

Water Supply Bank No. 85-15434

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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

JAN 05 2009

WATER RESOURCES
WESTERN REGION

Name of Seller/Lessor Charles A Pratt - Lalla Jane Pratt Phone 208-926-7710

Post office address 195 Pratt Rd - Stites, ID 83552

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

- a. Decree No. 85-15434 Decreed to Charles A. Pratt - Lalla Jane Pratt
(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: _____ 1/4 of _____ 1/4 of Section _____ Township _____ Range
_____, B.M. in _____ County.
Additional points _____

C.

[illegible]

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.

Purchased

Memorandum of Contract Sale and land
description enclosed

- 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 any 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.
- x 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 we may withdraw the water 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 C. Pratt - Lalla Jane Pratt
Signature

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

350162

MEMORANDUM OF CONTRACT SALE

COMPUTER (X)
INDEXED (X)
TRACTED (X)
FILMED (X)
ABSTRACT (X)

TO: ROSE E. GEHRING, Idaho County Clerk

PLEASE BE NOTIFIED, that on this 29 day of Sept, 1989, ALBERT C. PRATT and CORA G. PRATT, husband and wife, of HC66 Box 471, Kooskia, ID 83539, have sold pursuant to an unrecorded Contract of Sale that property which is described in Exhibit "A", attached hereto and hereby incorporated by this reference, to CHARLES A. PRATT and JANE PRATT, husband and wife, of HC66 Box 477, Kooskia, ID 83539. This memorandum is made to acquaint the public at large to the fact of such sale.

DATED this 29 day of Sept, 1989.

Albert C. Pratt
ALBERT C. PRATT

Cora G. Pratt
CORA G. PRATT

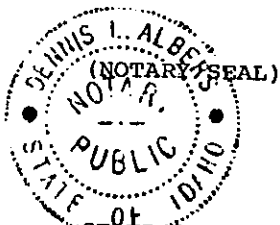
Charles A. Pratt
CHARLES A. PRATT

Jane Pratt
JANE PRATT

STATE OF IDAHO)
County of Idaho) ss

On this 29 day of Sept, 1989, before me, a Notary Public in and for said County and State, personally appeared ALBERT C. PRATT and CORA G. PRATT, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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



STATE OF IDAHO)
County of Idaho) ss

Dennis L. Albert
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 12-25-90.

On this 29 day of Sept, 1989, before me, a Notary Public in and for said County and State,



Dennis C. Albers
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 12-25-94

Filed and recorded at the request of Dennis C. Albers
at 4:15 o'clock P M this 3 day of October 1987

By Daphne Lee Hargland
Deputy

ROSE E. GEHRING
Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 9.00
w/ ~~12.00~~
204 W North Street
Grangeville, Id
83500

EXHIBIT "A"

All property described below is situate in Idaho County, Idaho:

Township 31 North, Range 3 East, Section 1,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$, constituting 120 acres.

Township 31 North, Range 3 East, Section 12,
E $\frac{1}{4}$ Sec., E $\frac{1}{4}$ SW $\frac{1}{4}$, constituting 400 acres.

Township 31 North, Range 4 East, Section 5,
SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ West of River
Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, N 120 ft. of SW $\frac{1}{4}$ SE $\frac{1}{4}$ LESS ROAD
constituting 263.18 acres.

Township 31 North, Range 4 East, Section 4,
N $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ West of River
N $\frac{1}{4}$ S $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ West of River
constituting 6 acres.

Township 31 North, Range 4 East, Section 6,
Lot 1, Tax #16, S $\frac{1}{4}$ NE $\frac{1}{4}$
Lots 6 and 7, E $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$
constituting 449.99 acres.

Township 31 North, Range 4 East, Section 7,
Lots 1-4 incl.
West 23 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ E $\frac{1}{4}$ SW $\frac{1}{4}$
constituting 233.61 acres.

Township 32 North, Range 3 East, Section 35,
NW $\frac{1}{4}$ SW $\frac{1}{4}$
LESS ROAD, constituting 39 acres.

Township 32 North, Range 4 East, Section 31,
Tax #64 SE $\frac{1}{4}$ SE $\frac{1}{4}$
constituting 68 acres.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 85-15434 V1

WATER RIGHT NUMBER: 85-15434 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES A PRATT HC 66 BOX 497 KOOSKIA, ID 83539 (208)926-7710
Current Owner	LALLA JANE PRATT HC 66 BOX 477 KOOSKIA, ID 83539 (208)926-7710

Priority Date: 07/10/1964

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK CLEARWATER RIVER	CLEARWATER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

SOUTH FORK CLEARWATER RIVER	NW1/4SW1/4	Sec. 4, Twp 31N, Rge 04E, B.M.
IDAHO County		

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	
31N	04E	4									4.5								4.5
31N	04E	5			.5									1.0					1.5

Total Acres: 6

Conditions of Approval:

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 85-15434 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: