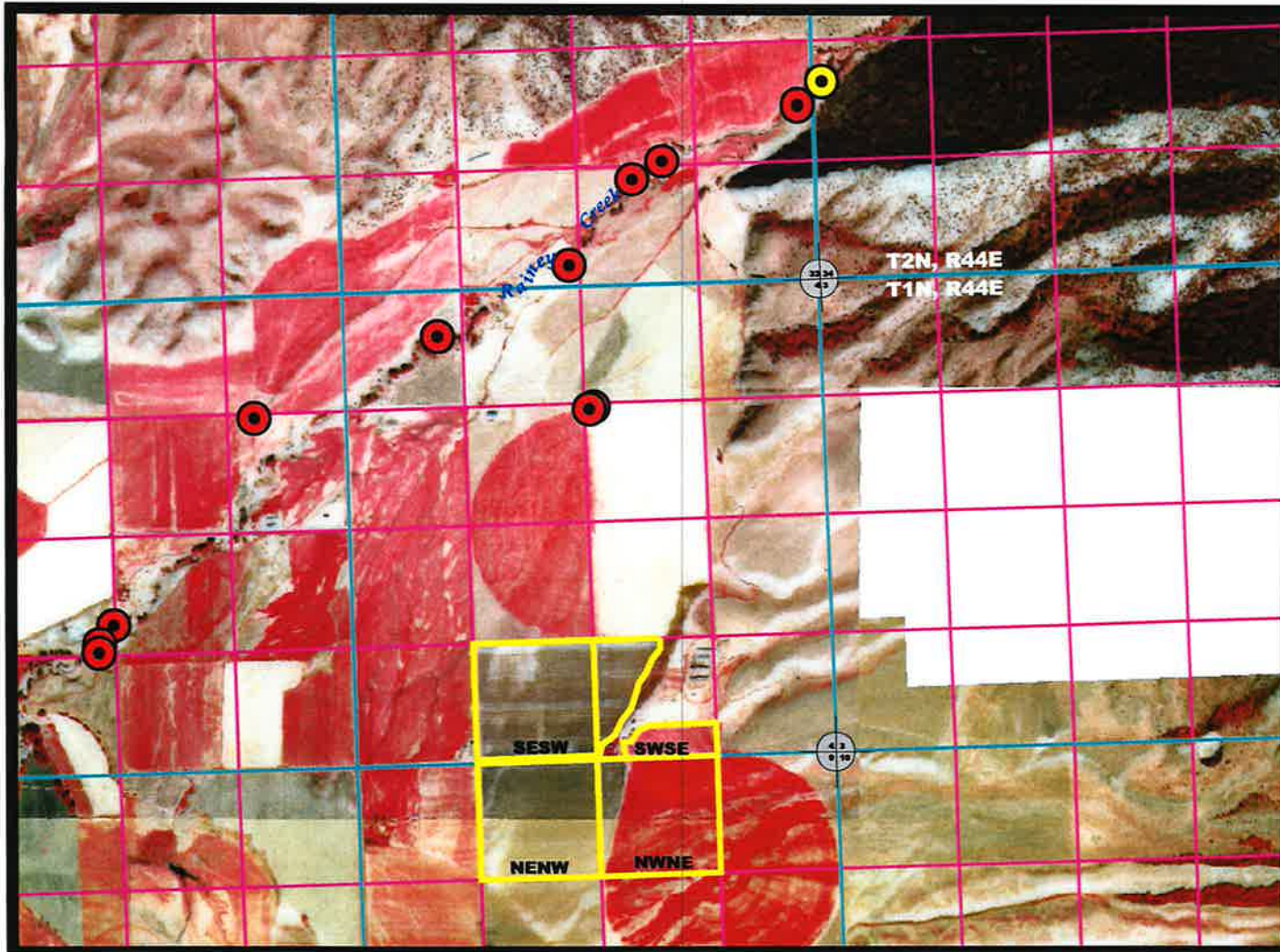
JUL 09 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-00045,

23-00091

Place of Use: (parts of)

