

Water Supply Bank No. 85-15435

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 05 2009

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

WATER RESOURCES
WESTERN REGION

Name of Seller/Lessor Charles A. Pratt - Gwendolyn Workman Phone 208-926-7710
Post office address 195 Pratt Rd Stites, ID 83552

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 85-15435 Decreed to Charles A Pratt - Gwendolyn Workman
(Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water
Resources.
- c. Permit No. _____ issued by the Idaho Department of Water
Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease,
show "all" on line a. below and skip the remainder of part 2.)

- a. Amount of water under right: 211 cubic feet per second &/or
_____ acre-feet per annum
- b. Point of diversion: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

c. Place of use:

TWP	RGE	SEC	N E				N W				S W				S E				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres _____

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

- a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Warranty Deed (copy)

- b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

- c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

The water is always available throughout the irrigation season to fill our water right.

- d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

- e. If the water right is a permit, describe the work accomplished toward developing the right.

- f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

4. REMARKS:

NA

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

☒ For lease for a period from 1-01-09 to 1-01-14
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

Current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented. *It is our understanding that if we need the water we can withdraw it at any time, by written request, if it hasn't been rented out.*
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

12-19-08
Date

Charles A. Pratt
Signature
Dwendolyn Hartman

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

436606

WARRANTY DEED

FOR VALUE RECEIVED, the Grantors, **GWENDOLYN WORKMAN** and **CHARLES PRATT**, Personal Representatives of the Estate of Cora G. Pratt, deceased, and **GWENDOLYN WORKMAN** and **CHARLES PRATT**, Personal Representatives of the Estate of Albert C. Pratt, deceased, do hereby grant, bargain, sell and convey unto **GWENDOLYN WORKMAN**, a married woman, as her sole and separate property, and **CHARLES PRATT**, a married man, as his sole and separate property, in equal shares, share and share alike, the Grantees, whose address is: Route 1, Box 100A, Grangeville, Idaho 83830, the following described premises situate in Idaho County, State of Idaho, to wit:

Township 32 North, Range 4 East, Boise Meridian, Idaho County, Idaho.

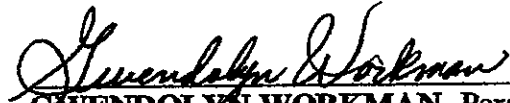
Section 32: The South Half of the Southwest Quarter; and the West Half of the West Half of the Southwest Quarter of the Southeast Quarter; and the Northwest Quarter of the Southeast Quarter.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that the premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever except general taxes and assessments for the year 2004, and Road Right-of-Way Easement between Albert C. Pratt and Cora Pratt, husband and wife, and Helmich Industries, Inc., an Idaho corporation, recorded May 20, 1993, as Instrument No. 368744, records of Idaho County, Idaho, and easements, reservations, restrictions and rights-of-way of record or in use.

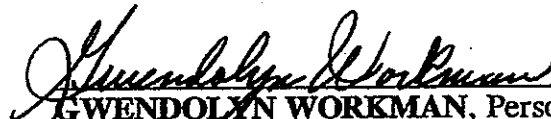
STATE of IDAHO	
County of Idaho	
Recorded at request of <u>Kentell, Blah & Cox</u>	
at <u>10:00 A</u>	on <u>7-30-04</u>
ROSE E. GEHRING	
By <u>[Signature]</u>	Recorder
Fees \$ <u>12.00</u>	Deputy

M/P.D. Box 446

DATED this 28 day of July, 2004.


GWENDOLYN WORKMAN, Personal
Representative of the Estate of Cora G.
Pratt, deceased


CHARLES PRATT, Personal
Representative of the Estate of Cora G.
Pratt, deceased


GWENDOLYN WORKMAN, Personal
Representative of the Estate of Albert C.
Pratt, deceased


CHARLES PRATT, Personal
Representative of the Estate of Albert C.
Pratt, deceased

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 85-15435

WATER RIGHT NUMBER: 85-15435

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALBERT C PRATT HC 66 BOX 471 KOOSKIA, ID 83539 (208)926-7578
Original Owner	CORA G PRATT HC 66 BOX 471 KOOSKIA, ID 83539 (208)926-7578
Current Owner	CHARLES A PRATT HC 66 BOX 497 KOOSKIA, ID 83539 (208)926-7710
Current Owner	GWENDOLYN WORKMAN HC 66 BOX 497 KOOSKIA, ID 83539 (208)926-7710

Priority Date: 07/10/1964

Basis: Decreed

Status: Active

Source

SOUTH FORK CLEARWATER RIVER

Tributary

CLEARWATER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	06/20 to 10/01	0.330 CFS	
	<u>Total Diversion:</u>	0.330 CFS	

Location of Point(s) of Diversion

SOUTH FORK CLEARWATER RIVER IDAHO County	SE1/4NW1/4SE1/4	Sec. 32, Twp 32N, Rge 04E, B.M.
SOUTH FORK CLEARWATER RIVER IDAHO County	NE1/4NW1/4SE1/4	Sec. 32, Twp 32N, Rge 04E, B.M.

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	
32N	04E	32															14.0	2.3	16.3

Total Acres: 16.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 85-15435

1. C18 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.

Remarks:

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 8/18/2005
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: