

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: A27-10728  
Date Received: 5/22/1989  
Receipt No: E007752  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ELDRO B PRATT  
Address: 225 N 400 E  
BLACKFOOT ID 83221  
AND/OR  
Name: BONNIE J PRATT  
Address: 225 N 400 E  
BLACKFOOT ID 83221  
208-785-2044  
208-785-2044
2. Date of Priority: JUN 1, 1885
3. Source: BRUSH CREEK, EAST FORK  
GARDEN CREEK  
Trib. to: BLACKFOOT RIVER  
BRUSH CREEK, EAST FORK
4. Point of Diversion:  

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 03S      | 39E   | 26      |        | SW     | SE     |     | BINGHAM |
|          |       | 34      |        | NE     | NE     |     | BINGHAM |
|          |       |         |        | SE     | SE     |     | BINGHAM |
5. Description of diverting works:  
WOODEN HEADGATES WITH FLASH BOARDS, OPEN DITCH.
6. Water is used for the following purposes:  

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.550 |      |        |
7. Total Quantity Appropriated is:  
0.550 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 203.0 Acre Feet Per Annum.
9. Non-irrigation uses:

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10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 03S      | 39E   | 26      | SW     | SW  |     | IRR           | 3.2   |
|          |       |         | SE     | SW  |     | IRR           | 4.0   |
|          |       |         |        |     |     | Section Acres | 7.2   |
|          |       | 27      | SE     | SE  |     | IRR           | 5.2   |
|          |       |         |        |     |     | Section Acres | 5.2   |
|          |       | 34      | NE     | NE  |     | IRR           | 13.6  |
|          |       |         | NW     | NE  |     | IRR           | 6.4   |
|          |       |         | SW     | NE  |     | IRR           | 13.6  |
|          |       |         | NE     | SW  |     | IRR           | 10.0  |
|          |       |         | NW     | SE  |     | IRR           | 22.8  |
|          |       |         | SW     | SE  |     | IRR           | 2.4   |
|          |       |         |        |     |     | Section Acres | 68.8  |
|          |       |         |        |     |     | Total Acres   | 81.2  |

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
A27-00056

14. Remarks:

THE HEADGATE IN THE SE1/4SE1/4 SEC. 34 DIVERTS WATER FROM GARDEN CREEK INTO A DITCH THAT RUNS INTO ONE OF THE DITCHES CARRYING WATER FROM BRUSH CREEK.  
THIS RIGHT IS A PORTION OF DECREED RIGHT 27-00004 WHICH WAS TRANSFERRED TO THIS PROPERTY PRIOR TO 1958.  
CHANGED OWNERSHIP 1/23/95/JT/GT

15. Basis of Claim: DECREED

Water Right Number: 270004

Case Number:

Court :

Decree date: / /

FRED S. STEVENS ET AL  
Decree Plaintiff

EASTERN IDAHO WATER vs ET AL  
Decree Defendant  
MICROFILMED  
NOV 13 1995

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: A27-10728  
Date Received: 5/22/1989  
Receipt No: E007752  
Received By: EAR

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOYCE W. RISHEL 208-357-3086  
Address: 1053 N. 500 E.  
FIRTH, ID 83236

2. Date of Priority: JUN 01, 1885

3. Source: BRUSH CREEK, EAST FORK Trib. to: BLACKFOOT RIVER  
GARDEN CREEK BRUSH CREEK, EAST F

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 03S      | 39E   | 26      | SW     | SE     |     |     | BINGHAM |
|          |       | 34      | NE     | NE     |     |     | BINGHAM |
|          |       |         | SE     | SE     |     |     | BINGHAM |

5. Description of diverting works:  
WOODEN HEADGATES WITH FLASH BOARDS, OPEN DITCH.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.550  |      |        |

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

8. Total consumptive use is 203.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 03S      | 39E   | 26      | SW     | SW  |     | IRR | 3.2   |

A27-10728

Page 1

Date: 05/22/89

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A2710728

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 03S      | 39E   | 26      | SE     | SW  |     | IRR           | 4.0   |
|          |       |         |        |     |     | Section Acres | 7.2   |
|          |       | 27      | SE     | SE  |     | IRR           | 5.2   |
|          |       |         |        |     |     | Section Acres | 5.2   |
|          |       | 34      | NE     | NE  |     | IRR           | 13.6  |
|          |       |         | NW     | NE  |     | IRR           | 6.4   |
|          |       |         | SW     | NE  |     | IRR           | 13.6  |
|          |       |         | NE     | SW  |     | IRR           | 10.0  |
|          |       |         | NW     | SE  |     | IRR           | 22.8  |
|          |       |         | SW     | SE  |     | IRR           | 2.4   |
|          |       |         |        |     |     | Section Acres | 68.8  |
|          |       |         |        |     |     | Total Acres   | 81.2  |

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
A27-00056

14. Remarks:

THE HEADGATE IN THE SE1/4SE1/4 SEC. 34 DIVERTS WATER FROM GARDEN CREEK INTO A DITCH THAT RUNS INTO ONE OF THE DITCHES CARRYING WATER FROM BRUSH CREEK.  
THIS RIGHT IS A PORTION OF DECREED RIGHT 27-00004 WHICH WAS TRANSFERRED TO THIS PROPERTY PRIOR TO 1958.