T1N, R44E

Sec. 4 SESW, SWSE,

Sec. 9 NENW, NWNE

Point(s) of Diversion:

T1N, R43E

Sec. 1 NWNWSW



LEGEND



Point of Diversion

SESE

Place of Use



Section



Quarter-Quarter

750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 Feet

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

Contacts Data Entry Form

Water Right No. 23-00091

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner EVAN WORKS

Name connector: and _____, or _____, and/or _____

Current Owner _____

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:

DESCRIBED UNDER PALISADES RR vs L CRANDALL, 1951
AS 160" (3.2 cfs) (JUDGMENT, PART III, FURTHER DEFINED IN
PART IV) DECRS 23-H: EXCERPT ATTACHED.

FE INDICATED: POU, POD, CONVEYANCE SYSTEM, OVERLAP
OF OTHER RIGHTS. DO w/ 23-00045

Reviewer: _____

Date: _____

SCANNED

SCANNED

JUL 09 2004

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 1/22/1916 Claimed Basis: DECREEDRecommended Priority Date: 1/22/1916 Recommended Basis: DECREED☐ 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:

PRIORITY MATCHES DEED.

Reviewer: _____

Date: _____

T.2N. R44E S4. 34
MSMNMIV



Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 44E, Sec. 34, NW, NW, SW County: BONNEVILLESource: RAINY CREEK (Upper) Tributary: 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	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

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

POD NOT ADDRESSED BY DECREE. SOURCE CLAIMED AS UPPER
RAINY CK - USGS 00-448 RECOGNIZES RAINY CREEK.

Remark
 Bp1 - Upper RC

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

SEEMS THERE ARE A FEW PROBLEMS ASSOCIATED W/ THIS AND OTHER
POU ADJACENT, SUCH AS: OWNERSHIP, CONVEYANCE SYSTEM, OVERLAP OF
RTS, SOURCE(S). Recommend POU as claimed w/ Ac by GRS

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
PRING	4/1	11/1	3.2	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
PRING	4/15	10/31	3.2	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate 3.2

Overall Diversion Volume _____

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

SOU NOT ADDRESSSED BY DECREE - USE DEPT STD OF 4/15 TO 10/31.
Decr is DECREE - SEE EXCERPT ATTACHED.

