

04/22/2005

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

RIGHT NUMBER: 27-12029

NAME AND ADDRESS: MARK B PRATT
486 E WEEDING LN
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T02s R37e S17 NWSW Lot 3 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S23 NWNW 13.0

13 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: Decreed

WATER IS DELIVERED THROUGH BLACKFOOT SLOUGH.

This right is a split from former right 27-4.

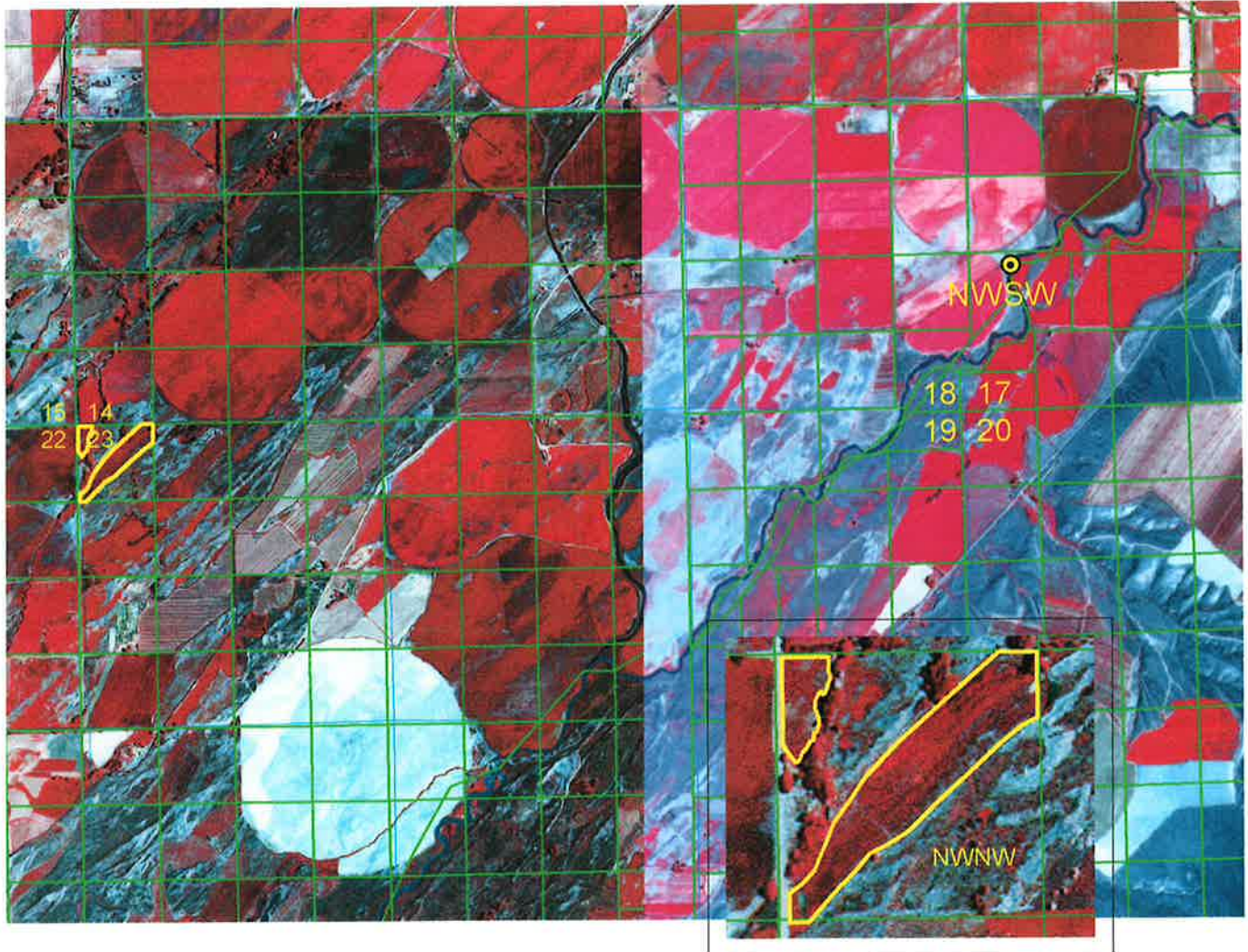


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s) 27-12029



0.4 0 0.4 0.8 Miles

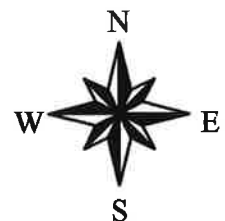
IRRIGATED ACRES 13.0

LEGEND

- ⊕ POD
- POU
- Sections
- Quarter-Quarter

Place of Use: T2S, R36E:
(part of) Sec. 23, NWNW.

Point of Diversion: T2S, R37E:
Sec. 17, NENWSW. Lot 3.

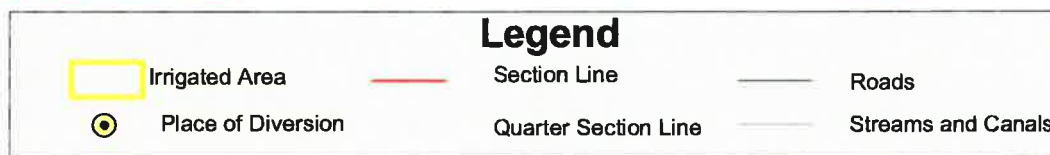
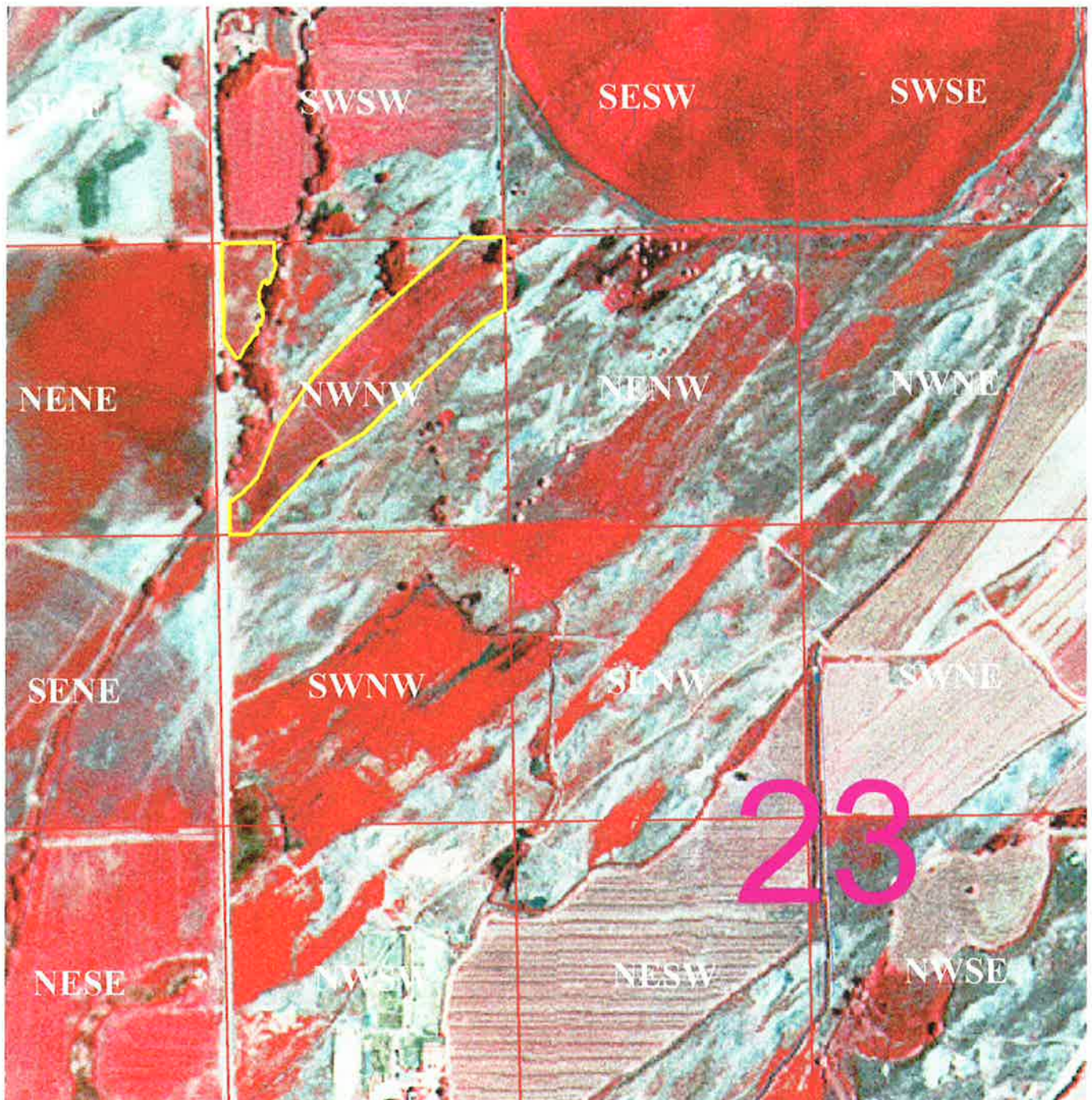


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: C. Bird
Date: April 2005.

MAY 18 2006

Water Right Claim Number 27-00004U
Township , 2S36E

12/19/2000



04/22/2005

**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: 27-12029

Mark B. Pratt
486 East Weeding Land 279 N 400E
Blackfoot, ID 83221
Telephone Number: (208) 785-4245

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: 7-16-05 SIGNATURE: Mark Pratt

Please print your name: Mark Pratt



IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161

PROFILED

SCANNED

MAY 18 2006

KMS
7/29

Notes

4/22/05. This is conveyed thru Blackfoot Strong.

allowed the 25 miles because the

Stinson Avenue is not operating on an "I"

process. They will further investigate how

thru the district because of the distance it is

conveyed.

Blackfoot Investigation Co. is also recommended

over the POU. But no reference to having

any advice in the investigation company

as it didn't add any remarks to reference.

This came from the W/R 27-4/00.

Please print NOE. CB.

References

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Show Help

Screen ID
 384
 Process:
 Claim
 Verification
 Record
 Step:
 Update
 Information

Quick Look	Contacts	Priority Date	POD	Source	POU	Water Use
Review/Verify Log						
Status						Active
Claim Number	27	12029		Version Number	1	View Documents
Check List			Print Form			
☒ Priority Date						
☒ Contacts	No					
☐ Point of Diversion						
☒ Source						
☐ Place of Use						
☒ Purpose of Use						
☒ Period of Use	No					
☒ Quantity						
☐ Summary	Yes to All					
Contacts <i>conveyed thru Blackfoot slough.</i>						
Comments						
Author	CBIRD		Text			
Subj						
Date	04	-	14	-	2005	Add Edit Remove Selected

[Hide References](#)

[Next Step](#)

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Previous Steps:

[Select Claim](#)

Screen ID
 384

Notes

11-6 03 A H sent letter to abnermont BT

3/3/04 Soil is sandy and requires more water
over ^{the} 11 inch per acre. CB

Need evidence of ownership on the
fox + whitten water. Anita Pratt will
find the additional information from
the Bingham Co. Assessors office CB.

See map for adjusted POU.

Conveyance loss and soil type
(sandy) require the 25". CB.

Response date 3/22/04 CB

Mark and Wendy Pratt
279 N 400 E
Blackfoot, ID 83221

April 12, 2004

Vicky Music
Idaho Dept of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Claim No. 27-4U and 27-4M

Dear Ms. Music,

For further proof of the above claims I am enclosing a copy of a Warranty Deed dated April 14, 1919 for fifty inches of water sold from the original decreed owner to J. C. Heaton. I also have enclosed a deed dated August 1950 selling this water as attached to our land to another individual. I hope this ties the water to the land and by referencing the 1885 judgment it proves the claim.

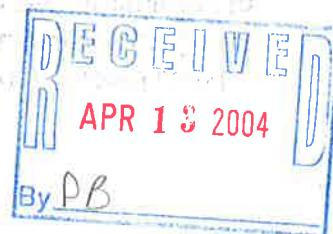
The front half of the land is in Mark's name and you already have a quit claim to his father Gary for the back half.

Thank you for your attention. My phone is 785-6597.

Sincerely,


Wendy Pratt

cc: Cindy Bird



DEED BOOK, BINGHAM COUNTY
WARRANTY DEED

No. 17499

THIS INDENTURE, Made this 25 day of August, in the year of our Lord one thousand nine hundred and 1950, between J. C. HEATON and EMILY N. HEATON, husband and wife of the County of Bingham State of Idaho, the parties of the first part, and W. D. SCOGINGS of the County of Bingham State of Idaho, the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE and no/100 and other valuable Considerations DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have 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 Bingham County, State of Idaho, to-wit:

North one-half Northwest quarter (N¹/₂ NW¹/₄) Section 23, Township Two (2) South, Range 36, E.B.M.

Together with all water and water rights, ditch and ditch rights, canals, flumes or headgates, hereunto belonging or in anywise appertaining more especially 50 inches of that certain decreed water right of the Blackfoot river in the case of Fred B. Stevens, et al., Plaintiffs Vs Eastern Idaho Water Company, et al, defendants, as recorded in Judgment Book No. 1 at pages 107 to 116 inclusive of the records of Bingham County, Idaho; being a part of the 1500 inches decreed to the first parties herein as of June 1st, 1885, as covered in that certain warranty deed from A. Whitten and Susan Whitten, his wife, to J. C. Heaton, dated April 14, 1919, and recorded October 16th, 1919 in record of Deeds book 40 page 68 records of the County of Bingham, State of Idaho.

\$2.20 I.R.S. attached and cancelled.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and 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, together with the appurtenances, unto the said party of the second part and to his heirs and assigns, forever, and the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, and against the said part ies of the first part, their 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 parties of the first part hereunto set their hands and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J. C. Heaton (SEAL)
Emily N. Heaton (SEAL)
John M. Homer (SEAL)

STATE OF Idaho
County of BONNEVILLE

On this 9th day of SEPTEMBER in the year 1950, before me JOHN M. HOMER, a Notary Public in and for said State, personally appeared J. C. HEATON and EMILY N. HEATON, husband and wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

John M. Homer

Seal Notary Public for the State of Idaho
residing at Idaho Falls, Idaho

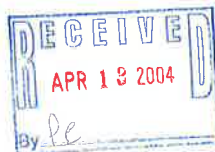
My commission expires MAY 3, 1952.

Recorded at the request of W. D. Scogings September 21, 1950 3:30 P.M.

Recorder's Fees, \$ 1.50

V. F. Watson Recorder.

By Stella C. Thoma Deputy.



THIS INDENTURE, Made the 14th day of April in the year of our Lord one thousand nine hundred and Nineteen, between A. Whitten and Susan Whitten, his wife

of the County of Bingham and State of Idaho, the part 1st of the first part, and

J. C. Heaton

of the County of Bingham and State of Idaho, the part y of the second part,

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of

Two Hundred, Fifty and no/100- (\$250.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged

do by these presents grant, sell, bargain and convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all that certain lot, piece ^{water right} of parcel of land-situate, lying and being in the County of Bingham and State of Idaho, and bounded and described as follows, to-wit:

Fifty (50) inches of that certain decreed water right of the Blackfoot River in the case of Fred S. Stevens et al Plaintiffs Vs Eastern Idaho Water Co., et al defendants, as recorded in Judgment Book No. 1 at pages 107 to 116 inclusive of the records of Bingham County, Idaho, being a part of the 1600 inches decreed to the first parties herein as of June 1st, 1886.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part y of the second part, and to his heirs and assigns forever, and the said part 1st of the first part, and their heirs, and the said premises in a quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part 1st 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 warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part 1st of the first part ha vs hereunto set their hand s and seal s the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

W. H. Stufflebeam

A. Whitten

[SEAL]

Susan Whitten

[SEAL]

[SEAL]

[SEAL]

STATE OF IDAHO, } ss.
County of Bingham

I DO HEREBY CERTIFY, That on this 14th, day of April in the year 19 19 before me, W. H. Stufflebeam, a Notary Public, in and for said County and State, personally appeared

A. Whitten and Susan Whitten, his wife,

known to me to be the person s whose name s are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Blackfoot, Idaho, the day and year first above written.

Seal.

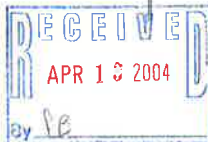
My commission expires

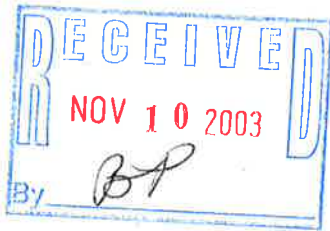
W. H. Stufflebeam

Notary Public.

Nov. 12th, 1919. for the State of Idaho, residing at Blackfoot, Idaho

Recorded at the request of J. C. Heaton Oct 16, 1919 at 3:10 P. M.





STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 6, 2003

Mark Pratt
486 E. Weeding Lane
Blackfoot, ID 83221

Re: Claim No. 27-4U

Dear Mr. Pratt:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department does not have proof of ownership for your claim number referenced above. Please submit deed and proof of your ownership of the water right referenced above to the attention of Vicky Music, IDWR, 1301 N. Orchard, Boise, ID, 83706 Please submit your proof by **November 30, 2003.**

If you have questions regarding this request, please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-7900.

Very truly yours,

SUSAN HAMLIN NYGARD
Deputy Attorney General
Idaho Department of Water Resources

cc: Cindy Bird

SCANNED

JUL 13 2001

Log for claim 27-00004U

Spatial Dynamics LTD

12/19/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	23	NWNW	23	13	
Totals:			23	13	

AJ5809NP
No. A27-00004U

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK B PRATT 486 E WEEDING LN BLACKFOOT ID 83221 (208) 785-4245	06/01/1885	IRRIGATION	04-01 11-01	0.500 CFS	
TOTAL DIVERSION:					0.500 CFS	
CONSUMPTIVE USE:						57.50 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T02S R37E S17 Lot03(NWSW)

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE						
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE						
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	36E	23	:					23										23.0
TOTAL ACRES																	23.0	

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-00004M A27-00004P A27-00022D A27-00035D A27-02133 A27-10395

Remarks: GEN THIS CLAIM IS A PORTION OF DECREED WATER RIGHT 27-00004.
INFORMATION TAKEN FROM CLAIMANTS' DEED.

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

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

Audit: 03/23/93 DCARLSON 09/27/94 JTHOMPSO 03/29/95 POST-STD

JUL 13 2007

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: A27-00004U
Date Received: 4/24/1989
Receipt No: E007014
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MARK B. PRATT
Address: 486 E. WEEDING LANE
BLACKFOOT ID 83221
208-785-4245

2. Date of Priority: JUN 1, 1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	37E	17	NW	SW		3	BINGHAM

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U 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	0.500		

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

8. Total consumptive use is 57.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	36E	23	NW	NW		IRR	23.0

MICROFILMED

APR 12 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	23.0
					Total Acres	23.0

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:
N/A

14. Remarks:

THIS CLAIM IS A PORTION OF DECREED WATER RIGHT 27-00004.
INFORMATION TAKEN FROM CLAIMANTS' DEED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FRED S. STEVENS, ET AL.
Decree Plaintiff

EASTERN IDAHO WATER 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: _____

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): _____ Date: _____
_____ Date: _____

#6900
7300 X

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

RECEIVED

APR 24 1989

Renumbered → 44
Ident. Number: A27-00004N
Date Received: 4/19/1989
Receipt No: 8007014
Received By: PRM

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK B. PRATT 208-785-4245
Address: 486 E. WEEDING LANE
BLACKFOOT, ID 83221

2. Date of Priority: JUN 01, 1885

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
02S	37E	17	NW SW	3	BINGHAM

5. Description of diverting works:
HEADGATE TO DITCHES TO P/U FOR LOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is ^{mp} 57.5 ~~47.5~~ Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	36E	23	NW NW		IRR	~~19.0~~ 23.0
Section Acres						~~19.0~~ 23.0

A27-00004N

Page 1

Date: 04/19/89

MICROFILMED

NOV 12 1992

10. Place of Use: Continued

Total Acres

~~19.0~~
23.0

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:
N/A

14. Remarks:

THIS CLAIM IS A PORTION OF DECREED WATER RIGHT 27-00004.
INFORMATION TAKEN FROM CLAIMANTS' DEED.

15. Basis of Claim: DECREED

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: _____

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): Mark Pratt Date: 4/21/89

Date: _____

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of April 19 89

Sharon M. Nelson
Notary Public

Seal

Residing at Pengree, ID
My Commission Expires 3/28/94

A27-00004N

Z41

E R37E

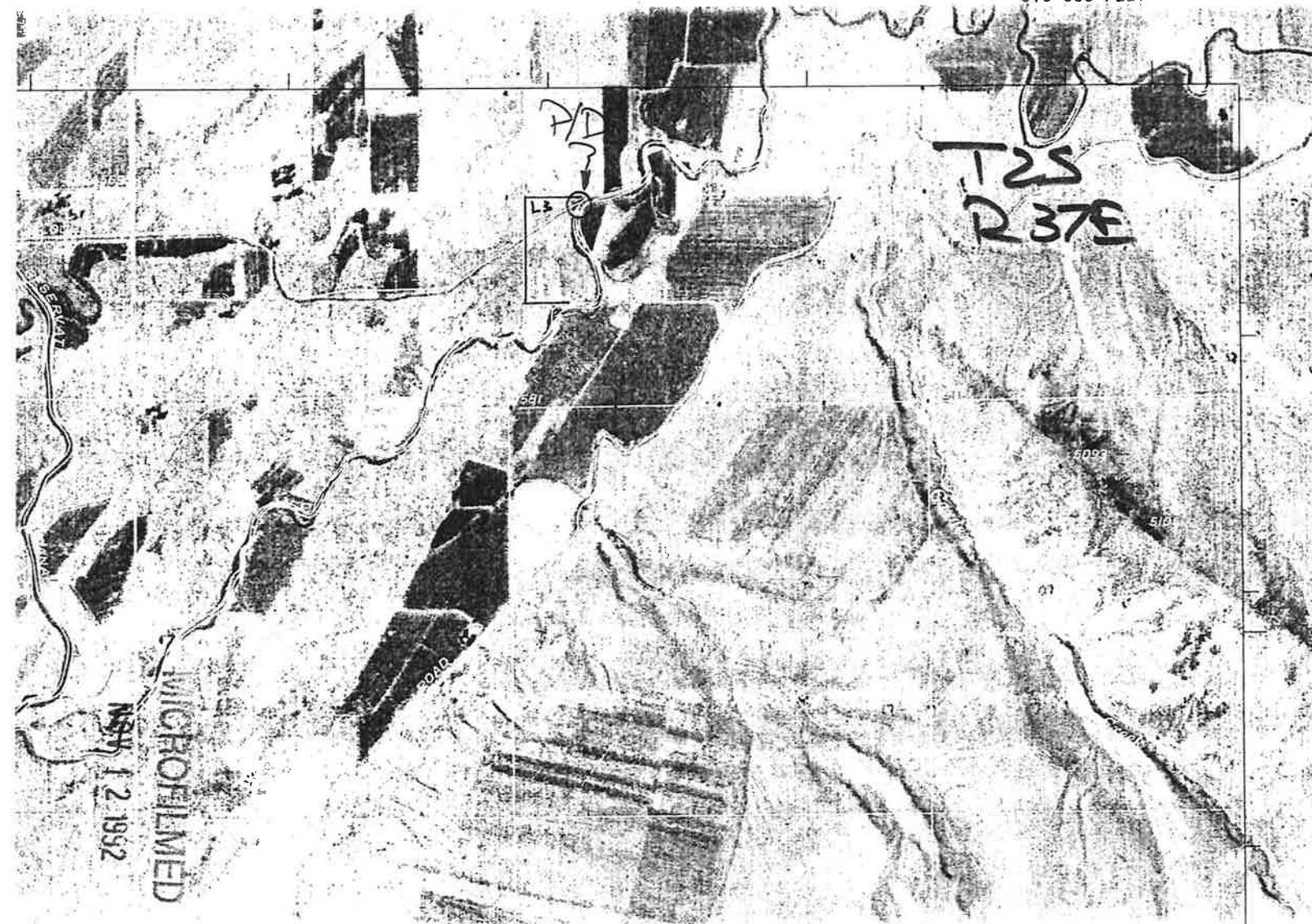
LINCOLN CREEK ORTHOPHOTOQUAD
IDAHO

510 000 FEET 112°07'30"

43°15'

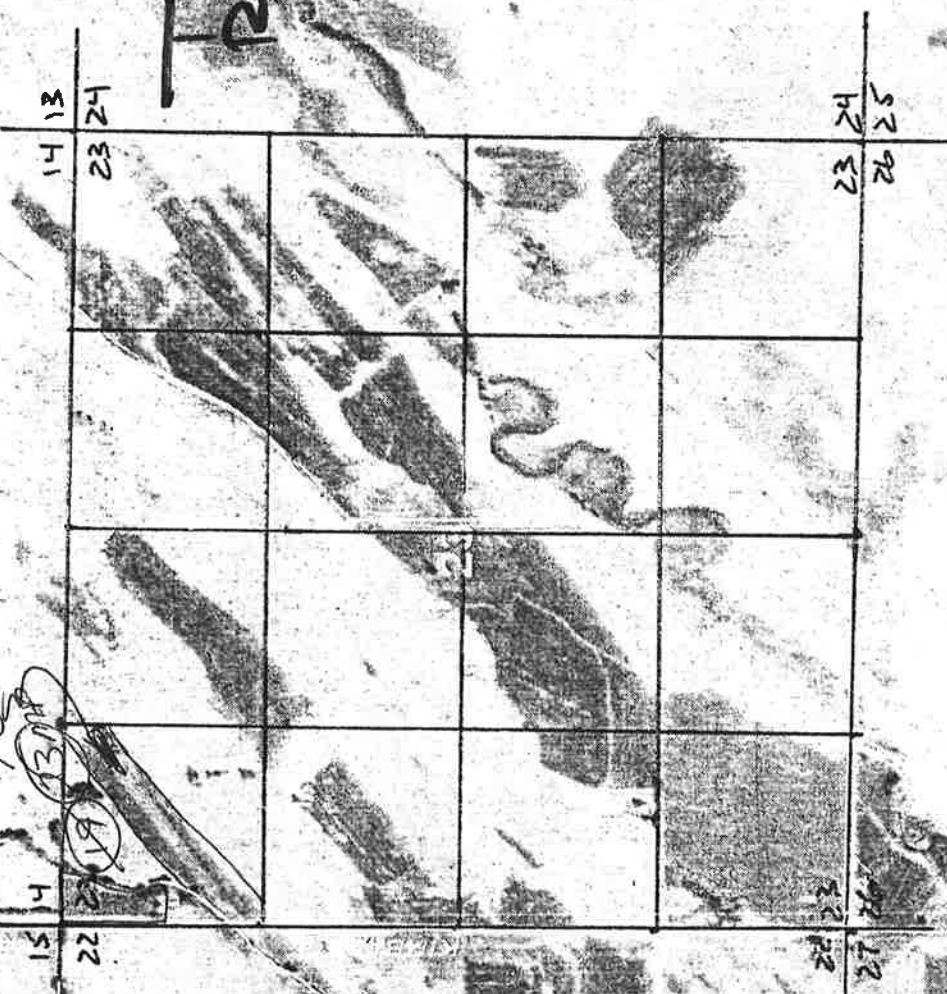
T2S
R37E

570 000
FEET



A27-00004N

7/0
13M
19



MICROFILMED
NOV 12 1992