15. Basis of Claim: DECREED  
Water Right Number: 270004  
Case Number:  
Court :  
Decree date:

FRED S. STEVENS ET AL  
Decree Plaintiff

vs

EASTERN IDAHO WATER CO. ET AL  
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: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Jayce W. Rishel Date: 5-22-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 22 day  
of May 19 89 Ernest Carlson  
Notary Public

Seal

Residing at Alto Falls, ID  
My Commission Expires 6-14-1994

R39E

111°52'30"

430000m. E.

Top 35. Rgc 39E



A27-00056

A27-10728

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NOV 14 1992

Log for claim 27-10728

Spatial Dynamics LTD

12/11/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 03s39e         | 26  | SWSW | 3                | 7              |         |
| 03s39e         | 26  | SESW | 4                | 5.2            |         |
| 03s39e         | 27  | SESE | 5                | 10             |         |
| 03s39e         | 34  | NENE | 13               | 12             |         |
| 03s39e         | 34  | NWNE | 6                | 8.8            |         |
| 03s39e         | 34  | SWNE | 13               | 15             |         |
| 03s39e         | 34  | NESW | 10               | 12             |         |
| 03s39e         | 34  | NWSE | 22               | 19             |         |
| 03s39e         | 34  | SWSE | 2                | 1.9            |         |
| <b>Totals:</b> |     |      | 78               | 90.9           |         |

AJ5809WP  
No. A27-10728

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00  
PAGE: 104

| OWNER<br>CODE | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | ELDRO B PRATT      | 06/01/1885       | IRRIGATION | 04-01 11-01           | 0.550 CFS         |                     |
| C             | BONNIE J PRATT     |                  |            |                       |                   |                     |
|               | 225 N 400 E        |                  |            |                       |                   |                     |
|               | BLACKFOOT ID 83221 |                  |            | TOTAL DIVERSION:      | 0.550 CFS         |                     |
|               | (208) 785-2044     |                  |            | CONSUMPTIVE USE:      |                   | 203.00 AFA          |

Water Source: BRUSH CREEK, EAST FORK  
GARDEN CREEK

Tributary to: BLACKFOOT RIVER  
BRUSH CREEK, EAST FORK

Stage: DECREED

Point(s) of Diversion: T03S R39E S26 SWSE BINGHAM County  
S34 NENE SESE BINGHAM County

Place of use Legal Description for: IRRIGATION

| NE   |     |      |      | NW   |    |      |    | SW   |    |      |    | SE   |    |      |    |      |      |      |    |      |    |      |             |    |      |
|------|-----|------|------|------|----|------|----|------|----|------|----|------|----|------|----|------|------|------|----|------|----|------|-------------|----|------|
| NENE |     | NWNE |      | SWNE |    | SENE |    | NENW |    | NWNW |    | SWNW |    | SESW |    | NESE |      | NWSE |    | SWSE |    | SESE |             |    |      |
| T    | R   | S    | : Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | : Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt          | Ac | SUM  |
| 03S  | 39E | 26   | :    |      |    |      |    |      |    |      |    |      |    |      |    |      |      |      |    |      |    |      |             |    |      |
| 03S  | 39E | 27   | :    |      |    |      |    |      |    |      |    |      |    |      |    |      |      |      |    |      |    |      |             |    |      |
| 03S  | 39E | 34   | :    | 13   |    | 06   |    | 13   |    |      |    |      |    | 10   |    |      |      |      |    | 22   |    | 02   |             |    | 68.8 |
|      |     |      |      |      |    |      |    |      |    |      |    |      |    |      |    |      |      |      |    |      |    |      | TOTAL ACRES |    | 81.2 |

POU County: BINGHAM

Other Rights: A27-00056

Remarks: GEN THE HEADGATE IN THE SE1/4SE1/4 SEC. 34 DIVERTS WATER FROM  
GARDEN CREEK INTO A DITCH THAT RUNS INTO ONE OF THE DITCHES  
CARRYING WATER FROM BRUSH CREEK.  
THIS RIGHT IS A PORTION OF DECREED RIGHT 27-00004 WHICH WAS  
TRANSFERRED TO THIS PROPERTY PRIOR TO 1958.  
CHANGED OWNERSHIP 1/23/95/JT/GT

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag: D



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 27, 1999

ELDROW PRATT  
225 N 400 E  
FIRTH ID 83236

RE: CHANGE OF ADDRESS FOR A27-10728

Dear Mr. Pratt:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Eldrow Pratt  
225 N 400 E  
Blackfoot Id 83221

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Autumn Jones  
Records Clerk

Enclosure(s)

COPY

RECEIVED

JUN 03 1999

CHANGE IN ADDRESS

Department of Water Resources  
Eastern Region

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[ ] Water Right Number(s): A 27-10728

[ ] Old Mailing Address: Eldro Pratt

225 No. 400 East

Blackfoot, Id. 83221

[ ] New Mailing Address: Eldro Pratt

225 No. 400 East

Blackfoot, Id. 83221

[ ] Telephone Number: (208) 785-2044

[ ] Signature of Claimant: Eldro Pratt

[ ] Date: \_\_\_\_\_

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: \_\_\_\_\_ By: \_\_\_\_\_

*This form sent to Firth -  
I have never had Firth address*

*Name does not have W  
on first name*

JANUARY 23, 1995

ELDRO B PRATT  
225 N 400 E  
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-00056 AND A27-10728

Dear Mr. Pratt:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

*Jo*  
Jo Thompson  
Adjudication Secretary

Enclosure: Notice of Claim

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NOV 13 1995



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 15 Dec 1994

LEGAL DESCRIPTION OF PROPERTY: Township 3 S Range 39 E  
Section 26, 27, 34, 35 1/4 of 1/4 of 1/4 Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR:

A27-00056 <sup>OK</sup> ~~XXXXXXXXXX~~ <sup>OK AS. NO R records</sup>

☐ Name and Address of Former  
Owner/Claimant(s)(Seller):

Jeff C Nauman & Brenda S Nauman

☐ New Owner/Claimant  
(Purchaser):

Eldon B. & Bonnie J Pratt

☐ New Mailing Address:

225 N. 400E  
Blackfoot Idaho 83221

☐ New Telephone Number:

(208) 785-2044

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes / no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of  
ownership, describe  
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New  
Owner/Claimant(s)

Eldon B. Pratt  
Bonnie J. Pratt

Date 1/17/95

Date 1/17/95

☐ Signature of Former  
Owner/Claimant(s):

Date       

Date       

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

1-23-95: There is no tracking  
from Riedel to Nauman. EC says OK  
to C/O. Jo

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NOV 13 1996

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

# WARRANTY DEED

4814

THIS INDENTURE, Made this 1st day of May, 19 58  
by and between Mary L. Hansen, a widow, and Frank L. Hansen and Helen  
N. Hansen, husband and wife,

of the County of Bingham, State of Idaho, the part ies of the first  
part, and Joyce W. Twitchell and Gene H. Rishel, both unmarried  
persons

of the County of Bingham, State of Idaho, the part ies of the second  
part.

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of  
-- Ten and no/100 -- DOLLARS  
lawful money of the United States of America, to them in hand paid by part ies of the second  
part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold, and by these  
presents do grant, bargain, sell, convey and confirm unto the said part ies of the second part  
and to their heirs and assigns forever, all the following described real estate, situate in the  
County of Bingham, State of Idaho, to wit:

The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ ); the South-  
east Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ); both in Section 34,  
Township 3 South, Range 39, East of Boise Meridian; also, the West  
One-half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ ); the Northwest Quarter of  
the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ); the Southwest Quarter of the South-  
east Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ), all in Section 35, Township 3 South, Range  
39 East of the Boise Meridian.

Also, the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ); the  
Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ ); the West One-  
half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ ); the Northeast Quarter of the  
Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ), all in Section 34, Township 3 South,  
Range 39 East of the Boise Meridian; also, the Southeast Quarter of  
the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) in Section 27, Township 3 South,  
Range 39, East of Boise Meridian; also, the South one-half of the  
Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 26, Township 3 South, Range 39,  
East of Boise Meridian.

All of the above described real property is located in Bingham County,  
State of Idaho.

together with 27 inches of water from Blackfoot River, (Fox & Whitten  
Decree), together with all other water and water rights, ditch and  
ditch way rights belonging or in anywise appertaining to the described  
realty.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-  
longing or in anywise 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 part ies of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-  
gether with the appurtenances, unto the part ies of the second part, and to their heirs and  
assigns forever. And the said part ies of the first part, and their heirs, the said premises  
in the quiet and peaceable possession of the said part ies of the second part, and their heirs  
and assigns against the said part ies of the first part and their heirs and against all and  
every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WAR-  
RANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their  
hand s and seal s the day and year first above written.

Signed, sealed and delivered in the  
presence of



Mary L. Hansen (SEAL)  
Frank L. Hansen (SEAL)  
Mrs. Helen N. Hansen (SEAL)  
\_\_\_\_\_ (SEAL)

MICROFILMED  
NOV 12 1992