

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/15/2022

Water Right 27-12334

After Split

Owner Type **Name and Address**
Current Owner KINNEY RANCH LLC
 21 E 100 N
 BLACKFOOT, ID 83221-5860
 (208) 313-3354

Security Interest IDAHO AGCREDIT FLCA
 PO BOX 985
 BLACKFOOT, ID 83221-0985

Priority Date: 3/25/1880

Basis: Decreed

Status: Active

Source
BLACKFOOT RIVER

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.850 CFS	
	Total Diversion		1.850 CFS	

Source and Point(s) of Diversion:

BLACKFOOT RIVER L3(NENWSW) Sec. 17, Twp 02S, Rge 37E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

			NE		NW		SW		SE												
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals		
02S	36E	22			40.1	36.9											40.0		117.0		

POU Total Acres: 117.0

Conditions of Approval:

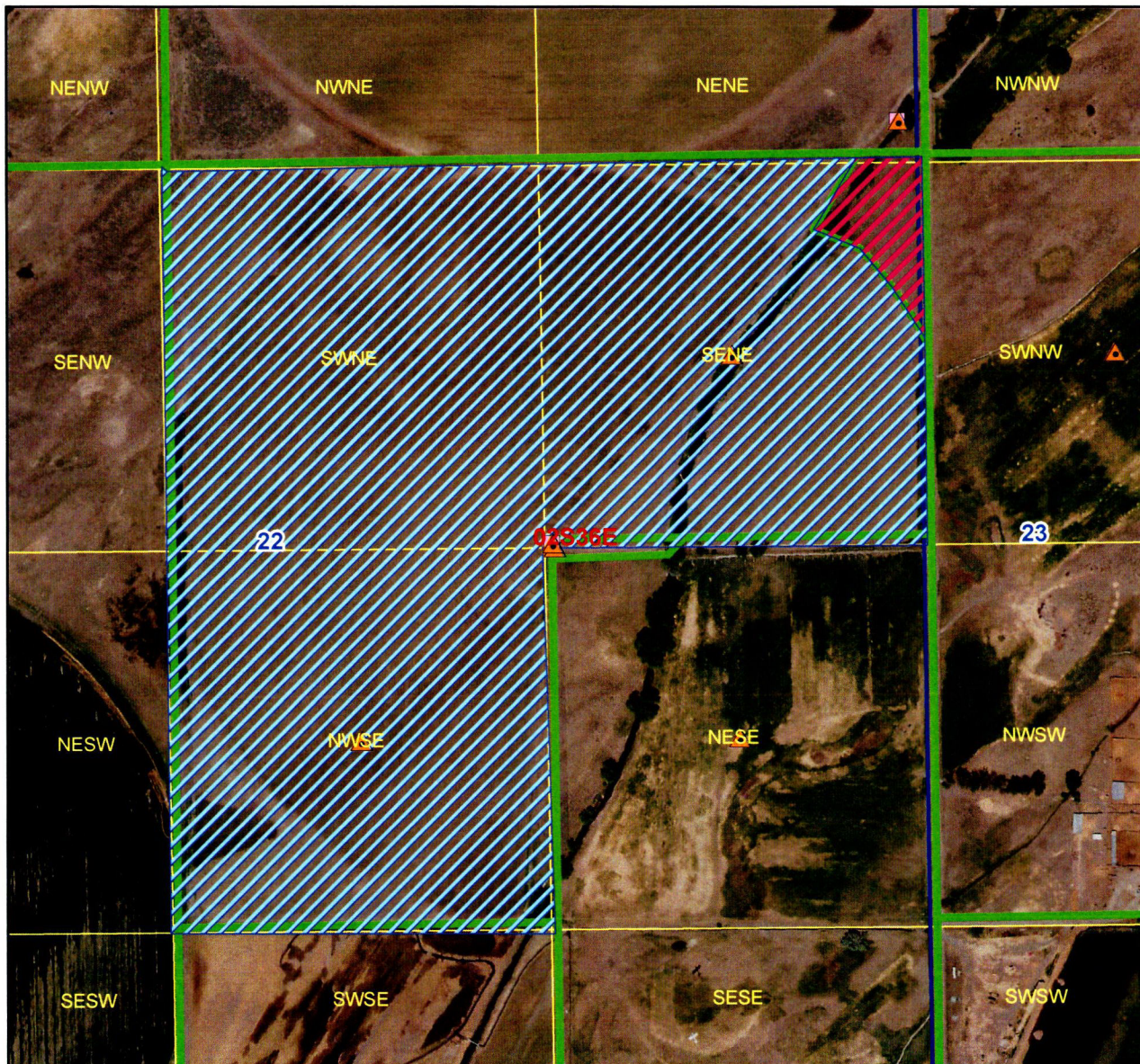
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. P21 This right is a split from former right 27-23.
3. 257 This water right is entitled to the protections of paragraph x.d of water right 27-11375.

Comments:

3 j barg 12/15/2022 Ownership Change
Split into 27-12334 was split into 27-12334 and 27-12335.

SCANNED

Idaho Department of Water Resources



Legend

-  27-12335 POU
-  27-12334 After Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

SCANNED

DEC 20 2022

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12/15/2022

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Source
BLACKFOOT RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.900 CFS	
	<u>Total Diversion</u>		1.900 CFS	

Source and Point(s) of Diversion:

BLACKFOOT RIVER L3(NENWSW) Sec. 17, Twp 02S, Rge 37E, BINGHAM County

Place Of Use:

IRRIGATION within BINGHAM County

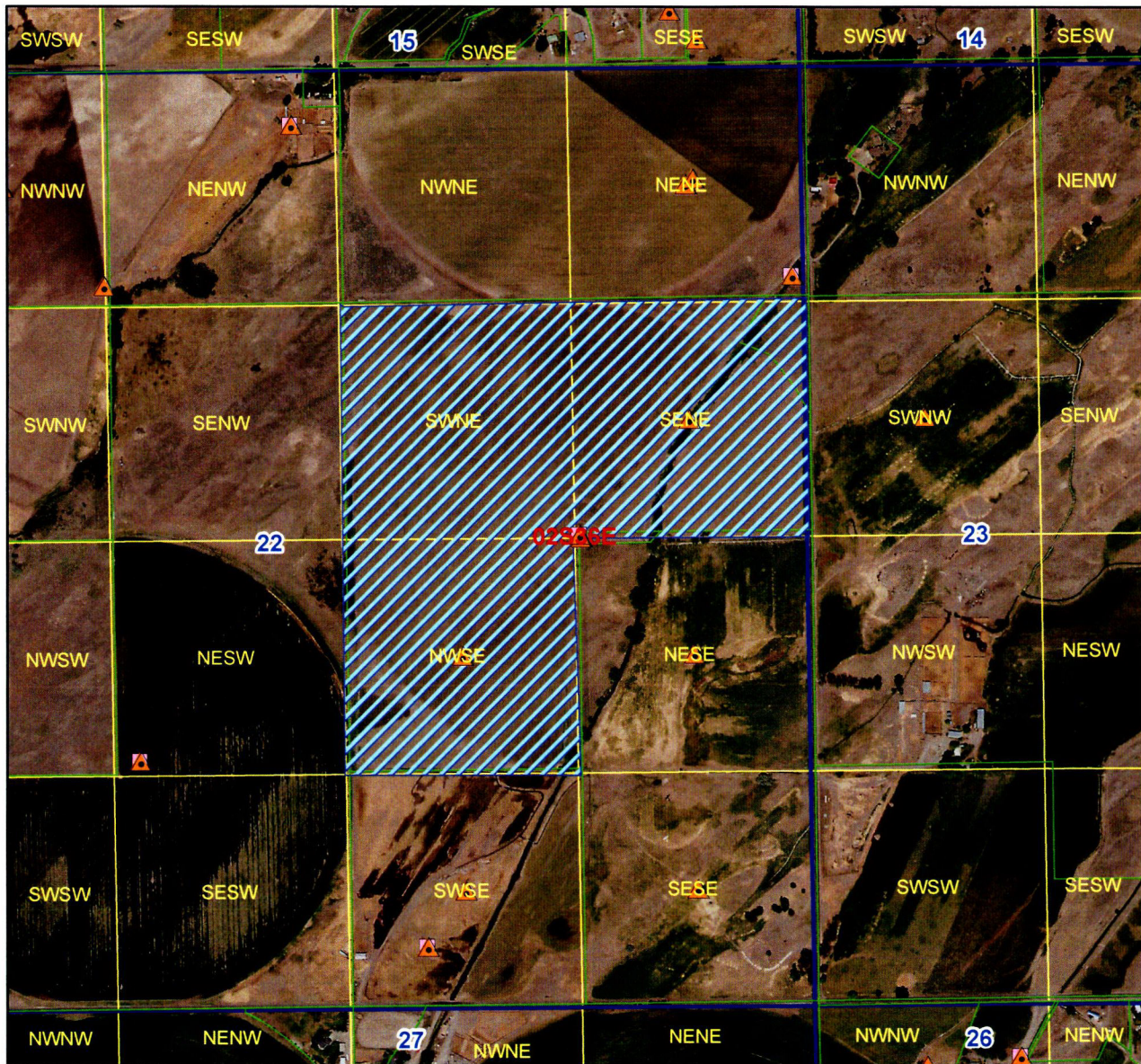
			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	36E	22			40.1	40.1											40.0		120.2

POU Total Acres: 120.2

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.
2. P21 This right is a split from former right 27-23.
3. 257 This water right is entitled to the protections of paragraph x.d of water right 27-11375.

Idaho Department of Water Resources



Legend

-  27-12334 Before Split
-  Parcels
-  Township/Range
-  Sections
-  QQ

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DEC 20 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 09 2022

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #7](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
27-12334	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<u>27-12334</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<u>27-12334</u> <u>27-12335</u>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Kinney Ranch LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary and Anita Pratt, Seth and Leah Pratt
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 225 N 400 E Blackfoot ID 83221
Mailing address City State Zip
208.680.6253 sethpratt@outlook.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 05/03/2022
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE #

27-12334

8. Signature:  Dec 6, 2022
Signature of new owner/claimant Title, if applicable Date
Seth Pratt
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

For IDWR Office Use Only:

Received by  Date 12/9/22 Receipt No. E048780 Receipt Amt. \$100.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by  Processed by  Date 12/15/2022

DEC 20 2022

Instrument # 745136

BINGHAM COUNTY, IDAHO

2022-05-03 08:25:19 AM No. of Pages: 3

Recorded for: PIONEER TITLE BINGHAM COUNTY

PAMELA W. ECKHARDT Fee: \$15.00

Ex-Officio Recorder Deputy JPulley

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

PTC 800038

WARRANTY DEED

KINNEY RANCH, LLC, an Idaho Limited Liability Company, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain,
sell and convey unto GARY PRATT and ANITA PRATT, husband and wife; and SETH
PRATT and LEAH PRATT, husband and wife and Grantee's successors and assigns, whose
address is 21 East 100 North, Blackfoot, Idaho all
of the following described real property, to-wit: 83221

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A
PART HEREOF

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments
and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents,
issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the
Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against
the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine,
masculine, the feminine and neuter.

Dated: April 13 2022

KINNEY RANCH, LLC, an Idaho Limited Liability Company

BY: Patrick Olsen
Patrick Olsen, its Manager/Member

BY: Robert W. Olsen
Robert Olsen, its Manager/Member

SCANNED

DEC 20 2022

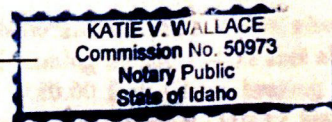
State of Idaho, County of Bonneville

This record was acknowledged before me on April 29, 2022 by PATRICK OLSEN and ROBERT OLSEN, as Manager/Members of KINNEY RANCH, LLC.

Katie V. Wallace

Signature of Notary Public

Commission Expires: 10-17-25



SCANNED

DEC 20 2022

BENCHMARK
LAND SURVEYING
(208) 313-2458

789 NORTH 450 EAST
FIRTH, IDAHO 83236

Job No. 22005
2-28-2022
T.R.M.

LEGAL DESCRIPTION
FOR
PRATT AND OLSEN
(OLSEN TO PRATT)

Part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 22, Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point on a non-tangent curve that is N.00°28'55"E. 651.39 feet along the section line from the East Quarter corner of said Section 22 and running thence 414.72 feet along said curve to the left, Curve Data: Delta = 16°03'18", Radius = 1480.00 feet, Chord bearing = N.34°07'54"W. 413.36 feet; thence N.66°44'10"W. 175.09 feet; thence N.31°50'49"E. 310.17 feet to the north line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22; thence S.89°38'07"E. 234.80 feet to the Northeast corner of said Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 22; thence S.00°28'55"W. 673.32 feet to the point of beginning.

Parcel contains 3.236 acres and is subject to the existing County Road (Kimball Road, 400 East) right-of-way along the east side of the above described parcel.

RESERVING UNTO THE GRANTORS a 50 foot wide easement for ingress and egress along the North line of the above described property.