Reviewer: _____

Date: _____

Log for claim 23-00091

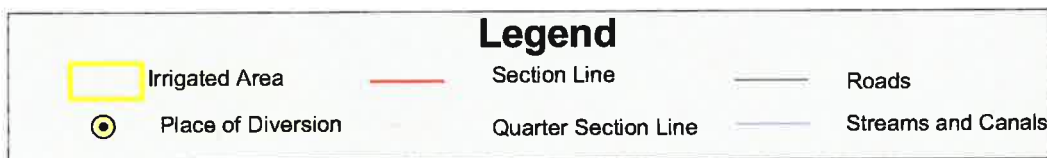
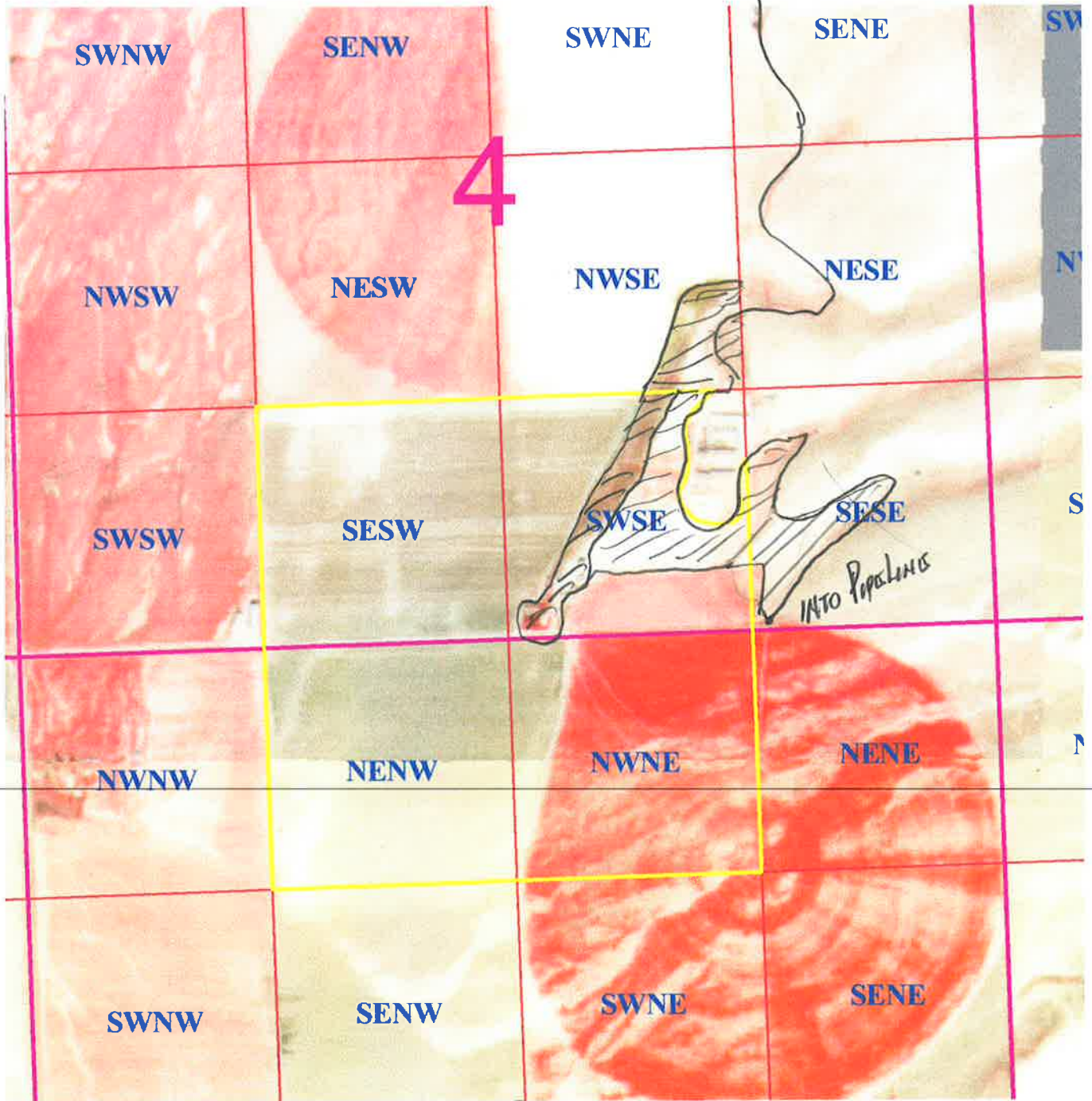
Spatial Dynamics LTD

5/31/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	4	SESW	40	40	
01n44e	4	SWSE	28	36	Indiscernible
01n44e	9	NWNE	40	40	
01n44e	9	NENW	40	40	
Totals:			148	156	

Water Right Claim Number 23-00091
Township, 1N44E

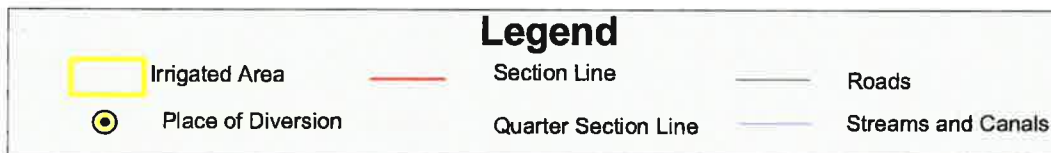
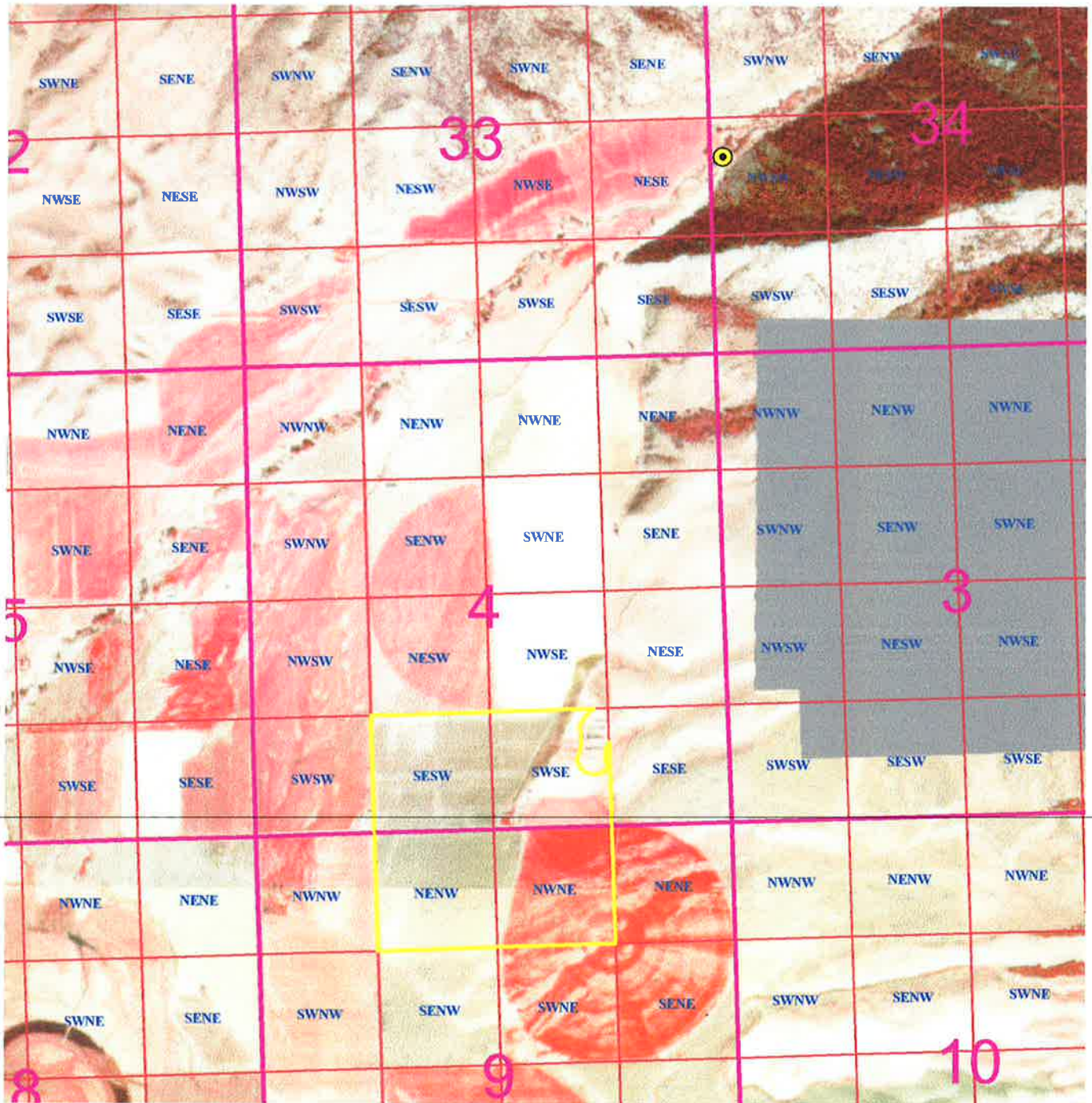
05/31/2001



SPATIAL
DYNAMICS

Water Right Claim Number 23-00091
Township , 1N44E

05/31/2001



1200 0 1200 2400 Feet



SPATIAL
DYNAMICS

rights shall immediately lapse and become void and of no effect.

III.

It is further considered, adjudged and decreed by the Court that the plaintiffs are entitled to a summary decree and adjudication of the waters of Snake River and its tributaries with date of priority of January 22, 1916.

<u>Plaintiffs</u>	<u>Amount of Miners Inches</u>	<u>Amount of Second Feet</u>
The Palisade Irrigation Company	4890	97.8
J. L. Higham	120	2.4
Richard A. Beam	360	7.2
Ivan Weeks	160	3.2
Thomas M. Weeks	200	4.
John B. Miller	240	4.8
Shurtleff Bros.	880	17.6
Elizabeth Beam	150	3.
David H. Peterson and Jess L. Peterson	100	2.00
Henry Goettsche	312	6.24
Weeks Bros.	135	2.7
Luther Smith	160	3.2
M. E. Toliver	800	16.
Harry Bitton	160	3.2
Francis Stoltenberg	210	4.2
Joe Kruse	120	2.4
Henry McCabe	150	3.

IV.

Further ordered, adjudged and decreed that the plaintiffs have the right to divert and use said quantity of water with the said priority date subject, however, to the terms of the said decree of December 16th, 1910, and said decree of June 25th, 1929, for use for irrigation and domestic purposes upon the following described lands, to-wit:

23-0091 It is further Ordered, Adjudged and Decreed that the plaintiff, Ivan Weeks, has the right to divert from Upper Rainey Creek and use said quantity of water with the said priority date for irrigating and domestic purposes upon the following described lands, to-wit:

Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), of Section Four (4); Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section Nine (9), Township One (1) North, Range Forty-four (44), East of the Boise Meridian.

23-0092 It is further Ordered, Adjudged and *EXCERPT FROM: PALISADES* plaintiff, Thomas M. Weeks, has the right to *IRRIG. VS L. CRANDALL, JAN.* Creek and use said quantity of water with the *16, 1951. DECREE #23-H* for irrigating and domestic purposes upon the *16, 1951. DECREE #23-H* lands, to-wit:

Southeast Quarter (SE $\frac{1}{4}$), Section Five (5), Township one (1) North, Range Forty-four (44), East of the

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: A23-00091
Date Received: 8/16/1989
Receipt No: 609977
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVAN WEEKS 208-483-3361
Address: SWAN VALLEY, ID 83449
OR
Name: WEEKS BROTHERS 208-483-3361
Address: C/O STEVE WEEKS
P.O. BOX 25
SWAN VALLEY, ID 83449

A2300091



2. Date of Priority: JAN 22, 1916

3. Source: RAINEY CREEK, UPPER Trib. to: SNAKE RIVER, SOUTH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	44E	34	NW	NW	SW		BONNEVILLE

5. Description of diverting works:
HEADGATE IN STREAM TO DITCH. REDIVERSION INTO PIPELINE, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 370.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A23-00091

Page 1

Date: 08/16/89

MICROFILMED
NOV 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	4	SE	SW		IRR	40.0
			SW	SE		IRR	28.0
					Section Acres		68.0
		9	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
					Section Acres		80.0
					Total Acres		148.0

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:
23-7000, 23-0045.

14. Remarks:
RIGHT CANNOT BE TRANSFERRED. SEE DECREE.
WEEKS BROTHERS ARE LEASING THIS LAND FROM IVAN WEEKS, PROPERTY OWNER.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/16/1951

PALISADE IRR. CO., ET AL.
Decree Plaintiff

CRANDALL
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am President of
Title
Weeks Bros Inc, that I have signed the foregoing
Organization
document in the space below as President of
Title
Weeks Bros Inc and that the statements contained in the
Organization
foregoing document are true and correct.

Steve Weeks
Signature of Authorized Agent

Bros Weeks Bros Inc
Title and Organization

8/28/89
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of August 19 89

Ca. Dene
Notary Public

Seal

RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 8-22-1994

Residing at _____

My Commission Expires _____

RECEIVED

APR 29 2004

01/13/2004

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: 23-91

IVAN WEEKS

SWAN VALLEY ID 83449

Telephone Number: (208)483-3361

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: 4-1-2004 SIGNATURE: Ivan R. Weeks by Renell Weeks POA
Please print your name: Ivan R Weeks Renell Weeks

IDWR Regional Office,

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

NOV 07 1992
MICROFILMED

R
4
R
4

A23-00091