SCANNED

DEC 20 2022

S 1/2 OF THE NE 1/4 AND NW 1/4 OF THE SE 1/4, SECTION 22, T. 2 S., R. 36 E.B.M., BINGHAM COUNTY, IDAHO

RECORDER'S CERTIFICATE

Instrument No. _____
Time of Day _____
Date _____
Recorded in Bingham County, Idaho

County Recorder

SURVEYOR'S NARRATIVE

Benchmark Land Surveying was commissioned by Reed Nord in behalf of William Whitten to survey the property shown hereon and described in Corrected Warranty Deed, Instrument No. 596419. The S 1/2 NE 1/4 and NW 1/4, SE 1/4 Section 22, T. 2 S., R. 36 E.B.M. Quit Claim deeds were prepared to exchange a portion of the NE 1/4 SE 1/4, Section 22 between the Quarter section line and the existing fence to correct for the irrigation pump which was on Pratt's property. In exchange, Olsen (the new buyer) will give Pratt's 3.236 acres in the northeast corner of the SE 1/4 NE 1/4, Section 22.

Basis of Bearing: Idaho State Plane (NAD83) coordinate system, Idaho East Zone (1101). The coordinates used for the project were established using the National Geodetic Survey (NGS) Online Positioning User Service (OPUS). The files were processed with respect to Continuously Operating Reference Stations (CORS) GTRG_LBRV_ID1998 CORS, IDBB Idaho Falls CORS and the IDH Idaho Falls CORS.

A Title Report was not requested. There may be existing easements that are not shown.

S 1/2 NE 1/4
80.255 ACRES
3.236 ACRES
77.019 ACRES NET

PRATT TO OLSEN
0.624 ACRES

LEGAL DESCRIPTIONS

CORRECTED WARRANTY DEED, INSTRUMENT NO. 596419

T2S R36E SEC 22
S2NE* NWSE

PRATT TO OLSEN

Part of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) Section 22, Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point that is N89°36'22"W 857.81 feet along the east-west centerline through the section line from the East Quarter corner of said Section 22 and running thence S44°28'22"W 82.95 feet to an existing fence line, thence S89°25'03"W 404.21 feet along said existing fence line to the west line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 22, thence N00°25'59"E 66.48 feet to the Northwest corner of the said Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) Section 22, thence S89°36'22"E 461.81 feet to the point of beginning.

Parcel contains 0.624 acres.

NW 1/4 SE 1/4
40.083 ACRES

LEGAL DESCRIPTION

OLSEN TO PRATT

Part of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 22, Township 2 South, Range 36 East of the Boise Meridian, Bingham County, Idaho described as follows:

Beginning at a point on a non-tangent curve that is N00°28'55"E 651.39 feet along the section line from the East Quarter corner of said Section 22 and running thence 414.72 feet along said curve to the left. Curve Data: Delta = 16°03'18"; Radius = 1480.00 feet, Chord bearing = N34°07'54"W 413.36 feet; thence N66°44'10"W 175.09 feet; thence N31°50'49"E 310.17 feet to the north line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 22, thence S89°38'07"E 234.80 feet to the Northeast corner of said Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 22, thence S00°28'55"W 673.32 feet to the point of beginning.

Parcel contains 3.236 acres and is subject to the existing County Road (Kimball Road, 400 East) right-of-way along the east side of the above described parcel.

LEGEND

- Section corner control.
- Placed 1/2" x 24" iron rod with yellow plastic cap marked PLS 7380.
- Found iron rod.
- X — X — X — Indicates existing fence lines.
- DP — Indicates existing overhead power.

SURVEYOR'S CERTIFICATE

I, Terry R. Meppen, a Registered Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey conducted under my supervision.

Terry R. Meppen
License No. 7380
PROFESSIONAL LAND SURVEYOR
REGISTERED
STATE OF IDAHO
TERRY R. MEPPEN
Date _____

RECORD OF SURVEY

 BENCHMARK LAND SURVEYING (208) 313-2458		SHEET 1 OF 1
WILLIAM SHERMAN WHITTEN SEC. 22, T. 2 S., R. 36 E.B.M.		
DATE:	2-28-2022	789 NORTH 450 EAST FIRTH, IDAHO 83236 imeppen@gmail.com
DESIGN:		
DRAWN:	T.R.M.	
PROJECT NO:	22005	
REVISION:		

8/19/2022

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/19/2022

Dates and Other Information:

Decreed Date: 5/1/2012
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: 27
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		151.6	27-12030 ,27-7095 ,27-12334

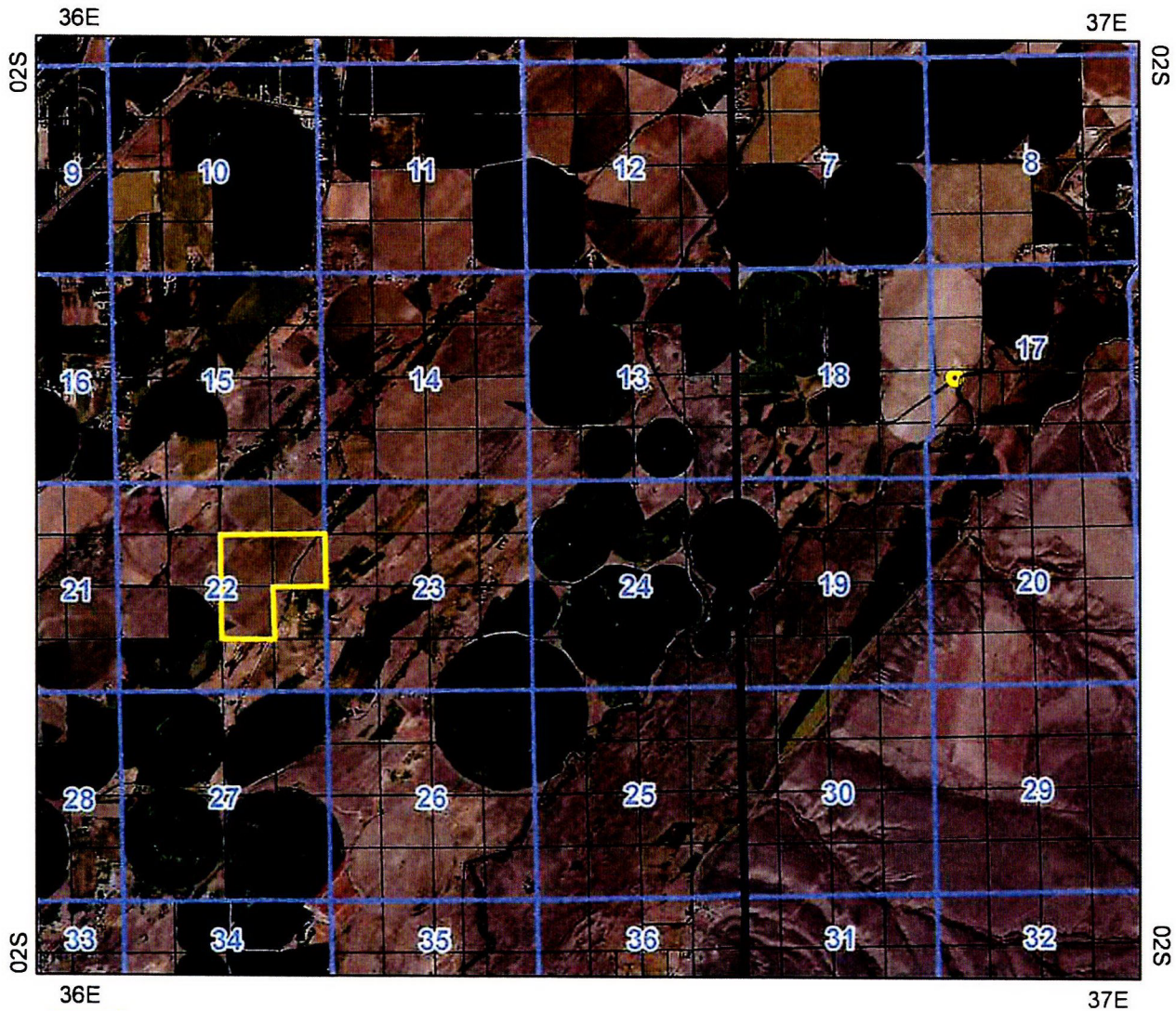
SubCase:

N/A

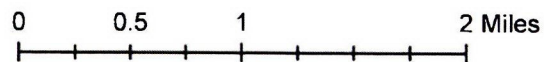
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right License
27-12334



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion



SCANNED

DEC 20 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 15, 2022

GARY PRATT
ANITA PRATT
225 N 400 E
BLACKFOOT ID 83221-5971

SETH PRATT
LEAH PRATT
225 N 400 E
BLACKFOOT ID 83221-5971

Re: Change in Water Right Ownership: 27-12334 (Split into 27-12334 and 27-12335),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: KINNEY RANCH LLC
WATER DISTRICT 01

SCANNED

DEC 20 2022